

## FIFTY-FIRST DAY

St. Paul, Minnesota, Tuesday, April 18, 2023

The Senate met at 12:00 noon and was called to order by the President.

**CALL OF THE SENATE**

Senator Kunesh imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Anna Ostenso Moore.

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	Dziedzic	Johnson	Maye Quade	Rarick
Anderson	Eichorn	Klein	McEwen	Rasmusson
Bahr	Farnsworth	Koran	Miller	Rest
Boldon	Fateh	Kreun	Mitchell	Seeberger
Carlson	Frentz	Kunesh	Mohamed	Utke
Champion	Green	Kupec	Morrison	Weber
Coleman	Gruenhagen	Lang	Murphy	Wesenberg
Cwodzinski	Gustafson	Latz	Nelson	Westlin
Dahms	Hauschild	Lieske	Oumou Verbeten	Westrom
Dibble	Hawj	Limmer	Pappas	Wiklund
Dornink	Hoffman	Lucero	Pha	Xiong
Draheim	Housley	Mann	Port	
Drazkowski	Howe	Marty	Pratt	
Duckworth	Jasinski	Mathews	Putnam	

The President declared a quorum present.

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

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2105, 2324, and 2310.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 17, 2023

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 2105:** A bill for an act relating to state lands; modifying requirements for conveying easements; adding to state parks and state forest; authorizing sales, purchases, and transfers of certain state lands; amending Minnesota Statutes 2022, section 84.66, subdivision 7.

Referred to the Committee on Finance.

**H.F. No. 2324:** A bill for an act relating to natural resources; appropriating money for drill core library.

Referred to the Committee on Finance.

**H.F. No. 2310:** A bill for an act relating to state government; appropriating money for environment, natural resources, climate, and energy; modifying prior appropriations; providing for and modifying disposition of certain receipts; modifying and establishing duties, authorities, and prohibitions regarding environment and natural resources; modifying and creating environment and natural resources programs; modifying and creating grant programs; reestablishing Legislative Water Commission; modifying Legislative-Citizen Commission on Minnesota Resources; modifying permit and environmental review requirements; modifying requirements for recreational vehicles; modifying state trail and state park provisions; establishing Lowland Conifer Carbon Reserve; modifying forestry provisions; modifying game and fish provisions; modifying regulation of farmed Cervidae; regulating certain seeds and pesticides; modifying Water Law; providing appointments; modifying and providing for fees; establishing a biennial budget for Department of Commerce, Public Utilities Commission, and energy, climate, and clean energy activities; establishing and modifying provisions governing energy, clean and renewable energy, energy storage, energy use and conservation, and utility regulation; providing for enhanced transportation electrification; adding and modifying provisions governing Public Utilities Commission proceedings; establishing various clean and renewable energy grant programs; making technical changes; requiring reports; requiring rulemaking; amending Minnesota Statutes 2022, sections 13.643, subdivision 6; 16A.151, subdivision 2; 16A.152, subdivision 2; 16B.325; 16B.58, by adding a subdivision; 16C.135, subdivision 3; 16C.137, subdivision 1; 17.118, subdivision 2; 18B.01, subdivision 31; 18B.09, subdivision 2, by adding a subdivision; 21.82, subdivision 3; 21.86, subdivision 2; 35.155, subdivisions 1, 4, 10, 11, 12, by adding subdivisions; 35.156, subdivision 2, by adding subdivisions; 84.02, by adding a subdivision; 84.0274, subdivision 6; 84.0276; 84.415, subdivisions 3, 6, 7, by adding a subdivision; 84.788, subdivision 5; 84.82, subdivision 2, by adding a subdivision; 84.821, subdivision 2; 84.84; 84.86, subdivision 1; 84.87, subdivision 1; 84.90, subdivision 7; 84.992, subdivisions 2, 5; 84D.02, subdivision 3; 84D.10, subdivision 3; 84D.15, subdivision 2; 85.015, subdivision 10; 85.052, subdivision 6; 85.055, subdivision 1; 85A.01, subdivision 1; 86B.005, by adding a subdivision; 86B.313, subdivision 4; 86B.415, subdivisions 1, 1a, 2, 3, 4, 5, 7; 89A.03, subdivision 5; 90.181, subdivision 2; 97A.015, subdivision 51, by adding a subdivision; 97A.031; 97A.126; 97A.137, subdivision 3; 97A.315, subdivision 1; 97A.401, subdivision 1, by adding a subdivision; 97A.405,

subdivision 5; 97A.421, subdivision 3; 97A.473, subdivisions 2, 2a, 2b, 5, 5a; 97A.474, subdivision 2; 97A.475, subdivisions 6, 7, 8, 10, 10a, 11, 12, 13, 41; 97B.031, subdivision 1; 97B.071; 97B.301, subdivision 6; 97B.516; 97B.645, subdivision 9; 97B.668; 97C.087, subdivision 2; 97C.315, subdivision 1; 97C.345, subdivision 1; 97C.355, by adding a subdivision; 97C.371, subdivisions 1, 2, 4; 97C.395, subdivision 1; 97C.601, subdivision 1; 97C.605, subdivisions 1, 2c, 3; 97C.611; 97C.836; 103B.101, subdivisions 2, 9, 16, by adding a subdivision; 103B.103; 103C.501, subdivisions 1, 4, 5, 6, by adding a subdivision; 103D.605, subdivision 5; 103F.505; 103F.511, by adding subdivisions; 103G.005, by adding subdivisions; 103G.2242, subdivision 1; 103G.271, subdivision 6; 103G.287, subdivisions 2, 3; 103G.299, subdivisions 1, 2, 5, 10; 103G.301, subdivisions 2, 6, 7; 115.01, by adding subdivisions; 115.03, subdivision 1, by adding a subdivision; 115.061; 115A.03, by adding a subdivision; 115A.1415; 115A.565, subdivisions 1, 3; 115B.17, subdivision 14; 115B.171, subdivision 3; 115B.52, subdivision 4; 116.06, subdivision 1, by adding subdivisions; 116.07, subdivision 6, by adding subdivisions; 116C.03, subdivision 2a; 116C.779, subdivision 1; 116C.7792; 116P.05, subdivisions 1, 1a, 2; 116P.09, subdivision 6; 116P.11; 116P.15; 116P.16; 116P.18; 168.1295, subdivision 1; 168.27, by adding a subdivision; 171.07, by adding a subdivision; 216B.096, subdivision 11; 216B.1611, by adding a subdivision; 216B.164, by adding a subdivision; 216B.1641; 216B.1645, subdivision 4; 216B.17, subdivision 1; 216B.2402, subdivision 16; 216B.2422, subdivision 7; 216B.2425, subdivision 3; 216B.243, subdivision 8, as amended; 216B.50, subdivision 1; 216B.62, subdivision 3b; 216C.05, subdivision 2; 216C.08; 216C.09; 216C.264, subdivision 5, by adding subdivisions; 216C.375; 216E.01, subdivision 6, by adding a subdivision; 216E.03, subdivisions 1, 3, 5, as amended, 6, 7, as amended; 216E.04, subdivision 2, as amended; 216E.05, subdivision 2; 216E.06; 216E.07; 216E.10; 216H.02, subdivision 1; 237.55; 297A.94; 325E.046; 325F.072, subdivisions 1, 3, by adding a subdivision; 326B.106, subdivision 1; 373.475; 515B.2-103; 515B.3-102; Laws 2005, chapter 97, article 10, section 3, as amended; Laws 2022, chapter 94, section 2, subdivisions 5, 8, 9; proposing coding for new law in Minnesota Statutes, chapters 3; 16B; 18B; 21; 84; 86B; 88; 97A; 97B; 97C; 103B; 103E; 103F; 103G; 115A; 116; 116C; 116P; 123B; 216B; 216C; 325E; 473; 500; repealing Minnesota Statutes 2022, sections 16B.24, subdivision 13; 84.033, subdivision 3; 84.944, subdivision 3; 86B.101; 86B.305; 86B.313, subdivisions 2, 3; 97A.145, subdivision 2; 97C.605, subdivisions 2, 2a, 2b, 5; 103C.501, subdivisions 2, 3; 115.44, subdivision 9; 116.011; 216B.16, subdivision 10; 216C.376; 325E.389; 325E.3891; Minnesota Rules, parts 6100.5000, subparts 3, 4, 5; 6100.5700, subpart 4; 6115.1220, subpart 8; 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, 8; 8400.0500; 8400.0550; 8400.0600, subparts 4, 5; 8400.0900, subparts 1, 2, 4, 5; 8400.1650; 8400.1700; 8400.1750; 8400.1800; 8400.1900.

Referred to the Committee on Finance.

## REPORTS OF COMMITTEES

Senator Kunesh moved that the Committee Reports at the Desk be now adopted.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 38 and nays 20, as follows:

Those who voted in the affirmative were:

Abeler	Champion	Draheim	Farnsworth	Gustafson
Boldon	Cwodzinski	Duckworth	Fateh	Hauschild
Carlson	Dibble	Dziedzic	Frentz	Hawj

Hoffman	Kupec	Mitchell	Pha	Westlin
Johnson	Mann	Morrison	Port	Wiklund
Klein	Maye Quade	Murphy	Putnam	Xiong
Kreun	McEwen	Oumou Verbeten	Rest	
Kunesh	Miller	Pappas	Seeberger	

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic and Port.

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

Those who voted in the negative were:

Anderson	Dornink	Howe	Lieske	Rasmusson
Bahr	Drazkowski	Jasinski	Lucero	Utke
Coleman	Green	Koran	Mathews	Weber
Dahms	Gruenhagen	Lang	Rarick	Wesenberg

Pursuant to Rule 40, Senator Rasmusson cast the negative vote on behalf of the following Senator: Lang.

The motion prevailed.

**Senator Dziedzic from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 2319:** A bill for an act relating to labor; establishing protections for transportation network company drivers; proposing coding for new law as Minnesota Statutes, chapter 181C.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 2319 and that the report from the Committee on Commerce and Consumer Protection, shown in the Journal for April 13, 2023, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass and be re-referred to the Committee on Judiciary and Public Safety". Amendments adopted. Report adopted.

**Senator Dziedzic, from the Committee on Rules and Administration, to which was referred**

**H.F. No. 3** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

GENERAL ORDERS		CONSENT CALENDAR		CALENDAR	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
3	3				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 3 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 3, the sixth engrossment; and insert the language after the enacting clause of S.F. No. 3, the fifth engrossment; further, delete the title of H.F. No. 3, the sixth engrossment; and insert the title of S.F. No. 3, the fifth engrossment.

And when so amended H.F. No. 3 will be identical to S.F. No. 3, and further recommends that H.F. No. 3 be given its second reading and substituted for S.F. No. 3, and that the Senate File be indefinitely postponed.

Pursuant to Rule 45, this report was prepared and submitted by the Secretary of the Senate on behalf of the Committee on Rules and Administration. Amendments adopted. Report adopted.

### SECOND READING OF HOUSE BILLS

H.F. No. 3 was read the second time.

### INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

#### **Senator Miller introduced--**

**S.F. No. 3275:** A bill for an act relating to capital investment; appropriating money for a public safety facility in the city of Lewiston; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

#### **Senator Latz introduced--**

**S.F. No. 3276:** A bill for an act relating to public safety; requiring the commissioner of public safety to review the process for driving privilege reinstatement following a driving while impaired incident and make recommendations for changes; authorizing the commissioner to amend rules or policies in certain cases.

Referred to the Committee on Judiciary and Public Safety.

#### **Senators Abeler, Hoffman, and Hauschild introduced--**

**S.F. No. 3277:** A bill for an act relating to health; establishing a temporary hold on assessing fines against assisted living facilities; requiring repayment of certain fines assessed against assisted living facilities.

Referred to the Committee on Human Services.

#### **Senators Abeler, Hoffman, and Pratt introduced--**

**S.F. No. 3278:** A bill for an act relating to state government; allowing ranking minority members of standing legislative committees to request fiscal notes; amending Minnesota Statutes 2022, section 3.98, subdivisions 1, 3.

Referred to the Committee on State and Local Government and Veterans.

### MOTIONS AND RESOLUTIONS

Senator Frentz moved that the name of Senator Seeberger be added as a co-author to S.F. No. 1959. The motion prevailed.

Senator Mohamed moved that the name of Senator Boldon be added as a co-author to S.F. No. 3267. The motion prevailed.

**Senator Howe introduced --**

**Senate Resolution No. 37:** A Senate resolution honoring the life of St. Cloud Fireworks Commissioner Tom Richardson.

Referred to the Committee on Rules and Administration.

**Senator Lang introduced --**

**Senate Resolution No. 38:** A Senate resolution congratulating Eli Kirtz of Buffalo Lake-Hector-Stewart, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

**Senator Lang introduced --**

**Senate Resolution No. 39:** A Senate resolution congratulating Dominic Knutson of Buffalo Lake-Hector-Stewart, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

**Senator Lang introduced --**

**Senate Resolution No. 40:** A Senate resolution congratulating Michael Broderius of Buffalo Lake-Hector-Stewart, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

**Senator Miller introduced --**

**Senate Resolution No. 41:** A Senate resolution congratulating Zachary Schultz of Lewiston, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

**Senator Miller introduced --**

**Senate Resolution No. 42:** A Senate resolution congratulating Michael Heimermann of Lewiston, Minnesota, for earning the rank of Eagle Scout.

Referred to the Committee on Rules and Administration.

**Senators Dzedzic, Johnson, Miller, and Champion introduced --**

**Senate Resolution No. 43:** A Senate resolution congratulating Secretary of the Senate Cal R. Ludeman on his retirement.

Referred to the Committee on Rules and Administration.

Senator Murphy moved that Senate Resolution No. 36 be taken from the table.

**Senate Resolution No. 36:** A Senate resolution amending the Temporary Rules of the Senate.

Temporary Senate Rule No. 7.3 is amended to read:

7.3

The omnibus tax and appropriation bills are:

- (1) the omnibus tax bill;
- (2) the agriculture, broadband, and rural development appropriations bill;
- (3) the education appropriations bill;
- (4) the commerce and consumer protection appropriations bill;
- (5) the elections appropriations bill;
- (6) the energy, utilities, environment, and climate appropriations bill;
- (7) the higher education appropriations bill;
- (8) the health and human services appropriations bill;
- (9) the human services appropriations bill;
- (10) the housing and homelessness prevention appropriations bill;
- (11) the environment, climate, and legacy appropriations bill;
- (12) the jobs and economic development appropriations bill;
- (13) the judiciary and public safety appropriations bill;
- (14) the labor appropriations bill;
- (15) the state and local government ~~and veterans~~ appropriations bill;
- (16) the veterans appropriations bill;
- (17) the transportation appropriations bill; and

~~(17)~~ (18) the omnibus capital investment bill.

An omnibus appropriation or tax bill may not be divided.

Senator Murphy moved the adoption of the foregoing resolution.

The question was taken on the adoption of the resolution.

The roll was called, and there were yeas 59 and nays 0, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Klein	Mathews	Port
Anderson	Dziedzic	Koran	Maye Quade	Putnam
Bahr	Farnsworth	Kreun	McEwen	Rarick
Boldon	Fateh	Kunesh	Miller	Rasmusson
Carlson	Frentz	Kupec	Mitchell	Rest
Champion	Green	Lang	Mohamed	Seeberger
Cwodzinski	Gruenhagen	Latz	Morrison	Utke
Dahms	Gustafson	Lieske	Murphy	Wesenberg
Dibble	Hauschild	Limmer	Nelson	Westlin
Dornink	Hawj	Lucero	Oumou Verbeten	Wiklund
Draheim	Hoffman	Mann	Pappas	Xiong
Drazkowski	Howe	Marty	Pha	

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic and Port.

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Lang and Miller.

The motion prevailed. So the resolution was adopted.

## MOTIONS AND RESOLUTIONS - CONTINUED

### SPECIAL ORDERS

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

H.F. No. 2073 and S.F. No. 2934.

### SPECIAL ORDER

**H.F. No. 2073:** A bill for an act relating to higher education; providing funding and policy related changes for the Office of Higher Education, Minnesota State Colleges and Universities, the University of Minnesota, and the Mayo Clinic; creating and modifying certain scholarships and student aid programs; creating and modifying grant programs to higher education institutions; establishing the Inclusive Higher Education Technical Assistance Center; creating a direct admissions program; providing aid to postsecondary institutions for unemployment insurance; establishing higher education bonding policy; requiring financial review of nonprofit grant recipients; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 136A.101, subdivisions



5a, 7; 136A.121, subdivisions 6, 9, 13; 136A.1241, subdivision 5; 136A.125, subdivision 4; 136A.126, subdivision 4; 136A.1312; 136A.1791, subdivision 3a; 136A.246, subdivisions 4, 5, 6, 8; 136F.04, subdivision 1; 136F.38, subdivisions 3, 4, 5; 175.45, subdivision 1; 354B.23, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 135A; 136A; 268; repealing Minnesota Statutes 2022, sections 136F.03; 136F.38, subdivision 2.

Senator Farnsworth moved to amend H.F. No. 2073, the first unofficial engrossment, as follows:

Page 24, after line 2, insert:

"(f) The operations and maintenance appropriation is contingent on the University of Minnesota prioritizing Minnesota resident professional school applicants over nonresident applicants."

Page 24, line 3, delete "(f)" and insert "(g)"

Pursuant to Rule 7.4, Senator Latz questioned whether the Farnsworth amendment was in order. The President ruled the amendment was in order.

The question was taken on the adoption of the Farnsworth amendment.

The roll was called, and there were yeas 27 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Drazkowski	Koran	Mathews	Utke
Anderson	Duckworth	Kreun	Miller	Wesenberg
Bahr	Farnsworth	Lang	Nelson	Westrom
Dahms	Green	Lieske	Pratt	
Dornink	Gruenhagen	Limmer	Rarick	
Draheim	Howe	Lucero	Rasmusson	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Lang and Miller

Those who voted in the negative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wicklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic and Port.

The motion did not prevail. So the amendment was not adopted.

Senator Fateh moved to amend H.F. No. 2073, the first unofficial engrossment, as follows:

Page 14, line 14, delete "\$49,306,000" and insert "\$49,104,000"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 48 and nays 13, as follows:

Those who voted in the affirmative were:

Abeler	Dziedzic	Kupec	Mitchell	Rarick
Boldon	Farnsworth	Lang	Mohamed	Rasmusson
Carlson	Fateh	Latz	Morrison	Rest
Champion	Frentz	Lieske	Murphy	Seeberger
Cwodziński	Gustafson	Limmer	Nelson	Westlin
Dahms	Hauschild	Mann	Oumou Verbeten	Westrom
Dibble	Hawj	Marty	Pappas	Wiklund
Dornink	Hoffman	Maye Quade	Pha	Xiong
Draheim	Klein	McEwen	Port	
Duckworth	Kunesh	Miller	Putnam	

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic and Port.

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Lang and Miller.

Those who voted in the negative were:

Anderson	Green	Koran	Mathews	Wesenberg
Bahr	Gruenhagen	Kreun	Pratt	
Drazkowski	Howe	Lucero	Utke	

The motion prevailed. So the amendment was adopted.

Senator Draheim moved to amend H.F. No. 2073, the first unofficial engrossment, as follows:

Page 49, delete section 20

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 31 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Johnson	Mathews	Weber
Anderson	Farnsworth	Koran	Miller	Wesenberg
Bahr	Green	Kreun	Nelson	Westrom
Dahms	Gruenhagen	Lang	Pratt	
Dornink	Housley	Lieske	Rarick	
Draheim	Howe	Limmer	Rasmusson	
Drazkowski	Jasinski	Lucero	Utke	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Lang and Miller.

Those who voted in the negative were:

Boldon	Champion	Dibble	Fateh	Gustafson
Carlson	Cwodziński	Dziedzic	Frentz	Hauschild

Hawj	Latz	Mitchell	Pappas	Seeberger
Hoffman	Mann	Mohamed	Pha	Westlin
Klein	Marty	Morrison	Port	Wiklund
Kunesh	Maye Quade	Murphy	Putnam	Xiong
Kupec	McEwen	Oumou Verbeten	Rest	

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic and Port.

The motion did not prevail. So the amendment was not adopted.

Senator Rarick moved to amend H.F. No. 2073, the first unofficial engrossment, as follows:

Page 14, delete subdivision 44

ReNUMBER the subdivisions in sequence

Correct the subdivision and section totals and the appropriations by fund

Page 46, delete section 19

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

Senator Rarick moved to amend the Rarick amendment to H.F. No. 2073, the first unofficial engrossment, as follows:

Page 1, after line 2, insert:

"Page 2, line 7, delete "236,717,000" and insert "325,518,000" and delete "229,046,000" and insert "317,846,000"

Page 2, line 12, delete "\$225,066,000" and insert "\$274,372,000"

Page 1, after line 5, insert:

"Page 40, after line 7, insert:

"Sec. 10. Minnesota Statutes 2022, section 136A.121, subdivision 5, is amended to read:

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

(1) the assigned student responsibility of at least ~~50~~ 45 percent of the cost of attending the institution of the applicant's choosing for fiscal years 2024 and 2025, and at least 48.5 percent of the cost of attending the institution of the applicant's choosing beginning in fiscal year 2026;

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

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

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

Page 40, line 13, delete "115" and insert "130"

The question was taken on the adoption of the Rarick amendment to the Rarick amendment.

The roll was called, and there were yeas 32 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Drazkowski	Howe	Lucero	Utke
Anderson	Duckworth	Jasinski	Mathews	Weber
Bahr	Eichorn	Koran	Miller	Wesenberg
Coleman	Farnsworth	Kreun	Nelson	Westrom
Dahms	Green	Lang	Pratt	
Dornink	Gruenhagen	Lieske	Rarick	
Draheim	Housley	Limmer	Rasmusson	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Lang and Miller.

Those who voted in the negative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Latz, and Port.

The motion did not prevail. So the amendment to the amendment was not adopted.

Senator Duckworth moved to amend the first Rarick amendment to H.F. No. 2073, the first unofficial engrossment, as follows:

Page 1, after line 4, insert:

"Page 18, line 26, delete "\$38,000,000" and insert "\$111,801,000" and delete "\$81,000,000" and insert "\$154,800,000"

Page 18, line 29, after the period, insert "The Board of Trustees may not set the tuition rates in any undergraduate degree-granting program for the 2023-2024 and 2024-2025 academic years at a rate greater than the 2022-2023 academic year rates. The student tuition relief may not be offset by increases in mandatory fees, charges, or other assessments to the student. The base for this appropriation is \$100,306,000 for fiscal year 2026 and each year thereafter."

Page 21, line 28, delete "\$10,000,000" and insert "\$20,000,000" and delete "\$10,000,000" and insert "\$20,000,000"

Page 22, line 3, delete "\$10,000,000" and insert "\$20,000,000" and after "2025" insert "each year thereafter"

Page 22, line 5, delete everything after the period

Page 22, line 6, delete "onetime appropriation and is" and insert "These appropriations are"

Page 22, line 7, after the period, insert "The base for this appropriation is \$20,000,000 for fiscal year 2026 and each year thereafter."

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

Page 22, line 15, delete "\$5,000,000" and insert "\$10,000,000"

Page 22, line 16, after "2025" insert "and each year thereafter"

Page 22, delete line 18 and insert "These appropriations are"

Page 22, line 19, after the period, insert "The base for this appropriation is \$10,000,000 for fiscal year 2026 and each year thereafter."

The question was taken on the adoption of the Duckworth amendment to the first Rarick amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Lang and Miller.

Those who voted in the negative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic and Port.

The motion did not prevail. So the amendment to the amendment was not adopted.

Senator Rarick withdrew his first amendment.

Senator Farnsworth moved to amend H.F. No. 2073, the first unofficial engrossment, as follows:

Page 14, line 9, delete "\$176,903,000" and insert "\$171,903,000"

Correct the subdivision and section totals and the appropriations by fund

Senator Farnsworth moved to amend the second Farnsworth amendment to H.F. No. 2073, the first unofficial engrossment, as follows:

Page 1, after line 3, insert:

"Page 21, after line 22, insert:

"(n) \$5,000,000 the first year is for grants to the nine Minnesota State Colleges and Universities police officer skills training and provider programs. The grants may be used for technological needs, including body cameras to enhance student learning through the use of real-time review; fleet vehicles and accessories, such as automatic vehicle locators, light bars, and radio racks; a de-escalation simulation program; a 360-degree force continuum simulator; a tactical warehouse recording system; personal interaction replay equipment, such as electronic tablets for crime scene investigation scenarios; and other costs associated with operating a skills program. The Board of Trustees shall award the grants based on the nine police officer skills training and provider programs enrollment. This is a onetime appropriation."

Page 21, line 23, delete "(n)" and insert "(o)"

The question was taken on the adoption of the Farnsworth amendment to the second Farnsworth amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Rasmusson cast the affirmative vote on behalf of the following Senators: Lang and Miller.

Those who voted in the negative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Kunesh cast the negative vote on behalf of the following Senators: Dziedzic and Port.

The motion did not prevail. So the amendment to the amendment was not adopted.

Senator Duckworth moved to amend the second Farnsworth amendment to H.F. No. 2073, the first unofficial engrossment, as follows:

Page 1, line 3, delete "171,903,000" and insert "166,903,000"

Page 1, after line 3, insert:

"Page 14, line 14, delete "\$49,306,000" and insert "\$44,104,000"

Page 24, after line 2, insert:

"(f) \$5,000,000 the first year and \$5,000,000 the second year are for systemwide safety and security measures on University of Minnesota campuses. The base amount for this appropriation is \$5,000,000 in fiscal year 2026 and each year thereafter."

Page 24, line 3, delete "(f)" and insert "(g)"

Page 24, line 4, delete "\$665,928,000" and insert "\$670,928,000"

The question was taken on the adoption of the Duckworth amendment to the second Farnsworth amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Lang and Miller.

Those who voted in the negative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic and Port.

The motion did not prevail. So the amendment to the amendment was not adopted.

Senator Farnsworth withdrew his second amendment.

Senator Lucero moved to amend H.F. No. 2073, the first unofficial engrossment, as follows:

Page 31, line 1, after "in" insert "single-use" and delete "used"

Page 31, line 2, delete "by students" and insert "or restrooms designated for use by females"

The question was taken on the adoption of the amendment.

The roll was called, and there were yeas 29 and nays 34, as follows:

Those who voted in the affirmative were:

Anderson	Drazkowski	Howe	Limmer	Rasmusson
Bahr	Duckworth	Jasinski	Lucero	Utke
Coleman	Eichorn	Johnson	Mathews	Weber
Dahms	Farnsworth	Koran	Miller	Wesenberg
Dornink	Green	Lang	Nelson	Westrom
Draheim	Gruenhagen	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Lang and Miller.

Those who voted in the negative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Pappas, and Port.

The motion did not prevail. So the amendment was not adopted.



H.F. No. 2073 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 36 and nays 31, as follows:

Those who voted in the affirmative were:

Abeler	Frentz	Latz	Murphy	Seeberger
Boldon	Gustafson	Mann	Nelson	Westlin
Carlson	Hauschild	Marty	Oumou Verbeten	Wiklund
Champion	Hawj	Maye Quade	Pappas	Xiong
Cwodzinski	Hoffman	McEwen	Pha	
Dibble	Klein	Mitchell	Port	
Dziedzic	Kunesh	Mohamed	Putnam	
Fateh	Tupec	Morrison	Rest	

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic, Pappas, and Port.

Those who voted in the negative were:

Anderson	Duckworth	Jasinski	Lucero	Weber
Bahr	Eichorn	Johnson	Mathews	Wesenberg
Coleman	Farnsworth	Koran	Miller	Westrom
Dahms	Green	Kreun	Pratt	
Dornink	Gruenhagen	Lang	Rarick	
Draheim	Housley	Lieske	Rasmusson	
Drazkowski	Howe	Limmer	Utke	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senators: Lang, Lieske, and Miller.

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

### SPECIAL ORDER

**S.F. No. 2934:** A bill for an act relating to human services; establishing an office of addiction and recovery; establishing the Minnesota board of recovery services; establishing title protection for sober homes; modifying provisions governing disability services, aging services, and behavioral health; modifying medical assistance eligibility requirements for certain populations; making technical and conforming changes; establishing certain grants; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 4.046, subdivisions 6, 7, by adding a subdivision; 179A.54, by adding a subdivision; 241.021, subdivision 1; 241.31, subdivision 5; 241.415; 245A.03, subdivision 7; 245A.11, subdivisions 7, 7a; 245G.01, by adding subdivisions; 245G.02, subdivision 2; 245G.05, subdivision 1, by adding a subdivision; 245G.06, subdivisions 1, 3, 4, by adding subdivisions; 245G.08, subdivision 3; 245G.09, subdivision 3; 245G.22, subdivision 15; 245I.10, subdivision 6; 246.54, subdivisions 1a, 1b; 252.27, subdivision 2a; 254B.01, subdivision 8, by adding subdivisions; 254B.04, by adding a subdivision; 254B.05, subdivisions 1, 5; 256.043, subdivisions 3, 3a; 256.9754; 256B.04, by adding a subdivision; 256B.056, subdivision 3; 256B.057, subdivision 9; 256B.0625, subdivisions 17, 17a, 18h, 22, by adding a subdivision; 256B.0638, subdivisions 2, 4, 5; 256B.0659, subdivisions 1, 12, 19, 24; 256B.073, subdivision 3, by adding a subdivision; 256B.0759, subdivision 2; 256B.0911, subdivision 13; 256B.0913, subdivisions 4, 5; 256B.0917, subdivision 1b; 256B.0922, subdivision 1; 256B.0949, subdivision 15; 256B.14,

subdivision 2; 256B.434, by adding a subdivision; 256B.49, subdivisions 11, 28; 256B.4905, subdivision 5a; 256B.4911, by adding a subdivision; 256B.4912, by adding subdivisions; 256B.4914, subdivisions 3, as amended, 4, 5, 5a, 5b, 5c, 5d, 5e, 8, 9, 10, 10a, 10c, 12, 14, by adding a subdivision; 256B.492; 256B.5012, by adding subdivisions; 256B.766; 256B.85, subdivision 7, by adding a subdivision; 256B.851, subdivisions 5, 6; 256I.05, by adding subdivisions; 256M.42; 256R.02, subdivision 19; 256R.17, subdivision 2; 256R.25; 256R.47; 256R.481; 256R.53, by adding subdivisions; 256S.15, subdivision 2; 256S.18, by adding a subdivision; 256S.19, subdivision 3; 256S.203, subdivisions 1, 2; 256S.205, subdivisions 3, 5; 256S.21; 256S.2101, subdivisions 1, 2, by adding subdivisions; 256S.211, by adding subdivisions; 256S.212; 256S.213; 256S.214; 256S.215, subdivisions 2, 3, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17; Laws 2019, chapter 63, article 3, section 1, as amended; Laws 2021, First Special Session chapter 7, article 16, section 28, as amended; article 17, sections 16; 20; proposing coding for new law in Minnesota Statutes, chapters 121A; 245; 245D; 254B; 256; 256I; 256S; 325F; repealing Minnesota Statutes 2022, sections 245G.05, subdivision 2; 246.18, subdivisions 2, 2a; 256B.0638, subdivisions 1, 2, 3, 4, 5, 6; 256B.0759, subdivision 6; 256B.0917, subdivisions 1a, 6, 7a, 13; 256B.4914, subdivision 9a; 256S.19, subdivision 4.

Senator Hoffman moved to amend S.F. No. 2934 as follows:

Page 44, line 4, delete the second "the" and insert "all" and delete "factor" and insert "factors"

Page 111, delete section 50

Page 132, after line 18, insert:

"Sec. 14. **INCREASED MEDICAL ASSISTANCE INCOME LIMIT FOR OLDER ADULTS AND PERSONS WITH DISABILITIES.**

Effective July 1, 2023, the commissioner of human services must increase the income limit under Minnesota Statutes, section 256B.056, subdivision 4, paragraph (a), to a level that is projected to result in a net cost to the state of \$5,000,000 for the 2026-2027 biennium."

Page 185, line 20, delete "11,266,000" and insert "11,260,000"

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

The motion prevailed. So the amendment was adopted.

Senator Dahms moved to amend S.F. No. 2934 as follows:

Page 2, after line 5, insert:

"Section 1. Minnesota Statutes 2022, section 16A.152, subdivision 1b, is amended to read:

Subd. 1b. **Budget reserve level.** (a) The commissioner of management and budget shall calculate the budget reserve level by multiplying the current biennium's general fund nondedicated revenues and the most recent budget reserve percentage under subdivision 8.

(b) If, on the basis of a November forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted general fund balance at the close of the biennium and that the provisions of subdivision 2, paragraph (a), clauses (1), ~~(2)~~, ~~(3)~~, and ~~(4)~~ to (5), are satisfied, the commissioner shall transfer to the budget reserve account in the general fund the amount necessary to increase the budget reserve to the budget reserve level determined under paragraph (a). The amount of the transfer authorized in this paragraph shall not exceed 33 percent of the positive unrestricted general fund balance determined in the forecast.

Sec. 2. Minnesota Statutes 2022, section 16A.152, subdivision 2, is amended to read:

Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of management and budget must allocate money to the following funds, accounts, and purposes in priority order:

(1) the cash flow account established in subdivision 1 until that account reaches \$350,000,000;

(2) the long-term care access fund established in section 16A.7241, subdivision 1, until the allocated amount equals the long-term care access fund contribution amount calculated in section 16A.7241, subdivision 2;

~~(2)~~ (3) the budget reserve account established in subdivision 1a until that account reaches \$2,377,399,000;

~~(3)~~ (4) the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest tenth of a percent without exceeding the amount available and with any remaining funds deposited in the budget reserve;

~~(4)~~ (5) the amount necessary to restore all or a portion of the net aid reductions under section 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75, subdivision 5, by the same amount;

~~(5)~~ (6) the amount necessary to increase the Minnesota 21st century fund by not more than the difference between \$5,000,000 and the sum of the amounts credited and canceled to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the sum of all transfers under this section and all amounts credited or canceled under Laws 2020, chapter 71, article 1, section 11, equals \$20,000,000; and

~~(6)~~ (7) for a forecast in November only, the amount remaining after the transfer under clause (5) must be used to reduce the percentage of accelerated June liability sales tax payments required under section 289A.20, subdivision 4, paragraph (b), until the percentage equals zero, rounded to the nearest tenth of a percent. By March 15 following the November forecast, the commissioner must provide the commissioner of revenue with the percentage of accelerated June liability owed based on the reduction required by this clause. By April 15 each year, the commissioner of revenue must certify the percentage of June liability owed by vendors based on the reduction required by this clause.

(b) The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released or, in the case of transfers under paragraph (a), clauses ~~(3)~~ (4) and ~~(4)~~ (5), as necessary to meet the appropriations schedules otherwise established in statute.

(c) The commissioner of management and budget shall certify the total dollar amount of the reductions under paragraph (a), clauses ~~(3)~~ (4) and ~~(4)~~ (5), to the commissioner of education. The commissioner of education shall increase the aid payment percentage and reduce the property tax shift percentage by these amounts and apply those reductions to the current fiscal year and thereafter.

Sec. 3. **[16A.7241] LONG-TERM CARE ACCESS FUND.**

Subdivision 1. Long-term care access fund established. A long-term care access fund is created in the state treasury. The fund is a direct appropriated special revenue fund. The commissioner shall deposit to the credit of the fund money made available to the fund. Notwithstanding section 11A.20, all investment income and all investment losses attributable to the investment of the long-term care access fund not currently needed shall be credited to the long-term care access fund.

Subd. 2. Contribution amount determined. The commissioner of management and budget must determine the long-term care access fund contribution amount when preparing a forecast. The long-term care access fund contribution amount is equal to any amount greater than zero resulting from subtracting the state share of the projected expenditures for the long-term care facility and long-term care waiver portions of the medical assistance program from the state share of the most recently enacted appropriation from the general fund for these portions of the medical assistance program.

Subd. 3. Allocation of contribution amount. If, on the basis of a forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium and that there will be a long-term care access fund contribution amount at the end of the biennium, the commissioner of management and budget must transfer the contribution amount to the long-term care access fund in accordance with the requirements of section 16A.152.

Subd. 4. Long-term services and supports funding. The commissioner of human services may expend money appropriated from the long-term care access fund for publicly funded long-term services and supports and for initiatives to prevent or delay the need for Minnesotans to receive publicly funded long-term care services and supports. Money appropriated by law must supplement traditional sources of funding for long-term care services and may not be used as a substitute for forecasted spending."

Page 61, after line 21, insert:

"Sec. 52. Minnesota Statutes 2022, section 289A.20, subdivision 4, is amended to read:

Subd. 4. **Sales and use tax.** (a) The taxes imposed by chapter 297A are due and payable to the commissioner monthly on or before the 20th day of the month following the month in which the taxable event occurred, or following another reporting period as the commissioner prescribes or as allowed under section 289A.18, subdivision 4, paragraph (f) or (g), except that use taxes due on an

annual use tax return as provided under section 289A.11, subdivision 1, are payable by April 15 following the close of the calendar year.

(b) A vendor having a liability of \$250,000 or more during a fiscal year ending June 30, except a vendor of construction materials as defined in paragraph (e), must remit the June liability for the next year in the following manner:

(1) Two business days before June 30 of calendar year 2020 and 2021, the vendor must remit 87.5 percent of the estimated June liability to the commissioner. Two business days before June 30 of calendar year 2022 and thereafter, the vendor must remit 84.5 percent, or a reduced percentage as certified by the commissioner under section 16A.152, subdivision 2, paragraph (a), clause ~~(6)~~ (7), of the estimated June liability to the commissioner.

(2) On or before August 20 of the year, the vendor must pay any additional amount of tax not remitted in June.

(c) A vendor having a liability of:

(1) \$10,000 or more, but less than \$250,000, during a fiscal year must remit by electronic means all liabilities on returns due for periods beginning in all subsequent calendar years on or before the 20th day of the month following the month in which the taxable event occurred, or on or before the 20th day of the month following the month in which the sale is reported under section 289A.18, subdivision 4; or

(2) \$250,000 or more during a fiscal year must remit by electronic means all liabilities in the manner provided in paragraph (a) on returns due for periods beginning in the subsequent calendar year, except that a vendor subject to the remittance requirements of paragraph (b) must remit the percentage of the estimated June liability, as provided in paragraph (b), clause (1), which is due two business days before June 30. The remaining amount of the June liability is due on August 20.

(d) Notwithstanding paragraph (b) or (c), a person prohibited by the person's religious beliefs from paying electronically shall be allowed to remit the payment by mail. The filer must notify the commissioner of revenue of the intent to pay by mail before doing so on a form prescribed by the commissioner. No extra fee may be charged to a person making payment by mail under this paragraph. The payment must be postmarked at least two business days before the due date for making the payment in order to be considered paid on a timely basis.

(e) For the purposes of paragraph (b), "vendor of construction materials" means a retailer that sells any of the following construction materials, if 50 percent or more of the retailer's sales revenue for the fiscal year ending June 30 is from the sale of those materials:

(1) lumber, veneer, plywood, wood siding, wood roofing;

(2) millwork, including wood trim, wood doors, wood windows, wood flooring; or

(3) concrete, cement, and masonry.

(f) Paragraph (b) expires after the percentage of estimated payment is reduced to zero in accordance with section 16A.152, subdivision 2, paragraph (a), clause ~~(6)~~ (7).

Sec. 53. Minnesota Statutes 2022, section 289A.60, subdivision 15, is amended to read:

Subd. 15. **Accelerated payment of June sales tax liability; penalty for underpayment.** (a) For payments made after December 31, 2019, and before December 31, 2021, if a vendor is required by law to submit an estimation of June sales tax liabilities and 87.5 percent payment by a certain date, the vendor shall pay a penalty equal to ten percent of the amount of actual June liability required to be paid in June less the amount remitted in June. The penalty must not be imposed, however, if the amount remitted in June equals the lesser of 87.5 percent of the preceding May's liability or 87.5 percent of the average monthly liability for the previous calendar year.

(b) For payments made after December 31, 2021, the penalty must not be imposed if the amount remitted in June equals the lesser of 84.5 percent, or a reduced percentage as certified by the commissioner under section 16A.152, subdivision 2, paragraph (a), clause ~~(6)~~ (7), of the preceding May's liability or 84.5 percent of the average monthly liability for the previous calendar year.

(c) This subdivision expires after the percentage of estimated payment is reduced to zero in accordance with section 16A.152, subdivision 2, paragraph (a), clause ~~(6)~~ (7)."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

### CALL OF THE SENATE

Senator Rasmusson imposed a call of the Senate for the balance of the proceedings on the Dahms amendment to S.F. No. 2934. The Sergeant at Arms was instructed to bring in the absent members.

The question was taken on the adoption of the Dahms amendment.

The roll was called, and there were yeas 33 and nays 34, as follows:

Those who voted in the affirmative were:

Abeler	Drazkowski	Howe	Limmer	Rasmusson
Anderson	Duckworth	Jasinski	Lucero	Utke
Bahr	Eichorn	Johnson	Mathews	Weber
Coleman	Farnsworth	Koran	Miller	Wesenberg
Dahms	Green	Kreun	Nelson	Westrom
Dornink	Gruenhagen	Lang	Pratt	
Draheim	Housley	Lieske	Rarick	

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Housley, Lang, Lieske, and Miller.

Those who voted in the negative were:

Boldon	Frentz	Kupec	Mohamed	Putnam
Carlson	Gustafson	Latz	Morrison	Rest
Champion	Hauschild	Mann	Murphy	Seeberger
Cwodzinski	Hawj	Marty	Oumou Verbeten	Westlin
Dibble	Hoffman	Maye Quade	Pappas	Wiklund
Dziedzic	Klein	McEwen	Pha	Xiong
Fateh	Kunesh	Mitchell	Port	

Pursuant to Rule 40, Senator Morrison cast the negative vote on behalf of the following Senators: Dziedzic, Fateh, Latz, Pappas, and Port.

The motion did not prevail. So the amendment was not adopted.

Senator Abeler moved to amend S.F. No. 2934 as follows:

Page 72, after line 14, insert:

"Section 1. [144A.141] VOLUNTARY RECEIVERSHIP.

A majority in interest of the controlling persons of a nursing home may at any time request the commissioner of health to assume the operation of the nursing home through appointment of a receiver. Upon receiving a request for a receiver, the commissioner of health may, if the commissioner deems receivership desirable, enter into an agreement with a majority in interest of the controlling persons, providing for the appointment of a receiver to take charge of the facility under conditions deemed appropriate by both parties. The agreement shall specify all terms and conditions of the receivership and shall preserve all rights of the facility residents as granted by law. A receivership initiated in accordance with this section shall terminate at the time specified by the parties or at the time when either party notifies the other in writing that the party wishes to terminate the receivership agreement."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Utke moved to amend S.F. No. 2934 as follows:

Page 163, after line 31, insert:

"Sec. 35. Minnesota Statutes 2022, section 256I.05, is amended by adding a subdivision to read:

Subd. 1u. **Supplemental rate; Douglas County.** Notwithstanding the provisions in this section, beginning July 1, 2023, a county agency shall negotiate a supplemental rate for up to 20 beds in addition to the rate specified in subdivision 1, not to exceed the maximum rate allowed under subdivision 1a, including any legislatively authorized inflationary adjustments, for a housing support provider located in Douglas County that operates two facilities and provides room and board and supplementary services to adult males recovering from substance use disorder, mental illness, or housing instability.

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

Page 189, line 18, delete "677,000" and insert "783,000" and delete "1,476,000" and insert "1,592,000"

Page 192, line 2, delete "152,161,000" and insert "152,055,000" and delete "42,807,000" and insert "42,691,000"

Page 195, line 29, delete "\$35,498,000" and insert "\$35,392,000"

Page 195, line 30, delete "\$5,099,000" and insert "\$4,983,000"

Page 195, line 34, delete "\$3,102,000" and insert "\$2,986,000"

Page 196, line 1, delete "\$3,102,000" and insert "\$2,986,000"

Page 196, line 29, delete "\$28,310,000" and insert "\$28,194,000"

Page 196, line 30, delete "\$28,060,000" and insert "\$27,944,000"

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 2934 as follows:

Page 12, after line 11, insert:

"Sec. 5. Minnesota Statutes 2022, section 245D.04, subdivision 3, is amended to read:

Subd. 3. **Protection-related rights.** (a) A person's protection-related rights include the right to:

(1) have personal, financial, service, health, and medical information kept private, and be advised of disclosure of this information by the license holder;

(2) access records and recorded information about the person in accordance with applicable state and federal law, regulation, or rule;

(3) be free from maltreatment;

(4) be free from restraint, time out, seclusion, restrictive intervention, or other prohibited procedure identified in section 245D.06, subdivision 5, or successor provisions, except for: (i) emergency use of manual restraint to protect the person from imminent danger to self or others according to the requirements in section 245D.061 or successor provisions; or (ii) the use of safety interventions as part of a positive support transition plan under section 245D.06, subdivision 8, or successor provisions;

(5) receive services in a clean and safe environment when the license holder is the owner, lessor, or tenant of the service site;

(6) be treated with courtesy and respect and receive respectful treatment of the person's property;

(7) reasonable observance of cultural and ethnic practice and religion;



(8) be free from bias and harassment regarding race, gender, age, disability, spirituality, and sexual orientation;

(9) be informed of and use the license holder's grievance policy and procedures, including knowing how to contact persons responsible for addressing problems and to appeal under section 256.045;

(10) know the name, telephone number, and the website, email, and street addresses of protection and advocacy services, including the appropriate state-appointed ombudsman, and a brief description of how to file a complaint with these offices;

(11) assert these rights personally, or have them asserted by the person's family, authorized representative, or legal representative, without retaliation;

(12) give or withhold written informed consent to participate in any research or experimental treatment;

(13) associate with other persons of the person's choice in the community;

(14) personal privacy, including the right to use the lock on the person's bedroom or unit door;

(15) engage in chosen activities; and

(16) access to the person's personal possessions at any time, including financial resources.

(b) For a person residing in a residential site licensed according to chapter 245A, or where the license holder is the owner, lessor, or tenant of the residential service site, protection-related rights also include the right to:

(1) have daily, private access to and use of a non-coin-operated telephone for local calls and long-distance calls made collect or paid for by the person;

(2) receive and send, without interference, uncensored, unopened mail or electronic correspondence or communication;

(3) have use of and free access to common areas in the residence and the freedom to come and go from the residence at will;

(4) choose the person's visitors and time of visits and have privacy for visits with the person's spouse, next of kin, legal counsel, religious adviser, or others, in accordance with section 363A.09 of the Human Rights Act, including privacy in the person's bedroom;

(5) have access to three nutritionally balanced meals and nutritious snacks between meals each day;

(6) have freedom and support to access food and potable water at any time;

(7) have the freedom to furnish and decorate the person's bedroom or living unit;

(8) a setting that is clean and free from accumulation of dirt, grease, garbage, peeling paint, mold, vermin, and insects;

(9) a setting that is free from hazards that threaten the person's health or safety; and

(10) a setting that meets the definition of a dwelling unit within a residential occupancy as defined in the State Fire Code.

(c) Restriction of a person's rights under paragraph (a), clauses (13) to (16), or paragraph (b) is allowed only if determined necessary to ensure the health, safety, and well-being of the person. Any restriction of those rights must be documented in the person's support plan or support plan addendum. The restriction must be implemented in the least restrictive alternative manner necessary to protect the person and provide support to reduce or eliminate the need for the restriction in the most integrated setting and inclusive manner. The documentation must include the following information:

(1) the justification for the restriction based on an assessment of the person's vulnerability related to exercising the right without restriction;

(2) the objective measures set as conditions for ending the restriction;

(3) a schedule for reviewing the need for the restriction based on the conditions for ending the restriction to occur semiannually from the date of initial approval, at a minimum, or more frequently if requested by the person, the person's legal representative, if any, and case manager; and

(4) signed and dated approval for the restriction from the person, or the person's legal representative, if any. A restriction may be implemented only when the required approval has been obtained. Approval may be withdrawn at any time. If approval is withdrawn, the right must be immediately and fully restored.

(d) Notwithstanding the authority of a guardian to restrict interaction with others under section 524.5-120, clause (10), for a person subject to guardianship or a person subject to conservatorship, restriction of the person's rights under paragraph (b), clause (4), is allowed for no more than 14 days unless the written notice of the restrictions imposed that was provided to the court by the guardian is acknowledged and the restrictions imposed affirmed as appropriate by the court."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 2934 as follows:

Page 111, after line 7, insert:

**"Sec. 50. DIRECTION TO COMMISSIONERS OF HUMAN SERVICES AND HEALTH;  
SMALL PROVIDER REGULATORY RELIEF.**

The commissioners of human services and health must consult with assisted living facility license holders who provide customized living and whose facilities are smaller than 11 beds to

compile a list of regulatory requirements, compliance with which is particularly difficult for small providers. The commissioners must provide the chairs and ranking minority members of the legislative committees with jurisdiction over assisted living licensure and customized living with recommendations, including draft legislation, to reduce the regulatory burden on small providers."

Page 186, line 9, delete "17,986,000" and insert "18,136,000"

Page 192, line 2, delete "152,161,000" and insert "152,011,000"

Page 195, line 29, delete "\$35,498,000" and insert "\$35,348,000"

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 2934 as follows:

Page 64, delete subdivision 4 and insert:

"Subd. 4. **Allocation of grants.** The commissioner of human services must distribute the amount appropriated in each year for the purposes under this section to qualified EIDBI agencies eligible to receive emergency grants under this section in proportion to each qualified EIDBI agency's share of unique individuals who received autism spectrum disorder treatment services in the base year, not to exceed \$750,000 per year. The base year for distributions in fiscal year 2024 is fiscal year 2022. The base year for distributions in fiscal year 2025 is fiscal year 2023. The commissioner must make the distributions in each fiscal year as soon as practicable, but no later than September 1 of each year."

Page 65, delete subdivision 5

Renumber the subdivisions in sequence

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 2934 as follows:

Page 108, delete section 47 and insert:

"Sec. 47. **DIRECTION TO COMMISSIONER; FUTURE PACE IMPLEMENTATION FUNDING.**

The commissioner of human services must work collaboratively with stakeholders to undertake an actuarial analysis of medical assistance costs for nursing home eligible beneficiaries for the purposes of establishing a monthly medical assistance capitation rate for the program of all-inclusive care for the elderly (PACE). The analysis must account for all sources of state medical assistance expenditures for nursing home eligible beneficiaries including, but not limited to, capitation payments

to plans and additional state expenditures to skilled nursing facilities consistent with Code of Federal Regulations, title 42, section 447, and long-term care costs. The commissioner must also estimate the administrative costs associated with implementing and monitoring PACE. The commissioner must provide a report to the chairs and ranking minority members of the legislative committees with jurisdiction over health care funding of the actuarial analysis, proposed capitation rate, and estimated administrative costs by December 15, 2023. The commissioner shall recommend a financing mechanism and administrative framework by March 1, 2024. By September 1, 2024, the commissioner shall inform the chairs and ranking minority members of the legislative committees with jurisdiction over health care funding on the commissioner's progress toward developing a recommended financing mechanism. For purposes of this section, the commissioner may issue or extend a request for proposal to an outside vendor."

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 2934 as follows:

Page 166, delete section 40

ReNUMBER the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed. So the amendment was adopted.

Senator Abeler moved to amend S.F. No. 2934 as follows:

Page 111, after line 12, insert:

**"Sec. 51. SENIOR HOUSING-RELATED STRESS AND MENTAL HEALTH PREVENTION.**

(a) In order to prevent inordinate mental health stress and financial distress for seniors and persons with disabilities, effective for any lease agreement entered into on or after July 1, 2023, any properties owned by a corporation founded in 1992; domiciled in Minnesota, with over 38,000 properties in 19 states as of January 1, 2023; and leasing properties in Coon Rapids, Blaine, Champlin, and elsewhere in Minnesota must not increase rents by over three percent per year for any resident.

(b) Any rent increases for residents of a property described in paragraph (a) exceeding three percent per year effective on or after January 1, 2022, must be credited by the corporation described in paragraph (a) to the affected lessees.

(c) Any fees charged to residents of a property described in paragraph (a) for repairs occurring on or after July 1, 2023, must not exceed actual costs.

(d) Beginning July 1, 2023, all residents of a property described in paragraph (a) must be permitted to park one resident-owned vehicle per unit in an indoor garage at no cost.

**EFFECTIVE DATE.** This section is effective retroactively from January 1, 2022."

Page 189, line 23, delete "5,714,767,000" and insert "5,715,267,000"

Page 191, after line 30, insert:

**"(f) Assisted living rent increase relief grants. \$500,000 in fiscal year 2024 is for grants to residents of assisted living facilities who experienced rate increases of over ten percent in calendar year 2022."**

Page 191, line 31, delete "(f)" and insert "(g)"

Page 192, line 2, delete "152,161,000" and insert "151,661,000"

Page 195, line 29, delete "\$35,498,000" and insert "\$34,998,000"

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Abeler requested division of his amendment as follows:

First portion:

Page 189, line 23, delete "5,714,767,000" and insert "5,715,267,000"

Page 191, after line 30, insert:

**"(f) Assisted living rent increase relief grants. \$500,000 in fiscal year 2024 is for grants to residents of assisted living facilities who experienced rate increases of over ten percent in calendar year 2022."**

Page 191, line 31, delete "(f)" and insert "(g)"

Page 192, line 2, delete "152,161,000" and insert "151,661,000"

Page 195, line 29, delete "\$35,498,000" and insert "\$34,998,000"

Correct the subdivision and section totals and the appropriations by fund

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The question was taken on the adoption of the first portion of the Abeler amendment. The motion prevailed. So the first portion of the amendment was adopted.

Senator Abeler withdrew the remainder of his divided amendment.

S.F. No. 2934 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 63 and nays 4, as follows:

Those who voted in the affirmative were:

Abeler	Dziedzic	Johnson	Maye Quade	Putnam
Anderson	Eichorn	Klein	McEwen	Rarick
Boldon	Farnsworth	Koran	Miller	Rasmusson
Carlson	Fateh	Kreun	Mitchell	Rest
Champion	Frentz	Kunesh	Mohamed	Seeberger
Coleman	Green	Kupec	Morrison	Utke
Cwodzinski	Gruenhagen	Lang	Murphy	Weber
Dahms	Gustafson	Latz	Nelson	Westlin
Dibble	Hauschild	Lieske	Oumou Verbeten	Westrom
Dornink	Hawj	Limmer	Pappas	Wiklund
Draheim	Hoffman	Mann	Pha	Xiong
Drazkowski	Housley	Marty	Port	
Duckworth	Jasinski	Mathews	Pratt	

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Latz, Mohamed, and Port.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Housley, Lang, Lieske, and Miller.

Those who voted in the negative were:

Bahr	Howe	Lucero	Wesenberg
------	------	--------	-----------

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

### **MOTIONS AND RESOLUTIONS - CONTINUED**

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages from the House, First Reading of House Bills, Reports of Committees, and Second Reading of Senate Bills.

### **MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1937.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 18, 2023

### **FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 1937:** A bill for an act relating to state government; establishing a budget for the Department of Military Affairs and the Department of Veterans Affairs; modifying veterans bonus program and Minnesota GI bill program provisions; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 190.19, subdivision 2a; 197.236, subdivision 9; 197.79, subdivisions 1, 2, by adding a subdivision; 197.791, subdivisions 5, 6, 7; Laws 2021, First Special Session chapter 12, article 1, section 37, subdivision 2.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2247.

### REPORTS OF COMMITTEES

Senator Kunesh moved that the Committee Reports at the Desk be now adopted.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 43 and nays 23, as follows:

Those who voted in the affirmative were:

Abeler	Fateh	Kupec	Mitchell	Putnam
Boldon	Frentz	Lang	Mohamed	Rest
Carlson	Gustafson	Latz	Morrison	Seeberger
Champion	Hauschild	Limmer	Murphy	Westlin
Cwodzinski	Hawj	Mann	Nelson	Westrom
Dibble	Hoffman	Marty	Oumou Verbeten	Wiklund
Dornink	Housley	Maye Quade	Pappas	Xiong
Draheim	Klein	McEwen	Pha	
Dziedzic	Kunesh	Miller	Port	

Pursuant to Rule 40, Senator Morrison cast the affirmative vote on behalf of the following Senators: Dziedzic, Fateh, Latz, Mohamed, and Port.

Pursuant to Rule 40, Senator Jasinski cast the affirmative vote on behalf of the following Senators: Housley, Lang, and Miller.

Those who voted in the negative were:

Anderson	Eichorn	Jasinski	Lucero	Utke
Bahr	Farnsworth	Johnson	Mathews	Weber
Coleman	Green	Koran	Pratt	Wesenberg
Dahms	Gruenhagen	Kreun	Rarick	
Drazkowski	Howe	Lieske	Rasmusson	

Pursuant to Rule 40, Senator Jasinski cast the negative vote on behalf of the following Senator: Lieske.

The motion prevailed.

### Senator Marty from the Committee on Finance, to which was re-referred

**S.F. No. 2995:** A bill for an act relating to state government; modifying provisions governing child care, child safety and permanency, child support, economic assistance, deep poverty, housing and homelessness, behavioral health, the medical education and research cost account, MinnesotaCare, medical assistance, background studies, and human services licensing; establishing the Department

of Children, Youth, and Families; making technical and conforming changes; establishing requirements for hospital nurse staffing committees and hospital nurse workload committees; modifying requirements of hospital core staffing plans; modifying requirements related to hospital preparedness and incident response action plans to acts of violence; modifying eligibility for the health professional education loan forgiveness program; establishing the Health Care Affordability Board and Health Care Affordability Advisory Council; establishing prescription contraceptive supply requirement; requiring health plan coverage of prescription contraceptives, certain services provided by a pharmacist, infertility treatment, treatment of rare diseases and conditions, and biomarker testing; modifying managed care withhold requirements; establishing filing requirements for a health plan's prescription drug formulary and for items and services provided by medical and dental practices; establishing notice and disclosure requirements for certain health care transactions; extending moratorium on certain conversion transactions; requiring disclosure of facility fees for telehealth; modifying provisions relating to the eligibility of undocumented children for MinnesotaCare and of children for medical assistance; prohibiting a medical assistance benefit plan from including cost-sharing provisions; authorizing a MinnesotaCare buy-in option; assessing alternative payment methods in rural health care; assessing feasibility for a health provider directory; requiring compliance with the No Surprises Act in billing; modifying prescription drug price provisions and continuity of care provisions; compiling health encounter data; modifying all-payer claims data provisions; establishing certain advisory councils, committees, public awareness campaigns, apprenticeship programs, and grant programs; modifying lead testing and remediation requirements; establishing Minnesota One Health Microbial Stewardship Collaborative and cultural communications program; providing for clinical health care training; establishing a climate resiliency program; changing assisted living provisions; establishing a program to monitor long COVID, a 988 suicide crisis lifeline, school-based health centers, Healthy Beginnings, Healthy Families Act, and Comprehensive and Collaborative Resource and Referral System for Children; establishing a moratorium on green burials; regulating submerged closed-loop exchanger systems; establishing a tobacco use prevention account; amending provisions relating to adoptee birth records access; establishing Office of African American Health; establishing Office of American Indian Health; changing certain health board fees; establishing easy enrollment health insurance outreach program; establishing a state-funded cost-sharing reduction program for eligible persons enrolled in certain qualified health plans; setting certain fees; requiring reports; authorizing attorney general and commissioner of health review and enforcement of certain health care transactions; authorizing rulemaking; transferring money; allocating funds for a specific purpose; making forecast adjustments; appropriating money for the Department of Human Services, Department of Health, health-related boards, emergency medical services regulatory board, ombudsperson for families, ombudsperson for American Indian families, Office of the Foster Youth Ombudsperson, Rare Disease Advisory Council, the Department of Revenue, the Department of Management and Budget, Department of Children, Youth and Families, Department of Commerce, and Health Care Affordability Board; amending Minnesota Statutes 2022, sections 4.045; 10.65, subdivision 2; 13.10, subdivision 5; 13.46, subdivision 4; 13.465, subdivision 8; 15.01; 15.06, subdivision 1; 15A.0815, subdivision 2; 16A.151, subdivision 2; 43A.08, subdivision 1a; 62A.02, subdivision 1; 62A.045; 62A.15, subdivision 4, by adding a subdivision; 62A.30, by adding subdivisions; 62A.673, subdivision 2; 62J.497, subdivisions 1, 3; 62J.692, subdivisions 1, 3, 4, 5, 8; 62J.824; 62J.84, subdivisions 2, 3, 4, 6, 7, 8, 9, by adding subdivisions; 62K.10, subdivision 4; 62K.15; 62U.04, subdivisions 4, 5, 5a, 11, by adding subdivisions; 62U.10, subdivision 7; 103I.005, subdivisions 17a, 20a, by adding a subdivision; 119B.011, subdivisions 2, 5, 13, 19a; 119B.025, subdivision 4; 119B.03, subdivision 4a; 119B.125, subdivisions 1, 1a, 1b, 2, 3, 4, 6, 7; 119B.13, subdivisions 1, 6; 119B.16, subdivisions 1c, 3; 119B.161,



subdivisions 2, 3; 119B.19, subdivision 7; 121A.335, subdivisions 3, 5, by adding a subdivision; 144.05, by adding a subdivision; 144.122; 144.1501, subdivisions 1, 2, 3, 4, 5; 144.1506, subdivision 4; 144.218, subdivisions 1, 2; 144.225, subdivision 2; 144.2252; 144.226, subdivisions 3, 4; 144.566; 144.608, subdivision 1; 144.651, by adding a subdivision; 144.653, subdivision 5; 144.7055; 144.7067, subdivision 1; 144.9501, subdivision 9; 144E.001, subdivision 1, by adding a subdivision; 144E.35; 145.4716, subdivision 3; 145.87, subdivision 4; 145.924; 145A.131, subdivisions 1, 2, 5; 145A.14, by adding a subdivision; 147A.08; 148B.392, subdivision 2; 150A.08, subdivisions 1, 5; 150A.091, by adding a subdivision; 150A.13, subdivision 10; 151.065, subdivisions 1, 2, 3, 4, 6; 151.071, subdivision 2; 151.555; 151.74, subdivisions 3, 4; 152.126, subdivisions 4, 5, 6, 9; 245.095; 245.4663, subdivision 4; 245.4889, subdivision 1; 245A.02, subdivision 2c; 245A.04, subdivisions 1, 7a; 245A.05; 245A.055, subdivision 2; 245A.06, subdivisions 1, 2, 4; 245A.07, subdivision 3; 245A.16, by adding a subdivision; 245A.50, subdivisions 3, 4, 5, 6, 9; 245C.02, subdivision 13e; 245C.04, subdivision 1; 245C.05, subdivisions 1, 2c, 4; 245C.10, subdivisions 2, 3, 4, 5, 6, 8, 9, 9a, 10, 11, 12, 13, 14, 16, 17, 20, 21, by adding a subdivision; 245C.17, subdivisions 2, 3, 6; 245C.22, subdivision 7; 245C.23, subdivisions 1, 2; 245C.32, subdivision 2; 245G.03, subdivision 1; 245H.03, subdivisions 2, 4; 245H.06, subdivisions 1, 2; 245H.07, subdivisions 1, 2; 245I.011, subdivision 3; 245I.20, subdivisions 10, 13, 14, 16; 254B.02, subdivision 5; 256.01, by adding a subdivision; 256.014, subdivisions 1, 2; 256.046, subdivision 3; 256.0471, subdivision 1; 256.962, subdivision 5; 256.969, subdivisions 2b, 9, 25, by adding a subdivision; 256.983, subdivision 5; 256B.04, by adding a subdivision; 256B.055, subdivision 17; 256B.056, subdivision 7; 256B.0625, subdivisions 9, 13, 13c, 13f, 13g, 28b, 30, 31, 34, 49, by adding subdivisions; 256B.0631, subdivision 2, by adding a subdivision; 256B.0941, by adding a subdivision; 256B.196, subdivision 2; 256B.69, subdivisions 4, 5a, 6d, 28, 36; 256B.692, subdivision 1; 256B.75; 256B.758; 256B.76, subdivisions 1, 2, 4; 256B.761; 256B.764; 256D.01, subdivision 1a; 256D.024, subdivision 1; 256D.03, by adding a subdivision; 256D.06, subdivision 5; 256D.44, subdivision 5; 256D.63, subdivision 2; 256E.34, subdivision 4; 256E.35, subdivisions 1, 2, 3, 4a, 6, 7; 256I.03, subdivisions 7, 13; 256I.04, subdivision 1; 256I.06, subdivisions 6, 8, by adding a subdivision; 256J.08, subdivisions 71, 79; 256J.11, subdivision 1; 256J.21, subdivisions 3, 4; 256J.26, subdivision 1; 256J.33, subdivisions 1, 2; 256J.35; 256J.37, subdivisions 3, 3a; 256J.425, subdivisions 1, 4, 5, 7; 256J.46, subdivisions 1, 2, 2a; 256J.95, subdivision 19; 256L.03, subdivision 5; 256L.04, subdivisions 7a, 10, by adding a subdivision; 256L.07, subdivision 1; 256L.15, subdivision 2; 256N.26, subdivision 12; 256P.01, by adding subdivisions; 256P.02, subdivision 2, by adding subdivisions; 256P.04, subdivisions 4, 8; 256P.06, subdivision 3, by adding a subdivision; 256P.07, subdivisions 1, 2, 3, 4, 6, 7, by adding subdivisions; 259.83, subdivisions 1, 1a, 1b, by adding a subdivision; 260.761, subdivision 2; 260C.007, subdivisions 6, 14; 260C.317, subdivision 4; 260C.80, subdivision 1; 260E.01; 260E.02, subdivision 1; 260E.03, subdivision 22, by adding subdivisions; 260E.09; 260E.14, subdivisions 2, 5; 260E.17, subdivision 1; 260E.18; 260E.20, subdivision 2; 260E.24, subdivisions 2, 7; 260E.33, subdivision 1; 260E.35, subdivision 6; 270B.14, subdivision 1, by adding a subdivision; 297F.10, subdivision 1; 403.161, subdivisions 1, 3, 5, 6, 7; 403.162, subdivisions 1, 2, 5; 518A.31; 518A.32, subdivisions 3, 4; 518A.34; 518A.41; 518A.42, subdivisions 1, 3; 518A.65; 518A.77; 609B.425, subdivision 2; 609B.435, subdivision 2; Laws 2017, First Special Session chapter 6, article 5, section 11, as amended; Laws 2021, First Special Session chapter 7, article 6, section 26; article 17, section 5, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 62A; 62D; 62J; 62Q; 62V; 103I; 119B; 144; 144E; 145; 148; 245; 256B; 256E; 256K; 256N; 256P; 260; 290; proposing coding for new law as Minnesota Statutes, chapters 143; 245J; repealing Minnesota Statutes 2022, sections 62J.692, subdivisions 4a, 7, 7a; 119B.03, subdivision 4; 137.38, subdivision 1; 144.059, subdivision 10; 144.212, subdivision 11; 245C.02, subdivision 14b; 245C.032; 245C.11, subdivision

3; 245C.30, subdivision 1a; 256.8799; 256.9864; 256B.0631, subdivisions 1, 2, 3; 256B.69, subdivision 5c; 256J.08, subdivisions 10, 53, 61, 62, 81, 83; 256J.30, subdivisions 5, 7, 8; 256J.33, subdivisions 3, 4, 5; 256J.34, subdivisions 1, 2, 3, 4; 256J.37, subdivision 10; 259.83, subdivision 3; 259.89; 260C.637.

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

Page 17, line 12, after "following" insert "final"

Page 31, delete sections 19 and 20 and insert:

"Sec. 19. Minnesota Statutes 2022, section 256B.0625, is amended by adding a subdivision to read:

Subd. 70. Coverage of services for the diagnosis, monitoring, and treatment of rare diseases.  
(a) Medical assistance covers services related to the diagnosis, monitoring, and treatment of a rare disease or condition. Medical assistance coverage for these services must meet the requirements in section 62Q.451.

(b) Coverage for a service must not be denied solely on the basis that it was provided by, referred for, or ordered by an out-of-network provider.

(c) Any prior authorization requirements for a service that is provided by, referred for, or ordered by an out-of-network provider must be the same as any prior authorization requirements for a service that is provided by, referred for, or ordered by an in-network provider.

(d) Nothing in this subdivision requires a managed care or county-based purchasing plan to provide coverage for a service that is not covered under medical assistance.

**EFFECTIVE DATE.** This section is effective January 1, 2024."

Page 32, delete section 21

Page 32, line 17, delete everything after "(a)" and insert "Medical assistance covers medical treatment or services provided by a licensed pharmacist, to the extent the medical treatment or services are within the pharmacist's scope of practice, if medical assistance covers the same medical treatment or services provided by a licensed physician."

Page 32, delete lines 18 and 19

Page 32, line 20, delete everything before "This"

Page 46, delete lines 17 to 27 and insert:

"(b) Managed care plans and county-based purchasing plans must reimburse pharmacies for outpatient drugs dispensed to enrollees as follows:

(1) for brand name drugs or multisource brand name drugs prescribed in accordance with Code of Federal Regulations, title 42, section 447.512(c), a dispensing fee equal to one-half of the fee-for-service dispensing fee in section 256B.0625, subdivision 13e, paragraph (a), plus the lesser

of the National Average Drug Acquisition Cost for brand name drugs; the Wholesale Acquisition Cost minus two percent; the maximum allowable cost as defined in chapter 62W; or the submitted charges;

(2) for generic drugs or multisource brand name drugs, unless the multisource brand name drug is prescribed in accordance with Code of Federal Regulations, title 42, section 447.512(c), a dispensing fee equal to one-half of the fee-for-service dispensing fee in section 256B.0625, subdivision 13e, paragraph (a), plus the lesser of the National Average Drug Acquisition Cost for brand drugs; the National Average Drug Acquisition Cost for generic drugs; the Wholesale Acquisition Cost minus two percent; the maximum allowable cost; or the submitted charges;

(3) for drugs purchased through the 340B drug program, as allowed in section 62W.07, managed care plans and county-based purchasing plans may pay a rate less than the rate under clause (1) for brand name drugs or less than the rate under clause (2) for generic drugs, but are not required to apply the 340B drug ceiling price limit in section 256B.0625, subdivision 13e; and

(4) for charges submitted by a pharmacy that are less than the rate under clause (1) for brand name drugs or less than the rate under clause (2) for generic drugs, managed care plans and county-based purchasing plans may pay a lower rate equal to the submitted charges.

(c) Contracts between managed care plans and county-based purchasing plans and providers to whom paragraph (b) applies must allow recovery of payments from those providers if capitation rates are adjusted in accordance with paragraph (b). Payment recoveries must not exceed an amount equal to any increase in rates that results from paragraph (b). Paragraph (b) must not be implemented if federal approval is not received for paragraph (b), or if federal approval is withdrawn at any time."

Page 46, line 30, delete "Paragraph (b) is" and insert "Paragraphs (b) and (c) are"

Page 46, after line 33, insert:

"Sec. 27. Minnesota Statutes 2022, section 256B.69, is amended by adding a subdivision to read:

**Subd. 19a. Limitation on reimbursement; rare disease services provided in Minnesota by out-of-network providers.** (a) If a managed care or county-based purchasing plan has an established contractual payment under medical assistance with an out-of-network provider for a service provided in Minnesota related to the diagnosis, monitoring, and treatment of a rare disease or condition, the provider must accept the established contractual payment for that service as payment in full.

(b) If a plan does not have an established contractual payment under medical assistance with an out-of-network provider for a service provided in Minnesota related to the diagnosis, monitoring, and treatment of a rare disease or condition, the provider must accept the provider's established rate for uninsured patients for that service as payment in full. If the provider does not have an established rate for uninsured patients for that service, the provider must accept the fee-for-service rate.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 28. Minnesota Statutes 2022, section 256B.69, is amended by adding a subdivision to read:

Subd. 19b. **Limitation on reimbursement; rare disease services provided outside of Minnesota by an out-of-network provider.** (a) If a managed care or county-based purchasing plan has an established contractual payment under medical assistance with an out-of-network provider for a service provided in another state related to diagnosis, monitoring, and treatment of a rare disease or condition, the plan must pay the established contractual payment for that service.

(b) If a plan does not have an established contractual payment under medical assistance with an out-of-network provider for a service provided in another state related to diagnosis, monitoring, and treatment of a rare disease or condition, the plan must pay the provider's established rate for uninsured patients for that service. If the provider does not have an established rate for uninsured patients for that service, the plan must pay the provider the fee-for-service rate in that state.

**EFFECTIVE DATE.** This section is effective January 1, 2024."

Page 52, delete section 34 and insert:

"Sec. 34. Minnesota Statutes 2022, section 256B.76, as amended by Laws 2023, chapter 25, section 145, is amended to read:

**256B.76 PHYSICIAN, PROFESSIONAL SERVICES, AND DENTAL REIMBURSEMENT.**

Subdivision 1. **Physician and professional services reimbursement.** (a) Effective for services rendered on or after October 1, 1992, the commissioner shall make payments for physician services as follows:

(1) payment for level one Centers for Medicare and Medicaid Services' common procedural coding system codes titled "office and other outpatient services," "preventive medicine new and established patient," "delivery, antepartum, and postpartum care," "critical care," cesarean delivery and pharmacologic management provided to psychiatric patients, and level three codes for enhanced services for prenatal high risk, shall be paid at the lower of (i) submitted charges, or (ii) 25 percent above the rate in effect on June 30, 1992;

(2) payments for all other services shall be paid at the lower of (i) submitted charges, or (ii) 15.4 percent above the rate in effect on June 30, 1992; and

(3) all physician rates shall be converted from the 50th percentile of 1982 to the 50th percentile of 1989, less the percent in aggregate necessary to equal the above increases except that payment rates for home health agency services shall be the rates in effect on September 30, 1992.

(b) Effective for services rendered on or after January 1, 2000, payment rates for physician and professional services shall be increased by three percent over the rates in effect on December 31, 1999, except for home health agency and family planning agency services. The increases in this paragraph shall be implemented January 1, 2000, for managed care.

(c) Effective for services rendered on or after July 1, 2009, payment rates for physician and professional services shall be reduced by five percent, except that for the period July 1, 2009, through June 30, 2010, payment rates shall be reduced by 6.5 percent for the medical assistance and general assistance medical care programs, over the rates in effect on June 30, 2009. This reduction and the reductions in paragraph (d) do not apply to office or other outpatient visits, preventive medicine

visits and family planning visits billed by physicians, advanced practice registered nurses, or physician assistants in a family planning agency or in one of the following primary care practices: general practice, general internal medicine, general pediatrics, general geriatrics, and family medicine. This reduction and the reductions in paragraph (d) do not apply to federally qualified health centers, rural health centers, and Indian health services. Effective October 1, 2009, payments made to managed care plans and county-based purchasing plans under sections 256B.69, 256B.692, and 256L.12 shall reflect the payment reduction described in this paragraph.

(d) Effective for services rendered on or after July 1, 2010, payment rates for physician and professional services shall be reduced an additional seven percent over the five percent reduction in rates described in paragraph (c). This additional reduction does not apply to physical therapy services, occupational therapy services, and speech pathology and related services provided on or after July 1, 2010. This additional reduction does not apply to physician services billed by a psychiatrist or an advanced practice registered nurse with a specialty in mental health. Effective October 1, 2010, payments made to managed care plans and county-based purchasing plans under sections 256B.69, 256B.692, and 256L.12 shall reflect the payment reduction described in this paragraph.

(e) Effective for services rendered on or after September 1, 2011, through June 30, 2013, payment rates for physician and professional services shall be reduced three percent from the rates in effect on August 31, 2011. This reduction does not apply to physical therapy services, occupational therapy services, and speech pathology and related services.

(f) Effective for services rendered on or after September 1, 2014, payment rates for physician and professional services, including physical therapy, occupational therapy, speech pathology, and mental health services shall be increased by five percent from the rates in effect on August 31, 2014. In calculating this rate increase, the commissioner shall not include in the base rate for August 31, 2014, the rate increase provided under section 256B.76, subdivision 7. This increase does not apply to federally qualified health centers, rural health centers, and Indian health services. Payments made to managed care plans and county-based purchasing plans shall not be adjusted to reflect payments under this paragraph.

(g) Effective for services rendered on or after July 1, 2015, payment rates for physical therapy, occupational therapy, and speech pathology and related services provided by a hospital meeting the criteria specified in section 62Q.19, subdivision 1, paragraph (a), clause (4), shall be increased by 90 percent from the rates in effect on June 30, 2015. Payments made to managed care plans and county-based purchasing plans shall not be adjusted to reflect payments under this paragraph.

(h) Any ratables effective before July 1, 2015, do not apply to early intensive developmental and behavioral intervention (EIDBI) benefits described in section 256B.0949.

(i) The commissioner may reimburse physicians and other licensed professionals for costs incurred to pay the fee for testing newborns who are medical assistance enrollees for heritable and congenital disorders under section 144.125, subdivision 1, paragraph (c), when the sample is collected outside of an inpatient hospital or freestanding birth center and the cost is not recognized by another payment source.

Subd. 2. **Dental reimbursement.** (a) Effective for services rendered ~~on or after~~ from October 1, 1992, to December 31, 2023, the commissioner shall make payments for dental services as follows:

(1) dental services shall be paid at the lower of (i) submitted charges, or (ii) 25 percent above the rate in effect on June 30, 1992; and

(2) dental rates shall be converted from the 50th percentile of 1982 to the 50th percentile of 1989, less the percent in aggregate necessary to equal the above increases.

(b) ~~Beginning~~ From October 1, 1999, to December 31, 2023, the payment for tooth sealants and fluoride treatments shall be the lower of (1) submitted charge, or (2) 80 percent of median 1997 charges.

(c) Effective for services rendered ~~on or after~~ from January 1, 2000, to December 31, 2023, payment rates for dental services shall be increased by three percent over the rates in effect on December 31, 1999.

(d) Effective for services provided ~~on or after~~ from January 1, 2002, to December 31, 2023, payment for diagnostic examinations and dental x-rays provided to children under age 21 shall be the lower of (1) the submitted charge, or (2) 85 percent of median 1999 charges.

(e) The increases listed in paragraphs (b) and (c) shall be implemented January 1, 2000, for managed care.

(f) Effective for dental services rendered on or after October 1, 2010, by a state-operated dental clinic, payment shall be paid on a reasonable cost basis that is based on the Medicare principles of reimbursement. This payment shall be effective for services rendered on or after January 1, 2011, to recipients enrolled in managed care plans or county-based purchasing plans.

(g) Beginning in fiscal year 2011, if the payments to state-operated dental clinics in paragraph (f), including state and federal shares, are less than \$1,850,000 per fiscal year, a supplemental state payment equal to the difference between the total payments in paragraph (f) and \$1,850,000 shall be paid from the general fund to state-operated services for the operation of the dental clinics.

~~(h) Effective for services rendered on or after January 1, 2014, through December 31, 2021, payment rates for dental services shall be increased by five percent from the rates in effect on December 31, 2013. This increase does not apply to state-operated dental clinics in paragraph (f), federally qualified health centers, rural health centers, and Indian health services. Effective January 1, 2014, payments made to managed care plans and county-based purchasing plans under sections 256B.69, 256B.692, and 256L.12 shall reflect the payment increase described in this paragraph.~~

~~(i) Effective for services provided on or after January 1, 2017, through December 31, 2021, the commissioner shall increase payment rates by 9.65 percent for dental services provided outside of the seven-county metropolitan area. This increase does not apply to state-operated dental clinics in paragraph (f), federally qualified health centers, rural health centers, or Indian health services. Effective January 1, 2017, payments to managed care plans and county-based purchasing plans under sections 256B.69 and 256B.692 shall reflect the payment increase described in this paragraph.~~

~~(j)~~ Effective for services provided on or after July 1, 2017, through December 31, 2021, the commissioner shall increase payment rates by 23.8 percent for dental services provided to enrollees under the age of 21. This rate increase does not apply to state-operated dental clinics in paragraph (f), federally qualified health centers, rural health centers, or Indian health centers. This rate increase does not apply to managed care plans and county-based purchasing plans.

~~(h)~~ (h) Effective for services provided on or after January 1, 2022, the commissioner shall exclude from medical assistance and MinnesotaCare payments for dental services to public health and community health clinics the 20 percent increase authorized under Laws 1989, chapter 327, section 5, subdivision 2, paragraph (b).

~~(i)~~ (i) Effective for services provided ~~on or after~~ from January 1, 2022, to December 31, 2023, the commissioner shall increase payment rates by 98 percent for all dental services. This rate increase does not apply to state-operated dental clinics, federally qualified health centers, rural health centers, or Indian health services.

~~(j)~~ (j) Managed care plans and county-based purchasing plans shall reimburse providers at a level that is at least equal to the rate paid under fee-for-service for dental services. If, for any coverage year, federal approval is not received for this paragraph, the commissioner must adjust the capitation rates paid to managed care plans and county-based purchasing plans for that contract year to reflect the removal of this provision. Contracts between managed care plans and county-based purchasing plans and providers to whom this paragraph applies must allow recovery of payments from those providers if capitation rates are adjusted in accordance with this paragraph. Payment recoveries must not exceed an amount equal to any increase in rates that results from this provision. If, for any coverage year, federal approval is not received for this paragraph, the commissioner shall not implement this paragraph for subsequent coverage years.

(k) Effective for services provided on or after January 1, 2024, payment for dental services must be the lower of submitted charges or the percentile of 2018-submitted charges from claims paid by the commissioner so that the total aggregate expenditures does not exceed the total spend as outlined in the applicable paragraphs (a) to (k). This paragraph does not apply to federally qualified health centers, rural health centers, state-operated dental clinics, or Indian health centers.

(l) Beginning January 1, 2027, and every three years thereafter, the commissioner shall rebase payment rates for dental services to a percentile of submitted charges for the applicable base year using charge data from claims paid by the commissioner so that the total aggregate expenditures does not exceed the total spend as outlined in paragraph (k) plus the change in the Medicare Economic Index (MEI). In 2027, the change in the MEI must be measured from midyear of 2024 and 2026. For each subsequent rebasing, the change in the MEI must be measured between the years that are one year after the rebasing years. The base year used for each rebasing must be the calendar year that is two years prior to the effective date of the rebasing. This paragraph does not apply to federally qualified health centers, rural health centers, state-operated dental clinics, or Indian health centers.

Subd. 3. **Dental services grants.** (a) The commissioner shall award grants to community clinics or other nonprofit community organizations, political subdivisions, professional associations, or other organizations that demonstrate the ability to provide dental services effectively to public program recipients. Grants may be used to fund the costs related to coordinating access for recipients, developing and implementing patient care criteria, upgrading or establishing new facilities, acquiring

furnishings or equipment, recruiting new providers, or other development costs that will improve access to dental care in a region. In awarding grants, the commissioner shall give priority to applicants that plan to serve areas of the state in which the number of dental providers is not currently sufficient to meet the needs of recipients of public programs or uninsured individuals. The commissioner shall consider the following in awarding the grants:

- (1) potential to successfully increase access to an underserved population;
- (2) the ability to raise matching funds;
- (3) the long-term viability of the project to improve access beyond the period of initial funding;
- (4) the efficiency in the use of the funding; and
- (5) the experience of the proposers in providing services to the target population.

(b) The commissioner shall monitor the grants and may terminate a grant if the grantee does not increase dental access for public program recipients. The commissioner shall consider grants for the following:

(1) implementation of new programs or continued expansion of current access programs that have demonstrated success in providing dental services in underserved areas;

(2) a pilot program for utilizing hygienists outside of a traditional dental office to provide dental hygiene services; and

(3) a program that organizes a network of volunteer dentists, establishes a system to refer eligible individuals to volunteer dentists, and through that network provides donated dental care services to public program recipients or uninsured individuals.

**Subd. 4. Critical access dental providers.** ~~(a) The commissioner shall increase reimbursements to dentists and dental clinics deemed by the commissioner to be critical access dental providers. For dental services rendered on or after July 1, 2016, through December 31, 2021, the commissioner shall increase reimbursement by 37.5 percent above the reimbursement rate that would otherwise be paid to the critical access dental provider, except as specified under paragraph (b). The commissioner shall pay the managed care plans and county-based purchasing plans in amounts sufficient to reflect increased reimbursements to critical access dental providers as approved by the commissioner.~~

~~(b) For dental services rendered on or after July 1, 2016, through December 31, 2021, by a dental clinic or dental group that meets the critical access dental provider designation under paragraph (f), clause (4), and is owned and operated by a health maintenance organization licensed under chapter 62D, the commissioner shall increase reimbursement by 35 percent above the reimbursement rate that would otherwise be paid to the critical access provider.~~

~~(c)~~ (a) The commissioner shall increase reimbursement to dentists and dental clinics deemed by the commissioner to be critical access dental providers. For dental services provided on or after January 1, 2022, by a dental provider deemed to be a critical access dental provider under paragraph ~~(f)~~ (d), the commissioner shall increase reimbursement by 20 percent above the reimbursement rate



that would otherwise be paid to the critical access dental provider. This paragraph does not apply to federally qualified health centers, rural health centers, state-operated dental clinics, or Indian health centers.

~~(d)~~ (b) Managed care plans and county-based purchasing plans shall increase reimbursement to critical access dental providers by at least the amount specified in paragraph ~~(e)~~ (c). If, for any coverage year, federal approval is not received for this paragraph, the commissioner must adjust the capitation rates paid to managed care plans and county-based purchasing plans for that contract year to reflect the removal of this provision. Contracts between managed care plans and county-based purchasing plans and providers to whom this paragraph applies must allow recovery of payments from those providers if capitation rates are adjusted in accordance with this paragraph. Payment recoveries must not exceed an amount equal to any increase in rates that results from this provision. If, for any coverage year, federal approval is not received for this paragraph, the commissioner shall not implement this paragraph for subsequent coverage years.

~~(e)~~ (c) Critical access dental payments made under this subdivision for dental services provided by a critical access dental provider to an enrollee of a managed care plan or county-based purchasing plan must not reflect any capitated payments or cost-based payments from the managed care plan or county-based purchasing plan. The managed care plan or county-based purchasing plan must base the additional critical access dental payment on the amount that would have been paid for that service had the dental provider been paid according to the managed care plan or county-based purchasing plan's fee schedule that applies to dental providers that are not paid under a capitated payment or cost-based payment.

~~(f)~~ (d) The commissioner shall designate the following dentists and dental clinics as critical access dental providers:

(1) nonprofit community clinics that:

(i) have nonprofit status in accordance with chapter 317A;

(ii) have tax exempt status in accordance with the Internal Revenue Code, section 501(c)(3);

(iii) are established to provide oral health services to patients who are low income, uninsured, have special needs, and are underserved;

(iv) have professional staff familiar with the cultural background of the clinic's patients;

(v) charge for services on a sliding fee scale designed to provide assistance to low-income patients based on current poverty income guidelines and family size;

(vi) do not restrict access or services because of a patient's financial limitations or public assistance status; and

(vii) have free care available as needed;

(2) federally qualified health centers, rural health clinics, and public health clinics;

(3) hospital-based dental clinics owned and operated by a city, county, or former state hospital as defined in section 62Q.19, subdivision 1, paragraph (a), clause (4);

(4) a dental clinic or dental group owned and operated by a nonprofit corporation in accordance with chapter 317A with more than 10,000 patient encounters per year with patients who are uninsured or covered by medical assistance or MinnesotaCare;

(5) a dental clinic owned and operated by the University of Minnesota or the Minnesota State Colleges and Universities system; and

(6) private practicing dentists if:

(i) the dentist's office is located within the seven-county metropolitan area and more than 50 percent of the dentist's patient encounters per year are with patients who are uninsured or covered by medical assistance or MinnesotaCare; or

(ii) the dentist's office is located outside the seven-county metropolitan area and more than 25 percent of the dentist's patient encounters per year are with patients who are uninsured or covered by medical assistance or MinnesotaCare.

**Subd. 5. Outpatient rehabilitation facility.** An entity that operates both a Medicare certified comprehensive outpatient rehabilitation facility and a facility which was certified prior to January 1, 1993, that is licensed under Minnesota Rules, parts 9570.2000 to 9570.3400, and for whom at least 33 percent of the clients receiving rehabilitation services in the most recent calendar year are medical assistance recipients, shall be reimbursed by the commissioner for rehabilitation services at rates that are 38 percent greater than the maximum reimbursement rate allowed under subdivision 1, paragraph (a), clause (2), when those services are (1) provided within the comprehensive outpatient rehabilitation facility and (2) provided to residents of nursing facilities owned by the entity.

**Subd. 6. Medicare relative value units.** Effective for services rendered on or after January 1, 2007, the commissioner shall make payments for physician and professional services based on the Medicare relative value units (RVU's). This change shall be budget neutral and the cost of implementing RVU's will be incorporated in the established conversion factor.

**Subd. 7. Payment for certain primary care services and immunization administration.** Payment for certain primary care services and immunization administration services rendered on or after January 1, 2013, through December 31, 2014, shall be made in accordance with section 1902(a)(13) of the Social Security Act.

**EFFECTIVE DATE.** This section is effective January 1, 2024, or upon federal approval, whichever is later. The commissioner of human services shall notify the revisor of statutes when federal approval is obtained.

Page 54, delete section 35

Page 56, delete section 36

Page 59, line 21, delete "35" and insert "eight"

Page 59, line 25, after the period, insert "For payments made in accordance with this paragraph, if and to the extent that the commissioner identifies that the state has received federal financial participation for behavioral health services in excess of the amount allowed under United States

Code, title 42, section 447.321, the state shall repay the excess amount to the Centers for Medicare and Medicaid Services with state money and maintain the full payment rate under this paragraph."

Page 62, lines 1, 4, 7, and 10, after "Statutes" insert "2022"

Page 64, line 5, delete "purpose" and insert "purposes"

Page 66, line 33, delete everything after "All" and insert "policies or contracts referred to in subdivision 1 must provide benefits relating to expenses incurred for medical treatment or services provided by a licensed pharmacist, according to the requirements of section 151.01, to the extent the medical treatment or services are within the pharmacist's scope of practice, if such a policy or contract provides the benefits relating to expenses incurred for the same medical treatment or services provided by a licensed physician."

Page 66, delete line 34

Page 67, delete lines 1 to 3

Page 69, line 23, delete everything after "All" and insert "health maintenance contracts must provide benefits relating to expenses incurred for medical treatment or services provided by a licensed pharmacist, to the extent the medical treatment or services are within the pharmacist's scope of practice, if the health maintenance contract provides benefits relating to expenses incurred for the same medical treatment or services provided by a licensed physician."

Page 69, delete lines 24 to 26

Page 72, after line 21, insert:

"Sec. 12. **[62J.811] PROVIDER BALANCE BILLING REQUIREMENTS.**

Subdivision 1. **Billing requirements.** (a) Each health care provider and health facility shall comply with the federal Consolidated Appropriations Act, 2021, Division BB also known as the "No Surprises Act," including any federal regulations adopted under that act.

(b) For the purposes of this section, "provider" or "facility" means any health care provider or facility pursuant to section 62A.63, subdivision 2, or 62J.03, subdivision 8, that is subject to relevant provisions of the No Surprises Act.

Subd. 2. **Investigations and compliance.** (a) The commissioner shall, to the extent practicable, seek the cooperation of health care providers and facilities, and may provide any support and assistance as available, in obtaining compliance with this section.

(b) The commissioner shall determine the manner and processes for fulfilling any responsibilities and taking any of the actions in paragraphs (c) to (f).

(c) A person who believes a health care provider or facility has not complied with the requirements of the No Surprises Act or this section may file a complaint with the commissioner in the manner determined by the commissioner.

(d) The commissioner shall conduct compliance reviews and investigate complaints filed under this section in the manner determined by the commissioner to ascertain whether health care providers and facilities are complying with this section.

(e) The commissioner may report violations under this section to other relevant federal and state departments and jurisdictions as appropriate, including the attorney general and relevant licensing boards, and may also coordinate on investigations and enforcement of this section with other relevant federal and state departments and jurisdictions as appropriate, including the attorney general and relevant licensing boards.

(f) A health care provider or facility may contest whether the finding of facts constitute a violation of this section according to the contested case proceeding in sections 14.57 to 14.62, subject to appeal according to sections 14.63 to 14.68.

(g) Any data collected by the commissioner as part of an active investigation or active compliance review under this section are classified (1) if the data is not on individuals, it is classified as protected nonpublic data pursuant to section 13.02 subdivision 13; or (2) if the data is on individuals, it is classified as confidential pursuant to sections 13.02, subdivision 3. Data describing the final disposition of an investigative or compliance review are classified as public.

Subd. 3. **Civil penalty.** (a) The commissioner, in monitoring and enforcing this section, may levy a civil monetary penalty against each health care provider or facility found to be in violation of up to \$100 for each violation, but may not exceed \$25,000 for identical violations during a calendar year.

(b) No civil monetary penalty shall be imposed under this section for violations that occur prior to January 1, 2024."

Page 76, line 12, strike "an original," and insert "a"

Page 76, lines 15 and 21, strike "45" and insert "42"

Page 77, line 2, after "Administration" insert "(FDA)"

Page 77, after line 11, insert:

"(k) "30-day supply" means the total daily dosage units of a prescription drug recommended by the prescribing label approved by the FDA for 30 days. If the FDA-approved prescribing label includes more than one recommended daily dosage, the 30-day supply is based on the maximum recommended daily dosage on the FDA-approved prescribing label.

(l) "Course of treatment" means the total dosage of a single prescription for a prescription drug recommended by the FDA-approved prescribing label. If the FDA-approved prescribing label includes more than one recommended dosage for a single course of treatment, the course of treatment is the maximum recommended dosage on the FDA-approved prescribing label.

(m) "Drug product family" means a group of one or more prescription drugs that share a unique generic drug description or nontrade name and dosage form.

(n) "National drug code" means the three-segment code maintained by the federal Food and Drug Administration that includes a labeler code, a product code, and a package code for a drug product and that has been converted to an 11-digit format consisting of five digits in the first segment, four digits in the second segment, and two digits in the third segment. A three-segment code shall be considered converted to an 11-digit format when, as necessary, at least one "0" has been added to the front of each segment containing less than the specified number of digits such that each segment contains the specified number of digits.

(o) "Pharmacy" or "pharmacy provider" means a place of business licensed by the Board of Pharmacy under section 151.19 in which prescription drugs are prepared, compounded, or dispensed under the supervision of a pharmacist.

(p) "Pharmacy benefits manager" or "PBM" means an entity licensed to act as a pharmacy benefits manager under section 62W.03.

(q) "Pricing unit" means the smallest dispensable amount of a prescription drug product that could be dispensed.

(r) "Reporting entity" means any manufacturer, pharmacy, pharmacy benefits manager, wholesale drug distributor, or any other entity required to submit data under this section.

(s) "Wholesale drug distributor" or "wholesaler" means an entity that:

(1) is licensed to act as a wholesale drug distributor under section 151.47; and

(2) distributes prescription drugs, for which it is not the manufacturer, to persons or entities, or both, other than a consumer or patient in the state."

Page 77, before line 12, insert:

"Sec. 16. Minnesota Statutes 2022, section 62J.84, subdivision 3, is amended to read:

Subd. 3. **Prescription drug price increases reporting.** (a) Beginning January 1, 2022, a drug manufacturer must submit to the commissioner the information described in paragraph (b) for each prescription drug for which the price was \$100 or greater for a 30-day supply or for a course of treatment lasting less than 30 days and:

(1) for brand name drugs where there is an increase of ten percent or greater in the price over the previous 12-month period or an increase of 16 percent or greater in the price over the previous 24-month period; and

(2) for generic or biosimilar drugs where there is an increase of 50 percent or greater in the price over the previous 12-month period.

(b) For each of the drugs described in paragraph (a), the manufacturer shall submit to the commissioner no later than 60 days after the price increase goes into effect, in the form and manner prescribed by the commissioner, the following information, if applicable:

(1) the ~~name~~ description and price of the drug and the net increase, expressed as a percentage, with the following listed separately:

- (i) the national drug code;
- (ii) the product name;
- (iii) the dosage form;
- (iv) the strength;
- (v) the package size;
- (2) the factors that contributed to the price increase;
- (3) the name of any generic version of the prescription drug available on the market;
- (4) the introductory price of the prescription drug when it was ~~approved for marketing by the Food and Drug Administration and the net yearly increase, by calendar year, in the price of the prescription drug during the previous five years~~ introduced for sale in the United States and the price of the drug on the last day of each of the five calendar years preceding the price increase;
- (5) the direct costs incurred during the previous 12-month period by the manufacturer that are associated with the prescription drug, listed separately:
  - (i) to manufacture the prescription drug;
  - (ii) to market the prescription drug, including advertising costs; and
  - (iii) to distribute the prescription drug;
- (6) the total sales revenue for the prescription drug during the previous 12-month period;
- (7) the manufacturer's net profit attributable to the prescription drug during the previous 12-month period;
- (8) the total amount of financial assistance the manufacturer has provided through patient prescription assistance programs during the previous 12-month period, if applicable;
- (9) any agreement between a manufacturer and another entity contingent upon any delay in offering to market a generic version of the prescription drug;
- (10) the patent expiration date of the prescription drug if it is under patent;
- (11) the name and location of the company that manufactured the drug; ~~and~~
- (12) if a brand name prescription drug, the ~~ten highest prices~~ price paid for the prescription drug during the previous calendar year in ~~any country other than~~ the ten countries, excluding the United States-, that charged the highest single price for the prescription drug; and
- (13) if the prescription drug was acquired by the manufacturer during the previous 12-month period, all of the following information:
  - (i) price at acquisition;

- (ii) price in the calendar year prior to acquisition;
- (iii) name of the company from which the drug was acquired;
- (iv) date of acquisition; and
- (v) acquisition price.

(c) The manufacturer may submit any documentation necessary to support the information reported under this subdivision.

Sec. 17. Minnesota Statutes 2022, section 62J.84, subdivision 4, is amended to read:

Subd. 4. **New prescription drug price reporting.** (a) Beginning January 1, 2022, no later than 60 days after a manufacturer introduces a new prescription drug for sale in the United States that is a new brand name drug with a price that is greater than the tier threshold established by the Centers for Medicare and Medicaid Services for specialty drugs in the Medicare Part D program for a 30-day supply or for a course of treatment lasting less than 30 days or a new generic or biosimilar drug with a price that is greater than the tier threshold established by the Centers for Medicare and Medicaid Services for specialty drugs in the Medicare Part D program for a 30-day supply or for a course of treatment lasting less than 30 days and is not at least 15 percent lower than the referenced brand name drug when the generic or biosimilar drug is launched, the manufacturer must submit to the commissioner, in the form and manner prescribed by the commissioner, the following information, if applicable:

(1) the description of the drug, with the following listed separately:

- (i) the national drug code;
- (ii) the product name;
- (iii) the dosage form;
- (iv) the strength;
- (v) the package size;

~~(1)~~ (2) the price of the prescription drug;

~~(2)~~ (3) whether the Food and Drug Administration granted the new prescription drug a breakthrough therapy designation or a priority review;

~~(3)~~ (4) the direct costs incurred by the manufacturer that are associated with the prescription drug, listed separately:

- (i) to manufacture the prescription drug;
- (ii) to market the prescription drug, including advertising costs; and
- (iii) to distribute the prescription drug; and

~~(4)~~ (5) the patent expiration date of the drug if it is under patent.

(b) The manufacturer may submit documentation necessary to support the information reported under this subdivision."

Page 77, lines 17 and 19, strike ", 4, and 5" and insert "to 6 and 9 to 14"

Page 78, lines 25 and 28, strike "manufacturers" and insert "reporting entities"

Page 79, line 2, strike "manufacturer" and insert "reporting entity"

Page 79, after line 3, insert:

"(1) failing to register under subdivision 15;"

Page 79, line 4, strike "(1)" and insert "(2)"

Page 79, line 6, strike "(2)" and insert "(3)"

Page 79, line 7, strike "(3)" and insert "(4)"

Page 79, line 9, delete "(4)" and insert "(5)"

Page 80, line 5, strike ", 4, and 5" and insert "to 6 and 9 to 14"

Page 80, after line 8, insert:

"Sec. 22. Minnesota Statutes 2022, section 62J.84, is amended by adding a subdivision to read:

Subd. 10. Notice of prescription drugs of substantial public interest. (a) No later than January 31, 2024, and quarterly thereafter, the commissioner shall produce and post on the department's website a list of prescription drugs that the commissioner determines to represent a substantial public interest and for which the department intends to request data under subdivisions 9 to 14, subject to paragraph (c). The commissioner shall base its inclusion of prescription drugs on any information the commissioner determines is relevant to providing greater consumer awareness of the factors contributing to the cost of prescription drugs in the state, and the department shall consider drug product families that include prescription drugs:

(1) that triggered reporting under subdivisions 3, 4, or 6 during the previous calendar quarter;

(2) for which average claims paid amounts exceeded 125 percent of the price as of the claim incurred date during the most recent calendar quarter for which claims paid amounts are available;  
or

(3) that are identified by members of the public during a public comment period process.

(b) Not sooner than 30 days after publicly posting the list of prescription drugs under paragraph (a), the department shall notify, via email, reporting entities registered with the department of the requirement to report under subdivisions 9 to 14.



(c) The commissioner must not designate more than 500 prescription drugs as having a substantial public interest in any one notice.

Sec. 23. Minnesota Statutes 2022, section 62J.84, is amended by adding a subdivision to read:

Subd. 11. **Manufacturer prescription drug substantial public interest reporting.** (a) Beginning January 1, 2024, a manufacturer must submit to the commissioner the information described in paragraph (b) for any prescription drug:

(1) included in a notification to report issued to the manufacturer by the department under subdivision 10;

(2) which the manufacturer manufactures or repackages;

(3) for which the manufacturer sets the wholesale acquisition cost; and

(4) for which the manufacturer has not submitted data under subdivision 3 or 6 during the 120-day period prior to the date of the notification to report.

(b) For each of the drugs described in paragraph (a), the manufacturer shall submit to the commissioner no later than 60 days after the date of the notification to report, in the form and manner prescribed by the commissioner, the following information, if applicable:

(1) a description of the drug with the following listed separately:

(i) the national drug code;

(ii) the product name;

(iii) the dosage form;

(iv) the strength; and

(v) the package size;

(2) the price of the drug product on the later of:

(i) the day one year prior to the date of the notification to report;

(ii) the introduced to market date; or

(iii) the acquisition date;

(3) the price of the drug product on the date of the notification to report;

(4) the introductory price of the prescription drug when it was introduced for sale in the United States and the price of the drug on the last day of each of the five calendar years preceding the date of the notification to report;

(5) the direct costs incurred during the 12-month period prior to the date of the notification to report by the manufacturers that are associated with the prescription drug, listed separately:

- (i) to manufacture the prescription drug;
- (ii) to market the prescription drug, including advertising costs; and
- (iii) to distribute the prescription drug;
- (6) the number of units of the prescription drug sold during the 12-month period prior to the date of the notification to report;
- (7) the total sales revenue for the prescription drug during the 12-month period prior to the date of the notification to report;
- (8) the total rebate payable amount accrued for the prescription drug during the 12-month period prior to the date of the notification to report;
- (9) the manufacturer's net profit attributable to the prescription drug during the 12-month period prior to the date of the notification to report;
- (10) the total amount of financial assistance the manufacturer has provided through patient prescription assistance programs during the 12-month period prior to the date of the notification to report, if applicable;
- (11) any agreement between a manufacturer and another entity contingent upon any delay in offering to market a generic version of the prescription drug;
- (12) the patent expiration date of the prescription drug if the prescription drug is under patent;
- (13) the name and location of the company that manufactured the drug;
- (14) if the prescription drug is a brand name prescription drug, the ten countries other than the United States that paid the highest prices for the prescription drug during the previous calendar year and their prices; and
- (15) if the prescription drug was acquired by the manufacturer within a 12-month period prior to the date of the notification to report, all of the following information:
  - (i) the price at acquisition;
  - (ii) the price in the calendar year prior to acquisition;
  - (iii) the name of the company from which the drug was acquired;
  - (iv) the date of acquisition; and
  - (v) the acquisition price.
- (c) The manufacturer may submit any documentation necessary to support the information reported under this subdivision.

Sec. 24. Minnesota Statutes 2022, section 62J.84, is amended by adding a subdivision to read:

Subd. 12. **Pharmacy prescription drug substantial public interest reporting.** (a) Beginning January 1, 2024, a pharmacy must submit to the commissioner the information described in paragraph (b) for any prescription drug included in a notification to report issued to the pharmacy by the department under subdivision 9.

(b) For each of the drugs described in paragraph (a), the pharmacy shall submit to the commissioner no later than 60 days after the date of the notification to report, in the form and manner prescribed by the commissioner, the following information, if applicable:

(1) a description of the drug with the following listed separately:

(i) the national drug code;

(ii) the product name;

(iii) the dosage form;

(iv) the strength; and

(v) the package size;

(2) the number of units of the drug acquired during the 12-month period prior to the date of the notification to report;

(3) the total spent before rebates by the pharmacy to acquire the drug during the 12-month period prior to the date of the notification to report;

(4) the total rebate receivable amount accrued by the pharmacy for the drug during the 12-month period prior to the date of the notification to report;

(5) the number of pricing units of the drug dispensed by the pharmacy during the 12-month period prior to the date of the notification to report;

(6) the total payment receivable by the pharmacy for dispensing the drug including ingredient cost, dispensing fee, and administrative fees during the 12-month period prior to the date of the notification to report;

(7) the total rebate payable amount accrued by the pharmacy for the drug during the 12-month period prior to the date of the notification to report; and

(8) the average cash price paid by consumers per pricing unit for prescriptions dispensed where no claim was submitted to a health care service plan or health insurer during the 12-month period prior to the date of the notification to report.

(c) The pharmacy may submit any documentation necessary to support the information reported under this subdivision.

Sec. 25. Minnesota Statutes 2022, section 62J.84, is amended by adding a subdivision to read:

Subd. 13. **PBM prescription drug substantial public interest reporting.** (a) Beginning January 1, 2024, a PBM must submit to the commissioner the information described in paragraph (b) for any prescription drug included in a notification to report issued to the PBM by the department under subdivision 9.

(b) For each of the drugs described in paragraph (a), the PBM shall submit to the commissioner no later than 60 days after the date of the notification to report, in the form and manner prescribed by the commissioner, the following information, if applicable:

(1) a description of the drug with the following listed separately:

(i) the national drug code;

(ii) the product name;

(iii) the dosage form;

(iv) the strength; and

(v) the package size;

(2) the number of pricing units of the drug product filled for which the PBM administered claims during the 12-month period prior to the date of the notification to report;

(3) the total reimbursement amount accrued and payable to pharmacies for pricing units of the drug product filled for which the PBM administered claims during the 12-month period prior to the date of the notification to report;

(4) the total reimbursement or administrative fee amount, or both, accrued and receivable from payers for pricing units of the drug product filled for which the PBM administered claims during the 12-month period prior to the date of the notification to report;

(5) the total rebate receivable amount accrued by the PBM for the drug product during the 12-month period prior to the date of the notification to report; and

(6) the total rebate payable amount accrued by the PBM for the drug product during the 12-month period prior to the date of the notification to report.

(c) The PBM may submit any documentation necessary to support the information reported under this subdivision.

Sec. 26. Minnesota Statutes 2022, section 62J.84, is amended by adding a subdivision to read:

Subd. 14. **Wholesaler prescription drug substantial public interest reporting.** (a) Beginning January 1, 2024, a wholesaler must submit to the commissioner the information described in paragraph (b) for any prescription drug included in a notification to report issued to the wholesaler by the department under subdivision 10.

(b) For each of the drugs described in paragraph (a), the wholesaler shall submit to the commissioner no later than 60 days after the date of the notification to report, in the form and manner prescribed by the commissioner, the following information, if applicable:

(1) a description of the drug with the following listed separately:

(i) the national drug code;

(ii) the product name;

(iii) the dosage form;

(iv) the strength; and

(v) the package size;

(2) the number of units of the drug product acquired by the wholesale drug distributor during the 12-month period prior to the date of the notification to report;

(3) the total spent before rebates by the wholesale drug distributor to acquire the drug product during the 12-month period prior to the date of the notification to report;

(4) the total rebate receivable amount accrued by the wholesale drug distributor for the drug product during the 12-month period prior to the date of the notification to report;

(5) the number of units of the drug product sold by the wholesale drug distributor during the 12-month period prior to the date of the notification to report;

(6) gross revenue from sales in the United States generated by the wholesale drug distributor for this drug product during the 12-month period prior to the date of the notification to report; and

(7) total rebate payable amount accrued by the wholesale drug distributor for the drug product during the 12-month period prior to the date of the notification to report.

(c) The wholesaler may submit any documentation necessary to support the information reported under this subdivision.

Sec. 27. Minnesota Statutes 2022, section 62J.84, is amended by adding a subdivision to read:

Subd. 15. **Registration requirements.** Beginning January 1, 2024, a reporting entity subject to this chapter shall register with the department in a form and manner prescribed by the commissioner.

Sec. 28. Minnesota Statutes 2022, section 62J.84, is amended by adding a subdivision to read:

Subd. 16. **Rulemaking.** For the purposes of this section, the commissioner may use the expedited rulemaking process under section 14.389."

Page 82, line 17, delete "includes" and insert "include" and delete "is" and insert "are"

Page 84, lines 3, 11, 14, and 25, after "provided" insert "by"

Page 90, line 1, delete "copays" and insert "co-pays"

Page 91, line 23, delete "copays" and insert "co-pays"

Page 94, line 4, delete the comma

Page 94, after line 6, insert:

"Subd. 4. **Exclusion.** This section does not apply to health plans offered under the state employee group insurance program."

Page 129, line 2, delete "to any"

Page 135, after line 12, insert:

"Sec. 22. **DIRECTION TO COMMISSIONER OF HEALTH; KEEPING NURSES AT THE BEDSIDE ACT IMPACT EVALUATION.**

By October 1, 2023, the commissioner of health must contract with the commissioner of management and budget for the services of the Impact Evaluation Unit to design and implement a rigorous causal impact evaluation using time-series data or other evaluation methods as determined by the Impact Evaluation Unit to estimate the causal impact of the implementation of Minnesota Statutes, sections 144.7051 to 144.7059, on patient care, nurse job satisfaction, nurse retention, and other outcomes as determined by the commissioner and the Impact Evaluation Unit. The Impact Evaluation Unit may subcontract with other research organizations to assist with the design or implementation of the impact evaluation. By February 15, 2024, the commissioner of health must submit to the chairs and ranking minority members of the legislative committees with jurisdiction over health finance and policy draft legislation specifying any additional authorities the commissioner and the Impact Evaluation Unit may require to collect the data required to conduct a successful impact evaluation of the implementation of Minnesota Statutes, sections 144.7051 to 144.7059. By October 1, 2024, the Impact Evaluation Unit must begin collecting baseline data. By June 30, 2027, the Impact Evaluation Unit must submit to the commissioner of health a public initial report on the status of the evaluation project and any preliminary results."

Page 138, line 4, delete "settlement"

Page 138, line 5, delete "account established in the"

Pages 138 to 152, delete sections 4 to 18

Page 153, after line 10, insert:

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

Page 153, after line 22, insert:

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

Page 154, delete section 22 and insert:

"Sec. 7. Minnesota Statutes 2022, section 103I.208, subdivision 2, is amended to read:

Subd. 2. **Permit fee.** The permit fee to be paid by a property owner is:

(1) for a water supply well that is not in use under a maintenance permit, \$175 annually;

(2) for an environmental well that is unsealed under a maintenance permit, \$175 annually except no fee is required for an environmental well owned by a federal agency, state agency, or local unit of government that is unsealed under a maintenance permit. "Local unit of government" means a statutory or home rule charter city, town, county, or soil and water conservation district, watershed district, an organization formed for the joint exercise of powers under section 471.59, a community health board, or other special purpose district or authority with local jurisdiction in water and related land resources management;

(3) for environmental wells that are unsealed under a maintenance permit, \$175 annually per site regardless of the number of environmental wells located on site;

(4) for a groundwater thermal exchange device, in addition to the notification fee for water supply wells, \$275, which includes the state core function fee;

(5) for a bored geothermal heat exchanger with less than ten tons of heating/cooling capacity, \$275;

(6) for a bored geothermal heat exchanger with ten to 50 tons of heating/cooling capacity, \$515;

(7) for a bored geothermal heat exchanger with greater than 50 tons of heating/cooling capacity, \$740;

(8) for a dewatering well that is unsealed under a maintenance permit, \$175 annually for each dewatering well, except a dewatering project comprising more than five dewatering wells shall be issued a single permit for \$875 annually for dewatering wells recorded on the permit; ~~and~~

(9) for an elevator boring, \$275 for each boring; and

(10) for a submerged closed loop heat exchanger, in addition to the notification fee for water supply wells, \$275, which includes the state core function fee.

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

**Sec. 8. [103I.209] SUBMERGED CLOSED LOOP HEAT EXCHANGER SYSTEM; REQUIREMENTS.**

Subdivision 1. **Permit required.** After the effective date of this act, a person must not install a submerged closed loop heat exchanger in a water supply well without a permit granted by the commissioner as provided in section 103I.210. A submerged closed loop heat exchanger system approved by a variance granted by the commissioner prior to the effective date of this act may continue to operate without obtaining a permit under this section or section 103I.210.

Subd. 2. **Setbacks.** A water supply well containing a submerged closed-loop heat exchanger that is used for the sole purpose of heating and cooling and does not remove water from an aquifer

is exempt from the isolation distance requirements of Minnesota Rules, part 4725.4450, or a successor rule on the same topic, and in no instance will the setback distance be greater than ten feet. A water supply well that does not comply with the isolation distance requirements of Minnesota Rules, part 4725.4450, must not be used for any other water supply well purpose.

Subd. 3. **Construction.** (a) A water supply well constructed to house a submerged closed loop heat exchanger must be constructed by a licensed well contractor, and the submerged closed loop heat exchanger must be installed by a licensed well contractor.

(b) The screened interval of a water supply well constructed to contain a submerged closed loop heat exchanger completed within a single aquifer may be designed and constructed using any combination of screen, casing, leader, riser, sump, or other piping combinations, so long as the screen configuration does not interconnect aquifers.

(c) A water supply well used for a submerged closed loop heat exchanger must comply with the requirements of chapter 103I and Minnesota Rules, chapter 4725.

Subd. 4. **Heat transfer fluid.** Water used as heat transfer fluid must be sourced from a potable supply. The heat transfer fluid may be amended with additives to inhibit corrosion or microbial activity. Any additive used must be ANSI/NSF-60 certified.

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

Sec. 9. **[103I.210] SUBMERGED CLOSED LOOP HEAT EXCHANGER SYSTEM; PERMITS.**

Subdivision 1. **Definition.** For purposes of this section, "permit holder" means persons who receive a permit under this section and includes the property owner and licensed well contractor.

Subd. 2. **Permit; limitations.** (a) The commissioner must issue a permit for the installation of a submerged closed loop heat exchanger system as provided in this section. The property owner or the property owner's agent must submit to the commissioner a permit application on a form provided by the commissioner, or in a format approved by the commissioner. The application must be legible and must contain:

(1) the name, license number, and signature of the well contractor installing the closed loop heat exchangers;

(2) the name, address, and signature of the owner of the property on which the device will be installed;

(3) the township number, range number, section, and one quartile, and the property street address if assigned, of the proposed device location;

(4) a description of existing wells to be utilized or any wells proposed to be constructed including, the unique well numbers, locations, well depth, diameters of bore holes and casing, depth of casing, grouting methods and materials, and dates of construction;

(5) the specifications for piping including the materials to be used for piping, the closed loop water treatment protocol, and the provisions for pressure testing the system; and



(6) a diagram of the proposed system.

(b) The fees collected under this subdivision must be deposited in the state government special revenue fund.

(c) Permit holders must allow for the inspection of the submerged closed loop heat exchanger system by the commissioner during working hours.

(d) If a permit application contains all of the information required in paragraph (a) and for which the technical specifications are consistent with the requirements of paragraph (a), the commissioner may only deny the permit if the commissioner determines that the proposed submerged closed loop heat exchanger system creates a new material risk to human health and the environment by adversely affecting the migration of an existing groundwater contamination plume.

(e) Within 30 days of submission of a complete permit application, the commissioner must either issue the permit or notify the applicant that the commissioner has determined that the proposed submerged closed loop heat exchanger system may create a material risk to human health and the environment by adversely affecting the migration of an existing groundwater plume. If the commissioner determines the system may create a material risk, the commissioner must make a final determination as to whether the proposed system poses such material risk within 30 days after initial notice is provided to the applicant. The commissioner may extend this 30-day period with the consent of the applicant. An application is deemed to have been granted if the commissioner fails to notify the applicant that the commissioner has determined that the proposed submerged closed loop heat exchanger system may create a material risk to human health and the environment by adversely affecting the migration of an existing groundwater within 30 days of submission of a complete application or if the commissioner fails to make a final determination regarding such potential material risks within 30 days after notifying the applicant.

(f) The commissioner must not limit the number of permits available or the size of systems. A project may consist of more than one submerged closed loop heat exchanger. Installing a submerged closed loop heat exchanger must not be subject to additional review or requirements with regards to the construction of a water supply well, beyond the requirements promulgated in chapter 1031, and Minnesota Rules, chapter 4725. A variance is not required to install or operate a submerged closed loop heat exchanger.

(g) Permit holders must comply with this chapter, and Minnesota Rules, chapter 4725.

(h) A permit holder must inform the Minnesota duty officer of the failure or leak of a submerged closed loop heat exchanger.

Subd. 3. **Permit conditions.** Permit holders must construct, install, operate, maintain, and report on the submerged closed loop heat exchanger system to comply with permit conditions identified by the commissioner, which will address:

(1) notification to the commissioner at intervals specified in the permit conditions;

(2) material and design specifications and standards;

(3) heat exchange fluid requirements;

(4) signage requirements;

(5) backflow prevention requirements;

(6) pressure tests of the system;

(7) documentation of the system construction;

(8) requirements for maintenance and repair of the system;

(9) removal of the system upon termination of use or failure;

(10) disclosure of the system at the time of property transfer; and

(11) requirement to obtain approval from the commissioner prior to deviation of the approved plans and conditions of the permit.

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

Page 154, after line 2, insert:

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

Page 156, line 30, after the period, insert "The director shall serve in the unclassified service."

Page 157, after line 17, insert:

"Subd. 3. **Annual report.** The commissioner of health shall report annually by January 15 to the chairs and ranking minority members of the legislative committees with primary jurisdiction over health policy and finance on the work accomplished by the commissioner and the collaborative research in the previous year and describe goals for the following year."

Page 158, line 30, before "The" insert "(a)"

Page 158, line 31, delete "and" and insert ". The office must"

Page 159, line 3, delete the second "and" and insert ". The office"

Page 159, line 4, delete "(AAHSAC)"

Page 159, line 8, delete "AAHSAC" and insert "African American Health State Advisory Council"

Page 159, after line 23, insert:

"(b) The commissioner of health shall report annually by January 15 to the chairs and ranking minority members of the legislative committees with primary jurisdiction over health policy and finance on the work accomplished by the Office of African American Health during the previous year and describe goals for the following year."

Page 159, delete subdivision 1

Page 159, line 30, delete "council" and insert "African American Health State Advisory Council"

Page 160, line 11, delete "committee" and insert "council"

Page 160, line 13, delete "committee" and insert "council" and delete "Committee" and insert "Council"

Page 161, line 9, after "commissioner" insert "and to the chairs and ranking minority members of the legislative committees with primary jurisdiction over health policy and finance"

Page 163, line 5, delete ", and" and insert ". The office"

Page 163, after line 27, insert:

"Subd. 3. **Reporting.** The person appointed to head the Office of American Indian Health must report annually by January 15 to the chairs and ranking minority members of the legislative committees with primary jurisdiction over health policy and finance on the work of the office during the previous year and the goals for the office for the following year."

Page 168, line 4, delete "(CHW)" and delete "equipping" and insert "equip"

Page 168, line 5, delete "addresses" and insert "must address"

Page 168, line 9, delete "establish" and insert "award" and delete the first "and" and insert "or enter into"

Page 168, line 10, after "The" insert "grant" and after "recipients" insert "or contractor"

Page 168, line 14, delete "CHW" and insert "community health worker"

Page 173, line 29, delete "Priority shall be given" and insert "The commissioner shall give priority"

Page 178, line 22, after the second comma, insert "which occurs in part within the state of Minnesota or involves a health care entity formed or licensed in Minnesota,"

Page 189, line 25, delete "supporting" and insert "grant program to support"

Page 189, line 26, delete "grant program" and insert ". Grant proceeds must be used"

Page 191, line 22, before "The" insert "(a)" and delete the colon

Page 191, line 23, delete "(1)"

Page 191, line 24, delete "populations" and insert "people"

Page 191, line 25, delete "Indian" and insert "Indians" and after "LGBTQIA+" insert "people" and delete "those" and insert "people"

Page 191, line 28, delete "; and" and insert a period

Page 191, line 29, delete "(2)" and insert "(b) The commissioner of health shall"

Page 192, line 1, delete "(i)" and insert "(1)"

Page 192, line 3, delete "(ii)" and insert "(2)"

Page 194, line 9, after "COVID" insert "AND RELATED CONDITIONS; ASSESSMENT AND MONITORING"

Page 194, line 10, delete "purpose" and insert "purposes" and before "terms" insert "following"

Page 194, line 16, after "COVID" insert a comma

Page 195, line 3, delete "Department of Human Services" and insert "commissioner of human services" and after the first "health" insert "entities"

Page 195, line 12, after "award" insert "grants and enter into" and delete "and grants"

Page 195, line 17, after the first "and" insert "award"

Page 200, delete subdivision 1

Page 200, line 21, delete "such as," and insert "including" and delete the second comma

Page 200, line 22, delete the first comma and insert "and" and delete ", as well as access to" and insert a semicolon

Page 200, line 23, delete the first comma and insert a semicolon

Page 203, line 4, delete "must govern" and insert "governs"

Page 203, after line 15, insert:

"Subd. 5. **Expiration.** Notwithstanding any other law or policy to the contrary, the fetal and infant mortality review committee must not expire."

Page 207, delete section 67, and insert:

"Sec. 54. **[145.9571] HEALTHY BEGINNINGS, HEALTHY FAMILIES ACT.**

Sections 145.9571 to 145.9576 are the Healthy Beginnings, Healthy Families Act.

Sec. 55. **[145.9572] MINNESOTA PERINATAL QUALITY COLLABORATIVE.**

Subdivision 1. **Duties.** The Minnesota perinatal quality collaborative is established to improve pregnancy outcomes for pregnant people and newborns through efforts to:

(1) advance evidence-based and evidence-informed clinics and other health service practices and processes through quality care review, chart audits, and continuous quality improvement initiatives that enable equitable outcomes;

(2) review current data, trends, and research on best practices to inform and prioritize quality improvement initiatives;

(3) identify methods that incorporate antiracism into individual practice and organizational guidelines in the delivery of perinatal health services;

(4) support quality improvement initiatives to address substance use disorders in pregnant people and infants with neonatal abstinence syndrome or other effects of substance use;

(5) provide a forum to discuss state-specific system and policy issues to guide quality improvement efforts that improve population-level perinatal outcomes;

(6) reach providers and institutions in a multidisciplinary, collaborative, and coordinated effort across system organizations to reinforce a continuum of care model; and

(7) support health care facilities in monitoring interventions through rapid data collection and applying system changes to provide improved care in perinatal health.

Subd. 2. **Grants authorized.** The commissioner must award one grant to a nonprofit organization to support efforts that improve maternal and infant health outcomes aligned with the purpose outlined in subdivision 1. The commissioner must give preference to a nonprofit organization that has the ability to provide these services throughout the state. The commissioner must provide content expertise to the grant recipient to further the accomplishment of the purpose.

**Sec. 56. [145.9573] MINNESOTA PARTNERSHIP TO PREVENT INFANT MORTALITY.**

(a) The commissioner of health must establish the Minnesota partnership to prevent infant mortality program that is a statewide partnership program to engage communities, exchange best practices, share summary data on infant health, and promote policies to improve birth outcomes and eliminate preventable infant mortality.

(b) The goal of the Minnesota partnership to prevent infant mortality program is to:

(1) build a statewide multisectoral partnership including the state government, local public health agencies, Tribes, private sector, and community nonprofit organizations with the shared goal of decreasing infant mortality rates among populations with significant disparities, including among Black, American Indian, other nonwhite communities, and rural populations;

(2) address the leading causes of poor infant health outcomes such as premature birth, infant sleep-related deaths, and congenital anomalies through strategies to change social and environmental determinants of health; and

(3) promote the development, availability, and use of data-informed, community-driven strategies to improve infant health outcomes.

**Sec. 57. [145.9574] GRANTS.**

Subdivision 1. **Improving pregnancy and infant outcomes grant.** The commissioner of health must make a grant to a nonprofit organization to create or sustain a multidisciplinary network of representatives of health care systems, health care providers, academic institutions, local and state

agencies, and community partners that will collaboratively improve pregnancy and infant outcomes through evidence-based, population-level quality improvement initiatives.

Subd. 2. **Improving infant health grants.** (a) The commissioner of health must award grants to eligible applicants to convene, coordinate, and implement data-driven strategies and culturally relevant activities to improve infant health by reducing preterm birth, sleep-related infant deaths, and congenital malformations and address social and environmental determinants of health. Grants must be awarded to support community nonprofit organizations, Tribal governments, and community health boards. In accordance with available funding, grants must be noncompetitively awarded to the eleven sovereign Tribal governments if their respective proposals demonstrate the ability to implement programs designed to achieve the purposes in subdivision 1 and meet other requirements of this section. An eligible applicant must submit a complete application to the commissioner of health by the deadline established by the commissioner. The commissioner must award all other grants competitively to eligible applicants in metropolitan and rural areas of the state and may consider geographic representation in grant awards.

(b) Grantee activities must:

(1) address the leading cause or causes of infant mortality;

(2) be based on community input;

(3) focus on policy, systems, and environmental changes that support infant health; and

(4) address the health disparities and inequities that are experienced in the grantee's community.

(c) The commissioner must review each application to determine whether the application is complete and whether the applicant and the project are eligible for a grant. In evaluating applications according to this subdivision, the commissioner must establish criteria including but not limited to: the eligibility of the applicant's project under this section; the applicant's thoroughness and clarity in describing the infant health issues grant funds are intended to address; a description of the applicant's proposed project; the project's likelihood to achieve the grant's purposes as described in this section; a description of the population demographics and service area of the proposed project; and evidence of efficiencies and effectiveness gained through collaborative efforts.

(d) Grant recipients must report their activities to the commissioner in a format and at a time specified by the commissioner.

Subd. 3. **Technical assistance.** (a) The commissioner must provide grant recipients receiving a grant under sections 145.9572 to 145.9576 with content expertise, technical expertise, training, and advice on data-driven strategies.

(b) For the purposes of carrying out the grant program under section 145.9573, including for administrative purposes, the commissioner must award contracts to appropriate entities to assist in training and provide technical assistance to grantees.

(c) Contracts awarded under paragraph (b) may be used to provide technical assistance and training in the areas of:

- (1) partnership development and capacity building;
- (2) Tribal support;
- (3) implementation support for specific infant health strategies;
- (4) communications by convening and sharing lessons learned; and
- (5) health equity.

Sec. 58. **[145.9575] DEVELOPMENTAL AND SOCIAL-EMOTIONAL SCREENING WITH FOLLOW-UP.**

Subdivision 1. **Developmental and social-emotional screening with follow-up.** The goal of the developmental and social-emotional screening is to identify young children at risk for developmental and behavioral concerns and provide follow-up services to connect families and young children to appropriate community-based resources and programs. The commissioner of health must work with the commissioners of human services and education to implement this section and promote interagency coordination with other early childhood programs including those that provide screening and assessment.

Subd. 2. **Duties.** The commissioner must:

- (1) increase the awareness of developmental and social-emotional screening with follow-up in coordination with community and state partners;
- (2) expand existing electronic screening systems to administer developmental and social-emotional screening to children from birth to kindergarten entrance;
- (3) provide screening for developmental and social-emotional delays based on current recommended best practices;
- (4) review and share the results of the screening with the parent or guardian and support families in their role as caregivers by providing anticipatory guidance around typical growth and development;
- (5) ensure children and families are referred to and linked with appropriate community-based services and resources when any developmental or social-emotional concerns are identified through screening; and
- (6) establish performance measures and collect, analyze, and share program data regarding population-level outcomes of developmental and social-emotional screening, referrals to community-based services, and follow-up services.

Subd. 3. **Grants.** The commissioner must award grants to community-based organizations, community health boards, and Tribal Nations to support follow-up services for children with developmental or social-emotional concerns identified through screening in order to link children and their families to appropriate community-based services and resources. Grants must also be awarded to community-based organizations to train and utilize cultural liaisons to help families navigate the screening and follow-up process in a culturally and linguistically responsive manner.

The commissioner must provide technical assistance, content expertise, and training to grant recipients to ensure that follow-up services are effectively provided.

Sec. 59. [145.9576] MODEL JAIL PRACTICES.

Subdivision 1. **Model jail practices for incarcerated parents.** (a) The commissioner of health may make special grants to counties and groups of counties to implement model jail practices and to county governments, Tribal governments, or nonprofit organizations in corresponding geographic areas to build partnerships with county jails to support children of incarcerated parents and their caregivers.

(b) "Model jail practices" means a set of practices that correctional administrators can implement to remove barriers that may prevent children from cultivating or maintaining relationships with their incarcerated parents during and immediately after incarceration without compromising the safety or security of the correctional facility.

Subd. 2. **Grants authorized; model jail practices.** (a) The commissioner of health must award grants to eligible county jails to implement model jail practices and separate grants to county governments, Tribal governments, or nonprofit organizations in corresponding geographic areas to build partnerships with county jails to support children of incarcerated parents and their caregivers.

(b) Grantee activities include but are not limited to:

- (1) parenting classes or groups;
- (2) family-centered intake and assessment of inmate programs;
- (3) family notification, information, and communication strategies;
- (4) correctional staff training;
- (5) policies and practices for family visits; and
- (6) family-focused reentry planning.

(c) Grant recipients must report their activities to the commissioner in a format and at a time specified by the commissioner.

Subd. 3. **Technical assistance and oversight; model jail practices.** (a) The commissioner must provide content expertise, training to grant recipients, and advice on evidence-based strategies, including evidence-based training to support incarcerated parents.

(b) For the purposes of carrying out the grant program under subdivision 2, including for administrative purposes, the commissioner must award contracts to appropriate entities to assist in training and provide technical assistance to grantees.

(c) Contracts awarded under paragraph (b) may be used to provide technical assistance and training in the areas of:

- (1) evidence-based training for incarcerated parents;



(2) partnership building and community engagement;

(3) evaluation of process and outcomes of model jail practices; and

(4) expert guidance on reducing the harm caused to children of incarcerated parents and application of model jail practices."

Page 212, line 16, delete everything after "The"

Page 212, line 17, delete everything before "health" and delete "to"

Page 212, delete lines 18 and 19

Page 212, line 20, delete "consist" and insert "consists" and after "members" insert "appointed by the commissioner of health"

Page 212, line 29, delete everything after "15.059" and insert ", except that the council shall not expire under subdivision 6. The commissioner of health must convene meetings at least quarterly and must provide meeting space and administrative support to the council."

Page 213, line 1, delete everything before "Subcommittees"

Page 213, after line 17, insert:

"Subd. 5. **Annual report.** The advisory council must submit a report annually by January 15 to the chairs and ranking minority members of the legislative committees with primary jurisdiction over health policy and finance summarizing the work of the council over the previous year and setting goals for the following year."

Page 215, line 28, after "(e)" insert a comma

Page 226, delete section 94

Page 226, lines 8 and 12, delete "act" and insert "article"

Page 230, line 4, delete everything after "The"

Page 230, line 5, delete everything before "equitable" and delete "consisting" and insert "consists" and after "members" insert "appointed by the commissioner of health"

Page 230, line 18, delete everything after the period and insert "The commissioner of health must convene meetings of the task force at least quarterly."

Page 231, line 3, after "recommendations" insert "to the commissioner of health and to the chairs and ranking minority members of the legislative with primary jurisdiction over health policy and finance"

Page 231, after line 4, insert:

"Sec. 89. **RULEMAKING AUTHORITY.**

The commissioner of health must adopt rules using the expedited rulemaking process under Minnesota Statutes, section 14.389, to implement the installation of submerged closed loop heat exchanger systems according to Minnesota Statutes, sections 103I.209 and 103I.210. The rules must incorporate, and are limited to, the provisions in those sections.

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

Sec. 90. **REPORT; CLOSED LOOP HEAT EXCHANGER SYSTEM.**

By December 31, 2024, the commissioner of health must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over health finance and policy. The report must include a recommendation on whether additional requirements are necessary to ensure that the construction and operation of submerged closed loop heat exchangers do not create the risk of material adverse impacts on the state's groundwater caused by the chemical or biological composition of the circulating fluids by operation of the well as part of the submerged closed loop heat exchanger. Unless specifically authorized by subsequent act of the legislature, the commissioner must not adopt any rules or requirements to implement the recommendations included in the report.

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

Sec. 91. **CLOSED LOOP HEAT EXCHANGER SYSTEM MONITORING AND REPORTING.**

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

(b) "Accredited laboratory" means a laboratory that is certified under Minnesota Rules, chapter 4740.

(c) "Permit holder" means persons who receive a permit under this section and includes the property owner and licensed well contractor.

Subd. 2. **Monitoring and reporting requirements.** (a) The system owner is responsible for monitoring and reporting to the commissioner for permitted submerged closed loop heat exchanger systems installed under the provisional program. The commissioner must identify projects subject to reporting by including a permit condition.

(b) The closed loop heat exchanger owner must implement a closed loop water monitoring plan.

(c) The system owner must analyze the closed loop water for:

(1) aluminum;

(2) arsenic;

(3) copper;

(4) iron;

(5) lead;

- (6) manganese;
- (7) zinc;
- (8) total coliform;
- (9) escherichia coli (E. coli);
- (10) heterotrophic plate count;
- (11) legionella;
- (12) pH;
- (13) electrical conductivity;
- (14) dissolved oxygen; and
- (15) temperature.

(d) The system owner must provide the results for the sampling event, including the parameters in paragraph (c), clauses (1) to (11), to the commissioner within 30 days of the date of the report provided by an accredited laboratory. Paragraph (c), clauses (12) to (15), may be measured in the field and reported along with the laboratory results.

Subd. 3. **Evaluation of permit conditions.** (a) In order to determine whether additional permit conditions are necessary and appropriate to ensure that the construction and operation of a submerged closed loop heat exchanger does not create the risk of material adverse impacts on the state's groundwater, the commissioner shall require semiannual sampling of the circulating fluids in accordance with subdivision 2 to determine whether there have been any material changes in the chemical or biological composition of the circulating fluids.

(b) The information required by this section shall be collected from each submerged closed loop heat exchanger system installed after June 30, 2023, under this provisional program. The commissioner shall identify up to ten systems for which report submission is required, and this requirement shall be included in the permit conditions. The information shall be provided to the commissioner on a semiannual basis and the final semiannual submission shall include information from the period from January 1, 2024, through July 1, 2024.

Subd. 4. **Report requirements.** Every closed loop heat exchanger owner that holds a permit issued under this section must provide a report to the commissioner for each permit by September 30, 2024. The report must describe the status, operation, and performance of each submerged closed loop heat exchanger system. The report may be in a format determined by the system owner and must include:

- (1) date of the report;
- (2) a narrative description of system installation, operation, and status, including dates;
- (3) mean monthly temperature of the water entering the building;

(4) mean monthly temperature of the water leaving the building;

(5) maintenance performed on the system, including dates, identification of heat exchangers or components that were addressed, and descriptions of actions that occurred; and

(6) any maintenance issues, material failures, leaks, and repairs, including dates and descriptions of the heat exchangers or components involved, issues, failures, leaks, and repairs.

**EFFECTIVE DATE.** This section is effective the day following final enactment and expires on December 31, 2024."

Page 231, delete lines 9 and 10

Page 239, line 1, delete the semicolon

Page 240, line 22, after "commissioner" insert "of health"

Page 253, delete section 6, and insert:

"Sec. 6. Minnesota Statutes 2022, section 148B.392, subdivision 2, is amended to read:

Subd. 2. **Licensure and application fees.** Licensure and application fees established by the board shall not exceed the following amounts:

(1) application fee for national examination is ~~\$110~~ \$150;

(2) application fee for Licensed Marriage and Family Therapist (LMFT) state examination is ~~\$110~~ \$150;

(3) initial LMFT license fee is prorated, but cannot exceed ~~\$125~~ \$225;

(4) annual renewal fee for LMFT license is ~~\$125~~ \$225;

(5) late fee for LMFT license renewal is ~~\$50~~ \$100;

(6) application fee for LMFT licensure by reciprocity is ~~\$220~~ \$300;

(7) fee for initial Licensed Associate Marriage and Family Therapist (LAMFT) license is ~~\$75~~ \$100;

(8) annual renewal fee for LAMFT license is ~~\$75~~ \$100;

(9) late fee for LAMFT renewal is ~~\$25~~ \$50;

(10) fee for reinstatement of license is \$150;

(11) fee for emeritus status is ~~\$125~~ \$225; and

(12) fee for temporary license for members of the military is \$100."

Page 256, line 31, strike "\$50" and insert "\$75"

Page 257, line 1, strike "\$50" and insert "\$60"

Page 257, line 8, strike "\$260" and insert "\$300"

Page 257, line 18, strike "\$75" and insert "\$150"

Page 257, line 26, strike "\$50" and insert "\$60"

Page 258, line 6, strike "\$260" and insert "\$300"

Page 258, line 16, strike "\$75" and insert "\$150"

Page 258, line 17, strike "\$100" and insert "\$150"

Page 272, line 19, delete "timeframe" and insert "time frame"

Page 280, after line 2, insert:

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

Page 283, after line 31, insert:

"Sec. 2. Minnesota Statutes 2022, section 245C.02, is amended by adding a subdivision to read:

Subd. 7a. **Conservator.** "Conservator" has the meaning given in section 524.1-201, clause (10), and includes proposed and current conservators.

Sec. 3. Minnesota Statutes 2022, section 245C.02, is amended by adding a subdivision to read:

Subd. 11f. **Guardian.** "Guardian" has the meaning given in section 524.1-201, clause (27), and includes proposed and current guardians."

Page 284, after line 16, insert:

"Sec. 5. Minnesota Statutes 2022, section 245C.03, subdivision 1, is amended to read:

Subdivision 1. **Licensed programs.** (a) The commissioner shall conduct a background study on:

(1) the person or persons applying for a license;

(2) an individual age 13 and over living in the household where the licensed program will be provided who is not receiving licensed services from the program;

(3) current or prospective employees ~~or contractors~~ of the applicant or license holder who will have direct contact with persons served by the facility, agency, or program;

(4) volunteers or student volunteers who will have direct contact with persons served by the program to provide program services if the contact is not under the continuous, direct supervision by an individual listed in clause (1) or (3);

(5) an individual age ten to 12 living in the household where the licensed services will be provided when the commissioner has reasonable cause as defined in section 245C.02, subdivision 15;

(6) an individual who, without providing direct contact services at a licensed program, may have unsupervised access to children or vulnerable adults receiving services from a program, when the commissioner has reasonable cause as defined in section 245C.02, subdivision 15;

(7) all controlling individuals as defined in section 245A.02, subdivision 5a;

(8) notwithstanding the other requirements in this subdivision, child care background study subjects as defined in section 245C.02, subdivision 6a; and

(9) notwithstanding clause (3), for children's residential facilities and foster residence settings, any adult working in the facility, whether or not the individual will have direct contact with persons served by the facility.

(b) For child foster care when the license holder resides in the home where foster care services are provided, a short-term substitute caregiver providing direct contact services for a child for less than 72 hours of continuous care is not required to receive a background study under this chapter.

(c) This subdivision applies to the following programs that must be licensed under chapter 245A:

(1) adult foster care;

(2) child foster care;

(3) children's residential facilities;

(4) family child care;

(5) licensed child care centers;

(6) licensed home and community-based services under chapter 245D;

(7) residential mental health programs for adults;

(8) substance use disorder treatment programs under chapter 245G;

(9) withdrawal management programs under chapter 245F;

(10) adult day care centers;

(11) family adult day services;

(12) independent living assistance for youth;

(13) detoxification programs;

(14) community residential settings; and

(15) intensive residential treatment services and residential crisis stabilization under chapter 245I; and

(16) treatment programs for persons with sexual psychopathic personality or sexually dangerous persons, licensed under chapter 245A and according to Minnesota Rules, parts 9515.3000 to 9515.3110.

Sec. 6. Minnesota Statutes 2022, section 245C.03, subdivision 1a, is amended to read:

Subd. 1a. **Procedure.** (a) Individuals and organizations that are required under this section to have or initiate background studies shall comply with the requirements of this chapter.

(b) All studies conducted under this section shall be conducted according to sections 299C.60 to 299C.64. This requirement does not apply to subdivisions 1, paragraph (c), clauses (2) to (5), and 6a.

(c) All data obtained by the commissioner for a background study completed under this section is classified as private data on individuals, as defined in section 13.02, subdivision 9.

Sec. 7. Minnesota Statutes 2022, section 245C.031, subdivision 1, is amended to read:

Subdivision 1. **Alternative background studies.** (a) The commissioner shall conduct an alternative background study of individuals listed in this section.

(b) Notwithstanding other sections of this chapter, all alternative background studies except subdivision 12 shall be conducted according to this section and with sections 299C.60 to 299C.64.

(c) All terms in this section shall have the definitions provided in section 245C.02.

(d) The entity that submits an alternative background study request under this section shall submit the request to the commissioner according to section 245C.05.

(e) The commissioner shall comply with the destruction requirements in section 245C.051.

(f) Background studies conducted under this section are subject to the provisions of section 245C.32.

(g) The commissioner shall forward all information that the commissioner receives under section 245C.08 to the entity that submitted the alternative background study request under subdivision 2. The commissioner shall not make any eligibility determinations regarding background studies conducted under this section.

(h) All data obtained by the commissioner for a background study completed under this section is classified as private data on individuals, as defined in section 13.02, subdivision 9.

Sec. 8. [245C.033] GUARDIANS AND CONSERVATORS; MALTREATMENT AND STATE LICENSING AGENCY CHECKS.

Subdivision 1. Maltreatment data. Requests for maltreatment data submitted pursuant to section 524.5-118 must include information regarding whether the guardian or conservator has been a

perpetrator of substantiated maltreatment of a vulnerable adult under section 626.557 or a minor under chapter 260E. If the guardian or conservator has been the perpetrator of substantiated maltreatment of a vulnerable adult or a minor, the commissioner must include a copy of any available public portion of the investigation memorandum under section 626.557, subdivision 12b, or any available public portion of the investigation memorandum under section 260E.30.

Subd. 2. **State licensing agency data.** (a) Requests for state licensing agency data submitted pursuant to section 524.5-118 must include information from a check of state licensing agency records.

(b) The commissioner shall provide the court with licensing agency data for licenses directly related to the responsibilities of a guardian or conservator if the guardian or conservator has a current or prior affiliation with the:

- (1) Lawyers Responsibility Board;
- (2) State Board of Accountancy;
- (3) Board of Social Work;
- (4) Board of Psychology;
- (5) Board of Nursing;
- (6) Board of Medical Practice;
- (7) Department of Education;
- (8) Department of Commerce;
- (9) Board of Chiropractic Examiners;
- (10) Board of Dentistry;
- (11) Board of Marriage and Family Therapy;
- (12) Department of Human Services;
- (13) Peace Officer Standards and Training (POST) Board; and
- (14) Professional Educator Licensing and Standards Board.

(c) The commissioner shall provide to the court the electronically available data maintained in the agency's database, including whether the guardian or conservator is or has been licensed by the agency and whether a disciplinary action or a sanction against the individual's license, including a condition, suspension, revocation, or cancellation, is in the licensing agency's database.

Subd. 3. **Procedure; maltreatment and state licensing agency data.** Requests for maltreatment and state licensing agency data checks must be submitted by the guardian or conservator to the commissioner on the form or in the manner prescribed by the commissioner. Upon receipt of a signed informed consent and payment under section 245C.10, the commissioner shall complete the



maltreatment and state licensing agency checks. Upon completion of the checks, the commissioner shall provide the requested information to the courts on the form or in the manner prescribed by the commissioner.

Subd. 4. **Classification of maltreatment and state licensing agency data; access to information.** All data obtained by the commissioner for maltreatment and state licensing agency checks completed under this section is classified as private data on individuals, as defined in section 13.02, subdivision 9."

Page 288, line 9, after "form" insert "and criminal history disclosure form"

Page 290, after line 30, insert:

"Sec. 13. Minnesota Statutes 2022, section 245C.08, subdivision 1, is amended to read:

Subdivision 1. **Background studies conducted by Department of Human Services.** (a) For a background study conducted by the Department of Human Services, the commissioner shall review:

(1) information related to names of substantiated perpetrators of maltreatment of vulnerable adults that has been received by the commissioner as required under section 626.557, subdivision 9c, paragraph (j);

(2) the commissioner's records relating to the maltreatment of minors in licensed programs, and from findings of maltreatment of minors as indicated through the social service information system;

(3) information from juvenile courts as required in subdivision 4 for individuals listed in section 245C.03, subdivision 1, paragraph (a), when there is reasonable cause;

(4) information from the Bureau of Criminal Apprehension, including information regarding a background study subject's registration in Minnesota as a predatory offender under section 243.166;

(5) except as provided in clause (6), information received as a result of submission of fingerprints for a national criminal history record check, as defined in section 245C.02, subdivision 13c, when the commissioner has reasonable cause for a national criminal history record check as defined under section 245C.02, subdivision 15a, or as required under section 144.057, subdivision 1, clause (2);

(6) for a background study related to a child foster family setting application for licensure, foster residence settings, children's residential facilities, a transfer of permanent legal and physical custody of a child under sections 260C.503 to 260C.515, or adoptions, and for a background study required for family child care, certified license-exempt child care, child care centers, and legal nonlicensed child care authorized under chapter 119B, the commissioner shall also review:

(i) information from the child abuse and neglect registry for any state in which the background study subject has resided for the past five years;

(ii) when the background study subject is 18 years of age or older, or a minor under section 245C.05, subdivision 5a, paragraph (c), information received following submission of fingerprints for a national criminal history record check; and

(iii) when the background study subject is 18 years of age or older or a minor under section 245C.05, subdivision 5a, paragraph (d), for licensed family child care, certified license-exempt child care, licensed child care centers, and legal nonlicensed child care authorized under chapter 119B, information obtained using non-fingerprint-based data including information from the criminal and sex offender registries for any state in which the background study subject resided for the past five years and information from the national crime information database and the national sex offender registry; ~~and~~

(7) for a background study required for family child care, certified license-exempt child care centers, licensed child care centers, and legal nonlicensed child care authorized under chapter 119B, the background study shall also include, to the extent practicable, a name and date-of-birth search of the National Sex Offender Public website; and

(8) for a background study required for treatment programs for sexual psychopathic personalities or sexually dangerous persons, the background study shall only include a review of the information required under paragraph (a), clauses (1) to (4).

(b) Notwithstanding expungement by a court, the commissioner may consider information obtained under paragraph (a), clauses (3) and (4), unless the commissioner received notice of the petition for expungement and the court order for expungement is directed specifically to the commissioner.

(c) The commissioner shall also review criminal case information received according to section 245C.04, subdivision 4a, from the Minnesota court information system that relates to individuals who have already been studied under this chapter and who remain affiliated with the agency that initiated the background study.

(d) When the commissioner has reasonable cause to believe that the identity of a background study subject is uncertain, the commissioner may require the subject to provide a set of classifiable fingerprints for purposes of completing a fingerprint-based record check with the Bureau of Criminal Apprehension. Fingerprints collected under this paragraph shall not be saved by the commissioner after they have been used to verify the identity of the background study subject against the particular criminal record in question.

(e) The commissioner may inform the entity that initiated a background study under NETStudy 2.0 of the status of processing of the subject's fingerprints."

Page 291, after line 6, insert:

"Sec. 15. Minnesota Statutes 2022, section 245C.10, subdivision 2a, is amended to read:

Subd. 2a. **Occupations regulated by commissioner of health.** The commissioner shall set fees to recover the cost of combined background studies and criminal background checks initiated by applicants, licensees, and certified practitioners regulated under sections 148.511 to 148.5198 and chapter 153A through a fee of no more than \$44 per study charged to the entity. The fees collected under this subdivision shall be deposited in the special revenue fund and are appropriated to the commissioner for the purpose of conducting background studies and criminal background checks."

Page 291, lines 15 and 17, after the first comma, insert "personnel pool agencies."

Page 293, after line 27, insert:

"Sec. 28. Minnesota Statutes 2022, section 245C.10, subdivision 15, is amended to read:

Subd. 15. **Guardians and conservators.** The commissioner shall recover the cost of conducting ~~background studies~~ maltreatment and state licensing agency checks for guardians and conservators under section ~~524.5-118~~ 245C.033 through a fee of no more than ~~\$110 per study~~ \$50. The fees collected under this subdivision are appropriated to the commissioner for the purpose of conducting ~~background studies~~ maltreatment and state licensing agency checks. ~~The fee for conducting an alternative background study for appointment of a professional guardian or conservator must be paid by the guardian or conservator. In other cases, the fee must be paid as follows:~~

(1) ~~if the matter is proceeding in forma pauperis, the fee must be paid as an expense for purposes of section 524.5-502, paragraph (a);~~

(2) ~~if there is an estate of the ward or protected person, the fee must be paid from the estate; or~~

(3) ~~in the case of a guardianship or conservatorship of a person that is not proceeding in forma pauperis, the fee must be paid by the guardian, conservator, or the court~~ must be paid directly to the commissioner and in the manner prescribed by the commissioner before any maltreatment and state licensing agency checks under section 245C.033 may be conducted."

Page 294, delete section 24 and insert:

"Sec. 33. Minnesota Statutes 2022, section 245C.15, subdivision 2, is amended to read:

Subd. 2. **15-year disqualification.** (a) An individual is disqualified under section 245C.14 if: (1) less than 15 years have passed since the discharge of the sentence imposed, if any, for the offense; and (2) the individual has committed a felony-level violation of any of the following offenses: sections 152.021, subdivision 1 or 2b, (aggravated controlled substance crime in the first degree; sale crimes); 152.022, subdivision 1 (controlled substance crime in the second degree; sale crimes); 152.023, subdivision 1 (controlled substance crime in the third degree; sale crimes); 152.024, subdivision 1 (controlled substance crime in the fourth degree; sale crimes); 256.98 (wrongfully obtaining assistance); 268.182 (fraud); 393.07, subdivision 10, paragraph (c) (federal SNAP fraud); 609.165 (felon ineligible to possess firearm); 609.2112, 609.2113, or 609.2114 (criminal vehicular homicide or injury); 609.215 (suicide); 609.223 or 609.2231 (assault in the third or fourth degree); repeat offenses under 609.224 (assault in the fifth degree); 609.229 (crimes committed for benefit of a gang); 609.2325 (criminal abuse of a vulnerable adult); 609.2335 (financial exploitation of a vulnerable adult); 609.235 (use of drugs to injure or facilitate crime); 609.24 (simple robbery); 609.255 (false imprisonment); 609.2664 (manslaughter of an unborn child in the first degree); 609.2665 (manslaughter of an unborn child in the second degree); 609.267 (assault of an unborn child in the first degree); 609.2671 (assault of an unborn child in the second degree); 609.268 (injury or death of an unborn child in the commission of a crime); 609.27 (coercion); 609.275 (attempt to coerce); 609.466 (medical assistance fraud); 609.495 (aiding an offender); 609.498, subdivision 1 or 1b (aggravated first-degree or first-degree tampering with a witness); 609.52 (theft); 609.521 (possession of shoplifting gear); 609.525 (bringing stolen goods into Minnesota); 609.527 (identity theft); 609.53 (receiving stolen property); 609.535 (issuance of dishonored checks); 609.562 (arson in the second degree); 609.563 (arson in the third degree); 609.582 (burglary); 609.59 (possession of burglary tools); 609.611 (insurance fraud); 609.625 (aggravated forgery); 609.63 (forgery);

609.631 (check forgery; offering a forged check); 609.635 (obtaining signature by false pretense); 609.66 (dangerous weapons); 609.67 (machine guns and short-barreled shotguns); 609.687 (adulteration); 609.71 (riot); 609.713 (terroristic threats); 609.82 (fraud in obtaining credit); 609.821 (financial transaction card fraud); 617.23 (indecent exposure), not involving a minor; repeat offenses under 617.241 (obscene materials and performances; distribution and exhibition prohibited; penalty); or 624.713 (certain persons not to possess firearms); ~~chapter 152 (drugs; controlled substance); or Minnesota Statutes 2012, section 609.21; or a felony-level conviction involving alcohol or drug use.~~

(b) An individual is disqualified under section 245C.14 if less than 15 years has passed since the individual's aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in paragraph (a), as each of these offenses is defined in Minnesota Statutes.

(c) An individual is disqualified under section 245C.14 if less than 15 years has passed since the termination of the individual's parental rights under section 260C.301, subdivision 1, paragraph (b), or subdivision 3.

(d) An individual is disqualified under section 245C.14 if less than 15 years has passed since the discharge of the sentence imposed for an offense in any other state or country, the elements of which are substantially similar to the elements of the offenses listed in paragraph (a).

(e) If the individual studied commits one of the offenses listed in paragraph (a), but the sentence or level of offense is a gross misdemeanor or misdemeanor, the individual is disqualified but the disqualification look-back period for the offense is the period applicable to the gross misdemeanor or misdemeanor disposition.

(f) When a disqualification is based on a judicial determination other than a conviction, the disqualification period begins from the date of the court order. When a disqualification is based on an admission, the disqualification period begins from the date of an admission in court. When a disqualification is based on an Alford Plea, the disqualification period begins from the date the Alford Plea is entered in court. When a disqualification is based on a preponderance of evidence of a disqualifying act, the disqualification date begins from the date of the dismissal, the date of discharge of the sentence imposed for a conviction for a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

**EFFECTIVE DATE.** This section is effective for background studies requested on or after August 1, 2024.

Sec. 34. Minnesota Statutes 2022, section 245C.15, is amended by adding a subdivision to read:

**Subd. 4b. Five-year disqualification.** (a) An individual is disqualified under section 245C.14 if: (1) less than five years have passed since the discharge of the sentence imposed, if any, for the offense; and (2) the individual has committed a felony, gross misdemeanor, or misdemeanor-level violation of any of the following offenses: section 152.021, subdivision 2 or 2a (controlled substance possession crime in the first degree; methamphetamine manufacture crime); 152.022, subdivision 2 (controlled substance possession crime in the second degree); 152.023, subdivision 2 (controlled substance possession crime in the third degree); 152.024, subdivision 2 (controlled substance possession crime in the fourth degree); 152.025 (controlled substance crime in the fifth degree); 152.0261 (importing controlled substances across state borders); 152.0262 (possession of substances

with intent to manufacture methamphetamine); 152.027, subdivision 6, paragraph (c) (sale of synthetic cannabinoids); 152.096 (conspiracy to commit controlled substance crime); or 152.097 (simulated controlled substances).

(b) An individual is disqualified under section 245C.14 if less than five years have passed since the individual's aiding and abetting, attempt, or conspiracy to commit any of the offenses listed in paragraph (a), as each of these offenses is defined in Minnesota Statutes.

(c) An individual is disqualified under section 245C.14 if less than five years have passed since the discharge of the sentence imposed for an offense in any other state or country, the elements of which are substantially similar to the elements of any of the offenses listed in paragraph (a).

(d) When a disqualification is based on a judicial determination other than a conviction, the disqualification period begins from the date of the court order. When a disqualification is based on an admission, the disqualification period begins from the date of an admission in court. When a disqualification is based on an Alford plea, the disqualification period begins from the date the Alford plea is entered in court. When a disqualification is based on a preponderance of evidence of a disqualifying act, the disqualification date begins from the date of the dismissal, the date of discharge of the sentence imposed for a conviction for a disqualifying crime of similar elements, or the date of the incident, whichever occurs last.

**EFFECTIVE DATE.** This section is effective for background studies requested on or after August 1, 2024."

Page 298, after line 1, insert:

"Sec. 38. Minnesota Statutes 2022, section 245C.21, subdivision 1a, is amended to read:

Subd. 1a. **Submission of reconsideration request.** (a) For disqualifications related to studies conducted by county agencies for family child care, and for disqualifications related to studies conducted by the commissioner for child foster care, adult foster care, and family adult day services when the applicant or license holder resides in the home where services are provided, the individual shall submit the request for reconsideration to the county agency that initiated the background study.

(b) For disqualifications related to studies conducted by the commissioner for child foster care providers monitored by private licensing agencies under section 245A.16, the individual shall submit the request for reconsideration to the private agency that initiated the background study.

(c) A reconsideration request shall be submitted within 30 days of the individual's receipt of the disqualification notice ~~or the time frames specified in subdivision 2, whichever time frame is shorter.~~

(d) The county or private agency shall forward the individual's request for reconsideration and provide the commissioner with a recommendation whether to set aside the individual's disqualification.

Sec. 39. Minnesota Statutes 2022, section 245C.21, subdivision 2, is amended to read:

Subd. 2. **Time frame for requesting reconsideration.** (a) When the commissioner sends an individual a notice of disqualification based on a finding under section 245C.16, subdivision 2,

paragraph (a), clause (1) or (2), the disqualified individual must submit the request for a reconsideration within 30 calendar days of the individual's receipt of the notice of disqualification. If mailed, the request for reconsideration must be postmarked and sent to the commissioner within 30 calendar days of the individual's receipt of the notice of disqualification. If a request for reconsideration is made by personal service, it must be received by the commissioner within 30 calendar days after the individual's receipt of the notice of disqualification. Upon showing that the information under subdivision 3 cannot be obtained within 30 days, the disqualified individual may request additional time, not to exceed 30 days, to obtain the information.

(b) When the commissioner sends an individual a notice of disqualification based on a finding under section 245C.16, subdivision 2, paragraph (a), clause (3), the disqualified individual must submit the request for reconsideration within ~~15~~ 30 calendar days of the individual's receipt of the notice of disqualification. If mailed, the request for reconsideration must be postmarked and sent to the commissioner within ~~15~~ 30 calendar days of the individual's receipt of the notice of disqualification. If a request for reconsideration is made by personal service, it must be received by the commissioner within ~~15~~ 30 calendar days after the individual's receipt of the notice of disqualification.

(c) An individual who was determined to have maltreated a child under chapter 260E or a vulnerable adult under section 626.557, and who is disqualified on the basis of serious or recurring maltreatment, may request a reconsideration of both the maltreatment and the disqualification determinations. The request must be submitted within 30 calendar days of the individual's receipt of the notice of disqualification. If mailed, the request for reconsideration must be postmarked and sent to the commissioner within 30 calendar days of the individual's receipt of the notice of disqualification. If a request for reconsideration is made by personal service, it must be received by the commissioner within 30 calendar days after the individual's receipt of the notice of disqualification.

(d) Except for family child care and child foster care, reconsideration of a maltreatment determination under sections 260E.33 and 626.557, subdivision 9d, and reconsideration of a disqualification under section 245C.22, shall not be conducted when:

(1) a denial of a license under section 245A.05, or a licensing sanction under section 245A.07, is based on a determination that the license holder is responsible for maltreatment or the disqualification of a license holder based on serious or recurring maltreatment;

(2) the denial of a license or licensing sanction is issued at the same time as the maltreatment determination or disqualification; and

(3) the license holder appeals the maltreatment determination, disqualification, and denial of a license or licensing sanction. In such cases, a fair hearing under section 256.045 must not be conducted under sections 245C.27, 260E.33, and 626.557, subdivision 9d. Under section 245A.08, subdivision 2a, the scope of the consolidated contested case hearing must include the maltreatment determination, disqualification, and denial of a license or licensing sanction.

Notwithstanding clauses (1) to (3), if the license holder appeals the maltreatment determination or disqualification, but does not appeal the denial of a license or a licensing sanction, reconsideration of the maltreatment determination shall be conducted under sections 260E.33 and 626.557, subdivision

9d, and reconsideration of the disqualification shall be conducted under section 245C.22. In such cases, a fair hearing shall also be conducted as provided under sections 245C.27, 260E.33, and 626.557, subdivision 9d."

Page 298, lines 6 and 16, before the period, insert "on individuals, as defined in section 13.02, subdivision 12"

Page 301, after line 24, insert:

"Sec. 43. Minnesota Statutes 2022, section 245C.24, subdivision 2, is amended to read:

**Subd. 2. Permanent bar to set aside a disqualification.** (a) Except as provided in paragraphs (b) to ~~(f)~~ (g), the commissioner may not set aside the disqualification of any individual disqualified pursuant to this chapter, regardless of how much time has passed, if the individual was disqualified for a crime or conduct listed in section 245C.15, subdivision 1.

(b) For an individual in the substance use disorder or corrections field who was disqualified for a crime or conduct listed under section 245C.15, subdivision 1, and whose disqualification was set aside prior to July 1, 2005, the commissioner must consider granting a variance pursuant to section 245C.30 for the license holder for a program dealing primarily with adults. A request for reconsideration evaluated under this paragraph must include a letter of recommendation from the license holder that was subject to the prior set-aside decision addressing the individual's quality of care to children or vulnerable adults and the circumstances of the individual's departure from that service.

(c) If an individual who requires a background study for nonemergency medical transportation services under section 245C.03, subdivision 12, was disqualified for a crime or conduct listed under section 245C.15, subdivision 1, and if more than 40 years have passed since the discharge of the sentence imposed, the commissioner may consider granting a set-aside pursuant to section 245C.22. A request for reconsideration evaluated under this paragraph must include a letter of recommendation from the employer. This paragraph does not apply to a person disqualified based on a violation of sections 243.166; 609.185 to 609.205; 609.25; 609.342 to 609.3453; 609.352; 617.23, subdivision 2, clause (1), or 3, clause (1); 617.246; or 617.247.

(d) When a licensed foster care provider adopts an individual who had received foster care services from the provider for over six months, and the adopted individual is required to receive a background study under section 245C.03, subdivision 1, paragraph (a), clause (2) or (6), the commissioner may grant a variance to the license holder under section 245C.30 to permit the adopted individual with a permanent disqualification to remain affiliated with the license holder under the conditions of the variance when the variance is recommended by the county of responsibility for each of the remaining individuals in placement in the home and the licensing agency for the home.

(e) For an individual 18 years of age or older affiliated with a licensed family foster setting, the commissioner must not set aside or grant a variance for the disqualification of any individual disqualified pursuant to this chapter, regardless of how much time has passed, if the individual was disqualified for a crime or conduct listed in section 245C.15, subdivision 4a, paragraphs (a) and (b).

(f) In connection with a family foster setting license, the commissioner may grant a variance to the disqualification for an individual who is under 18 years of age at the time the background study is submitted.

(g) The commissioner may set aside or grant a variance for any disqualification that is based on conduct or a conviction in an individual's juvenile record.

Sec. 44. Minnesota Statutes 2022, section 245C.30, subdivision 2, is amended to read:

Subd. 2. **Disclosure of reason for disqualification.** (a) The commissioner may not grant a variance for a disqualified individual unless the applicant, license-exempt child care center certification holder, or license holder requests the variance and the disqualified individual provides written consent for the commissioner to disclose to the applicant, license-exempt child care center certification holder, or license holder the reason for the disqualification.

(b) This subdivision does not apply to programs licensed to provide family child care for children, foster care for children in the provider's own home, or foster care or day care services for adults in the provider's own home. ~~When the commissioner grants a variance for a disqualified individual in connection with a license to provide the services specified in this paragraph, the disqualified individual's consent is not required to disclose the reason for the disqualification to the license holder in the variance issued under subdivision 1, provided that the commissioner may not disclose the reason for the disqualification if the disqualification is based on a felony-level conviction for a drug-related offense within the past five years."~~

Pages 302 to 344, delete sections 32 to 60 and insert:

"Sec. 46. Minnesota Statutes 2022, section 524.5-118, is amended to read:

**524.5-118 BACKGROUND STUDY MALTREATMENT AND STATE LICENSING AGENCY CHECKS; CRIMINAL HISTORY CHECK.**

Subdivision 1. **When required; exception.** (a) The court shall require ~~a background study, maltreatment and state licensing agency checks and a criminal history check~~ under this section:

(1) before the appointment of a guardian or conservator, unless ~~a background study has maltreatment and state licensing agency checks and a criminal history check have~~ been done on the person under this section within the previous five years; and

(2) once every five years after the appointment, if the person continues to serve as a guardian or conservator.

(b) ~~The background study, maltreatment and state licensing agency checks and the criminal history check~~ must include:

(1) criminal history data from the Bureau of Criminal Apprehension, ~~other criminal history data held by the commissioner of human services, and data regarding whether the person has been a perpetrator of substantiated maltreatment of a vulnerable adult or minor;~~

(2) criminal history data from a national criminal history record check ~~as defined in section 245C.02, subdivision 13e;~~ and



(3) state licensing agency data if a search of the database or databases of the agencies listed in subdivision 2a shows that the proposed guardian or conservator has ever held a professional license directly related to the responsibilities of a professional fiduciary from an agency listed in subdivision 2a that was conditioned, suspended, revoked, or canceled; and

(4) data on whether the person has been a perpetrator of substantiated maltreatment of a vulnerable adult or a minor.

(c) If the guardian or conservator is not an individual, the ~~background study~~ maltreatment and state licensing agency checks and the criminal history check must be done on all individuals currently employed by the proposed guardian or conservator who will be responsible for exercising powers and duties under the guardianship or conservatorship.

(d) Notwithstanding paragraph (a), if the court determines that it would be in the best interests of the person subject to guardianship or conservatorship to appoint a guardian or conservator before the ~~background study~~ maltreatment and state licensing agency checks and the criminal history check can be completed, the court may make the appointment pending the results of the study, however, the ~~background study~~ maltreatment and state licensing agency checks and the criminal history check must then be completed as soon as reasonably possible after appointment, ~~no later than 30 days after appointment.~~

(e) ~~The fee fees for background studies~~ the maltreatment and state licensing agency checks and the criminal history check conducted under this section ~~is~~ are specified in ~~section~~ sections 245C.10, subdivision 14 15, and 299C.10, subdivisions 4 and 5. ~~The fee fees for conducting a background study~~ maltreatment and state licensing agency checks and the criminal history check for the appointment of a professional guardian or conservator must be paid by the guardian or conservator. In other cases, the fee must be paid as follows:

(1) if the matter is proceeding in forma pauperis, the fee is an expense for purposes of section 524.5-502, paragraph (a);

(2) if there is an estate of the person subject to guardianship or conservatorship, the fee must be paid from the estate; or

(3) in the case of a guardianship or conservatorship of the person that is not proceeding in forma pauperis, the court may order that the fee be paid by the guardian or conservator or by the court.

(f) The requirements of this subdivision do not apply if the guardian or conservator is:

(1) a state agency or county;

(2) a parent or guardian of a person proposed to be subject to guardianship or conservatorship who has a developmental disability, if the parent or guardian has raised the person proposed to be subject to guardianship or conservatorship in the family home until the time the petition is filed, unless counsel appointed for the person proposed to be subject to guardianship or conservatorship under section 524.5-205, paragraph (e); 524.5-304, paragraph (b); 524.5-405, paragraph (a); or 524.5-406, paragraph (b), recommends a background study check; or

(3) a bank with trust powers, bank and trust company, or trust company, organized under the laws of any state or of the United States and which is regulated by the commissioner of commerce or a federal regulator.

**Subd. 2. Procedure; ~~criminal history and maltreatment records background~~ maltreatment and state licensing agency checks and criminal history check.** (a) ~~The court~~ guardian or conservator shall request the commissioner of human services to Bureau of Criminal Apprehension complete a background study under section 245C.32 criminal history check. The request must be accompanied by the applicable fee and acknowledgment that the ~~study subject~~ guardian or conservator received a privacy notice ~~required under subdivision 3.~~ The ~~commissioner of human services~~ Bureau of Criminal Apprehension shall conduct a national criminal history record check. The ~~study subject~~ guardian or conservator shall submit a set of classifiable fingerprints. The fingerprints must be recorded on a fingerprint card provided by the ~~commissioner of human services~~ Bureau of Criminal Apprehension.

(b) ~~The commissioner of human services~~ Bureau of Criminal Apprehension shall provide the court with criminal history data as defined in section 13.87 ~~from the Bureau of Criminal Apprehension in the Department of Public Safety, other criminal history data held by the commissioner of human services, data regarding substantiated maltreatment of vulnerable adults under section 626.557, and substantiated maltreatment of minors under chapter 260E,~~ and criminal history information from other states or jurisdictions as indicated from a national criminal history record check within 20 working days of receipt of a request. ~~If the subject of the study has been the perpetrator of substantiated maltreatment of a vulnerable adult or minor, the response must include a copy of the public portion of the investigation memorandum under section 626.557, subdivision 12b, or the public portion of the investigation memorandum under section 260E.30.~~ The ~~commissioner shall provide the court with information from a review of information according to subdivision 2a if the study subject provided information indicating current or prior affiliation with a state licensing agency.~~

(c) In accordance with section 245C.033, the commissioner of human services shall provide the court with data regarding substantiated maltreatment of vulnerable adults under section 626.557 and substantiated maltreatment of minors under chapter 260E within 25 working days of receipt of a request. If the guardian or conservator has been the perpetrator of substantiated maltreatment of a vulnerable adult or minor, the response must include a copy of any available public portion of the investigation memorandum under section 626.557, subdivision 12b, or any available public portion of the investigation memorandum under section 260E.30.

(d) Notwithstanding section 260E.30 or 626.557, subdivision 12b, if the commissioner of human services or a county lead agency or lead investigative agency has information that a person on whom a background study was previously done under this section has been determined to be a perpetrator of maltreatment of a vulnerable adult or minor, the commissioner or the county may provide this information to the court that requested the background study. The commissioner may also provide the court with additional criminal history or substantiated maltreatment information that becomes available after the background study is done is determining eligibility for the guardian or conservator.

**Subd. 2a. Procedure; state licensing agency data.** (a) ~~The court shall request~~ In response to a request submitted under section 245C.033, the commissioner of human services to shall provide the court within 25 working days of receipt of the request with licensing agency data for licenses directly

related to the responsibilities of a professional fiduciary if the ~~study subject indicates~~ guardian or conservator has a current or prior affiliation from the following agencies in Minnesota:

- (1) Lawyers Responsibility Board;
- (2) State Board of Accountancy;
- (3) Board of Social Work;
- (4) Board of Psychology;
- (5) Board of Nursing;
- (6) Board of Medical Practice;
- (7) Department of Education;
- (8) Department of Commerce;
- (9) Board of Chiropractic Examiners;
- (10) Board of Dentistry;
- (11) Board of Marriage and Family Therapy;
- (12) Department of Human Services;
- (13) Peace Officer Standards and Training (POST) Board; and
- (14) Professional Educator Licensing and Standards Board.

~~(b) The commissioner shall enter into agreements with these agencies to provide the commissioner with electronic access to the relevant licensing data, and to provide the commissioner with a quarterly list of new sanctions issued by the agency.~~

~~(e) The commissioner shall provide information to the court ~~the electronically available data maintained in the agency's database, including whether the proposed guardian or conservator is or has been licensed by the agency, and if the licensing agency database indicates a disciplinary action or a sanction against the individual's license, including a condition, suspension, revocation, or cancellation in accordance with section 245C.033.~~~~

~~(d) If the proposed guardian or conservator has resided in a state other than Minnesota in the previous ten years, licensing agency data under this section shall also include the licensing agency data from any other state where the proposed guardian or conservator reported to have resided during the previous ten years if the study subject indicates current or prior affiliation. If the proposed guardian or conservator has or has had a professional license in another state that is directly related to the responsibilities of a professional fiduciary from one of the agencies listed under paragraph (a), state licensing agency data shall also include data from the relevant licensing agency of that state.~~

~~(e) The commissioner is not required to repeat a search for Minnesota or out-of-state licensing data on an individual if the commissioner has provided this information to the court within the prior five years.~~

~~(f) The commissioner shall review the information in paragraph (e) at least once every four months to determine if an individual who has been studied within the previous five years:~~

~~(1) has new disciplinary action or sanction against the individual's license; or~~

~~(2) did not disclose a prior or current affiliation with a Minnesota licensing agency.~~

~~(g) If the commissioner's review in paragraph (f) identifies new information, the commissioner shall provide any new information to the court.~~

Subd. 3. **Forms and systems.** ~~The court~~ In accordance with section 245C.033, the commissioner must provide the ~~study subject~~ guardian or conservator with a privacy notice for maltreatment and state licensing agency checks that complies with section 245C.05, subdivision 2e. ~~The commissioner of human services shall use the NETStudy 2.0 system to conduct a background study under this section 13.04, subdivision 2. The Bureau of Criminal Apprehension must provide the guardian or conservator with a privacy notice for a criminal history check.~~

Subd. 4. **Rights.** The court shall notify the ~~subject of a background study~~ guardian or conservator that the ~~subject~~ guardian or conservator has the following rights:

(1) the right to be informed that the court will request ~~a background study on the subject maltreatment and state licensing checks and a criminal history check on the~~ guardian or conservator for the purpose of determining whether the person's appointment or continued appointment is in the best interests of the person subject to guardianship or conservatorship;

(2) the right to be informed of the results of the ~~study~~ checks and to obtain from the court a copy of the results; and

(3) the right to challenge the accuracy and completeness of information contained in the results under section 13.04, subdivision 4, except to the extent precluded by section 256.045, subdivision 3."

Page 345, after line 15, insert:

"Section 1. Minnesota Statutes 2022, section 119B.16, subdivision 1a, is amended to read:

Subd. 1a. **Fair hearing allowed for providers.** (a) This subdivision applies to providers caring for children receiving child care assistance.

(b) A provider may request a fair hearing according to sections 256.045 and 256.046 only if a county agency or the commissioner:

(1) denies or revokes a provider's authorization, unless the action entitles the provider to:

(i) an administrative review under section 119B.161; or

(ii) a contested case hearing under section 245.095, subdivision 4;

(2) assigns responsibility for an overpayment to a provider under section 119B.11, subdivision 2a;

(3) establishes an overpayment for failure to comply with section 119B.125, subdivision 6;

(4) seeks monetary recovery or recoupment under section 245E.02, subdivision 4, paragraph (c), clause (2);

(5) initiates an administrative fraud disqualification hearing; or

(6) issues a payment and the provider disagrees with the amount of the payment.

(c) A provider may request a fair hearing by submitting a written request to the Department of Human Services, Appeals Division. A provider's request must be received by the Appeals Division no later than 30 days after the date a county or the commissioner mails the notice.

(d) The provider's appeal request must contain the following:

(1) each disputed item, the reason for the dispute, and, if applicable, an estimate of the dollar amount involved for each disputed item;

(2) the computation the provider believes to be correct, if applicable;

(3) the statute or rule relied on for each disputed item; and

(4) the name, address, and telephone number of the person at the provider's place of business with whom contact may be made regarding the appeal."

Page 346, line 26, delete everything after the second "individual" and insert "or an entity that has a relationship with an excluded provider or vendor, its owners, or controlling individuals, such that the individual or entity would have knowledge of the excluded provider or vendor's business practices, including but not limited to financial practices."

Page 346, delete line 27

Page 348, after line 20, insert:

"(d) If the commissioner withholds payments under this subdivision, the provider, vendor, individual, associated individual, or associated entity has a right to request administrative reconsideration. A request for administrative reconsideration must be made in writing, must state with specificity the reasons the payment withhold is in error, and must include documentation to support the request. Within 60 days from receipt of the request, the commissioner must judiciously review allegations, facts, evidence available to the commissioner as well as information submitted by the provider, vendor, individual, associated individual, or associated entity to determine whether the payment withhold should remain in place. The commissioner's decision on reconsideration regarding the payment withhold is a final decision."

Page 348, line 21, delete "(d)" and insert "(e)"

Page 348, line 26, delete "(e)" and insert "(f)"

Page 378, after line 9, insert:

"Sec. 25. Minnesota Statutes 2022, section 245E.06, subdivision 3, is amended to read:

Subd. 3. **Appeal of department action.** A provider's rights related to the department's action taken under this chapter against a provider are established in sections 119B.16 ~~and~~, 119B.161, and 245.095, subdivision 4."

Page 378, after line 20, insert:

"Sec. 27. Minnesota Statutes 2022, section 245H.01, is amended by adding a subdivision to read:

Subd. 2a. **Authorized agent.** "Authorized agent" means the individual designated by the certification holder who is responsible for communicating with the commissioner of human services regarding all items pursuant to this chapter.

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

Sec. 28. Minnesota Statutes 2022, section 245H.01, subdivision 3, is amended to read:

Subd. 3. **Center operator or program operator.** "Center operator" or "program operator" means the person exercising supervision or control over the center's or program's operations, planning, and functioning. ~~There may be more than one designated center operator or program operator."~~

Page 387, delete section 38 and insert:

"Sec. 42. **DIRECTION TO COMMISSIONER OF HUMAN SERVICES; TRANSITION TO LICENSURE.**

(a) The commissioner of human services must transition the following mental health services from certification under Minnesota Statutes, chapters 245 and 256B, to licensure under Minnesota Statutes, chapter 245A, on or before January 1, 2026:

- (1) certified community behavioral health clinics;
- (2) adult rehabilitative mental health services;
- (3) mobile mental health crisis response services;
- (4) children's therapeutic services and supports; and
- (5) community mental health centers.

(b) The transition to licensure under this section must be according to the Mental Health Uniform Service Standards in Minnesota Statutes, chapter 245I.

(c) No later than January 1, 2025, the commissioner must submit the proposed legislation necessary to implement the transition in paragraphs (a) and (b) to the chairs and ranking minority members of the legislative committees with jurisdiction over behavioral health services.

(d) The commissioner must consult with stakeholders to develop the legislation described in paragraph (c)."

Page 392, line 16, before "The" insert "(a)"

Page 392, line 21, after "budget" insert "or stated in paragraph (b)"

Page 392, after line 25, insert:

"(b) Grantees must provide regular data summaries to the commissioner for purposes of evaluating the effectiveness of the grant program. The commissioner must use identified culturally appropriate outcome measures to evaluate outcomes and must evaluate program activities by analyzing whether the program:

(1) increased access to culturally specific services for individuals from cultural and ethnic minority communities across the state;

(2) increased the number of individuals from cultural and ethnic minority communities served by grantees;

(3) increased the cultural responsiveness and cultural competency of mental health and substance use disorder treatment providers;

(4) increased the number of mental health and substance use disorder treatment providers and clinical supervisors from cultural and ethnic minority communities;

(5) increased the number of mental health and substance use disorder treatment organizations owned, managed, or led by individuals who are Black, Indigenous, or people of color;

(6) reduced health disparities through improved clinical and functional outcomes for those accessing services;

(7) led to an overall increase in culturally specific mental health and substance use disorder service availability; and

(8) led to changes indicated by other measures identified from consultation pursuant to paragraph (a)."

Page 393, after line 32, insert:

"Sec. 5. Minnesota Statutes 2022, section 245.735, subdivision 3, is amended to read:

Subd. 3. **Certified community behavioral health clinics.** (a) The commissioner ~~shall~~ must establish a state certification and recertification process for certified community behavioral health clinics (CCBHCs) that satisfy all federal requirements necessary for CCBHCs certified under this section to be eligible for reimbursement under medical assistance, without service area limits based

on geographic area or region. The commissioner shall consult with CCBHC stakeholders before establishing and implementing changes in the certification or recertification process and requirements. Any changes to the certification or recertification process or requirements must be consistent with the most recently issued CCBHC criteria published by the Substance Abuse and Mental Health Services Administration (SAMHSA). The commissioner must allow a transition period for CCBHCs to meet the revised SAMHSA criteria prior to July 1, 2024. The commissioner is authorized to amend Minnesota's Medicaid state plan or the terms of the demonstration to comply with federal requirements. Entities that choose to be CCBHCs must:

- (1) comply with state licensing requirements and other requirements issued by the commissioner;
- (2) employ or contract for clinic staff who have backgrounds in diverse disciplines, including licensed mental health professionals and licensed alcohol and drug counselors, and staff who are culturally and linguistically trained to meet the needs of the population the clinic serves;
- (3) ensure that clinic services are available and accessible to individuals and families of all ages and genders and that crisis management services are available 24 hours per day;
- (4) establish fees for clinic services for individuals who are not enrolled in medical assistance using a sliding fee scale that ensures that services to patients are not denied or limited due to an individual's inability to pay for services;
- (5) comply with quality assurance reporting requirements and other reporting requirements, including any required reporting of encounter data, clinical outcomes data, and quality data;
- (6) provide crisis mental health and substance use services, withdrawal management services, emergency crisis intervention services, and stabilization services through existing mobile crisis services; screening, assessment, and diagnosis services, including risk assessments and level of care determinations; person- and family-centered treatment planning; outpatient mental health and substance use services; targeted case management; psychiatric rehabilitation services; peer support and counselor services and family support services; and intensive community-based mental health services, including mental health services for members of the armed forces and veterans. CCBHCs must directly provide the majority of these services to enrollees, but may coordinate some services with another entity through a collaboration or agreement, pursuant to paragraph (b);
- (7) provide coordination of care across settings and providers to ensure seamless transitions for individuals being served across the full spectrum of health services, including acute, chronic, and behavioral needs. Care coordination may be accomplished through partnerships or formal contracts with:
  - (i) counties, health plans, pharmacists, pharmacies, rural health clinics, federally qualified health centers, inpatient psychiatric facilities, substance use and detoxification facilities, or community-based mental health providers; and
  - (ii) other community services, supports, and providers, including schools, child welfare agencies, juvenile and criminal justice agencies, Indian health services clinics, tribally licensed health care and mental health facilities, urban Indian health clinics, Department of Veterans Affairs medical centers, outpatient clinics, drop-in centers, acute care hospitals, and hospital outpatient clinics;



(8) be certified as a mental health clinic under section 245I.20;

(9) comply with standards established by the commissioner relating to CCBHC screenings, assessments, and evaluations;

(10) be licensed to provide substance use disorder treatment under chapter 245G;

(11) be certified to provide children's therapeutic services and supports under section 256B.0943;

(12) be certified to provide adult rehabilitative mental health services under section 256B.0623;

(13) be enrolled to provide mental health crisis response services under section 256B.0624;

(14) be enrolled to provide mental health targeted case management under section 256B.0625, subdivision 20;

(15) comply with standards relating to mental health case management in Minnesota Rules, parts 9520.0900 to 9520.0926;

(16) provide services that comply with the evidence-based practices described in paragraph (e); and

(17) comply with standards relating to peer services under sections 256B.0615, 256B.0616, and 245G.07, subdivision 2, clause (8), as applicable when peer services are provided.

(b) As part of the state CCBHC certification and recertification process, the commissioner must provide to entities applying for certification or requesting recertification (1) the standard requirements of the community needs assessment, and (2) the staffing plan. The standard requirements and the staffing plan must be consistent with the most recently issued CCBHC criteria published by the SAMHSA.

(c) If a certified CCBHC is unable to provide one or more of the services listed in paragraph (a), clauses (6) to (17), the CCBHC may contract with another entity that has the required authority to provide that service and that meets the following criteria as a designated collaborating organization:

(1) the entity has a formal agreement with the CCBHC to furnish one or more of the services under paragraph (a), clause (6);

(2) the entity provides assurances that it will provide services according to CCBHC service standards and provider requirements;

(3) the entity agrees that the CCBHC is responsible for coordinating care and has clinical and financial responsibility for the services that the entity provides under the agreement; and

(4) the entity meets any additional requirements issued by the commissioner.

~~(e)~~ (d) Notwithstanding any other law that requires a county contract or other form of county approval for certain services listed in paragraph (a), clause (6), a clinic that otherwise meets CCBHC requirements may receive the prospective payment under section 256B.0625, subdivision 5m, for those services without a county contract or county approval. As part of the certification process in

paragraph (a), the commissioner shall require a letter of support from the CCBHC's host county confirming that the CCBHC and the county or counties it serves have an ongoing relationship to facilitate access and continuity of care, especially for individuals who are uninsured or who may go on and off medical assistance.

(~~Ⓔ~~) (e) When the standards listed in paragraph (a) or other applicable standards conflict or address similar issues in duplicative or incompatible ways, the commissioner may grant variances to state requirements if the variances do not conflict with federal requirements for services reimbursed under medical assistance. If standards overlap, the commissioner may substitute all or a part of a licensure or certification that is substantially the same as another licensure or certification. The commissioner shall consult with stakeholders, as described in subdivision 4, before granting variances under this provision. For the CCBHC that is certified but not approved for prospective payment under section 256B.0625, subdivision 5m, the commissioner may grant a variance under this paragraph if the variance does not increase the state share of costs.

(~~Ⓕ~~) (f) The commissioner shall issue a list of required evidence-based practices to be delivered by CCBHCs, and may also provide a list of recommended evidence-based practices. The commissioner may update the list to reflect advances in outcomes research and medical services for persons living with mental illnesses or substance use disorders. The commissioner shall take into consideration the adequacy of evidence to support the efficacy of the practice, the quality of workforce available, and the current availability of the practice in the state. At least 30 days before issuing the initial list and any revisions, the commissioner shall provide stakeholders with an opportunity to comment.

(~~Ⓖ~~) (g) The commissioner shall recertify CCBHCs at least every three years. The commissioner shall establish a process for decertification and shall require corrective action, medical assistance repayment, or decertification of a CCBHC that no longer meets the requirements in this section or that fails to meet the standards provided by the commissioner in the application and certification process.

**EFFECTIVE DATE.** This section is effective upon federal approval. The commissioner of human services shall notify the revisor of statutes when federal approval is obtained.

Sec. 6. Minnesota Statutes 2022, section 245.735, subdivision 6, is amended to read:

Subd. 6. ~~Demonstration~~ **Section 223 Protecting Access to Medicare Act entities.** (a) The commissioner ~~may operate~~ must request federal approval to participate in the demonstration program established by section 223 of the Protecting Access to Medicare Act and, if approved, must continue to participate in the demonstration program for as long as federal funding for the demonstration program remains available from the United States Department of Health and Human Services. To the extent practicable, the commissioner shall align the requirements of the demonstration program with the requirements under this section for CCBHCs receiving medical assistance reimbursement under the authority of the state's Medicaid state plan. A CCBHC may not apply to participate as a billing provider in both the CCBHC federal demonstration and the benefit for CCBHCs under the medical assistance program.

(b) The commissioner must follow the payment guidance issued by the federal government, including the payment of the CCBHC daily bundled rate for services rendered by CCBHCs to

individuals who are dually eligible for Medicare and medical assistance when Medicare is the primary payer for the service. An entity that receives a CCBHC daily bundled rate that overlaps with another federal Medicaid methodology is not eligible for the CCBHC rate. Services provided by a CCBHC operating under authority of the state's Medicaid state plan will not receive the prospective payment system rate for services rendered by CCBHCs to individuals who are dually eligible for Medicare and medical assistance when Medicare is the primary payer for the service. Payment for services rendered by CCBHCs to individuals who have commercial insurance as primary and medical assistance as secondary is subject to section 256B.37. Services provided by a CCBHC operating under authority of the 223 demonstration or the state's Medicaid state plan will not receive the prospective payment system rate for services rendered by CCBHCs to individuals who have commercial insurance as primary and medical assistance as secondary.

**EFFECTIVE DATE.** This section is effective upon federal approval. The commissioner of human services shall notify the revisor of statutes when federal approval is obtained.

Sec. 7. Minnesota Statutes 2022, section 245.735, is amended by adding a subdivision to read:

Subd. 7. **Addition of CCBHCs to section 223 state demonstration programs.** (a) If the commissioner's request to reenter the demonstration program under subdivision 6 is approved, the commissioner must follow all federal guidance for the addition of CCBHCs to section 223 state demonstration programs.

(b) Prior to participating in the demonstration, a clinic must meet the demonstration certification criteria and prospective payment system guidance in effect at that time and be certified as a CCBHC in Minnesota. The SAMHSA attestation process for the CCBHC expansion grants is not sufficient to constitute state certification. CCBHCs newly added to the demonstration must participate in all aspects of the state demonstration program, including but not limited to quality measurement and reporting, evaluation activities, and state CCBHC demonstration program requirements such as use of state-specified evidence-based practices. A newly added CCBHC must report on quality measures before its first full demonstration year if it joined the demonstration program in the 2023 calendar year out of alignment with the state's demonstration year cycle. A CCBHC may provide services in multiple locations and in community-based settings subject to federal rules of the 223 demonstration authority or Medicaid state plan authority. If a facility meets the definition of a satellite facility as defined by the SAMHSA and was established after April 1, 2014, the facility cannot receive payment as a part of the demonstration program.

**EFFECTIVE DATE.** This section is effective upon federal approval. The commissioner of human services shall notify the revisor of statutes when federal approval is obtained."

Page 396, delete article 10

Page 396, line 2, after the period, insert "The pilot must include four sites, must include at least one rural site and one urban site, and may include one or more Tribal behavioral health crisis providers. To qualify for the pilot, a grantee must have a current mobile crisis certification in good standing under Minnesota Statutes, section 256B.0624."

Page 406, after line 26, insert:

"Sec. 2. Minnesota Statutes 2022, section 256D.01, subdivision 1a, is amended to read:

Subd. 1a. **Standards.** (a) A principal objective in providing general assistance is to provide for single adults, childless couples, or children as defined in section 256D.02, subdivision 6, ineligible for federal programs who are unable to provide for themselves. The minimum standard of assistance determines the total amount of the general assistance grant without separate standards for shelter, utilities, or other needs.

(b) ~~The commissioner shall set the standard of assistance for an assistance unit consisting of an adult a recipient who is childless and unmarried or living apart from children and spouse and who does not live with a parent or parents or a legal custodian is the cash portion of the MFIP transitional standard for a single adult under section 256J.24, subdivision 5. When the other standards specified in this subdivision increase, this standard must also be increased by the same percentage.~~

(c) For an assistance unit consisting of a single adult who lives with a parent or parents, the general assistance standard of assistance ~~is the amount that the aid to families with dependent children standard of assistance, in effect on July 16, 1996, would increase if the recipient were added as an additional minor child to an assistance unit consisting of the recipient's parent and all of that parent's family members, except that the standard may not exceed the standard for a general assistance recipient living alone~~ is the cash portion of the MFIP transitional standard for a single adult under section 256J.24, subdivision 5. Benefits received by a responsible relative of the assistance unit under the Supplemental Security Income program, a workers' compensation program, the Minnesota supplemental aid program, or any other program based on the responsible relative's disability, and any benefits received by a responsible relative of the assistance unit under the Social Security retirement program, may not be counted in the determination of eligibility or benefit level for the assistance unit. Except as provided below, the assistance unit is ineligible for general assistance if the available resources or the countable income of the assistance unit and the parent or parents with whom the assistance unit lives are such that a family consisting of the assistance unit's parent or parents, the parent or parents' other family members and the assistance unit as the only or additional minor child would be financially ineligible for general assistance. For the purposes of calculating the countable income of the assistance unit's parent or parents, the calculation methods must follow the provisions under section 256P.06.

(d) For an assistance unit consisting of a childless couple, the standards of assistance are the same as the first and second adult standards of the aid to families with dependent children program in effect on July 16, 1996. If one member of the couple is not included in the general assistance grant, the standard of assistance for the other is the second adult standard of the aid to families with dependent children program as of July 16, 1996.

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

Sec. 3. Minnesota Statutes 2022, section 256D.024, subdivision 1, is amended to read:

Subdivision 1. **Person convicted of drug offenses.** (a) ~~If An applicant or recipient individual who has been convicted of a felony-level drug offense after July 1, 1997, the assistance unit is ineligible for benefits under this chapter until five years after the applicant has completed terms of the court-ordered sentence, unless the person is participating in a drug treatment program, has successfully completed a drug treatment program, or has been assessed by the county and determined not to be in need of a drug treatment program. Persons subject to the limitations of this subdivision who become eligible for assistance under this chapter shall~~ during the previous ten years from the

date of application or recertification may be subject to random drug testing as a condition of continued eligibility and shall lose eligibility for benefits for five years beginning the month following. The county must provide information about substance use disorder treatment programs to a person who tests positive for an illegal controlled substance.

~~(1) Any positive test result for an illegal controlled substance; or~~

~~(2) discharge of sentence after conviction for another drug felony.~~

(b) For the purposes of this subdivision, "drug offense" means a conviction that occurred ~~after July 1, 1997,~~ during the previous ten years from the date of application or recertification of sections 152.021 to 152.025, 152.0261, 152.0262, or 152.096. Drug offense also means a conviction in another jurisdiction of the possession, use, or distribution of a controlled substance, or conspiracy to commit any of these offenses, if the offense conviction occurred after July 1, 1997, during the previous ten years from the date of application or recertification and the conviction is a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor.

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

Page 406, after line 31, insert:

"Sec. 5. Minnesota Statutes 2022, section 256D.06, subdivision 5, is amended to read:

Subd. 5. **Eligibility; requirements.** (a) Any applicant, otherwise eligible for general assistance and possibly eligible for maintenance benefits from any other source shall (1) make application for those benefits within ~~30~~ 90 days of the general assistance application; and (2) execute an interim assistance agreement on a form as directed by the commissioner.

(b) The commissioner shall review a denial of an application for other maintenance benefits and may require a recipient of general assistance to file an appeal of the denial if appropriate. If found eligible for benefits from other sources, and a payment received from another source relates to the period during which general assistance was also being received, the recipient shall be required to reimburse the county agency for the interim assistance paid. Reimbursement shall not exceed the amount of general assistance paid during the time period to which the other maintenance benefits apply and shall not exceed the state standard applicable to that time period.

(c) The commissioner may contract with the county agencies, qualified agencies, organizations, or persons to provide advocacy and support services to process claims for federal disability benefits for applicants or recipients of services or benefits supervised by the commissioner using money retained under this section.

(d) The commissioner may provide methods by which county agencies shall identify, refer, and assist recipients who may be eligible for benefits under federal programs for people with a disability.

(e) The total amount of interim assistance recoveries retained under this section for advocacy, support, and claim processing services shall not exceed 35 percent of the interim assistance recoveries in the prior fiscal year.

Sec. 6. Minnesota Statutes 2022, section 256D.44, subdivision 5, is amended to read:

Subd. 5. **Special needs.** (a) In addition to the state standards of assistance established in subdivisions 1 to 4, payments are allowed for the following special needs of recipients of Minnesota supplemental aid who are not residents of a nursing home, a regional treatment center, or a setting authorized to receive housing support payments under chapter 256I.

(b) The county agency shall pay a monthly allowance for medically prescribed diets if the cost of those additional dietary needs cannot be met through some other maintenance benefit. The need for special diets or dietary items must be prescribed by a licensed physician, advanced practice registered nurse, or physician assistant. Costs for special diets shall be determined as percentages of the allotment for a one-person household under the thrifty food plan as defined by the United States Department of Agriculture. The types of diets and the percentages of the thrifty food plan that are covered are as follows:

- (1) high protein diet, at least 80 grams daily, 25 percent of thrifty food plan;
- (2) controlled protein diet, 40 to 60 grams and requires special products, 100 percent of thrifty food plan;
- (3) controlled protein diet, less than 40 grams and requires special products, 125 percent of thrifty food plan;
- (4) low cholesterol diet, 25 percent of thrifty food plan;
- (5) high residue diet, 20 percent of thrifty food plan;
- (6) pregnancy and lactation diet, 35 percent of thrifty food plan;
- (7) gluten-free diet, 25 percent of thrifty food plan;
- (8) lactose-free diet, 25 percent of thrifty food plan;
- (9) antidumping diet, 15 percent of thrifty food plan;
- (10) hypoglycemic diet, 15 percent of thrifty food plan; or
- (11) ketogenic diet, 25 percent of thrifty food plan.

(c) Payment for nonrecurring special needs must be allowed for necessary home repairs or necessary repairs or replacement of household furniture and appliances using the payment standard of the AFDC program in effect on July 16, 1996, for these expenses, as long as other funding sources are not available.

(d) A fee for guardian or conservator service is allowed at a reasonable rate negotiated by the county or approved by the court. This rate shall not exceed five percent of the assistance unit's gross monthly income up to a maximum of \$100 per month. If the guardian or conservator is a member of the county agency staff, no fee is allowed.

(e) The county agency shall continue to pay a monthly allowance of \$68 for restaurant meals for a person who was receiving a restaurant meal allowance on June 1, 1990, and who eats two or more meals in a restaurant daily. The allowance must continue until the person has not received

Minnesota supplemental aid for one full calendar month or until the person's living arrangement changes and the person no longer meets the criteria for the restaurant meal allowance, whichever occurs first.

(f) ~~A fee of ten percent of the recipient's gross income or \$25, whichever is less, equal to the maximum monthly amount allowed by the Social Security Administration~~ is allowed for representative payee services provided by an agency that meets the requirements under SSI regulations to charge a fee for representative payee services. This special need is available to all recipients of Minnesota supplemental aid regardless of their living arrangement.

(g)(1) Notwithstanding the language in this subdivision, an amount equal to one-half of the maximum federal Supplemental Security Income payment amount for a single individual which is in effect on the first day of July of each year will be added to the standards of assistance established in subdivisions 1 to 4 for adults under the age of 65 who qualify as in need of housing assistance and are:

(i) relocating from an institution, a setting authorized to receive housing support under chapter 256I, or an adult mental health residential treatment program under section 256B.0622;

(ii) eligible for personal care assistance under section 256B.0659; or

(iii) home and community-based waiver recipients living in their own home or rented or leased apartment.

(2) Notwithstanding subdivision 3, paragraph (c), an individual eligible for the shelter needy benefit under this paragraph is considered a household of one. An eligible individual who receives this benefit prior to age 65 may continue to receive the benefit after the age of 65.

(3) "Housing assistance" means that the assistance unit incurs monthly shelter costs that exceed 40 percent of the assistance unit's gross income before the application of this special needs standard. "Gross income" for the purposes of this section is the applicant's or recipient's income as defined in section 256D.35, subdivision 10, or the standard specified in subdivision 3, paragraph (a) or (b), whichever is greater. A recipient of a federal or state housing subsidy, that limits shelter costs to a percentage of gross income, shall not be considered in need of housing assistance for purposes of this paragraph.

**EFFECTIVE DATE.** This section is effective January 1, 2024."

Page 411, after line 32, insert:

"Sec. 16. Minnesota Statutes 2022, section 256I.03, subdivision 7, is amended to read:

Subd. 7. **Countable income.** (a) "Countable income" means all income received by an applicant or recipient as described under section 256P.06, less any applicable exclusions or disregards. ~~For a recipient of any cash benefit from the SSI program, countable income means the SSI benefit limit in effect at the time the person is a recipient of housing support, less the medical assistance personal needs allowance under section 256B.35. If the SSI limit or benefit is reduced for a person due to events other than receipt of additional income, countable income means actual income less any applicable exclusions and disregards.~~

(b) For a recipient of any cash benefit from the SSI program who does not live in a setting described in section 256I.04, subdivision 2a, paragraph (b), clause (2), countable income equals the SSI benefit limit in effect at the time the person is a recipient of housing support, less the personal needs allowance under section 256B.35. If the SSI limit or benefit is reduced for a person due to events other than receipt of additional income, countable income equals actual income less any applicable exclusions and disregards.

(c) For a recipient of any cash benefit from the SSI program who lives in a setting as described in section 256I.04, subdivision 2a, paragraph (b), clause (2), countable income equals 30 percent of the SSI benefit limit in effect at the time a person is a recipient of housing support. If the SSI limit or benefit is reduced for a person due to events other than receipt of additional income, countable income equals 30 percent of the actual income less any applicable exclusions and disregards. For recipients under this paragraph, the personal needs allowance described in section 256B.35 does not apply.

(d) Notwithstanding the earned income disregard described in section 256P.03, for a recipient of unearned income as defined in section 256P.06, subdivision 3, clause (2), other than SSI and the general assistance personal needs allowance, who lives in a setting described in section 256I.04, subdivision 2a, paragraph (b), clause (2), countable income equals 30 percent of the recipient's total income after applicable exclusions and disregards. Total income includes any unearned income as defined in section 256P.06 and any earned income in the month the person is a recipient of housing support. For recipients under this paragraph, the personal needs allowance described in section 256B.35 does not apply.

(e) For a recipient who lives in a setting as described in section 256I.04, subdivision 2a, paragraph (b), clause (2), and receives general assistance, the personal needs allowance described in section 256B.35 is not countable unearned income.

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

Page 416, after line 9, insert:

"Sec. 26. Minnesota Statutes 2022, section 256J.26, subdivision 1, is amended to read:

Subdivision 1. **Person convicted of drug offenses.** (a) An individual who has been convicted of a felony level drug offense ~~committed~~ during the previous ten years from the date of application or recertification is subject to the following:

(1) Benefits for the entire assistance unit must be paid in vendor form for shelter and utilities during any time the applicant is part of the assistance unit.

(2) The convicted applicant or participant ~~shall~~ may be subject to random drug testing ~~as a condition of continued eligibility and~~. Following any positive test for an illegal controlled substance ~~is subject to the following sanctions,~~ the county must provide information about substance use disorder treatment programs to the applicant or participant.

~~(i) for failing a drug test the first time, the residual amount of the participant's grant after making vendor payments for shelter and utility costs, if any, must be reduced by an amount equal to 30 percent of the MFIP standard of need for an assistance unit of the same size. When a sanction under~~



~~this subdivision is in effect, the job counselor must attempt to meet with the person face-to-face. During the face-to-face meeting, the job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting; or~~

~~(ii) for failing a drug test two times, the participant is permanently disqualified from receiving MFIP assistance, both the cash and food portions. The assistance unit's MFIP grant must be reduced by the amount which would have otherwise been made available to the disqualified participant. Disqualification under this item does not make a participant ineligible for the Supplemental Nutrition Assistance Program (SNAP). Before a disqualification under this provision is imposed, the job counselor must attempt to meet with the participant face-to-face. During the face-to-face meeting, the job counselor must identify other resources that may be available to the participant to meet the needs of the family and inform the participant of the right to appeal the disqualification under section 256J.40. If a face-to-face meeting is not possible, the county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting.~~

~~(3) A participant who fails a drug test the first time and is under a sanction due to other MFIP program requirements is considered to have more than one occurrence of noncompliance and is subject to the applicable level of sanction as specified under section 256J.46, subdivision 1, paragraph (d).~~

~~(b) Applicants requesting only SNAP benefits or participants receiving only SNAP benefits, who have been convicted of a felony-level drug offense that occurred after July 1, 1997, during the previous ten years from the date of application or recertification may, if otherwise eligible, receive SNAP benefits if. The convicted applicant or participant is may be subject to random drug testing as a condition of continued eligibility. Following a positive test for an illegal controlled substance, the applicant is subject to the following sanctions: county must provide information about substance use disorder treatment programs to the applicant or participant.~~

~~(1) for failing a drug test the first time, SNAP benefits shall be reduced by an amount equal to 30 percent of the applicable SNAP benefit allotment. When a sanction under this clause is in effect, a job counselor must attempt to meet with the person face-to-face. During the face-to-face meeting, a job counselor must explain the consequences of a subsequent drug test failure and inform the participant of the right to appeal the sanction under section 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant a notice of adverse action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting; and~~

~~(2) for failing a drug test two times, the participant is permanently disqualified from receiving SNAP benefits. Before a disqualification under this provision is imposed, a job counselor must attempt to meet with the participant face-to-face. During the face-to-face meeting, the job counselor must identify other resources that may be available to the participant to meet the needs of the family and inform the participant of the right to appeal the disqualification under section 256J.40. If a face-to-face meeting is not possible, a county agency must send the participant a notice of adverse~~

action as provided in section 256J.31, subdivisions 4 and 5, and must include the information required in the face-to-face meeting.

(c) For the purposes of this subdivision, "drug offense" means ~~an offense~~ a conviction that occurred during the previous ten years from the date of application or recertification of sections 152.021 to 152.025, 152.0261, 152.0262, 152.096, or 152.137. Drug offense also means a conviction in another jurisdiction of the possession, use, or distribution of a controlled substance, or conspiracy to commit any of these offenses, if the ~~offense~~ conviction occurred during the previous ten years from the date of application or recertification and the conviction is a felony offense in that jurisdiction, or in the case of New Jersey, a high misdemeanor.

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

Page 427, line 26, strike "1" and insert "2"

Page 428, line 2, strike "(e)" and insert "(d)"

Page 428, after line 14, insert:

"Sec. 40. Minnesota Statutes 2022, section 256P.01, is amended by adding a subdivision to read:

**Subd. 5a. Lived-experience engagement.** "Lived-experience engagement" means an intentional engagement of people with lived experience by a federal, Tribal, state, county, municipal, or nonprofit human services agency funded in part or in whole by federal, state, local government, Tribal Nation, public, private, or philanthropic money to gather and share feedback on the impact of human services programs."

Page 428, after line 28, insert:

"Sec. 43. Minnesota Statutes 2022, section 256P.02, is amended by adding a subdivision to read:

**Subd. 4. Health and human services recipient engagement income.** Income received from lived-experience engagement, as defined in section 256P.01, subdivision 5a, shall be excluded when determining the equity value of personal property."

Page 431, after line 19, insert:

**"EFFECTIVE DATE.** This section is effective September 1, 2024, except the removal of item (ix) related to nonrecurring income is effective July 1, 2024, and the removal of item (xii) related to Tribal per capita payments and the addition of item (xvi) related to retirement, survivors, and disability insurance payments is effective August 1, 2023."

Page 431, before line 20, insert:

"Sec. 48. Minnesota Statutes 2022, section 256P.06, is amended by adding a subdivision to read:

Subd. 4. **Recipient engagement income.** Income received from lived-experience engagement, as defined in section 256P.01, subdivision 5a, must not be counted as income for purposes of determining or redetermining eligibility or benefits."

Page 438, after line 15, insert:

"Sec. 60. Minnesota Statutes 2022, section 609B.425, subdivision 2, is amended to read:

Subd. 2. **Benefit eligibility.** (a) For general assistance benefits and Minnesota supplemental aid under chapter 256D, a person convicted of a felony-level drug offense after July 1, 1997, is ineligible for general assistance benefits and Supplemental Security Income under chapter 256D until: during the previous ten years from the date of application or recertification may be subject to random drug testing. The county must provide information about substance use disorder treatment programs to a person who tests positive for an illegal controlled substance.

~~(1) five years after completing the terms of a court-ordered sentence; or~~

~~(2) unless the person is participating in a drug treatment program, has successfully completed a program, or has been determined not to be in need of a drug treatment program.~~

~~(b) A person who becomes eligible for assistance under chapter 256D is subject to random drug testing and shall lose eligibility for benefits for five years beginning the month following:~~

~~(1) any positive test for an illegal controlled substance; or~~

~~(2) discharge of sentence for conviction of another drug felony.~~

~~(e) (b) Parole violators and fleeing felons are ineligible for benefits and persons fraudulently misrepresenting eligibility are also ineligible to receive benefits for ten years.~~

**EFFECTIVE DATE.** This section is effective August 1, 2023.

Sec. 61. Minnesota Statutes 2022, section 609B.435, subdivision 2, is amended to read:

Subd. 2. **Drug offenders; random testing; sanctions.** A person who is an applicant for benefits from the Minnesota family investment program or MFIP, the vehicle for temporary assistance for needy families or TANF, and who has been convicted of a felony-level drug offense shall may be subject to certain conditions, including random drug testing, in order to receive MFIP benefits. Following any positive test for a controlled substance, the convicted applicant or participant is subject to the following sanctions: county must provide information about substance use disorder treatment programs to the applicant or participant.

~~(1) a first time drug test failure results in a reduction of benefits in an amount equal to 30 percent of the MFIP standard of need; and~~

~~(2) a second time drug test failure results in permanent disqualification from receiving MFIP assistance.~~

~~A similar disqualification sequence occurs if the applicant is receiving Supplemental Nutrition Assistance Program (SNAP) benefits.~~

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

Page 439, delete section 52 and insert:

"Sec. 63. **REPEALER.**

(a) Minnesota Statutes 2022, sections 256.9864; 256J.08, subdivisions 10, 53, 61, 62, 81, and 83; 256J.30, subdivisions 5, 7, and 8; 256J.33, subdivisions 3, 4, and 5; 256J.34, subdivisions 1, 2, 3, and 4; and 256J.37, subdivision 10, are repealed.

(b) Minnesota Statutes 2022, section 256.8799, is repealed.

(c) Minnesota Statutes 2022, section 256J.425, subdivision 6, is repealed.

**EFFECTIVE DATE.** Paragraph (a) is effective March 1, 2025, except the repeal of Minnesota Statutes 2022, sections 256J.08, subdivisions 53 and 62, and 256J.37, subdivision 10, is effective July 1, 2024. Paragraph (c) is effective May 1, 2026."

Page 472, delete section 26

Page 474, delete section 27

Page 479, line 25, delete "through" and insert "to"

Page 493, line 30, delete "are" and insert "is"

Page 494, line 21, delete "25" and insert "ten"

Page 501, delete subdivision 1

Page 501, line 6, after the first "scale" insert ", make recommendations for implementing a process for recognizing comparable competencies,"

Page 501, line 26, delete "task force" and insert "Recognizing Comparable Competencies to Achieve Comparable Compensation Task Force" and after "following" insert "16"

Page 503, line 2, after "5" insert ", or January 30, 2025, whichever is earlier"

Page 509, delete section 5 and insert:

"Sec. 5. **[260.0141] FAMILY FIRST PREVENTION SERVICES ACT KINSHIP NAVIGATOR GRANT PROGRAM.**

Subdivision 1. **Establishment.** The commissioner of human services must establish a kinship navigator grant program as outlined by the federal Family First Prevention Services Act.

Subd. 2. **Uses.** Eligible grantees must use grant funds to assess and provide support to meet kinship caregiver needs, provide connection to local and statewide resources, and provide case management to assist with complex cases.

Sec. 6. Minnesota Statutes 2022, section 260.761, subdivision 2, as amended by Laws 2023, chapter 16, section 16, is amended to read:

Subd. 2. **Notice to Tribes of services or court proceedings involving an Indian child.** (a) When a child-placing agency has information that a family assessment ~~or~~, investigation, or noncaregiver sex trafficking assessment being conducted may involve an Indian child, the child-placing agency shall notify the Indian child's Tribe of the family assessment ~~or~~, investigation, or noncaregiver sex trafficking assessment according to section 260E.18. The child-placing agency shall provide initial notice ~~shall be provided~~ by telephone and by email or facsimile and shall include the child's full name and date of birth; the full names and dates of birth of the child's biological parents; and if known the full names and dates of birth of the child's grandparents and of the child's Indian custodian. If information regarding the child's grandparents or Indian custodian is not immediately available, the child-placing agency shall continue to request this information and shall notify the Tribe when it is received. Notice shall be provided to all Tribes to which the child may have any Tribal lineage. The child-placing agency shall request that the Tribe or a designated Tribal representative participate in evaluating the family circumstances, identifying family and Tribal community resources, and developing case plans. The child-placing agency shall continue to include the Tribe in service planning and updates as to the progress of the case.

(b) When a child-placing agency has information that a child receiving services may be an Indian child, the child-placing agency shall notify the Tribe by telephone and by email or facsimile of the child's full name and date of birth, the full names and dates of birth of the child's biological parents, and, if known, the full names and dates of birth of the child's grandparents and of the child's Indian custodian. This notification must be provided ~~so for~~ the Tribe ~~can~~ to determine if the child is a member or eligible for Tribal membership in the Tribe, and ~~must be provided~~ the agency must provide the notification to the Tribe within seven days of receiving information that the child may be an Indian child. If information regarding the child's grandparents or Indian custodian is not available within the seven-day period, the child-placing agency shall continue to request this information and shall notify the Tribe when it is received. Notice shall be provided to all Tribes to which the child may have any Tribal lineage.

(c) In all child placement proceedings, when a court has reason to believe that a child placed in emergency protective care is an Indian child, the court administrator or a designee shall, as soon as possible and before a hearing takes place, notify the Tribal social services agency by telephone and by email or facsimile of the date, time, and location of the emergency protective care or other initial hearing. The court shall make efforts to allow appearances by telephone or video conference for Tribal representatives, parents, and Indian custodians.

(d) The child-placing agency or individual petitioner shall effect service of any petition governed by sections 260.751 to 260.835 by certified mail or registered mail, return receipt requested upon the Indian child's parents, Indian custodian, and Indian child's Tribe at least 10 days before the admit-deny hearing is held. If the identity or location of the Indian child's parents or Indian custodian and Tribe cannot be determined, the child-placing agency shall provide the notice required in this paragraph to the United States Secretary of the Interior, Bureau of Indian Affairs by certified mail, return receipt requested.

(e) A Tribe, the Indian child's parents, or the Indian custodian may request up to 20 additional days to prepare for the admit-deny hearing. The court shall allow appearances by telephone, video

conference, or other electronic medium for Tribal representatives, the Indian child's parents, or the Indian custodian.

(f) A child-placing agency or individual petitioner must provide the notices required under this subdivision at the earliest possible time to facilitate involvement of the Indian child's Tribe. Nothing in this subdivision is intended to hinder the ability of the child-placing agency, individual petitioner, and the court to respond to an emergency situation. Lack of participation by a Tribe shall not prevent the Tribe from intervening in services and proceedings at a later date. A Tribe may participate in a case at any time. At any stage of the child-placing agency's involvement with an Indian child, the agency shall provide full cooperation to the Tribal social services agency, including disclosure of all data concerning the Indian child. Nothing in this subdivision relieves the child-placing agency of satisfying the notice requirements in state or federal law."

Page 510, delete section 6

Page 548, line 31, before "human" insert "health and"

Page 549, delete section 2 and insert:

**Sec. 2. DIRECTION TO COMMISSIONER OF HUMAN SERVICES; CHILD CARE AND DEVELOPMENT BLOCK GRANT ALLOCATIONS.**

(a) The commissioner of human services shall allocate \$22,000,000 in fiscal year 2024, \$8,000,000 in fiscal year 2025, \$8,000,000 in fiscal year 2026, and \$8,000,000 in fiscal year 2027 from the child care and development block grant for the child care assistance program rates under Minnesota Statutes, section 119B.13.

(b) The commissioner of human services shall allocate \$7,824,000 in fiscal year 2025, \$8,406,000 in fiscal year 2026, and \$8,960,000 in fiscal year 2027 from the child care and development block grant for the basic sliding fee program under Minnesota Statutes, section 119B.03.

(c) The commissioner of human services shall allocate \$2,920,000 in fiscal year 2026 and \$2,920,000 in fiscal year 2027 from the child care and development block grant for the child care one-stop shop regional assistance network under Minnesota Statutes, section 119B.19, subdivision 7, clause (9).

(d) The commissioner of human services shall allocate \$500,000 in fiscal year 2026 and \$500,000 in fiscal year 2027 from the child care and development block grant for the shared services grants under Minnesota Statutes, section 119B.28.

(e) The commissioner of human services shall allocate \$300,000 in fiscal year 2026 and \$300,000 in fiscal year 2027 from the child care and development block grant for child care provider access to technology grants under Minnesota Statutes, section 119B.29.

**Sec. 3. INFORMATION TECHNOLOGY PROJECTS FOR SERVICE DELIVERY TRANSFORMATION.**

Subdivision 1. Uses of appropriations. Amounts appropriated to the commissioner of human services for subdivisions 3 to 7 must be expended only to achieve the outcomes identified in each

subdivision. The commissioner must allocate available appropriations to maximize federal funding and achieve the outcomes specified in subdivisions 3 to 7.

Subd. 2. **Reports required.** (a) The commissioner of human services, in consultation with the commissioner of information technology services, must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance by October 1, 2023, that identifies:

(1) a schedule of planned completion dates for the projects included in subdivisions 3 to 7;

(2) the projected budget amount for each project included in subdivisions 3 to 7; and

(3) baseline metrics and other performance indicators against which progress will be measured so the outcomes identified in subdivisions 3 to 7 are achieved.

(b) To the extent practicable, the metrics and performance indicators required under paragraph (a) must be specific and expressed in easily understood terms, measurable, achievable, relevant, and time bound. Any changes to the reporting requirements under this subdivision must be developed in consultation with the commissioner of information technology services and reported to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance in the report submitted under paragraph (c).

(c) By October 1, 2024, and each October 1 thereafter, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services policy and finance that identifies the actual amounts expended for each project in subdivisions 3 to 7, including a description of the types and purposes of expenditures. The report must also describe progress toward achieving the outcomes for each project based on the baseline metrics and performance indicators established in the report required under paragraph (a) during the previous fiscal year.

Subd. 3. **Transforming service delivery.** Any amount appropriated for this subdivision is to advance efforts to develop and maintain a person-centered human services system by increasing the ease, speed, and simplicity of accessing human services for Minnesotans, and for county, Tribal, and state human services workers. Outcomes to be achieved include:

(1) funding foundational work and persistent cross-functional product teams of business and technology resources to support ongoing iterative development that:

(i) improves the experience of Minnesotans interacting with the human services system, including reducing the overall time from an application to the determination of eligibility and receiving of benefits;

(ii) improves information technology delivery times and efficiency of software development by increasing business agility to respond to new or shifting needs; and

(iii) improves the experience of county and Tribal human services workers; and

(2) developing and hosting dashboards, visualizations, or analytics that can be shared with external partners and the public to foster data-driven decision making.

Subd. 4. **Integrated services for children and families.** (a) Any amount appropriated for this subdivision is to stabilize and update legacy information technology systems, modernize systems, and develop a plan for the future of information technology systems for the programs that serve children and families. Outcomes to be achieved include:

(1) reducing unscheduled downtime on Social Services Information System by at least 50 percent;

(2) completing the transition of automated child support systems from mainframe technology to a web-based environment;

(3) making information received regarding an individual's eligibility for benefits easier to understand; and

(4) enhancing the child support participant portal to provide additional options for uploading and updating information, making payments, exchanging data securely, and providing other features requested by users of the portal.

(b) The commissioner must contract with an independent consultant to perform a thorough evaluation of the SSIS, which supports the child protection system in Minnesota. The consultant must make recommendations for improving the current system for usability, system performance, and federal Comprehensive Child Welfare Information System compliance and must address technical problems and identify any unnecessary or unduly burdensome data entry requirements that have contributed to system capacity issues. The consultant must assist the commissioner with selecting a platform for future development of an information technology system for child protection.

(c) The commissioner of human services must conduct a study and develop recommendations to streamline and reduce SSIS data entry requirements for child protection cases. The study must be completed in partnership with local social services agencies and others, as determined by the commissioner. The study must review all input fields required on current reporting forms and determine which input fields and information are required under state or federal law. By June 30, 2024, the commissioner must provide a status report and an implementation timeline to the chairs and ranking minority members of the legislative committees with jurisdiction over child protection. The status report must include information about procedures for soliciting ongoing user input from stakeholders, progress on solicitation and hiring of a consultant to conduct the system evaluation required under paragraph (a), and a report on progress and completed efforts to streamline data entry requirements and improve user experience.

Subd. 5. **Medicaid Management Information System modernization.** Any amount appropriated for this subdivision is to meet federal compliance requirements and enhance, modernize, and stabilize the functionality of Minnesota's Medicaid Management Information System. Outcomes to be achieved include:

(1) reducing disruptions and delays in filling prescriptions for medical assistance and MinnesotaCare enrollees, and improving call center support for pharmacies and enrollees to ensure prompt resolution of issues;

(2) improving the timeliness and accuracy of claims processing and approval of prior authorization requests; and



(3) advancing the exchange of health information between providers and trusted partners so that enrollee care is timely, coordinated, proactive, and reflects the preferences and culture of the enrollee and their family.

Subd. 6. **Provider licensing and reporting hub.** Any amount appropriated for this subdivision is to develop, implement, and support ongoing maintenance and operations of an integrated human services provider licensing and reporting hub. Outcomes to be achieved include:

(1) creating and maintaining user personas for all provider licensing and reporting hub users that document the unique requirements for each user;

(2) creating an electronic licensing application within the provider licensing and reporting hub to ensure efficient data collection and analysis; and

(3) creating a persistent, cross-functional product team of business and technology resources to support the ongoing iterative development of the provider licensing and reporting hub.

Subd. 7. **Improving the Minnesota Eligibility Technology System functionality.** Any amount appropriated for this subdivision is to meet federal compliance requirements and for necessary repairs to improve the core functionality of the Minnesota Eligibility Technology System to improve the speed and accuracy of eligibility determinations and reduce the administrative burden for state, county, and Tribal workers. Outcomes to be achieved include:

(1) implementing the capability for medical assistance and MinnesotaCare enrollees to apply, renew, and make changes to their eligibility and select health plans online;

(2) reducing manual data entry and other steps taken by county and Tribal eligibility workers to improve the accuracy and timeliness of eligibility determinations; and

(3) completing necessary changes to comply with federal requirements."

Page 550, delete section 3

Page 551, after line 2, insert:

"Sec. 5. **FINANCIAL REVIEW OF GRANT AND BUSINESS SUBSIDY RECIPIENTS.**

Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the meanings given.

(b) "Grant" means a grant or business subsidy funded by an appropriation in this act.

(c) "Grantee" means a business entity as defined in Minnesota Statutes, section 5.001.

Subd. 2. **Financial information required; determination of ability to perform.** Before an agency awards a competitive, legislatively-named, single source, or sole source grant, the agency must assess the risk that a grantee cannot or would not perform the required duties. In making this assessment, the agency must review the following information:

(1) the grantee's history of performing duties similar to those required by the grant, whether the size of the grant requires the grantee to perform services at a significantly increased scale, and whether the size of the grant will require significant changes to the operation of the grantee's organization;

(2) for a grantee that is a nonprofit organization, the grantee's Form 990 or Form 990-EZ filed with the Internal Revenue Service in each of the prior three years. If the grantee has not been in existence long enough or is not required to file Form 990 or Form 990-EZ, the grantee must demonstrate to the grantor's satisfaction that the grantee is exempt and must instead submit the grantee's most recent board-reviewed financial statements and documentation of internal controls;

(3) for a for-profit business, three years of federal and state tax returns, current financial statements, certification that the business is not under bankruptcy proceedings, and disclosure of any liens on its assets. If a business has not been in business long enough to have three years of tax returns, the grantee must demonstrate to the grantor's satisfaction that the grantee has appropriate internal financial controls;

(4) evidence of registration and good standing with the secretary of state under Minnesota Statutes, chapter 317A, or other applicable law;

(5) if the grantee's total annual revenue exceeds \$750,000, the grantee's most recent financial audit performed by an independent third party in accordance with generally accepted accounting principles; and

(6) certification, provided by the grantee, that none of its principals have been convicted of a financial crime.

Subd. 3. **Additional measures for some grantees.** The agency may require additional information and must provide enhanced oversight for grants that have not previously received state or federal grants for similar amounts or similar duties and so have not yet demonstrated the ability to perform the duties required under the grant on the scale required.

Subd. 4. **Assistance from administration.** An agency without adequate resources or experience to perform obligations under this section may contract with the commissioner of administration to perform the agency's duties under this section.

Subd. 5. **Agency authority to not award grant.** If an agency determines that there is an appreciable risk that a grantee receiving a competitive, single source, or sole source grant cannot or would not perform the required duties under the grant agreement, the agency must notify the grantee and the commissioner of administration and give the grantee an opportunity to respond to the agency's concerns. If the grantee does not satisfy the agency's concerns within 45 days, the agency must not award the grant.

Subd. 6. **Legislatively-named grantees.** If an agency determines that there is an appreciable risk that a grantee receiving a legislatively-named grant cannot or would not perform the required duties under the grant agreement, the agency must notify the grantee, the commissioner of administration, and the chair and ranking minority members of Ways and Means Committee in the house of representatives, the chairs and ranking minority members of the Finance Committee in the senate, and the chairs and ranking minority members of the committees in the house of representatives

and the senate with primary jurisdiction over the bill in which the money for the grant was appropriated. The agency must give the grantee an opportunity to respond to the agency's concerns. If the grantee does not satisfy the agency's concerns within 45 days, the agency must delay award of the grant until adjournment of the next regular or special legislative session.

Subd. 7. **Subgrants.** If a grantee will disburse the money received from the grant to other organizations to perform duties required under the grant agreement, the agency must be a party to agreements between the grantee and a subgrantee. Before entering agreements for subgrants, the agency must perform the financial review required under this section with respect to the subgrantees.

Subd. 8. **Effect.** The requirements of this section are in addition to other requirements imposed by law, the commissioner of administration under Minnesota Statutes, sections 16B.97 to 16B.98, or agency grant policy."

Page 551, delete lines 13 to 17

Page 552, line 11, delete everything after the third period

Page 552, delete line 12

Page 552, line 13, delete "(b)" and insert "(a)" and delete everything after "chair"

Page 552, line 14, delete "board"

Page 552, line 15, delete "(c)" and insert "(b)"

Page 554, line 5, after "board" insert "and the chairs and ranking minority members of the legislative committees with primary jurisdiction over health care policy and finance"

Page 554, line 7, delete everything after "(a)"

Page 554, delete line 8

Page 554, line 9, delete everything before "advisory"

Page 554, line 16, delete "Exemption" and insert "Expiration"

Page 579, after line 6, insert:

**"Sec. 29. APPOINTMENTS AND INITIAL MEETING OF THE HEALTH CARE AFFORDABILITY BOARD.**

Appointing authorities must make first appointments to the Health Care Affordability Board under Minnesota Statutes, section 62J.87, by October 1, 2023. The governor must designate one member to serve as an acting chair until the council selects a chair at its first meeting. The acting chair must convene the first meeting by January 1, 2024.

**Sec. 30. TERMS OF INITIAL APPOINTEES OF THE HEALTH CARE AFFORDABILITY ADVISORY COUNCIL.**



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

**Subd. 2. TANF Maintenance of Effort**

**(a) Nonfederal expenditures.** The commissioner shall ensure that sufficient qualified nonfederal expenditures are made each year to meet the state's maintenance of effort requirements of the TANF block grant specified under Code of Federal Regulations, title 45, section 263.1. In order to meet these basic TANF maintenance of effort requirements, the commissioner may report as TANF maintenance of effort expenditures only nonfederal money expended for allowable activities listed in the following clauses:

(1) MFIP cash, diversionary work program, and food assistance benefits under Minnesota Statutes, chapter 256J;

(2) the child care assistance programs under Minnesota Statutes, sections 119B.03 and 119B.05, and county child care administrative costs under Minnesota Statutes, section 119B.15;

(3) state and county MFIP administrative costs under Minnesota Statutes, chapters 256J and 256K;

(4) state, county, and Tribal MFIP employment services under Minnesota Statutes, chapters 256J and 256K;

(5) expenditures made on behalf of legal noncitizen MFIP recipients who qualify for the MinnesotaCare program under Minnesota Statutes, chapter 256L;

(6) qualifying working family credit expenditures under Minnesota Statutes, section 290.0671;

(7) qualifying Minnesota education credit expenditures under Minnesota Statutes, section 290.0674; and

(8) qualifying Head Start expenditures under Minnesota Statutes, section 119A.50.

**(b) Nonfederal expenditures; reporting.** For the activities listed in paragraph (a), clauses (2) to (8), the commissioner must report only expenditures that are excluded from the definition of assistance under Code of Federal Regulations, title 45, section 260.31.

**(c) Limitations; exceptions.** The commissioner must not claim an amount of TANF maintenance of effort in excess of the 75 percent standard in Code of Federal Regulations, title 45, section 263.1(a)(2), except:

(1) to the extent necessary to meet the 80 percent standard under Code of Federal Regulations, title 45, section 263.1(a)(1), if it is determined by the commissioner that the state will not meet the TANF work participation target rate for the current year;

(2) to provide any additional amounts under Code of Federal Regulations, title 45, section 264.5, that relate to replacement of TANF funds due to the operation of TANF penalties; and

(3) to provide any additional amounts that may contribute to avoiding or reducing TANF work participation penalties through the operation of the excess maintenance of effort provisions of Code of Federal Regulations, title 45, section 261.43(a)(2).

**(d) Supplemental expenditures.** For the purposes of paragraph (c), the commissioner may supplement the maintenance of effort claim with working family credit expenditures or other qualified expenditures to the extent such expenditures are otherwise

available after considering the expenditures allowed in this subdivision.

**(e) Reduction of appropriations; exception.**

The requirement in Minnesota Statutes, section 256.011, subdivision 3, that federal grants or aids secured or obtained under that subdivision be used to reduce any direct appropriations provided by law does not apply if the grants or aids are federal TANF funds.

**(f) IT appropriations generally.**

This appropriation includes funds for information technology projects, services, and support. Notwithstanding Minnesota Statutes, section 16E.0466, funding for information technology project costs must be incorporated into the service level agreement and paid to Minnesota IT Services by the Department of Human Services under the rates and mechanism specified in that agreement.

**(g) Receipts for systems project.**

Appropriations and federal receipts for information technology systems projects for MAXIS, PRISM, MMIS, ISDS, METS, and SSIS must be deposited in the state systems account authorized in Minnesota Statutes, section 256.014. Money appropriated for information technology projects approved by the chief information officer funded by the legislature, and approved by the commissioner of management and budget may be transferred from one project to another and from development to operations as the commissioner of human services considers necessary. Any unexpended balance in the appropriation for these projects does not cancel and is available for ongoing development and operations.

**(h) Federal SNAP education and training grants.**

Federal funds available during fiscal years 2024 and 2025 for Supplemental Nutrition Assistance Program Education and Training and SNAP Quality Control

Performance Bonus grants are appropriated to the commissioner of human services for the purposes allowable under the terms of the federal award. This paragraph is effective the day following final enactment.

**Subd. 3. Central Office; Operations**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>255,556,000</u>	<u>242,971,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>4,776,000</u>	<u>5,284,000</u>
<u>Health Care Access</u>	<u>9,347,000</u>	<u>11,244,000</u>
<u>Federal TANF</u>	<u>1,090,000</u>	<u>1,194,000</u>

**(a) Administrative recovery; set-aside.** The commissioner may invoice local entities through the SWIFT accounting system as an alternative means to recover the actual cost of administering the following provisions:

(1) the statewide data management system authorized in Minnesota Statutes, section 125A.744, subdivision 3;

(2) repayment of the special revenue maximization account as provided under Minnesota Statutes, section 245.495, paragraph (b);

(3) repayment of the special revenue maximization account as provided under Minnesota Statutes, section 256B.0625, subdivision 20, paragraph (k);

(4) targeted case management under Minnesota Statutes, section 256B.0924, subdivision 6, paragraph (g);

(5) residential services for children with severe emotional disturbance under Minnesota Statutes, section 256B.0945, subdivision 4, paragraph (d); and

(6) repayment of the special revenue maximization account as provided under Minnesota Statutes, section 256F.10, subdivision 6, paragraph (b).



**(b) Transforming service delivery.** \$8,225,000 in fiscal year 2024 and \$7,411,000 in fiscal year 2025 are from the general fund for transforming service delivery projects. The base for this appropriation is \$5,614,000 in fiscal year 2026 and \$5,614,000 in fiscal year 2027.

**(c) Integrated services for children and families.** \$6,691,000 in fiscal year 2024 and \$4,053,000 in fiscal year 2025 are from the general fund for integrated services for children and families projects. The base for this appropriation is \$3,246,000 in fiscal year 2026 and \$2,082,000 in fiscal year 2027.

**(d) Medicaid management information system modernization.** \$7,636,000 in fiscal year 2024 is for Medicaid management information system modernization projects. This is a onetime appropriation.

**(e) Provider licensing and reporting hub.** \$5,986,000 in fiscal year 2024 and \$2,834,000 in fiscal year 2025 are from the general fund for provider licensing and reporting hub projects. The base for this appropriation is \$2,607,000 in fiscal year 2026 and \$2,249,000 in fiscal year 2027.

**(f) Improving the Minnesota eligibility technology system functionality.** \$8,888,000 in fiscal year 2024 is from the general fund for projects to improve the Minnesota eligibility technology system functionality. The base for this appropriation is \$384,000 in fiscal year 2026 and \$384,000 in fiscal year 2027.

**(g) Base level adjustment.** The general fund base is \$234,129,000 in fiscal year 2026 and \$233,067,000 in fiscal year 2027. The state government special revenue base is \$4,880,000 in fiscal year 2026 and \$4,710,000 in fiscal year 2027.

**Subd. 4. Central Office; Children and Families**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>38,943,000</u>	<u>36,803,000</u>
<u>Federal TANF</u>	<u>2,582,000</u>	<u>2,582,000</u>

**(a) Quadrennial review of child support guidelines.** \$64,000 in fiscal year 2024 and \$32,000 in fiscal year 2025 are from the general fund for a quadrennial review of child support guidelines.

**(b) Transfer.** The commissioner must transfer \$64,000 in fiscal year 2024 and \$32,000 in fiscal year 2025 from the general fund to the special revenue fund to be used for the quadrennial review of child support guidelines.

**(c) Recognizing comparable competencies to achieve comparable compensation task force.** \$141,000 in fiscal year 2024 and \$165,000 in fiscal year 2025 are from the general fund for the Recognizing Comparable Competencies to Achieve Comparable Compensation Task Force. This is a onetime appropriation.

**(d) Child care and early education professional wage scale.** \$637,000 in fiscal year 2024 and \$565,000 in fiscal year 2025 are from the general fund for developing a wage scale for child care and early education professionals. This is a onetime appropriation.

**(e) Cost estimation model for early care and learning programs.** \$100,000 in fiscal year 2024 is from the general fund for developing a cost estimation model for providing early care and learning.

**(f) Integrated services for children and families.** \$2,259,000 in fiscal year 2024 and \$2,542,000 in fiscal year 2025 are from the general fund for integrated services for children and families projects. The base for this appropriation is \$2,002,000 in fiscal year 2026 and \$1,830,000 in fiscal year 2027.

(g) Base level adjustment. The general fund base is \$35,606,000 in fiscal year 2026 and \$35,470,000 in fiscal year 2027.

**Subd. 5. Central Office; Health Care**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>30,477,000</u>	<u>32,949,000</u>
<u>Health Care Access</u>	<u>28,168,000</u>	<u>28,168,000</u>

(a) Medical assistance and MinnesotaCare accessibility improvements. \$1,350,000 in fiscal year 2024 is from the general fund to improve the accessibility of applications, forms, and other consumer support resources and services for medical assistance and MinnesotaCare enrollees with limited English proficiency.

(b) Palliative care benefit study. \$150,000 in fiscal year 2024 is from the general fund for a study of the fiscal, medical, and social impacts of implementing a palliative care benefit in medical assistance and MinnesotaCare. This is a onetime appropriation. The commissioner must report the results of the study to the chairs and ranking minority members of the legislative committees with jurisdiction over health care by January 15, 2024.

(c) Transforming service delivery. \$155,000 in fiscal year 2024 and \$180,000 in fiscal year 2025 are from the general fund for transforming service delivery projects.

(d) Improving the Minnesota eligibility technology system functionality. \$866,000 in fiscal year 2024 and \$384,000 in fiscal year 2025 are from the general fund for improving the Minnesota eligibility technology system functionality.

(e) Base level adjustment. The general fund base is \$42,202,000 in fiscal year 2026 and \$42,527,000 in fiscal year 2027.

**Subd. 6. Central Office; Aging and Disabilities Services**

<u>Appropriations by Fund</u>		
<u>General</u>	<u>39,454,000</u>	<u>35,416,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>125,000</u>	<u>125,000</u>

**(a) Catholic Charities homeless elders program.** \$728,000 in fiscal year 2024 and \$728,000 in fiscal year 2025 are for a grant to Catholic Charities of St. Paul and Minneapolis to operate its homeless elders program. This is a onetime appropriation.

**(b) Integrated services for children and families.** \$143,000 in fiscal year 2024 and \$165,000 in fiscal year 2025 are from the general fund for integrated services for children and families projects.

**(b) Base level adjustment.** The general fund base is \$34,688,000 in fiscal year 2026 and \$34,688,000 in fiscal year 2027.

**Subd. 7. Central Office; Behavioral Health, Deaf and Hard of Hearing, and Housing Services**

<u>Appropriations by Fund</u>		
<u>General</u>	<u>25,902,000</u>	<u>25,095,000</u>
<u>Lottery Prize</u>	<u>163,000</u>	<u>163,000</u>

**(a) Homeless management system.** \$250,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are from the general fund for a homeless management information system. The base for this appropriation is \$1,140,000 in fiscal year 2026 and \$1,140,000 in fiscal year 2027.

**(b) Base level adjustment.** The general fund base is \$24,484,000 in fiscal year 2026 and \$24,085,000 in fiscal year 2027.

**Subd. 8. Forecasted Programs; MFIP/DWP**

<u>Appropriations by Fund</u>		
<u>General</u>	<u>82,652,000</u>	<u>91,628,000</u>
<u>Federal TANF</u>	<u>105,337,000</u>	<u>109,974,000</u>

<b><u>Subd. 9. Forecasted Programs; MFIP Child Care Assistance</u></b>	<u>38,743,000</u>	<u>143,055,000</u>
--	-------------------	--------------------

<b><u>Subd. 10. Forecasted Programs; General Assistance</u></b>	<u>52,026,000</u>	<u>74,776,000</u>
---	-------------------	-------------------

**Emergency general assistance.** The amount appropriated for emergency general assistance is limited to no more than \$6,729,812 in fiscal year 2024 and \$6,729,812 in fiscal year 2025. Funds to counties shall be allocated by the commissioner using the allocation method under Minnesota Statutes, section 256D.06.

<b><u>Subd. 11. Forecasted Programs; Minnesota Supplemental Aid</u></b>	<u>58,548,000</u>	<u>60,357,000</u>
---	-------------------	-------------------

<b><u>Subd. 12. Forecasted Programs; Housing Support</u></b>	<u>211,692,000</u>	<u>224,231,000</u>
--	--------------------	--------------------

<b><u>Subd. 13. Forecasted Programs; Northstar Care for Children</u></b>	<u>113,912,000</u>	<u>124,546,000</u>
--	--------------------	--------------------

<b><u>Subd. 14. Forecasted Programs; MinnesotaCare</u></b>	<u>89,323,000</u>	<u>57,124,000</u>
--	-------------------	-------------------

This appropriation is from the health care access fund.

**Subd. 15. Forecasted Programs; Medical Assistance**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>1,220,215,000</u>	<u>944,121,000</u>
<u>Health Care Access</u>	<u>747,559,000</u>	<u>1,084,597,000</u>

The health care access fund base is \$878,419,000 in fiscal year 2026 and \$1,197,599,000 in fiscal year 2027.

<b><u>Subd. 16. Forecasted Programs; Alternative Care</u></b>	<u>158,000</u>	<u>460,000</u>
---	----------------	----------------

<b><u>Subd. 17. Forecasted Programs; Behavioral Health Fund</u></b>	<u>1,344,000</u>	<u>3,181,000</u>
---	------------------	------------------

**Subd. 18. Grant Programs; Support Services Grants**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>8,715,000</u>	<u>8,715,000</u>
<u>Federal TANF</u>	<u>96,311,000</u>	<u>96,311,000</u>

**Subd. 19. Grant Programs; Basic Sliding Fee Child Assistance Care Grants**

64,203,000

113,974,000

The general fund base is \$144,560,000 in fiscal year 2026 and \$142,007,000 in fiscal year 2027.

**Subd. 20. Grant Programs; Child Care Development Grants**

150,248,000

156,729,000

**(a) Child care provider retention payments.** \$101,566,000 in fiscal year 2024 and \$141,598,000 in fiscal year 2025 are for the child care provider retention program payments under Minnesota Statutes, section 119B.27. The base for this appropriation is \$144,202,000 in fiscal year 2026 and \$144,202,000 in fiscal year 2027.

**(b) Transition grant program.** \$41,895,000 in fiscal year 2024 is for transition grants for child care providers that intend to participate in the child care retention program. This is a onetime appropriation and is available until June 30, 2025.

**(c) REETAIN grant program.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are for the REETAIN grant program under Minnesota Statutes, section 119B.195. The general fund base for this appropriation is \$1,500,000 in fiscal year 2026 and \$1,500,000 in fiscal year 2027.

**(d) Child care workforce development grants administration.** \$1,300,000 in fiscal year 2025 is for a grant to the statewide child care resource and referral network to administer child care workforce development grants under Minnesota Statutes, section 119B.19, subdivision 7, clause (10).

**(e) Scholarship program.** \$695,000 in fiscal year 2025 is for a scholarship program for early childhood and school-age educators under Minnesota Statutes, section 119B.251.

**(f) Child care one-stop shop.** \$2,920,000 in fiscal year 2025 is for a grant to the statewide

child care resource and referral network to administer the child care one-stop shop regional assistance network under Minnesota Statutes, section 119B.19, subdivision 7, clause (9). The base for this appropriation is \$0 in fiscal year 2026 and \$0 in fiscal year 2027.

(g) **Shared services grants.** \$500,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 are for shared services grants under Minnesota Statutes, section 119B.28. The base for this appropriation is \$0 in fiscal year 2026 and \$0 in fiscal year 2027.

(h) **Access to technology grants.** \$300,000 in fiscal year 2024 and \$300,000 in fiscal year 2025 are for child care provider access to technology grants under Minnesota Statutes, section 119B.29. The base for this appropriation is \$0 in fiscal year 2026 and \$0 in fiscal year 2027.

(i) **Business training and consultation.** \$1,250,000 in fiscal year 2024 and \$1,500,000 in fiscal year 2025 are for business training and consultation under Minnesota Statutes, section 119B.25, subdivision 3, paragraph (a), clause (6).

(j) **Early childhood registered apprenticeship grant program.** \$2,000,000 in fiscal year 2024 and \$2,000,000 in fiscal year 2025 are for the early childhood registered apprenticeship grant program under Minnesota Statutes, section 119B.252.

(k) **Family, friend, and neighbor grant program.** \$3,179,000 in fiscal year 2024 and \$3,179,000 in fiscal year 2025 are for the family, friend, and neighbor grant program under Minnesota Statutes, section 119B.196.

(l) **Base level adjustment.** The general fund base is \$156,113,000 in fiscal year 2026 and \$156,113,000 in fiscal year 2027.

Subd. 21. **Grant Programs; Child Support Enforcement Grants**

50,000

50,000

**Subd. 22. Grant Programs; Children's Services**  
**Grants**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>75,524,000</u>	<u>85,181,000</u>
<u>Federal TANF</u>	<u>140,000</u>	<u>140,000</u>

**(a) Mille Lacs Band of Ojibwe American Indian child welfare initiative.** \$3,337,000 in fiscal year 2024 and \$5,294,000 in fiscal year 2025 are from the general fund for the Mille Lacs Band of Ojibwe to join the American Indian child welfare initiative. The base for this appropriation is \$7,893,000 in fiscal year 2026 and \$7,893,000 in fiscal year 2027.

**(b) Grants for kinship navigator services.** \$764,000 in fiscal year 2024 and \$764,000 in fiscal year 2025 are from the general fund for grants for kinship navigator services and grants to Tribal Nations for kinship navigator services. The base for this appropriation is \$750,000 in fiscal year 2026 and \$750,000 in fiscal year 2027.

**(c) Family First Prevention and Early Intervention assessment response grants.** \$6,100,000 in fiscal year 2024 and \$9,800,000 in fiscal year 2025 are from the general fund for family assessment response grants under Minnesota Statutes, section 260.014.

**(d) Grants for evidence-based prevention and early intervention services.** \$3,000,000 in fiscal year 2024 and \$7,000,000 in fiscal year 2025 are from the general fund for grants to support evidence-based prevention and early intervention services under Minnesota Statutes, section 260.014. The base for this appropriation is \$10,000,000 in fiscal year 2026 and \$10,000,000 in fiscal year 2027.

**(e) Grant to administer pool of qualified individuals for assessments.** \$450,000 in fiscal year 2024 and \$450,000 in fiscal year



2025 are from the general fund for grants to establish and manage a pool of state-funded qualified individuals to conduct assessments for out-of-home placement of a child in a qualified residential treatment program.

**(f) Grants to counties to reduce foster care caseloads.** \$3,000,000 in fiscal year 2024 and \$3,000,000 in fiscal year 2025 are from the general fund for grants to counties and American Indian child welfare initiative Tribes to reduce extended foster care caseload sizes.

**(g) Quality parenting initiative grant program.** \$100,000 in fiscal year 2024 and \$100,000 in fiscal year 2025 are from the general fund for a grant to Quality Parenting Initiative Minnesota under Minnesota Statutes, section 245.0962.

**(h) Payments to counties to reimburse revenue loss.** \$2,000,000 in fiscal year 2024 and \$2,000,000 in fiscal year 2025 are for payments to counties to reimburse the revenue loss attributable to prohibiting counties, as the financially responsible agency for a child placed in foster care, from receiving Supplemental Security Income on behalf of the child placed in foster care during the time the child is in foster care under Minnesota Statutes, section 256N.26, subdivision 12.

**(h) Base level adjustment.** The general fund base is \$91,001,000 in fiscal year 2026 and \$91,001,000 in fiscal year 2027.

**Subd. 23. Grant Programs; Children and Community Service Grants**

62,356,000

62,356,000

**Subd. 24. Grant Programs; Children and Economic Support Grants**

70,823,000

74,829,000

**(a) Fraud prevention initiative start-up grants.** \$400,000 in fiscal year 2024 is for start-up grants to the Red Lake Nation, White Earth Nation, and Mille Lacs Band of Ojibwe to develop a fraud prevention program. This

is a onetime appropriation and is available until June 30, 2025.

**(b) Grants to promote food security among Tribal Nations and American Indian communities.** \$1,851,000 in fiscal year 2024 and \$1,851,000 in fiscal year 2025 are for grants to support food security among Tribal Nations and American Indian communities under Minnesota Statutes, section 256E.341.

**(c) Minnesota food shelf program grants.** \$2,827,000 in fiscal year 2024 and \$2,827,000 in fiscal year 2025 are for the Minnesota food shelf program under Minnesota Statutes, section 256E.34.

**(d) Grant to CornerHouse children's advocacy center.** \$315,000 in fiscal year 2024 and \$315,000 in fiscal year 2025 are for a grant to CornerHouse children's advocacy center. The grant must be used to establish a child maltreatment prevention program serving rural, urban, and suburban communities across the state and to expand response services in Hennepin and Anoka Counties for children who have experienced maltreatment. This paragraph does not expire.

**(e) Hennepin County homelessness grant program.** \$5,095,000 in fiscal year 2025 is for a grant to Hennepin County under Minnesota Statutes, section 245.0966. The base for this appropriation is \$10,191,000 in fiscal year 2026 and \$10,191,000 in fiscal year 2027.

**(f) Diaper distribution grant program.** \$500,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 are for the diaper distribution grant program under Minnesota Statutes, section 256E.38.

**(g) Prepared meals food relief.** \$1,250,000 in fiscal year 2024 and \$1,250,000 in fiscal year 2025 are for prepared meals food relief

grants under Minnesota Statutes, section 256E.341.

(h) **Family supportive housing.** \$4,000,000 in fiscal year 2024 and \$4,000,000 in fiscal year 2025 are for the grants under Minnesota Statutes, section 256K.50.

(i) **Chosen family grants.** \$1,939,000 in fiscal year 2024 is for grants to providers serving homeless youth and youth at risk of homelessness in Minnesota to establish or expand services that formalize situations where a caring adult whom a youth considers chosen family allows the youth to stay at the adult's residence to avoid being homeless. This is a onetime appropriation and is available until June 30, 2025.

(j) **Homeless youth cash stipend pilot project.** \$3,000,000 in fiscal year 2024 and \$3,000,000 in fiscal year 2025 are for a grant to Youthprise for the homeless youth cash stipend pilot project. The grant must be used to provide cash stipends to homeless youth, provide cash incentives for stipend recipients to participate in periodic surveys, provide youth-designed optional services, and complete a legislative report. The general fund base for this appropriation is \$3,000,000 in fiscal year 2026, \$3,000,000 in fiscal year 2027, and \$0 in fiscal year 2028 and thereafter.

(k) **Olmsted County homelessness grant program.** \$1,164,000 in fiscal year 2024 and \$1,164,000 in fiscal year 2025 are for a grant to Olmsted County under Minnesota Statutes, section 245.0965.

(l) **Continuum of care grant program.** \$6,595,000 in fiscal year 2024 and \$6,595,000 in fiscal year 2025 are for a grant to Ramsey County for the Heading Home Ramsey Continuum of Care under Minnesota Statutes, section 245.0963. Of these amounts, ten percent in fiscal year 2024 and ten

percent in fiscal year 2025 may be used by the grantee for administrative expenses.

(m) **Base level adjustment.** The general fund base is \$79,925,000 in fiscal year 2026 and \$79,925,000 in fiscal year 2027.

**Subd. 25. Grant Programs; Health Care Grants**

	<u>Appropriations by Fund</u>	
General	<u>7,311,000</u>	<u>7,311,000</u>
Health Care Access	<u>3,465,000</u>	<u>3,465,000</u>

(a) **Grant to Indian Health Board of Minneapolis.** \$2,500,000 in fiscal year 2024 and \$2,500,000 in fiscal year 2025 are from the general fund for a grant to the Indian Health Board of Minneapolis to support continued access to health care coverage through medical assistance and MinnesotaCare, improve access to quality care, and increase vaccination rates among urban American Indians. The general fund base for this appropriation is \$2,500,000 in fiscal year 2026 and \$0 in fiscal year 2027.

(b) **Base level adjustment.** The general fund base is \$7,311,000 in fiscal year 2026 and \$4,811,000 in fiscal year 2027.

**Subd. 26. Grant Programs; Housing Support Grants** 18,364,000      10,364,000

**Subd. 27. Grant Programs; Adult Mental Health Grants** 108,545,000      114,407,000

(a) **Mobile crisis grants to Tribal Nations.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are for mobile crisis grants under Minnesota Statutes section 245.4661, subdivision 9, paragraph (b), clause (15), to Tribal Nations.

(b) **Mental health provider supervision grant program.** \$1,500,000 in fiscal year 2024 and \$1,500,000 in fiscal year 2025 are for the mental health provider supervision grant program under Minnesota Statutes, section 245.4663.

(c) Mental health professional scholarship grant program. \$750,000 in fiscal year 2024 and \$750,000 in fiscal year 2025 are for the mental health professional scholarship grant program under Minnesota Statutes, section 245.4664.

(d) Minnesota State University, Mankato community behavioral health center. \$750,000 in fiscal year 2024 and \$750,000 in fiscal year 2025 are for a grant to the Center for Rural Behavioral Health at Minnesota State University, Mankato to establish a community behavioral health center and training clinic. The community behavioral health center must provide comprehensive, culturally specific, trauma-informed, practice- and evidence-based, person- and family-centered mental health and substance use disorder treatment services in Blue Earth County and the surrounding region to individuals of all ages, regardless of an individual's ability to pay or place of residence. The community behavioral health center and training clinic must also provide training and workforce development opportunities to students enrolled in the university's training programs in the fields of social work, counseling and student personnel, alcohol and drug studies, psychology, and nursing. Upon request, the commissioner must make information regarding the use of this grant funding available to the chairs and ranking minority members of the legislative committees with jurisdiction over behavioral health. This is a onetime appropriation.

(e) Base level adjustment. The general fund base is \$123,797,000 in fiscal year 2026 and \$123,797,000 in fiscal year 2027.

Subd. 28. Grant Programs; Child Mental Health Grants

39,180,000

35,326,000

(a) Psychiatric residential treatment facility start-up grants. \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025

are for psychiatric residential treatment facility start-up grants under Minnesota Statutes, section 256B.0941, subdivision 5.

**(b) Psychiatric residential treatment facilities specialization grants.** \$1,050,000 in fiscal year 2024 and \$1,050,000 in fiscal year 2025 are for psychiatric residential treatment facilities specialization grants under Minnesota Statutes, section 256B.0941, subdivision 5.

**(c) Emerging mood disorder grants.** \$1,250,000 in fiscal year 2024 and \$1,250,000 in fiscal year 2025 are for emerging mood disorder grants under Minnesota Statutes, section 245.4904, for evidence-informed interventions for youth and young adults who are at higher risk of developing a mood disorder or are already experiencing an emerging mood disorder.

**(d) Implementation grants for mobile response and stabilization services.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are for grants to implement the mobile response and stabilization services model to promote access to crisis response services, reduce admissions to psychiatric hospitals, and reduce out-of-home placement services.

**(e) Grants for infant and early childhood mental health consultations.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are for grants under Minnesota Statutes, section 245.4889, subdivision 1, paragraph (b), clause (14), for infant and early childhood mental health consultations throughout the state, including Tribal Nations for expertise in young children's development and early childhood services.

**(f) African American Child Wellness Institute.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are for a grant to the African American Child Wellness Institute to provide culturally specific mental

health and substance use disorder services under Minnesota Statutes, section 245.0961.

(g) **Headway Emotional Health Services.** \$300,000 in fiscal year 2024 and \$300,000 in fiscal year 2025 are for a grant to Headway Emotional Health Services for day treatment transportation costs on nonschool days, student nutrition, and student learning experiences such as technology, arts, and outdoor activity. This is a onetime appropriation.

(h) **Base level adjustment.** The general fund base is \$35,026,000 in fiscal year 2026 and \$35,026,000 in fiscal year 2027.

**Subd. 29. Grant Programs; Chemical Dependency Treatment Support Grants**

2,350,000

1,350,000

**Overdose prevention grants.** \$1,000,000 in fiscal year 2024 is for a grant to the Steve Rummeler Hope Network for statewide outreach, education, training, and distribution of naloxone kits. Of this amount, 50 percent of the money appropriated must be provided to the Ka Joog nonprofit organization for collaborative outreach in East African and Somali communities in Minnesota. This is a onetime appropriation and is available until June 30, 2025.

**Subd. 30. Technical Activities**

71,493,000

71,493,000

This appropriation is from the federal TANF fund.

**Sec. 3. COMMISSIONER OF HEALTH**

**Subdivision 1. Total Appropriation**

\$

442,138,000

\$

423,582,000

Appropriations by Fund

	<u>2024</u>	<u>2025</u>
<u>General</u>	<u>295,036,000</u>	<u>269,339,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>83,674,000</u>	<u>86,204,000</u>
<u>Health Care Access</u>	<u>51,715,000</u>	<u>56,326,000</u>
<u>Federal TANF</u>	<u>11,713,000</u>	<u>11,713,000</u>

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

**Subd. 2. Health Improvement**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>232,717,000</u>	<u>206,576,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>12,693,000</u>	<u>12,984,000</u>
<u>Health Care Access</u>	<u>51,715,000</u>	<u>56,326,000</u>
<u>Federal TANF</u>	<u>11,713,000</u>	<u>11,713,000</u>

**(a) Studies of telehealth expansion and payment parity.** \$1,200,000 in fiscal year 2024 is from the general fund for studies of telehealth expansion and payment parity. This is a onetime appropriation and is available until June 30, 2025.

**(b) Advancing equity through capacity building and resource allocation grant program.** \$500,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.9821.

**(c) Community health workers.** \$971,000 in fiscal year 2024 and \$971,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.1462.

**(d) Community solutions for healthy child development grants.** \$3,678,000 in fiscal year 2024 and \$3,698,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145.9257.

**(e) Cultural communications program.** \$1,724,000 in fiscal year 2024 and \$1,724,000 in fiscal year 2025 are from the general fund for the cultural communications program established in Minnesota Statutes, section 144.0752.

**(f) Emergency preparedness and response.** \$16,825,000 in fiscal year 2024 and



\$16,662,000 in fiscal year 2025 are from the general fund for public health emergency preparedness and response, the sustainability of the strategic stockpile, and COVID-19 pandemic response transition.

(g) **Family planning grants.** \$7,900,000 in fiscal year 2024 and \$7,900,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145.925.

(h) **Healthy Beginnings, Healthy Families.** \$5,250,000 in fiscal year 2024 and \$5,250,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145.9571.

(i) **Help Me Connect.** \$463,000 in fiscal year 2024 and \$921,000 in fiscal year 2025 are from the general fund for the Help Me Connect program under Minnesota Statutes, section 145.988.

(j) **Home visiting.** \$9,250,000 in fiscal year 2024 and \$9,250,000 in fiscal year 2025 are from the general fund to start up or expand home visiting programs for priority populations under Minnesota Statutes, section 145.87.

(k) **No Surprises Act enforcement.** \$1,210,000 in fiscal year 2024 and \$1,090,000 in fiscal year 2025 are from the general fund for implementation of the federal No Surprises Act under Minnesota Statutes, section 62Q.021, and a statewide provider directory. The general fund base for this appropriation is \$855,000 in fiscal year 2026 and \$855,000 in fiscal year 2027.

(l) **Office of African American Health.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are from the general fund for grants under the authority of the Office of African American Health under Minnesota Statutes, section 144.0756.

**(m) Office of American Indian Health.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are from the general fund for grants under the authority of the Office of American Indian Health under Minnesota Statutes, section 144.0757.

**(n) Public health system transformation grants.** (1) \$9,844,000 in fiscal year 2024 and \$9,844,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145A.131, subdivision 1, paragraph (f).

(2) \$535,000 in fiscal year 2024 and \$535,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145A.14, subdivision 2, paragraph (b).

(3) \$321,000 in fiscal year 2024 and \$321,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.0759.

**(o) Health care workforce.** (1) \$1,154,000 in fiscal year 2024 and \$3,117,000 in fiscal year 2025 are from the health care access fund for rural training tracks and rural clinicals grants under Minnesota Statutes, section 144.1508. The base for this appropriation is \$4,502,000 in fiscal year 2026 and \$4,502,000 in fiscal year 2027.

(2) \$323,000 in fiscal year 2024 and \$323,000 in fiscal year 2025 are from the health care access fund for immigrant international medical graduate training grants under Minnesota Statutes, section 144.1911.

(3) \$5,771,000 in fiscal year 2024 and \$5,147,000 in fiscal year 2025 are from the health care access fund for site-based clinical training grants under Minnesota Statutes, section 144.1505. The base for this appropriation is \$4,426,000 in fiscal year 2026 and \$4,426,000 in fiscal year 2027.

(4) \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are from the health care access fund for mental health grants for health care professional grants. This is a onetime appropriation and is available until June 30, 2027.

(5) \$2,500,000 in fiscal year 2024 and \$2,500,000 in fiscal year 2025 are from the health care access fund for health professionals loan forgiveness under Minnesota Statutes, section 144.1501, subdivision 1, paragraph (h).

(6) \$708,000 in fiscal year 2024 and \$708,000 in fiscal year 2025 are from the health care access fund for primary care employee recruitment education loan forgiveness under Minnesota Statutes, section 144.1504.

(7) \$350,000 in fiscal year 2024 and \$350,000 in fiscal year 2025 are from the health care access fund for workforce research and data analysis of shortages, maldistribution of health care providers in Minnesota, and the factors that influence decisions of health care providers to practice in rural areas of Minnesota.

(p) **School health.** \$800,000 in fiscal year 2024 and \$800,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145.903.

(q) **Long COVID.** \$3,146,000 in fiscal year 2024 and \$3,146,000 in fiscal year 2025 are from the general fund for grants and to implement Minnesota Statutes, section 145.361.

(r) **Workplace violence prevention grants for health care entities.** \$4,400,000 in fiscal year 2024 is from the general fund for grants to health care entities to improve employee safety or security. This is a onetime appropriation and is available until June 30, 2025.

(s) **Clinical dental education innovation grants.** \$1,122,000 in fiscal year 2024 and \$1,122,000 in fiscal year 2025 are from the general fund for clinical dental education innovation grants under Minnesota Statutes, section 144.1913.

(t) **Skin-lightening products public awareness and education grant program.** \$200,000 in fiscal year 2024 is from the general fund for a grant to the Beautywell Project under Minnesota Statutes, section 145.9275. This is a onetime appropriation.

(u) **Emmett Louis Till Victims Recovery Program.** \$500,000 in fiscal year 2024 is from the general fund for a grant to the Emmett Louis Till Victims Recovery Program. The commissioner must not use any of this appropriation for administration. This is a onetime appropriation and is available until June 30, 2025.

(v) **Federally qualified health centers apprenticeship program.** \$750,000 in fiscal year 2024 and \$750,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145.9272, and for the study of the feasibility of establishing additional federally qualified health centers apprenticeship programs.

(w) **Alzheimer's public information program.** \$80,000 in fiscal year 2024 and \$80,000 in fiscal year 2025 are from the general fund for grants to community-based organizations to co-create culturally specific messages to targeted communities and to promote public awareness materials online through diverse media channels. This is a onetime appropriation and is available until June 30, 2027.

(x) **African American Babies Coalition grant.** \$260,000 in fiscal year 2024 and \$260,000 in fiscal year 2025 are from the general fund for a grant to the Amherst H. Wilder Foundation for a grant under

Minnesota Statutes, section 144.645, for the African American Babies Coalition initiative.

(y) (1) **Health professional loan forgiveness account.** \$9,661,000 in fiscal year 2024 is from the general fund for eligible mental health professional loan forgiveness under Minnesota Statutes, section 144.1501. This is a onetime appropriation.

(2) **Transfer.** The commissioner must transfer \$9,661,000 in fiscal year 2024 from the general fund to the health professional loan forgiveness account under Minnesota Statutes, section 144.1501, subdivision 2.

(z) **Primary care residency expansion grant program.** \$400,000 in fiscal year 2024 and \$400,000 in fiscal year 2025 are from the general fund for a psychiatry resident under Minnesota Statutes, section 144.1506.

(aa) **Pediatric primary care mental health training grant program.** \$1,000,000 in fiscal year 2024 and \$1,000,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.1507.

(bb) **Mental health cultural community continuing education grant program.** \$500,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.1511.

(cc) **Labor trafficking services grant program.** \$500,000 in fiscal year 2024 and \$500,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.3885.

(dd) **Alzheimer's disease and dementia care training program.** \$449,000 in fiscal year 2025 and \$449,000 in fiscal year 2026 are to implement the Alzheimer's disease and dementia care training program under Minnesota Statutes, section 144.6504.

(ee) **Grant to Minnesota Alliance for Volunteer Advancement.** \$138,000 in fiscal year 2024 is from the general fund for a grant to the Minnesota Alliance for Volunteer Advancement to administer needs-based volunteerism subgrants targeting underresourced nonprofit organizations in greater Minnesota to support selected organizations' ongoing efforts to address and minimize disparities in access to human services through increased volunteerism. Subgrant applicants must demonstrate that the populations to be served by the subgrantee are underserved or suffer from or are at risk of homelessness, hunger, poverty, lack of access to health care, or deficits in education. The Minnesota Alliance for Volunteer Advancement must give priority to organizations that are serving the needs of vulnerable populations. This is a onetime appropriation and is available until June 30, 2025.

(ff) **Palliative Care Advisory Council.** \$40,000 in fiscal year 2024 and \$40,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.059.

(gg) **Universal health care system study.** \$1,815,000 in fiscal year 2024 and \$580,000 in fiscal year 2025 are from the general fund for an economic analysis of benefits and costs of a universal health care system. The base for this appropriation is \$580,000 in fiscal year 2026 and \$0 in fiscal year 2027.

(hh) **Study of the development of a statewide registry for provider orders for life-sustaining treatment.** \$365,000 in fiscal year 2024 and \$365,000 in fiscal year 2025 are from the general fund for a study of the development of a statewide registry for provider orders for life-sustaining treatment. This is a onetime appropriation.

(ii) **988 Suicide and crisis lifeline.** \$4,000,000 in fiscal year 2024 is from the

general fund for 988 national suicide prevention lifeline grants under Minnesota Statutes, section 145.561. This is a onetime appropriation.

(jj) **Fetal and infant mortality case review committee.** \$664,000 in fiscal year 2024 and \$875,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145.9011.

(kk) **Equitable Health Care Task Force.** \$779,000 in fiscal year 2024 and \$749,000 in fiscal year 2025 are from the general fund for the Equitable Health Care Task Force. This is a onetime appropriation.

(ll) **Medical education and research costs.** \$300,000 in fiscal year 2024 and \$300,000 in fiscal year 2025 are from the general fund for the medical education and research costs program under Minnesota Statutes, section 62J.692.

(mm) **Special Guerilla Unit Veterans grant program.** \$250,000 in fiscal year 2024 and \$250,000 in fiscal year 2025 are from the general fund for a grant to the Special Guerrilla Units Veterans and Families of the United States of America under Minnesota Statutes, section 144.0701.

(nn) **TANF Appropriations.** (1) TANF funds must be used as follows:

(i) \$3,579,000 in fiscal year 2024 and \$3,579,000 in fiscal year 2025 are from the TANF fund for home visiting and nutritional services listed under Minnesota Statutes, section 145.882, subdivision 7, clauses (6) and (7). Funds must be distributed to community health boards according to Minnesota Statutes, section 145A.131, subdivision 1;

(ii) \$2,000,000 in fiscal year 2024 and \$2,000,000 in fiscal year 2025 are from the TANF fund for decreasing racial and ethnic

disparities in infant mortality rates under Minnesota Statutes, section 145.928, subdivision 7;

(iii) \$4,978,000 in fiscal year 2024 and \$4,978,000 in fiscal year 2025 are from the TANF fund for the family home visiting grant program under Minnesota Statutes, section 145A.17. \$4,000,000 of the funding in fiscal year 2024 and \$4,000,000 in fiscal year 2025 must be distributed to community health boards under Minnesota Statutes, section 145A.131, subdivision 1. \$978,000 of the funding in fiscal year 2024 and \$978,000 in fiscal year 2025 must be distributed to Tribal governments under Minnesota Statutes, section 145A.14, subdivision 2a;

(iv) \$1,156,000 in fiscal year 2024 and \$1,156,000 in fiscal year 2025 are from the TANF fund for family planning grants under Minnesota Statutes, section 145.925; and

(v) the commissioner may use up to 6.23 percent of the funds appropriated from the TANF fund each fiscal year to conduct the ongoing evaluations required under Minnesota Statutes, section 145A.17, subdivision 7, and training and technical assistance as required under Minnesota Statutes, section 145A.17, subdivisions 4 and 5.

(2) **TANF Carryforward.** Any unexpended balance of the TANF appropriation in the first year does not cancel but is available in the second year.

(oo) **Base level adjustments.** The general fund base is \$204,079,000 in fiscal year 2026 and \$203,440,000 in fiscal year 2027. The state government special revenue fund base is \$12,853,000 in fiscal year 2026 and \$12,853,000 in fiscal year 2027. The health care access fund base is \$56,361,000 in fiscal year 2026 and \$55,761,000 in fiscal year 2027.



**Subd. 3. Health Protection**

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>43,827,000</u>	<u>44,358,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>70,981,000</u>	<u>73,220,000</u>

(a) Climate resiliency. \$6,000,000 in fiscal year 2024 and \$6,000,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.9981. The base for this appropriation is \$1,500,000 in fiscal year 2026 and \$1,500,000 in fiscal year 2027.

(b) Homeless mortality study. \$134,000 in fiscal year 2024 and \$149,000 in fiscal year 2025 are from the general fund for a homeless mortality study. The general fund base for this appropriation is \$104,000 in fiscal year 2026 and \$0 in fiscal year 2027.

(c) Lead remediation in schools and child care settings. \$146,000 in fiscal year 2024 and \$239,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 145.9272.

(d) MinnesotaOne Health Antimicrobial Stewardship Collaborative. \$312,000 in fiscal year 2024 and \$312,000 in fiscal year 2025 are from the general fund for the Minnesota One Health Antibiotic Stewardship Collaborative under Minnesota Statutes, section 144.0526.

(e) Strengthening public drinking water systems infrastructure. \$4,420,000 in fiscal year 2024 and \$4,420,000 in fiscal year 2025 are from the general fund for grants under Minnesota Statutes, section 144.3832. The base for this appropriation is \$1,580,000 in fiscal year 2026 and \$1,580,000 in fiscal year 2027.

(f) HIV prevention health equity. \$1,264,000 in fiscal year 2024 and \$1,264,000 in fiscal year 2025 are from the

general fund for equity in HIV prevention.  
This is a onetime appropriation.

(g) **Green burials study and report.**  
\$79,000 in fiscal year 2024 is from the  
general fund for a study and report on green  
burials. This is a onetime appropriation.

(h) **Base level adjustments.** The general  
fund base is \$34,020,000 in fiscal year 2026  
and \$33,916,000 in fiscal year 2027.

<u>Subd. 4. <b>Health Operations</b></u>	<u>18,492,000</u>	<u>18,405,000</u>
--	-------------------	-------------------

Notwithstanding Minnesota Statutes, section  
16E.21, subdivision 4, the amount transferred  
to the information and telecommunications  
account under Minnesota Statutes, section  
16E.21, subdivision 2, for the business  
process automation and external website  
modernization projects approved by the  
Legislative Advisory Commission on June  
24, 2019, is available until June 30, 2024.

Sec. 4. **HEALTH-RELATED BOARDS**

<u>Subdivision 1. <b>Total Appropriation</b></u>	<u>\$</u>	<u><b>32,160,000</b></u>	<u>\$</u>	<u><b>32,166,000</b></u>
--	-----------	--------------------------	-----------	--------------------------

Appropriations by Fund

<u>General</u>	<u>1,222,000</u>	<u>468,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>30,862,000</u>	<u>31,660,000</u>
<u>Health Care Access</u>	<u>76,000</u>	<u>38,000</u>

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

<u>Subd. 2. <b>Board of Behavioral Health and Therapy</b></u>	<u>1,022,000</u>	<u>1,044,000</u>
---	------------------	------------------

<u>Subd. 3. <b>Board of Chiropractic Examiners</b></u>	<u>773,000</u>	<u>790,000</u>
--	----------------	----------------

<u>Subd. 4. <b>Board of Dentistry</b></u>	<u>4,100,000</u>	<u>4,163,000</u>
---	------------------	------------------

(a) **Administrative services unit; operating**  
costs. Of this appropriation, \$1,936,000 in  
fiscal year 2024 and \$1,960,000 in fiscal year  
2025 are for operating costs of the  
administrative services unit. The  
administrative services unit may receive and

expend reimbursements for services it performs for other agencies.

**(b) Administrative services unit; volunteer health care provider program.** Of this appropriation, \$150,000 in fiscal year 2024 and \$150,000 in fiscal year 2025 are to pay for medical professional liability coverage required under Minnesota Statutes, section 214.40.

**(c) Administrative services unit; retirement costs.** Of this appropriation, \$237,000 in fiscal year 2024 and \$237,000 in fiscal year 2025 are for the administrative services unit to pay for the retirement costs of health-related board employees. This funding may be transferred to the health board incurring retirement costs. Any board that has an unexpended balance for an amount transferred under this paragraph shall transfer the unexpended amount to the administrative services unit. If the amount appropriated in the first year of the biennium is not sufficient, the amount from the second year of the biennium is available.

**(d) Administrative services unit; contested cases and other legal proceedings.** Of this appropriation, \$200,000 in fiscal year 2024 and \$200,000 in fiscal year 2025 are for costs of contested case hearings and other unanticipated costs of legal proceedings involving health-related boards under this section. Upon certification by a health-related board to the administrative services unit that unanticipated costs for legal proceedings will be incurred and that available appropriations are insufficient to pay for the unanticipated costs for that board, the administrative services unit is authorized to transfer money from this appropriation to the board for payment of costs for contested case hearings and other unanticipated costs of legal proceedings with the approval of the commissioner of management and budget. The commissioner of management and budget must require any board that has an

unexpended balance or an amount transferred under this paragraph to transfer the unexpended amount to the administrative services unit to be deposited in the state government special revenue fund.

Subd. 5. <b><u>Board of Dietetics and Nutrition Practice</u></b>	<u>213,000</u>	<u>217,000</u>
Subd. 6. <b><u>Board of Executives for Long-term Services and Supports</u></b>	<u>705,000</u>	<u>736,000</u>
Subd. 7. <b><u>Board of Marriage and Family Therapy</u></b>	<u>443,000</u>	<u>456,000</u>
Subd. 8. <b><u>Board of Medical Practice</u></b>	<u>5,779,000</u>	<u>5,971,000</u>
Subd. 9. <b><u>Board of Nursing</u></b>	<u>6,039,000</u>	<u>6,275,000</u>
Subd. 10. <b><u>Board of Occupational Therapy Practice</u></b>	<u>480,000</u>	<u>480,000</u>
Subd. 11. <b><u>Board of Optometry</u></b>	<u>270,000</u>	<u>280,000</u>
Subd. 12. <b><u>Board of Pharmacy</u></b>		

Appropriations by Fund

General	<u>1,222,000</u>	<u>468,000</u>
State Government		
Special Revenue	<u>5,328,000</u>	<u>5,309,000</u>
Health Care Access	<u>76,000</u>	<u>38,000</u>

**(a) Prescription monitoring program.** \$754,000 in fiscal year 2024 is from the general fund for the Minnesota prescription monitoring program under Minnesota Statutes, section 152.126. This is a onetime appropriation and is available until June 30, 2025.

**(b) Medication repository program.** \$450,000 in fiscal year 2024 and \$450,000 in fiscal year 2025 are from the general fund for a contract under Minnesota Statutes, section 151.555.

**(c) Base level adjustment.** The state government special revenue fund base is \$5,159,000 in fiscal year 2026 and \$5,159,000 in fiscal year 2027. The health care access fund base is \$0 in fiscal year 2026 and \$0 in fiscal year 2027.

Subd. 13. <b><u>Board of Physical Therapy</u></b>	<u>678,000</u>	<u>694,000</u>
---	----------------	----------------

Subd. 14. <u>Board of Podiatric Medicine</u>	<u>253,000</u>	<u>257,000</u>
--	----------------	----------------

Subd. 15. <u>Board of Psychology</u>	<u>2,618,000</u>	<u>2,734,000</u>
--------------------------------------	------------------	------------------

Health professionals service program. This appropriation includes \$1,234,000 in fiscal year 2024 and \$1,324,000 in fiscal year 2025 for the health professional services program.

Subd. 16. <u>Board of Social Work</u>	<u>1,779,000</u>	<u>1,839,000</u>
---------------------------------------	------------------	------------------

Subd. 17. <u>Board of Veterinary Medicine</u>	<u>382,000</u>	<u>415,000</u>
---	----------------	----------------

Base adjustment. The state government special revenue fund base is \$461,000 in fiscal year 2026 and \$461,000 in fiscal year 2027.

Sec. 5. EMERGENCY MEDICAL SERVICES REGULATORY BOARD

\$	<u>6,800,000</u>	\$	<u>6,176,000</u>
----	------------------	----	------------------

(a) Cooper/Sams volunteer ambulance program. \$950,000 in fiscal year 2024 and \$950,000 in fiscal year 2025 are for the Cooper/Sams volunteer ambulance program under Minnesota Statutes, section 144E.40.

(1) Of this amount, \$861,000 in fiscal year 2024 and \$861,000 in fiscal year 2025 are for the ambulance service personnel longevity award and incentive program under Minnesota Statutes, section 144E.40.

(2) Of this amount, \$89,000 in fiscal year 2024 and \$89,000 in fiscal year 2025 are for operations of the ambulance service personnel longevity award and incentive program under Minnesota Statutes, section 144E.40.

(b) Operations. \$2,421,000 in fiscal year 2024 and \$2,480,000 in fiscal year 2025 are for board operations.

(c) Emergency medical services fund. \$1,385,000 in fiscal year 2024 and \$1,385,000 in fiscal year 2025 are for distribution to regional emergency medical services systems for the purposes specified

in Minnesota Statutes, section 144E.50. Notwithstanding Minnesota Statutes, section 144E.50, subdivision 5, in each year the board must distribute this appropriation equally among the eight emergency medical services systems designated by the board.

(d) **Ambulance training grants.** \$361,000 in fiscal year 2024 and \$361,000 in fiscal year 2025 are for training grants under Minnesota Statutes, section 144E.35.

(e) **Medical resource communication center grants.** \$1,633,000 in fiscal year 2024 and \$970,000 in fiscal year 2025 are for medical resource communication center grants under Minnesota Statutes, section 144E.53.

Sec. 6. <u>OMBUDSPERSON FOR FAMILIES</u>	<u>\$</u>	<u>759,000</u>	<u>\$</u>	<u>776,000</u>
--	-----------	----------------	-----------	----------------

Sec. 7. <u>OMBUDSPERSON FOR AMERICAN INDIAN FAMILIES</u>	<u>\$</u>	<u>336,000</u>	<u>\$</u>	<u>340,000</u>
--	-----------	----------------	-----------	----------------

Sec. 8. <u>OFFICE OF THE FOSTER YOUTH OMBUDSPERSON</u>	<u>\$</u>	<u>742,000</u>	<u>\$</u>	<u>759,000</u>
--	-----------	----------------	-----------	----------------

Sec. 9. MNSURE

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>27,447,000</u>	<u>45,526,000</u>
<u>Health Care Access</u>	<u>2,270,000</u>	<u>1,470,000</u>

(a) **Technology Modernization.** \$11,025,000 in fiscal year 2024 and \$10,726,000 in fiscal year 2025 are from the general fund to establish a single end-to-end information technology system with seamless, real-time interoperability between qualified health plan eligibility and enrollment services. The base for this appropriation is \$3,521,000 in fiscal year 2026 and \$0 in fiscal year 2027.

(b) **Easy Enrollment.** \$70,000 in fiscal year 2024 and \$70,000 in fiscal year 2025 are from the general fund to implement easy enrollment.

(c) **Transfer.** The Board of Directors of MNsure must transfer \$11,095,000 in fiscal year 2024 and \$14,996,000 in fiscal year 2025 from the general fund to the enterprise account under Minnesota Statutes, section 62V.07. The base for this transfer is \$3,591,000 in fiscal year 2026 and \$70,000 in fiscal year 2027.

(d) **Minnesota insulin safety net public awareness campaign.** \$800,000 in fiscal year 2024 is from the health care access fund for a public awareness campaign for the insulin safety net program under Minnesota Statutes, section 151.74. This is a onetime appropriation and is available until June 30, 2025.

(e) **Cost-sharing reduction program.** \$15,000,000 in fiscal year 2024 and \$30,000,000 in fiscal year 2025 are from the general fund to implement the cost-sharing reduction program under Minnesota Statutes, section 62V.12.

(f) **Base level adjustment.** The general fund base is \$34,121,000 in fiscal year 2026 and \$30,600,000 in fiscal year 2027.

Sec. 10. <u><b>RARE DISEASE ADVISORY COUNCIL</b></u>	<u>\$</u>	<u>654,000</u>	<u>\$</u>	<u>602,000</u>
--	-----------	----------------	-----------	----------------

Sec. 11. <u><b>COMMISSIONER OF REVENUE</b></u>	<u>\$</u>	<u>40,000</u>	<u>\$</u>	<u>4,000</u>
--	-----------	---------------	-----------	--------------

**Easy enrollment.** \$40,000 in fiscal year 2024 and \$4,000 in fiscal year 2025 are for the administrative costs associated with the easy enrollment program.

Sec. 12. <u><b>COMMISSIONER OF MANAGEMENT AND BUDGET</b></u>	<u>\$</u>	<u>12,613,000</u>	<u>\$</u>	<u>2,516,000</u>
--	-----------	-------------------	-----------	------------------

(a) **Outcomes and evaluation consultation.** \$450,000 in fiscal year 2024 and \$450,000 in fiscal year 2025 are for outcomes and evaluation consultation requirements.

**(b) Department of Children, Youth, and Families.** \$11,931,000 in fiscal year 2024 and \$2,066,000 in fiscal year 2025 are to establish the Department of Children, Youth, and Families. This is a onetime appropriation.

**(c) Impact evaluation.** \$232,000 in fiscal year 2024 is for the Keeping Nurses at the Bedside Act impact evaluation. This is a onetime appropriation.

**(d) Base adjustment.** The general fund base is \$450,000 in fiscal year 2026 and \$450,000 in fiscal year 2027.

Sec. 13. <b><u>COMMISSIONER OF CHILDREN, YOUTH, AND FAMILIES</u></b>	<b><u>\$</u></b>	<b><u>823,000</u></b>	<b><u>\$</u></b>	<b><u>3,521,000</u></b>
Sec. 14. <b><u>COMMISSIONER OF COMMERCE</u></b>	<b><u>\$</u></b>	<b><u>42,000</u></b>	<b><u>\$</u></b>	<b><u>51,000</u></b>

**(a) Heath Care Affordability Board Requirements.** \$42,000 in fiscal year 2024 and \$17,000 in fiscal year 2025 are for responsibilities related to the Health Care Affordability Board.

**(b) Defrayal of costs for mandated coverage of biomarker testing.** \$17,000 in fiscal year 2025 is for administrative costs to implement mandated coverage of biomarker testing to diagnose, treat, manage, and monitor illness or disease. The base for this appropriation is \$2,611,000 in fiscal year 2026 and \$2,611,000 in fiscal year 2027. The base includes \$2,594,000 in fiscal year 2026 and \$2,594,000 in fiscal year 2027 for defrayal of costs for mandated coverage of biomarker testing to diagnose, treat, manage, and monitor illness or disease.

**(c) Consultation for coverage of services provided by pharmacists.** \$17,000 in fiscal year 2025 is for consultation with health plan companies, pharmacies, and pharmacy benefit managers to develop guidance and implement equal coverage for services



provided by pharmacists. This is a onetime appropriation.

(d) **Base adjustment.** The general fund base is \$2,628,000 in fiscal year 2026 and \$2,628,000 in fiscal year 2027.

**Sec. 15. HEALTH CARE AFFORDABILITY BOARD**

**\$ 1,336,000 \$ 1,727,000**

**Base adjustment.** The general fund base is \$1,793,000 in fiscal year 2026 and \$1,790,000 in fiscal year 2027.

Sec. 16. Laws 2021, First Special Session chapter 7, article 16, section 2, subdivision 32, as amended by Laws 2022, chapter 98, article 15, section 7, subdivision 32, is amended to read:

**Subd. 32. Grant Programs; Child Mental Health Grants**

**30,167,000 30,182,000**

(a) **Children's Residential Facilities.** \$1,964,000 in fiscal year 2022 and \$1,979,000 in fiscal year 2023 are to reimburse counties and Tribal governments for a portion of the costs of treatment in children's residential facilities. The commissioner shall distribute the appropriation to counties and Tribal governments proportionally based on a methodology developed by the commissioner. ~~The fiscal year 2022 appropriation is available until June 30, 2023.~~ base for this appropriation is \$0 in fiscal year 2025.

(b) **Base Level Adjustment.** The general fund base is \$29,580,000 in fiscal year 2024 and ~~\$27,705,000~~ \$25,726,000 in fiscal year 2025.

Sec. 17. Laws 2021, First Special Session chapter 7, article 16, section 3, subdivision 2, as amended by Laws 2022, chapter 98, article 1, section 68, is amended to read:

**Subd. 2. Health Improvement**

Appropriations by Fund

		<u>124,000,000</u>
General	123,714,000	<u>122,800,000</u>

State Government		
Special Revenue	11,967,000	11,290,000
Health Care Access	37,512,000	36,832,000
Federal TANF	11,713,000	11,713,000

(a) **TANF Appropriations.** (1) \$3,579,000 in fiscal year 2022 and \$3,579,000 in fiscal year 2023 are from the TANF fund for home visiting and nutritional services listed under Minnesota Statutes, section 145.882, subdivision 7, clauses (6) and (7). Funds must be distributed to community health boards according to Minnesota Statutes, section 145A.131, subdivision 1;

(2) \$2,000,000 in fiscal year 2022 and \$2,000,000 in fiscal year 2023 are from the TANF fund for decreasing racial and ethnic disparities in infant mortality rates under Minnesota Statutes, section 145.928, subdivision 7;

(3) \$4,978,000 in fiscal year 2022 and \$4,978,000 in fiscal year 2023 are from the TANF fund for the family home visiting grant program according to Minnesota Statutes, section 145A.17. \$4,000,000 of the funding in each fiscal year must be distributed to community health boards according to Minnesota Statutes, section 145A.131, subdivision 1. \$978,000 of the funding in each fiscal year must be distributed to tribal governments according to Minnesota Statutes, section 145A.14, subdivision 2a;

(4) \$1,156,000 in fiscal year 2022 and \$1,156,000 in fiscal year 2023 are from the TANF fund for family planning grants under Minnesota Statutes, section 145.925; and

(5) the commissioner may use up to 6.23 percent of the funds appropriated from the TANF fund each fiscal year to conduct the ongoing evaluations required under Minnesota Statutes, section 145A.17, subdivision 7, and training and technical

assistance as required under Minnesota Statutes, section 145A.17, subdivisions 4 and 5.

(b) **TANF Carryforward.** Any unexpended balance of the TANF appropriation in the first year of the biennium does not cancel but is available for the second year.

(c) **Tribal Public Health Grants.** \$500,000 in fiscal year 2022 and \$500,000 in fiscal year 2023 are from the general fund for Tribal public health grants under Minnesota Statutes, section 145A.14, for public health infrastructure projects as defined by the Tribal government.

(d) **Public Health Infrastructure Funds.** \$6,000,000 in fiscal year 2022 and \$6,000,000 in fiscal year 2023 are from the general fund for public health infrastructure funds to distribute to community health boards and Tribal governments to support their ability to meet national public health standards.

(e) **Public Health System Assessment and Oversight.** \$1,500,000 in fiscal year 2022 and \$1,500,000 in fiscal year 2023 are from the general fund for the commissioner to assess the capacity of the public health system to meet national public health standards and oversee public health system improvement efforts.

(f) **Health Professional Education Loan Forgiveness.** Notwithstanding the priorities and distribution requirements under Minnesota Statutes, section 144.1501, \$3,000,000 in fiscal year 2022 and \$3,000,000 in fiscal year 2023 are from the general fund for loan forgiveness under article 3, section 43, for individuals who are eligible alcohol and drug counselors, eligible medical residents, or eligible mental health professionals, as defined in article 3, section 43. The general fund base for this appropriation is \$2,625,000 in fiscal year

2024 and \$0 in fiscal year 2025. The health care access fund base for this appropriation is \$875,000 in fiscal year 2024, \$3,500,000 in fiscal year 2025, and \$0 in fiscal year 2026. The general fund amounts in this paragraph are available until March 31, 2024. This paragraph expires on April 1, 2024.

**(g) Mental Health Cultural Community Continuing Education Grant Program.** \$500,000 in fiscal year 2022 and \$500,000 in fiscal year 2023 are from the general fund for the mental health cultural community continuing education grant program. This is a onetime appropriation

**(h) Birth Records; Homeless Youth.** \$72,000 in fiscal year 2022 and \$32,000 in fiscal year 2023 are from the state government special revenue fund for administration and issuance of certified birth records and statements of no vital record found to homeless youth under Minnesota Statutes, section 144.2255.

**(i) Supporting Healthy Development of Babies During Pregnancy and Postpartum.** \$260,000 in fiscal year 2022 and \$260,000 in fiscal year 2023 are from the general fund for a grant to the Amherst H. Wilder Foundation for the African American Babies Coalition initiative for community-driven training and education on best practices to support healthy development of babies during pregnancy and postpartum. Grant funds must be used to build capacity in, train, educate, or improve practices among individuals, from youth to elders, serving families with members who are Black, indigenous, or people of color, during pregnancy and postpartum. This is a onetime appropriation and is available until June 30, 2023.

**(j) Dignity in Pregnancy and Childbirth.** \$494,000 in fiscal year 2022 and \$200,000 in fiscal year 2023 are from the general fund for purposes of Minnesota Statutes, section 144.1461. Of this appropriation: (1) \$294,000

in fiscal year 2022 is for a grant to the University of Minnesota School of Public Health's Center for Antiracism Research for Health Equity, to develop a model curriculum on anti-racism and implicit bias for use by hospitals with obstetric care and birth centers to provide continuing education to staff caring for pregnant or postpartum women. The model curriculum must be evidence-based and must meet the criteria in Minnesota Statutes, section 144.1461, subdivision 2, paragraph (a); and (2) \$200,000 in fiscal year 2022 and \$200,000 in fiscal year 2023 are for purposes of Minnesota Statutes, section 144.1461, subdivision 3.

**(k) Congenital Cytomegalovirus (CMV).**

(1) \$196,000 in fiscal year 2022 and \$196,000 in fiscal year 2023 are from the general fund for outreach and education on congenital cytomegalovirus (CMV) under Minnesota Statutes, section 144.064.

(2) Contingent on the Advisory Committee on Heritable and Congenital Disorders recommending and the commissioner of health approving inclusion of CMV in the newborn screening panel in accordance with Minnesota Statutes, section 144.065, subdivision 3, paragraph (d), \$656,000 in fiscal year 2023 is from the state government special revenue fund for follow-up services.

**(l) Nonnarcotic Pain Management and Wellness.** \$649,000 in fiscal year 2022 is from the general fund for nonnarcotic pain management and wellness in accordance with Laws 2019, chapter 63, article 3, section 1, paragraph (n).

**(m) Base Level Adjustments.** The general fund base is \$121,201,000 in fiscal year 2024 and \$116,344,000 in fiscal year 2025, of which \$750,000 in fiscal year 2024 and \$750,000 in fiscal year 2025 are for fetal alcohol spectrum disorders prevention grants under Minnesota Statutes, section 145.267.

The health care access fund base is \$38,385,000 in fiscal year 2024 and \$40,644,000 in fiscal year 2025.

Sec. 18. **TRANSFERS.**

Subdivision 1. **Grants.** The commissioner of human services, with the approval of the commissioner of management and budget, may transfer unencumbered appropriation balances for the biennium ending June 30, 2025, within fiscal years among the MFIP; general assistance; medical assistance; MinnesotaCare; MFIP child care assistance under Minnesota Statutes, section 119B.05; Minnesota supplemental aid program; group residential housing program; the entitlement portion of Northstar Care for Children under Minnesota Statutes, chapter 256N; and the entitlement portion of the behavioral health fund between fiscal years of the biennium. The commissioner shall inform the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services quarterly about transfers made under this subdivision.

Subd. 2. **Administration.** Positions, salary money, and nonsalary administrative money may be transferred within the Department of Human Services and the Department of Health as the commissioners consider necessary, with the advance approval of the commissioner of management and budget. The commissioners shall inform the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services finance quarterly about transfers made under this section.

Sec. 19. **INDIRECT COSTS NOT TO FUND PROGRAMS.**

The commissioner of health shall not use indirect cost allocations to pay for the operational costs of any program for which they are responsible.

Sec. 20. **EXPIRATION OF UNCODIFIED LANGUAGE.**

All uncodified language contained in this article expires on June 30, 2025, unless a different expiration date is explicit."

Page 581, delete lines 11 to 15 and insert:

"(h) **Medical Assistance** (1,172,921,000)"

Renumber the subdivisions and sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 25, after the second "health" insert "care"

Page 2, line 12, delete "the" and delete "the"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Finance, to which was re-referred**

**S.F. No. 2247:** A bill for an act relating to state government; establishing a budget for the Department of Military Affairs and the Department of Veterans Affairs; modifying veterans bonus program and Minnesota GI bill program provisions; requiring reports; appropriating money; amending Minnesota Statutes 2022, sections 197.79, subdivisions 1, 2, by adding a subdivision; 197.791, subdivisions 5, 6, 7; Laws 2021, First Special Session chapter 12, article 1, section 37, subdivision 2.

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

Page 1, line 24, delete "56,230,000" and insert "56,135,000" and delete "28,812,000" and insert "28,717,000"

Page 2, line 27, delete "13,709,000" and insert "13,614,000" and delete "13,709,000" and insert "13,614,000"

Page 3, line 12, delete "149,448,000" and insert "149,638,000"

Page 8, line 33, delete "89,264,000" and insert "89,454,000"

Page 9, after line 30, insert:

"(e) \$190,000 the first year is for the working group established under article 2, section 8."

Page 20, after line 3, insert:

**"Sec. 8. VETERAN DOMICILIARY RESIDENT QUALITY OF CARE WORKING GROUP.**

**Subdivision 1. Creation.** The veteran domiciliary resident quality of care working group consists of the following members:

(1) commissioners of the following agencies, or their designees:

(i) the Department of Veterans Affairs; and

(ii) the Department of Health;

(2) two Department of Veterans Affairs staff with expertise in veterans homes, appointed by the commissioner of veterans affairs;

(3) two Department of Health staff with expertise in boarding care homes, specifically the licensure of the domiciliary and related standards of care, appointed by the commissioner of health;

(4) five medical professionals, including a medical doctor, a nurse, a mental health professional, and two other health care professionals, with expertise in veterans health care, appointed by the governor;

(5) up to three past or current domiciliary staff with experience caring for residents appointed by the governor; and

(6) four public members who have an interest in veterans affairs, including two public members appointed by the speaker of the house of representatives and two public members appointed by the majority leader of the senate.

Subd. 2. **Duties.** The working group shall meet on a regular basis and the first meeting must be no later than 45 days after the effective date of this section. The working group shall review and analyze the acuity of domiciliary residents and the current care model, including admission, care plans, and day-to-day care, and the current staffing structure and ratios. The working group shall provide recommendations on:

(1) staffing levels that are necessary to properly care for the range of acuity of residents;

(2) a care delivery model that focuses on appropriate and adequate care for residents;

(3) additional and ongoing training for domiciliary staff;

(4) sufficient management structure to ensure support and provide guidance to staff; and

(5) outcomes to determine if staffing levels and care delivery are appropriate or if, based on the outcomes, adjustments are necessary.

The working group shall provide information and recommendations to the legislature by January 15, 2024, by which the legislature can use as a foundation to make decisions and effectuate change that will ensure the standard of care and staffing levels are sufficient for the different resident acuity levels who are being cared for in the domiciliary.

Subd. 3. **Administrative provisions.** (a) The commissioner of veterans affairs or the commissioner's designee must convene the initial meeting of the working group. Upon request of the working group, the commissioner must provide meeting space and administrative services for the group. The members of the working group must elect a chair or cochairs from the members of the working group at the initial meeting.

(b) Public members of the working group serve without compensation or payment of expenses.

(c) The working group expires January 15, 2024, or upon submission of the report required under subdivision 2, whichever is earlier.

(d) The working group may accept gifts and grants, which are accepted on behalf of the state and constitute donations to the state. Funds received under this paragraph are appropriated to the commissioner of veterans affairs for purposes of the working group.

Subd. 4. **Deadline for appointments and designations.** The appointments and designations authorized by this section must be completed by August 1, 2023."

Amend the title as follows:



Page 1, line 4, after the third semicolon, insert "establishing the veteran domiciliary resident quality of care working group;"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Marty from the Committee on Finance, to which was re-referred**

**S.F. No. 1426:** A bill for an act relating to the operation of state government; appropriating money for the legislature, the governor's office, state auditor, attorney general, secretary of state, and certain agencies, boards, councils, and retirement funds; setting salaries for constitutional officers; changing provisions in state government operations; changing provisions for information technology; creating offices, councils, commissions, and task forces; modifying grants management oversight; establishing a pilot program for construction materials to meet certain standards for global warming potential; implementing recommendations of Advisory Task Force on State Employment and Retention of Employees with Disabilities; modifying licensing requirements under the Board of Cosmetologist Examiners; modifying processes and responsible parties for assessing cemeteries; establishing a grant program; authorizing studies; requiring reports; amending Minnesota Statutes 2022, sections 1.135, subdivisions 2, 4, 6, by adding a subdivision; 1.141, subdivision 1; 3.07; 3.09; 4.045; 16A.055, by adding a subdivision; 16A.126, subdivision 1; 16A.1286, subdivision 2; 16B.4805, subdivision 1; 16B.97, subdivisions 2, 3, 4; 16B.98, subdivisions 5, 6, 8, by adding a subdivision; 16B.991; 16E.01, subdivisions 1a, 3, by adding a subdivision; 16E.016; 16E.03, subdivision 2; 16E.14, subdivision 4; 16E.21, subdivisions 1, 2; 43A.01, subdivision 2; 43A.02, by adding subdivisions; 43A.04, subdivisions 1a, 4, 7; 43A.08, subdivision 1; 43A.09; 43A.10, subdivisions 2a, 7; 43A.14; 43A.15, subdivision 14, by adding a subdivision; 43A.18, subdivision 6; 43A.19, subdivision 1; 43A.191; 43A.21, subdivisions 1, 2, 3, by adding a subdivision; 43A.36, subdivision 1; 43A.421; 145.951; 155A.23, subdivisions 8, 18, by adding a subdivision; 155A.27, subdivisions 1, 5a, 10; 155A.271, subdivision 1; 155A.29, subdivision 1; 179A.01; 179A.03, subdivision 15; 307.08; 381.12, subdivision 2; Laws 2023, chapter 5, sections 1; 2; proposing coding for new law in Minnesota Statutes, chapters 15; 15B; 16A; 16B; 16E; 43A; 155A; 381; repealing Minnesota Statutes 2022, sections 1.135, subdivisions 3, 5; 1.141, subdivisions 3, 4, 6; 4A.01; 4A.04; 4A.06; 4A.07; 4A.11; 16E.0466, subdivision 2; 124D.23, subdivision 9; 124D.957; Laws 2014, chapter 287, section 25, as amended.

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

Page 4, line 11, delete "14,963,000" and insert "14,965,000" and delete "14,252,000" and insert "14,254,000"

Page 4, line 12, delete "\$14,266,000" and insert "\$14,268,000"

Page 4, line 13, delete "\$14,276,000" and insert "\$14,278,000"

Page 9, line 18, delete "2" and insert "3" and delete "52" and insert "53"

Page 13, line 25, delete "2028" and insert "2027"

Page 13, line 34, delete "\$4,239,000" and insert "\$4,249,000" and delete "\$9,490,000" and insert "\$9,500,000"

Page 14, line 4, delete "\$13,479,000" and insert "\$13,489,000" and delete "\$14,480,000" and insert "\$14,490,000"

Page 14, line 8, delete "\$6,480,000" and insert "\$6,470,000"

Page 17, line 21, delete "623,000" and insert "748,000" and delete "645,000" and insert "770,000"

Page 17, line 28, delete "45,193,000" and insert "44,923,000"

Page 18, line 1, delete "44,772,000" and insert "44,502,000"

Page 18, line 12, delete "\$19,227,000" and insert "\$18,957,000"

Page 18, line 19, after the period, insert "This amount is available until June 30, 2027."

Page 18, line 22, delete "2" and insert "3"

Page 22, after line 22, insert:

"Sec. 37. Minnesota Statutes 2022, section 6.91, subdivision 4, is amended to read:

Subd. 4. **Appropriation.** ~~(a)~~ The amount necessary to fund obligations under subdivision 2 is annually appropriated from the general fund to the commissioner of revenue.

~~(b) The sum of \$6,000 in fiscal year 2011 and \$2,000 in each fiscal year thereafter is annually appropriated from the general fund to the state auditor to carry out the auditor's responsibilities under sections 6.90 to 6.91."~~

Page 23, after line 11, insert:

## "ARTICLE 2

### ELECTIONS APPROPRIATIONS

#### Section 1. STATE GOVERNMENT APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2024" and "2025" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025.

**APPROPRIATIONS**  
**Available for the Year**  
**Ending June 30**

	<u>2024</u>	<u>2025</u>
Sec. 2. <u>LEGISLATURE</u>	\$ <u>244,000</u> \$	<u>245,000</u>

These amounts are for the Legislative Coordinating Commission to support the Ranked Choice Voting and Voter Engagement Advisory Task Force established under article 7, section 50. This is a onetime appropriation.

Sec. 3. <u>SECRETARY OF STATE</u>	\$ <u>1,698,000</u> \$	<u>549,000</u>
-----------------------------------	------------------------	----------------

The base for this appropriation is \$538,000 in fiscal year 2026 and each fiscal year thereafter.

\$800,000 the first year is for the secretary of state to make grants to counties and municipalities to improve access to polling places for individuals with disabilities and to provide the same opportunity for access and participation in the electoral process, including privacy and independence, to voters with disabilities as that which exists for voters with no disabilities. Funds may be used to purchase equipment or to make capital improvements to publicly owned facilities. This is a onetime appropriation and is available until June 30, 2027.

\$200,000 the first year is to develop and implement an educational campaign relating to the restoration of the right to vote to formerly incarcerated individuals, including voter education materials and outreach to affected individuals.

Sec. 4. <u>CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD</u>	\$ <u>1,743,000</u> \$	<u>1,731,000</u>
---	------------------------	------------------

Sec. 5. <u>CORRECTIONS</u>	\$ <u>165,000</u> \$	<u>33,000</u>
----------------------------	----------------------	---------------

For changes to the report required under Minnesota Statutes, section 201.145, subdivision 3.

**Sec. 6. APPROPRIATION; SECRETARY OF STATE; HELP AMERICA VOTE ACT STATE MATCHING FUNDS.**

\$461,000 in fiscal year 2023 is transferred from the general fund to the Help America Vote Act (HAVA) account established in Minnesota Statutes, section 5.30, and is credited to the state match requirement of the Consolidated Appropriations Act of 2022, Public Law 117-103, and the Consolidated Appropriations Act of 2023, Public Law 117-328. This is a onetime transfer.

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

**Sec. 7. APPROPRIATION; SECRETARY OF STATE; COURT ORDERED ATTORNEY FEES.**

\$495,000 in fiscal year 2023 is appropriated from the general fund to the secretary of state for the payment of attorney fees and costs awarded by court order in the legislative and congressional redistricting cases Peter Wattson, et al.; Paul Anderson, et al.; and Frank Sachs, et al. v. Steve Simon, Secretary of State of Minnesota, Nos. A21-0243 and A21-0546, and interest thereon. This is a onetime appropriation.

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

**Sec. 8. TRANSFER; STATE ELECTIONS CAMPAIGN ACCOUNT.**

\$3,899,000 in fiscal year 2025 is transferred from the general fund to the general account of the state elections campaign account established in Minnesota Statutes, section 10A.31. This is a onetime transfer.

Sec. 9. Minnesota Statutes 2022, section 5.30, subdivision 2, is amended to read:

Subd. 2. **Appropriation.** ~~Notwithstanding section 4.07, Money in the Help America Vote Act account may be spent only pursuant to direct appropriations enacted from time to time by law. Money in the account must be spent~~ is appropriated to the secretary of state to improve the administration of elections in accordance with the Help America Vote Act, the state plan certified by the governor under the act, and for reporting and administrative requirements under the act and plan. To the extent required by federal law, money in the account must be used in a manner that is consistent with the maintenance of effort requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252, based on the level of state expenditures for the fiscal year ending June 30, 2000.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to any balances in the Help America Vote Act account existing on or after that date.

Sec. 10. Minnesota Statutes 2022, section 10A.31, subdivision 4, is amended to read:

Subd. 4. **Appropriation.** (a) The amounts designated by individuals for the state elections campaign account, less three percent, are appropriated from the general fund, must be transferred and credited to the appropriate account in the state elections campaign account, and are annually appropriated for distribution as set forth in subdivisions 5, 5a, 6, and 7. The remaining three percent must be kept in the general fund for administrative costs.

(b) In addition to the amounts in paragraph (a), ~~\$1,020,000~~ \$4,932,000 for each general election is appropriated from the general fund for transfer to the general account of the state elections campaign account.

**EFFECTIVE DATE.** This section is effective July 1, 2025."

Page 25, after line 5, insert:

"Sec. 8. Minnesota Statutes 2022, section 3.98, subdivision 2, is amended to read:

Subd. 2. **Contents.** (a) The fiscal note, where possible, shall:

- (1) cite the effect in dollar amounts;
- (2) cite the statutory provisions affected;
- (3) estimate the increase or decrease in revenues or expenditures;
- (4) include the costs which may be absorbed without additional funds;
- (5) include the assumptions used in determining the cost estimates; and
- (6) specify any long-range implication.

(b) The fiscal note may comment on technical or mechanical defects in the bill but shall express no opinions concerning the merits of the proposal.

(c) The fiscal note must assume the legal validity of the bill, but may comment on potential litigation that may result from passage of the bill.

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

Page 62, after line 20, insert:

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

Page 62, after line 22, insert:

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

Page 67, after line 17, insert:

"Sec. 55. **FINANCIAL REVIEW OF GRANT AND BUSINESS SUBSIDY RECIPIENTS.**

Subdivision 1. Definitions. (a) As used in this section, the following terms have the meanings given.

(b) "Grant" means a grant or business subsidy funded by an appropriation in this act.

(c) "Grantee" means a business entity as defined in Minnesota Statutes, section 5.001.

Subd. 2. **Financial information required; determination of ability to perform.** Before an agency awards a competitive, legislatively named, single-source, or sole-source grant, the agency must assess the risk that a grantee cannot or would not perform the required duties. In making this assessment, the agency must review the following information:

(1) the grantee's history of performing duties similar to those required by the grant, whether the size of the grant requires the grantee to perform services at a significantly increased scale, and whether the size of the grant will require significant changes to the operation of the grantee's organization;

(2) for a grantee that is a nonprofit organization, the grantee's Form 990 or Form 990-EZ filed with the Internal Revenue Service in each of the prior three years. If the grantee has not been in existence long enough or is not required to file Form 990 or Form 990-EZ, the grantee must demonstrate to the grantor's satisfaction that the grantee is exempt and must instead submit the grantee's most recent board-reviewed financial statements and documentation of internal controls;

(3) for a for-profit business, three years of federal and state tax returns, current financial statements, certification that the business is not under bankruptcy proceedings, and disclosure of any liens on its assets. If a business has not been in business long enough to have three years of tax returns, the grantee must demonstrate to the grantor's satisfaction that the grantee has appropriate internal financial controls;

(4) evidence of registration and good standing with the secretary of state under Minnesota Statutes, chapter 317A, or other applicable law;

(5) if the grantee's total annual revenue exceeds \$750,000, the grantee's most recent financial audit performed by an independent third party in accordance with generally accepted accounting principles; and

(6) certification, provided by the grantee, that none of its principals have been convicted of a financial crime.

Subd. 3. **Additional measures for some grantees.** The agency may require additional information and must provide enhanced oversight for grants that have not previously received state or federal grants for similar amounts or similar duties and so have not yet demonstrated the ability to perform the duties required under the grant on the scale required.

Subd. 4. **Assistance from administration.** An agency without adequate resources or experience to perform obligations under this section may contract with the commissioner of administration to perform the agency's duties under this section.

Subd. 5. **Agency authority to not award grant.** If an agency determines that there is an appreciable risk that a grantee receiving a competitive, single-source, or sole-source grant cannot or would not perform the required duties under the grant agreement, the agency must notify the grantee and the commissioner of administration and give the grantee an opportunity to respond to the agency's concerns. If the grantee does not satisfy the agency's concerns within 45 days, the agency must not award the grant.

Subd. 6. **Legislatively named grantees.** If an agency determines that there is an appreciable risk that a grantee receiving a legislatively named grant cannot or would not perform the required duties under the grant agreement, the agency must notify the grantee, the commissioner of administration, and the chairs and ranking minority members of the Ways and Means Committee in the house of representatives, the chairs and ranking minority member of the Finance Committee in the senate, and the chairs and ranking minority members of the committees in the house of representatives and the senate with primary jurisdiction over the bill in which the money for the grant was appropriated. The agency must give the grantee an opportunity to respond to the agency's concerns. If the grantee does not satisfy the agency's concerns within 45 days, the agency must delay award of the grant until adjournment of the next regular or special legislative session.

Subd. 7. **Subgrants.** If a grantee will disburse the money received from the grant to other organizations to perform duties required under the grant agreement, the agency must be a party to agreements between the grantee and a subgrantee. Before entering agreements for subgrants, the agency must perform the financial review required under this section with respect to the subgrantees.

Subd. 8. **Effect.** The requirements of this section are in addition to other requirements imposed by law; the commissioner of administration under Minnesota Statutes, sections 16B.97 and 16B.98; or agency grant policy."

Page 90, after line 29, insert:

## "ARTICLE 6

### MISCELLANEOUS FINANCE

Section 1. Minnesota Statutes 2022, section 16A.011, is amended by adding a subdivision to read:

Subd. 15a. **Transfer.** A "transfer" means the authorization to move state money from one fund, account, or agency to another fund, account, or agency within the state treasury. When authorized by law, a transfer must reduce money in one fund, account, or agency and increase the same amount to a separate fund, account, or agency.

Sec. 2. Minnesota Statutes 2022, section 16A.103, subdivision 1, is amended to read:

Subdivision 1. **State revenue and expenditures.** In February and November each year, the commissioner shall prepare a forecast of state revenue and expenditures. The November forecast must be delivered to the legislature and governor no later than ~~the end of the first week of~~ December 6. The February forecast must be delivered to the legislature and governor by the end of February. Forecasts must be delivered to the legislature and governor on the same day. If requested by the Legislative Commission on Planning and Fiscal Policy, delivery to the legislature must include a presentation to the commission.

Sec. 3. Minnesota Statutes 2022, section 16A.103, subdivision 1b, as amended by Laws 2023, chapter 10, section 2, is amended to read:

Subd. 1b. **Forecast variable.** In determining the rate of inflation, the application of inflation, the amount of state bonding as it affects debt service, the calculation of investment income, and the

other variables to be included in the expenditure part of the forecast, the commissioner must consult with the chairs and lead minority members of the senate ~~State Government~~ Finance Committee and the house of representatives Ways and Means Committee, and legislative fiscal staff. This consultation must occur at least three weeks before the forecast is to be released. No later than two weeks prior to the release of the forecast, the commissioner must inform the chairs and lead minority members of the senate ~~State Government~~ Finance Committee and the house of representatives Ways and Means Committee, and legislative fiscal staff of any changes in these variables from the previous forecast.

Sec. 4. Minnesota Statutes 2022, section 16A.103, is amended by adding a subdivision to read:

Subd. 1i. **Budget close report.** By October 15 of each odd-numbered year, the commissioner shall prepare a detailed fund balance analysis of the general fund for the previous biennium. The analysis shall include a comparison to the most recent publicly available fund balance analysis of the general fund. The commissioner shall provide this analysis to the chairs and ranking minority members of the house of representatives Ways and Means Committee and the senate Finance Committee, and shall post the analysis on the agency's website.

Sec. 5. Minnesota Statutes 2022, section 16A.152, subdivision 2, is amended to read:

Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of management and budget must allocate money to the following accounts and purposes in priority order:

(1) the cash flow account established in subdivision 1 until that account reaches \$350,000,000;

(2) the budget reserve account established in subdivision 1a until that account reaches ~~\$2,377,399,000~~ \$2,852,098,000;

(3) the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest tenth of a percent without exceeding the amount available and with any remaining funds deposited in the budget reserve; and

(4) the amount necessary to restore all or a portion of the net aid reductions under section 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75, subdivision 5, by the same amount;

~~(5) the amount necessary to increase the Minnesota 21st century fund by not more than the difference between \$5,000,000 and the sum of the amounts credited and canceled to it in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the sum of all transfers under this section and all amounts credited or canceled under Laws 2020, chapter 71, article 1, section 11, equals \$20,000,000; and~~

~~(6) for a forecast in November only, the amount remaining after the transfer under clause (5) must be used to reduce the percentage of accelerated June liability sales tax payments required under section 289A.20, subdivision 4, paragraph (b), until the percentage equals zero, rounded to the~~



nearest tenth of a percent. ~~By March 15 following the November forecast, the commissioner must provide the commissioner of revenue with the percentage of accelerated June liability owed based on the reduction required by this clause. By April 15 each year, the commissioner of revenue must certify the percentage of June liability owed by vendors based on the reduction required by this clause.~~

(b) The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released or, in the case of transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations schedules otherwise established in statute.

(c) The commissioner of management and budget shall certify the total dollar amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education. The commissioner of education shall increase the aid payment percentage and reduce the property tax shift percentage by these amounts and apply those reductions to the current fiscal year and thereafter.

Sec. 6. Minnesota Statutes 2022, section 16A.97, is amended to read:

#### **16A.97 TOBACCO BONDS.**

The commissioner may sell and issue debt under ~~either or both of sections 16A.98 and section 16A.99~~, but the net proceeds of bonds issued and sold under ~~those sections together~~ that section must not exceed \$640,000,000 during fiscal years 2012 and 2013.

Sec. 7. **REPEALER.**

Minnesota Statutes 2022, section 16A.98, is repealed.

### **ARTICLE 7**

#### **ELECTIONS POLICY**

Section 1. Minnesota Statutes 2022, section 8.31, subdivision 1, is amended to read:

Subdivision 1. **Investigate offenses against provisions of certain designated sections; assist in enforcement.** The attorney general shall investigate violations and assist in the enforcement of the following laws as provided in this section:

(1) the law of this state respecting unfair, discriminatory, and other unlawful practices in business, commerce, or trade, and specifically, but not exclusively, the Nonprofit Corporation Act (sections 317A.001 to 317A.909), the Act Against Unfair Discrimination and Competition (sections 325D.01 to 325D.07), the Unlawful Trade Practices Act (sections 325D.09 to 325D.16), the Antitrust Act (sections 325D.49 to 325D.66), section 325F.67 and other laws against false or fraudulent advertising, the antidiscrimination acts contained in section 325D.67, the act against monopolization of food products (section 325D.68), the act regulating telephone advertising services (section 325E.39), the Prevention of Consumer Fraud Act (sections 325F.68 to 325F.70), and chapter 53A regulating currency exchanges ~~and assist in the enforcement of those laws as in this section provided;~~ and

(2) section 211B.076, regulating intimidation and interference related to the performance of duties by an election official.

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

Sec. 2. Minnesota Statutes 2022, section 10A.01, subdivision 21, is amended to read:

Subd. 21. **Lobbyist.** (a) "Lobbyist" means an individual:

(1) engaged for pay or other consideration of more than \$3,000 from all sources in any year:

(i) for the purpose of attempting to influence legislative or administrative action, or the official action of a ~~metropolitan governmental unit~~ political subdivision, by communicating or urging others to communicate with public or local officials; or

(ii) from a business whose primary source of revenue is derived from facilitating government relations or government affairs services between two third parties; or

(2) who spends more than \$250, not including the individual's own traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action, or the official action of a ~~metropolitan governmental unit~~ political subdivision, by communicating or urging others to communicate with public or local officials.

(b) "Lobbyist" does not include:

(1) a public official;

(2) an employee of the state, including an employee of any of the public higher education systems;

(3) an elected local official;

(4) a nonelected local official or an employee of a political subdivision acting in an official capacity, unless the nonelected official or employee of a political subdivision spends more than 50 hours in any month attempting to influence legislative or administrative action, or the official action of a ~~metropolitan governmental unit~~ political subdivision other than the political subdivision employing the official or employee, by communicating or urging others to communicate with public or local officials, including time spent monitoring legislative or administrative action, or the official action of a ~~metropolitan governmental unit~~ political subdivision, and related research, analysis, and compilation and dissemination of information relating to legislative or administrative policy in this state, or to the policies of ~~metropolitan governmental units~~ political subdivisions;

(5) a party or the party's representative appearing in a proceeding before a state board, commission, or agency of the executive branch unless the board, commission, or agency is taking administrative action;

(6) an individual while engaged in selling goods or services to be paid for by public funds;

(7) a news medium or its employees or agents while engaged in the publishing or broadcasting of news items, editorial comments, or paid advertisements which directly or indirectly urge official action;

(8) a paid expert witness whose testimony is requested by the body before which the witness is appearing, but only to the extent of preparing or delivering testimony; or

(9) a party or the party's representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim.

(c) An individual who volunteers personal time to work without pay or other consideration on a lobbying campaign, and who does not spend more than the limit in paragraph (a), clause (2), need not register as a lobbyist.

(d) An individual who provides administrative support to a lobbyist and whose salary and administrative expenses attributable to lobbying activities are reported as lobbying expenses by the lobbyist, but who does not communicate or urge others to communicate with public or local officials, need not register as a lobbyist.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 3. Minnesota Statutes 2022, section 10A.01, is amended by adding a subdivision to read:

**Subd. 26b. Official action of political subdivisions.** "Official action of political subdivisions" means any action that requires a vote or approval by one or more elected local officials while acting in their official capacity; or an action by an appointed or employed local official to make, to recommend, or to vote on, as a member of the governing body, major decisions regarding the expenditure or investment of public money.

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

Sec. 4. Minnesota Statutes 2022, section 10A.04, subdivision 4, is amended to read:

Subd. 4. **Content.** (a) A report under this section must include information the board requires from the registration form and the information required by this subdivision for the reporting period.

**(b) A lobbyist must report the specific subjects of interest for an entity represented by the lobbyist on each report submitted under this section. A lobbyist must describe a specific subject of interest in the report with enough information to show the particular issue of importance to the entity represented.**

~~**(b) (c) A lobbyist must report the lobbyist's total disbursements on lobbying, separately listing lobbying to influence legislative action, lobbying to influence administrative action, and lobbying to influence the official actions of a metropolitan governmental unit, and a breakdown of disbursements for each of those kinds of lobbying into categories specified by the board, including but not limited to the cost of publication and distribution of each publication used in lobbying; other printing; media, including the cost of production; postage; travel; fees, including allowances; entertainment; telephone and telegraph; and other expenses. every state agency that had administrative**~~

action that the represented entity sought to influence during the reporting period. The lobbyist must report the specific subjects of interest for each administrative action and the revisor of statutes rule draft number assigned to the administrative rulemaking.

(d) A lobbyist must report every political subdivision that considered official action that the represented entity sought to influence during the reporting period. The lobbyist must report the specific subjects of interest for each action.

(e) A lobbyist must report general lobbying categories and up to four specific subjects of interest related to each general lobbying category on which the lobbyist attempted to influence legislative action during the reporting period. If the lobbyist attempted to influence legislative action on more than four specific subjects of interest for a general lobbying category, the lobbyist, in consultation with the represented entity, must determine which four specific subjects of interest were the entity's highest priorities during the reporting period and report only those four subjects.

(f) A lobbyist must report the Public Utilities Commission project name for each rate setting, power plant and powerline siting, or granting of certification of need before the Public Utilities Commission that the represented entity sought to influence during the reporting period.

(g) A lobbyist must report the amount and nature of each gift, item, or benefit, excluding contributions to a candidate, equal in value to \$5 or more, given or paid to any official, as defined in section 10A.071, subdivision 1, by the lobbyist or an employer or employee of the lobbyist. The list must include the name and address of each official to whom the gift, item, or benefit was given or paid and the date it was given or paid.

(h) A lobbyist must report each original source of money in excess of \$500 in any year used for the purpose of lobbying to influence legislative action, administrative action, or the official action of a metropolitan governmental unit political subdivision. The list must include the name, address, and employer, or, if self-employed, the occupation and principal place of business, of each payer of money in excess of \$500.

(i) On the each report due June 15, the a lobbyist must provide a disclose the general description of the subjects lobbying categories that were lobbied on in the previous 12 months reporting period.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 5. Minnesota Statutes 2022, section 10A.04, subdivision 6, is amended to read:

Subd. 6. **Principal reports.** (a) A principal must report to the board as required in this subdivision by March 15 for the preceding calendar year.

(b) Except as provided in paragraph (d), The principal must report the total amount, rounded to the nearest \$20,000, spent by the principal during the preceding calendar year to influence legislative action, administrative action, and the official action of metropolitan governmental units. on each type of lobbying listed below:

(1) lobbying to influence legislative action;

(2) lobbying to influence administrative action, other than lobbying described in clause (3);

(3) lobbying to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243; and

(4) lobbying to influence official action of political subdivisions.

~~(c) Except as provided in paragraph (d),~~ For each type of lobbying listed in paragraph (b), the principal must report ~~under this subdivision~~ a total amount that includes:

(1) the portion of all direct payments for compensation and benefits paid by the principal to lobbyists in this state for that type of lobbying;

(2) the portion of all expenditures for advertising, mailing, research, consulting, surveys, expert testimony, studies, reports, analysis, compilation and dissemination of information, social media and public relations campaigns related to legislative action, administrative action, or the official action of metropolitan governmental units, and legal counsel used to support that type of lobbying in this state; and

(3) a reasonable good faith estimate of the portion of all salaries and administrative overhead expenses attributable to activities of the principal relating to efforts to influence legislative action, administrative action, or the official action of metropolitan governmental units for that type of lobbying in this state.

~~(d) A principal that must report spending to influence administrative action in cases of rate setting, power plant and powerline siting, and granting of certificates of need under section 216B.243 must report those amounts as provided in this subdivision, except that they must be reported separately and not included in the totals required under paragraphs (b) and (c).~~

(d) The principal must report disbursements made and obligations incurred that exceed \$2,000 for paid advertising used for the purpose of urging members of the public to contact public or local officials to influence official actions during the reporting period. Paid advertising includes the cost to boost the distribution of an advertisement on social media. The report must provide the date that the advertising was purchased, the name and address of the vendor, a description of the advertising purchased, and any specific subjects of interest addressed by the advertisement.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 6. Minnesota Statutes 2022, section 10A.05, is amended to read:

#### **10A.05 LOBBYIST REPORT.**

Within 30 days after each lobbyist filing date set by section 10A.04, the executive director of the board must publish the names of the lobbyists registered who were not previously reported, the names of the individuals, associations, political subdivisions, or public higher education systems whom they represent as lobbyists, the subject or subjects on which they are lobbying, and whether in each case they lobby to influence legislative action, administrative action, or the official action of a ~~metropolitan governmental unit~~ political subdivision.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 7. Minnesota Statutes 2022, section 10A.06, is amended to read:

**10A.06 CONTINGENT FEES PROHIBITED.**

No person may act as or employ a lobbyist for compensation that is dependent upon the result or outcome of any legislative or administrative action, or of the official action of a ~~metropolitan governmental unit~~ political subdivision. A person who violates this section is guilty of a gross misdemeanor.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 8. Minnesota Statutes 2022, section 10A.071, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

(b) "Gift" means money, real or personal property, a service, a loan, a forbearance or forgiveness of indebtedness, or a promise of future employment, that is given and received without the giver receiving consideration of equal or greater value in return.

(c) "Official" means a public official, an employee of the legislature, or a local official ~~of a metropolitan governmental unit~~.

(d) "Plaque" means a decorative item with an inscription recognizing an individual for an accomplishment.

**EFFECTIVE DATE.** This section is effective January 1, 2024.

Sec. 9. Minnesota Statutes 2022, section 201.022, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** The secretary of state shall maintain a statewide voter registration system to facilitate voter registration and to provide a central database containing voter registration information from around the state. The system must be accessible to the county auditor of each county in the state. The system must also:

(1) provide for voters to submit their voter registration applications to any county auditor, the secretary of state, or the Department of Public Safety;

(2) provide for the definition, establishment, and maintenance of a central database for all voter registration information;

(3) provide for entering data into the statewide registration system;

(4) provide for electronic transfer of completed voter registration applications from the Department of Public Safety to the secretary of state or the county auditor;

(5) assign a unique identifier to each legally registered voter in the state;

(6) provide for the acceptance of the Minnesota driver's license number, Minnesota state identification number, and last four digits of the Social Security number for each voter record;

(7) coordinate with other agency databases within the state;

(8) allow county auditors and the secretary of state to add or modify information in the system to provide for accurate and up-to-date records;

(9) allow county auditors, municipal and school district clerks, and the secretary of state to have electronic access to the statewide registration system for review and search capabilities;

(10) provide security and protection of all information in the statewide registration system and ensure that unauthorized access is not allowed;

(11) provide access to municipal clerks to use the system;

(12) provide a system for each county to identify the precinct to which a voter should be assigned for voting purposes;

(13) provide daily reports accessible by county auditors on the driver's license numbers, state identification numbers, or last four digits of the Social Security numbers submitted on voter registration applications that have been verified as accurate by the secretary of state; ~~and~~

(14) provide reports on the number of absentee ballots transmitted to and returned and cast by voters under section 203B.16; and

(15) provide reports necessary for early voting.

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

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 10. Minnesota Statutes 2022, section 201.071, subdivision 1, as amended by Laws 2023, chapter 12, section 2, is amended to read:

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

"I certify that I:

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

(2) am a citizen of the United States;

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

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

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

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

(7) am not currently incarcerated for a conviction of a felony offense; and

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

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

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

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

And the instruction:

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

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

An individual may use a voter registration application to apply to register to vote in Minnesota or to change information on an existing registration.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 11. Minnesota Statutes 2022, section 201.091, subdivision 4a, is amended to read:

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

Sec. 12. Minnesota Statutes 2022, section 201.145, subdivision 3, is amended to read:

Subd. 3. **Commissioner of corrections report; state court administrator report.** (a) ~~The state court administrator must report on individuals 17 years of age or older who have been convicted of a felony.~~



~~(b)~~ The commissioner of corrections must report on individuals ~~17~~ 16 years of age or older who are currently:

~~(1) serving incarcerated for felony sentences under the commissioner's jurisdiction; or~~

~~(2) on probation for felony offenses that resulted in the loss of civil rights, as indicated by the statewide supervision system established under section 241.065.~~

~~(e)~~ (b) Each report under this subdivision must include the following information for each individual: name, address or last known residential address that is not a correctional facility, and date of birth. If available, each report must also include the individual's: corrections' state identification number, last four digits of the Social Security number, driver's license or state identification card number, ~~date of sentence, effective date of the sentence, county in which the conviction occurred, and date of discharge~~ and most recent date of incarceration.

~~(d)~~ (c) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) is registered to vote and must prepare a list of those registrants for the county auditor. ~~No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph (b)~~ (a) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must challenge the status on the record in the statewide voter registration system of each individual named in the list.

~~(e)~~ (d) The county auditor must identify an individual who ~~registered to vote or voted while serving incarcerated for a felony sentence under the commissioner's jurisdiction or while on probation for a felony offense that resulted in the loss of civil rights during a period when the individual's civil rights were revoked.~~ The county auditor must immediately send notice to the county attorney. The notice must include the name of the individual and any other identifying information as well as the evidence that shows the individual ~~registered to vote or voted during the period when the individual's civil rights were revoked~~ of incarceration.

EFFECTIVE DATE. This section is effective June 1, 2023.

Sec. 13. Minnesota Statutes 2022, section 201.145, subdivision 4, is amended to read:

Subd. 4. **Reports; restoration of right to vote.** (a) The state court administrator must report on each individual whose guardianship was modified to restore the ward's right to vote or whose guardianship was terminated by order of the court under section 524.5-317 after being ineligible to vote for any of the reasons specified in subdivision 2, paragraph (a).

~~(b) The state court administrator must report on individuals previously convicted of a felony whose civil rights have been restored.~~

~~(e)~~ The commissioner of corrections must report on individuals who were ~~serving incarcerated for a felony sentence under the commissioner's jurisdiction or who were on probation for a felony offense under the commissioner's jurisdiction that resulted in the loss of civil rights but who have been discharged from the sentence~~ and have been released from incarceration.

~~(d)~~ (c) Each report under this subdivision must include the following information for each individual: name, address, date of birth, and, if available, the last four digits of the Social Security number. For ~~reports~~ the report required by ~~paragraphs~~ paragraph (b) and ~~(e)~~, each the report must also include the individual's, if available: corrections' state identification number, driver's license or state identification card number, date of ~~sentence, effective date of the sentence~~ incarceration, county in which the conviction occurred, and date of discharge.

~~(e)~~ (d) No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if a person identified under paragraph (a) ~~or (b)~~ is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving a report under this subdivision, the secretary of state must determine if any data newly indicates that a person identified under paragraph ~~(e)~~ (b) is registered to vote and must prepare a list of those registrants for the county auditor. No later than seven calendar days after receiving the list from the secretary of state, the county auditor must remove the challenge status on the record in the statewide voter registration system of each individual named in the list.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 14. Minnesota Statutes 2022, section 203B.001, is amended to read:

**203B.001 ELECTION LAW APPLICABILITY.**

The Minnesota Election Law is applicable to voting by absentee ballot and early voting unless otherwise provided in this chapter.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 15. Minnesota Statutes 2022, section 203B.01, is amended by adding a subdivision to read:

Subd. 5. **Early voting.** "Early voting" means voting in person before election day as provided in section 203B.30.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 16. Minnesota Statutes 2022, section 203B.03, subdivision 1, is amended to read:

Subdivision 1. **Violation.** (a) No individual shall intentionally:

- (1) make or sign any false certificate required by this chapter;
- (2) make any false or untrue statement in any application for absentee ballots;
- (3) apply for absentee ballots more than once in any election with the intent to cast an illegal ballot;
- (4) exhibit a ballot marked by that individual to any other individual;

(5) do any act in violation of the provisions of this chapter for the purpose of casting an illegal vote in any precinct or for the purpose of aiding another to cast an illegal vote;

(6) use information from absentee ballot or early voting materials or records for purposes unrelated to elections, political activities, or law enforcement;

(7) provide assistance to an absentee or early voter except in the manner provided by section 204C.15, subdivision 1;

(8) solicit the vote of an absentee voter while in the immediate presence of the voter during the time the individual knows the absentee voter is voting; or

(9) alter an absentee ballot application after it has been signed by the voter, except by an election official for administrative purposes.

(b) Before inspecting information from absentee ballot or early voting materials or records, an individual shall provide identification to the public official having custody of the material or information.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 17. Minnesota Statutes 2022, section 203B.05, subdivision 1, is amended to read:

Subdivision 1. **Generally.** The full-time clerk of any city or town shall administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if:

- (1) the county auditor of that county has designated the clerk to administer them; or
- (2) the clerk has given the county auditor of that county notice of intention to administer them.

The designation or notice must specify whether the clerk will be responsible for the administration of a ballot board as provided in section 203B.121.

A clerk of a city that is located in more than one county may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has been designated by each of the county auditors or has provided notice to each of the county auditors that the city will administer absentee voting. A clerk may only administer the provisions of sections 203B.04 to 203B.15 and 203B.30 if the clerk has technical capacity to access the statewide voter registration system in the secure manner prescribed by the secretary of state. The secretary of state must identify hardware, software, security, or other technical prerequisites necessary to ensure the security, access controls, and performance of the statewide voter registration system. A clerk must receive training approved by the secretary of state on the use of the statewide voter registration system before administering this section. A clerk may not use the statewide voter registration system until the clerk has received the required training. The county auditor must notify the secretary of state of any municipal clerk who will be administering the provisions of this section and the duties that the clerk will administer.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 18. Minnesota Statutes 2022, section 203B.081, subdivision 1, is amended to read:

Subdivision 1. **Location; timing for absentee voting.** An eligible voter may vote by absentee ballot in the office of the county auditor and at any other polling place designated by the county auditor during the 46 days before the election, except as provided in this section.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 19. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision to read:

Subd. 1a. **Location; timing for early voting.** An eligible voter may vote using early voting during the 18 days before a federal, state, or county election, and during the 18 days before a municipal election if authorized under section 203B.05, in the office of the county auditor and at any other polling place designated by the county auditor. In elections in which early voting is provided, the alternative voting procedure authorized by subdivision 3 must not be provided.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 20. Minnesota Statutes 2022, section 203B.081, subdivision 3, is amended to read:

Subd. 3. **Alternative procedure.** (a) The county auditor may make available a ballot counter and ballot box for use by the voters during the ~~seven~~ 18 days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name; and address; and, upon request of the election official, the voter's date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by an election judge, the county auditor, municipal clerk, or a deputy of the auditor or clerk.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 21. Minnesota Statutes 2022, section 203B.081, subdivision 3, is amended to read:

Subd. 3. **Alternative procedure.** (a) In elections not eligible to use early voting under subdivision 1a, the county auditor may make available a ballot counter and ballot box for use by the voters during the ~~seven~~ 18 days before the election. If a ballot counter and ballot box is provided, a voter must be given the option either (1) to vote using the process provided in section 203B.08, subdivision 1, or (2) to vote in the manner provided in this subdivision.

(b) If a voter chooses to vote in the manner provided in this subdivision, the voter must state the voter's name; and address; and, upon the request of the election official, the voter's date of birth to the county auditor or municipal clerk. The voter shall sign a voter's certificate, which must include the voter's name, identification number, and the certification required by section 201.071, subdivision 1. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election.

(c) After signing the voter's certificate, the voter shall be issued a ballot and immediately retire to a voting station or other designated location in the polling place to mark the ballot. The ballot must not be taken from the polling place. If the voter spoils the ballot, the voter may return it to the election official in exchange for a new ballot. After completing the ballot, the voter shall deposit the ballot into the ballot box.

(d) The election official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

(e) The election duties required by this subdivision must be performed by an election judge, the county auditor, municipal clerk, or a deputy of the auditor or clerk.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 22. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision to read:

Subd. 4. **Temporary locations.** A county auditor or municipal clerk authorized under section 203B.05 to administer voting before election day may designate additional polling places with days and hours that differ from those required by section 203B.085.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 23. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision to read:

Subd. 5. **Town elections.** Voters casting absentee ballots in person for a town election held in March may do so during the 30 days before the election.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 24. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision to read:

**Subd. 6. Designation of locations.** The county auditor must make polling place designations at least 14 weeks before the election and must provide the notice to the secretary of state at the time the designations are made.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 25. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision to read:

**Subd. 7. Notice to voters.** The county auditor must prepare a notice to the voters of the days, times, and locations for voting before election day as authorized by this section. This notice must be posted on the secretary of state's website, the county's website, and the website for each municipality in which a voting location under this section is located at least 14 days before the first day of the absentee voting period. If a county or municipality does not have a website, the county auditor or municipal clerk must publish the notice at least once in the jurisdiction's official newspaper at least seven days and not more than 14 days before the first day of the absentee voting period.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 26. Minnesota Statutes 2022, section 203B.081, is amended by adding a subdivision to read:

**Subd. 8. Equipment.** The county auditor must provide each polling place with at least one voting booth; a ballot box; an electronic ballot counter, unless it has not adopted use of one; and at least one electronic ballot marker for individuals with disabilities pursuant to section 206.57, subdivision 5.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 27. Minnesota Statutes 2022, section 203B.085, is amended to read:

**203B.085 COUNTY AUDITOR'S AND MUNICIPAL CLERK'S OFFICES TO REMAIN OPEN DURING CERTAIN HOURS PRECEDING ELECTION.**

**Subdivision 1. State general elections.** Prior to a state general election, the county auditor's office in each county and the clerk's office in each city or town authorized under section 203B.05 to administer voting before election day must be open:

- (1) until 7:00 p.m. on the Tuesday before the election;
- (2) from 9:00 a.m. to 3:00 p.m. on the two Saturdays before the election;
- (3) from 9:00 a.m. to 3:00 p.m. on the Sunday immediately before the election; and
- (4) until 5:00 p.m. on the day before the election.

A polling place designated under section 203B.081, subdivision 4, may be open alternate days and hours.

Subd. 2. **Other elections.** In elections other than the state general election, the county auditor's office in each county and the clerk's office in each city or town authorized under section 203B.05 to administer ~~absentee balloting~~ voting before election day must be open for ~~acceptance of absentee ballot applications and casting of absentee ballots~~ voting as authorized under section 203B.081 from ~~10:00~~ 9:00 a.m. to 3:00 p.m. on Saturday and until 5:00 p.m. on the day immediately preceding a primary, special, or general election unless that day falls on a Saturday or Sunday. Town clerks' offices, and county auditors' offices if the county auditor has agreed to perform those duties on behalf of the township, must be open for absentee voting from 10:00 a.m. to 12:00 noon on the Saturday before a town general election held in March. The school district clerk, when performing the county auditor's election duties, need not comply with this section.

Subd. 3. **Voters in line.** All voters in line at a time when a polling place is scheduled to close must be allowed to vote in the same manner as provided in section 204C.05, subdivision 2.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 28. Minnesota Statutes 2022, section 203B.12, subdivision 7, is amended to read:

Subd. 7. **Names of persons; rejected absentee ballots.** (a) The names of voters who have submitted an absentee ballot to the county auditor or municipal clerk that has not been accepted ~~may not be made available for public inspection until the close of voting on election day.~~

(b) ~~After the close of voting on election day, the lists must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.~~

**EFFECTIVE DATE.** This section is effective June 1, 2024.

Sec. 29. Minnesota Statutes 2022, section 203B.12, is amended by adding a subdivision to read:

Subd. 9. **Names of persons; early voting.** The secretary of state must maintain a list of voters who cast a ballot using the early voting procedures established in section 203B.30 for all elections at which those procedures are used. The list must be available to the public in the same manner as public information lists in section 201.091, subdivisions 4, 5, and 9.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 30. Minnesota Statutes 2022, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots or to administer early voting must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22. The board may include deputy county auditors or deputy city clerks who have received training in the processing and counting of absentee ballots. Each member of the ballot board must

be provided adequate training on the processing and counting of absentee ballots, including but not limited to instruction on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board, procedures for opening absentee ballot envelopes, procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 31. Minnesota Statutes 2022, section 203B.121, subdivision 2, is amended to read:

**Subd. 2. Duties of ballot board; absentee ballots.** (a) The members of the ballot board shall take possession of all signature envelopes delivered to them in accordance with section 203B.08. Upon receipt from the county auditor, municipal clerk, or school district clerk, two or more members of the ballot board shall examine each signature envelope and shall mark it accepted or rejected in the manner provided in this subdivision. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10, subdivision 2.

(b) The members of the ballot board shall mark the signature envelope "Accepted" and initial or sign the signature envelope below the word "Accepted" if a majority of the members of the ballot board examining the envelope are satisfied that:

(1) the voter's name and address on the signature envelope are the same as the information provided on the absentee ballot application;

(2) the voter signed the certification on the envelope;

(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as a number on the voter's absentee ballot application or voter record. If the number does not match, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;

(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the signature envelope;

(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and

(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the ~~seventh~~ 19th day before the election, ~~by absentee ballot~~ as provided by section 203B.081.



The signature envelope from accepted ballots must be preserved and returned to the county auditor.

(c)(1) If a majority of the members of the ballot board examining a signature envelope find that an absentee voter has failed to meet one of the requirements provided in paragraph (b), they shall mark the signature envelope "Rejected," initial or sign it below the word "Rejected," list the reason for the rejection on the envelope, and return it to the county auditor. There is no other reason for rejecting an absentee ballot beyond those permitted by this section. Failure to place the ballot within the ~~secrecy~~ ballot envelope before placing it in the outer white envelope is not a reason to reject an absentee ballot.

(2) If an envelope has been rejected at least five days before the election, the envelope must remain sealed and the official in charge of the ballot board shall provide the voter with a replacement absentee ballot and signature envelope in place of the rejected ballot.

(3) If an envelope is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or email to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

(d) The official in charge of the absentee ballot board must mail the voter a written notice of absentee ballot rejection between six and ten weeks following the election. If the official determines that the voter has otherwise cast a ballot in the election, no notice is required. If an absentee ballot arrives after the deadline for submission provided by this chapter, the notice must be provided between six to ten weeks after receipt of the ballot. A notice of absentee ballot rejection must contain the following information:

(1) the date on which the absentee ballot was rejected or, if the ballot was received after the required deadline for submission, the date on which the ballot was received;

(2) the reason for rejection; and

(3) the name of the appropriate election official to whom the voter may direct further questions, along with appropriate contact information.

(e) An absentee ballot signature envelope marked "Rejected" may not be opened or subject to further review except in an election contest filed pursuant to chapter 209.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 32. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted. After the close of business on the ~~seventh~~ 19th day before the election, a voter whose record indicates that an absentee ballot has been accepted must not be permitted to cast another ballot at that election. In a state primary, general, or state special election for federal ~~or~~ state, or county office, the auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

- (1) by the county auditor or municipal clerk before election day;
- (2) by the ballot board before election day; or
- (3) by the election judges at the polling place on election day.

~~The record of a voter whose absentee ballot was received after the close of business on the seventh day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.~~

**EFFECTIVE DATE.** The amendment to paragraph (a) is effective June 1, 2023. The amendment to paragraph (b) is effective the day following final enactment.

Sec. 33. Minnesota Statutes 2022, section 203B.121, subdivision 3, is amended to read:

Subd. 3. **Record of voting.** (a) When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted or that the voter has cast a ballot pursuant to the early voting procedures provided in this chapter. After the close of business on the ~~seventh~~ 19th day before the election, a voter whose record indicates that an absentee ballot has been accepted or that the voter has cast an early ballot must not be permitted to cast another ballot at that election. In a state primary, general, or state special election for federal ~~or~~ state, or county office, the auditor or clerk must also record this information in the statewide voter registration system.

(b) The roster must be marked, and a supplemental report of absentee and early voters who submitted a voter registration application with their ballot must be created, no later than the start of voting on election day to indicate the voters that have already cast a ballot at the election. The roster may be marked either:

- (1) by the county auditor or municipal clerk before election day;
- (2) by the ballot board before election day; or
- (3) by the election judges at the polling place on election day.

~~The record of a voter whose absentee ballot was received after the close of business on the seventh day before the election is not required to be marked on the roster or contained in a supplemental report as required by this paragraph.~~

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 34. Minnesota Statutes 2022, section 203B.121, subdivision 4, is amended to read:

Subd. 4. **Opening of envelopes.** After the close of business on the ~~seventh~~ 19th day before the election, the ballots from secrecy envelopes within the signature envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided in section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the appropriate ballot box. If more than one voted ballot is enclosed in the ballot envelope, the ballots must be returned in the manner provided by section 204C.25 for return of spoiled ballots, and may not be counted.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 35. **[203B.30] PROCEDURES FOR EARLY VOTING.**

**Subdivision 1. Definition.** For purposes of this section, "early voting official" means the county auditor, city clerk, a deputy of the auditor or clerk, or an election judge.

**Subd. 2. Voting procedure.** (a) When a voter appears in an early voting polling place, the voter must state the voter's name, address, and, if requested, the voter's date of birth to the early voting official. The early voting official must confirm that the voter's registration is current in the statewide voter registration system and that the voter has not already cast a ballot in the election. If the voter's status is challenged, the voter may resolve the challenge as provided in section 204C.12. An individual who is not registered to vote or whose name or address has changed must register in the manner provided in section 201.061, subdivision 3. A voter who has already cast a ballot in the election must not be provided with a ballot.

(b) Each voter must sign the certification provided in section 204C.10. The signature of an individual on the voter's certificate and the issuance of a ballot to the individual is evidence of the intent of the individual to vote at that election. After the voter signs the certification, two early voting officials must initial the ballot and issue it to the voter. The voter must immediately retire to a voting station or other designated location in the polling place to mark the ballot. The voter must not take a ballot from the polling place. If the voter spoils the ballot, the voter may return it to the early voting official in exchange for a new ballot. After completing the ballot, the voter must deposit the ballot into the ballot counter and ballot box. The early voting official must immediately record that the voter has voted in the manner provided in section 203B.121, subdivision 3.

**Subd. 3. Processing of ballots.** Early voting officials must remove and secure ballots cast during the early voting period following the procedures in section 203B.121, subdivision 5, paragraph (a). The absentee ballot board must count the ballots after the polls have closed on election day following the procedures in section 203B.121, subdivision 5, paragraph (b).

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 36. Minnesota Statutes 2022, section 204B.09, subdivision 3, is amended to read:

Subd. 3. **Write-in candidates.** (a) A candidate for county, state, or federal office who wants write-in votes for the candidate to be counted must file a written request with the filing office for the office sought not more than 84 days before the primary and no later than the seventh day before the general election. The filing officer shall provide copies of the form to make the request. The

filing officer shall not accept a written request later than 5:00 p.m. on the last day for filing a written request.

(b) The governing body of a statutory or home rule charter city may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may:

(1) require the candidate to file a written request with the chief election official no later than the seventh day before the city election if the candidate wants to have the candidate's write-in votes individually recorded; or

(2) require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate.

If the governing body of the statutory or home rule charter city adopts a resolution authorized by this paragraph, the resolution must be adopted before the first day of filing for office. A resolution adopted under this paragraph remains in effect until a subsequent resolution on the same subject is adopted by the governing body of the statutory or home rule charter city.

(c) The governing body of a township, school board, hospital district, park district, soil and water district, or other ancillary elected district may adopt a resolution governing the counting of write-in votes for local elective office. The resolution may require that write-in votes for an individual candidate only be individually recorded if the total number of write-in votes for that office is equal to or greater than the fewest number of non-write-in votes for a ballot candidate.

~~(b)~~ (d) A candidate for president of the United States who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for vice president of the United States. A candidate for vice president of the United States who files a request under this subdivision must file jointly with another individual seeking nomination as include the name of a candidate for vice president of the United States. The request must also include the name of at least one candidate for presidential elector. The total number of names of candidates for presidential elector on the request may not exceed the total number of electoral votes to be cast by Minnesota in the presidential election.

~~(e)~~ (e) A candidate for governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for lieutenant governor. A candidate for lieutenant governor who files a request under this subdivision must file jointly with another individual seeking nomination as a candidate for governor.

Sec. 37. Minnesota Statutes 2022, section 204B.26, is amended to read:

**204B.26 ELECTION JUDGES; VIOLATIONS; PENALTIES.**

A county auditor or municipal clerk may remove any precinct election official at any time if the official engages in a neglect of duty, malfeasance, misconduct in office, or for other cause. Any individual who serves as an election judge in violation of any of the provisions of sections 204B.19 to 204B.25, is guilty of a misdemeanor.

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

Sec. 38. Minnesota Statutes 2022, section 204B.28, subdivision 2, is amended to read:

Subd. 2. **Election supplies; duties of county auditors and clerks.** (a) Except as otherwise provided in this section and for absentee ballots in section 204B.35, subdivision 4, the county auditor shall complete the preparation of the election materials for which the auditor is responsible at least four days before every state primary and state general election. At any time after all election materials are available from the county auditor but not later than four days before the election each municipal clerk shall secure from the county auditor:

- (a) (1) the forms that are required for the conduct of the election;
- (b) (2) any printed voter instruction materials furnished by the secretary of state;
- (c) (3) any other instructions for election officers; and

(d) (4) a sufficient quantity of the official ballots, registration files, envelopes for ballot returns, and other supplies and materials required for each precinct in order to comply with the provisions of the Minnesota Election Law. The county auditor may furnish the election supplies to the municipal clerks in the same manner as the supplies are furnished to precincts in unorganized territory pursuant to section 204B.29, subdivision 1.

(b) The county auditor must prepare and make available election materials for early voting to municipal clerks designated to administer early voting under section 203B.05 on or before the 19th day before the election.

**EFFECTIVE DATE.** This section is effective upon the revisor of statutes's receipt of the certification described in section 49 and applies to elections held on or after January 1, 2024, or the 85th day after the revisor of statutes receives the certification, whichever is later.

Sec. 39. Minnesota Statutes 2022, section 204B.45, subdivision 1, is amended to read:

Subdivision 1. **Authorization.** A town of any size ~~not located in a metropolitan county as defined by section 473.121, or a city having fewer than 400 registered voters on June 1 of an election year and not located in a metropolitan county as defined by section 473.121,~~ may provide balloting by mail at any municipal, county, or state election with no polling place other than the office of the auditor or clerk or other locations designated by the auditor or clerk. The governing body may apply to the county auditor for permission to conduct balloting by mail. The county board may provide for balloting by mail in unorganized territory. The governing body of any municipality may designate for mail balloting any precinct having fewer than 100 registered voters, subject to the approval of the county auditor.

Voted ballots may be returned in person to any location designated by the county auditor or municipal clerk.

Sec. 40. Minnesota Statutes 2022, section 204B.45, subdivision 2, is amended to read:

Subd. 2. **Procedure.** Notice of the election and the special mail procedure must be given at least ten weeks prior to the election. Not more than 46 days nor later than 14 days before a regularly scheduled election and not more than 30 days nor later than 14 days before any other election, the

auditor shall mail ballots by nonforwardable mail to all voters registered in the city, town, or unorganized territory. No later than 14 days before the election, the auditor must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots as provided in chapter 203B. Ballot return envelopes, with return postage provided, must be preaddressed to the auditor or clerk and the voter may return the ballot by mail or in person to the office of the auditor or clerk. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "accepted" or "rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors or deputy municipal clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk shall provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or email to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the ~~seventh~~ 19th day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the members of the ballot board, and deposited in the ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from mail or absentee ballots may be made public before the close of voting on election day.

The costs of the mailing shall be paid by the election jurisdiction in which the voter ~~resides~~ maintains residence. Any ballot received by 8:00 p.m. on the day of the election must be counted.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 41. Minnesota Statutes 2022, section 204B.46, is amended to read:

**204B.46 MAIL ELECTIONS; QUESTIONS.**

A county, municipality, or school district submitting questions to the voters at a special election may conduct an election by mail with no polling place other than the office of the auditor or clerk. No offices may be voted on at a mail election-, except in overlapping school and municipal jurisdictions, where a mail election may include an office when one of the jurisdictions also has a question on the ballot. Notice of the election must be given to the county auditor at least 74 days prior to the election. This notice shall also fulfill the requirements of Minnesota Rules, part 8210.3000.

The special mail ballot procedures must be posted at least six weeks prior to the election. Not more than 46 nor later than 14 days prior to the election, the auditor or clerk shall mail ballots by nonforwardable mail to all voters registered in the county, municipality, or school district. No later than 14 days before the election, the auditor or clerk must make a subsequent mailing of ballots to those voters who register to vote after the initial mailing but before the 20th day before the election. Eligible voters not registered at the time the ballots are mailed may apply for ballots pursuant to chapter 203B. The auditor or clerk must appoint a ballot board to examine the mail and absentee ballot return envelopes and mark them "Accepted" or "Rejected" within three days of receipt if there are 14 or fewer days before election day, or within five days of receipt if there are more than 14 days before election day. The board may consist of deputy county auditors, deputy municipal clerks, or deputy school district clerks who have received training in the processing and counting of mail ballots, who need not be affiliated with a major political party. Election judges performing the duties in this section must be of different major political parties, unless they are exempt from that requirement under section 205.075, subdivision 4, or section 205A.10. If an envelope has been rejected at least five days before the election, the ballots in the envelope must remain sealed and the auditor or clerk must provide the voter with a replacement ballot and return envelope in place of the spoiled ballot. If the ballot is rejected within five days of the election, the envelope must remain sealed and the official in charge of the ballot board must attempt to contact the voter by telephone or email to notify the voter that the voter's ballot has been rejected. The official must document the attempts made to contact the voter.

If the ballot is accepted, the county auditor or municipal clerk must mark the roster to indicate that the voter has already cast a ballot in that election. After the close of business on the ~~seventh~~ 19th day before the election, the ballots from return envelopes marked "Accepted" may be opened, duplicated as needed in the manner provided by section 206.86, subdivision 5, initialed by the ballot board, and deposited in the appropriate ballot box.

In all other respects, the provisions of the Minnesota Election Law governing deposit and counting of ballots apply.

The mail and absentee ballots for a precinct must be counted together and reported as one vote total. No vote totals from ballots may be made public before the close of voting on election day.

**EFFECTIVE DATE.** This section is effective June 1, 2023.

Sec. 42. Minnesota Statutes 2022, section 204B.49, is amended to read:

**204B.49 "I VOTED" STICKERS.**

The secretary of state, county auditor, municipal clerk, school district clerk, or an election judge may provide a sticker containing the words "I VOTED," and nothing more, to an individual who:

(1) has successfully deposited a ballot into a ballot box, ~~under section 203B.081, subdivision 3, or 204C.13, subdivision 5;~~

(2) is provided an absentee ballot under section 203B.07, subdivision 1, or 203B.21, subdivision 2; or

(3) is provided a ballot by mail under section 204B.45 or 204B.46.

Sec. 43. Minnesota Statutes 2022, section 204C.10, as amended by Laws 2023, chapter 12, section 5, is amended to read:

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

(a) An individual seeking to vote shall sign a polling place roster or voter signature certificate which states that the individual:

(1) is at least 18 years ~~of age~~ old;

(2) is a citizen of the United States;

(3) has ~~resided~~ maintained residence in Minnesota for 20 days immediately preceding the election;

(4) maintains residence at the address shown;

(5) is not under a guardianship in which the court order revokes the individual's right to vote;

(6) has not been found by a court of law to be legally incompetent to vote;

(7) has the right to vote because, if the individual was convicted of a felony, the individual is not currently incarcerated for that conviction;

(8) is registered; and

(9) has not already voted in the election.

The roster must also state: "I understand that deliberately providing false information is a felony punishable by not more than five years imprisonment and a fine of not more than \$10,000, or both."

(b) At the presidential nomination primary, the polling place roster must also state: "I am in general agreement with the principles of the party for whose candidate I intend to vote." This statement must appear separately from the statements required in paragraph (a). The felony penalty provided for in paragraph (a) does not apply to this paragraph.

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

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

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

**EFFECTIVE DATE.** This section is effective June 1, 2023.



Sec. 44. Minnesota Statutes 2022, section 206.845, subdivision 1, is amended to read:

Subdivision 1. **Prohibited connections.** The county auditor and municipal clerk must secure ballot recording and tabulating systems physically and electronically against unauthorized access. Except for wired connections within the polling place, ballot recording and tabulating systems must not be connected to or operated on, directly or indirectly, any electronic network, including a local area network, a wide-area network, the Internet, or the World Wide Web. Wireless communications may not be used in any way in a vote recording or vote tabulating system. Wireless, device-to-device capability is not permitted. No connection by modem is permitted.

Transfer of information from the ballot recording or tabulating system to another system for network distribution or broadcast must be made by disk, tape, or other physical means of communication, other than direct or indirect electronic connection of the vote recording or vote tabulating system. A county auditor or municipal clerk may not create or disclose, or permit any other person to create or disclose, an electronic image of the hard drive of any vote recording or tabulating system or any other component of an electronic voting system, except as authorized in writing by the secretary of state or for the purpose of conducting official duties as expressly authorized by law.

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

Sec. 45. Minnesota Statutes 2022, section 211A.02, subdivision 1, is amended to read:

Subdivision 1. **When and where filed by committees.** (a) A committee or a candidate who receives contributions or makes disbursements of more than \$750 in a calendar year shall submit an initial report to the filing officer within 14 days after the candidate or committee receives or makes disbursements of more than \$750 and shall continue to make the reports listed in paragraph (b) until a final report is filed.

(b) The committee or candidate must file a report by January 31 of each year following the year when the initial report was filed and in a year when the candidate's name or a ballot question appears on the ballot, the candidate or committee shall file a report:

(1) ten days before the primary or special primary. In a jurisdiction where the local primary is eliminated due to the adoption of ranked choice voting, candidates running in a ranked choice voting election must file a report in the same manner as if a primary were being held for such offices;

(2) ten days before the general election or special election; and

(3) 30 days after a general or special election.

Sec. 46. **[211B.076] INTIMIDATION AND INTERFERENCE RELATED TO THE PERFORMANCE OF DUTIES BY AN ELECTION OFFICIAL; PENALTIES.**

Subdivision 1. **Definition.** For the purposes of this section, "election official" means a member of a canvassing board, the county auditor or municipal clerk charged with duties relating to elections, a member of a ballot board, an election judge, an election judge trainee, or any other individual assigned by a state entity or county or municipal government to perform official duties related to elections.

Subd. 2. **Intimidation.** (a) A person may not directly or indirectly use or threaten force, coercion, violence, restraint, damage, harm, or loss, including loss of employment or economic reprisal, against another with the intent to influence an election official in the performance of a duty of election administration.

(b) In a civil action brought to prevent and restrain violations of this subdivision or to require the payment of civil penalties, the plaintiff must demonstrate that the action or attempted action would cause a reasonable person to feel intimidated. The plaintiff does not need to show that the defendant intended to cause the victim to feel intimidated.

Subd. 3. **Interfering with or hindering the administration of an election.** A person may not intentionally hinder, interfere with, or prevent an election official's performance of a duty related to election administration.

Subd. 4. **Dissemination of personal information about an election official.** (a) A person may not knowingly and without consent make publicly available, including but not limited to through the Internet, personal information about an election official or an election official's family or household member if:

(1) the dissemination poses an imminent and serious threat to the official's safety or the safety of an official's family or household member; and

(2) the person making the information publicly available knows or reasonably should know of any imminent and serious threat.

(b) As used in this subdivision, "personal information" means the home address of the election official or a member of an election official's family, directions to that home, or photographs of that home.

Subd. 5. **Obstructing access.** A person may not intentionally and physically obstruct an election official's access to or egress from a polling place, meeting of a canvassing board, place where ballots and elections equipment are located or stored, or any other place where the election official performs a duty related to election administration.

Subd. 6. **Tampering with voting equipment.** (a) A person may not access without authorization, tamper with, or facilitate unauthorized access to or tampering with an electronic voting system, electromechanical voting equipment, or an election night reporting system before, during, or after any election required by law.

(b) A person may not knowingly publish or cause to be published passwords or other confidential information relating to an electronic voting system. In addition to any other remedies and penalties provided by this section, the secretary of state, county auditor, or municipal clerk must immediately revoke any authorized access rights of a person found to be in violation of this paragraph.

Subd. 7. **Tampering with ballot box.** A person may not willfully tamper with or open a ballot box, including a ballot drop box, except for the purpose of conducting official duties as expressly authorized by law.

Subd. 8. **Tampering with statewide voter registration system, registration list, or polling place roster.** Except for the purpose of conducting official duties as expressly authorized by law, a person may not mutilate, change, or erase any name, figure, or word in the statewide voter registration system, on a voter registration list, or polling place roster; remove or destroy a registration list or polling place roster; or mutilate, erase, or remove any part of a list or roster from the place where it has been deposited with an intention to destroy it, to procure or prevent the election of any person, or to prevent any voter from voting.

Subd. 9. **Unauthorized access to statewide voter registration system.** A person may not knowingly access, or attempt to access, the statewide voter registration system except for the purpose of conducting official duties as expressly authorized by law.

Subd. 10. **Vicarious liability; conspiracy.** A person may be held vicariously liable for any damages resulting from the violation of this section and may be identified in an order restraining violations of this section if that person:

(1) intentionally aids, advises, hires, counsels, abets, incites, compels, or coerces a person to violate any provision of this section or attempts to aid, advise, hire, counsel, abet, incite, compel, or coerce a person to violate any provision of this section; or

(2) conspires, combines, agrees, or arranges with another to either commit a violation of this section or aid, advise, hire, counsel, abet, incite, compel, or coerce a third person to violate any provision of this section.

Subd. 11. **Criminal penalties; civil remedies.** (a) Except as otherwise provided, a person who violates this section is guilty of a gross misdemeanor.

(b) The attorney general, a county attorney, or an election official may bring a civil action to prevent or restrain a violation of this section.

(c) The attorney general, or an election official injured by an act prohibited by this section, may bring a civil action pursuant to section 8.31 to recover damages, together with costs of investigation and reasonable attorney fees, and receive other equitable relief as determined by the court. An action brought by an election official under section 8.31, subdivision 3a, is in the public interest. In addition to all other damages, the court may impose a civil penalty of up to \$1,000 for each violation.

(d) Civil remedies allowable under this section are cumulative and do not restrict any other right or remedy otherwise available. An action for a penalty or remedy under this section must be brought within two years of the date the violation is alleged to have occurred. The complaint process provided in sections 211B.31 to 211B.36 does not apply to violations of this section.

**EFFECTIVE DATE.** This section is effective June 15, 2023, and applies to violations occurring on or after that date.

Sec. 47. Minnesota Statutes 2022, section 211B.11, subdivision 1, is amended to read:

Subdivision 1. **Soliciting near polling places.** A person ~~may not display campaign material, post signs, must not:~~

(1) ask, solicit, or in any manner try to induce or persuade a voter to vote for or refrain from voting for a candidate or ballot question; or

(2) wear, exhibit, or distribute any item that displays:

(i) the name, likeness, logo, or slogan of a candidate who appears on the ballot;

(ii) the number, title, subject, slogan, or logo of a ballot question that appears on the ballot; or

(iii) the name, logo, or slogan of a political party represented by a candidate on the ballot.

For purposes of this paragraph, "item" includes pamphlets, advertisements, flyers, signs, banners, stickers, buttons, badges, pencils, pens, shirts, hats, or any similar item.

(b) The prohibitions in paragraph (a) apply during voting hours:

(1) throughout the absentee and early voting periods:

(i) within a polling place; and

(ii) within 100 feet of the room in which a polling place is situated, to the extent practicable; and

(2) on the day of a primary or general election:

(i) within a polling place ~~or~~;

(ii) within 100 feet of the building in which a polling place is situated, ~~or~~; and

(iii) anywhere on the public property on which a polling place is situated, ~~on primary or election day to vote for or refrain from voting for a candidate or ballot question. A person may not provide political badges, political buttons, or other political insignia to be worn at or about the polling place on the day of a primary or election. A political badge, political button, or other political insignia may not be worn at or about the polling place on primary or election day. This section applies to areas established by the county auditor or municipal clerk for absentee voting as provided in chapter 203B.~~

(c) Nothing in this subdivision prohibits the distribution of "I VOTED" stickers as provided in section 204B.49.

**EFFECTIVE DATE.** This section is effective June 15, 2023.

Sec. 48. Minnesota Statutes 2022, section 211B.32, subdivision 1, is amended to read:

Subdivision 1. **Administrative remedy; exhaustion.** (a) Except as provided in ~~paragraph~~ paragraphs (b) and (c), a complaint alleging a violation of chapter 211A or 211B must be filed with the office. The complaint must be finally disposed of by the office before the alleged violation may be prosecuted by a county attorney.

(b) Complaints arising under those sections and related to those individuals and associations specified in section 10A.022, subdivision 3, must be filed with the Campaign Finance and Public Disclosure Board.

(c) Violations of section 211B.076 may only be enforced as provided in section 211B.076.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to violations occurring on or after that date.

Sec. 49. **CERTIFICATION.**

The secretary of state must certify to the revisor of statutes that the statewide voter registration system has been tested and shown to properly allow for tracking of the information required to conduct early voting and can handle the expected volume of use.

Sec. 50. **RANKED CHOICE VOTING AND VOTER ENGAGEMENT ADVISORY TASK FORCE.**

Subdivision 1. **Scope.** A Ranked Choice Voting and Voter Engagement Task Force is established. The purpose of the task force is to engage election officials, state lawmakers, and community members for the purpose of assessing the adoption and implementation of ranked choice voting for local and statewide elections and to study voter engagement.

Subd. 2. **Membership.** (a) The task force consists of:

(1) the secretary of state or their designee;

(2) the state election director or their designee;

(3) four representatives of counties with experience administering elections, appointed by the Minnesota Association of County Officers, as follows:

(i) one representative from the seven-county metropolitan area;

(ii) two representatives from outside the seven-county metropolitan area; and

(iii) one representative from a jurisdiction that has implemented ranked choice voting;

(4) four representatives of cities with experience administering elections, appointed by the League of Minnesota Cities, as follows:

(i) one representative from the seven-county metropolitan area;

(ii) two representatives from outside the seven-county metropolitan area; and

(iii) one representative from a jurisdiction that has implemented ranked choice voting;

(5) one member of the house of representatives appointed by the speaker of the house of representatives;

(6) one member of the senate appointed by the majority leader of the senate;

(7) one member of the house of representatives appointed by the minority leader of the house of representatives;

(8) one member of the senate appointed by the minority leader of the senate;

(9) one representative of community-based organizations with demonstrated experience and interest in voting methods and election administration, appointed by the governor;

(10) one representative who has experience administering elections at the county or city level, appointed by the governor;

(11) one town clerk with experience administering elections, appointed by the Minnesota Association of Townships;

(12) one representative appointed by the Council on Asian Pacific Minnesotans;

(13) one representative appointed by the Minnesota Council on Latino Affairs;

(14) one representative appointed by the Council for Minnesotans of African Heritage;

(15) one representative appointed by the Indian Affairs Council;

(16) one representative appointed by the Minnesota Council on Disability;

(17) one representative appointed by the Minnesota Commission of the Deaf, DeafBlind, and Hard of Hearing;

(18) three public members appointed by the governor;

(19) two public members appointed by the senate majority leader;

(20) one public member appointed by the senate minority leader;

(21) two public members appointed by the speaker of the house of representatives; and

(22) one public member appointed by the minority leader of the house of representatives.

(b) The secretary of state, or the secretary's designee, serves as the chair of the task force. Members of the task force and subcommittees are governed by Minnesota Statutes, section 15.059, subdivision 6.

Subd. 3. **Organization.** (a) Appointments to the task force must be made no later than August 1, 2023. No later than August 15, 2023, the secretary of state, or the secretary's designee, must convene the first meeting of the task force. Appointing authorities described in subdivision 2, paragraph (a), clauses (18) to (22), must give preference to appointees who are new Americans; seniors; infrequent voters; Black, Indigenous, or people of color; individuals with disabilities; residents of greater Minnesota; or residents of cities that have adopted ranked choice voting. Appointing authorities described in subdivision 2, paragraph (a), clauses (18) to (22), must not appoint political party chairs, officers or employees of a political party, elected officials, family members of elected officials, or registered lobbyists.

(b) The task force and subcommittees are subject to Minnesota Statutes, chapter 13D.

Subd. 4. **Staff.** The Legislative Coordinating Commission must provide support staff, office space, and administrative services for the task force.

Subd. 5. **Duties.** The task force must study voter-facing issues related to ranked choice voting, including but not limited to ballot design, voter instructions, usability of equipment, and other aspects of ranked choice voting that involve the voter. The task force must meet at least twice between August 1, 2023, and February 15, 2024, and at least twice between February 16, 2024, and February 15, 2025.

Subd. 6. **Report.** (a) By February 15, 2024, and February 15, 2025, the task force must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over elections policy and finance. The report must include:

(1) findings, conclusions, or recommendations relating to the voter-facing issues;

(2) draft legislation, if any, to implement the task force's recommendations; and

(3) the reports submitted to the task force chair by the subcommittees as required by subdivisions 7 and 8.

Subd. 7. **Ranked choice voting technical subcommittee.** (a) A ranked choice voting technical subcommittee is established within the task force. The ranked choice voting technical subcommittee must assess the technical aspects of implementing ranked choice voting for local and statewide elections. Members designated or appointed pursuant to subdivision 2, paragraph (a), clauses (1) to (11), are the members of the ranked choice voting technical subcommittee. The ranked choice voting technical subcommittee must meet at least monthly until the first report is submitted as provided in paragraph (d). After submission of the first report, the ranked choice voting technical subcommittee must meet regularly.

(b) One member of the ranked choice voting technical subcommittee designated by the secretary of state and the gubernatorial appointee with experience administering elections at the county or city level serve as cochairs of the ranked choice voting technical subcommittee. The cochairs of the ranked choice voting technical subcommittee are encouraged to request the participation of at least two members of Minnesota's congressional delegation, or their designees, including one member of the United States House of Representatives and one member of the United States Senate. These members serve as ex officio, nonvoting members of the ranked choice voting technical subcommittee.

(c) The ranked choice voting technical subcommittee must:

(1) assess the feasibility of local governments adopting ranked choice voting in conjunction with state general elections, including cross-county municipalities and school districts;

(2) assess the feasibility of adopting statewide ranked choice voting, particularly the impact on local election administration and voter experience;

(3) assess system readiness and any challenges, obstacles, or barriers to adoption or implementation of ranked choice voting for local and statewide elections;

(4) make recommendations on the standards and rules that would be needed to implement ranked choice voting for local and statewide elections;

(5) assess the technology required to implement ranked choice voting for local and statewide elections, including an inventory of current voting equipment across the state; an assessment of the feasibility of ranked choice voting with varied election equipment and systems; and recommendations for upgrading technology, where necessary or prudent; and

(6) recommend appropriations required to implement ranked choice voting for local and statewide elections, including equipment and software, education, and training.

(d) By February 1, 2024, and February 1, 2025, the ranked choice voting technical subcommittee must submit a report to the chair of the task force. The report must include:

(1) findings, conclusions, or recommendations relating to the duties of the subcommittee; and

(2) draft legislation, if any, to implement the subcommittee's recommendations.

Subd. 8. **Voter engagement subcommittee.** (a) A voter engagement subcommittee is established within the task force. The voter engagement subcommittee must assess voter engagement. Members designated or appointed pursuant to subdivision 2, paragraph (a), clauses (1) and (12) to (22), are the members of the voter engagement subcommittee. The voter engagement subcommittee must meet at least monthly until the first report is submitted as provided in paragraph (d). After submission of the first report, the voter engagement subcommittee must meet regularly.

(b) The senate majority leader must designate one of the individuals appointed by the senate majority leader as a cochair of the voter engagement subcommittee. The speaker of the house of representatives must designate one of the individuals appointed by the speaker of the house of representatives as a cochair of the voter engagement subcommittee.

(c) The voter engagement subcommittee must focus its analysis on eligible voters who are new Americans; seniors; Black, Indigenous, or people of color; low income; and individuals with disabilities. The voter engagement subcommittee must assess:

(1) current levels of understanding of voting methods used in Minnesota within the communities of focus;

(2) voter education efforts that were undertaken in Bloomington, Minneapolis, Minnetonka, St. Louis Park, and St. Paul after the adoption of ranked choice voting; and

(3) best practices for educating and engaging voters in the communities of focus.

(d) By February 1, 2024, and February 1, 2025, the voter engagement subcommittee must submit a report to the chair of the task force. The report must include:

(1) recommendations on how to increase voter participation in communities of focus;

(2) recommendations on how to further educate and engage voters in communities of focus, including whether current voter education and outreach efforts are sufficient or should be modified;



(3) recommendations on methods of voter outreach and education that should be employed within communities of focus in cases in which a jurisdiction is considering changing its method of voting and if it proceeds with changing its voting method; and

(4) any other recommendations related to voter engagement or education.

Subd. 9. **Sunset.** The task force and subcommittees expire March 1, 2025, or upon submission of the final report to the legislature, whichever is earlier.

**EFFECTIVE DATE.** This section is effective July 1, 2023, provided that the designated appointing authorities may take actions necessary to name members to serve on the task force beginning the day following final enactment.

Sec. 51. **REPEALER.**

Minnesota Statutes 2022, section 203B.081, subdivision 2, is repealed.

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

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 13, after the first semicolon, insert "requiring financial review of recipients of grants and business subsidies; modifying fiscal note requirements; modifying provisions related to lobbying; modifying election administration provisions; establishing a task force on ranked choice voting and voter engagement; amending requirements related to soliciting near the polling place; prohibiting election judge intimidation; authorizing rulemaking;"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

## SECOND READING OF SENATE BILLS

S.F. Nos. 2995, 2247, and 1426 were read the second time.

## RECESS

Senator Kunesh moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

## MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Messages From the House and First Reading of House Bills.

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to announce the passage by the House of the following House File, herewith transmitted: H.F. No. 1830.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted April 18, 2023

**FIRST READING OF HOUSE BILLS**

The following bill was read the first time.

**H.F. No. 1830:** A bill for an act relating to state government; appropriating money for the legislature, certain constitutional offices, and certain boards, offices, agencies, councils, departments, commissions, societies, centers, Minnesota State Retirement System, retirement plans, retirement associations, retirement fund; making appropriation reductions and cancellations; making deficiency appropriations; providing for revenue recovery; providing a statutory appropriation of funds to the legislature for sums sufficient to operate the house of representatives, senate, and Legislative Coordinating Commission; changing provisions for the legislative audit commission; making budget provisions; requiring Compensation Council to prescribe salaries for constitutional officers; requiring accountability and performance management measures; establishing the Office of Enterprise Translation; providing for grant administration and grant agreements; making county and local cybersecurity grants; changing human burial provisions; establishing the public land survey system monument grant program, the legislative task force on aging, the State Emblems Redesign Commission, and the infrastructure resilience advisory task force; requiring mixed-use Ford Building Site Redevelopment; providing for the Capitol Mall Design Framework; requiring the legislature to certify appropriation amounts for fiscal years 2026 and 2027; requiring a study of issues facing small agencies; requiring financial review of nonprofit grant recipients; modifying election administration provisions relating to voter registration, absentee voting, and election day voting; establishing early voting; adopting the national popular vote compact; allowing access for census workers; amending requirements related to soliciting near the polling place; modifying campaign finance provisions; modifying campaign finance reporting requirements; requiring disclosure of electioneering communications; prohibiting certain contributions during the legislative session; modifying provisions related to lobbying; establishing the voting operations, technology, and election resources account; providing penalties; making technical and clarifying changes; requiring reports; amending Minnesota Statutes 2022, sections 1.135, subdivisions 2, 4, 6, by adding a subdivision; 1.141, subdivision 1; 3.099, subdivision 3; 3.97, subdivision 2; 3.972, subdivision 3; 3.978, subdivision 2; 3.979, subdivisions 2, 3, by adding a subdivision; 4.045; 5.30, subdivision 2; 5B.06; 10.44; 10.45; 10A.01, subdivisions 5, 21, 26, 30, by adding subdivisions; 10A.022, subdivision 3; 10A.025, subdivision 4; 10A.03, subdivision 2, by adding a subdivision; 10A.04, subdivisions 3, 4, 6, 9; 10A.05; 10A.06; 10A.071, subdivision 1; 10A.09, subdivision 5, by adding a subdivision; 10A.121, subdivisions 1, 2; 10A.15, subdivision 5, by adding a subdivision; 10A.20, subdivisions 2a, 5, 12; 10A.244; 10A.25, subdivision 3a; 10A.271, subdivision 1; 10A.273, subdivision 1; 10A.275, subdivision 1; 10A.31, subdivision 4; 10A.38; 15A.0815, subdivisions 1, 2; 15A.082, subdivisions 1, 2, 3, 4; 16A.122, subdivision 2; 16A.126, subdivision 1; 16A.1286, subdivision 2;

16A.152, subdivision 4; 16B.97, subdivisions 2, 3, 4; 16B.98, subdivisions 5, 6, 8, by adding subdivisions; 16B.991; 16E.14, subdivision 4; 16E.21, subdivisions 1, 2; 43A.08, subdivision 1; 135A.17, subdivision 2; 138.912, subdivisions 1, 2; 145.951; 200.02, subdivision 7; 201.022, subdivision 1; 201.061, subdivisions 1, 3, by adding a subdivision; 201.071, subdivisions 1, as amended, 8; 201.091, subdivision 4a; 201.12, subdivision 2; 201.121, subdivision 1; 201.13, subdivision 3; 201.1611, subdivision 1, by adding a subdivision; 201.195; 201.225, subdivision 2; 202A.18, subdivision 2a; 203B.001; 203B.01, by adding subdivisions; 203B.03, subdivision 1, by adding a subdivision; 203B.05, subdivision 1; 203B.08, subdivisions 1, 3; 203B.081, subdivisions 1, 3, by adding subdivisions; 203B.085; 203B.11, subdivisions 2, 4; 203B.12, subdivision 7, by adding a subdivision; 203B.121, subdivisions 1, 2, 3, 4; 203B.16, subdivision 2; 204B.06, subdivisions 1, 1b, 4a, by adding a subdivision; 204B.09, subdivisions 1, 3; 204B.13, by adding a subdivision; 204B.14, subdivision 2; 204B.16, subdivision 1; 204B.19, subdivision 6; 204B.21, subdivision 2; 204B.26; 204B.28, subdivision 2; 204B.32, subdivision 2; 204B.35, by adding a subdivision; 204B.45, subdivisions 1, 2, by adding a subdivision; 204B.46; 204B.49; 204C.04, subdivision 1; 204C.07, subdivision 4; 204C.15, subdivision 1; 204C.19, subdivision 3; 204C.24, subdivision 1; 204C.28, subdivision 1; 204C.33, subdivision 3; 204C.35, by adding a subdivision; 204C.39, subdivision 1; 204D.08, subdivisions 5, 6; 204D.09, subdivision 2; 204D.14, subdivision 1; 204D.16; 204D.19, subdivision 2; 204D.22, subdivision 3; 204D.23, subdivision 2; 204D.25, subdivision 1; 205.13, subdivision 5; 205.16, subdivision 2; 205.175, subdivision 3; 205A.09, subdivision 2; 205A.10, subdivision 5; 205A.12, subdivision 5; 206.58, subdivisions 1, 3; 206.61, subdivision 1; 206.80; 206.83; 206.845, subdivision 1, by adding a subdivision; 206.86, by adding a subdivision; 206.90, subdivision 10; 207A.12; 207A.15, subdivision 2; 208.05; 209.021, subdivision 2; 211B.11, subdivision 1; 211B.15, subdivision 8; 211B.20, subdivision 1; 211B.32, subdivision 1; 307.08; 349A.02, subdivision 1; 367.03, subdivision 6; 381.12, subdivision 2; 447.32, subdivision 4; 462A.22, subdivision 10; proposing coding for new law in Minnesota Statutes, chapters 2; 3; 5; 10A; 16A; 16B; 16E; 203B; 208; 211B; 381; repealing Minnesota Statutes 2022, sections 1.135, subdivisions 3, 5; 1.141, subdivisions 3, 4, 6; 4A.01; 4A.04; 4A.06; 4A.07; 4A.11; 15A.0815, subdivisions 3, 4, 5; 124D.23, subdivision 9; 202A.16; 203B.081, subdivision 2; 204D.04, subdivision 1; 204D.13, subdivisions 2, 3; 383C.806; Laws 2014, chapter 287, section 25, as amended; Minnesota Rules, part 4511.0600, subpart 5.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1426.

### **MEMBERS EXCUSED**

Senators Housley, Jasinski, Johnson, and Weber were excused from the Session of today from 12:20 to 1:05 p.m. Senators Coleman and Eichorn were excused from the Session of today from 12:20 to 1:30 p.m. Senator Farnsworth was excused from the Session of today from 5:10 to 5:30 p.m.

### **ADJOURNMENT**

Senator Kunesh moved that the Senate do now adjourn until 12:00 noon, Wednesday, April 19, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate

