

EIGHTY-THIRD DAY

St. Paul, Minnesota, Monday, April 27, 2020

The Senate met at 11:00 a.m. and was called to order by the President.

The members of the Senate paused for a moment of silent prayer and reflection.

The members of the Senate gave the pledge of allegiance to the flag of the United States of America.

The roll was called, and the following Senators were present:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	Wiklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

The President declared a quorum present.

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Anderson, B.; Carlson; Clausen; Dahms; Eaton; Hall; Housley; Johnson; Klein; Laine; Latz; Little; Mathews; Newman; Newton; Pappas; Relph; Rest; Senjem; Sparks; Torres Ray; Westrom; and Wiklund.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

REPORTS OF COMMITTEES

Senator Nelson from the Committee on E-12 Finance and Policy, to which was referred

S.F. No. 3312: A bill for an act relating to education finance; amending the allowed uses of the safe schools levy; amending Minnesota Statutes 2018, section 126C.44.

Reports the same back with the recommendation that the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

Senator Osmek from the Committee on Energy and Utilities Finance and Policy, to which was referred

S.F. No. 4409: A bill for an act relating to energy; establishing the Energy Conservation and Optimization Act of 2020; amending Minnesota Statutes 2018, sections 216B.2401; 216B.241, subdivisions 1a, 1c, 1d, 1f, 2, 2b, 3, 5, 7, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 216B; repealing Minnesota Statutes 2018, section 216B.241, subdivisions 1, 2c, 4.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. TITLE.

Sections 2 to 19 may be cited as the "Energy Conservation and Optimization Act of 2020."

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

Sec. 2. [216B.1698] INNOVATIVE CLEAN TECHNOLOGIES.

(a) For purposes of this section, "innovative clean technology" means advanced energy technology that is:

- (1) environmentally superior to technologies currently in use;
- (2) expected to offer energy-related, environmental, or economic benefits; and
- (3) not widely deployed by the utility industry.

(b) A public utility may petition the commission for authorization to invest in a project or projects to deploy one or more innovative clean technologies to further the development, commercialization, and deployment of innovative clean technologies that benefit the public utility's customers.

(c) The commission may approve a petition under paragraph (b) if it finds:

- (1) the technologies proposed are innovative clean technologies;
- (2) the investment in an innovative clean energy technology is likely to provide benefits to customers that exceed the cost;
- (3) the public utility is meeting its energy conservation goals under section 216B.241; and
- (4) the project meets the spending limits of paragraph (d).

(d) Over any three consecutive years, a public utility may not spend more on innovative clean technologies under this section than:

(1) \$6,000,000, for a public utility providing service to 200,000 or more retail Minnesota customers; or

(2) \$3,000,000 for a public utility providing service to fewer than 200,000 retail Minnesota customers.

(e) The commission may authorize a public utility to file a rate schedule containing provisions that automatically adjust charges for public utility service in direct relation to changes in prudent costs incurred by a public utility under this section, up to the amounts allowed under paragraph (d). To the extent the public utility investment under this section is for a capital asset, the utility may request that the asset be included in the utility's rate base.

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

Sec. 3. Minnesota Statutes 2018, section 216B.2401, is amended to read:

216B.2401 ENERGY SAVINGS AND OPTIMIZATION POLICY GOAL.

(a) The legislature finds that energy savings are an energy resource, and that cost-effective energy savings are preferred over all other energy resources. In addition, the legislature finds that optimizing the timing and method used by energy consumers to manage energy use can provide significant benefits to the consumers and to the utility system as a whole. The legislature further finds that cost-effective energy savings and load management programs should be procured systematically and aggressively in order to reduce utility costs for businesses and residents, improve the competitiveness and profitability of businesses, create more energy-related jobs, reduce the economic burden of fuel imports, and reduce pollution and emissions that cause climate change. Therefore, it is the energy policy of the state of Minnesota to achieve annual energy savings equal equivalent to at least ~~1.5~~ 2.5 percent of annual retail energy sales of electricity and natural gas through ~~cost-effective energy conservation improvement programs and rate design, energy efficiency achieved by energy consumers without direct utility involvement, energy codes and appliance standards, programs designed to transform the market or change consumer behavior, energy savings resulting from efficiency improvements to the utility infrastructure and system, and other efforts to promote energy efficiency and energy conservation.~~ multiple measures, including but not limited to:

(1) cost-effective energy conservation improvement programs and efficient fuel-switching utility programs under sections 216B.2402 to 216B.241;

(2) rate design;

(3) energy efficiency achieved by energy consumers without direct utility involvement;

(4) advancements in statewide energy codes and cost-effective appliance and equipment standards;

(5) programs designed to transform the market or change consumer behavior;

(6) energy savings resulting from efficiency improvements to the utility infrastructure and system; and

(7) other efforts to promote energy efficiency and energy conservation.

(b) A utility is encouraged to design and offer to its customers load management programs that enable: (1) customers to maximize the economic value gained from the energy purchased from the customer's utility service provider; and (2) utilities to optimize the infrastructure and generation capacity needed to effectively serve customers and facilitate the integration of renewable energy into the energy system.

(c) The commissioner must provide a reasonable estimate of progress made toward the statewide energy-savings goal under paragraph (a) in the annual report required under section 216B.241, subdivision 1c, and make recommendations for administrative or legislative initiatives to increase energy savings toward that goal. The commissioner must also annually report on the energy productivity of the state's economy by estimating the ratio of economic output produced in the most recently completed calendar year to the primary energy inputs used in that year.

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

Sec. 4. [216B.2402] DEFINITIONS.

(a) For the purposes of section 216B.16, subdivision 6b, and sections 216B.2401 to 216B.241, the terms defined in this section have the meanings given them.

(b) "Consumer-owned utility" means a municipal gas utility, a municipal electric utility, or a cooperative electric association.

(c) "Cumulative lifetime savings" means the total electric energy or natural gas savings in a given year from energy conservation improvements installed in that given year and those installed in previous years that are still in operation.

(d) "Efficient fuel-switching improvement" means a project that:

(1) replaces a fuel used by a customer with electricity or natural gas delivered at retail by a utility subject to section 216B.2403 or 216B.241;

(2) results in a net increase in the use of electricity or natural gas and a net decrease in source energy consumption on a fuel-neutral basis;

(3) otherwise meets the criteria established for consumer-owned utilities in section 216B.2403, subdivision 8, and for public utilities under section 216B.241, subdivision 11; and

(4) requires the installation of equipment that utilizes electricity or natural gas, resulting in a reduction or elimination of the fuel used previously.

An efficient fuel-switching improvement is not an energy conservation improvement or energy efficiency even if it results in a net reduction in electricity or natural gas use.

(e) "Energy conservation" means an action that results in a net reduction in electricity or natural gas consumption. Energy conservation does not include an efficient fuel-switching improvement.

(f) "Energy conservation improvement" means a project that results in energy efficiency or energy conservation. Energy conservation improvement may include waste heat that is recovered and converted into electricity or used as thermal energy, but does not include electric utility infrastructure projects approved by the commission under section 216B.1636.

(g) "Energy efficiency" means measures or programs, including energy conservation measures or programs, that target consumer behavior, equipment, processes, or devices and are designed to produce a decrease in consumption of electricity or natural gas on either an absolute or per unit of production basis, without reducing the quality or level of service provided to the energy consumer.

(h) "Fuel" means energy, including electricity, propane, natural gas, heating oil, gasoline, diesel fuel, or steam consumed by a retail utility customer.

(i) "Fuel neutral" means an approach that compares the use of various fuels for a given end use, using a common metric.

(j) "Gross annual retail energy sales" means a utility's: (1) annual electric sales to all Minnesota retail customers; or (2) natural gas throughput to all retail customers, including natural gas transportation customers, on a utility's distribution system in Minnesota. Gross annual retail energy sales does not include:

(1) gas sales to:

(i) a large energy facility;

(ii) a large customer facility whose natural gas utility has been exempted by the commissioner under section 216B.241, subdivision 1a, paragraph (a), with respect to natural gas sales made to the large customer facility; and

(iii) a commercial gas customer facility whose natural gas utility has been exempted by the commissioner under section 216B.241, subdivision 1a, paragraph (b), with respect to natural gas sales made to the commercial gas customer facility;

(2) electric sales to a large customer facility whose electric utility has been exempted by the commissioner under section 216B.241, subdivision 1a, paragraph (a), with respect to electric sales made to the large facility; or

(3) the amount of electric sales prior to December 31, 2032, that are associated with a utility's program, rate, or tariff for electric vehicle charging based on a methodology and assumptions developed by the department in consultation with interested stakeholders no later than December 31, 2020. After December 31, 2032, incremental sales to electric vehicles must be included in calculating a utility's gross retail sales.

(k) "Investments and expenses of a public utility" means the investments and expenses incurred by a public utility in connection with an energy conservation improvement.

(l) "Large customer facility" means all buildings, structures, equipment, and installations at a single site that in aggregate: (1) impose a peak electrical demand on an electric utility's system of at least 20,000 kilowatts, measured in the same way as the utility that serves the customer facility

measures electric demand for billing purposes; or (2) consume at least 500,000,000 cubic feet of natural gas annually. When calculating peak electrical demand, a large customer facility may include demand offset by on-site cogeneration facilities and, if engaged in mineral extraction, may include peak energy demand from the large customer facility's mining processing operations.

(m) "Large energy facility" has the meaning given in section 216B.2421, subdivision 2, clause (1).

(n) "Lifetime energy savings" means the amount of savings a particular energy conservation improvement is projected to produce over the improvement's effective useful lifetime.

(o) "Load management" means an activity, service, or technology that changes the timing or the efficiency of a customer's use of energy that allows a utility or a customer to: (1) respond to local and regional energy system conditions; or (2) reduce peak demand for electricity or natural gas. Load management that reduces a customer's net annual energy consumption is also energy conservation.

(p) "Low-income household" means a household whose household income is 60 percent or less of the state median household income.

(q) "Low-income programs" means energy conservation improvement programs that directly serve the needs of low-income households, including low-income renters.

(r) "Member" has the meaning given in section 308B.005, subdivision 15.

(s) "Multifamily building" means a residential building containing five or more dwelling units.

(t) "Preweatherization measure" means an improvement that is necessary to allow energy conservation improvements to be installed in a home.

(u) "Qualifying utility" means a utility that supplies a customer with energy that enables the customer to qualify as a large customer facility.

(v) "Waste heat recovered and used as thermal energy" means capturing heat energy that would be exhausted or dissipated to the environment from machinery, buildings, or industrial processes, and productively using the recovered thermal energy where it was captured or distributing it as thermal energy to other locations where it is used to reduce demand-side consumption of natural gas, electric energy, or both.

(w) "Waste heat recovery converted into electricity" means an energy recovery process that converts to electricity energy from the heat of exhaust stacks or pipes used for engines or manufacturing or industrial processes, or from the reduction of high pressure in water or gas pipelines, that would otherwise be lost.

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

Sec. 5. [216B.2403] CONSUMER-OWNED UTILITIES; ENERGY CONSERVATION AND OPTIMIZATION.

Subdivision 1. Applicability. This section applies to:

- (1) a cooperative electric association that provides retail service to more than 5,000 members;
- (2) a municipality that provides electric service to more than 1,000 retail customers; and
- (3) a municipality with more than 1,000,000,000 cubic feet in annual throughput sales to natural gas retail customers.

Subd. 2. **Consumer-owned utility; energy-savings goal.** (a) Each individual consumer-owned utility subject to this section has an annual energy-savings goal equivalent to 1.5 percent of gross annual retail energy sales, to be met with a minimum of energy savings from energy conservation improvements equivalent to at least one percent of the consumer-owned utility's gross annual retail energy sales. The balance of energy savings toward the annual energy-savings goal may be achieved only by the following consumer-owned utility activities:

- (1) energy savings from additional energy conservation improvements;
- (2) electric utility infrastructure projects, as defined in section 216B.1636, subdivision 1, that result in increased efficiency greater than that which would have occurred through normal maintenance activity;
- (3) net energy savings from efficient fuel-switching improvements that meet the criteria under subdivision 8; or
- (4) subject to department approval, demand-side natural gas or electric energy displaced by use of waste heat recovered and used as thermal energy, including the recovered thermal energy from a cogeneration or combined heat and power facility.

(b) The energy-savings goals specified in this section must be calculated based on weather-normalized sales averaged over the most recent three years. A consumer-owned utility may elect to carry forward energy savings in excess of 1.5 percent for a year to the next three years, except that savings from electric utility infrastructure projects may be carried forward for five years. A particular energy savings can only be used to meet one year's goal.

(c) A consumer-owned utility subject to this section is not required to make energy conservation improvements that are not cost-effective, even if the improvement is necessary to attain the energy-savings goal. A consumer-owned utility subject to this section must make reasonable efforts to implement energy conservation improvements that exceed the minimum level established under this subdivision if cost-effective opportunities and funding are available, considering other potential investments the consumer-owned utility intends to make to benefit customers during the term of the plan filed under subdivision 3.

Subd. 3. **Consumer-owned utility; energy conservation and optimization plans.** (a) By June 1, 2022, and at least every three years thereafter, each consumer-owned utility must file with the commissioner an energy conservation and optimization plan that describes the programs for energy conservation, efficient fuel-switching, load management, and other measures the consumer-owned utility plans to offer to achieve its energy savings goal.

(b) A plan's term may be up to three years. A multiyear plan must identify the total energy savings and energy savings resulting from energy conservation improvements that are projected to

be achieved in each year of the plan. A multiyear plan that does not, in each year of the plan, meet both the minimum energy savings goal from energy conservation improvements and the total energy savings goal of 1.5 percent, or lower goals adjusted by the commissioner under paragraph (k), must:

(1) state why each goal is projected to be unmet; and

(2) demonstrate how the consumer-owned utility proposes to meet both goals on an average basis over the duration of the plan.

(c) A plan filed under this subdivision must provide:

(1) for existing programs, an analysis of the cost-effectiveness of the consumer-owned utility's programs offered under the plan, using a list of baseline energy- and capacity-savings assumptions developed in consultation with the department; and

(2) for new programs, a preliminary analysis upon which the program will proceed, in parallel with further development of assumptions and standards.

(d) The commissioner must evaluate a plan filed under this subdivision based on its likelihood to achieve the energy-savings goals established in subdivision 2. The commissioner may make recommendations to a consumer-owned utility regarding ways to increase the effectiveness of the consumer-owned utility's energy conservation activities and programs under this subdivision. The commissioner may recommend that a consumer-owned utility implement a cost-effective energy conservation program, including an energy conservation program suggested by an outside source such as a political subdivision, nonprofit corporation, or community organization.

(e) Beginning June 1, 2023, and every June 1 thereafter, each consumer-owned utility must file: (1) an annual update identifying the status of its plan filed under this subdivision, including: (i) total expenditures and investments made to date under the plan; and (ii) any intended changes to the plan; and (2) a summary of the annual energy-savings achievements under a plan. An annual filing made in the last year of a plan must contain a new plan that complies with this section.

(f) When evaluating the cost-effectiveness of a consumer-owned utility's energy conservation programs, the consumer-owned utility and the commissioner must consider the costs and benefits to ratepayers, the utility, participants, and society. The commissioner must also consider the rate at which the consumer-owned utility is increasing its energy savings and expenditures on energy conservation, and its lifetime energy savings and cumulative energy savings.

(g) A consumer-owned utility may annually spend and invest up to ten percent of the total amount spent and invested on energy conservation improvements on research and development projects that meet the definition of energy conservation improvement.

(h) A generation and transmission cooperative electric association or municipal power agency that provides energy services to consumer-owned utilities may file a plan under this subdivision on behalf of the consumer-owned utilities to which it provides energy services, and may make investments, offer conservation programs, and otherwise fulfill the energy-savings goals and reporting requirements of this subdivision for those consumer-owned utilities on an aggregate basis.

(i) A consumer-owned utility is prohibited from spending for or investing in energy conservation improvements that directly benefit a large energy facility or a large electric customer facility the commissioner has exempted under section 216B.241, subdivision 1a.

(j) The energy conservation and optimization plan of a consumer-owned utility may include activities to improve energy efficiency in the public schools served by the utility. These activities may include programs to:

(1) increase the efficiency of the school's lighting and heating and cooling systems;

(2) recommission buildings;

(3) train building operators; and

(4) provide opportunities to educate students, teachers, and staff regarding energy efficiency measures implemented at the school.

(k) A consumer-owned utility may request that the commissioner adjust its minimum goal for energy savings from energy conservation improvements under subdivision 2, paragraph (a), for the duration of the plan filed under this subdivision. The request must be made by January 1 of the year when the consumer-owned utility must file a plan under this subdivision. The request must be based on:

(1) historical energy conservation improvement program achievements;

(2) customer class makeup;

(3) projected load growth;

(4) an energy conservation potential study that estimates the amount of cost-effective energy conservation potential that exists in the consumer-owned utility's service territory;

(5) the cost-effectiveness and quality of the energy conservation programs offered by the consumer-owned utility; and

(6) other factors the commissioner and consumer-owned utility determine warrant an adjustment.

The commissioner must adjust the energy savings goal to a level the commissioner determines is supported by the record, but must not approve a minimum energy savings goal from energy conservation improvements that is less than an average of one percent per year over the consecutive years of the plan's duration, including the year the minimum energy savings goal is adjusted.

Subd. 4. **Consumer-owned utility; energy savings investment.** (a) Except as otherwise provided, a consumer-owned utility that the commissioner determines falls short of the minimum energy savings goal from energy conservation improvements established in subdivision 2, paragraph (a), for three consecutive years during which it has annually spent on energy conservation improvements less than 1.5 percent of its gross operating revenues, for an electric utility, or less than 0.5 percent of its gross operating revenues, for a natural gas utility, must spend no less than the following amounts for energy conservation improvements:

(1) for a municipality, 0.5 percent of its gross operating revenues from the sale of gas and 1.5 percent of its gross operating revenues from the sale of electricity, excluding gross operating revenues from electric and gas service provided in Minnesota to large electric customer facilities; and

(2) for a cooperative electric association, 1.5 percent of its gross operating revenues from service provided in the state, excluding gross operating revenues from service provided in Minnesota to large electric customers facilities indirectly through a distribution cooperative electric association.

(b) The commissioner may not impose the spending requirement under this subdivision if the commissioner has determined that the utility has followed the commissioner's recommendations, if any, provided under subdivision 3, paragraph (d).

(c) Upon request of a consumer-owned utility, the commissioner may reduce the amount or duration of the spending requirement imposed under this subdivision, or both, if the commissioner determines that the consumer-owned utility's failure to maintain the minimum energy savings goal is the result of:

(1) a natural disaster or other emergency that is declared by the executive branch through an emergency executive order that affects the consumer-owned utility's service area;

(2) a unique load distribution experienced by the consumer-owned utility; or

(3) other factors that the commissioner determines justifies a reduction.

(d) Unless the commissioner has reduced the duration of the spending requirement under paragraph (c), the spending requirement under this subdivision remains in effect until the consumer-owned utility has met the minimum energy savings goal for three consecutive years.

Subd. 5. Energy conservation programs for low-income households. (a) A consumer-owned utility subject to this section must provide energy conservation programs to low-income households. The commissioner must evaluate a consumer-owned utility's plans under this section by considering the consumer-owned utility's historic spending on energy conservation programs directed to low-income households, the rate of customer participation in and the energy savings resulting from those programs, and the number of low-income persons residing in the consumer-owned utility's service territory. A municipal utility that furnishes natural gas service must spend at least 0.2 percent of its most recent three-year average gross operating revenue from residential customers in Minnesota on energy conservation programs for low-income households. A consumer-owned utility that furnishes electric service must spend at least 0.2 percent of its gross operating revenue from residential customers in Minnesota on energy conservation programs for low-income households. The requirement under this paragraph applies to each generation and transmission cooperative association's aggregate gross operating revenue from the sale of electricity to residential customers in Minnesota by all of its member distribution cooperatives.

(b) To meet all or part of the spending requirements of paragraph (a), a consumer-owned utility may contribute money to the energy and conservation account established in section 216B.241, subdivision 2a. An energy conservation optimization plan must state the amount of contributions the consumer-owned utility plans to make to the energy and conservation account. Contributions to the account must be used for energy conservation programs serving low-income households,

including renters, located in the service area of the consumer-owned utility making the contribution. Contributions must be remitted to the commissioner by February 1 each year.

(c) The commissioner must establish energy conservation programs for low-income households funded through contributions to the energy and conservation account under paragraph (b). When establishing energy conservation programs for low-income households, the commissioner must consult political subdivisions, utilities, and nonprofit and community organizations, including organizations providing energy and weatherization assistance to low-income households. The commissioner must record and report expenditures and energy savings achieved as a result of energy conservation programs for low-income households funded through the energy and conservation account in the report required under section 216B.241, subdivision 1c, paragraph (f). The commissioner may contract with a political subdivision, nonprofit or community organization, public utility, municipality, or consumer-owned utility to implement low-income programs funded through the energy and conservation account.

(d) A consumer-owned utility may petition the commissioner to modify its required spending under this subdivision if the consumer-owned utility and the commissioner were unable to expend the amount required for three consecutive years.

(e) The commissioner must develop and establish guidelines for determining the eligibility of multifamily buildings to participate in energy conservation programs provided to low-income households. Notwithstanding the definition of low-income household in section 216B.2402, a consumer-owned utility or association may apply the most recent guidelines published by the department for purposes of determining the eligibility of multifamily buildings to participate in low-income programs. The commissioner must convene a stakeholder group to review and update these guidelines by July 1, 2021, and at least once every five years thereafter. The stakeholder group must include, but is not limited to, representatives of public utilities; municipal electric or gas utilities; electric cooperative associations; multifamily housing owners and developers; and low-income advocates.

(f) Up to 15 percent of a consumer-owned utility's spending on low-income energy conservation programs may be spent on preweatherization measures. A consumer-owned utility is prohibited from claiming energy savings from preweatherization measures toward the consumer-owned utility's energy savings goal.

(g) The commissioner must, by order, establish a list of preweatherization measures eligible for inclusion in low-income energy conservation programs no later than March 15, 2021.

(h) A Healthy AIR (Asbestos Insulation Removal) account is established as a separate account in the special revenue fund in the state treasury. A consumer-owned utility may elect to contribute money to the Healthy AIR account to provide preweatherization measures for households eligible for weatherization assistance from the state weatherization assistance program in section 216C.264. Remediation activities must be executed in conjunction with federal weatherization assistance program services. Money contributed to the account by a consumer-owned utility counts toward: (1) the minimum low-income spending requirement under paragraph (a); and (2) the cap on preweatherization measures under paragraph (f). Money in the account is annually appropriated to the commissioner of commerce to pay for Healthy AIR-related activities.

Subd. 6. **Recovery of expenses.** The commission must allow a cooperative electric association subject to rate regulation under section 216B.026 to recover expenses resulting from: (1) a plan under this section; and (2) assessments and contributions to the energy and conservation account under section 216B.241, subdivision 2a.

Subd. 7. **Ownership of preweatherization measure or energy conservation improvement.** (a) A preweatherization measure or energy conservation improvement installed in a building under this section, excluding a system owned by a consumer-owned utility that is designed to turn off, limit, or vary the delivery of energy, is the exclusive property of the building owner, except to the extent that the improvement is subject to a security interest in favor of the consumer-owned utility in case of a loan to the building owner for the improvement.

(b) A consumer-owned utility has no liability for loss, damage, or injury directly or indirectly caused by a preweatherization measure or energy conservation improvement, unless a consumer-owned utility is determined to have been negligent in purchasing, installing, or modifying a preweatherization product.

Subd. 8. **Criteria for efficient fuel-switching improvements.** (a) A fuel-switching improvement is deemed efficient if, applying the technical criteria established under section 216B.241, subdivision 1d, paragraph (b), the improvement, relative to the fuel being displaced:

(1) results in a net reduction in the amount of source energy consumed for a particular use, measured on a fuel-neutral basis;

(2) results in a net reduction of statewide greenhouse gas emissions, as defined in section 216H.01, subdivision 2, over the lifetime of the improvement. For an efficient fuel-switching improvement installed by an electric consumer-owned utility, the reduction in emissions must be measured based on the hourly emissions profile of the consumer-owned utility or its electricity supplier, as reported in the most recent resource plan approved by the commission under section 216B.2422. If the hourly emissions profile is not available, the commissioner must develop a method consumer-owned utilities must use to estimate that value;

(3) is cost-effective, considering the costs and benefits from the perspective of the consumer-owned utility, participants, and society; and

(4) is installed and operated in a manner that improves the consumer-owned utility's system load factor.

(b) For purposes of this subdivision, "source energy" means the total amount of primary energy required to deliver energy services, adjusted for losses in generation, transmission, and distribution, and expressed on a fuel-neutral basis.

Subd. 9. **Manner of filing and service.** (a) A consumer-owned utility must submit the filings required under this section to the department using the department's electronic filing system. The commissioner may approve an exemption from this requirement if an affected consumer-owned utility is unable to submit filings via the department's electronic filing system. All other interested parties shall submit filings to the department via the department's electronic filing system whenever practicable but may also file by personal delivery or by mail.

(b) The submission of a document to the department's electronic filing system constitutes service on the department. If a department rule requires service of a notice, order, or other document by the department, a consumer-owned utility, or an interested party upon persons on a service list maintained by the department, service may be made by personal delivery, mail, or electronic service. Electronic service may be made only to persons on the service list that have previously agreed in writing to accept electronic service at an e-mail address provided to the department for electronic service purposes.

Subd. 10. **Assessment.** The commission or department may assess consumer-owned utilities subject to this section to carry out the purposes of section 216B.241, subdivisions 1d, 1e, and 1f. An assessment under this paragraph must be proportionate to the consumer-owned utility's respective gross operating revenue from sales of gas or electric service in Minnesota during the previous calendar year. Assessments under this subdivision are not subject to the cap on assessments under section 216B.62 or any other law.

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

Sec. 6. Minnesota Statutes 2018, section 216B.241, subdivision 1a, is amended to read:

Subd. 1a. ~~**Investment, expenditure, and contribution; public utility**~~ **Large customer facility.**
~~(a) For purposes of this subdivision and subdivision 2, "public utility" has the meaning given it in section 216B.02, subdivision 4. Each public utility shall spend and invest for energy conservation improvements under this subdivision and subdivision 2 the following amounts:~~

~~(1) for a utility that furnishes gas service, 0.5 percent of its gross operating revenues from service provided in the state;~~

~~(2) for a utility that furnishes electric service, 1.5 percent of its gross operating revenues from service provided in the state; and~~

~~(3) for a utility that furnishes electric service and that operates a nuclear-powered electric generating plant within the state, two percent of its gross operating revenues from service provided in the state.~~

~~For purposes of this paragraph (a), "gross operating revenues" do not include revenues from large customer facilities exempted under paragraph (b), or from commercial gas customers that are exempted under paragraph (c) or (e).~~

~~(b) (a) The owner of a large customer facility may petition the commissioner to exempt both electric and gas utilities serving the large customer facility from the investment and expenditure requirements of paragraph (a) contributing to investments and expenditures made under an energy and conservation optimization plan filed under subdivision 2 or section 216B.2403, subdivision 3, with respect to retail revenues attributable to the large customer facility. The filing must include a discussion of the competitive or economic pressures facing the owner of the facility and the efforts taken by the owner to identify, evaluate, and implement energy conservation and efficiency improvements. A filing submitted on or before October 1 of any year must be approved within 90 days and become effective January 1 of the year following the filing, unless the commissioner finds that the owner of the large customer facility has failed to take reasonable measures to identify, evaluate, and implement energy conservation and efficiency improvements. If a facility qualifies~~

as a large customer facility solely due to its peak electrical demand or annual natural gas usage, the exemption may be limited to the qualifying utility if the commissioner finds that the owner of the large customer facility has failed to take reasonable measures to identify, evaluate, and implement energy conservation and efficiency improvements with respect to the nonqualifying utility. Once an exemption is approved, the commissioner may request the owner of a large customer facility to submit, not more often than once every five years, a report demonstrating the large customer facility's ongoing commitment to energy conservation and efficiency improvement after the exemption filing. The commissioner may request such reports for up to ten years after the effective date of the exemption, unless the majority ownership of the large customer facility changes, in which case the commissioner may request additional reports for up to ten years after the change in ownership occurs. The commissioner may, within 180 days of receiving a report submitted under this paragraph, rescind any exemption granted under this paragraph upon a determination that the large customer facility is not continuing to make reasonable efforts to identify, evaluate, and implement energy conservation improvements. A large customer facility that is, under an order from the commissioner, exempt from the investment and expenditure requirements of paragraph (a) as of December 31, 2010, is not required to submit a report to retain its exempt status, except as otherwise provided in this paragraph with respect to ownership changes. No exempt large customer facility may participate in a utility conservation improvement program unless the owner of the facility submits a filing with the commissioner to withdraw its exemption.

~~(e)~~ (b) A commercial gas customer that is not a large customer facility and that purchases or acquires natural gas from a public utility having fewer than 600,000 natural gas customers in Minnesota may petition the commissioner to exempt gas utilities serving the commercial gas customer from ~~the investment and expenditure requirements of paragraph (a)~~ contributing to investments and expenditures made under an energy and conservation optimization plan filed under subdivision 2 or section 216B.2403, subdivision 3, with respect to retail revenues attributable to the commercial gas customer. The petition must be supported by evidence demonstrating that the commercial gas customer has acquired or can reasonably acquire the capability to bypass use of the utility's gas distribution system by obtaining natural gas directly from a supplier not regulated by the commission. The commissioner shall grant the exemption if the commissioner finds that the petitioner has made the demonstration required by this paragraph.

~~(d) The commissioner may require investments or spending greater than the amounts required under this subdivision for a public utility whose most recent advance forecast required under section 216B.2422 or 216C.17 projects a peak demand deficit of 100 megawatts or greater within five years under midrange forecast assumptions.~~

~~(e)~~ (c) A public utility, consumer-owned utility, or owner of a large customer facility may appeal a decision of the commissioner under paragraph (a) or (b), ~~(e), or (d)~~ to the commission under subdivision 2. In reviewing a decision of the commissioner under paragraph (a) or (b), ~~(e), or (d)~~, the commission shall rescind the decision if it finds ~~that the required investments or spending will:~~

~~(1) not result in cost-effective energy conservation improvements; or~~

~~(2) otherwise the decision is not be in the public interest.~~

(d) A public utility is prohibited from spending for or investing in energy conservation improvements that directly benefit a large energy facility or a large electric customer facility to which the commissioner has issued an exemption under this section.

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

Sec. 7. Minnesota Statutes 2018, section 216B.241, subdivision 1c, is amended to read:

Subd. 1c. **Public utility; energy-saving goals.** (a) The commissioner shall establish energy-saving goals for energy conservation ~~improvement expenditures~~ improvements and shall evaluate an energy conservation improvement program on how well it meets the goals set.

(b) ~~Each individual~~ A public utility and association shall have providing electric service has an annual energy-savings goal equivalent to 1.5 1.75 percent of gross annual retail energy sales unless modified by the commissioner under paragraph ~~(d)~~. (c). A public utility providing natural gas service has an annual energy-savings goal equivalent to one percent of gross annual retail energy sales, which cannot be lowered by the commissioner. The savings goals must be calculated based on the most recent three-year weather-normalized average. A public utility or association providing electric service may elect to carry forward energy savings in excess of 1.5 1.75 percent for a year to the succeeding three calendar years, except that savings from electric utility infrastructure projects allowed under paragraph (d) may be carried forward for five years. A public utility providing natural gas service may elect to carry forward energy savings in excess of one percent for a year to the succeeding three calendar years. A particular energy savings can only be used ~~only for~~ to meet one year's goal.

~~(e) The commissioner must adopt a filing schedule that is designed to have all utilities and associations operating under an energy-savings plan by calendar year 2010.~~

~~(d)~~ (c) In its energy conservation ~~improvement~~ and optimization plan filing, a public utility or association may request the commissioner to adjust its annual energy-savings percentage goal based on its historical conservation investment experience, customer class makeup, load growth, a conservation potential study, or other factors the commissioner determines warrants an adjustment.

(d) The commissioner may not approve a plan of a public utility that provides for an annual energy-savings goal of less than one percent of gross annual retail energy sales from energy conservation improvements.

~~A utility or association may include in its energy conservation plan energy savings from~~ The balance of the 1.75 percent annual energy savings goal may be achieved through energy savings from:

(1) additional energy conservation improvements;

(2) electric utility infrastructure projects approved by the commission under section 216B.1636 that result in increased efficiency greater than that which would have occurred through normal maintenance activity; or waste heat recovery converted into electricity projects that may count as energy savings in addition to a minimum energy-savings goal of at least one percent for energy conservation improvements. Energy savings from electric utility infrastructure projects, as defined in section 216B.1636, may be included in the energy conservation plan of a municipal utility or

cooperative electric association. Electric utility infrastructure projects must result in increased energy efficiency greater than that which would have occurred through normal maintenance activity

(3) subject to department approval, demand-side natural gas or electric energy displaced by use of waste heat recovered and used as thermal energy, including the recovered thermal energy from a cogeneration or combined heat and power facility.

~~(e) An energy-savings goal is not satisfied by attaining the revenue expenditure requirements of subdivisions 1a and 1b, but can only be satisfied by meeting the energy-savings goal established in this subdivision.~~

~~(f) An association or~~ (e) A public utility is not required to make energy conservation investments to attain the energy-savings goals of this subdivision that are not cost-effective even if the investment is necessary to attain the energy-savings goals. For the purpose of this paragraph, in determining cost-effectiveness, the commissioner shall consider: (1) the costs and benefits to ratepayers, the utility, participants, and society. In addition, the commissioner shall consider; (2) the rate at which an association or municipal a public utility is increasing both its energy savings and its expenditures on energy conservation; and (3) the public utility's lifetime energy savings and cumulative energy savings.

~~(g) (f) On an annual basis, the commissioner shall produce and make publicly available a report on the annual energy and capacity savings and estimated carbon dioxide reductions achieved by the energy conservation improvement programs under this section and section 216B.2403 for the two most recent years for which data is available. The report must also include information regarding any annual energy sales or generation capacity increases resulting from efficient fuel-switching improvements. The commissioner shall report on program performance both in the aggregate and for each entity filing an energy conservation improvement plan for approval or review by the commissioner, and must estimate progress made toward the statewide energy-savings goal under section 216B.2401.~~

~~(h) By January 15, 2010, the commissioner shall report to the legislature whether the spending requirements under subdivisions 1a and 1b are necessary to achieve the energy-savings goals established in this subdivision.~~

~~(i) This subdivision does not apply to:~~

~~(1) a cooperative electric association with fewer than 5,000 members;~~

~~(2) a municipal utility with fewer than 1,000 retail electric customers; or~~

~~(3) a municipal utility with less than 1,000,000,000 cubic feet in annual throughput sales to retail natural gas customers.~~

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

Sec. 8. Minnesota Statutes 2018, section 216B.241, subdivision 1d, is amended to read:

Subd. 1d. **Technical assistance.** (a) The commissioner shall evaluate energy conservation improvement programs filed under this section and section 216B.2403 on the basis of

cost-effectiveness and the reliability of the technologies employed. The commissioner shall, by order, establish, maintain, and update energy-savings assumptions that must be used by utilities when filing energy conservation improvement programs. The department must track a public utility's or consumer-owned utility's lifetime energy savings and cumulative lifetime energy savings reported in plans submitted under this section and section 216B.2403.

(b) The commissioner shall establish an inventory of the most effective energy conservation programs, techniques, and technologies, and encourage all Minnesota utilities to implement them, where appropriate, ~~in their service territories.~~ The commissioner shall describe these programs in sufficient detail to provide a utility reasonable guidance concerning implementation. The commissioner shall prioritize the opportunities in order of potential energy savings and in order of cost-effectiveness.

(c) The commissioner may contract with a third party to carry out any of the commissioner's duties under this subdivision, and to obtain technical assistance to evaluate the effectiveness of any conservation improvement program.

(d) The commissioner may assess up to \$850,000 annually for the purposes of this subdivision. The assessments must be deposited in the state treasury and credited to the energy and conservation account created under subdivision 2a. An assessment made under this subdivision is not subject to the cap on assessments provided by section 216B.62, or any other law.

~~(b) Of the assessment authorized under paragraph (a), the commissioner may expend up to \$400,000 annually for the purpose of developing, operating, maintaining, and providing technical support for a uniform electronic data reporting and tracking system available to all utilities subject to this section, in order to enable accurate measurement of the cost and energy savings of the energy conservation improvements required by this section. This paragraph expires June 30, 2018.~~

(e) The commissioner shall work with stakeholders to develop technical guidelines that public utilities and consumer-owned utilities must use to:

(1) determine whether deployment of a fuel-switching improvement meets the criteria established in subdivision 11, paragraph (e), or section 216B.2403, subdivision 8, as applicable; and

(2) calculate the amount of energy saved by deployment of a fuel-switching improvement.

The guidelines must be issued by the commissioner by order no later than March 15, 2021, and must be updated as the commissioner finds necessary.

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

Sec. 9. Minnesota Statutes 2018, section 216B.241, subdivision 1f, is amended to read:

Subd. 1f. **Facilities energy efficiency.** (a) The commissioner of administration and the commissioner of commerce shall maintain and, as needed, revise the sustainable building design guidelines developed under section 16B.325.

(b) The commissioner of administration and the commissioner of commerce shall maintain and update the benchmarking tool developed under Laws 2001, chapter 212, article 1, section 3, so that

all public buildings can use the benchmarking tool to maintain energy use information for the purposes of establishing energy efficiency benchmarks, tracking building performance, and measuring the results of energy efficiency and conservation improvements.

(c) The commissioner shall require that utilities include in their conservation improvement plans programs that facilitate professional engineering verification to qualify a building as Energy Star-labeled, Leadership in Energy and Environmental Design (LEED) certified, or Green Globes-certified. ~~The state goal is to achieve certification of 1,000 commercial buildings as Energy Star-labeled, and 100 commercial buildings as LEED-certified or Green Globes-certified by December 31, 2010.~~

(d) The commissioner may assess up to \$500,000 annually for the purposes of this subdivision. The assessments must be deposited in the state treasury and credited to the energy and conservation account created under subdivision 2a. An assessment made under this subdivision is not subject to the cap on assessments provided by section 216B.62, or any other law.

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

Sec. 10. Minnesota Statutes 2018, section 216B.241, subdivision 1g, is amended to read:

Subd. 1g. **Manner of filing and service.** (a) A public utility, ~~generation and transmission cooperative electric association, municipal power agency, cooperative electric association, and municipal utility~~ shall submit filings to the department via the department's electronic filing system. The commissioner may approve an exemption from this requirement in the event an affected public utility or association is unable to submit filings via the department's electronic filing system. All other interested parties shall submit filings to the department via the department's electronic filing system whenever practicable but may also file by personal delivery or by mail.

(b) Submission of a document to the department's electronic filing system constitutes service on the department. Where department rule requires service of a notice, order, or other document by the department, public utility, association, or interested party upon persons on a service list maintained by the department, service may be made by personal delivery, mail, or electronic service, except that electronic service may only be made upon persons on the service list who have previously agreed in writing to accept electronic service at an electronic address provided to the department for electronic service purposes.

Sec. 11. Minnesota Statutes 2018, section 216B.241, subdivision 2, is amended to read:

Subd. 2. **Programs Public utility; energy conservation and optimization plans.** (a) The commissioner may require a public ~~utilities~~ utility to make investments and expenditures in energy conservation improvements, explicitly setting forth the interest rates, prices, and terms under which the improvements must be offered to the customers. ~~The required programs must cover no more than a three-year period.~~

(b) ~~A public utilities utility shall file an energy conservation improvement plans and optimization plan by June 1, on a schedule determined by order of the commissioner, but at least every three years. Plans received~~ As provided in subdivisions 11 to 13, plans may include programs for efficient fuel-switching improvements and load management. An individual utility program may combine elements of energy conservation, load management, or efficient fuel-switching. The plan must

estimate the lifetime energy savings and cumulative lifetime energy savings projected to be achieved under the plan. A plan filed by a public utility by June 1 must be approved or approved as modified by the commissioner by December 1 of that same year.

~~(c)~~ (c) The commissioner shall evaluate the program plan on the basis of cost-effectiveness and the reliability of technologies employed. The commissioner's order must provide to the extent practicable for a free choice, by consumers participating in ~~the~~ an energy conservation program, of the device, method, material, or project constituting the energy conservation improvement and for a free choice of the seller, installer, or contractor of the energy conservation improvement, provided that the device, method, material, or project seller, installer, or contractor is duly licensed, certified, approved, or qualified, including under the residential conservation services program, where applicable.

~~(b)~~ (d) The commissioner may require a utility subject to subdivision 1c to make an energy conservation improvement investment or expenditure whenever the commissioner finds that the improvement will result in energy savings at a total cost to the utility less than the cost to the utility to produce or purchase an equivalent amount of new supply of energy. ~~The commissioner shall nevertheless ensure that every public utility operate one or more programs under periodic review by the department.~~

~~(e)~~ (e) Each public utility subject to this subdivision ~~1a~~ may spend and invest annually up to ten percent of the total amount ~~required to be~~ spent and invested on energy conservation improvements under this section by the public utility on research and development projects that meet the definition of energy conservation improvement ~~in subdivision 1 and that are funded directly by the public utility.~~

~~(d)~~ (d) A public utility may not spend for or invest in energy conservation improvements that directly benefit a large energy facility or a large electric customer facility for which the commissioner has issued an exemption pursuant to subdivision 1a, paragraph ~~(b)~~. (f) The commissioner shall consider and may require a public utility to undertake ~~a~~ an energy conservation program suggested by an outside source, including a political subdivision, a nonprofit corporation, or community organization.

~~(e)~~ (g) A public utility, a political subdivision, or a nonprofit or community organization that has suggested ~~a~~ an energy conservation program, the attorney general acting on behalf of consumers and small business interests, or a public utility customer that has suggested ~~a~~ an energy conservation program and is not represented by the attorney general under section 8.33 may petition the commission to modify or revoke a department decision under this section, and the commission may do so if it determines that the energy conservation program is not cost-effective, does not adequately address the residential conservation improvement needs of low-income persons, has a long-range negative effect on one or more classes of customers, or is otherwise not in the public interest. The commission shall reject a petition that, on its face, fails to make a reasonable argument that ~~a~~ an energy conservation program is not in the public interest.

~~(f)~~ (h) The commissioner may order a public utility to include, with the filing of the public utility's annual status report, the results of an independent audit of the public utility's conservation improvement programs and expenditures performed by the department or an auditor with experience in the provision of energy conservation and energy efficiency services approved by the commissioner and chosen by the public utility. The audit must specify the energy savings or increased efficiency in the use of energy within the service territory of the public utility that is the result of the public

utility's spending and investments. The audit must evaluate the cost-effectiveness of the public utility's conservation programs.

~~(g) A gas utility may not spend for or invest in energy conservation improvements that directly benefit a large customer facility or commercial gas customer facility for which the commissioner has issued an exemption pursuant to subdivision 1a, paragraph (b), (c), or (e). The commissioner shall consider and may require a utility to undertake a program suggested by an outside source, including a political subdivision, a nonprofit corporation, or a community organization.~~

(i) The energy conservation and optimization plan of each public utility subject to this section must include activities to improve energy efficiency in public schools served by the utility. As applicable to each public utility, these activities, at a minimum, must include programs to increase the efficiency of the school's lighting and heating and cooling systems, and to provide for building recommissioning, building operator training, and opportunities to educate students, teachers, and staff regarding energy efficiency measures implemented at the school.

(j) The commissioner may require investments or spending greater than the amounts proposed in a plan filed under this subdivision or section 216C.17 for a public utility whose most recent advanced forecast required under section 216B.2422 projects a peak demand deficit of 100 megawatts or more within five years under midrange forecast assumptions.

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

Sec. 12. Minnesota Statutes 2018, section 216B.241, subdivision 2b, is amended to read:

Subd. 2b. **Recovery of expenses.** (a) The commission shall allow a public utility to recover expenses resulting from a an energy conservation improvement program required and optimization plan approved by the department under this section and contributions and assessments to the energy and conservation account, unless the recovery would be inconsistent with a financial incentive proposal approved by the commission. The commission shall allow a cooperative electric association subject to rate regulation under section 216B.026, to recover expenses resulting from energy conservation improvement programs, load management programs, and assessments and contributions to the energy and conservation account unless the recovery would be inconsistent with a financial incentive proposal approved by the commission. In addition,

(b) A public utility may file annually, or the Public Utilities Commission may require the public utility to file, and the commission may approve, rate schedules containing provisions for the automatic adjustment of charges for utility service in direct relation to changes in the expenses of the public utility for real and personal property taxes, fees, and permits, the amounts of which the public utility cannot control. A public utility is eligible to file for adjustment for real and personal property taxes, fees, and permits under this subdivision only if, in the year previous to the year in which it files for adjustment, it has spent or invested at least 1.75 percent of its gross revenues from provision of electric service, excluding gross operating revenues from electric service provided in the state to large electric customer facilities for which the commissioner has issued an exemption under subdivision 1a, paragraph (b), and 0.6 percent of its gross revenues from provision of gas service, excluding gross operating revenues from gas services provided in the state to large electric customer facilities for which the commissioner has issued an exemption under subdivision 1a, paragraph (b), for that year for energy conservation improvements under this section.

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

Sec. 13. Minnesota Statutes 2018, section 216B.241, subdivision 3, is amended to read:

Subd. 3. **Ownership of preweatherization measure or energy conservation improvement.** ~~At~~ A preweatherization measure or energy conservation improvement made to or installed in a building in accordance with this section, except systems owned by ~~the~~ a public utility and designed to turn off, limit, or vary the delivery of energy, are the exclusive property of the owner of the building except to the extent that the improvement is subjected to a security interest in favor of the public utility in case of a loan to the building owner. The public utility has no liability for loss, damage or injury caused directly or indirectly by ~~an~~ a preweatherization measure or energy conservation improvement except for negligence by the utility in purchase, installation, or modification of the product.

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

Sec. 14. Minnesota Statutes 2018, section 216B.241, subdivision 5, is amended to read:

Subd. 5. **Efficient lighting program.** (a) Each public utility, ~~cooperative electric association, and municipal~~ and consumer-owned utility that provides electric service to retail customers and is subject to subdivision 1c or section 216B.2403 shall include as part of its conservation improvement activities a program to strongly encourage the use of ~~fluorescent and high-intensity discharge lamps,~~ LEDs. The program must include at least a public information campaign to encourage use of ~~the lamps~~ LEDs and proper management of spent lamps and LEDs by all customer classifications.

(b) A public utility that provides electric service at retail to 200,000 or more customers shall establish, either directly or through contracts with other persons, including lamp manufacturers, distributors, wholesalers, and retailers and local government units, a system to collect for delivery to a reclamation or recycling facility spent fluorescent and high-intensity discharge lamps from households and from small businesses as defined in section 645.445 that generate an average of fewer than ten spent lamps per year.

(c) A collection system must include establishing reasonably convenient locations for collecting spent lamps from households and financial incentives sufficient to encourage spent lamp generators to take the lamps to the collection locations. Financial incentives may include coupons for purchase of new ~~fluorescent or high-intensity discharge~~ LED lamps, a cash back system, or any other financial incentive or group of incentives designed to collect the maximum number of spent lamps from households and small businesses that is reasonably feasible.

(d) A public utility that provides electric service at retail to fewer than 200,000 customers, ~~a cooperative electric association, or a municipal~~ or a consumer-owned utility that provides electric service at retail to customers, may establish a collection system under paragraphs (b) and (c) as part of conservation improvement activities required under this section.

(e) The commissioner of the Pollution Control Agency may not, unless clearly required by federal law, require a public utility, ~~cooperative electric association, or municipality~~ or consumer-owned utility that establishes a household fluorescent and high-intensity discharge lamp collection system under this section to manage the lamps as hazardous waste as long as the lamps are managed to avoid breakage and are delivered to a recycling or reclamation facility that removes

mercury and other toxic materials contained in the lamps prior to placement of the lamps in solid waste.

(f) If a public utility, ~~cooperative electric association, or municipal~~ or consumer-owned utility contracts with a local government unit to provide a collection system under this subdivision, the contract must provide for payment to the local government unit of all the unit's incremental costs of collecting and managing spent lamps.

(g) All the costs incurred by a public utility, ~~cooperative electric association, or municipal~~ or consumer-owned utility for promotion and ~~collection of fluorescent and high-intensity discharge~~ to collect LED lamps under this subdivision are conservation improvement spending under this section.

(h) For the purposes of this section, "LED" means a light-emitting diode bulb or lighting product.

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

Sec. 15. Minnesota Statutes 2018, section 216B.241, subdivision 7, is amended to read:

Subd. 7. **Low-income programs.** (a) The commissioner shall ensure that each public utility ~~and association~~ subject to subdivision 1c provides low-income energy conservation programs to low-income households. When approving spending and energy-savings goals for low-income programs, the commissioner shall consider historic spending and participation levels, energy savings ~~for achieved by~~ low-income programs, and the number of low-income persons residing in the utility's service territory. A ~~municipal utility that furnishes gas service must spend at least 0.2 percent, and~~ a public utility furnishing gas service must spend at least ~~0.4~~ 0.8 percent, of its most recent three-year average gross operating revenue from residential customers in the state on low-income programs. A ~~public utility or association~~ that furnishes electric service must spend at least ~~0.1~~ 0.4 percent of its gross operating revenue from residential customers in the state on low-income programs. ~~For a generation and transmission cooperative association, this requirement shall apply to each association's members' aggregate gross operating revenue from sale of electricity to residential customers in the state. Beginning in 2010, a utility or association that furnishes electric service must spend 0.2 percent of its gross operating revenue from residential customers in the state on low-income programs.~~

(b) To meet the requirements of paragraph (a), a public utility ~~or association~~ may contribute money to the energy and conservation account established under subdivision 2a. An energy conservation improvement plan must state the amount, if any, of low-income energy conservation improvement funds the public utility ~~or association~~ will contribute to the energy and conservation account. Contributions must be remitted to the commissioner by February 1 of each year.

(c) The commissioner shall establish low-income energy conservation programs to utilize ~~money contributed~~ contributions made to the energy and conservation account under paragraph (b). In establishing low-income programs, the commissioner shall consult political subdivisions, utilities, and nonprofit and community organizations, especially organizations ~~engaged in~~ providing energy and weatherization assistance to low-income ~~persons~~ households. ~~Money contributed~~ Contributions made to the energy and conservation account under paragraph (b) must provide programs for low-income ~~persons~~ households, including low-income renters, in the service territory of the public utility ~~or association~~ providing the money. The commissioner shall record and report expenditures and energy savings achieved as a result of low-income programs funded through the energy and conservation account in the report required under subdivision 1c, paragraph ~~(g)~~ (f). The commissioner

may contract with a political subdivision, nonprofit or community organization, public utility, ~~municipality~~, or ~~cooperative electric association~~ consumer-owned utility to implement low-income programs funded through the energy and conservation account.

(d) A public utility or association may petition the commissioner to modify its required spending under paragraph (a) if the utility ~~or association~~ and the commissioner have been unable to expend the amount required under paragraph (a) for three consecutive years.

(e) The commissioner must develop and establish guidelines to determine the eligibility of multifamily buildings to participate in low-income energy conservation programs. Notwithstanding the definition of low-income household in section 216B.2402, for purposes of determining the eligibility of multifamily buildings for low-income programs, a public utility may apply the most recent guidelines published by the department. The commissioner must convene a stakeholder group to review and update guidelines by July 1, 2021, and at least once every five years thereafter. The stakeholder group must include, but is not limited to, representatives of public utilities as defined in section 216B.02, subdivision 4; municipal electric or gas utilities; electric cooperative associations; multifamily housing owners and developers; and low-income advocates.

(f) Up to 15 percent of a public utility's spending on low-income programs may be spent on preweatherization measures. A public utility is prohibited from claiming energy savings from preweatherization measures toward the public utility's energy savings goal.

(g) The commissioner must, by order, establish a list of preweatherization measures eligible for inclusion in low-income programs no later than March 15, 2021.

(h) A Healthy AIR (Asbestos Insulation Removal) account is established as a separate account in the special revenue fund in the state treasury. A public utility may elect to contribute money to the Healthy AIR account to provide preweatherization measures to households eligible for weatherization assistance under section 216C.264. Remediation activities must be executed in conjunction with federal weatherization assistance program services. Money contributed to the account counts toward: (1) the minimum low-income spending requirement in paragraph (a); and (2) the cap on preweatherization measures under paragraph (f). Money in the account is annually appropriated to the commissioner of commerce to pay for Healthy AIR-related activities.

~~(e)~~ (i) The costs and benefits associated with any approved low-income gas or electric conservation improvement program that is not cost-effective when considering the costs and benefits to the public utility may, at the discretion of the utility, be excluded from the calculation of net economic benefits for purposes of calculating the financial incentive to the public utility. The energy and demand savings may, at the discretion of the public utility, be applied toward the calculation of overall portfolio energy and demand savings for purposes of determining progress toward annual goals and in the financial incentive mechanism.

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

Sec. 16. Minnesota Statutes 2018, section 216B.241, subdivision 8, is amended to read:

Subd. 8. **Assessment.** The commission or department may assess public utilities subject to this section in proportion to their respective gross operating revenue from sales of gas or electric service within the state during the last calendar year to carry out the purposes of subdivisions 1d, 1e, and

1f. Those assessments are not subject to the cap on assessments provided by section 216B.62, or any other law.

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

Sec. 17. Minnesota Statutes 2018, section 216B.241, is amended by adding a subdivision to read:

Subd. 11. **Programs for efficient fuel-switching improvements; electric utilities.** (a) A public utility providing electric service at retail may include in its plan required under subdivision 2 programs to implement efficient fuel-switching improvements or combinations of energy conservation improvements, fuel-switching improvements, and load management. For each program, the public utility must provide a proposed budget, an analysis of the program's cost-effectiveness, and estimated net energy and demand savings.

(b) The department may approve proposed programs for efficient fuel-switching improvements if it finds the improvements meet the requirements of paragraph (d). For fuel-switching improvements that require the deployment of electric technologies, the department must also consider whether the fuel-switching improvement can be operated in a manner that facilitates the integration of variable renewable energy into the electric system. The net benefits from an efficient fuel-switching improvement that is integrated with an energy efficiency program approved under this section may be counted toward the net benefits of the energy efficiency program, if the department finds that the primary purpose and effect of the program is energy efficiency.

(c) A public utility may file a rate schedule with the commission that provides for annual cost recovery of reasonable and prudent costs to implement and promote efficient fuel-switching programs. The commission may not approve a financial incentive to encourage efficient fuel-switching programs operated by a public utility providing electric service.

(d) A fuel-switching improvement is deemed efficient if, applying the technical criteria established under section 216B.241, subdivision 1d, paragraph (b), the improvement meets the following criteria, relative to the fuel that is being displaced:

(1) results in a net reduction in the amount of source energy consumed for a particular use, measured on a fuel-neutral basis;

(2) results in a net reduction of statewide greenhouse gas emissions as defined in section 216H.01, subdivision 2, over the lifetime of the improvement. For an efficient fuel-switching improvement installed by an electric utility, the reduction in emissions must be measured based on the hourly emission profile of the electric utility, using the hourly emissions profile in the most recent resource plan approved by the commission under section 216B.2422;

(3) is cost-effective, considering the costs and benefits from the perspective of the utility, participants, and society; and

(4) is installed and operated in a manner that improves the utility's system load factor.

(e) For purposes of this subdivision, "source energy" means the total amount of primary energy required to deliver energy services, adjusted for losses in generation, transmission, and distribution, and expressed on a fuel-neutral basis.

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

Sec. 18. Minnesota Statutes 2018, section 216B.241, is amended by adding a subdivision to read:

Subd. 12. **Programs for efficient fuel-switching improvements; natural gas utilities.** (a) As part of its plan filed under subdivision 2, a public utility that provides natural gas service to Minnesota customers at retail may propose one or more programs to install electric technologies that reduce the consumption of natural gas by its retail customers as an energy conservation improvement. The commissioner may approve a proposed program if the commissioner, applying the technical criteria developed under section 216B.241, subdivision 1d, paragraph (b), determines that:

(1) the electric technology to be installed meets the criteria established under section 216B.241, subdivision 11, paragraph (d), clauses (1) and (2); and

(2) the program is cost-effective, considering the costs and benefits to ratepayers, the utility, participants, and society.

(b) If a program is approved by the commission under this subdivision, the public utility may count the program's energy savings toward its energy savings goal under section 216B.241, subdivision 1c. Notwithstanding section 216B.2402, paragraph (e), efficient fuel-switching achieved through programs approved under this subdivision is energy conservation.

(c) A public utility may file rate schedules with the commission that provide for annual cost-recovery for programs approved by the department under this subdivision, including reasonable and prudent costs to implement and promote the programs.

(d) The commission may approve, modify, or reject a proposal made by the department or a utility for an incentive plan to encourage efficient fuel-switching programs approved under this subdivision, applying the considerations established under section 216B.16, subdivision 6c, paragraphs (b) and (c). The commission may approve a financial incentive mechanism that is calculated based on the combined energy savings and net benefits that the commission has determined have been achieved by a program approved under this subdivision, if the commission determines that the financial incentive mechanism is in the ratepayers' interest.

(e) A public utility is not eligible for a financial incentive for an efficient fuel-switching program under this subdivision in any year in which it achieves energy savings below one percent of gross annual retail energy sales, excluding savings achieved through fuel-switching programs.

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

Sec. 19. Minnesota Statutes 2018, section 216B.241, is amended by adding a subdivision to read:

Subd. 13. **Cost-effective load management programs.** (a) A public utility may include in its plan required under subdivision 2 programs to implement load management activities, or combinations of energy conservation improvements, fuel-switching improvements, and load management activities. For each program the public utility must provide a proposed budget, cost-effectiveness analysis, and estimated net energy and demand savings.

(b) The commissioner may approve a proposed program if the commissioner determines that the program is cost-effective, considering the costs and benefits to ratepayers, the utility, participants, and society.

(c) A public utility providing retail electric service to Minnesota customers may file rate schedules with the commission that provide for annual cost recovery of reasonable and prudent costs to implement and promote cost-effective load management programs approved by the department under this subdivision.

(d) The commission may approve, modify, or reject a proposal made by the department or a public utility for an incentive plan to encourage investments in load management programs if it determines that the program:

(1) is needed to increase the public utility's investment in cost-effective load management;

(2) is compatible with the interest of the public utility's ratepayers; and

(3) links the incentive to the public utility's performance in achieving cost-effective load management.

(e) The commission may structure an incentive plan to encourage cost-effective load management programs as an asset on which a public utility earns a rate of return at a level the commission determines is reasonable and in the public interest.

(f) The commission may include the net benefits from a load management activity that is integrated with an energy efficiency program approved under this section in the net benefits of the energy efficiency program for purposes of a financial incentive program under section 216B.16, subdivision 6c, if the department finds that the primary purpose of the load management activity is energy efficiency.

(g) A public utility is not eligible for a financial incentive for a load management program in any year in which it achieves energy savings below one percent of gross annual retail energy sales, excluding savings achieved through load management programs.

(h) The commission may include net benefits from a particular load management activity in an incentive plan under this subdivision or section 216B.16, subdivision 6c, but not both.

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

Sec. 20. **REPEALER.**

Minnesota Statutes 2018, section 216B.241, subdivisions 1, 1b, 2c, 4, and 10, are repealed.

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

Amend the title numbers accordingly

And when so amended the bill do pass.

Pursuant to Joint Rule 2.03, the bill was referred to the Committee on Rules and Administration.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senators Kiffmeyer, Miller, Tomassoni, Rosen, and Rarick introduced--

S.F. No. 4525: A bill for an act relating to local government; authorizing counties, cities, and townships to accept certain documents or signatures electronically, by mail, or by facsimile.

Referred to the Committee on Local Government.

Senator Kiffmeyer introduced--

S.F. No. 4526: A bill for an act relating to child support; modifying provisions related to deductions for nonjoint children; modifying basic support guidelines; modifying the self-support reserve calculation; amending Minnesota Statutes 2018, sections 518A.29; 518A.33; 518A.35, subdivisions 1, 2; 518A.42, subdivision 1.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senators Kiffmeyer, Housley, and Hoffman introduced--

S.F. No. 4527: A bill for an act relating to state government; allowing salons to make retail sales or pickup of products at curbside.

Referred to the Committee on State Government Finance and Policy and Elections.

Senator Anderson, P. introduced--

S.F. No. 4528: A bill for an act relating to taxation; property; extending the due date for the first half payment of property taxes for certain properties.

Referred to the Committee on Taxes.

Senator Wiger, by request, introduced--

S.F. No. 4529: A bill for an act relating to elections; allowing a minor party or independent candidate to pay a fee in place of filing a nominating petition or a minor political party recognition nominating petition; authorizing electronic signatures on petitions.

Referred to the Committee on State Government Finance and Policy and Elections.

Senator Dzierdzic introduced--

S.F. No. 4530: A bill for an act relating to public safety; modifying certain provisions relating to sexual assault examination kits, background checks, and Board of Public Defense; appropriating money for the supreme court, corrections, sentencing guidelines, and public safety; transferring funds to disaster contingency account; amending Minnesota Statutes 2018, sections 244.19, subdivision 5; 299C.106, subdivision 3, by adding subdivisions; 299C.46, subdivision 3; 611.27, subdivisions 9, 10, 11, 13, 15; Minnesota Statutes 2019 Supplement, section 477A.03, subdivision 2b; proposing coding for new law in Minnesota Statutes, chapter 299A.

Referred to the Committee on Judiciary and Public Safety Finance and Policy.

Senator Dzierdzic introduced--

S.F. No. 4531: A bill for an act relating to environment policy; authorizing cities to adopt certain pesticide control ordinances; amending Minnesota Statutes 2018, section 18B.09, subdivision 2, by adding a subdivision.

Referred to the Committee on Environment and Natural Resources Policy and Legacy Finance.

Senator Dzierdzic introduced--

S.F. No. 4532: A bill for an act relating to agriculture; doubling the maximum loan amount under the pilot agricultural microloan program; amending Minnesota Statutes 2018, section 41B.056, subdivision 4.

Referred to the Committee on Agriculture, Rural Development, and Housing Finance.

Senators Abeler, Hoffman, Pratt, Housley, and Tomassoni introduced--

S.F. No. 4533: A bill for an act relating to human services; establishing additional continuing education requirements for certain physicians, nurses, psychologists, and special education teachers; establishing additional training requirements for certain direct care staff; establishing a onetime grant for development and distribution of a training curriculum related to medical conditions affecting persons with autism spectrum disorders; appropriating money; amending Minnesota Statutes 2018, sections 122A.187, by adding a subdivision; 214.12, by adding a subdivision; 245D.09, subdivision 4a.

Referred to the Committee on Health and Human Services Finance and Policy.

Senator Dibble introduced--

S.F. No. 4534: A bill for an act relating to telecommunications; modifying requirements for small wireless facilities; requiring a study; appropriating money; amending Minnesota Statutes 2018, section 237.163, subdivisions 3a, 3b, 3c, 6.

Referred to the Committee on Energy and Utilities Finance and Policy.

Senators Hoffman, Tomassoni, Abeler, Pratt, and Housley introduced--

S.F. No. 4535: A bill for an act relating to human services; establishing additional continuing education requirements for certain physicians, nurses, psychologists, and special education teachers; establishing additional training requirements for certain direct care staff; establishing a onetime grant for development and distribution of a training curriculum related to medical conditions affecting persons with autism spectrum disorders; appropriating money; amending Minnesota Statutes 2018, sections 122A.187, by adding a subdivision; 214.12, by adding a subdivision; 245D.09, subdivision 4a.

Referred to the Committee on Health and Human Services Finance and Policy.

Senators Pratt, Hoffman, and Osmek introduced--

S.F. No. 4536: A bill for an act relating to transportation; establishing reporting requirements for certain counties that impose the county transportation sales and use tax; requiring a report; amending Minnesota Statutes 2018, section 297A.993, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

MOTIONS AND RESOLUTIONS

Senator Isaacson moved that the name of Senator Marty be added as a co-author to S.F. No. 4389. The motion prevailed.

Senator Rarick moved that the name of Senator Marty be added as a co-author to S.F. No. 4409. The motion prevailed.

Senator Tomassoni moved that the name of Senator Simonson be added as a co-author to S.F. No. 4464. The motion prevailed.

Senator Rosen moved that the names of Senators Miller, Cohen, and Bakk be added as co-authors to S.F. No. 4486. The motion prevailed.

Senator Osmek moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Anderson, P. be added as chief author to S.F. No. 4518. The motion prevailed.

Senator Mathews moved that the name of Senator Benson be added as a co-author to S.F. No. 3365. The motion prevailed.

SPECIAL ORDERS

Pursuant to Rule 26, Senator Gazelka, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

S.F. Nos. 3159, 4486, 3017, 2939, 2919, and 979.

SPECIAL ORDER

S.F. No. 3159: A bill for an act relating to health; modifying reimbursement requirements for ambulance service volunteer education costs; amending Minnesota Statutes 2018, section 144E.35.

S.F. No. 3159 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	Wiklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Housley; Johnson; Mathews; Newman; Relph; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Klein, Laine, Latz, Little, Newton, Pappas, Rest, Sparks, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 4486: A bill for an act relating to state finances; establishing an account in the federal fund; depositing money from the federal coronavirus relief fund.

Senator Champion moved to amend S.F. No. 4486 as follows:

Page 1, line 7, after "received" insert "by the state"

The motion prevailed. So the amendment was adopted.

S.F. No. 4486 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 42 and nays 25, as follows:

Those who voted in the affirmative were:

Abeler	Eichorn	Jasinski	Nelson	Simonson
Anderson, B.	Eken	Jensen	Newman	Sparks
Anderson, P.	Gazelka	Johnson	Osmek	Tomassoni
Bakk	Goggin	Kiffmeyer	Pratt	Utke
Benson	Hall	Koran	Rarick	Weber
Chamberlain	Hoffman	Lang	Relph	Westrom
Cohen	Housley	Limmer	Rosen	
Dahms	Howe	Mathews	Ruud	
Draheim	Ingebrigtsen	Miller	Senjem	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Housley; Johnson; Mathews; Newman; Relph; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senator: Sparks.

Those who voted in the negative were:

Bigham	Dibble	Hawj	Laine	Pappas
Carlson	Dziedzic	Hayden	Latz	Rest
Champion	Eaton	Isaacson	Little	Torres Ray
Clausen	Franzen	Kent	Marty	Wiger
Cwodzinski	Frentz	Klein	Newton	Wiklund

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Klein, Laine, Latz, Little, Newton, Pappas, Rest, Torres Ray, and Wiklund.

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

SPECIAL ORDER

S.F. No. 3017: A bill for an act relating to human services; changing a provision on self-directed caregiver grants; amending Minnesota Statutes 2018, section 256.975, subdivision 12.

S.F. No. 3017 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	Wiklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Housley; Johnson; Mathews; Newman; Relph; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Klein, Laine, Latz, Little, Newton, Pappas, Rest, Sparks, Torres Ray, and Wiklund.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 2939: A bill for an act relating to health boards; removing an unnecessary criminal background fee for certain health boards; amending Minnesota Statutes 2019 Supplement, sections 147.01, subdivision 7; 147A.28; 147B.08, subdivision 4; 147C.40, subdivision 5; 147D.27, subdivision 5; 147F.17, subdivision 1.

Senator Nelson moves to amend S.F. No. 2939 as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1

BOARD OF MEDICAL PRACTICE

Section 1. Minnesota Statutes 2019 Supplement, section 147.01, subdivision 7, is amended to read:

Subd. 7. Physician application and license fees. (a) The board may charge the following nonrefundable application and license fees processed pursuant to sections 147.02, 147.03, 147.037, 147.0375, and 147.38:

- (1) physician application fee, \$200;
- (2) physician annual registration renewal fee, \$192;
- (3) physician endorsement to other states, \$40;
- (4) physician emeritus license, \$50;
- (5) physician temporary license, \$60;
- (6) physician late fee, \$60;
- (7) duplicate license fee, \$20;
- (8) certification letter fee, \$25;
- (9) education or training program approval fee, \$100;
- (10) report creation and generation fee, \$60 per hour;

(11) examination administration fee (half day), \$50;

(12) examination administration fee (full day), \$80;

(13) fees developed by the Interstate Commission for determining physician qualification to register and participate in the interstate medical licensure compact, as established in rules authorized in and pursuant to section 147.38, not to exceed \$1,000; and

(14) verification fee, \$25; ~~and.~~

~~(15) criminal background check fee, \$32.~~

(b) The board may prorate the initial annual license fee. All licensees are required to pay the full fee upon license renewal. The revenue generated from the fee must be deposited in an account in the state government special revenue fund.

Sec. 2. Minnesota Statutes 2018, section 147.038, subdivision 1, is amended to read:

Subdivision 1. **Board approval; reporting.** A person holding ~~an active~~ a license to practice medicine in the state may, upon approval of the board, be granted license cancellation if the board is not investigating the person as a result of a complaint or information received or if the board has not begun disciplinary proceedings against the person. Such action by the board ~~shall~~ must be reported as a cancellation of a license in good standing.

Sec. 3. Minnesota Statutes 2018, section 147.039, is amended to read:

147.039 CANCELLATION OF LICENSE FOR NONRENEWAL.

The Board of Medical Practice shall not renew, reissue, reinstate, or restore a license that has lapsed ~~on or after January 1, 1989, and is not subject to a pending review, investigation, or disciplinary action,~~ and has not been renewed within two annual license renewal cycles ~~starting July 1, 1994.~~ A licensee whose license is canceled for nonrenewal must obtain a new license by applying for licensure and fulfilling all requirements then in existence for an initial license to practice medicine in Minnesota.

Sec. 4. Minnesota Statutes 2018, section 147.091, subdivision 8, is amended to read:

Subd. 8. **Limitation.** ~~No~~ A board ~~proceeding against~~ review or investigation of a regulated person ~~shall~~ must not be ~~instituted~~ initiated unless ~~commenced~~ the board has received a complaint or report within seven years from the date of the commission of some portion of the ~~offense or misconduct~~ conduct complained of or reported on except for alleged violations of subdivision 1, paragraph (t).

Sec. 5. Minnesota Statutes 2019 Supplement, section 147A.28, is amended to read:

147A.28 PHYSICIAN ASSISTANT APPLICATION AND LICENSE FEES.

(a) The board may charge the following nonrefundable fees:

(1) physician assistant application fee, \$120;

- (2) physician assistant annual registration renewal fee (prescribing authority), \$135;
- (3) physician assistant annual registration renewal fee (no prescribing authority), \$115;
- (4) physician assistant temporary registration, \$115;
- (5) physician assistant temporary permit, \$60;
- (6) physician assistant locum tenens permit, \$25;
- (7) physician assistant late fee, \$50;
- (8) duplicate license fee, \$20;
- (9) certification letter fee, \$25;
- (10) education or training program approval fee, \$100;
- (11) report creation and generation fee, \$60 per hour; and
- (12) verification fee, \$25; ~~and.~~
- ~~(13) criminal background check fee, \$32.~~

(b) The board may prorate the initial annual license fee. All licensees are required to pay the full fee upon license renewal. The revenue generated from the fees must be deposited in an account in the state government special revenue fund.

Sec. 6. Minnesota Statutes 2019 Supplement, section 147B.08, subdivision 4, is amended to read:

Subd. 4. **Acupuncturist application and license fees.** (a) The board may charge the following nonrefundable fees:

- (1) acupuncturist application fee, \$150;
- (2) acupuncturist annual registration renewal fee, \$150;
- (3) acupuncturist temporary registration fee, \$60;
- (4) acupuncturist inactive status fee, \$50;
- (5) acupuncturist late fee, \$50;
- (6) duplicate license fee, \$20;
- (7) certification letter fee, \$25;
- (8) education or training program approval fee, \$100;
- (9) report creation and generation fee, \$60 per hour; and

(10) verification fee, \$25;~~and.~~

~~(11) criminal background check fee, \$32.~~

(b) The board may prorate the initial annual license fee. All licensees are required to pay the full fee upon license renewal. The revenue generated from the fees must be deposited in an account in the state government special revenue fund.

Sec. 7. Minnesota Statutes 2019 Supplement, section 147C.40, subdivision 5, is amended to read:

Subd. 5. **Respiratory therapist application and license fees.** (a) The board may charge the following nonrefundable fees:

(1) respiratory therapist application fee, \$100;

(2) respiratory therapist annual registration renewal fee, \$90;

(3) respiratory therapist inactive status fee, \$50;

(4) respiratory therapist temporary registration fee, \$90;

(5) respiratory therapist temporary permit, \$60;

(6) respiratory therapist late fee, \$50;

(7) duplicate license fee, \$20;

(8) certification letter fee, \$25;

(9) education or training program approval fee, \$100;

(10) report creation and generation fee, \$60 per hour; and

(11) verification fee, \$25;~~and.~~

~~(12) criminal background check fee, \$32.~~

(b) The board may prorate the initial annual license fee. All licensees are required to pay the full fee upon license renewal. The revenue generated from the fees must be deposited in an account in the state government special revenue fund.

Sec. 8. Minnesota Statutes 2019 Supplement, section 147D.27, subdivision 5, is amended to read:

Subd. 5. **Additional fees.** The board may also charge the following nonrefundable fees:

(1) verification fee, \$25;

(2) certification letter fee, \$25;

(3) education or training program approval fee, \$100;

(4) report creation and generation fee, \$60 per hour; and

(5) duplicate license fee, \$20; ~~and.~~

~~(6) criminal background check fee, \$32.~~

Sec. 9. Minnesota Statutes 2019 Supplement, section 147F.17, subdivision 1, is amended to read:

Subdivision 1. **Fees.** (a) Fees are as follows:

(1) license application fee, \$200;

(2) initial licensure and annual renewal, \$150;

(3) late fee, \$75;

(4) genetic counselor certification fee, \$25;

(5) temporary license fee, \$60;

(6) duplicate license fee, \$20;

(7) certification letter fee, \$25;

(8) education or training program approval fee, \$100; and

(9) report creation and generation fee, \$60 per hour billed in quarter-hour increments with a quarter-hour minimum; ~~and.~~

~~(10) criminal background check fee, \$32.~~

(b) The revenue generated from the fees must be deposited in an account in the state government special revenue fund.

ARTICLE 2

BOARD OF OCCUPATIONAL THERAPY PRACTICE

Section 1. Minnesota Statutes 2018, section 148.6402, subdivision 5, is amended to read:

Subd. 5. **Contact hour.** "Contact hour" means an instructional session of 60 ~~consecutive~~ minutes, excluding coffee breaks, registration, meals without a speaker, and social activities.

Sec. 2. Minnesota Statutes 2018, section 148.6402, subdivision 21, is amended to read:

Subd. 21. **Licensure by equivalency.** "Licensure by equivalency" means a method of licensure described in section 148.6412 by which an individual who possesses a current credential from the National Board for Certification in Occupational Therapy may qualify for licensure.

Sec. 3. Minnesota Statutes 2018, section 148.6403, subdivision 1, is amended to read:

Subdivision 1. **Unlicensed practice prohibited.** ~~No~~ A person shall must not engage in the practice of occupational therapy unless the person is licensed as an ~~occupational therapist or an occupational therapist assistant~~ therapy practitioner in accordance with sections 148.6401 to 148.6449.

Sec. 4. Minnesota Statutes 2018, section 148.6403, subdivision 5, is amended to read:

Subd. 5. **Exempt persons.** This section does not apply to:

(1) a person employed as an ~~occupational therapist or occupational therapy assistant~~ practitioner by the government of the United States or any agency of it. However, use of the protected titles under those circumstances is allowed only in connection with performance of official duties for the federal government;

(2) a student participating in supervised fieldwork or supervised coursework that is necessary to meet the requirements of section 148.6408, subdivision 1, or 148.6410, subdivision 1, if the person is designated by a title which clearly indicates the person's status as a student trainee. Any use of the protected titles under these circumstances is allowed only while the person is performing the duties of the supervised fieldwork or supervised coursework; or

(3) a person visiting and then leaving the state and performing occupational therapy services while in the state, if the services are performed no more than 30 days in a calendar year as part of a professional activity that is limited in scope and duration and is in association with an occupational therapist licensed under sections 148.6401 to 148.6449, and

(i) the person is credentialed under the law of another state which has credentialing requirements at least as stringent as the requirements of sections 148.6401 to 148.6449; or

(ii) the person meets the requirements for certification as an occupational therapist registered (OTR) or a certified occupational therapy assistant (COTA), established by the National Board for Certification in Occupational Therapy.

Sec. 5. Minnesota Statutes 2018, section 148.6403, subdivision 6, is amended to read:

Subd. 6. **Sanctions.** A person who practices occupational therapy or holds out as an ~~occupational therapist or occupational therapy assistant~~ practitioner by or through the use of any title described in subdivision 2 without prior licensure according to sections 148.6401 to 148.6449 is subject to sanctions or action against continuing the activity according to section 148.6448, chapter 214, or other statutory authority.

Sec. 6. Minnesota Statutes 2018, section 148.6404, is amended to read:

148.6404 SCOPE OF PRACTICE.

(a) The practice of occupational therapy by an occupational therapist or occupational therapy assistant includes, but is not limited to, intervention directed toward means the therapeutic use of everyday activities with individuals or groups for the purpose of enhancing or enabling participation. It is the promotion of health and well-being through the use of occupational therapy services that includes screening, evaluation, intervention, and consultation to develop, recover, and maintain a client's:

~~(1) assessment and evaluation, including the use of skilled observation or the administration and interpretation of standardized or nonstandardized tests and measurements, to identify areas for occupational therapy services;~~

~~(2) providing for the development of (1) sensory integrative, neuromuscular, or motor, emotional, motivational, cognitive, or psychosocial components of performance;~~

~~(3) providing for the development of emotional, motivational, cognitive, or psychosocial components of performance;~~

~~(4) developing (2) daily living skills;~~

~~(5) developing (3) feeding and swallowing skills;~~

~~(6) developing (4) play skills and leisure ~~capacities~~ skills;~~

~~(7) enhancing (5) educational ~~performance~~ participation skills;~~

~~(8) enhancing (6) functional performance and work readiness through exercise, range of motion, and use of ergonomic principles participation skills;~~

~~(7) community mobility; and~~

~~(8) health and wellness.~~

Occupational therapy services include but are not limited to:

~~(9) (1) designing, fabricating, or applying rehabilitative technology, such as selected orthotic and prosthetic devices, and providing training in the functional use of these devices;~~

~~(10) (2) designing, fabricating, or adapting assistive technology and providing training in the functional use of assistive devices;~~

~~(11) (3) adapting environments using assistive technology such as environmental controls, wheelchair modifications, and positioning; and~~

~~(12) (4) employing physical agent modalities, in preparation for or as an adjunct to purposeful activity, ~~within the same treatment session or to meet established functional occupational therapy goals; and.~~~~

~~(13) promoting health and wellness.~~

(b) Occupational therapy services must be based on nationally established standards of practice.

Sec. 7. Minnesota Statutes 2018, section 148.6405, is amended to read:

148.6405 LICENSURE APPLICATION REQUIREMENTS: PROCEDURES AND QUALIFICATIONS.

(a) An applicant for licensure must comply with the application requirements in section 148.6420. To qualify for licensure, an applicant must satisfy one of the requirements in paragraphs (b) to (f) and not be subject to denial of licensure under section 148.6448.

(b) A person who applies for licensure as an occupational therapist and who has not been credentialed by the National Board for Certification in Occupational Therapy or another jurisdiction must meet the requirements in section 148.6408.

(c) A person who applies for licensure as an occupational therapy assistant and who has not been credentialed by the National Board for Certification in Occupational Therapy or another jurisdiction must meet the requirements in section 148.6410.

(d) A person who is certified by the National Board for Certification in Occupational Therapy may apply for licensure by equivalency and must meet the requirements in section 148.6412.

(e) A person who is credentialed in another jurisdiction and who was previously certified by the National Board for Certification in Occupational Therapy may apply for licensure by reciprocity and must meet the requirements in section 148.6415.

(f) A person who applies for temporary licensure must meet the requirements in section 148.6418.

(g) A person who applies for licensure under paragraph (b), (c), or (f) more than two and less than four years after meeting the examination requirements in section 148.6408, subdivision 2, or 148.6410, subdivision 2, must submit the following:

(1) a completed and signed application for licensure on forms provided by the board;

(2) the license application fee required under section 148.6445;

(3) if applying for occupational therapist licensure, proof of having met a minimum of 24 contact hours of continuing education in the two years preceding licensure application, or if applying for occupational therapy assistant licensure, proof of having met a minimum of 18 contact hours of continuing education in the two years preceding licensure application;

(4) verified documentation of successful completion of 160 hours of supervised practice approved by the board under a limited license specified in section 148.6425, subdivision 3, paragraph (c); and

(5) additional information as requested by the board to clarify information in the application, including information to determine whether the individual has engaged in conduct warranting disciplinary action under section 148.6448. The information must be submitted within 30 calendar days after from the date of the board's request.

(h) A person who ~~applied~~ applies for licensure under paragraph (b), (c), or (f) four years or more after meeting the examination requirements in section 148.6408, subdivision 2, or 148.6410, subdivision 2, must:

(1) meet all the requirements in paragraph (g) except clauses (3) and (4);

(2) submit documentation of having retaken and passed achieved a qualifying score on the credentialing examination for occupational therapist therapists or occupational therapy assistant

assistants, or of having completed an occupational therapy refresher program that contains both a theoretical and clinical component approved by the board; and

(3) submit verified documentation of successful completion of 480 hours of supervised practice approved by the board under a limited license specified in section 148.6425, subdivision 3, paragraph (c). The 480 hours of supervised practice must be completed in six months and may be completed at the applicant's place of work. Only refresher courses completed within one year prior to the date of application qualify for approval.

Sec. 8. Minnesota Statutes 2018, section 148.6412, subdivision 2, is amended to read:

Subd. 2. **Persons certified by National Board for Certification in Occupational Therapy after June 17, 1996.** The board may license any person certified by the National Board for Certification in Occupational Therapy as an occupational therapist ~~after June 17, 1996~~, if the board determines the requirements for certification are equivalent to or exceed the requirements for licensure as an occupational therapist under section 148.6408. The board may license any person certified by the National Board for Certification in Occupational Therapy as an occupational therapy assistant ~~after June 17, 1996~~, if the board determines the requirements for certification are equivalent to or exceed the requirements for licensure as an occupational therapy assistant under section 148.6410. Nothing in this section limits the board's authority to deny licensure based upon the grounds for discipline in sections 148.6401 to 148.6449.

Sec. 9. Minnesota Statutes 2018, section 148.6415, is amended to read:

148.6415 LICENSURE BY RECIPROCITY.

A person who is not certified by the National Board for Certification in Occupational Therapy but who holds a current credential as an occupational therapist in the District of Columbia or a state or territory of the United States whose standards for credentialing are determined by the board to be equivalent to or exceed the requirements for licensure under section 148.6408 may be eligible for licensure by reciprocity as an occupational therapist. A person who is not certified by the National Board for Certification in Occupational Therapy but who holds a current credential as an occupational therapy assistant in the District of Columbia or a state or territory of the United States whose standards for credentialing are determined by the board to be equivalent to or exceed the requirements for licensure under section 148.6410 may be eligible for licensure by reciprocity as an occupational therapy assistant. Nothing in this section limits the board's authority to deny licensure based upon the grounds for discipline in sections 148.6401 to 148.6449. An applicant must provide:

- (1) the application materials as required by section 148.6420, subdivisions 1, 3, and 4;
- (2) the fees required by section 148.6445;
- (3) a copy of a current and unrestricted credential for the practice of occupational therapy as either an occupational therapist or occupational therapy assistant;
- (4) a letter from the jurisdiction that issued the credential describing the applicant's qualifications that entitled the applicant to receive the credential; and

(5) other information necessary to determine whether the credentialing standards of the jurisdiction that issued the credential are equivalent to or exceed the requirements for licensure under sections 148.6401 to 148.6449.

Sec. 10. Minnesota Statutes 2018, section 148.6418, subdivision 4, is amended to read:

Subd. 4. Supervision required. An applicant who has graduated from an accredited occupational therapy program, as required by section 148.6408, subdivision 1, or 148.6410, subdivision 1, and who has not passed the examination required by section 148.6408, subdivision 2, or 148.6410, subdivision 2, must practice under the supervision of a licensed occupational therapist. The supervising therapist must, at a minimum, supervise the person working under temporary licensure in the performance of the initial evaluation, determination of the appropriate ~~treatment~~ intervention plan, and periodic review and modification of the ~~treatment~~ intervention plan. The supervising therapist must observe the person working under temporary licensure in order to ~~assure~~ ensure service competency in carrying out evaluation, ~~treatment~~ intervention planning, and ~~treatment~~ intervention implementation. The frequency of face-to-face collaboration between the person working under temporary licensure and the supervising therapist must be based on the condition of each patient or client, the complexity of ~~treatment~~ intervention and evaluation procedures, and the proficiencies of the person practicing under temporary licensure. Following demonstrated service competency of the applicant, supervision must occur no less than every ten intervention days or every 30 calendar days, whichever occurs first. The occupational therapist or occupational therapy assistant working under temporary licensure must provide verification of supervision on the application form provided by the board.

Sec. 11. Minnesota Statutes 2018, section 148.6418, subdivision 5, is amended to read:

Subd. 5. Expiration of temporary licensure. (a) A person issued a temporary license pursuant to subdivision 2, clause (1), must demonstrate to the board within the temporary licensure period successful completion of the qualifying examination requirement under section 148.6408, subdivision 2, or section 148.6410, subdivision 2. A temporary license holder who fails the qualifying examination for a second time shall have their temporary license revoked effective upon notification to the temporary license holder of the examination score. It is the temporary license holder's obligation to submit to the board their qualifying examination scores and to refrain from practice if their temporary license is revoked. Failure to do so subjects the temporary license holder to disciplinary action pursuant to section 148.6448, subdivision 1, clause (5).

(b) A temporary license issued to a person pursuant to subdivision 2, clause (1), expires six months from the date of issuance for occupational therapists and occupational therapy assistants or on the date the board grants or denies licensure, whichever occurs first. A temporary license issued to a person pursuant to subdivision 2, clause (2) or (3), expires 90 days after it is issued. Upon application for renewal, a temporary license shall be renewed once to persons who have not met the examination requirement under section 148.6408, subdivision 2, or 148.6410, subdivision 2, within the initial temporary licensure period and who are not the subject of a disciplinary action nor disqualified on the basis of items in section 148.6448, subdivision 1. Upon application for renewal, a temporary license shall be renewed once to persons who are able to demonstrate good cause for failure to meet the requirements for licensure under section 148.6412 or 148.6415 within the initial temporary licensure period and who are not the subject of a disciplinary action nor disqualified on the basis of items in section 148.6448, subdivision 1.

(c) A temporary license is not renewable.

Sec. 12. Minnesota Statutes 2019 Supplement, section 148.6420, subdivision 1, is amended to read:

Subdivision 1. **Applications for licensure.** An applicant for licensure must:

(1) submit a completed application for licensure on forms provided by the board and must supply the information requested on the application, including:

(i) the applicant's name, business address and business telephone number, business setting, primary e-mail address, and daytime telephone number;

(ii) the name and location of the occupational therapy program the applicant completed;

(iii) a description of the applicant's education and training, including a list of degrees received from educational institutions;

(iv) the applicant's work history for the six years preceding the application, ~~including the number of hours worked~~;

(v) a list of all credentials currently and previously held in Minnesota and other jurisdictions;

(vi) a description of any jurisdiction's refusal to credential the applicant;

(vii) a description of all professional disciplinary actions initiated against the applicant in any jurisdiction;

(viii) information on any physical or mental condition or chemical dependency that impairs the person's ability to engage in the practice of occupational therapy with reasonable judgment or safety;

(ix) a description of any misdemeanor or felony conviction that relates to honesty or to the practice of occupational therapy; and

(x) a description of any state or federal court order, including a conciliation court judgment or a disciplinary order, related to the individual's occupational therapy practice;

(2) submit with the application all fees required by section 148.6445;

(3) sign a statement that the information in the application is true and correct to the best of the applicant's knowledge and belief;

(4) sign a waiver authorizing the board to obtain access to the applicant's records in this or any other state in which the applicant holds or previously held a credential for the practice of an occupation, has completed an accredited occupational therapy education program, or engaged in the practice of occupational therapy;

(5) submit additional information as requested by the board; and

(6) submit the additional information required for licensure by equivalency, licensure by reciprocity, and temporary licensure as specified in sections 148.6408 to 148.6418.

Sec. 13. Minnesota Statutes 2018, section 148.6420, subdivision 4, is amended to read:

Subd. 4. **Applicants credentialed in another jurisdiction.** In addition to providing the materials required in subdivision 1, an applicant credentialed in another jurisdiction must request that the appropriate government body in each jurisdiction in which the applicant holds or held an occupational therapy credential ~~send a letter to the commissioner~~ provide documentation to the board that verifies the applicant's credentials. Except as provided in section 148.6418, a license ~~shall~~ must not be issued until the ~~commissioner~~ board receives ~~letters verifying~~ verification of each of the applicant's credentials. Each ~~letter~~ verification must include the applicant's name and date of birth, credential number and date of issuance, a statement regarding investigations pending and disciplinary actions taken or pending against the applicant, current status of the credential, and the terms under which the credential was issued.

Sec. 14. Minnesota Statutes 2018, section 148.6420, subdivision 5, is amended to read:

Subd. 5. **Action on applications for licensure.** (a) The board shall approve, approve with conditions, or deny licensure. The board shall act on an application for licensure according to paragraphs (b) to (d).

(b) The board shall determine if the applicant meets the requirements for licensure. The board, ~~or the advisory council at the board's request,~~ may investigate information provided by an applicant to determine whether the information is accurate and complete.

(c) The board shall notify an applicant of action taken on the application and, if licensure is denied or approved with conditions, the grounds for the board's determination.

(d) An applicant denied licensure or granted licensure with conditions may make a written request to the board, within 30 days of the date of the board's determination, for reconsideration of the board's determination. Individuals requesting reconsideration may submit information which the applicant wants considered in the reconsideration. After reconsideration of the board's determination to deny licensure or grant licensure with conditions, the board shall determine whether the original determination should be affirmed or modified. An applicant is allowed no more than one request in any one biennial licensure period for reconsideration of the board's determination to deny licensure or approve licensure with conditions.

Sec. 15. Minnesota Statutes 2018, section 148.6423, is amended to read:

148.6423 LICENSURE RENEWAL.

Subdivision 1. **Renewal requirements.** To be eligible for licensure renewal, a licensee must:

(1) submit a completed and signed application for licensure renewal ~~on forms provided by the board;~~

(2) submit the renewal fee required under section 148.6445;

(3) submit proof of having met the continuing education requirement of section 148.6443 ~~on forms provided by the board;~~ and

(4) submit additional information as requested by the board to clarify information presented in the renewal application. The information must be submitted within 30 calendar days ~~after~~ of the board's request.

Subd. 2. **Renewal deadline.** (a) Except as provided in paragraph (c), licenses must be renewed every two years. Licensees must comply with the following procedures in paragraphs (b) to (e).

(b) Each license must state an expiration date. An application for licensure renewal must be received by the board ~~or postmarked~~ at least 30 calendar days before the expiration date. ~~If the postmark is illegible, the application shall be considered timely if received at least 21 calendar days before the expiration date.~~

(c) If the board changes the renewal schedule and the expiration date is less than two years, the fee and the continuing education contact hours to be reported at the next renewal must be prorated.

(d) An application for licensure renewal not received within the time required under paragraph (b), but received on or before the expiration date, must be accompanied by a late fee in addition to the renewal fee specified by section 148.6445.

(e) Licensure renewals received after the expiration date ~~shall not be accepted and persons seeking licensed status~~ must comply with the requirements of section 148.6425.

Subd. 3. **Licensure renewal notice.** At least 60 ~~calendar~~ days before the expiration date in subdivision 2, the board ~~shall mail~~ must send or transmit a renewal notice to the ~~licensee's last known address on file with the board~~ licensee. The notice must include ~~an application for licensure renewal and notice of fees required for renewal~~ information about accessing the license renewal and fee schedule. The licensee's failure to receive notice does not relieve the licensee of the obligation to meet the renewal deadline and other requirements for licensure renewal.

Subd. 4. **License renewal cycle conversion.** The license renewal cycle for occupational therapy licensees is converted to a two-year cycle where renewal is due on the last day of the licensee's month of birth. Conversion pursuant to this section begins January 1, 2021. This section governs license renewal procedures for licensees who were licensed before December 31, 2020. The conversion renewal cycle is the renewal cycle following the first license renewal after January 1, 2020. The conversion license period is the license period for the conversion renewal cycle. The conversion license period is between 13 and 24 months and ends on the last day of the licensee's month of birth in either 2022 or 2023, as described in subdivision 5.

Subd. 5. **Conversion of license renewal cycle for current licensees.** For a licensee whose license is current as of December 31, 2020, the licensee's conversion license period begins on January 1, 2021, and ends on the last day of the licensee's month of birth in 2023, except that for licensees whose month of birth is January, February, March, April, May, or June, the licensee's renewal cycle ends on the last day of the licensee's month of birth in 2022.

Subd. 6. **Conversion of license renewal cycle for noncurrent licensees.** This subdivision applies to a licensee who was licensed before December 31, 2020, but whose license is not current as of December 31, 2020. When the licensee first renews the license after January 1, 2021, the conversion renewal cycle begins on the date the licensee applies for renewal and ends on the last day of the licensee's month of birth in the next year, except that if the last day of the licensee's month

of birth is less than six months after the date the licensee applies for renewal, then the renewal period ends on the last day of the licensee's month of birth two years after the date of renewal.

Subd. 7. **Subsequent renewal cycles.** After the licensee's conversion renewal cycle under subdivision 5 or 6, subsequent renewal cycles are biennial and begin on the first day of the month following the licensee's birth month.

Subd. 8. **Conversion period and fees.** (a) A licensee who holds a license issued before January 1, 2021, and who renews that license pursuant to subdivision 5 or 6, must pay a renewal fee as required in this subdivision.

(b) A licensee must be charged the biennial license fee listed in section 148.6445 for the conversion license period.

(c) For a licensee whose conversion license period is 13 to 24 months, the first biennial license fee charged after the conversion license period must be adjusted to credit the excess fee payment made during the conversion license period. The credit is calculated by:

(1) subtracting the number of months of the licensee's conversion license period from 24; and

(2) multiplying the result of clause (1) by 1/24 of the biennial fee rounded up to the next dollar.

(d) For a licensee whose conversion license period is 24 months, the first biennial license fee charged after the conversion license period must not be adjusted.

(e) For the second and all subsequent license renewals made after the conversion license period, the licensee's biennial license fee is as listed in section 148.6445.

Subd. 9. **Expiration.** Subdivisions 4, 5, 7, and 8 expire December 31, 2023.

Sec. 16. Minnesota Statutes 2018, section 148.6425, subdivision 2, is amended to read:

Subd. 2. **Licensure renewal after licensure expiration date.** ~~An individual~~ A licensee whose application for licensure renewal is received after the licensure expiration date must submit the following:

(1) a completed and signed application for licensure following lapse in licensed status ~~on forms provided by the board;~~

(2) the renewal fee and the late fee required under section 148.6445;

(3) proof of having met the continuing education requirements in section 148.6443, subdivision 1; and

(4) additional information as requested by the board to clarify information in the application, including information to determine whether the ~~individual~~ licensee has engaged in conduct warranting disciplinary action as set forth in section 148.6448. The information must be submitted within 30 calendar days ~~after~~ from the date of the board's request.

Sec. 17. Minnesota Statutes 2018, section 148.6428, is amended to read:

148.6428 CHANGE OF NAME, ADDRESS, OR EMPLOYMENT.

A licensee who changes a name, primary e-mail address, address, or employment, business address, or business telephone number must inform the board, ~~in writing,~~ of the change of name, primary e-mail address, address, employment, business address, or business telephone number within 30 calendar days from the effective date of the change. A change in name must be accompanied by a copy of a marriage certificate or court order. All notices or other correspondence ~~mailed to or~~ served on a licensee by the board at the licensee's address contact information on file with the board ~~shall~~ must be considered as having been received by the licensee.

Sec. 18. Minnesota Statutes 2018, section 148.6430, is amended to read:

148.6430 DELEGATION OF DUTIES; ASSIGNMENT OF TASKS.

The occupational therapist is responsible for all duties delegated to the occupational therapy assistant or tasks assigned to direct service personnel. The occupational therapist may delegate to an occupational therapy assistant those portions of a client's evaluation, reevaluation, and treatment intervention that, according to prevailing national practice standards of the American Occupational Therapy Association, can be performed by an occupational therapy assistant. The occupational therapist may not delegate portions of an evaluation or reevaluation of a person whose condition is changing rapidly.

Sec. 19. Minnesota Statutes 2018, section 148.6432, subdivision 3, is amended to read:

Subd. 3. **Treatment Intervention.** (a) The occupational therapist ~~shall~~ must determine the frequency and manner of supervision of an occupational therapy assistant performing treatment intervention procedures delegated pursuant to section 148.6430; based on the condition of the patient or client, the complexity of the treatment intervention procedure, and the proficiencies service competency of the occupational therapy assistant.

(b) Face-to-face collaboration between the occupational therapist and the occupational therapy assistant ~~shall~~ must occur, ~~at a minimum, every two weeks~~ every ten intervention days or every 30 days, whichever comes first, during which time the occupational therapist is responsible for:

(1) planning and documenting an initial treatment intervention plan and discharge from treatment interventions;

(2) reviewing treatment intervention goals, therapy programs, and client progress;

(3) supervising changes in the treatment intervention plan;

(4) conducting or observing treatment intervention procedures for selected clients and documenting appropriateness of treatment intervention procedures. Clients ~~shall~~ must be selected based on the occupational therapy services provided to the client and the role of the occupational therapist and the occupational therapy assistant in those services; and

(5) ensuring the service competency of the occupational therapy assistant in performing delegated treatment intervention procedures.

(c) Face-to-face collaboration must occur more frequently ~~than every two weeks~~ if necessary to meet the requirements of paragraph (a) or (b).

(d) The occupational therapist ~~shall~~ must document compliance with this subdivision in the client's file or chart.

Sec. 20. Minnesota Statutes 2018, section 148.6435, is amended to read:

148.6435 COORDINATION OF SERVICES.

An occupational therapist ~~shall~~ must:

(1) collect information necessary to ensure that the provision of occupational therapy services are consistent with the client's physical and mental health status. The information required to make this determination may include, but is not limited to, contacting the client's licensed health care professional for health history, current health status, current medications, and precautions;

(2) modify or terminate occupational therapy ~~treatment intervention~~ of a client that is not beneficial to the client, not tolerated by the client, or refused by the client, and if ~~treatment intervention~~ was terminated for a medical reason, notify the client's licensed health care professional by correspondence postmarked or delivered to the licensed health care professional within ~~seven calendar days~~ one week of the termination of ~~treatment intervention~~;

(3) refer a client to an appropriate health care, social service, or education practitioner if the client's condition requires services not within the occupational therapist's service competency or not within the practice of occupational therapy generally; and

(4) participate and cooperate in the coordination of occupational therapy services with other related services, as a member of the professional community serving the client; and.

~~(5) communicate, in writing, with the appropriate licensed health care professional an occupational therapy plan of care, postmarked or delivered to the licensed health care professional within 14 calendar days of the initiation of treatment. The occupational therapist must provide this written communication even if occupational therapy treatment is concluded in less than 14 consecutive days. The occupational therapist shall document modifications to the plan of care requested by the licensed health care professional following consultation with the licensed health care professional. Occupational therapists employed by a school system are exempt from the requirements of this clause in the performance of their duties within the school system.~~

Sec. 21. Minnesota Statutes 2018, section 148.6443, as amended by Laws 2019, chapter 50, article 1, section 49, is amended to read:

148.6443 CONTINUING EDUCATION REQUIREMENTS.

Subdivision 1. **General requirements.** A licensed occupational therapist must obtain a minimum of 24 contact hours of continuing education in the two-year licensure period. A licensed occupational therapy assistant must obtain a minimum of 18 contact hours of continuing education in the two-year licensure period. All continuing education coursework must be obtained between the effective and expiration dates of the license. Licensees who are issued licenses for a period of less than two years

~~shall~~ must obtain a prorated number of contact hours required for licensure renewal based on the number of months licensed during the two-year licensure period.

~~To qualify as a continuing education activity, the activity must be a minimum of one contact hour. Contact hours must be earned and reported in increments of one contact hour or one half contact hour after the first contact hour of each continuing education activity. One half contact hour means an instructional session of 30 consecutive minutes, excluding coffee breaks, registration, meals without a speaker, and social activities.~~

Each licensee is responsible for financing the cost of the licensee's continuing education activities.

Subd. 2. **Standards for determining qualified continuing education activities.** To be accepted by the board, activities must be related to a licensee's current or anticipated roles and responsibilities as an occupational therapy practitioner and must directly or indirectly serve to protect the public by enhancing the licensee's continuing competence.

Except as provided in subdivision 3, paragraph (d), in order to qualify as a continuing education activity, the activity must:

- (1) constitute an organized program of learning;
- (2) reasonably be expected to advance the knowledge and skills of the occupational therapy practitioner;
- ~~(3) pertain to subjects that directly relate to the practice of occupational therapy;~~
- ~~(4)~~ (3) be conducted by a sponsor approved by the American Occupational Therapy Association or by individuals who have education, training, and experience by reason of which the individuals should be considered experts on the subject matter of the activity; and
- ~~(5)~~ (4) be presented by a sponsor who has a mechanism to verify participation and maintains attendance records for a minimum of three years.

Subd. 3. **Activities qualifying for continuing education contact hours.** (a) The activities in this subdivision qualify for continuing education contact hours if they meet all other requirements of this section.

(b) A minimum of one-half of the required contact hours must be directly related to ~~the~~ occupational therapy practice. The remaining contact hours may be related to occupational therapy practice, the delivery of occupational therapy services, or to the practitioner's current professional role.

(c) A licensee may obtain an unlimited number of contact hours in any two-year continuing education period through participation in the following:

- (1) attendance at educational programs of annual conferences, lectures, panel discussions, workshops, in-service training, seminars, and symposiums;

(2) successful completion of college or university courses. The licensee must obtain a grade of at least a "C" or a pass in a ~~pass or fail~~ pass/fail course in order to receive ~~the following continuing education credits:~~ credit. One college credit equals six continuing education contact hours;

~~(i) one semester credit equals 14 contact hours;~~

~~(ii) one trimester credit equals 12 contact hours; and~~

~~(iii) one quarter credit equals ten contact hours;~~

(3) successful completion of home study courses that require the participant to demonstrate the participant's knowledge following completion of the course.

(d) A licensee may obtain a maximum of ~~six~~ one half of the required contact hours in any two-year continuing education period for:

(1) teaching continuing education or occupational therapy related courses that meet the requirements of this section. A licensee is entitled to earn a maximum of two contact hours as preparation time for each contact hour of presentation time. Contact hours may be claimed only once for teaching the same course in any two-year continuing education period. A course schedule or brochure must be maintained for audit;

(2) supervising occupational therapist or occupational therapy assistant students. A licensee may earn one contact hour for every eight hours of student supervision. Licensees must ~~maintain a log indicating the name of~~ ensure they receive documentation regarding each student supervised and the dates and hours each student was supervised. Contact hours obtained by student supervision must be obtained by supervising students from an occupational therapy education program accredited by the Accreditation Council for Occupational Therapy Education;

(3) teaching or participating in courses related to leisure activities, recreational activities, or hobbies if the practitioner uses these interventions within the practitioner's current practice or employment; and

(4) engaging in research activities or outcome studies that are related to the practice of occupational therapy and associated with grants, postgraduate studies, or publications in professional journals or books.

(e) A licensee may obtain a maximum of two contact hours in any two-year continuing education period for continuing education activities in the following areas:

(1) personal skill topics: career burnout, communication skills, human relations, and similar topics; ~~and~~

(2) training that is obtained in conjunction with a licensee's employment, occurs during a licensee's normal workday, and does not include subject matter specific to the fundamentals of occupational therapy; and

(3) participation for a minimum of one year on a professional committee or board.

Subd. 4. **Activities not qualifying for continuing education contact hours.** ~~No Credit shall~~ must not be granted for the following activities: hospital rounds, entertainment or recreational activities, noneducational association meetings, and employment orientation sessions, ~~holding an office or serving as an organizational delegate, meetings for the purpose of making policy and noneducational association meetings.~~

Subd. 5. **Reporting continuing education contact hours.** ~~Within one month following licensure expiration, each licensee shall submit verification that the licensee has met the continuing education requirements of this section on the continuing education report form provided by the board. The continuing education report form may require the following information: Each licensee must use the continuing education reporting form to verify meeting the continuing education requirements of this section. The licensee must maintain documentation, including but not limited to a signed certificate, transcript, or similar evidence of participation in an activity. The documentation must include a:~~

- (1) title of the continuing education activity;
- (2) brief description of the continuing education activity prepared by the presenter or sponsor;
- (3) sponsor, presenter, or author;
- (4) location and attendance dates;
- (5) number of contact hours; and
- (6) licensee's ~~notarized affirmation that the information is true and correct~~ name.

Subd. 6. **Auditing continuing education reports.** (a) The board may audit a percentage of the continuing education reports based on random selection. A licensee shall maintain all documentation required by this section for two years after the last day of the biennial licensure period in which the contact hours were earned.

(b) All renewal applications that are received after the expiration date may be subject to a continuing education report audit.

(c) Any licensee against whom a complaint is filed may be subject to a continuing education report audit.

(d) The licensee shall make the following information available to the board for auditing purposes:

(1) a copy of the completed continuing education ~~report~~ reporting form for the continuing education reporting period that is the subject of the audit including all supporting documentation required by subdivision 5;

~~(2) a description of the continuing education activity prepared by the presenter or sponsor that includes the course title or subject matter, date, place, number of program contact hours, presenters, and sponsors;~~

~~(3) documentation of self-study programs by materials prepared by the presenter or sponsor that includes the course title, course description, name of sponsor or author, and the number of hours required to complete the program;~~

~~(4) (2) documentation of university, college, or vocational school courses by a transcript and a course syllabus, listing in a course bulletin, or equivalent documentation that includes the course title, instructor's name, course dates, number of contact hours, and course content, objectives, or goals; and~~

~~(5) (3) verification of attendance by:~~

~~(i) a signature of the presenter or a designee at the continuing education activity on the continuing education report form or a certificate of attendance with the course name, course date, and licensee's name;~~

~~(ii) a summary or outline of the educational content of an audio or video educational activity to verify the licensee's participation in the activity if a designee is not available to sign the continuing education report form; or~~

~~(iii) verification of self-study programs by a certificate of completion or other documentation indicating that the individual has demonstrated knowledge and has successfully completed the program; or~~

~~(iv) verification of attendance at a university, college, or vocational course by an official transcript.~~

Subd. 7. Waiver of continuing education requirements. ~~The board may grant a waiver of the requirements of this section in cases where the requirements would impose an extreme hardship on the licensee. The board may waive or defer all or part of the continuing education requirements of this section if the licensee submits a written request and provides satisfactory evidence to the board of illness, injury, financial hardship, family hardship, or other similar extenuating circumstances that preclude completion of the requirements during the licensure period. The request for a waiver must be in writing, state the circumstances that constitute extreme hardship, state the period of time the licensee wishes to have the continuing education requirement waived, and state the alternative measures that will be taken if a waiver is granted. The board shall must set forth, in writing, the reasons for granting or denying the waiver. Waivers granted by the board shall must specify, in writing, the time limitation and required alternative measures to be taken by the licensee. A request for waiver shall must be denied if the board finds that the circumstances stated by the licensee do not support a claim of extreme hardship, the requested time period for waiver is unreasonable, the alternative measures proposed by the licensee are not equivalent to the continuing education activity being waived, or the request for waiver is not submitted to the board within 60 calendar days after of the expiration date.~~

Subd. 8. Penalties for noncompliance. The board shall refuse to renew or grant, or shall suspend, condition, limit, or qualify the license of any person who the board determines has failed to comply with the continuing education requirements of this section. A licensee may request reconsideration of the board's determination of noncompliance or the penalty imposed under this section by making a written request to the board within 30 calendar days of the date of notification to the applicant.

Individuals requesting reconsideration may submit information that the licensee wants considered in the reconsideration.

Sec. 22. Minnesota Statutes 2018, section 148.6445, subdivision 11, is amended to read:

Subd. 11. **Penalty fees.** (a) The penalty fee for practicing occupational therapy or using protected titles without a current license after the credential has expired and before it is renewed is the amount of the license renewal fee for any part of the first month, plus the license renewal fee for any part of any subsequent month up to 36 months.

(b) The penalty fee for applicants who engage in the unauthorized practice of occupational therapy or use protected titles before being issued a license is the amount of the license application fee for any part of the first month, plus the license application fee for any part of any subsequent month up to 36 months. This paragraph does not apply to applicants not qualifying for a license who engage in the unauthorized practice of occupational therapy.

~~(c) The penalty fee for practicing occupational therapy and failing~~ When an occupational therapy practitioner fails to submit a requested continuing education report by the due date with the correct number or type of hours in the correct time period is \$100 plus \$20 for each missing clock hour, the practitioner must pay either: (1) a \$100 penalty fee and complete the missing contact hours within 30 calendar days from the date of the penalty fee notice; or (2) a \$100 penalty fee and \$20 for each missing contact hour, and complete the missing number of contact hours by the next reporting due date. "Missing" means not obtained between the effective and expiration dates of the license; ~~the one-month period following the license expiration date, or the 30 days following notice of a penalty fee for failing to report all continuing education hours. The licensee must obtain the missing number of continuing education hours by the next reporting due date.~~

(d) Civil penalties and discipline incurred by licensees ~~prior to August 1, 2005,~~ for conduct described in paragraph (a), (b), or (c) shall be recorded as nondisciplinary penalty fees. For conduct described in paragraph (a) or (b) ~~occurring after August 1, 2005,~~ and exceeding six months, payment of a penalty fee does not preclude any disciplinary action reasonably justified by the individual case.

Sec. 23. Minnesota Statutes 2019 Supplement, section 148.6448, subdivision 1, is amended to read:

Subdivision 1. **Grounds for denial of licensure or discipline.** The board may deny an application for licensure, may approve licensure with conditions, or may discipline a licensee using any disciplinary actions listed in subdivision 3 on proof that the individual has:

- (1) intentionally submitted false or misleading information to the board;
- (2) failed, within 30 days, to provide information in response to a written request by the board;
- (3) performed services of an occupational therapist or occupational therapy assistant in an incompetent manner or in a manner that falls below the community standard of care;
- (4) failed to satisfactorily perform occupational therapy services during a period of temporary licensure;

- (5) violated sections 148.6401 to 148.6449;
- (6) failed to perform services with reasonable judgment, skill, or safety due to the use of alcohol or drugs, or other physical or mental impairment;
- (7) been convicted of violating any state or federal law, rule, or regulation which directly relates to the practice of occupational therapy;
- (8) aided or abetted another person in violating any provision of sections 148.6401 to 148.6449;
- (9) been disciplined for conduct in the practice of an occupation by the state of Minnesota, another jurisdiction, or a national professional association, if any of the grounds for discipline are the same or substantially equivalent to those in sections 148.6401 to 148.6449;
- (10) not cooperated with the board in an investigation conducted according to subdivision 2;
- (11) advertised in a manner that is false or misleading;
- (12) engaged in dishonest, unethical, or unprofessional conduct in connection with the practice of occupational therapy that is likely to deceive, defraud, or harm the public;
- (13) demonstrated a willful or careless disregard for the health, welfare, or safety of a client;
- (14) performed medical diagnosis or provided ~~treatment~~ intervention, other than occupational therapy, without being licensed to do so under the laws of this state;
- (15) paid or promised to pay a commission or part of a fee to any person who contacts the occupational therapist for consultation or sends patients to the occupational therapist for ~~treatment~~ intervention;
- (16) engaged in an incentive payment arrangement, other than that prohibited by clause (15), that promotes occupational therapy overutilization, whereby the referring person or person who controls the availability of occupational therapy services to a client profits unreasonably as a result of client ~~treatment~~ intervention;
- (17) engaged in abusive or fraudulent billing practices, including violations of federal Medicare and Medicaid laws, Food and Drug Administration regulations, or state medical assistance laws;
- (18) obtained money, property, or services from a consumer through the use of undue influence, high pressure sales tactics, harassment, duress, deception, or fraud;
- (19) performed services for a client who had no possibility of benefiting from the services;
- (20) failed to refer a client for medical evaluation when appropriate or when a client indicated symptoms associated with diseases that could be medically or surgically treated;
- (21) engaged in conduct with a client that is sexual or may reasonably be interpreted by the client as sexual, or in any verbal behavior that is seductive or sexually demeaning to a patient;

(22) violated a federal or state court order, including a conciliation court judgment, or a disciplinary order issued by the board, related to the person's occupational therapy practice; or

(23) any other just cause related to the practice of occupational therapy.

Sec. 24. Minnesota Statutes 2018, section 148.6448, subdivision 2, is amended to read:

Subd. 2. **Investigation of complaints.** The board may initiate an investigation upon receiving a complaint or other oral or written communication that alleges or implies that a person has violated sections 148.6401 to 148.6449. In the receipt, investigation, and hearing of a complaint that alleges or implies a person has violated sections 148.6401 to 148.6449, the board ~~shall~~ must follow the procedures in ~~section~~ sections 214.10 and 214.103.

Sec. 25. Minnesota Statutes 2018, section 148.6449, subdivision 2, is amended to read:

Subd. 2. **Qualifications of board members.** (a) The occupational therapy practitioners appointed to the board must represent a variety of practice areas and settings.

(b) At least two occupational therapy practitioners must be employed outside the seven-county metropolitan area.

(c) Board members ~~shall~~ must not serve for ~~not~~ more than two full consecutive terms.

Sec. 26. **REPEALER.**

(a) Minnesota Statutes 2018, sections 148.6402, subdivisions 10 and 15; and 148.6412, subdivision 1, are repealed.

(b) Minnesota Rules, part 4664.0003, subpart 28, is repealed.

ARTICLE 3

BOARD OF SOCIAL WORK PRACTICE

Section 1. Minnesota Statutes 2018, section 148E.010, is amended by adding a subdivision to read:

Subd. 3a. **Baccalaureate degree.** "Baccalaureate degree" means a bachelor's degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body that the board designates.

Sec. 2. Minnesota Statutes 2018, section 148E.010, is amended by adding a subdivision to read:

Subd. 7b. **Clock hour.** "Clock hour" means 60 minutes of learning.

Sec. 3. Minnesota Statutes 2018, section 148E.010, is amended by adding a subdivision to read:

Subd. 7c. **Continuing education.** "Continuing education" means education and training to maintain, improve, or enhance competent social work practice.

Sec. 4. Minnesota Statutes 2018, section 148E.010, is amended by adding a subdivision to read:

Subd. 7d. **Continuing education independent learning.** "Continuing education independent learning" means a licensee's individual study, including but not limited to online activities without live interaction, research for publication, presentations, or professional development.

Sec. 5. Minnesota Statutes 2018, section 148E.010, is amended by adding a subdivision to read:

Subd. 7e. **Continuing education social work ethics.** "Continuing education social work ethics" means:

(1) the history and evolution of values and ethics in social work, including cultural awareness and social diversity;

(2) ethics theories;

(3) professional standards of social work practice, as specified in the ethical codes of the National Association of Social Workers, the Association of Canadian Social Workers, the Clinical Social Work Federation, and the Council on Social Work Education;

(4) the legal requirements and other considerations for each jurisdiction that registers, certifies, or licenses social workers; or

(5) the ethical decision-making process.

Sec. 6. Minnesota Statutes 2018, section 148E.010, subdivision 9, is amended to read:

Subd. 9. **Intern.** "Intern" means a student in field placement working under the supervision ~~or direction~~ of a social worker to fulfill the requirements of a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body that the board designates.

Sec. 7. Minnesota Statutes 2018, section 148E.010, subdivision 11, is amended to read:

Subd. 11. **Practice of social work.** (a) "Practice of social work" means working to maintain, restore, or improve behavioral, cognitive, emotional, mental, or social functioning of clients, in a manner that applies accepted professional social work knowledge, skills, and values, including the person-in-environment perspective, by providing in person or through telephone, video conferencing, or electronic means one or more of the social work services described in paragraph (b), clauses (1) to (3). Social work services may address conditions that impair or limit behavioral, cognitive, emotional, mental, or social functioning. Such conditions include, but are not limited to, the following: abuse and neglect of children or vulnerable adults, addictions, developmental disorders, disabilities, discrimination, illness, injuries, poverty, and trauma. Practice of social work also means providing social work services in a position for which the educational basis is the individual's degree in social work described in subdivision 13.

(b) Social work services include:

(1) providing assessment and intervention through direct contact with clients, developing a plan based on information from an assessment, and providing services which include, but are not limited

to, assessment, case management, client-centered advocacy, client education, consultation, counseling, crisis intervention, and referral;

(2) providing for the direct or indirect benefit of clients through administrative, educational, policy, or research services including, but not limited to:

(i) advocating for policies, programs, or services to improve the well-being of clients;

(ii) conducting research related to social work services;

(iii) developing and administering programs which provide social work services;

(iv) engaging in community organization to address social problems and macrocosm issues through planned collective action;

(v) supervising individuals who provide social work services to clients;

(vi) supervising social workers in order to comply with the supervised practice requirements specified in sections 148E.100 to 148E.125; and

(vii) teaching professional social work knowledge, skills, and values to students; and

(3) engaging in clinical practice as defined in subdivision 6.

Sec. 8. Minnesota Statutes 2018, section 148E.010, subdivision 16, is amended to read:

Subd. 16. **Student.** "Student" means an individual who is ~~taught~~ currently enrolled in a program that has been accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body that the board designates and who studies professional social work knowledge, skills, and values in a program that has been accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body designated by the board.

Sec. 9. Minnesota Statutes 2018, section 148E.010, subdivision 17, is amended to read:

Subd. 17. **Supervisee.** "Supervisee" means an individual ~~provided~~ who receives evaluation and supervision or direction of the supervisee's social work practice through supervision in order to comply with sections 148E.100 to 148E.125 by an individual who meets the requirements under section 148E.120.

Sec. 10. Minnesota Statutes 2018, section 148E.010, subdivision 18, is amended to read:

Subd. 18. **Supervision.** "Supervision" means a professional relationship between a supervisor and a ~~social worker~~ supervisee in which the supervisor ~~provides evaluation and direction of the services provided by the social worker to promote competent and ethical services to clients through the continuing development of the social worker's knowledge and application of accepted professional social work knowledge, skills, and values~~ evaluates and directs the supervisee's social work practice. A supervisor's role is to promote a supervisee's continued development of the supervisee's knowledge, skills, and abilities to practice social work in an ethical and competent manner.

Sec. 11. Minnesota Statutes 2018, section 148E.010, subdivision 19, is amended to read:

Subd. 19. **Supervisor.** "Supervisor" means an individual who ~~provides~~ meets the requirements of section 148E.120 to provide evaluation and direction through supervision as described in subdivision 18 in order to comply with sections 148E.100 to 148E.125.

Sec. 12. Minnesota Statutes 2018, section 148E.010, is amended by adding a subdivision to read:

Subd. 20. **Underrepresented community.** "Underrepresented community" means a group that is not represented in the majority with respect to race, ethnicity, national origin, sexual orientation, gender identity, or physical ability.

Sec. 13. Minnesota Statutes 2018, section 148E.015, is amended to read:

148E.015 SCOPE.

This chapter applies to all applicants and licensees, all persons who use the title social worker, and all persons ~~in or out of this state who provide social work services to clients who reside~~ who engage in the practice of social work, as defined in section 148E.010, in this state, regardless of the practitioner's or client's location, unless there are specific applicable exemptions provided by law.

Sec. 14. Minnesota Statutes 2018, section 148E.025, subdivision 2, is amended to read:

Subd. 2. **Qualifications of board members.** (a) All social worker members must have engaged in the practice of social work in Minnesota for at least one year during the ten years preceding their appointments.

~~(b) Five social worker members must be licensed social workers under section 148E.055, subdivision 2. The other five members must include a licensed graduate social worker, a licensed independent social worker, and at least two licensed independent clinical social workers.~~

(b) The ten social worker members must include at least:

(1) three licensed social workers;

(2) two licensed independent clinical social workers; and

(3) two licensed graduate social workers or licensed independent social workers.

(c) ~~Eight~~ Five social worker members must be engaged at the time of their appointment in the practice of social work in Minnesota in the following settings:

(1) one member must be engaged in the practice of social work in either a county or state agency;

~~(2) one member must be engaged in the practice of social work in a state agency;~~

~~(3)~~ (2) one member must be engaged in the practice of social work in an elementary, middle, or secondary school;

~~(4)~~ (3) one member must be ~~employed in a hospital or nursing home licensed under chapter 144 or 144A~~ engaged in the practice of social work in a health care setting;

~~(5)~~ (4) one member must be engaged in the practice of social work in a private ~~agency~~ setting;
and

~~(6)~~ two members must be engaged in the practice of social work in a clinical social work setting;
and

~~(7)~~ (5) one member must be an educator engaged in regular teaching duties at a program of social work accredited by the Council on Social Work Education or a similar accreditation body ~~designated by that the board~~ designates.

(d) At the time of their appointments, at least six members must reside outside of the 11-county metropolitan area.

(e) At the time of their appointments, at least five members must be ~~persons with expertise in communities of color.~~ members of:

(1) a community of color; or

(2) an underrepresented community, as defined in section 148E.010, subdivision 20.

Sec. 15. Minnesota Statutes 2018, section 148E.055, subdivision 1, is amended to read:

Subdivision 1. **License required.** ~~(a)~~ In order to practice social work, ~~as defined in section 148E.010, subdivisions 6 and 11,~~ an individual must have a social work license under this section or section 148E.060, except when the individual is exempt from licensure according to section 148E.065.

~~(b) Individuals who teach professional social work knowledge, skills, and values to students and who have a social work degree from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board must have a social work license under this section or section 148E.060, except when the individual is exempt from licensure according to section 148E.065.~~

~~(c) Effective July 1, 2016, an individual who is newly employed by a city or state agency or a private nonprofit, nontribal agency previously exempt from licensure under Minnesota Statutes 2010, section 148D.065, subdivision 5, and section 148E.065, subdivision 5, must be licensed if:~~

~~(1) the individual is presented to the public by any title incorporating the words "social work" or "social worker"; or~~

~~(2) the individual has a baccalaureate or graduate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board, and the individual provides social work services, including clinical social work services, as those services are defined in section 148E.010, subdivisions 6 and 11.~~

Sec. 16. Minnesota Statutes 2018, section 148E.055, subdivision 2, is amended to read:

Subd. 2. **Qualifications for licensure by examination as a licensed social worker (LSW).**

(a) To be licensed as a licensed social worker, an applicant for licensure by examination must provide evidence satisfactory to the board that the applicant:

(1) has received a baccalaureate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body ~~designated by the board, or a doctorate in social work from an accredited university~~ that the board designates;

(2) has passed the bachelor's or equivalent examination administered by the Association of Social Work Boards or a similar examination body ~~designated by the board that the board designates.~~ Unless an applicant applies for licensure by endorsement according to subdivision 7, An examination is not valid if ~~it was taken~~ the applicant took and passed the examination eight or more years prior to submitting a ~~completed, signed~~ application form ~~provided by the board for licensure under this section.~~ An applicant must take ~~the examination~~ may be taken no more than six months prior to completing degree requirements;

(3) has submitted a completed, signed application form ~~that the board has provided by the board,~~ including the applicable application fee specified in section 148E.180. For electronic applications submitted electronically, a "signed application" means providing an attestation as specified by the board that the board has specified;

(4) has ~~submitted~~ completed the criminal background check ~~fee and a form provided by the board authorizing a criminal background check according to subdivision 8 according to section 214.075~~ and paid the required fees;

(5) has paid ~~the all~~ applicable ~~license fee fees~~ specified in section 148E.180; and

(6) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270.

~~(b) An application that is not completed and signed, or that is not accompanied by the correct fee, must be returned to the applicant, along with any fee submitted, and is void.~~

~~(c) A licensee granted a license by the board according to paragraph (a) must meet the supervised practice requirements specified in sections 148E.100 to 148E.125. If a licensee does not meet the supervised practice requirements, the board may take action according to sections 148E.255 to 148E.270.~~

~~(d) By submitting an application for licensure, an applicant authorizes the board to investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation.~~

~~(e) Within one year of the time the board receives an application for licensure, the applicant must meet all the requirements specified in paragraph (a) and must provide all of the information requested by the board according to paragraph (d). If within one year the applicant does not meet~~

all the requirements, or does not provide all of the information requested, the applicant is considered ineligible and the application for licensure must be closed.

~~(f) Except as provided in paragraph (g), an applicant may not take more than three times the bachelor's or equivalent examination administered by the Association of Social Work Boards, or a similar examination body designated by the board. An applicant must receive a passing score on the bachelor's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board in no more than 18 months after the date the applicant first failed the examination.~~

~~(g) Notwithstanding paragraph (f), the board may allow an applicant to take, for a fourth or subsequent time, the bachelor's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board if the applicant:~~

~~(1) meets all requirements specified in paragraphs (a) to (c) other than passing the bachelor's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board;~~

~~(2) provides to the board a description of the efforts the applicant has made to improve the applicant's score and demonstrates to the board's satisfaction that the efforts are likely to improve the score; and~~

~~(3) provides to the board letters of recommendation from two licensed social workers attesting to the applicant's ability to practice social work competently and ethically according to professional social work knowledge, skills, and values.~~

~~(h) An individual must not practice social work until the individual passes the examination and receives a social work license under this section or section 148E.060. If the board has reason to believe that an applicant may be practicing social work without a license, and the applicant has failed the bachelor's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board, the board may notify the applicant's employer that the applicant is not licensed as a social worker.~~

Sec. 17. Minnesota Statutes 2018, section 148E.055, is amended by adding a subdivision to read:

Subd. 2a. **Qualifications for licensure by endorsement as a licensed social worker (LSW).**

(a) To be licensed as a licensed social worker, an applicant for licensure by endorsement must provide evidence satisfactory to the board that the applicant:

(1) holds an active license or credential as a baccalaureate-level social worker in another jurisdiction;

(2) holds a bachelor's degree from an accredited college or university;

(3) has submitted a completed, signed application form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(4) has completed the criminal background check according to section 214.075 and paid the required fees;

(5) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270; and

(6) has paid all applicable fees specified in section 148E.180.

(b) An individual licensed under this subdivision is not required to meet the supervised practice requirements in section 148E.100 provided that the applicant has practiced baccalaureate-level social work in another jurisdiction for at least 4,000 hours while actively licensed or credentialed as a baccalaureate-level social worker during the four years immediately preceding the applicant's submission of an application under this subdivision.

Sec. 18. Minnesota Statutes 2018, section 148E.055, subdivision 3, is amended to read:

Subd. 3. **Qualifications for licensure by examination as a licensed graduate social worker (LGSW).** ~~(a)~~ To be licensed as a licensed graduate social worker, an applicant for licensure by examination must provide evidence satisfactory to the board that the applicant:

(1) has received a graduate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body ~~designated by the board~~ that the board designates, or a doctorate in social work from an accredited university;

(2) has passed the master's or equivalent examination administered by the Association of Social Work Boards or a similar examination body ~~designated by the board~~ that the board designates. ~~Unless an applicant applies for licensure by endorsement according to section 148E.055, subdivision 7, An examination is not valid if it was taken~~ the applicant took and passed the examination eight or more years prior to submitting a completed, signed an application form provided by the board for licensure under this section. The applicant must take the examination may be taken no more than six months prior to completing degree requirements;

(3) has submitted a completed, signed application form ~~that the board has provided by the board, including the applicable application fee specified in section 148E.180. For electronic applications submitted electronically, a "signed application" means providing an attestation as specified by the board~~ that the board has specified;

(4) has ~~submitted~~ completed the criminal background check ~~fee and a form provided by the board authorizing a criminal background check according to subdivision 8~~ according to section 214.075 and paid the required fees;

(5) has paid ~~the~~ all applicable ~~license fee~~ fees specified in section 148E.180; and

(6) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or

would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270.

~~(b) An application which is not completed and signed, or which is not accompanied by the correct fee, must be returned to the applicant, along with any fee submitted, and is void.~~

~~(c) A licensee granted a license by the board according to paragraph (a) must meet the supervised practice requirements specified in sections 148E.100 to 148E.125. If a licensee does not meet the supervised practice requirements, the board may take action according to sections 148E.255 to 148E.270.~~

~~(d) By submitting an application for licensure, an applicant authorizes the board to investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation.~~

~~(e) Within one year of the time the board receives an application for licensure, the applicant must meet all the requirements specified in paragraph (a) and must provide all of the information requested by the board according to paragraph (d). If within one year the applicant does not meet all the requirements, or does not provide all of the information requested, the applicant is considered ineligible and the application for licensure must be closed.~~

~~(f) Except as provided in paragraph (g), an applicant may not take more than three times the master's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board. An applicant must receive a passing score on the master's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board in no more than 18 months after the date the applicant first failed the examination.~~

~~(g) Notwithstanding paragraph (f), the board may allow an applicant to take, for a fourth or subsequent time, the master's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board if the applicant:~~

~~(1) meets all requirements specified in paragraphs (a) to (e) other than passing the master's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board;~~

~~(2) provides to the board a description of the efforts the applicant has made to improve the applicant's score and demonstrates to the board's satisfaction that the efforts are likely to improve the score; and~~

~~(3) provides to the board letters of recommendation from two licensed social workers attesting to the applicant's ability to practice social work competently and ethically according to professional social work knowledge, skills, and values.~~

~~(h) An individual must not practice social work until the individual passes the examination and receives a social work license under this section or section 148E.060. If the board has reason to believe that an applicant may be practicing social work without a license, and the applicant has failed the master's or equivalent examination administered by the Association of Social Work Boards~~

or a similar examination body designated by the board, the board may notify the applicant's employer that the applicant is not licensed as a social worker.

Sec. 19. Minnesota Statutes 2018, section 148E.055, is amended by adding a subdivision to read:

Subd. 3a. Qualifications for licensure by endorsement as a licensed graduate social worker (LGSW). (a) To be licensed as a licensed graduate social worker, an applicant for licensure by endorsement must provide evidence satisfactory to the board that the applicant:

(1) holds an active license or credential as a graduate or master's level social worker in another jurisdiction;

(2) holds a master's degree from an accredited college or university;

(3) has submitted a completed, signed application form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(4) has completed the criminal background check according to section 214.075 and paid the required fees;

(5) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270; and

(6) has paid all applicable fees specified in section 148E.180.

(b) An individual licensed under this subdivision is not required to meet the supervised practice requirements in section 148E.105 provided that the applicant has practiced nonclinical graduate or master's level social work in another jurisdiction for at least 4,000 hours while actively licensed or credentialed as a graduate or master's level social worker during the four years immediately preceding submission of an application under this subdivision.

(c) An individual licensed under this subdivision engaged in clinical social work practice must comply with the supervised practice requirements in section 148E.106.

Sec. 20. Minnesota Statutes 2018, section 148E.055, subdivision 4, is amended to read:

Subd. 4. Qualifications for licensure by examination; as a licensed independent social worker (LISW). (a) To be licensed as a licensed independent social worker, an applicant for licensure by examination must provide evidence satisfactory to the board that the applicant:

(1) has received a graduate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body designated by the board that the board designates, or a doctorate in social work from an accredited university;

(2) has practiced social work as defined in section 148E.010, and has met the supervised practice requirements specified in sections 148E.100 to 148E.125;

(3) has passed the advanced generalist or equivalent examination administered by the Association of Social Work Boards or a similar examination body ~~designated by the board~~ that the board designates. ~~Unless an applicant applies for licensure by endorsement according to subdivision 7,~~ An examination is not valid if ~~it was taken~~ the applicant took and passed the examination eight or more years prior to submitting a ~~completed, signed~~ an application form provided by the board for licensure under this section;

(4) has submitted a completed, signed application form ~~provided by the board, including the applicable application fee specified in section 148E.180 that the board has provided.~~ For electronic applications submitted electronically, a "signed application" means providing an attestation as specified by the board that the board has specified;

(5) has ~~submitted~~ completed the criminal background check ~~fee and a form provided by the board authorizing a criminal background check according to subdivision 8~~ according to section 214.075 and paid the required fees;

(6) has paid ~~the all~~ all applicable ~~license fee fees~~ license fees specified in section 148E.180; and

(7) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270.

~~(b) An application which is not completed and signed, or which is not accompanied by the correct fee, must be returned to the applicant, along with any fee submitted, and is void.~~

~~(c) A licensed independent social worker who practices clinical social work must meet the supervised practice requirements specified in sections 148E.100 to 148E.125. If a licensee does not meet the supervised practice requirements, the board may take action according to sections 148E.255 to 148E.270.~~

~~(d) By submitting an application for licensure, an applicant authorizes the board to investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation.~~

~~(e) Within one year of the time the board receives an application for licensure, the applicant must meet all the requirements specified in paragraph (a) and must provide all of the information requested by the board according to paragraph (d). If within one year the applicant does not meet all the requirements, or does not provide all of the information requested, the applicant is considered ineligible and the application for licensure must be closed.~~

~~(f) Except as provided in paragraph (g), an applicant may not take more than three times the advanced generalist or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board. An applicant must receive a passing score on the master's or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board in no more than 18 months after the first time the applicant failed the examination.~~

~~(g) Notwithstanding paragraph (f), the board may allow an applicant to take, for a fourth or subsequent time, the advanced generalist or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board if the applicant:~~

~~(1) meets all requirements specified in paragraphs (a) to (c) other than passing the advanced generalist or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board;~~

~~(2) provides to the board a description of the efforts the applicant has made to improve the applicant's score and demonstrates to the board's satisfaction that the efforts are likely to improve the score; and~~

~~(3) provides to the board letters of recommendation from two licensed social workers attesting to the applicant's ability to practice social work competently and ethically according to professional social work knowledge, skills, and values.~~

~~(h) An individual must not practice social work until the individual passes the examination and receives a social work license under this section or section 148E.060. If the board has reason to believe that an applicant may be practicing social work without a license, except as provided in section 148E.065, and the applicant has failed the advanced generalist or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board, the board may notify the applicant's employer that the applicant is not licensed as a social worker.~~

Sec. 21. Minnesota Statutes 2018, section 148E.055, is amended by adding a subdivision to read:

Subd. 4a. **Qualifications for licensure by endorsement as a licensed independent social worker (LISW).** (a) To be licensed as a licensed independent social worker, an applicant for licensure by endorsement must provide evidence satisfactory to the board that the applicant:

(1) holds an active license or credential as an advanced practice graduate or master's level social worker in another jurisdiction;

(2) holds a master's degree from an accredited college or university;

(3) has submitted a completed, signed application form that the board provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(4) has completed the criminal background check according to section 214.075 and paid the required fees;

(5) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270; and

(6) has paid all applicable fees specified in section 148E.180.

(b) An individual licensed under this subdivision engaged in clinical social work practice must comply with the supervised practice requirements in section 148E.110.

Sec. 22. Minnesota Statutes 2018, section 148E.055, subdivision 5, is amended to read:

Subd. 5. **Qualifications for licensure by examination; as a licensed independent clinical social worker (LICSW).** (a) To be licensed as a licensed independent clinical social worker, an applicant for licensure by examination must provide evidence satisfactory to the board that the applicant:

(1) has received a graduate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body ~~designated by the board~~ that the board designates, or a doctorate in social work from an accredited university;

(2) has completed 360 clock hours (one semester credit hour = 15 clock hours) in the following clinical knowledge areas:

(i) 108 clock hours (30 percent) in differential diagnosis and biopsychosocial assessment, including normative development and psychopathology across the life span;

(ii) 36 clock hours (ten percent) in assessment-based clinical treatment planning with measurable goals;

(iii) 108 clock hours (30 percent) in clinical intervention methods informed by research and current standards of practice;

(iv) 18 clock hours (five percent) in evaluation methodologies;

(v) 72 clock hours (20 percent) in social work values and ethics, including cultural context, diversity, and social policy; and

(vi) 18 clock hours (five percent) in culturally specific clinical assessment and intervention;

(3) has practiced clinical social work as defined in section 148E.010, including both diagnosis and treatment, and has met the supervised practice requirements specified in sections 148E.100 to 148E.125;

(4) has passed the clinical or equivalent examination administered by the Association of Social Work Boards or a similar examination body ~~designated by the board~~ that the board designates. ~~Unless an applicant applies for licensure by endorsement according to subdivision 7, An examination is not valid if it was taken~~ the applicant took and passed the examination eight or more years prior to submitting a completed, signed application form provided by the board for licensure under this section;

(5) has submitted a completed, signed application form that the board has provided by the board, ~~including the applicable application fee specified in section 148E.180.~~ For electronic applications submitted electronically, a "signed application" means providing an attestation as specified by the board that the board has specified;

(6) has ~~submitted~~ completed the criminal background check fee and a form provided by the board ~~authorizing a criminal background check according to subdivision 8~~ according to section 214.075 and paid the required fees;

(7) has paid ~~the~~ all applicable license fee ~~fees~~ specified in section 148E.180; and

(8) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270.

(b) The requirement in paragraph (a), clause (2), may be satisfied through:

(1) a graduate degree program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accreditation body ~~designated by the board that the board designates;~~ or a doctorate in social work from an accredited university. An academic institution must certify clinical clock hours in the clinical knowledge areas on a form that the board has provided to meet this requirement;

(2) graduate coursework from an accredited institution of higher learning. An academic institution must certify clinical clock hours in the clinical knowledge areas on a form that the board has provided to meet this requirement; or

(3) up to ~~90~~ 120 continuing education hours, ~~not to exceed 20 hours of independent study which the applicant may complete via continuing education independent learning as specified defined in section 148E.130, subdivision 5~~ 148E.010, subdivision 7d. The continuing education must have a course description available for public review and must include a posttest. Compliance with this requirement must be documented on a form provided by the board. The board may conduct audits of the information submitted in order to determine compliance with the requirements of this section. The applicant must include documents verifying completion of clinical clock hours in the clinical knowledge areas to meet this requirement as specified in section 148E.130, subdivision 11.

~~(c) An application which is not completed and signed, or which is not accompanied by the correct fee, must be returned to the applicant, along with any fee submitted, and is void.~~

~~(d) By submitting an application for licensure, an applicant authorizes the board to investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation.~~

~~(e) Within one year of the time the board receives an application for licensure, the applicant must meet all the requirements specified in paragraph (a) and must provide all of the information requested by the board according to paragraph (d). If within one year the applicant does not meet all the requirements, or does not provide all of the information requested, the applicant is considered ineligible and the application for licensure must be closed.~~

~~(f) Except as provided in paragraph (g), an applicant may not take more than three times the clinical or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board. An applicant must receive a passing score on the clinical or equivalent examination administered by the Association of Social Work Boards or a~~

similar examination body designated by the board no later than 18 months after the first time the applicant failed the examination.

~~(g) Notwithstanding paragraph (f), the board may allow an applicant to take, for a fourth or subsequent time, the clinical or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board if the applicant:~~

~~(1) meets all requirements specified in paragraphs (a) to (c) other than passing the clinical or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board;~~

~~(2) provides to the board a description of the efforts the applicant has made to improve the applicant's score and demonstrates to the board's satisfaction that the efforts are likely to improve the score; and~~

~~(3) provides to the board letters of recommendation from two licensed social workers attesting to the applicant's ability to practice social work competently and ethically according to professional social work knowledge, skills, and values.~~

~~(h) An individual must not practice social work until the individual passes the examination and receives a social work license under this section or section 148E.060. If the board has reason to believe that an applicant may be practicing social work without a license, and the applicant has failed the clinical or equivalent examination administered by the Association of Social Work Boards or a similar examination body designated by the board, the board may notify the applicant's employer that the applicant is not licensed as a social worker.~~

Sec. 23. Minnesota Statutes 2018, section 148E.055, is amended by adding a subdivision to read:

Subd. 5a. **Qualifications for licensure by endorsement as a licensed independent clinical social worker (LICSW).** To be licensed as a licensed independent clinical social worker, an applicant for licensure by endorsement must provide evidence satisfactory to the board that the applicant:

(1) holds an active license or credential as an independent clinical level social worker in another jurisdiction;

(2) holds a master's degree from an accredited college or university;

(3) has submitted a completed, signed application form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(4) has completed the criminal background check according to section 214.075 and paid the required fees;

(5) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270; and

(6) has paid all applicable fees specified in section 148E.180.

Sec. 24. Minnesota Statutes 2018, section 148E.055, subdivision 6, is amended to read:

Subd. 6. **Degrees from outside United States or Canada.** If an applicant receives a degree from a program outside the United States or Canada that is not accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar examination body designated by the board, the degree does not fulfill the requirements specified in subdivision 2, ~~paragraph (a), clause (1)~~; 3, ~~paragraph (a), clause (1)~~; 4, ~~paragraph (a), clause (1)~~; or 5, paragraph (a), clause (1), unless the Council on Social Work Education or a similar accreditation body designated by the board has determined through the council's international equivalency determination service that the degree earned is equivalent to the degree required.

Sec. 25. Minnesota Statutes 2018, section 148E.055, is amended by adding a subdivision to read:

Subd. 8a. **Void application.** An application that is not completed and signed, or that is not accompanied by the correct fee, is void and the board must return it to the applicant, along with any fee submitted.

Sec. 26. Minnesota Statutes 2018, section 148E.055, is amended by adding a subdivision to read:

Subd. 8b. **Investigation.** By applying for licensure, an applicant authorizes the board to investigate and request additional information to verify completion of all license qualifications.

Sec. 27. Minnesota Statutes 2018, section 148E.055, is amended by adding a subdivision to read:

Subd. 8c. **Application time limit.** (a) Within one year of the date that the board receives an application for licensure under this section, the applicant must meet all the requirements for licensure and provide all of the information that the board has requested, or the application must be closed.

(b) If an applicant graduated from a program in candidacy status with the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body that the board designates, the applicant must meet all of the requirements for licensure and provide all of the information requested within one year of the date that the board receives an application for licensure under this section or within 30 days of the date the program is approved or denied accreditation, whichever is later, or the application must be closed.

Sec. 28. Minnesota Statutes 2018, section 148E.055, subdivision 9, is amended to read:

Subd. 9. **Effective date.** ~~The An initial license is effective date of an initial license is on~~ the day ~~on which~~ that the board receives the applicable license fee from an applicant approved for licensure.

Sec. 29. Minnesota Statutes 2018, section 148E.055, subdivision 10, is amended to read:

Subd. 10. **Expiration date.** ~~The expiration date of an initial license is~~ An initial license expires on the last day of the licensee's birth month in the second calendar year following the effective date of the initial license.

Sec. 30. Minnesota Statutes 2018, section 148E.055, subdivision 11, is amended to read:

Subd. 11. **Change in license.** (a) A licensee who changes from a licensed social worker to a licensed graduate social worker, or from a licensed graduate social worker to a licensed independent social worker, or from a licensed graduate social worker or licensed independent social worker to a licensed independent clinical social worker, must pay the prorated share of the fee for the new license.

(b) ~~The effective date of the new license is effective on the day on which~~ that the board receives the applicable license fee from an applicant approved for the new license.

(c) ~~The expiration date of the new license is expires on the same expiration date as the expiration date of the license previously held by the licensee prior to the change in the license.~~

Sec. 31. Minnesota Statutes 2018, section 148E.060, subdivision 1, is amended to read:

Subdivision 1. **Students ~~and other~~ or persons not currently licensed in another jurisdiction.**

(a) ~~The board may issue~~ To be issued a temporary license to practice social work to, an applicant who is a student as defined in section 148E.010 or a person not licensed or credentialed to practice social work in any jurisdiction ~~but has~~ must provide evidence satisfactory to the board that the applicant:

(1) ~~applied~~ has submitted a current application for a license under section 148E.055;

(2) ~~applied for a temporary license on a form provided by the board;~~

(3) ~~submitted a form provided by the board authorizing the board to complete a criminal background check;~~

(2) has submitted the required fees and documentation for the criminal background check according to section 214.075;

(4) ~~(3)~~ has passed the applicable licensure examination provided for required in section 148E.055;

(4) has completed all requirements for a baccalaureate or graduate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body that the board designates, or a doctorate in social work from an accredited university, including all coursework and internships required to obtain the degree;

(5) ~~attested on a form provided by the board that the applicant has completed the requirements for a baccalaureate or graduate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board, or a doctorate in social work from an accredited university; and~~

(5) has submitted a completed, signed temporary license application form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(6) has paid the fee specified in section 148E.180; and

(6) ~~(7)~~ has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or

would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270.

(b) A temporary license is effective on the day that the board receives the application and fee or on the date that all requirements are complete as specified in this subdivision, whichever date is later.

~~(b)~~ (c) A temporary license issued under this subdivision expires after on the last day of the month six months from the effective date or when a license is issued under section 148E.055, whichever date is earlier. A temporary license is nonrenewable.

(d) In all professional use of the social worker's name, an individual with a baccalaureate or graduate temporary license must represent themselves as a temporary license baccalaureate social worker or temporary license graduate social worker. An individual with a baccalaureate or graduate temporary license must not use the credentials LSW, LGSW, LISW, or LICSW until the individual is issued a license under section 148E.055.

(e) An individual issued a baccalaureate temporary license under this subdivision is authorized to practice social work as described in section 148E.050, subdivision 2. An individual issued a graduate temporary license under this subdivision is authorized to practice social work as described in section 148E.050, subdivision 3.

(f) An individual issued a temporary license under this subdivision must obtain supervision in compliance with sections 148E.100 to 148E.125. Supervised practice obtained with a temporary license applies to the supervised practice requirements for a license issued under section 148E.055.

(g) An individual issued a temporary license under this subdivision may complete continuing education in compliance with the requirements of section 148E.130. Continuing education obtained with a temporary license may be applied to the continuing education requirements of a license issued under section 148E.055.

Sec. 32. Minnesota Statutes 2018, section 148E.060, subdivision 2, is amended to read:

Subd. 2. ~~Emergency situations and Persons currently licensed in another jurisdiction.~~ (a) ~~The board may issue~~ To be issued a temporary license to practice social work ~~to~~^{to} an applicant who is licensed or credentialed to practice social work in another jurisdiction, ~~may or may not have applied for a license under section 148E.055, and has~~ must provide evidence satisfactory to the board that the applicant:

(1) applied for a temporary license on a form provided by the board holds an active license or credential to practice social work in another jurisdiction;

(2) ~~submitted a form provided by the board authorizing the board to complete a criminal background check~~ has completed the criminal background check according to section 214.075 and submitted the required fees;

(3) ~~submitted evidence satisfactory to the board that the applicant is currently licensed or credentialed to practice social work in another jurisdiction~~ has submitted a completed, signed

temporary license application form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(4) attested on a form provided by the board that the applicant has completed the requirements for a baccalaureate or graduate degree in social work from a program accredited by the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board, or a doctorate in social work from an accredited university has paid the fee specified in section 148E.180; and

(5) has not engaged in conduct that was or would be in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that was or would be in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270.

(b) A temporary license issued under this subdivision expires after six months is effective on the day that the board receives the application and fee or on the date that all requirements are complete as specified in this subdivision, whichever date is later.

(c) A temporary license issued under this subdivision expires on the last day of the month six months from the effective date or when a license is issued under section 148E.055, whichever date is earlier. A temporary license in nonrenewable.

(d) The board may not issue a temporary license to an individual more than one time in a 12-month period under this subdivision.

(e) In all professional use of the social worker's name, an individual with a baccalaureate or graduate temporary license must represent themselves as a Temporary License Baccalaureate Social Worker or Temporary License Graduate Social Worker. An individual with a baccalaureate or graduate temporary license must not use the credentials LSW, LGSW, LISW, or LICSW until the individual is issued a license under section 148E.055.

(f) An individual issued a baccalaureate temporary license under this subdivision is authorized to practice social work as described in section 148E.050, subdivision 2. An individual issued a graduate temporary license under this subdivision is authorized to practice social work as described in section 148E.050, subdivision 3, 4, or 5, consistent with the individual's license or credential in the other jurisdiction.

Sec. 33. Minnesota Statutes 2018, section 148E.060, subdivision 2a, is amended to read:

Subd. 2a. **Applicants graduating from programs in candidacy status.** (a) The board may issue To be issued a temporary license to practice social work to, an applicant who has completed the requirements for a baccalaureate or graduate degree in social work from is a student as defined in section 148E.010 or a graduate from a program in candidacy status with the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board, and has that the board designates, must provide evidence satisfactory to the board that the applicant:

(1) applied has a current application for a license under section 148E.055;

(2) applied for a temporary license on a form provided by the board has submitted the required fees and documentation for the criminal background check according to section 214.075;

~~(3) submitted a form provided by the board authorizing the board to complete a criminal background check;~~

~~(4)~~ (3) has passed the applicable licensure examination provided for required in section 148E.055;
and

(4) has completed all requirements for a baccalaureate, graduate, or doctoral degree in social work from a program in candidacy status with the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body that the board designates, including all coursework and internships required to obtain the degree;

(5) has submitted a completed, signed temporary license application form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(6) has paid the fee specified in section 148E.180; and

~~(5)~~ (7) has not engaged in conduct that is in violation of the standards of practice specified in sections 148E.195 to 148E.240. If the applicant has engaged in conduct that is in violation of the standards of practice, the board may take action according to sections 148E.255 to 148E.270.

(b) A temporary license is effective on the day that the board receives the application and fee or on the date that all requirements are complete as specified in this subdivision, whichever date is later.

(c) A temporary license issued under this subdivision expires on the last day of the month 12 months from the license's effective date or when a license is issued under section 148E.055, whichever date is earlier. A temporary license is nonrenewable.

~~(b)~~ (d) A temporary license issued under this subdivision expires after 12 months but may be extended at the board's discretion upon a showing that the social work program remains in good standing candidacy status with the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board that the board designates.

(e) In all professional use of the social worker's name, an individual with a baccalaureate or graduate temporary license must represent themselves as a Temporary License Baccalaureate Social Worker or Temporary License Graduate Social Worker. An individual with a baccalaureate or graduate temporary license must not use the credentials LSW, LGSW, LISW, or LICSW until the individual has a license under section 148E.055.

(f) An individual who has a baccalaureate temporary license under this subdivision is authorized to practice social work as described in section 148E.050, subdivision 2. An individual who has a graduate temporary license under this subdivision is authorized to practice social work as described in section 148E.050, subdivision 3.

(g) An individual issued a temporary license under this subdivision must obtain supervision in compliance with sections 148E.100 to 148E.125. Supervised practice obtained with a temporary license applies to the supervised practice requirements for a license issued under section 148E.055.

(h) An individual who has a temporary license under this subdivision may complete continuing education in compliance with the requirements of section 148E.130. An individual who earns continuing education hours with a temporary license may apply those continuing education hours to the continuing education requirements of a license under section 148E.055.

(i) If the board receives notice from the Council on Social Work Education, the Canadian Association of Schools of Social Work, or a similar accrediting body designated by the board that the social work program is not in good standing, or that the accreditation will not be granted to the social work program that the board designates does not grant accreditation to the program in candidacy status, the board must immediately revoke the temporary license is immediately revoked.

Sec. 34. Minnesota Statutes 2018, section 148E.070, subdivision 2, is amended to read:

Subd. 2. **Mailing License renewal notices.** The board must ~~mail~~ send a notice for license renewal to a licensee at least 45 days before the expiration date of the license. ~~Mailing the notice by United States mail~~ The board may send the renewal notice to the licensee's last known mailing address ~~constitutes valid mailing or electronically.~~ Failure to receive the renewal notice does not relieve a licensee of the obligation to renew a license and to pay the renewal fee.

Sec. 35. Minnesota Statutes 2018, section 148E.070, subdivision 3, is amended to read:

Subd. 3. **Submitting license renewal applications.** (a) In order to renew a license, a licensee must submit:

- (1) a completed, signed application for license renewal; and
- (2) the applicable renewal fee specified in section 148E.180.

~~The board must receive the completed, signed application and renewal fee must be received by the board prior to midnight of on the day of the license expiration date. For electronic renewals submitted electronically, a "signed application" means providing an attestation as that the board has specified by the board.~~

~~(b) An application which is that the applicant has not completed and signed, or which that is not accompanied by the correct fee, must be returned to the applicant, along with any fee submitted, and is void. The board must return the incomplete application and any fee to the applicant.~~

~~(c) The completed, signed application must include documentation that the licensee has met the continuing education requirements specified in sections 148E.130 to 148E.170 148E.145 and, if applicable, the supervised practice requirements specified in sections 148E.100 to 148E.125.~~

~~(d) By submitting a renewal application, an applicant authorizes the board to:~~

~~(1) investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation;~~

(2) conduct an audit to determine if the applicant has met the continuing education requirements specified in sections 148E.130 to ~~148E.170~~ 148E.145; and

(3) if applicable, conduct an audit to determine whether the applicant has met the supervision requirements specified in sections 148E.100 to 148E.125.

~~(e) If a licensee's application for license renewal meets the requirements specified in paragraph (a), the licensee may continue to practice after the license expiration date until the board approves or denies the application.~~

Sec. 36. Minnesota Statutes 2018, section 148E.070, subdivision 5, is amended to read:

Subd. 5. **Expired license.** ~~(a) If an application does not meet the requirements specified in subdivisions 3 and 4, the license automatically expires.~~ A licensee whose license has expired may reactivate restore a license to active status by meeting the requirements in section 148E.080 or may be relicensed by meeting the requirements specified in section 148E.055.

(b) The board may take action according to sections 148E.255 to 148E.270 based on a licensee's conduct before the expiration of the license.

(c) An expired license may be reactivated within one year of the expiration date specified in section 148E.080. After one year of the expiration date, an individual may apply for a new license according to section 148E.055.

Sec. 37. **[148E.0751] TEMPORARY LEAVE LICENSE STATUS.**

Subdivision 1. **Temporary leave.** (a) At the time of license renewal, a licensee may apply for temporary leave license status by:

(1) submitting a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(2) paying the fee specified in section 148E.180; and

(3) demonstrating to the satisfaction of the board that the licensee is not engaged in the practice of social work as defined in section 148E.010, subdivisions 6 and 11, in any setting, including settings in which social workers are exempt from licensure according to section 148E.065.

(b) By submitting an application for temporary leave license status, an applicant authorizes the board to:

(1) investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation;

(2) determine if the applicant has met the continuing education requirements specified in sections 148E.130 to 148E.145; and

(3) determine whether the applicant has met the supervision requirements specified in sections 148E.100 to 148E.125.

(c) An application that the applicant has not completed and signed, or that is not accompanied by the correct fee, is void. The board must return the application to the applicant, along with any fee.

Subd. 2. **Four-year time limit.** (a) A temporary leave license status may not exceed four consecutive years. If a licensee fails to restore the license to active status according to section 148E.080, the license automatically expires at the end of the four-year term.

(b) The board must send a notice to a licensee at least 45 days before the expiration date of the temporary leave license status. The board may send the renewal notice to the licensee's last known mailing address or electronically.

Subd. 3. **Return to active license status.** A licensee with temporary leave license status may restore their license to active license status according to section 148E.080, including documenting required continuing education hours.

Subd. 4. **Prohibition on practice and representation.** A licensee who has temporary leave license status: (1) must not practice, attempt to practice, offer to practice, or advertise or hold out as being authorized to practice social work; and (2) must include "temporary leave" in any use of the license credential LSW, LGSW, LISW, or LICSW.

Subd. 5. **Disciplinary or other action.** The board may resolve any pending complaints against a licensee before approving an application for temporary leave license status specified in this section. The board may take action according to sections 148E.255 to 148E.290 against a licensee who has temporary leave license status specified in this section based on conduct occurring before the temporary leave license status or conduct occurring while the license is in temporary leave license status.

Sec. 38. **[148E.0752] EMERITUS INACTIVE LICENSE STATUS.**

Subdivision 1. **Emeritus inactive license.** (a) At the time of license renewal, a licensee may apply for emeritus inactive license status by:

(1) submitting a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that board has specified;

(2) paying the fee specified in section 148E.180; and

(3) demonstrating to the satisfaction of the board that the licensee is retired from social work practice as defined in section 148E.010, subdivisions 6 and 11, and will not engage in the practice of social work in any setting, including settings in which social workers are exempt from licensure according to section 148E.065.

(b) By submitting an application for emeritus inactive license status, an applicant authorizes the board to:

(1) investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation;

(2) determine if the applicant has met the continuing education requirements specified in sections 148E.130 to 148E.145; and

(3) determine whether the applicant has met the supervision requirements specified in sections 148E.100 to 148E.125.

(c) An application that the applicant has not completed and signed, or that is not accompanied by the correct fee, is void. The board must return the application to the applicant, along with any fee.

Subd. 2. **Return to active license status.** (a) A licensee with emeritus inactive license status may restore their license status to active license status during the first four years of the emeritus inactive status according to section 148E.080, including documenting required continuing education hours.

(b) A licensee in emeritus inactive status is not eligible to restore their license to active status after four years. The licensee may reapply for a license according to section 148E.055.

Subd. 3. **Prohibition on practice and representation.** A licensee who has emeritus inactive license status: (1) must not practice, attempt to practice, offer to practice, or advertise or hold out as being authorized to practice social work; and (2) must include "emeritus inactive" in any use of the license credential LSW, LGSW, LISW, or LICSW.

Subd. 4. **Disciplinary or other action.** The board may resolve any pending complaints against a licensee before approving an application for emeritus inactive license status specified in this section. The board may take action according to sections 148E.255 to 148E.290 against a licensee who has emeritus inactive license status specified in this section based on conduct occurring before the emeritus inactive license status or conduct occurring while the license is in emeritus inactive status.

Sec. 39. **[148E.0753] EMERITUS ACTIVE LICENSE STATUS.**

Subdivision 1. **Emeritus active license.** (a) At the time of license renewal, a licensee may apply for emeritus active license status by:

(1) submitting a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified;

(2) paying the fee specified in section 148E.180; and

(3) demonstrating to the satisfaction of the board that the licensee is retired from social work practice as defined in section 148E.010, subdivisions 6 and 11, other than the limited practice allowed in subdivision 2.

(b) By submitting an application for emeritus active license status, an applicant authorizes the board to:

(1) investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation;

(2) determine if the applicant has met the continuing education requirements specified in sections 148E.130 to 148E.145; and

(3) determine whether the applicant has met the supervision requirements specified in sections 148E.100 to 148E.125.

(c) An application that the applicant has not completed and signed, or that is not accompanied by the correct fee, is void. The board must return the application to the applicant, along with any fee.

Subd. 2. **Limitation on practice and representation.** (a) A licensee who has emeritus active license status is only authorized to engage in:

(1) pro bono or unpaid social work practice as specified in section 148E.010, subdivisions 6 and 11; or

(2) paid social work practice not to exceed 500 clock hours per calendar year for the exclusive purpose of:

(i) providing licensing supervision as specified in sections 148E.100 to 148E.125;

(ii) providing consultation to licensees as specified in section 148E.200, subdivision 2; or

(iii) presenting continuing education activities as specified in section 148E.130, subdivision 9.

(b) In all professional use of the social worker's name, a licensee must include "emeritus active" in all use of their LSW, LGSW, LISW, or LICSW license credential.

Subd. 3. **Renewal.** (a) An applicant who has emeritus active license status may renew their license according to the requirements specified in section 148E.070 and must pay one-half of the renewal fee specified in section 148E.180, subdivision 3.

(b) Failure to renew an emeritus active license status will result in an expired license as specified in section 148E.070.

(c) At the time of license renewal, a licensee must provide evidence satisfactory to the board that the licensee has, during the renewal term, completed one-half of the clock hours of continuing education as specified in section 148E.130, including at least two clock hours in social work ethics.

Subd. 4. **Return to active license status.** An applicant may restore a license in emeritus active status to active license status according to section 148E.080.

Subd. 5. **Disciplinary or other action.** The board may resolve any pending complaints against a licensee before approving an application for emeritus active license status specified in this section. The board may take action according to sections 148E.255 to 148E.290 against a licensee who has emeritus active license status specified in this section based on conduct occurring before the emeritus active license status or conduct occurring while the license is in emeritus active license status.

Sec. 40. Minnesota Statutes 2018, section 148E.080, is amended to read:

148E.080 REACTIVATIONS.

~~Subdivision 1. **Mailing notices to licensees on temporary leave.** The board must mail a notice for reactivation to a licensee on temporary leave at least 45 days before the expiration date of the license according to section 148E.075, subdivision 1. Mailing the notice by United States mail to the licensee's last known mailing address constitutes valid mailing. Failure to receive the reactivation notice does not relieve a licensee of the obligation to comply with the provisions of this section to reactivate a license.~~

Subd. 1a. **Reactivation from temporary leave license status.** To restore a license from temporary leave license status to active status, a licensee must do the following within the time period specified in section 148E.0751, subdivision 2:

(1) submit a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified. An application that the applicant has not completed and signed is void. The board must return the application and any fee to the applicant;

(2) document compliance with the continuing education requirements specified in subdivision 4; and

(3) pay the reactivation fee specified in section 148E.180.

~~Subd. 2. **Reactivation from a temporary leave or emeritus inactive license status.** To reactivate restore a license from a temporary leave or emeritus inactive license status to active status, a licensee must do the following within the time period specified in section 148E.075, subdivisions 1, 1a, and 1b 148E.0752, subdivision 2:~~

(1) complete an application form specified by the board submit a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified. An application that the applicant has not completed and signed is void. The board must return the application and any fee to the applicant;

(2) document compliance with the continuing education requirements specified in subdivision 4; and

~~(3) submit a supervision plan, if required;~~

~~(4) (3) pay the reactivation of a license fee specified in section 148E.180; and~~

~~(5) pay the wall certificate fee according to section 148E.095, subdivision 1, paragraph (b) or (c), if the licensee needs a duplicate license.~~

Subd. 3. **Reactivation of an expired license.** To reactivate restore an expired license to active status, a licensee must do the following within one year of the expiration date:

(1) complete an application form specified by the board submit a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified. An application that the applicant has not completed and signed is void. The board must return the application and any fee to the applicant;

(2) document compliance with the continuing education requirements that were in effect at the time that the license expired; and

~~(3) document compliance with the supervision requirements, if applicable, that were in effect at the time the license expired; and~~

~~(4)~~ (3) pay the reactivation ~~of an expired license~~ fee specified in section 148E.180.

Subd. 4. **Continuing education requirements.** (a) At the time of reactivation, a licensee who is on temporary leave license status or who has an is on emeritus inactive license status must document compliance with the following continuing education requirements:

~~(1) obtain the at least two continuing education hours that would be required if the license was active. At the time of reactivation, the licensee must document compliance with the continuing education requirements specified in sections 148E.130 to 148E.170: in social work ethics; and~~

(2) complete the board's jurisprudence exam.

~~(b) A licensee applying for reactivation according to subdivision 2 or 3 this section may apply for a variance an extension to the continuing education requirements according to sections section 148E.130 to 148E.170, subdivision 10.~~

Subd. 5. **Reactivation of a voluntarily terminated license.** ~~To reactivate~~ restore a voluntarily terminated license to active status, a licensee must do the following within one year of the date that the voluntary termination takes effect:

~~(1) complete an application form specified by the board~~ submit a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified. An application that the applicant has not completed and signed is void. The board must return the application and any fee to the applicant;

(2) document compliance with the continuing education requirements that were in effect at the time that the license was voluntarily terminated; and

~~(3) document compliance with the supervision requirements, if applicable, that were in effect at the time the license was voluntarily terminated; and~~

~~(4)~~ (3) pay the reactivation ~~of an expired or voluntarily terminated license~~ fee specified in section 148E.180.

Subd. 6. **Reactivation from emeritus active status.** To restore a license from emeritus active license status to active status, a licensee must do the following while the license remains in emeritus active license status:

(1) submit a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified. An application that is not completed and signed is void. The board must return the application and any fee to the applicant; and

(2) pay the reactivation fee specified in section 148E.180.

Sec. 41. Minnesota Statutes 2018, section 148E.085, is amended to read:

148E.085 VOLUNTARY ~~TERMINATIONS~~ TERMINATION LICENSE STATUS.

Subdivision 1. ~~Requests for Voluntary termination.~~ (a) A licensee may ~~request~~ apply for voluntary termination of a license if the licensee ~~demonstrates~~:

(1) submits a completed, signed application on a form that the board has provided. For electronic applications, a "signed application" means providing an attestation that the board has specified. An application that the applicant has not completed and signed is void. The board must return the application to the applicant. No fee is required to voluntarily terminate a license; and

(2) demonstrates to the satisfaction of the board that the licensee is not engaged in the practice of social work as defined in section 148E.010, subdivisions 6 and 11, in any setting except ~~settings in which social workers are~~ when the individual is exempt from licensure according to section 148E.065.

~~(b) A licensee may apply for voluntary termination:~~

~~(1) at any time by submitting an application; or~~

~~(2) as an alternative to applying for the renewal of a license by so recording on the application for license renewal and submitting the completed, signed application to the board.~~

~~For applications submitted electronically, a "signed application" means providing an attestation as specified by the board. An application that is not completed and signed must be returned to the applicant and is void.~~

~~(c) The board may resolve any pending complaints against a licensee before approving a request for voluntary termination.~~

(b) By submitting an application for voluntary termination, an applicant authorizes the board to:

(1) investigate any information provided or requested in the application. The board may request that the applicant provide additional information, verification, or documentation;

(2) determine if the applicant has met the continuing education requirements specified in section 148E.130; and

(3) determine whether the applicant has met the supervision requirements specified in sections 148E.100 to 148E.125.

Subd. 2. ~~Application for new licensure~~ Return to active license status. A licensee who has voluntarily terminated a license: (1) may not reactivate restore the license ~~after one year following the date the voluntary termination takes effect. However, a licensee who has voluntarily terminated a license~~ according to section 148E.080; or (2) may apply reapply for a ~~new~~ license according to section 148E.055.

Subd. 3. **Prohibition on practice and representation.** A licensee who has voluntarily terminated a license: (1) must not use the credentials LSW, LGSW, LISW, or LICSW; and (2) must not practice, attempt to practice, offer to practice, or advertise or hold out as authorized to practice social work, except when the individual is exempt from licensure according to section 148E.065.

Subd. 4. **Disciplinary or other action.** The board may resolve any pending complaints against a licensee before approving a request for voluntary termination. The board may take action according to sections 148E.255 to ~~148E.270~~ 148E.290 against a licensee ~~whose~~ who voluntarily terminated their license ~~has been terminated~~ based on conduct occurring before the license is ~~was~~ voluntarily terminated ~~or for practicing social work without a license.~~

Sec. 42. Minnesota Statutes 2018, section 148E.095, subdivision 1, is amended to read:

Subdivision 1. **License wall certificate.** (a) The board must issue a new license wall certificate when the board issues a new license. No fee in addition to the applicable license fee specified in section 148E.180 is required.

(b) ~~The board must replace a license wall certificate when~~ To request a duplicate license wall certificate, the licensee must:

~~(1) a licensee submits an affidavit to the board that the original license wall certificate was lost, stolen, or destroyed~~ submit a request for another license wall certificate in writing; and

~~(2) the licensee submits~~ submit the license wall certificate fee specified in section 148E.180.

~~(c) The board must issue a revised license wall certificate when:~~

~~(1) a licensee requests a revised license wall certificate according to this section; and~~

~~(2) a licensee submits the license wall certificate fee specified in section 148E.180.~~

~~(d) The board must issue an additional license wall certificate when:~~

~~(1) a licensee submits a written request for a new certificate because the licensee practices in more than one location; and~~

~~(2) the licensee submits the license wall certificate fee specified in section 148E.180.~~

Sec. 43. Minnesota Statutes 2018, section 148E.130, subdivision 1, is amended to read:

Subdivision 1. **Total clock hours required.** (a) A licensee must complete 40 hours of continuing education for each two-year renewal term. At the time of license renewal, a licensee must provide evidence satisfactory to the board that the licensee has, during the renewal term, completed at least 40 clock hours of completed the required continuing education hours during the previous renewal term. Of the total clock hours required:

(1) all licensees must complete two hours in social work ethics as defined in section 148E.010;

(2) licensed independent clinical social workers must complete 12 clock hours in one or more of the clinical content areas specified in section 148E.055, subdivision 5, paragraph (a), clause (2);

(3) licensees providing licensing supervision according to sections 148E.100 to 148E.125, must complete six clock hours in supervision as defined in section 148E.010; and

(4) no more than half of the required clock hours may be completed via continuing education independent learning as defined in section 148E.010.

(b) If the licensee's renewal term is prorated to be less or more than 24 months, the total number of required clock hours is prorated proportionately.

Sec. 44. Minnesota Statutes 2018, section 148E.130, is amended by adding a subdivision to read:

Subd. 8. **Acceptable content.** The continuing education must:

(1) promote the standards of practice described in sections 148E.195 to 148E.240; and

(2) contribute to the practice of social work as defined in section 148E.010.

Sec. 45. Minnesota Statutes 2018, section 148E.130, is amended by adding a subdivision to read:

Subd. 9. **Acceptable continuing education activities.** (a) A continuing education activity must be one of the following:

(1) academic coursework at an institution of higher learning. One credit of coursework in a semester-based academic institution is the equivalent of 15 clock hours;

(2) educational workshops, seminars, conferences, or live webinars;

(3) staff training from an employer; or

(4) continuing education independent learning as defined in section 148E.010.

(b) A continuing education activity automatically meets the requirements of this section if the licensee completes it through:

(1) a board-approved continuing education provider;

(2) a continuing education provider or program approved by the Association of Social Work Boards or a similar examination body that the board has designated; or

(3) a continuing education program approved by the National Association of Social Workers.

(c) The board does not require providers and programs to be preapproved, but the continuing education activity must meet the requirements specified in this section.

Sec. 46. Minnesota Statutes 2018, section 148E.130, is amended by adding a subdivision to read:

Subd. 10. **Extension.** At the time of renewal, the board may grant a onetime extension to complete the required clock hours when a licensee is unable to comply with this section.

Sec. 47. Minnesota Statutes 2018, section 148E.130, is amended by adding a subdivision to read:

Subd. 11. **Records retention; licensees.** For one year following the expiration date of a license, the licensee must maintain documentation of clock hours earned during the previous renewal term. The documentation must include the following:

(1) for educational workshops, seminars, conferences, or live webinars, documentation of attendance issued by the presenter or sponsor must include the:

- (i) name of the sponsor;
- (ii) title and date of the activity;
- (iii) number of clock hours; and
- (iv) names of the presenters;

(2) for academic coursework at an institution of higher learning, a transcript must include the:

- (i) name of the institution;
- (ii) title of the course;
- (iii) dates of the course; and
- (iv) number of credits completed or audited;

(3) for an employer's staff training, an employer's documentation of attendance must include the:

- (i) name of the employer;
- (ii) title of the training;
- (iii) date of the training; and
- (iv) number of clock hours completed; and

(4) for continuing education independent learning, a written summary of the activity conducted must include the:

- (i) topics covered;
- (ii) applicability of the activity to the licensee's social work practice;
- (iii) titles and authors or presenters of materials reviewed;
- (iv) dates the licensee conducted the activity; and
- (v) number of clock hours completed.

Sec. 48. Minnesota Statutes 2018, section 148E.130, is amended by adding a subdivision to read:

Subd. 12. **Audits.** (a) The board may audit licensees at the time of license renewal or reactivation to determine the licensee's compliance with the requirements of this section.

(b) When the board audits a licensee, the licensee must provide the documentation specified in subdivision 11.

Sec. 49. Minnesota Statutes 2018, section 148E.145, is amended to read:

148E.145 CONTINUING EDUCATION PROVIDERS APPROVED BY BOARD.

Subdivision 1. **Board approval.** ~~(a) The board must approve a continuing education provider who~~ For the board to approve a continuing education provider, the provider must:

(1) submits submit a completed application to the board which provides the information required by subdivision 2 and which meets the criteria specified in subdivision 3; and form that the board has provided;

(2) agree to comply with the requirements of this section;

(3) submit a signed statement that indicates that the provider agrees to provide documentation of attendance that meets the requirements of section 148E.130, subdivision 11, to each participant in the provider's program; and

~~(2) pays~~ (4) pay the continuing education provider fee specified in section 148E.180.

(b) An approval is valid for programs offered no later than one year from the date that the board receives the application is approved by the board and fee.

(c) During the one-year period, an approved provider may provide no more than the number of clock hours for which the provider has applied as specified in section 148E.180, subdivision 4. If the provider wishes to offer additional clock hours during the one-year period, the provider must submit another application and fee to the board.

Subd. 2. **Information required.** The information that must be provided to the board includes, but is not limited to, the following:

~~(1) the name of the continuing education provider;~~

~~(2) the address, telephone number, and e-mail address of a contact person for the provider;~~

~~(3) a signed statement that indicates the provider understands and agrees to abide by the criteria specified in subdivision 3; and~~

~~(4) a signed statement that indicates the provider agrees to furnish a certificate of attendance to each participant in a program offered by the provider.~~

Subd. 3. ~~Criteria for programs~~ **Continuing education activity requirements.** (a) ~~A continuing education provider must employ the following criteria in determining whether to offer a continuing education program~~ An approved provider must ensure that all continuing education activities:

(1) ~~whether the material to be presented will promote the standards of practice described in sections 148E.195 to 148E.240;~~

(2) ~~whether the material to be presented will contribute to the practice of social work as defined in section 148E.010; and~~

(3) ~~whether the material to be presented is intended for the benefit of practicing social workers; and are presented by individuals with expertise in the material or content.~~

(4) ~~whether the persons presenting the program are qualified in the subject matter being presented.~~

(b) ~~The material presented must not be primarily procedural or primarily oriented towards business practices or self-development. An approved provider must provide documentation of completion to each participant that includes the information required by section 148E.130, subdivision 11.~~

Subd. 4. **Audits.** (a) ~~The board may audit programs offered by a continuing education provider approved by the board to determine compliance with the requirements of this section.~~

(b) ~~A continuing education provider audited by the board must provide the documentation specified in subdivision 5.~~

Subd. 5. **Records retention; continuing education providers.** ~~An approved provider must maintain the following information for three years following the end of each program offered by a continuing education provider, the provider must maintain the following information~~ activity:

(1) the program's title of the program;

(2) a description of the program's content and objectives of the program;

(3) the program's date of the program;

(4) the program's number of clock hours credited for participation in the program;

(5) the program location whether the activity was presented as a live interactive activity or continuing education independent learning;

(6) the names and qualifications of the primary program's presenters; and

(7) a description of the primary audience the program was designed for; and

(8) (7) a list of the participants in the program program's attendees.

Subd. 6. **Audits.** (a) The board may audit an approved provider to determine compliance with the requirements of this section.

(b) An approved provider audited by the board must provide the documentation specified in subdivision 5.

Subd. 7. **Revocation.** The board may revoke approval of an approved provider if the board determines the provider failed to meet the requirements of this section.

Sec. 50. **REPEALER.**

Minnesota Statutes 2018, sections 148E.045; 148E.055, subdivisions 7 and 8; 148E.060, subdivisions 3, 4, 5, 6, 7, 8, 9, 10, 11, and 13; 148E.075, subdivisions 1, 1a, 1b, 2, 3, and 8; 148E.095, subdivision 2; 148E.130, subdivisions 2, 3, 4, 5, 6, and 7; 148E.135; 148E.140; 148E.150; 148E.155; 148E.160; 148E.165; and 148E.170, are repealed.

ARTICLE 4

BOARD OF DENTISTRY

Section 1. Minnesota Statutes 2018, section 150A.06, subdivision 6, is amended to read:

Subd. 6. **Display of name and certificates.** (a) The ~~initial license and subsequent~~ renewal certificate of every dentist, dental therapist, dental hygienist, or dental assistant ~~shall~~ must be conspicuously displayed in plain sight of patients in every office in which that person practices, ~~in plain sight of patients. When available from the board, the board shall allow the display of a wallet-sized initial license and wallet-sized subsequent renewal certificate only at nonprimary practice locations instead of displaying an original-sized initial license and subsequent renewal certificate.~~ Duplicate renewal certificates may be obtained from the board.

(b) Near or on the entrance door to every office where dentistry is practiced, the name of each dentist practicing there, as inscribed on the current license certificate, ~~shall~~ must be displayed in plain sight.

(c) The board must allow the display of a mini-license for guest license holders performing volunteer dental services. There is no fee for the mini-license for guest volunteers."

Amend the title accordingly

Senator Kiffmeyer moved to amend the Nelson amendment to S.F. No. 2939 as follows:

Page 67, after line 17, insert:

"ARTICLE 5

REEMPLOYING RETIRED MEMBERS OF PERA AND MSRS

Section 1. **PERMITTING PAYMENT OF RETIREMENT ANNUITY DURING PERIOD OF EMPLOYMENT AS A HEALTH CARE WORKER DURING A PEACETIME EMERGENCY.**

Subdivision 1. **Definitions.** For purposes of this section:

(1) "health care worker" means a person, whether licensed or unlicensed, employed by a public employer during a peacetime emergency to provide health care, health-care-related services, or long-term care;

(2) "peacetime emergency" means any peacetime emergency declared by the governor in an executive order that relates to the infectious disease known as COVID-19;

(3) "public employer" means any political subdivision or executive branch agency of the state, including any county, municipality, and Hennepin Healthcare System, Inc.; and

(4) "reemployment year" means the 12-month period that a person is covered by a phased retirement agreement under Minnesota Statutes, section 353.371, or in a postretirement option position under Minnesota Statutes, section 43A.346.

Subd. 2. **Health care workers to continue receiving retirement annuities.** (a) Notwithstanding any law to the contrary, a person is entitled to continue to receive a retirement annuity if the person:

(1) is receiving a retirement annuity and has not been employed in public service for at least 30 days or has been retired for at least 30 days and is about to begin receiving a retirement annuity from any of the pension plans administered by the Public Employees Retirement Association or from any of the pension plans administered by the Minnesota State Retirement System; and

(2) is hired or rehired by a public employer as a health care worker on or after the effective date of a declaration of a peacetime emergency.

(b) A person described in paragraph (a) is not subject to the provisions of Minnesota Statutes, section 352.115, subdivision 10, or 353.37, and the monthly amount of the person's retirement annuity shall not change as a result of employment during a peacetime emergency, notwithstanding the additional hours and percentage of time worked by the person.

(c) Notwithstanding any law to the contrary, a public employer may hire or rehire a person under this subdivision without either the public employer or the person having to enter into or comply with the requirements of Minnesota Statutes, section 43A.346 or 353.371.

Subd. 3. **No limitation on hours or percentage of time worked under a postretirement option.** (a) A health care worker who entered into a phased retirement agreement under Minnesota Statutes, section 353.371, before the effective date of this section, or has been employed in a postretirement option position under Minnesota Statutes, section 43A.346, since before the effective date of this section, shall not be subject to any limitation on the number of hours or percentage of time worked imposed by Minnesota Statutes, section 43A.346 or 353.371, as applicable, during any reemployment year that includes the date on which this section expires.

(b) Upon the expiration of a peacetime emergency, the health care worker shall continue to be covered by the phased retirement agreement or continue employment in the postretirement option position, as applicable, if the health care worker elects to continue employment, except that the limitation on the number of hours or percentage of time worked shall not apply until the reemployment year that begins after the reemployment year that includes the date on which this section expires.

(c) The period of employment during a peacetime emergency shall be added to and shall extend the period of employment governed by the phased retirement agreement under Minnesota Statutes, section 353.371, subdivision 4, or in a postretirement option position under Minnesota Statutes, section 43A.346, subdivision 6, as applicable.

(d) The requirements of Minnesota Statutes, sections 43A.346 and 353.371, prohibiting the crediting of additional service toward the health care worker's annuity and prohibiting the making of employee or employer contributions during employment covered by a phased retirement agreement or in a postretirement option position, as applicable, shall apply during a peacetime emergency. The monthly amount of the health care worker's retirement annuity shall not change as a result of employment during a peacetime emergency, notwithstanding any increase in the hours and percentage of time worked by the health care worker.

(e) Nothing in this section shall be considered as terminating (1) a phased retirement agreement under Minnesota Statutes, section 353.371, or (2) the employment of a health care worker in a postretirement option position under Minnesota Statutes, section 43A.346.

Subd. 4. **Expiration date.** This section expires on December 31 of the year in which the peacetime emergency expires or is terminated or rescinded by proper authority.

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

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

The question recurred on the adoption of the Nelson amendment, as amended. The motion prevailed. So the amendment, as amended, was adopted.

S.F. No. 2939 was read the third time, as amended, and placed on its final passage.

The question was taken on the passage of the bill, as amended.

The roll was called, and there were yeas 67 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Little	Ruud
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Senjem
Anderson, P.	Eaton	Isaacson	Mathews	Simonson
Bakk	Eichorn	Jasinski	Miller	Sparks
Benson	Eken	Jensen	Nelson	Tomassoni
Bigham	Franzen	Johnson	Newman	Torres Ray
Carlson	Frentz	Kent	Newton	Utke
Chamberlain	Gazelka	Kiffmeyer	Osmek	Weber
Champion	Goggin	Klein	Pappas	Westrom
Clausen	Hall	Koran	Pratt	Wiger
Cohen	Hawj	Laine	Rarick	Wicklund
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rest	
Dibble	Housley	Limmer	Rosen	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Housley; Johnson; Mathews; Newman; Relph; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Klein, Laine, Latz, Little, Newton, Pappas, Rest, Sparks, Torres Ray, and Wiklund.

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

SPECIAL ORDER

S.F. No. 2919: A bill for an act relating to health; modifying the Minnesota Athletic Trainers Act; amending Minnesota Statutes 2018, sections 148.7802, by adding a subdivision; 148.7806; 148.7807; repealing Minnesota Statutes 2018, section 148.7802, subdivisions 4, 5.

S.F. No. 2919 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 42 and nays 24, as follows:

Those who voted in the affirmative were:

Abeler	Frentz	Johnson	Nelson	Sparks
Anderson, B.	Gazelka	Kiffmeyer	Newman	Tomassoni
Anderson, P.	Goggin	Klein	Osmek	Utke
Benson	Hall	Koran	Pratt	Weber
Chamberlain	Housley	Lang	Rarick	Westrom
Cohen	Howe	Limmer	Relph	Wiklund
Dahms	Ingebrigtsen	Little	Rosen	
Draheim	Jasinski	Mathews	Ruud	
Eichorn	Jensen	Miller	Senjem	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Anderson, B.; Dahms; Hall; Housley; Johnson; Mathews; Newman; Relph; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Klein, Little, Sparks, and Wiklund.

Those who voted in the negative were:

Bakk	Cwodzinski	Franzen	Kent	Rest
Bigham	Dibble	Hawj	Laine	Simonson
Carlson	Dziedzic	Hayden	Latz	Torres Ray
Champion	Eaton	Hoffman	Newton	Wiger
Clausen	Eken	Isaacson	Pappas	

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Laine, Latz, Newton, Pappas, Rest, and Torres Ray.

So the bill passed and its title was agreed to.

SPECIAL ORDER

S.F. No. 979: A bill for an act relating to human services; clarifying and extending child care training timelines; amending Minnesota Statutes 2018, section 245A.50, subdivisions 3, 4, 5, 6, 9.

S.F. No. 979 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 66 and nays 1, as follows:

Those who voted in the affirmative were:

Abeler	Draheim	Howe	Little	Senjem
Anderson, B.	Dziedzic	Ingebrigtsen	Marty	Simonson
Anderson, P.	Eaton	Isaacson	Mathews	Sparks
Bakk	Eichorn	Jasinski	Miller	Tomassoni
Benson	Eken	Jensen	Nelson	Torres Ray
Bigham	Franzen	Johnson	Newman	Utke
Carlson	Frentz	Kent	Newton	Weber
Chamberlain	Gazelka	Kiffmeyer	Osmek	Westrom
Champion	Goggin	Klein	Pappas	Wiger
Clausen	Hall	Koran	Pratt	Wiklund
Cohen	Hawj	Laine	Rarick	
Cwodzinski	Hayden	Lang	Relph	
Dahms	Hoffman	Latz	Rosen	
Dibble	Housley	Limmer	Ruud	

Pursuant to Rule 40, Senator Benson cast the affirmative vote on behalf of the following Senators: Abeler; Anderson, B.; Dahms; Hall; Housley; Johnson; Mathews; Newman; Relph; Senjem; and Westrom.

Pursuant to Rule 40, Senator Kent cast the affirmative vote on behalf of the following Senators: Carlson, Clausen, Eaton, Klein, Laine, Latz, Little, Newton, Pappas, Sparks, Torres Ray, and Wiklund.

Those who voted in the negative were:

Rest

Pursuant to Rule 40, Senator Kent cast the negative vote on behalf of the following Senator: Rest.

So the bill passed and its title was agreed to.

MOTIONS AND RESOLUTIONS - CONTINUED

CONFIRMATION

Senator Weber moved that the report from the Committee on Agriculture, Rural Development, and Housing Policy, reported March 2, 2020, pertaining to the appointment of the Commissioner of the Department of Agriculture, be taken from the table. The motion prevailed.

Senator Weber moved that the foregoing report be now adopted. The motion prevailed.

Senator Weber moved that in accordance with the report from the Committee on Agriculture, Rural Development, and Housing Policy, reported March 2, 2020, the Senate, having given its advice, do now consent to and confirm the appointment of:

DEPARTMENT OF AGRICULTURE
COMMISSIONER

Thom Petersen, 8347 Wildflower Rd., Pine City, Pine County, effective January 7, 2019, for a term expiring on January 2, 2023.

The motion prevailed. So the appointment was confirmed.

MOTIONS AND RESOLUTIONS - CONTINUED

Senator Weber moved that the appointment withdrawn from the Committee on Agriculture, Rural Development, and Housing Policy and placed on the Confirmation Calendar under Senate Rule 8.2, reported in the Journal for April 20, 2020, be returned to the committee from which it was withdrawn.

MINNESOTA HOUSING FINANCE AGENCY
COMMISSIONER
Jennifer Ho

The motion prevailed.

ADJOURNMENT

Senator Gazelka moved that the Senate do now adjourn until 9:00 a.m., Thursday, April 30, 2020. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate