

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1581

02/09/2023 Authored by Becker-Finn
The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

03/09/2023 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act

1.2 relating to legislative enactments; making miscellaneous technical corrections to

1.3 laws and statutes; correcting erroneous, obsolete, and omitted text and references;

1.4 removing redundant, conflicting, and superseded provisions; amending Minnesota

1.5 Statutes 2022, sections 3.8854; 13.46, subdivision 7; 16A.151, subdivision 2;

1.6 17.81, subdivision 3; 62A.307, subdivision 2; 62A.3091, subdivision 2; 62J.581,

1.7 subdivision 1; 62M.02, subdivision 4; 62U.03, subdivisions 2, 3; 84.83, subdivision

1.8 3; 85.34, subdivision 3; 86A.05, subdivisions 2, 4, 9, 11, 12; 86A.21; 92.70,

1.9 subdivision 3; 93.52; 103A.43; 103B.211, subdivision 1; 103F.405, subdivision

1.10 1; 103F.511, subdivision 10; 103F.705; 103F.711, subdivision 6; 103F.715;

1.11 103G.005, subdivision 19; 115.55, subdivision 1; 115A.192, subdivision 1;

1.12 115A.33; 115A.38, subdivision 1; 115A.39; 115A.54, subdivision 2a; 115A.918,

1.13 subdivision 2; 116.07, subdivision 4a; 116D.04, subdivision 5a; 119B.011,

1.14 subdivision 20; 119B.03, subdivision 3; 119B.13, subdivisions 3a, 6; 122A.20,

1.15 subdivision 2; 124D.19, subdivision 3; 124D.68, subdivision 3; 125A.02,

1.16 subdivision 1; 144.55, subdivision 2; 144.608, subdivision 1; 144A.471, subdivision

1.17 7; 147A.09, subdivision 2; 147D.27, subdivision 6; 148.211, subdivision 1a;

1.18 148.724, subdivision 1; 148B.06, subdivision 2; 148B.5301, subdivision 1;

1.19 148E.130, subdivision 1a; 160.10, subdivision 8; 161.14, subdivision 89; 167.60;

1.20 168.013, subdivisions 1a, 1e, 3, 18, 23; 168.04, subdivision 2; 168.1253, subdivision

1.21 2; 168.1256, subdivision 1; 168.1296, subdivision 1; 168.187, subdivisions 2, 7,

1.22 9, 10, 11, 12, 27; 168.61, subdivision 2; 168A.09, subdivision 1; 168A.24,

1.23 subdivision 2; 168B.09, subdivision 2; 169.09, subdivision 13; 169.223, subdivision

1.24 4; 169.4581; 169.64, subdivision 9; 169.751; 169A.25, subdivision 1; 169A.26,

1.25 subdivision 1; 169A.27, subdivision 1; 169A.28, subdivision 2; 169A.46,

1.26 subdivision 1; 171.0701, subdivisions 1, 1a; 171.0705, subdivisions 2, 3, 4, 5, 7,

1.27 8; 171.26, subdivision 1; 173.02, subdivision 6; 173.13, subdivision 6; 174.03,

1.28 subdivision 3; 174.30, subdivision 3; 174.75, subdivision 3; 174.84, subdivision

1.29 1; 176.101, subdivision 4; 214.40, subdivision 1; 219.073; 219.165; 219.18;

1.30 219.501, subdivision 1; 219.551, subdivision 6; 219.561, subdivision 1; 221.031,

1.31 subdivision 9; 221.0314, subdivision 3a; 221.221, subdivision 2; 221.81,

1.32 subdivision 3e; 245.4661, subdivisions 2, 6; 245.4885, subdivision 1a; 245.814,

1.33 subdivision 1; 245.91, subdivision 5; 245A.02, subdivision 5a; 245A.04, subdivision

1.34 7; 245A.14, subdivision 4; 245A.16, subdivision 1; 245A.52, subdivision 1;

1.35 245C.04, subdivision 10; 245D.03, subdivision 1; 245I.02, subdivision 5; 245I.04,

1.36 subdivision 5; 246.18, subdivision 2a; 254A.19, subdivision 4; 254B.04, subdivision

1.37 1; 254B.09, subdivision 2; 256.0112, subdivision 7; 256.975, subdivision 10;

1.38 256B.04, subdivision 1b; 256B.0575, subdivision 2; 256B.0625, subdivisions 17,

2.1 57; 256B.0671; 256B.0943, subdivision 1; 256B.0947, subdivision 3a; 256B.4912,
 2.2 subdivision 4; 256B.50, subdivision 1; 256B.76, subdivision 1; 256G.08,
 2.3 subdivision 1; 256J.54, subdivision 1; 256L.07, subdivision 4; 268.136, subdivision
 2.4 3; 272.02, subdivisions 49, 102, 103; 273.1387, subdivision 2; 273.165, subdivision
 2.5 1; 290.067, subdivision 1; 290.0671, subdivision 1; 290.0677, subdivisions 1, 2;
 2.6 290.068, subdivision 3; 290.9705, subdivision 3; 297A.70, subdivision 2; 297A.71,
 2.7 subdivision 44; 297B.10; 297B.12; 297E.021, subdivision 3; 297F.01, subdivision
 2.8 22b; 297I.20, subdivision 1; 327C.015, subdivision 11; 349.12, subdivision 25;
 2.9 352.91, subdivision 3f; 360.013, subdivision 50; 360.0161, subdivision 2; 360.061,
 2.10 subdivision 1; 360.067, subdivision 4; 360.511, subdivision 24; 383B.058; 402.02,
 2.11 subdivision 2; 403.03, subdivision 2; 403.11, subdivisions 1, 6; 403.15, subdivision
 2.12 3; 403.161, subdivision 7; 473H.02, subdivision 4; 477C.03, subdivision 3;
 2.13 504B.371, subdivision 7; 507.24, subdivision 2; 609.035, subdivision 2; 626.892,
 2.14 subdivision 7; repealing Minnesota Statutes 2022, sections 13.461, subdivision 4;
 2.15 13.7191, subdivision 16; 147D.27, subdivision 5; 160.165, subdivision 3; 165.14;
 2.16 168.013, subdivision 16; 168.271, subdivision 2; 174.285, subdivision 7; 219.662,
 2.17 subdivision 2; 256B.051, subdivision 7; 256B.439, subdivision 3b; 290.068,
 2.18 subdivisions 6a, 7; 295.50, subdivision 10b; 297B.04; 297B.05; 299F.851,
 2.19 subdivision 7; Laws 2021, chapter 30, article 17, section 16; Minnesota Rules,
 2.20 parts 5530.1000; 7805.0300; 8810.4100.

2.21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

2.22 Section 1. Minnesota Statutes 2022, section 3.8854, is amended to read:

2.23 **3.8854 LEGISLATIVE BUDGET OFFICE OVERSIGHT COMMISSION.**

2.24 (a) The Legislative Budget Office Oversight Commission consists of:

2.25 (1) two members of the senate appointed by the senate majority leader;

2.26 (2) two members of the senate appointed by the senate minority leader;

2.27 (3) two members of the house of representatives appointed by the speaker of the house;

2.28 and

2.29 (4) two members of the house of representatives appointed by the minority leader.

2.30 The director of the Legislative Budget Office is the executive secretary of the commission.

2.31 The chief nonpartisan fiscal analyst of the house of representatives, the ~~lead~~ principal
 2.32 nonpartisan fiscal analyst of the senate, the commissioner of management and budget or a
 2.33 designee, and the legislative auditor are ex-officio, nonvoting members of the commission.

2.34 (b) Members serve at the pleasure of the appointing authority, or until they are not
 2.35 members of the legislative body from which they were appointed. Appointing authorities
 2.36 shall fill vacancies on the commission within 30 days of a vacancy being created.

2.37 (c) The commission shall meet in January of each odd-numbered year to elect its chair
 2.38 and vice-chair. They shall serve until successors are elected. The chair and vice-chair shall
 2.39 alternate biennially between the senate and the house of representatives. The commission
 2.40 shall meet at the call of the chair. The members shall serve without compensation but may

3.1 be reimbursed for their reasonable expenses consistent with the rules of the legislature
3.2 governing expense reimbursement.

3.3 (d) The commission shall review the work of the Legislative Budget Office and make
3.4 recommendations, as the commission determines necessary, to improve the office's ability
3.5 to fulfill its duties, and shall perform other functions as directed by this section, and sections
3.6 3.8853 and 3.98.

3.7 Sec. 2. Minnesota Statutes 2022, section 13.46, subdivision 7, is amended to read:

3.8 Subd. 7. **Mental health data.** (a) Mental health data are private data on individuals and
3.9 shall not be disclosed, except:

3.10 (1) pursuant to section 13.05, as determined by the responsible authority for the
3.11 community mental health center, mental health division, or provider;

3.12 (2) pursuant to court order;

3.13 (3) pursuant to a statute specifically authorizing access to or disclosure of mental health
3.14 data or as otherwise provided by this subdivision;

3.15 (4) to personnel of the welfare system working in the same program or providing services
3.16 to the same individual or family to the extent necessary to coordinate services, provided
3.17 that a health record may be disclosed only as provided under section 144.293;

3.18 (5) to a health care provider governed by sections 144.291 to 144.298, to the extent
3.19 necessary to coordinate services; or

3.20 (6) with the consent of the client or patient.

3.21 (b) An agency of the welfare system may not require an individual to consent to the
3.22 release of mental health data as a condition for receiving services or for reimbursing a
3.23 community mental health center, mental health division of a county, or provider under
3.24 contract to deliver mental health services.

3.25 (c) Notwithstanding ~~section 245.69, subdivision 2, paragraph (f), or any other law to the~~
3.26 ~~contrary,~~ a community mental health center, mental health division of a county, or a mental
3.27 health provider must disclose mental health data to a law enforcement agency if the law
3.28 enforcement agency provides the name of a client or patient and communicates that the:

3.29 (1) client or patient is currently involved in a mental health crisis as defined in section
3.30 256B.0624, subdivision 2, paragraph (j), to which the law enforcement agency has responded;
3.31 and

4.1 (2) data is necessary to protect the health or safety of the client or patient or of another
4.2 person.

4.3 The scope of disclosure under this paragraph is limited to the minimum necessary for
4.4 law enforcement to safely respond to the mental health crisis. Disclosure under this paragraph
4.5 may include the name and telephone number of the psychiatrist, psychologist, therapist,
4.6 mental health professional, practitioner, or case manager of the client or patient, if known;
4.7 and strategies to address the mental health crisis. A law enforcement agency that obtains
4.8 mental health data under this paragraph shall maintain a record of the requestor, the provider
4.9 of the data, and the client or patient name. Mental health data obtained by a law enforcement
4.10 agency under this paragraph are private data on individuals and must not be used by the
4.11 law enforcement agency for any other purpose. A law enforcement agency that obtains
4.12 mental health data under this paragraph shall inform the subject of the data that mental
4.13 health data was obtained.

4.14 (d) In the event of a request under paragraph (a), clause (6), a community mental health
4.15 center, county mental health division, or provider must release mental health data to Criminal
4.16 Mental Health Court personnel in advance of receiving a copy of a consent if the Criminal
4.17 Mental Health Court personnel communicate that the:

4.18 (1) client or patient is a defendant in a criminal case pending in the district court;

4.19 (2) data being requested is limited to information that is necessary to assess whether the
4.20 defendant is eligible for participation in the Criminal Mental Health Court; and

4.21 (3) client or patient has consented to the release of the mental health data and a copy of
4.22 the consent will be provided to the community mental health center, county mental health
4.23 division, or provider within 72 hours of the release of the data.

4.24 For purposes of this paragraph, "Criminal Mental Health Court" refers to a specialty
4.25 criminal calendar of the Hennepin County District Court for defendants with mental illness
4.26 and brain injury where a primary goal of the calendar is to assess the treatment needs of the
4.27 defendants and to incorporate those treatment needs into voluntary case disposition plans.
4.28 The data released pursuant to this paragraph may be used for the sole purpose of determining
4.29 whether the person is eligible for participation in mental health court. This paragraph does
4.30 not in any way limit or otherwise extend the rights of the court to obtain the release of mental
4.31 health data pursuant to court order or any other means allowed by law.

5.1 Sec. 3. Minnesota Statutes 2022, section 16A.151, subdivision 2, is amended to read:

5.2 Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific
5.3 injured persons or entities, this section does not prohibit distribution of money to the specific
5.4 injured persons or entities on whose behalf the litigation or settlement efforts were initiated.
5.5 If money recovered on behalf of injured persons or entities cannot reasonably be distributed
5.6 to those persons or entities because they cannot readily be located or identified or because
5.7 the cost of distributing the money would outweigh the benefit to the persons or entities, the
5.8 money must be paid into the general fund.

5.9 (b) Money recovered on behalf of a fund in the state treasury other than the general fund
5.10 may be deposited in that fund.

5.11 (c) This section does not prohibit a state official from distributing money to a person or
5.12 entity other than the state in litigation or potential litigation in which the state is a defendant
5.13 or potential defendant.

5.14 (d) State agencies may accept funds as directed by a federal court for any restitution or
5.15 monetary penalty under United States Code, title 18, section 3663(a)(3), or United States
5.16 Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue
5.17 account and are appropriated to the commissioner of the agency for the purpose as directed
5.18 by the federal court.

5.19 (e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph
5.20 (t), may be deposited as provided in section 16A.98, subdivision 12.

5.21 (f) Any money received by the state resulting from a settlement agreement or an assurance
5.22 of discontinuance entered into by the attorney general of the state, or a court order in litigation
5.23 brought by the attorney general of the state, on behalf of the state or a state agency, related
5.24 to alleged violations of consumer fraud laws in the marketing, sale, or distribution of opioids
5.25 in this state or other alleged illegal actions that contributed to the excessive use of opioids,
5.26 must be deposited in the settlement account established in the opiate epidemic response
5.27 fund under section 256.043, subdivision 1. This paragraph does not apply to attorney fees
5.28 and costs awarded to the state or the Attorney General's Office, to contract attorneys hired
5.29 by the state or Attorney General's Office, or to other state agency attorneys.

5.30 (g) Notwithstanding paragraph (f), if money is received from a settlement agreement or
5.31 an assurance of discontinuance entered into by the attorney general of the state or a court
5.32 order in litigation brought by the attorney general of the state on behalf of the state or a state
5.33 agency against a consulting firm working for an opioid manufacturer or opioid wholesale
5.34 drug distributor, the commissioner shall deposit any money received into the settlement

6.1 account established within the opiate epidemic response fund under section 256.042,
6.2 subdivision 1. Notwithstanding section 256.043, subdivision 3a, paragraph (a), any amount
6.3 deposited into the settlement account in accordance with this paragraph shall be appropriated
6.4 to the commissioner of human services to award as grants as specified by the opiate epidemic
6.5 response advisory council in accordance with section 256.043, subdivision 3a, paragraph
6.6 ~~(d)~~ (e).

6.7 Sec. 4. Minnesota Statutes 2022, section 17.81, subdivision 3, is amended to read:

6.8 Subd. 3. **Agricultural land.** "Agricultural land" means land which is in agricultural use,
6.9 and which has been identified as agricultural land by a local unit of government pursuant
6.10 to Minnesota Statutes 2020, sections 366.10 to 366.181, or sections 394.21 to 394.37,
6.11 462.351 to 462.364, ~~366.10 to 366.181~~ or 473H.04, or which is composed of predominantly
6.12 class I, II, III, or IV soils as identified in the land capability classification system of the
6.13 United States Department of Agriculture Natural Resources Conservation Service and the
6.14 county soil survey, if completed.

6.15 Sec. 5. Minnesota Statutes 2022, section 62A.307, subdivision 2, is amended to read:

6.16 Subd. 2. **Requirement.** Coverage described in subdivision 1 that covers prescription
6.17 drugs must provide the same coverage for a prescription written by a health care provider
6.18 authorized to prescribe the particular drug covered by the health coverage described in
6.19 subdivision 1, regardless of the type of health care provider that wrote the prescription. This
6.20 section is intended to prohibit denial of coverage based on the prescription having been
6.21 written by an advanced practice registered nurse under section 148.235, a physician assistant
6.22 under section 147A.185, or any other nonphysician health care provider authorized to
6.23 prescribe the particular drug.

6.24 Sec. 6. Minnesota Statutes 2022, section 62A.3091, subdivision 2, is amended to read:

6.25 Subd. 2. **Requirement.** Coverage described in subdivision 1 that covers laboratory tests,
6.26 diagnostic tests, and x-rays must provide the same coverage, without requiring additional
6.27 signatures, for all such tests ordered by an advanced practice registered nurse operating
6.28 pursuant to chapter 148 or a physician assistant practicing pursuant to chapter 147A. Nothing
6.29 in this section shall be construed to interfere with any written agreement between a physician
6.30 and an advanced practice registered nurse or between a physician and a physician assistant.

7.1 Sec. 7. Minnesota Statutes 2022, section 62J.581, subdivision 1, is amended to read:

7.2 Subdivision 1. **Minnesota uniform remittance advice.** All group purchasers shall
7.3 provide a uniform claim payment/advice transaction to health care providers when a claim
7.4 is adjudicated. The uniform claim payment/advice transaction shall comply with section
7.5 62J.536, subdivision ~~H~~ 1, paragraph (b), and rules adopted under section 62J.536,
7.6 subdivision 2.

7.7 Sec. 8. Minnesota Statutes 2022, section 62M.02, subdivision 4, is amended to read:

7.8 Subd. 4. **Attending health care professional.** "Attending health care professional"
7.9 means the health care professional providing care within the scope of the professional's
7.10 practice and with primary responsibility for the care provided to an enrollee. Attending
7.11 health care professional shall include only physicians; chiropractors; dentists; mental health
7.12 professionals as defined in section 245.462, subdivision 18, or 245.4871, subdivision 27;
7.13 podiatrists; and advanced practice registered nurses.

7.14 Sec. 9. Minnesota Statutes 2022, section 62U.03, subdivision 2, is amended to read:

7.15 Subd. 2. **Definitions.** (a) For purposes of this section, the following definitions apply.

7.16 (b) "Commissioner" means the commissioner of health.

7.17 (c) "Health plan company" has the meaning provided in section 62Q.01, subdivision 4.

7.18 (d) "Personal clinician" means a physician licensed under chapter 147, a physician
7.19 assistant licensed and practicing under chapter 147A, or an advanced practice registered
7.20 nurse licensed and registered to practice under chapter 148.

7.21 Sec. 10. Minnesota Statutes 2022, section 62U.03, subdivision 3, is amended to read:

7.22 Subd. 3. **Development and implementation of standards.** (a) The commissioner of
7.23 health shall develop and implement standards of certification for health care homes. In
7.24 developing these standards, the commissioner shall consider existing standards developed
7.25 by national independent accrediting and medical home organizations. The standards
7.26 developed by the commissioner must meet the following criteria:

7.27 (1) emphasize, enhance, and encourage the use of primary care, and include the use of
7.28 primary care physicians, advanced practice registered nurses, and physician assistants as
7.29 personal clinicians;

7.30 (2) focus on delivering high-quality, efficient, and effective health care services;

8.1 (3) encourage patient-centered care, including active participation by the patient and
8.2 family or a legal guardian, or a health care agent as defined in chapter 145C, as appropriate
8.3 in decision making and care plan development, and providing care that is appropriate to the
8.4 patient's race, ethnicity, and language;

8.5 (4) provide patients with a consistent, ongoing contact with a personal clinician or team
8.6 of clinical professionals to ensure continuous and appropriate care for the patient's condition;

8.7 (5) ensure that health care homes develop and maintain appropriate comprehensive care
8.8 plans for their patients with complex or chronic conditions, including an assessment of
8.9 health risks and chronic conditions;

8.10 (6) enable and encourage utilization of a range of qualified health care professionals,
8.11 including dedicated care coordinators, in a manner that enables providers to practice to the
8.12 fullest extent of their license;

8.13 (7) focus initially on patients who have or are at risk of developing chronic health
8.14 conditions;

8.15 (8) incorporate measures of quality, resource use, cost of care, and patient experience;

8.16 (9) ensure the use of health information technology and systematic follow-up, including
8.17 the use of patient registries; and

8.18 (10) encourage the use of scientifically based health care, patient decision-making aids
8.19 that provide patients with information about treatment options and their associated benefits,
8.20 risks, costs, and comparative outcomes, and other clinical decision support tools.

8.21 (b) In developing these standards, the commissioner shall consult with national and local
8.22 organizations working on health care home models, physicians, relevant state agencies,
8.23 health plan companies, hospitals, other providers, patients, and patient advocates.

8.24 (c) For the purposes of developing and implementing these standards, the commissioner
8.25 may use the expedited rulemaking process under section 14.389.

8.26 Sec. 11. Minnesota Statutes 2022, section 84.83, subdivision 3, is amended to read:

8.27 Subd. 3. **Purposes; allocation.** (a) The money deposited in the account and interest
8.28 earned on that money may be expended only as appropriated by law for the following
8.29 purposes:

8.30 (1) for a grant-in-aid program to counties and municipalities for construction and
8.31 maintenance of snowmobile trails that are determined by the commissioner to be part of
8.32 the state's grant-in-aid system, including maintenance of trails on lands and waters of

9.1 Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in
9.2 St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;
9.3 and on the following lakes in Cook County: Devil Track and Hungry Jack. The commissioner
9.4 may establish a performance-based funding formula for annual grants-in-aid. The procedures
9.5 and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and
9.6 section 14.386 does not apply. In administering the performance-based grants-in-aid, the
9.7 commissioner must:

9.8 (i) determine annual grant amounts based on a funding formula that includes consideration
9.9 of historical costs, snowfall, use, and tourism;

9.10 (ii) make grant payments based on:

9.11 (A) successful completion of performance benchmarks;

9.12 (B) reimbursement of eligible expenditures; or

9.13 (C) a combination of subitems (A) and (B); and

9.14 (iii) assess penalties to nonperforming grant-in-aid recipients, which may include
9.15 withholding grant payments or making the grantee or trail system ineligible for future
9.16 grant-in-aid funding;

9.17 (2) to acquire, develop, and maintain state recreational snowmobile trails;

9.18 (3) for snowmobile safety programs; and

9.19 (4) to administer and enforce sections 84.81 to ~~84.91~~ 84.9011 and appropriated grants
9.20 to local law enforcement agencies.

9.21 (b) No less than 60 percent of revenue collected from snowmobile registration and
9.22 snowmobile state trail sticker fees must be expended for grants-in-aid to develop, maintain,
9.23 and groom trails and acquire easements.

9.24 Sec. 12. Minnesota Statutes 2022, section 85.34, subdivision 3, is amended to read:

9.25 Subd. 3. **Sale of intoxicating liquor.** The commissioner of public safety with the approval
9.26 of the Executive Council may issue to the lessee or developer of the property leased pursuant
9.27 to subdivision 1, an on-sale license for the sale of intoxicating liquor upon the leased property.
9.28 The annual fee for the license issued pursuant to this subdivision shall be set by the
9.29 commissioner of public safety at an amount comparable to the fee charged by municipalities
9.30 in the surrounding area for a similar license. All provisions of chapter ~~340~~ 340A shall apply
9.31 to the sale of intoxicating liquor upon the leased property.

10.1 Sec. 13. Minnesota Statutes 2022, section 86A.05, subdivision 2, is amended to read:

10.2 Subd. 2. **State park; purpose; resource and site qualifications; administration.** (a)

10.3 A state park shall be established to protect and perpetuate extensive areas of the state
10.4 possessing those resources which illustrate and exemplify Minnesota's natural phenomena
10.5 and to provide for the use, enjoyment, and understanding of such resources without
10.6 impairment for the enjoyment and recreation of future generations.

10.7 (b) No unit shall be authorized as a state park unless its proposed location substantially
10.8 satisfies the following criteria:

10.9 (1) exemplifies the natural characteristics of the major landscape regions of the state, as
10.10 shown by accepted classifications, in an essentially unspoiled or restored condition or in a
10.11 condition that will permit restoration in the foreseeable future; or contains essentially
10.12 unspoiled natural resources of sufficient extent and importance to meaningfully contribute
10.13 to the broad illustration of the state's natural phenomena; ~~and~~

10.14 (2) contains natural resources, sufficiently diverse and interesting to attract people from
10.15 throughout the state; and

10.16 (3) is sufficiently large to permit protection of the plant and animal life and other natural
10.17 resources which give the park its qualities and provide for a broad range of opportunities
10.18 for human enjoyment of these qualities.

10.19 (c) State parks shall be administered by the commissioner of natural resources in a
10.20 manner which is consistent with the purposes of this subdivision to preserve, perpetuate,
10.21 and interpret natural features that existed in the area of the park prior to settlement and other
10.22 significant natural, scenic, scientific, or historic features that are present. Management shall
10.23 seek to maintain a balance among the plant and animal life of the park and to reestablish
10.24 desirable plants and animals that were formerly indigenous to the park area but are now
10.25 missing. Programs to interpret the natural features of the park shall be provided. Outdoor
10.26 recreation activities to utilize the natural features of the park that can be accommodated
10.27 without material disturbance of the natural features of the park or the introduction of undue
10.28 artificiality into the natural scene may be permitted. Park use shall be primarily for aesthetic,
10.29 cultural, and educational purposes, and shall not be designed to accommodate all forms or
10.30 unlimited volumes of recreational use. Physical development shall be limited to those
10.31 facilities necessary to complement the natural features and the values being preserved.

11.1 Sec. 14. Minnesota Statutes 2022, section 86A.05, subdivision 4, is amended to read:

11.2 Subd. 4. **State trail; purpose; resource and site qualifications; administration;**
11.3 **designation.** (a) A state trail shall be established to provide a recreational travel route which
11.4 connects units of the outdoor recreation system or the national trail system, provides access
11.5 to or passage through other areas which have significant scenic, historic, scientific, or
11.6 recreational qualities or reestablishes or permits travel along an historically prominent travel
11.7 route or which provides commuter transportation.

11.8 (b) No unit shall be authorized as a state trail unless its proposed location substantially
11.9 satisfies the following criteria:

11.10 (1) permits travel in an appropriate manner along a route which provides at least one of
11.11 the following recreational opportunities:

11.12 (i) travel along a route which connects areas or points of natural, scientific, cultural, and
11.13 historic interest;

11.14 (ii) travel through an area which possesses outstanding scenic beauty;

11.15 (iii) travel over a route designed to enhance and utilize the unique qualities of a particular
11.16 manner of travel in harmony with the natural environment;

11.17 (iv) travel along a route which is historically significant as a route of migration,
11.18 commerce, or communication; or

11.19 (v) travel between units of the state outdoor recreation system or the national trail system;
11.20 and

11.21 (2) utilizes, to the greatest extent possible consistent with the purposes of this subdivision,
11.22 public lands, rights-of-way, and the like; ~~and~~

11.23 (3) provides maximum potential for the appreciation, conservation, and enjoyment of
11.24 significant scenic, historical, natural, or cultural qualities of the areas through which the
11.25 trail may pass; and

11.26 (4) takes into consideration predicted public demand and future use.

11.27 (c) State trails shall be administered by the commissioners of transportation or natural
11.28 resources as specified by law in a manner which is consistent with the purposes of this
11.29 subdivision. State trails established by the commissioner of natural resources shall be
11.30 managed to provide a travel route through an area with a minimum disturbance of the natural
11.31 environment and recognizing other multiple land use activities. Trail markers shall be limited
11.32 to those providing safety information and interpretation.

12.1 (d) Facilities for the rest and comfort of trail users shall be provided primarily within
12.2 units of the outdoor recreation system through which the trail passes. When additional
12.3 facilities are required to insure the rest and comfort of the traveler, the managing agency
12.4 may develop such facilities along the trail and shall designate the facilities as trail waysides.
12.5 In addition to the foregoing purpose, trail waysides shall be developed for the preservation
12.6 and interpretation of the trail's natural, historic, or scenic values, and may include facilities
12.7 for primitive camping, picnicking, sanitation, and parking for access to the trail.

12.8 Sec. 15. Minnesota Statutes 2022, section 86A.05, subdivision 9, is amended to read:

12.9 Subd. 9. **State water-access site; purpose; resource and site qualifications;**
12.10 **administration.** (a) A state water-access site shall be established to provide public access
12.11 to rivers and lakes which are suitable for outdoor water recreation and where the access is
12.12 necessary to permit public use.

12.13 (b) No unit shall be authorized as a state water-access site unless its proposed location
12.14 substantially satisfies the following criteria:

12.15 (1) the body of water to which access is being provided and surrounding lands can
12.16 withstand additional recreational use without undue damage to the environment or undue
12.17 risks to the health and safety of water users; and

12.18 (2) public access to the body of water is either nonexistent or inadequate.

12.19 (c) State water-access sites shall be administered by the commissioner of natural resources
12.20 or the commissioner of transportation in a manner which is consistent with the purposes of
12.21 this subdivision to provide public access to water. Access roads, off-road parking areas,
12.22 refuse containers, sanitary facilities, and facilities for limited picnicking and primitive
12.23 camping may be provided when the commissioner determines that these activities are
12.24 justifiable and are compatible with the resource and the natural environment.

12.25 Sec. 16. Minnesota Statutes 2022, section 86A.05, subdivision 11, is amended to read:

12.26 Subd. 11. **State historic sites; purpose; resource and site qualifications;**
12.27 **administration; designation.** (a) A state historic site shall be established to preserve,
12.28 restore, and interpret buildings and other structures, locales, sites, antiquities, and related
12.29 lands which aptly illustrate significant events, personalities, and features of the history and
12.30 archaeology of the state or nation.

12.31 (b) No unit shall be authorized as a state historic site unless it is historically important
12.32 for any of the following reasons:

- 13.1 (1) is the site of or directly associated with a significant historical event; ~~or~~
- 13.2 (2) is associated with persons whose lives and accomplishments are historically unique
- 13.3 or important; ~~or~~
- 13.4 (3) embodies the distinctive characteristics of an architectural style or method of
- 13.5 construction which represents a particular and significant historical period, or the work of
- 13.6 a master builder, designer, or architect; ~~or~~
- 13.7 (4) has yielded, or is likely to yield, historical or archaeological artifacts, records, or
- 13.8 other original data or information; or
- 13.9 (5) is a geographical feature of outstanding significance and includes, by way of example,
- 13.10 the highest point in the state, the continental divide, and the source of the Mississippi River.
- 13.11 (c) State historic sites shall be administered by the commissioner of natural resources,
- 13.12 the Minnesota Historical Society, the Board of Regents of the University of Minnesota,
- 13.13 governmental subdivisions of the state, or by county historical societies jointly or
- 13.14 independently as designated by law in a manner which is consistent with the purposes of
- 13.15 this subdivision to maintain and, if necessary, restore the historical integrity of the site to
- 13.16 commemorate or illustrate its historical importance. Ancient features of significance shall
- 13.17 be protected from disturbance until archaeological research has been completed. Interpretive
- 13.18 programs for visitors shall be provided including, where practicable, interpretation of research
- 13.19 programs under supervised conditions. Recreational use of natural features shall be permitted
- 13.20 only where this can be accomplished without detriment to historical values. Physical
- 13.21 development shall be limited to those facilities necessary to achieve the management and
- 13.22 use objectives.
- 13.23 Sec. 17. Minnesota Statutes 2022, section 86A.05, subdivision 12, is amended to read:
- 13.24 Subd. 12. **State rest area; purpose; resource and site qualifications;**
- 13.25 **administration.** (a) A state rest area shall be established to promote a safe, pleasurable,
- 13.26 and informative travel experience along Minnesota highways by providing areas and facilities
- 13.27 at reasonable intervals for information, emergencies, or the rest and comfort of travelers.
- 13.28 (b) No unit shall be authorized as a state rest area unless its proposed location substantially
- 13.29 satisfies the following criteria:
- 13.30 (1) is adjacent to or in near proximity to a trunk or interstate highway;
- 13.31 (2) is developed at appropriate intervals based on the type of road system, traffic and
- 13.32 traffic projections and known or projected usage of the proposed development; and

14.1 (3) may be near or associated with a place or area of natural, scientific, cultural, or
14.2 historic interest.

14.3 (c) Rest areas shall be administered by the commissioner of transportation in cooperation
14.4 with other agencies as appropriate in a manner which is consistent with the purposes of this
14.5 subdivision. State rest areas may be managed to provide parking, resting, restroom,
14.6 picnicking, orientation, travel information, and other facilities for the convenience of the
14.7 traveling public. Where located in conjunction with features of interest, state rest areas shall
14.8 provide interpretive exhibits or other facilities if appropriate to promote understanding and
14.9 enjoyment of the features.

14.10 Sec. 18. Minnesota Statutes 2022, section 86A.21, is amended to read:

14.11 **86A.21 POWERS AND DUTIES OF COMMISSIONER.**

14.12 (a) The commissioner may:

14.13 (1) acquire, construct, and maintain small craft harbors, channels, and facilities for
14.14 recreational watercraft in the navigable waters lying within the locations identified in Laws
14.15 1993, chapter 333, section 1;

14.16 (2) acquire by purchase, lease, gift, or condemnation the lands, rights-of-way, easements,
14.17 and other interests necessary for small craft harbors, channels, mooring facilities, marinas,
14.18 launching ramps, and facilities normally used to support harbors of refuge, channels, docks,
14.19 and launching ramps;

14.20 (3) provide the public within the boundaries of small craft harbors, through leases of
14.21 public property, with mooring facilities and marinas developed and operated by public or
14.22 nonpublic entities at no cost to the state or its political subdivisions;

14.23 (4) charge fees for both seasonal and daily moorage at state-operated or state-assisted
14.24 small craft harbors and mooring facilities; and

14.25 (5) collect the proceeds from the sale of marine fuel at small craft harbors or mooring
14.26 facilities operated by the state.

14.27 (b) Fees and proceeds collected under paragraph (a) must be credited to the water
14.28 recreation account. The sale prices of marine fuel and petroleum supplies and fees under
14.29 paragraph (a) are not subject to the rulemaking provisions of chapter 14, and section 14.386
14.30 does not apply. The commissioner may establish the fees under paragraph (a) notwithstanding
14.31 section 16A.1283. The fees and proceeds are appropriated to the commissioner of natural

15.1 resources and must be used for purposes relating to mooring facilities and small craft harbors,
15.2 including:

15.3 (1) operation and maintenance;

15.4 (2) purchase of marine fuel and other petroleum supplies;

15.5 (3) replacement or expansion; or

15.6 (4) debt service on funds provided through the sale of state bonds.

15.7 (c) Fees collected at small craft harbors and boating facilities constructed or operated
15.8 by local units of government with financial assistance from the state shall, after payment
15.9 of the costs of operating and maintaining the facilities, be used for purposes relating to
15.10 mooring facilities and small craft harbors, including:

15.11 (1) operation and maintenance;

15.12 (2) replacement or expansion; or

15.13 (3) debt service on funds provided through the sale of state bonds.

15.14 Sec. 19. Minnesota Statutes 2022, section 92.70, subdivision 3, is amended to read:

15.15 Subd. 3. **Willful trespass.** (a) A person who willfully and knowingly uses public land
15.16 for personal use or personal economic gain where the use is prohibited is guilty of trespass
15.17 and a misdemeanor and is liable to the state or county for a civil penalty three times the
15.18 amount of the damage.

15.19 (b) A person violating paragraph (a) may be issued a ticket and summons for a court
15.20 appearance. The prosecuting authority shall prosecute the misdemeanor and shall bring an
15.21 action for the civil penalty or, on failure to do so, the attorney general at the request of the
15.22 public agency responsible for managing the land may prosecute the misdemeanor and shall
15.23 bring an action for the civil penalty.

15.24 (c) Damages must be determined as the greater of:

15.25 (1) the cost to restore the public land to the condition it was in before the trespass occurred
15.26 plus an amount to compensate the public for the loss of use; or

15.27 (2) the economic gain realized by the person committing the trespass.

15.28 (d) The civil penalty shall be paid to the court and the court administrator shall pay:

15.29 (1) for a trespass on county land, the entire amount to the county to be used for restoration
15.30 of the trespass and county land improvement purposes; and

16.1 (2) for a trespass on state land, the civil penalty to the state agency responsible for
16.2 managing the public land which is appropriated for restoration of the trespass and state land
16.3 improvement purposes.

16.4 Sec. 20. Minnesota Statutes 2022, section 93.52, is amended to read:

16.5 **93.52 OWNERSHIP OF SEVERED MINERAL INTERESTS.**

16.6 Subdivision 1. **Purpose.** The purpose of sections 93.52 to ~~93.58~~ 93.551 is to identify
16.7 and clarify the obscure and divided ownership condition of severed mineral interests in this
16.8 state. Because the ownership condition of many severed mineral interests is becoming more
16.9 obscure and further fractionalized with the passage of time, the development of mineral
16.10 interests in this state is often impaired. Therefore, it is in the public interest and serves a
16.11 public purpose to identify and clarify these interests.

16.12 Subd. 2. **Verified statement filing requirement.** Except as provided in subdivision 3,
16.13 from and after January 1, 1970, every owner of a fee simple interest in minerals, hereafter
16.14 referred to as a mineral interest, in lands in this state, which interest is owned separately
16.15 from the fee title to the surface of the property upon or beneath which the mineral interest
16.16 exists, shall record in the office of the county recorder or, if registered property, in the office
16.17 of the registrar of titles in the county where the mineral interest is located a verified statement,
16.18 in triplicate, citing sections 93.52 to ~~93.58~~ 93.551 and setting forth the owner's address,
16.19 interest in the minerals, and both (1) the legal description of the property upon or beneath
16.20 which the interest exists, and (2) the book and page number or the document number, in
16.21 the records of the county recorder or registrar of titles, of the instrument by which the mineral
16.22 interest is created or acquired. No statement may be recorded which contains mineral interests
16.23 from more than one government section unless the instrument by which the mineral interest
16.24 is created or acquired includes mineral interests from more than one government section.
16.25 The county recorder and registrar of titles shall file with the county auditor a copy of each
16.26 document so recorded within 60 days after recording in the office of county recorder or
16.27 registrar of titles.

16.28 Subd. 3. **Exemptions.** Sections 93.52 to ~~93.58~~ 93.551 do not apply to the following
16.29 owners of mineral interests: the United States of America, the state of Minnesota, and any
16.30 American Indian tribe or band owning reservation lands in this state.

17.1 Sec. 21. Minnesota Statutes 2022, section 103A.43, is amended to read:

17.2 **103A.43 WATER ASSESSMENTS AND REPORTS.**

17.3 (a) The Environmental Quality Board shall consolidate the assessments required in
17.4 paragraphs (b) and (c) with the policy report in section 103A.204 and submit a single report
17.5 to the house of representatives and senate committees with jurisdiction over the environment,
17.6 natural resources, and agriculture and the Legislative-Citizen Commission on Minnesota
17.7 Resources by September 15, 2010, and every five years thereafter.

17.8 (b) The Pollution Control Agency and the Department of Agriculture shall provide an
17.9 assessment and analysis of water quality, groundwater degradation trends, and efforts to
17.10 reduce, prevent, minimize, and eliminate degradation of water. The assessment and analysis
17.11 must include an analysis of relevant monitoring data.

17.12 (c) The Department of Natural Resources shall provide an assessment and analysis of
17.13 the quantity of surface water and ~~ground water~~ groundwater in the state and the availability
17.14 of water to meet the state's needs.

17.15 Sec. 22. Minnesota Statutes 2022, section 103B.211, subdivision 1, is amended to read:

17.16 Subdivision 1. **Authority.** (a) Any agreement under section 471.59 to jointly or
17.17 cooperatively manage or plan for the management of surface water in a watershed delineated
17.18 pursuant to subdivision 2, as required by sections 103B.205 to 103B.255, may provide, in
17.19 addition to other provisions authorized by section 471.59, for a joint board having:

17.20 (1) the authority to prepare, adopt, and implement a plan for the watershed meeting the
17.21 requirements of section 103B.231;

17.22 (2) the authority to review and approve local water management plans as provided in
17.23 section 103B.235;

17.24 (3) the authority of a watershed district under chapter 103D to regulate the use and
17.25 development of land in the watershed when one or more of the following conditions exists:

17.26 (i) the local government unit exercising planning and zoning authority over the land
17.27 under Minnesota Statutes 2020, sections 366.10 to 366.181, or sections 394.21 to 394.37,
17.28 or 462.351 to 462.364, does not have a local water management plan approved and adopted
17.29 in accordance with the requirements of section 103B.235 or has not adopted the
17.30 implementation program described in the plan;

18.1 (ii) an application to the local government unit for a permit for the use and development
18.2 of land requires an amendment to or variance from the adopted local water management
18.3 plan or implementation program of the local unit; or

18.4 (iii) the local government unit has authorized the organization to require permits for the
18.5 use and development of land;

18.6 (4) the authority of a watershed district under section 103D.625, to accept the transfer
18.7 of drainage systems in the watershed, to repair, improve, and maintain the transferred
18.8 drainage systems, and to construct all new drainage systems and improvements of existing
18.9 drainage systems in the watershed, provided that: (i) projects may be carried out under the
18.10 powers granted in sections 103B.205 to 103B.255 or chapter 103D or 103E; and (ii)
18.11 proceedings of the board with respect to the systems must be in conformance with the
18.12 watershed plan adopted under section 103B.231;

18.13 (5) the authority of a watershed district under section 103D.911 to adopt a budget and
18.14 decide on the total amount necessary to be raised from ad valorem tax levies to meet the
18.15 budget;

18.16 (6) the authority of a watershed district under section 103D.915 to certify its budget with
18.17 the auditor of each county having territory within the joint powers watershed management
18.18 organization;

18.19 (7) the authority of a watershed district under section 103D.901 to file approved
18.20 assessment statements with each affected county; and

18.21 (8) other powers necessary to exercise the authority under clauses (1) to (3), including
18.22 the power to enter into contracts for the performance of functions with governmental units
18.23 or persons.

18.24 (b) The Board of Water and Soil Resources shall adopt rules prescribing minimum
18.25 requirements for the content of watershed management organization joint powers agreements.

18.26 (c) Decisions by a joint powers board may not require more than a majority vote, except
18.27 a decision on a capital improvement project, which may require no more than a two-thirds
18.28 vote.

18.29 Sec. 23. Minnesota Statutes 2022, section 103F.405, subdivision 1, is amended to read:

18.30 Subdivision 1. **Authority.** Each statutory or home rule charter city, town, or county that
18.31 has planning and zoning authority under Minnesota Statutes 2020, sections 366.10 to
18.32 366.181, or sections 394.21 to 394.37, or 462.351 to 462.365 is encouraged to adopt a soil

19.1 loss ordinance. The soil loss ordinance must use the soil loss tolerance for each soil series
19.2 described in the United States Natural Resources Conservation Service Field Office Technical
19.3 Guide, or another method approved by the Board of Water and Soil Resources, to determine
19.4 the soil loss limits, but the soil loss limits must be attainable by the best practicable soil
19.5 conservation practice. Ordinances adopted by local governments must be consistent with a
19.6 comprehensive plan, local water management plan, or watershed management plan developed
19.7 or amended, adopted, and approved according to chapter 103B, 103C, or 103D.

19.8 Sec. 24. Minnesota Statutes 2022, section 103F.511, subdivision 10, is amended to read:

19.9 Subd. 10. **Wetland.** "Wetland" means land that has a predominance of hydric soils and
19.10 that is inundated or saturated by surface water or ~~ground water~~ groundwater at a frequency
19.11 and duration sufficient to support, or that periodically does support, a predominance of
19.12 hydrophytic vegetation typically adapted for life in saturated soil conditions.

19.13 Sec. 25. Minnesota Statutes 2022, section 103F.705, is amended to read:

19.14 **103F.705 PURPOSE.**

19.15 It is the purpose of the legislature in enacting sections 103F.701 to 103F.755 to protect,
19.16 enhance, and restore surface water and ~~ground water~~ groundwater in the state, through
19.17 financial and technical assistance to local units of government to prevent water pollution,
19.18 including that associated with land use and land management activities, and to provide a
19.19 legal basis for state implementation of federal laws controlling nonpoint source water
19.20 pollution.

19.21 Sec. 26. Minnesota Statutes 2022, section 103F.711, subdivision 6, is amended to read:

19.22 Subd. 6. **Nonpoint source.** "Nonpoint source" is a land management activity or land
19.23 use activity that contributes or may contribute to ~~ground~~ groundwater and surface water
19.24 pollution as a result of runoff, seepage, or percolation and that is not defined as a point
19.25 source in section 115.01, subdivision 11. Nonpoint sources include rural and urban land
19.26 management activities and land use activities and specialty land use activities such as
19.27 transportation.

19.28 Sec. 27. Minnesota Statutes 2022, section 103F.715, is amended to read:

19.29 **103F.715 CLEAN WATER PARTNERSHIP PROGRAM ESTABLISHED.**

19.30 A clean water partnership program is established as provided in sections 103F.701 to
19.31 103F.755. The agency shall administer the program in accordance with these sections. The

20.1 agency shall provide financial and technical assistance in accordance with section 103F.725
20.2 to local units of government for projects in geographical areas that contribute to surface
20.3 water or ~~ground-water~~ groundwater flows. The projects shall provide for protection,
20.4 enhancement, or restoration of surface water and ~~ground-water~~ groundwater.

20.5 Sec. 28. Minnesota Statutes 2022, section 103G.005, subdivision 19, is amended to read:

20.6 Subd. 19. **Wetlands.** (a) "Wetlands" means lands transitional between terrestrial and
20.7 aquatic systems where the water table is usually at or near the surface or the land is covered
20.8 by shallow water. For purposes of this definition, wetlands must have the following three
20.9 attributes:

20.10 (1) have a predominance of hydric soils;

20.11 (2) are inundated or saturated by surface water or ~~ground-water~~ groundwater at a
20.12 frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically
20.13 adapted for life in saturated soil conditions; and

20.14 (3) under normal circumstances support a prevalence of such vegetation.

20.15 (b) For the purposes of regulation under this chapter, the term wetlands does not include
20.16 public waters wetlands as defined in subdivision 15a.

20.17 Sec. 29. Minnesota Statutes 2022, section 115.55, subdivision 1, is amended to read:

20.18 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to sections
20.19 115.55 to 115.56.

20.20 (b) "Advisory committee" means the Advisory Committee on Subsurface Sewage
20.21 Treatment Systems established under the subsurface sewage treatment system rules. The
20.22 advisory committee must be appointed to ensure geographic representation of the state and
20.23 include elected public officials.

20.24 (c) "Applicable requirements" means:

20.25 (1) local ordinances that comply with the subsurface sewage treatment system rules, as
20.26 required in subdivision 2; or

20.27 (2) in areas without compliant ordinances described in clause (1), the subsurface sewage
20.28 treatment system rules.

20.29 (d) "Building sewer connected to a subsurface sewage treatment system" means the pipe
20.30 that connects a structure to a subsurface sewage treatment system. Building sewers connected

21.1 to subsurface sewage treatment systems are codefined as both plumbing and subsurface
21.2 sewage treatment system components.

21.3 (e) "City" means a statutory or home rule charter city.

21.4 (f) "Commissioner" means the commissioner of the Pollution Control Agency.

21.5 (g) "Dwelling" means a building or place used or intended to be used by human occupants
21.6 as a single-family or two-family unit.

21.7 (h) "Subsurface sewage treatment system" or "system" means a sewage treatment system,
21.8 or part thereof, that uses subsurface soil treatment and disposal, or a holding tank, serving
21.9 a dwelling, other establishment, or a group thereof, and that does not require a state permit.
21.10 Subsurface sewage treatment system includes a building sewer connected to a subsurface
21.11 sewage treatment system.

21.12 (i) "Subsurface sewage treatment system professional" means an inspector, installer,
21.13 designer, service provider, or maintainer.

21.14 (j) "Subsurface sewage treatment system rules" means rules adopted by the agency that
21.15 establish minimum standards and criteria for the design, location, installation, use,
21.16 maintenance, and closure of subsurface sewage treatment systems.

21.17 (k) "Inspector" means a person who inspects subsurface sewage treatment systems for
21.18 compliance with the applicable requirements.

21.19 (l) "Installer" means a person who constructs or repairs subsurface sewage treatment
21.20 systems.

21.21 (m) "Local unit of government" means a township, city, or county.

21.22 (n) "Performance-based system" means a system that is designed specifically for
21.23 environmental conditions on a site and is designed to adequately protect the public health
21.24 and the environment and provide consistent, reliable, long-term performance. At a minimum,
21.25 a performance-based system must ensure that applicable water quality standards are met in
21.26 both ~~ground~~ groundwater and surface water that ultimately receive the treated sewage.

21.27 (o) "Maintainer" means a person who removes solids and liquids from and maintains
21.28 and repairs components of subsurface sewage treatment systems including, but not limited
21.29 to, sewage, aerobic, and holding tanks.

21.30 (p) "Seasonal dwelling" means a dwelling that is occupied or used for less than 180 days
21.31 per year and less than 120 consecutive days.

22.1 (q) "Septic system tank" means any covered receptacle designed, constructed, and
 22.2 installed as part of a subsurface sewage treatment system.

22.3 (r) "Designer" means a person who:

22.4 (1) investigates soils and site characteristics to determine suitability, limitations, and
 22.5 sizing requirements; and

22.6 (2) designs subsurface sewage treatment systems.

22.7 (s) "Straight-pipe system" means a sewage disposal system that transports raw or partially
 22.8 treated sewage directly to a lake, a stream, a drainage system, or ground surface.

22.9 Sec. 30. Minnesota Statutes 2022, section 115A.192, subdivision 1, is amended to read:

22.10 Subdivision 1. **Request for proposals.** The commissioner shall issue requests for
 22.11 proposals for the development and operation of a stabilization and containment facility. The
 22.12 request must be designed to obtain detailed information about the qualifications of a
 22.13 respondent to develop and operate the facility; the capital and operating costs of the facility
 22.14 and the sources and methods by which the respondent plans to finance the facility; the
 22.15 technical specifications of the proposed facility and the technologies to be employed for
 22.16 processing, stabilization, containment, and monitoring; the requirements of the site for the
 22.17 proposed facility; the schedule for developing and commencing operation of the facility;
 22.18 and other matters which the commissioner deems necessary for the agency to evaluate and
 22.19 select a developer and operator for the facility. Before issuing the requests, the commissioner
 22.20 shall prepare a draft of clauses ~~(a) to (e)~~ (1) to (5) of the report required by section 115A.193,
 22.21 paragraph (a). The draft must accompany the requests for proposals.

22.22 Sec. 31. Minnesota Statutes 2022, section 115A.33, is amended to read:

22.23 **115A.33 ELIGIBILITY; REQUEST FOR REVIEW.**

22.24 (a) The following persons ~~shall be~~ are eligible to request supplementary review by the
 22.25 board pursuant to sections 115A.32 to 115A.39:

22.26 ~~(a)~~ (1) a generator of sewage sludge within the state who has been issued permits by the
 22.27 agency for a facility to dispose of sewage sludge or solid waste resulting from sewage
 22.28 treatment;

22.29 ~~(b)~~ (2) a political subdivision ~~which~~ that has been issued permits by the agency, or a
 22.30 political subdivision acting on behalf of a person who has been issued permits by the agency,

23.1 for a solid waste facility ~~which~~ that is no larger than 250 acres, not including any proposed
23.2 buffer area, and located outside the metropolitan area;

23.3 ~~(e)~~ (3) a generator of hazardous waste within the state who has been issued permits by
23.4 the agency for a hazardous waste facility to be owned and operated by the generator, on
23.5 property owned by the generator, and to be used by the generator for managing the hazardous
23.6 wastes produced by the generator only;

23.7 ~~(d)~~ (4) a person who has been issued permits by the agency for a commercial hazardous
23.8 waste processing facility at a site included in the board's inventory of preferred sites for
23.9 such facilities adopted pursuant to Minnesota Statutes 1996, section 115A.09; and

23.10 ~~(e)~~ (5) a person who has been issued permits by the agency for a disposal facility for the
23.11 nonhazardous sludge, ash, or other solid waste generated by a permitted hazardous waste
23.12 processing facility operated by the person.

23.13 (b) The board may require completion of a plan conforming to the requirements of
23.14 section 115A.46, before granting review under paragraph (a), clause ~~(b)~~ (2). A request for
23.15 supplementary review ~~shall~~ must show that the required permits for the facility have been
23.16 issued by the agency and that a political subdivision has refused to approve the establishment
23.17 or operation of the facility.

23.18 Sec. 32. Minnesota Statutes 2022, section 115A.38, subdivision 1, is amended to read:

23.19 Subdivision 1. **Reports to legislative commission.** At least 30 days before making a
23.20 final decision under section 115A.37 in a review brought pursuant to section 115A.33,
23.21 paragraph (a), clause ~~(d)~~ (4), the chair of the board may report to the legislative commission
23.22 describing permit conditions or requirements being considered ~~which~~ that are not within
23.23 the existing authority of the agency or the board or ~~which~~ that would require legislation or
23.24 public financial assistance. In any such report, the chair of the board may request intervention
23.25 in the review pursuant to subdivisions 2 and 3.

23.26 Sec. 33. Minnesota Statutes 2022, section 115A.39, is amended to read:

23.27 **115A.39 JUDICIAL REVIEW.**

23.28 Judicial review with respect to conduct or decisions in supplementary reviews brought
23.29 pursuant to section 115A.33, paragraph (a), clause ~~(e)~~ (3) or ~~(d)~~ (4), ~~shall be~~ is as provided
23.30 in section 115A.30.

24.1 Sec. 34. Minnesota Statutes 2022, section 115A.54, subdivision 2a, is amended to read:

24.2 Subd. 2a. **Solid waste management projects.** (a) The commissioner shall provide
24.3 technical and financial assistance for the acquisition and betterment of solid waste
24.4 management projects as provided in this subdivision and section 115A.52. Money
24.5 appropriated for the purposes of this subdivision must be distributed as grants.

24.6 (b) Except as provided in paragraph (c) or (d), a project may receive grant assistance up
24.7 to 25 percent of the capital cost of the project or \$2,000,000, whichever is less, except that
24.8 projects constructed as a result of intercounty cooperative agreements may receive (1) grant
24.9 assistance up to 25 percent of the capital cost of the project; or (2) \$2,000,000 times the
24.10 number of participating counties, whichever is less.

24.11 (c) A recycling project or a project to compost or cocompost waste may receive grant
24.12 assistance up to 50 percent of the capital cost of the project or \$2,000,000, whichever is
24.13 less, except that projects completed as a result of intercounty cooperative agreements may
24.14 receive (1) grant assistance up to 50 percent of the capital cost of the project; or (2)
24.15 \$2,000,000 times the number of participating counties, whichever is less.

24.16 (d) The following projects may also receive grant assistance in the amounts specified
24.17 in ~~this~~ paragraph (c):

24.18 (1) a project to improve control of or reduce air emissions at an existing resource recovery
24.19 facility; and

24.20 (2) a project to substantially increase the recovery of materials or energy, substantially
24.21 reduce the amount or toxicity of waste processing residuals, or expand the capacity of an
24.22 existing resource recovery facility to meet the resource recovery needs of an expanded
24.23 region if each county from which waste is or would be received has achieved a recycling
24.24 rate in excess of the goals in section 115A.551, and is implementing aggressive waste
24.25 reduction and household hazardous waste management programs.

24.26 ~~(d)~~ (e) Notwithstanding paragraph ~~(e)~~ (f), the commissioner may award grants for transfer
24.27 stations that will initially transfer waste to landfills if the transfer stations are part of a
24.28 planned resource recovery project, the county where the planned resource recovery facility
24.29 will be located has a comprehensive solid waste management plan approved by the
24.30 commissioner, and the solid waste management plan proposes the development of the
24.31 resource recovery facility. If the proposed resource recovery facility is not in place and
24.32 operating within 16 years of the date of the grant award, the recipient shall repay the grant
24.33 amount to the state.

25.1 ~~(e)~~ (f) Projects without resource recovery are not eligible for assistance.

25.2 ~~(f)~~ (g) In addition to any assistance received under paragraph (b) ~~or~~, (c), or (d), a project
25.3 may receive grant assistance for the cost of tests necessary to determine the appropriate
25.4 pollution control equipment for the project or the environmental effects of the use of any
25.5 product or material produced by the project.

25.6 ~~(g)~~ (h) In addition to the application requirements of section 115A.51, an application
25.7 for a project serving eligible jurisdictions in only a single county must demonstrate that
25.8 cooperation with jurisdictions in other counties to develop the project is not needed or not
25.9 feasible. Each application must also demonstrate that the project is not financially prudent
25.10 without the state assistance, because of the applicant's financial capacity and the problems
25.11 inherent in the waste management situation in the area, particularly transportation distances
25.12 and limited waste supply and markets for resources recovered.

25.13 ~~(h)~~ (i) For the purposes of this subdivision, a "project" means a processing facility,
25.14 together with any transfer stations, transmission facilities, and other related and appurtenant
25.15 facilities primarily serving the processing facility. The commissioner shall adopt rules for
25.16 the program by July 1, 1985.

25.17 ~~(i)~~ (j) Notwithstanding anything in this subdivision to the contrary, a project to construct
25.18 a new mixed municipal solid waste transfer station that has an enforceable commitment of
25.19 at least ten years, or of sufficient length to retire bonds sold for the facility, to serve an
25.20 existing resource recovery facility may receive grant assistance up to 75 percent of the
25.21 capital cost of the project if addition of the transfer station will increase substantially the
25.22 geographical area served by the resource recovery facility and the ability of the resource
25.23 recovery facility to operate more efficiently on a regional basis and the facility meets the
25.24 criteria in paragraph ~~(e)~~ (d), ~~the second~~ clause (2). A transfer station eligible for assistance
25.25 under this paragraph is not eligible for assistance under any other paragraph of this
25.26 subdivision.

25.27 Sec. 35. Minnesota Statutes 2022, section 115A.918, subdivision 2, is amended to read:

25.28 Subd. 2. **Closure.** "Closure" means actions that will prevent, mitigate, or minimize the
25.29 threat to public health and the environment posed by a closed solid waste disposal facility
25.30 including application of final cover; grading and seeding of final cover; installation of an
25.31 adequate monitoring system, if necessary; and construction of ~~ground~~ groundwater and
25.32 surface water diversion structures.

26.1 Sec. 36. Minnesota Statutes 2022, section 116.07, subdivision 4a, is amended to read:

26.2 Subd. 4a. **Permits.** (a) The Pollution Control Agency may issue, continue in effect or
26.3 deny permits, under such conditions as it may prescribe for the prevention of pollution, for
26.4 the emission of air contaminants, or for the installation or operation of any emission facility,
26.5 air contaminant treatment facility, treatment facility, potential air contaminant storage
26.6 facility, or storage facility, or any part thereof, or for the sources or emissions of noise
26.7 pollution.

26.8 (b) The Pollution Control Agency may also issue, continue in effect or deny permits,
26.9 under such conditions as it may prescribe for the prevention of pollution, for the storage,
26.10 collection, transportation, processing, or disposal of waste, or for the installation or operation
26.11 of any system or facility, or any part thereof, related to the storage, collection, transportation,
26.12 processing, or disposal of waste.

26.13 (c) The agency may not issue a permit to a facility without analyzing and considering
26.14 the cumulative levels and effects of past and current environmental pollution from all sources
26.15 on the environment and residents of the geographic area within which the facility's emissions
26.16 are likely to be deposited, provided that the facility is located in a community in a city of
26.17 the first class in Hennepin County that meets all of the following conditions:

26.18 (1) is within a half mile of a site designated by the federal government as an EPA
26.19 superfund site due to residential arsenic contamination;

26.20 (2) a majority of the population are low-income persons of color and American Indians;

26.21 (3) a disproportionate percent of the children have childhood lead poisoning, asthma,
26.22 or other environmentally related health problems;

26.23 (4) is located in a city that has experienced numerous air quality alert days of dangerous
26.24 air quality for sensitive populations between February 2007 and February 2008; and

26.25 (5) is located near the junctions of several heavily trafficked state and county highways
26.26 and two one-way streets which carry both truck and auto traffic.

26.27 (d) The Pollution Control Agency may revoke or modify any permit issued under this
26.28 subdivision and section 116.081 whenever it is necessary, in the opinion of the agency, to
26.29 prevent or abate pollution.

26.30 (e) The Pollution Control Agency has the authority for approval over the siting, expansion,
26.31 or operation of a solid waste facility with regard to environmental issues. However, the
26.32 agency's issuance of a permit does not release the permittee from any liability, penalty, or
26.33 duty imposed by any applicable county ordinances. Nothing in this chapter precludes, or

27.1 shall be construed to preclude, a county from enforcing land use controls, regulations, and
27.2 ordinances existing at the time of the permit application and adopted pursuant to Minnesota
27.3 Statutes 2020, sections 366.10 to 366.181, or sections 394.21 to 394.37, or 462.351 to
27.4 462.365, with regard to the siting, expansion, or operation of a solid waste facility.

27.5 (f) Except as prohibited by federal law, a person may commence construction,
27.6 reconstruction, replacement, or modification of any facility prior to the issuance of a
27.7 construction permit by the agency.

27.8 Sec. 37. Minnesota Statutes 2022, section 116D.04, subdivision 5a, is amended to read:

27.9 Subd. 5a. **Rules.** The board shall, by January 1, 1981, promulgate rules in conformity
27.10 with this chapter and the provisions of chapter 15, establishing:

27.11 (1) the governmental unit which shall be responsible for environmental review of a
27.12 proposed action;

27.13 (2) the form and content of environmental assessment worksheets;

27.14 (3) a scoping process in conformance with subdivision 2a, paragraph ~~(g)~~ (h);

27.15 (4) a procedure for identifying during the scoping process the permits necessary for a
27.16 proposed action and a process for coordinating review of appropriate permits with the
27.17 preparation of the environmental impact statement;

27.18 (5) a standard format for environmental impact statements;

27.19 (6) standards for determining the alternatives to be discussed in an environmental impact
27.20 statement;

27.21 (7) alternative forms of environmental review which are acceptable pursuant to
27.22 subdivision 4a;

27.23 (8) a model ordinance which may be adopted and implemented by local governmental
27.24 units in lieu of the environmental impact statement process required by this section, providing
27.25 for an alternative form of environmental review where an action does not require a state
27.26 agency permit and is consistent with an applicable comprehensive plan. The model ordinance
27.27 shall provide for adequate consideration of appropriate alternatives, and shall ensure that
27.28 decisions are made in accordance with the policies and purposes of Laws 1980, chapter
27.29 447;

27.30 (9) procedures to reduce paperwork and delay through intergovernmental cooperation
27.31 and the elimination of unnecessary duplication of environmental reviews;

28.1 (10) procedures for expediting the selection of consultants by the governmental unit
28.2 responsible for the preparation of an environmental impact statement; and

28.3 (11) any additional rules which are reasonably necessary to carry out the requirements
28.4 of this section.

28.5 Sec. 38. Minnesota Statutes 2022, section 119B.011, subdivision 20, is amended to read:

28.6 Subd. 20. **Transition year families.** "Transition year families" means families who have
28.7 received MFIP assistance, ~~or~~ who were eligible to receive MFIP assistance after choosing
28.8 to discontinue receipt of the cash portion of MFIP assistance under section 256J.31,
28.9 subdivision 12, or families who have received DWP assistance under section 256J.95 for
28.10 at least one of the last six months before losing eligibility for MFIP or DWP. Notwithstanding
28.11 Minnesota Rules, parts 3400.0040, subpart 10, and 3400.0090, subpart 2, transition year
28.12 child care may be used to support employment, approved education or training programs,
28.13 or job search that meets the requirements of section 119B.10. Transition year child care is
28.14 not available to families who have been disqualified from MFIP or DWP due to fraud.

28.15 Sec. 39. Minnesota Statutes 2022, section 119B.03, subdivision 3, is amended to read:

28.16 Subd. 3. **Eligible participants.** Families that meet the eligibility requirements under
28.17 sections 119B.09 and 119B.10, except MFIP participants, diversionary work program
28.18 participants, and transition year families, are eligible for child care assistance under the
28.19 basic sliding fee program. Families enrolled in the basic sliding fee program shall be
28.20 continued until they are no longer eligible. Child care assistance provided through the child
28.21 care fund is considered assistance to the parent.

28.22 Sec. 40. Minnesota Statutes 2022, section 119B.13, subdivision 3a, is amended to read:

28.23 Subd. 3a. **Provider rate differential for accreditation.** A family child care provider
28.24 or child care center shall be paid a 15 percent differential above the maximum rate established
28.25 in subdivision 1, up to the actual provider rate, if the provider or center holds a current early
28.26 childhood development credential or is accredited. For a family child care provider, early
28.27 childhood development credential and accreditation includes an individual who has earned
28.28 a child development associate degree, a child development associate credential, a diploma
28.29 in child development from a Minnesota state technical college, or a bachelor's or post
28.30 baccalaureate degree in early childhood education from an accredited college or university,
28.31 or who is accredited by the National Association for Family Child Care or the Competency
28.32 Based Training and Assessment Program. For a child care center, accreditation includes

29.1 accreditation that meets the following criteria: the accrediting organization must demonstrate
29.2 the use of standards that promote the physical, social, emotional, and cognitive development
29.3 of children. The accreditation standards shall include, but are not limited to, positive
29.4 interactions between adults and children, age-appropriate learning activities, a system of
29.5 tracking children's learning, use of assessment to meet children's needs, specific qualifications
29.6 for staff, a learning environment that supports developmentally appropriate experiences for
29.7 children, health and safety requirements, and family engagement strategies. Based on an
29.8 application process developed by the commissioner in conjunction with the commissioners
29.9 of education and health, the Department of Human Services must accept applications from
29.10 accrediting organizations ~~beginning on July 1, 2013, and~~ on an annual basis ~~thereafter~~. The
29.11 provider rate differential shall be paid to centers holding an accreditation from an approved
29.12 accrediting organization beginning on a billing cycle to be determined by the commissioner,
29.13 no later than the last Monday in February of a calendar year. The commissioner shall annually
29.14 publish a list of approved accrediting organizations. An approved accreditation must be
29.15 reassessed by the commissioner every two years. If an approved accrediting organization
29.16 is determined to no longer meet the approval criteria, the organization and centers being
29.17 paid the differential under that accreditation must be given a 90-day notice by the
29.18 commissioner and the differential payment must end after a 15-day notice to affected families
29.19 and centers as directed in Minnesota Rules, part 3400.0185, subparts 3 and 4. The following
29.20 accreditations shall be recognized for the provider rate differential until an approval process
29.21 is implemented: the National Association for the Education of Young Children, the Council
29.22 on Accreditation, the National Early Childhood Program Accreditation, the National
29.23 School-Age Care Association, or the National Head Start Association Program of Excellence.
29.24 For Montessori programs, accreditation includes the American Montessori Society,
29.25 Association of Montessori International-USA, or the National Center for Montessori
29.26 Education.

29.27 Sec. 41. Minnesota Statutes 2022, section 119B.13, subdivision 6, is amended to read:

29.28 Subd. 6. **Provider payments.** (a) A provider shall bill only for services documented
29.29 according to section 119B.125, subdivision 6. The provider shall bill for services provided
29.30 within ten days of the end of the service period. Payments under the child care fund shall
29.31 be made within 21 days of receiving a complete bill from the provider. Counties or the state
29.32 may establish policies that make payments on a more frequent basis.

29.33 (b) If a provider has received an authorization of care and been issued a billing form for
29.34 an eligible family, the bill must be submitted within 60 days of the last date of service on
29.35 the bill. A bill submitted more than 60 days after the last date of service must be paid if the

30.1 county determines that the provider has shown good cause why the bill was not submitted
30.2 within 60 days. Good cause must be defined in the county's child care fund plan under
30.3 section 119B.08, subdivision 3, and the definition of good cause must include county error.
30.4 Any bill submitted more than a year after the last date of service on the bill must not be
30.5 paid.

30.6 (c) If a provider provided care for a time period without receiving an authorization of
30.7 care and a billing form for an eligible family, payment of child care assistance may only be
30.8 made retroactively for a maximum of three months from the date the provider is issued an
30.9 authorization of care and a billing form. For a family at application, if a provider provided
30.10 child care during a time period without receiving an authorization of care and a billing form,
30.11 a county may only make child care assistance payments to the provider retroactively from
30.12 the date that child care began, or from the date that the family's eligibility began under
30.13 section 119B.09, subdivision 7, or from the date that the family meets authorization
30.14 requirements, not to exceed six months from the date that the provider is issued an
30.15 authorization of care and a billing form, whichever is later.

30.16 (d) A county or the commissioner may refuse to issue a child care authorization to a
30.17 certified, licensed, or legal nonlicensed provider; revoke an existing child care authorization
30.18 to a certified, licensed, or legal nonlicensed provider; stop payment issued to a certified,
30.19 licensed, or legal nonlicensed provider; or refuse to pay a bill submitted by a certified,
30.20 licensed, or legal nonlicensed provider if:

30.21 (1) the provider admits to intentionally giving the county materially false information
30.22 on the provider's billing forms;

30.23 (2) a county or the commissioner finds by a preponderance of the evidence that the
30.24 provider intentionally gave the county materially false information on the provider's billing
30.25 forms, or provided false attendance records to a county or the commissioner;

30.26 (3) the provider is in violation of child care assistance program rules, until the agency
30.27 determines those violations have been corrected;

30.28 (4) the provider is operating after:

30.29 (i) an order of suspension of the provider's license issued by the commissioner;

30.30 (ii) an order of revocation of the provider's license issued by the commissioner; or

30.31 (iii) an order of decertification issued to the provider;

30.32 (5) the provider submits false attendance reports or refuses to provide documentation
30.33 of the child's attendance upon request;

31.1 (6) the provider gives false child care price information; or

31.2 (7) the provider fails to report decreases in a child's attendance as required under section
31.3 119B.125, subdivision 9.

31.4 (e) For purposes of paragraph (d), clauses (3), (5), (6), and (7), the county or the
31.5 commissioner may withhold the provider's authorization or payment for a period of time
31.6 not to exceed three months beyond the time the condition has been corrected.

31.7 (f) A county's payment policies must be included in the county's child care plan under
31.8 section 119B.08, subdivision 3. If payments are made by the state, in addition to being in
31.9 compliance with this subdivision, the payments must be made in compliance with section
31.10 16A.124.

31.11 (g) If the commissioner or responsible county agency suspends or refuses payment to a
31.12 provider under paragraph (d), clause (1) or (2), or chapter 245E and the provider has:

31.13 (1) a disqualification for wrongfully obtaining assistance under section 256.98,
31.14 subdivision 8, paragraph (c);

31.15 (2) an administrative disqualification under section 256.046, subdivision 3; or

31.16 (3) a termination under section 245E.02, subdivision 4, paragraph (c), clause (4), or
31.17 245E.06;

31.18 then the provider forfeits the payment to the commissioner or the responsible county agency,
31.19 regardless of the amount assessed in an overpayment, charged in a criminal complaint, or
31.20 ordered as criminal restitution.

31.21 Sec. 42. Minnesota Statutes 2022, section 122A.20, subdivision 2, is amended to read:

31.22 Subd. 2. **Mandatory reporting.** (a) A school board, superintendent, charter school
31.23 board, charter school executive director, or charter school authorizer must report to the
31.24 Professional Educator Licensing and Standards Board, the Board of School Administrators,
31.25 or the Board of Trustees of the Minnesota State Colleges and Universities, whichever has
31.26 jurisdiction over the teacher's or administrator's license, when its teacher or administrator
31.27 is discharged or resigns from employment after a charge is filed with the school board under
31.28 section 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7, or after
31.29 charges are filed that are grounds for discharge under section 122A.40, subdivision 13,
31.30 paragraph (a), clauses (1) to (5), or when a teacher or administrator is suspended or resigns
31.31 while an investigation is pending under section 122A.40, subdivision 13, paragraph (a),
31.32 clauses (1) to (5), or chapter 260E; or 122A.41, subdivisions 6, clauses (1), (2), and (3),

32.1 and 7; or when a teacher or administrator is suspended without an investigation under section
32.2 122A.41, subdivisions 6, paragraph (a), clauses (1), (2), and (3), and 7, or chapter 260E.
32.3 The report must be made to the appropriate licensing board within ten days after the
32.4 discharge, suspension, or resignation has occurred. The licensing board to which the report
32.5 is made must investigate the report for violation of subdivision 1 and the reporting board,
32.6 administrator, or authorizer must cooperate in the investigation. Notwithstanding any
32.7 provision in chapter 13 or any law to the contrary, upon written request from the licensing
32.8 board having jurisdiction over the license, a board, charter school, authorizer, charter school
32.9 executive director, or school superintendent shall provide the licensing board with information
32.10 about the teacher or administrator from the district's files, any termination or disciplinary
32.11 proceeding, any settlement or compromise, or any investigative file. Upon written request
32.12 from the appropriate licensing board, a board or school superintendent may, at the discretion
32.13 of the board or school superintendent, solicit the written consent of a student and the student's
32.14 parent to provide the licensing board with information that may aid the licensing board in
32.15 its investigation and license proceedings. The licensing board's request need not identify a
32.16 student or parent by name. The consent of the student and the student's parent must meet
32.17 the requirements of chapter 13 and Code of Federal Regulations, title 34, section 99.30.
32.18 The licensing board may provide a consent form to the district. Any data transmitted to any
32.19 board under this section is private data under section 13.02, subdivision 12, notwithstanding
32.20 any other classification of the data when it was in the possession of any other agency.

32.21 (b) The licensing board to which a report is made must transmit to the Attorney General's
32.22 Office any record or data it receives under this subdivision for the sole purpose of having
32.23 the Attorney General's Office assist that board in its investigation. When the Attorney
32.24 General's Office has informed an employee of the appropriate licensing board in writing
32.25 that grounds exist to suspend or revoke a teacher's license to teach, that licensing board
32.26 must consider suspending or revoking or decline to suspend or revoke the teacher's or
32.27 administrator's license within 45 days of receiving a stipulation executed by the teacher or
32.28 administrator under investigation or a recommendation from an administrative law judge
32.29 that disciplinary action be taken.

32.30 (c) The Professional Educator Licensing and Standards Board and Board of School
32.31 Administrators must report to the appropriate law enforcement authorities a revocation,
32.32 suspension, or agreement involving a loss of license, relating to a teacher or administrator's
32.33 inappropriate sexual conduct with a minor. For purposes of this section, "law enforcement
32.34 authority" means a police department, county sheriff, or tribal police department. A report
32.35 by the Professional Educator Licensing and Standards Board to appropriate law enforcement

33.1 authorities does not diminish, modify, or otherwise affect the responsibilities of a school
33.2 board or any person mandated to report abuse under chapter 260E.

33.3 Sec. 43. Minnesota Statutes 2022, section 124D.19, subdivision 3, is amended to read:

33.4 Subd. 3. **Community education director.** (a) Except as provided under paragraphs (b)
33.5 and (c), each board shall employ a licensed community education director. The board shall
33.6 submit the name of the person who is serving as director of community education under
33.7 this section on the district's annual community education report to the commissioner.

33.8 (b) A board may apply to the Minnesota Board of School Administrators under Minnesota
33.9 Rules, part ~~3512.0505, subpart 9~~ 3512.5300, subpart 11, for authority to use an individual
33.10 who is not licensed as a community education director.

33.11 (c) A board of a district with a total population of 6,000 or less may identify an employee
33.12 who holds a valid superintendent license under Minnesota Rules, chapter 3512, to serve as
33.13 director of community education. To be eligible for an exception under this paragraph, the
33.14 board shall certify in writing to the commissioner that the district has not placed a licensed
33.15 director of community education on unrequested leave. A principal serving as a community
33.16 education director under this paragraph on June 1, 2011, may continue to serve in that
33.17 capacity.

33.18 Sec. 44. Minnesota Statutes 2022, section 124D.68, subdivision 3, is amended to read:

33.19 Subd. 3. **Eligible programs.** (a) A pupil who is eligible according to subdivision 2 may
33.20 enroll in a state-approved alternative program under sections 123A.05 to 123A.08.

33.21 (b) A pupil who is eligible according to subdivision 2 and who is a high school junior
33.22 or senior may enroll in postsecondary courses under section 124D.09.

33.23 (c) A pupil who is eligible under subdivision 2, may enroll in any public elementary or
33.24 secondary education program.

33.25 (d) A pupil who is eligible under subdivision 2, may enroll in any nonpublic, nonsectarian
33.26 school that has contracted with the serving school district to provide educational services.
33.27 However, notwithstanding other provisions of this section, only a pupil who is eligible under
33.28 subdivision 2, paragraph (a), clause (12), may enroll in a contract alternative school that is
33.29 specifically structured to provide educational services to such a pupil.

33.30 (e) A pupil who is between the ages of 16 and 21 may enroll in any adult basic education
33.31 programs approved under section 124D.52 and operated under the community education
33.32 program contained in section 124D.19.

34.1 Sec. 45. Minnesota Statutes 2022, section 125A.02, subdivision 1, is amended to read:

34.2 Subdivision 1. **Child with a disability.** "Child with a disability" means a child identified
34.3 under federal and state special education law as deaf or hard-of-hearing, blind or visually
34.4 impaired, deafblind, or having a speech or language impairment, a physical impairment,
34.5 other health disability, developmental cognitive disability, an emotional or behavioral
34.6 disorder, specific learning disability, autism spectrum disorder, traumatic brain injury, or
34.7 severe multiple impairments, and who needs special education and related services, as
34.8 determined by the rules of the commissioner. A licensed physician, an advanced practice
34.9 registered nurse, a physician assistant, or a licensed psychologist is qualified to make a
34.10 diagnosis and determination of attention deficit disorder or attention deficit hyperactivity
34.11 disorder for purposes of identifying a child with a disability.

34.12 Sec. 46. Minnesota Statutes 2022, section 144.55, subdivision 2, is amended to read:

34.13 Subd. 2. **Definitions.** (a) For the purposes of this section, the terms in this subdivision
34.14 have the meanings given them.

34.15 (b) "Outpatient surgical center" or "center" means a facility organized for the specific
34.16 purpose of providing elective outpatient surgery for preexamined, prediagnosed, low-risk
34.17 patients. An outpatient surgical center is not organized to provide regular emergency medical
34.18 services and does not include a physician's, advanced practice registered nurse's, physician
34.19 assistant's, or dentist's office or clinic for the practice of medicine, the practice of dentistry,
34.20 or the delivery of primary care.

34.21 (c) "Approved accrediting organization" means any organization recognized as an
34.22 accreditation organization by the Centers for Medicare and Medicaid Services.

34.23 Sec. 47. Minnesota Statutes 2022, section 144.608, subdivision 1, is amended to read:

34.24 Subdivision 1. **Trauma Advisory Council established.** (a) A Trauma Advisory Council
34.25 is established to advise, consult with, and make recommendations to the commissioner on
34.26 the development, maintenance, and improvement of a statewide trauma system.

34.27 (b) The council shall consist of the following members:

34.28 (1) a trauma surgeon certified by the American Board of Surgery or the American
34.29 Osteopathic Board of Surgery who practices in a level I or II trauma hospital;

34.30 (2) a general surgeon certified by the American Board of Surgery or the American
34.31 Osteopathic Board of Surgery whose practice includes trauma and who practices in a
34.32 designated rural area as defined under section 144.1501, subdivision 1, paragraph ~~(e)~~ (f);

35.1 (3) a neurosurgeon certified by the American Board of Neurological Surgery who
35.2 practices in a level I or II trauma hospital;

35.3 (4) a trauma program nurse manager or coordinator practicing in a level I or II trauma
35.4 hospital;

35.5 (5) an emergency physician certified by the American Board of Emergency Medicine
35.6 or the American Osteopathic Board of Emergency Medicine whose practice includes
35.7 emergency room care in a level I, II, III, or IV trauma hospital;

35.8 (6) a trauma program manager or coordinator who practices in a level III or IV trauma
35.9 hospital;

35.10 (7) a physician certified by the American Board of Family Medicine or the American
35.11 Osteopathic Board of Family Practice whose practice includes emergency department care
35.12 in a level III or IV trauma hospital located in a designated rural area as defined under section
35.13 144.1501, subdivision 1, paragraph ~~(e)~~ (f);

35.14 (8) a nurse practitioner, as defined under section 144.1501, subdivision 1, paragraph ~~(t)~~
35.15 (m), or a physician assistant, as defined under section 144.1501, subdivision 1, paragraph
35.16 ~~(o)~~ (p), whose practice includes emergency room care in a level IV trauma hospital located
35.17 in a designated rural area as defined under section 144.1501, subdivision 1, paragraph ~~(e)~~
35.18 (f);

35.19 (9) a physician certified in pediatric emergency medicine by the American Board of
35.20 Pediatrics or certified in pediatric emergency medicine by the American Board of Emergency
35.21 Medicine or certified by the American Osteopathic Board of Pediatrics whose practice
35.22 primarily includes emergency department medical care in a level I, II, III, or IV trauma
35.23 hospital, or a surgeon certified in pediatric surgery by the American Board of Surgery whose
35.24 practice involves the care of pediatric trauma patients in a trauma hospital;

35.25 (10) an orthopedic surgeon certified by the American Board of Orthopaedic Surgery or
35.26 the American Osteopathic Board of Orthopedic Surgery whose practice includes trauma
35.27 and who practices in a level I, II, or III trauma hospital;

35.28 (11) the state emergency medical services medical director appointed by the Emergency
35.29 Medical Services Regulatory Board;

35.30 (12) a hospital administrator of a level III or IV trauma hospital located in a designated
35.31 rural area as defined under section 144.1501, subdivision 1, paragraph ~~(e)~~ (f);

36.1 (13) a rehabilitation specialist whose practice includes rehabilitation of patients with
36.2 major trauma injuries or traumatic brain injuries and spinal cord injuries as defined under
36.3 section 144.661;

36.4 (14) an attendant or ambulance director who is an EMT, ~~EMT-I~~ AEMT, or ~~EMT-P~~
36.5 paramedic within the meaning of section 144E.001 and who actively practices with a licensed
36.6 ambulance service in a primary service area located in a designated rural area as defined
36.7 under section 144.1501, subdivision 1, paragraph ~~(e)~~ (f); and

36.8 (15) the commissioner of public safety or the commissioner's designee.

36.9 Sec. 48. Minnesota Statutes 2022, section 144A.471, subdivision 7, is amended to read:

36.10 Subd. 7. **Comprehensive home care license provider.** Home care services that may
36.11 be provided with a comprehensive home care license include any of the basic home care
36.12 services listed in subdivision 6, and one or more of the following:

36.13 (1) services of an advanced practice registered nurse, physician assistant, registered
36.14 nurse, licensed practical nurse, physical therapist, respiratory therapist, occupational therapist,
36.15 speech-language pathologist, dietitian or nutritionist, or social worker;

36.16 (2) tasks delegated to unlicensed personnel by a registered nurse or assigned by a licensed
36.17 health professional within the person's scope of practice;

36.18 (3) medication management services;

36.19 (4) hands-on assistance with transfers and mobility;

36.20 (5) treatment and therapies;

36.21 (6) assisting clients with eating when the clients have complicating eating problems as
36.22 identified in the client record or through an assessment such as difficulty swallowing,
36.23 recurrent lung aspirations, or requiring the use of a tube or parenteral or intravenous
36.24 instruments to be fed; or

36.25 (7) providing other complex or specialty health care services.

36.26 Sec. 49. Minnesota Statutes 2022, section 147A.09, subdivision 2, is amended to read:

36.27 Subd. 2. **Patient services.** Patient services may include, but are not limited to, the
36.28 following:

36.29 (1) taking patient histories and developing medical status reports;

36.30 (2) performing physical examinations;

- 37.1 (3) interpreting and evaluating patient data;
- 37.2 (4) ordering, performing, or reviewing diagnostic procedures, including the use of
37.3 radiographic imaging systems in compliance with Minnesota Rules 2007, chapter 4732, but
37.4 excluding interpreting computed tomography scans, magnetic resonance imaging scans,
37.5 positron emission tomography scans, nuclear scans, and mammography;
- 37.6 (5) ordering or performing therapeutic procedures including the use of ionizing radiation
37.7 in compliance with Minnesota Rules 2007, chapter 4732;
- 37.8 (6) providing instructions regarding patient care, disease prevention, and health
37.9 promotion;
- 37.10 (7) providing patient care in the home and in health care facilities;
- 37.11 (8) creating and maintaining appropriate patient records;
- 37.12 (9) transmitting or executing specific orders;
- 37.13 (10) prescribing, administering, and dispensing drugs, controlled substances, and medical
37.14 devices, including administering local anesthetics, but excluding anesthetics injected in
37.15 connection with an operating room procedure, inhaled anesthesia, and spinal anesthesia;
- 37.16 (11) functioning as an emergency medical technician with permission of the ambulance
37.17 service and in compliance with section 144E.127, and ambulance service rules adopted by
37.18 the commissioner of health;
- 37.19 (12) initiating evaluation and treatment procedures essential to providing an appropriate
37.20 response to emergency situations;
- 37.21 (13) certifying a patient's eligibility for a disability parking certificate under section
37.22 169.345, subdivision 2;
- 37.23 (14) assisting at surgery; and
- 37.24 (15) providing medical authorization for admission for emergency care and treatment
37.25 of a patient under section ~~253B.05, subdivision 2~~ 253B.051, subdivision 1.
- 37.26 Sec. 50. Minnesota Statutes 2022, section 147D.27, subdivision 6, is amended to read:
- 37.27 Subd. 6. **Additional Other fees.** (a) ~~The following fees also apply~~ The board may also
37.28 charge the following nonrefundable fees:
- 37.29 (1) traditional midwifery annual registration fee, \$100;
- 37.30 (2) traditional midwifery application fee, \$100;

- 38.1 (3) traditional midwifery late fee, \$75;
- 38.2 (4) traditional midwifery inactive status fee, \$50;
- 38.3 (5) traditional midwifery temporary permit fee, \$75;
- 38.4 (6) traditional midwifery certification fee, \$25;
- 38.5 (7) duplicate license or registration fee, \$20;
- 38.6 (8) certification letter fee, \$25;
- 38.7 (9) education or training program approval fee, \$100; ~~and~~
- 38.8 (10) report creation and generation fee, \$60 per hour billed in quarter-hour increments
- 38.9 with a quarter-hour minimum-; and
- 38.10 (11) verification fee, \$25.

38.11 (b) The revenue generated from the fees must be deposited in an account in the state

38.12 government special revenue fund.

38.13 Sec. 51. Minnesota Statutes 2022, section 148.211, subdivision 1a, is amended to read:

38.14 Subd. 1a. **Advanced practice registered nurse licensure.** (a) No advanced practice

38.15 registered nurse shall practice as an advanced practice registered nurse unless the advanced

38.16 practice registered nurse is licensed by the board under this section.

38.17 (b) An applicant for a license to practice as an advanced practice registered nurse (APRN)

38.18 shall apply to the board in a format prescribed by the board and pay a fee in an amount

38.19 determined under section 148.243.

38.20 (c) To be eligible for licensure an applicant:

38.21 (1) must hold a current Minnesota professional nursing license or demonstrate eligibility

38.22 for licensure as a registered nurse in this state;

38.23 (2) must not hold an encumbered license as a registered nurse in any state or territory;

38.24 (3)(i) must have completed a graduate level APRN program accredited by a nursing or

38.25 nursing-related accrediting body that is recognized by the United States Secretary of

38.26 Education or the Council for Higher Education Accreditation as acceptable to the board.

38.27 The education must be in one of the four APRN roles for at least one population focus. For

38.28 APRN programs completed on or after January 1, 2016, the program must include at least

38.29 one graduate-level course in each of the following areas: advanced physiology and

39.1 pathophysiology; advanced health assessment; and pharmacokinetics and
39.2 pharmacotherapeutics of all broad categories of agents; or

39.3 (ii) must demonstrate compliance with the advanced practice registered nursing
39.4 educational requirements that were in effect in Minnesota at the time the applicant completed
39.5 the advanced practice registered nursing education program;

39.6 (4) must be currently certified by a national certifying body recognized by the board in
39.7 the APRN role and population foci appropriate to educational preparation;

39.8 (5) must report any criminal conviction, nolo contendere plea, Alford plea, or other plea
39.9 arrangement in lieu of conviction; and

39.10 (6) must not have committed any acts or omissions which are grounds for disciplinary
39.11 action in another jurisdiction or, if these acts have been committed and would be grounds
39.12 for disciplinary action as set forth in section 148.261, the board has found, after investigation,
39.13 that sufficient restitution has been made.

39.14 Sec. 52. Minnesota Statutes 2022, section 148.724, subdivision 1, is amended to read:

39.15 Subdivision 1. **National test.** All applicants for licensure as a physical therapist assistant
39.16 must take and pass the National Physical Therapy Examination (NPTE) for physical therapist
39.17 assistants administered by the Federation of State Boards of Physical Therapy (FSBPT) or
39.18 an alternate national examination determined by the board to be equivalent. For purposes
39.19 of this section, passing scores are defined in subdivisions 2 ~~to 4~~ and 3.

39.20 Sec. 53. Minnesota Statutes 2022, section 148B.06, subdivision 2, is amended to read:

39.21 Subd. 2. **Hearing.** In lieu of the notice and hearing requirements of section ~~148B.175~~
39.22 148B.371, when a licensee or applicant is required to obtain a clearance certificate under
39.23 this subdivision, a contested case hearing must be held if the licensee or applicant requests
39.24 a hearing in writing to the commissioner of revenue within 30 days of the date of the notice
39.25 required in subdivision 1. The hearing must be held within 45 days of the date the
39.26 commissioner of revenue refers the case to the Office of Administrative Hearings.
39.27 Notwithstanding any other law, the licensee or applicant must be served with 20 days' notice
39.28 in writing specifying the time and place of the hearing and the allegations against the licensee
39.29 or applicant. The notice may be served personally or by mail.

40.1 Sec. 54. Minnesota Statutes 2022, section 148B.5301, subdivision 1, is amended to read:

40.2 Subdivision 1. **General requirements.** (a) To be licensed as a licensed professional
40.3 clinical counselor (LPCC), an applicant must provide satisfactory evidence to the board
40.4 that the applicant:

40.5 (1) is at least 18 years of age;

40.6 (2) is of good moral character;

40.7 (3) has completed a master's or doctoral degree program in counseling or a related field,
40.8 as determined by the board based on the criteria in items (i) to (x), that includes a minimum
40.9 of 48 semester hours or 72 quarter hours and a supervised field experience in counseling
40.10 that is not fewer than 700 hours. The degree must be from a counseling program recognized
40.11 by the Council for Accreditation of Counseling and Related Education Programs (CACREP)
40.12 or from an institution of higher education that is accredited by a regional accrediting
40.13 organization recognized by the Council for Higher Education Accreditation (CHEA). Specific
40.14 academic course content and training must include coursework in each of the following
40.15 subject areas:

40.16 (i) helping relationship, including counseling theory and practice;

40.17 (ii) human growth and development;

40.18 (iii) lifestyle and career development;

40.19 (iv) group dynamics, processes, counseling, and consulting;

40.20 (v) assessment and appraisal;

40.21 (vi) social and cultural foundations, including multicultural issues;

40.22 (vii) principles of etiology, treatment planning, and prevention of mental and emotional
40.23 disorders and dysfunctional behavior;

40.24 (viii) family counseling and therapy;

40.25 (ix) research and evaluation; and

40.26 (x) professional counseling orientation and ethics;

40.27 (4) has demonstrated competence in professional counseling by passing the National
40.28 Clinical Mental Health Counseling Examination (NCMHCE), administered by the National
40.29 Board for Certified Counselors, Inc. (NBCC) and ethical, oral, and situational examinations
40.30 as prescribed by the board;

41.1 (5) has earned graduate-level semester credits or quarter-credit equivalents in the
41.2 following clinical content areas ~~as follows~~:

41.3 (i) six credits in diagnostic assessment for child or adult mental disorders; normative
41.4 development; and psychopathology, including developmental psychopathology;

41.5 (ii) three credits in clinical treatment planning, with measurable goals;

41.6 (iii) six credits in clinical intervention methods informed by research evidence and
41.7 community standards of practice;

41.8 (iv) three credits in evaluation methodologies regarding the effectiveness of interventions;

41.9 (v) three credits in professional ethics applied to clinical practice; and

41.10 (vi) three credits in cultural diversity; and

41.11 (6) has demonstrated successful completion of 4,000 hours of supervised, post-master's
41.12 degree professional practice in the delivery of clinical services in the diagnosis and treatment
41.13 of child and adult mental illnesses and disorders, conducted according to subdivision 2.

41.14 (b) If coursework in paragraph (a) was not completed as part of the degree program
41.15 required by paragraph (a), clause (3), the coursework must be taken and passed for credit,
41.16 and must be earned from a counseling program or institution that meets the requirements
41.17 of paragraph (a), clause (3).

41.18 Sec. 55. Minnesota Statutes 2022, section 148E.130, subdivision 1a, is amended to read:

41.19 Subd. 1a. **Increased clock hours required effective August 1, 2011.** (a) Notwithstanding
41.20 the requirements in subdivision 8, the clock hours specified in ~~subdivisions~~ subdivision 1
41.21 ~~and 4 to 6~~ apply to all new licenses issued effective August 1, 2011, under section 148E.055.

41.22 (b) Any licensee issued a license prior to August 1, 2011, under Minnesota Statutes
41.23 2010, section 148D.055, must comply with the increased clock hours in ~~subdivisions~~
41.24 subdivision 1 and 4 to 6, and must document the clock hours at the first two-year renewal
41.25 term after August 1, 2011.

41.26 Sec. 56. Minnesota Statutes 2022, section 160.10, subdivision 8, is amended to read:

41.27 Subd. 8. **Section construction.** Nothing in this section shall be construed to limit the
41.28 power of any road authority including road authorities of cities to vacate a road by or under
41.29 any other provision of law. Nothing herein shall affect contractual rights or obligations in
41.30 existence as of ~~the date of the passage of this section~~ July 1, 1959, between the road authority
41.31 and the owner or lessee of mining lands.

42.1 Sec. 57. Minnesota Statutes 2022, section 161.14, subdivision 89, is amended to read:

42.2 Subd. 89. **Captain Jeffrey Vollmer Memorial Highway.** That segment of marked
42.3 Trunk Highway 25 from marked Trunk Highway 7 to Carver County ~~Road~~ State-Aid
42.4 Highway 30 is designated as "Captain Jeffrey Vollmer Memorial Highway." Subject to
42.5 section 161.139, the commissioner must adopt a suitable design to mark this highway and
42.6 erect appropriate signs.

42.7 Sec. 58. Minnesota Statutes 2022, section 167.60, is amended to read:

42.8 **167.60 DEBT-FINANCING MANAGEMENT POLICY.**

42.9 (a) ~~By July 1, 2010,~~ The commissioner shall develop a debt-financing management
42.10 policy for trunk highway bonds, federal advanced construction funds, and other forms of
42.11 highway financing based on debt or future repayment. The policy must be used by the
42.12 department to guide decision making related to debt financing. The commissioner may
42.13 update the policy as necessary. In developing and updating the policy, the commissioner
42.14 shall consult with the commissioner of management and budget and the chairs and ranking
42.15 minority members of the ~~senate and house of representatives~~ legislative committees with
42.16 jurisdiction over transportation finance.

42.17 (b) The debt-financing management policy must address relevant financial issues,
42.18 including, but not limited to:

42.19 (1) limits on cumulative amounts of debt for the trunk highway system from all state
42.20 and federal sources;

42.21 (2) eligibility of projects for debt-financing funds;

42.22 (3) allocation and use of funds;

42.23 (4) terms of debt service and methods of repayment;

42.24 (5) management of trunk highway fund balance impacts; and

42.25 (6) mitigation of risks from different forms of debt financing.

42.26 (c) Upon creation or formal revision of the debt-financing management policy, the
42.27 commissioner shall distribute electronic copies to the members of the ~~senate and house of~~
42.28 ~~representatives~~ legislative committees with jurisdiction over transportation finance, and as
42.29 required for reports to the legislature under section 3.195, subdivision 1.

43.1 Sec. 59. Minnesota Statutes 2022, section 168.013, subdivision 1a, is amended to read:

43.2 Subd. 1a. **Passenger automobile; hearse.** (a) On passenger automobiles as defined in
43.3 section 168.002, subdivision 24, and hearses, except as otherwise provided, the registration
43.4 tax is calculated as \$10 plus:

43.5 (1) for a vehicle initially registered in Minnesota prior to November 16, 2020, 1.25
43.6 percent of the manufacturer's suggested retail price of the vehicle and the destination charge,
43.7 subject to the adjustments in paragraphs (e) and (f) ~~and (g)~~; or

43.8 (2) for a vehicle initially registered in Minnesota on or after November 16, 2020, 1.285
43.9 percent of the manufacturer's suggested retail price of the vehicle, subject to the adjustments
43.10 in paragraphs (e) and (f) ~~and (g)~~.

43.11 (b) The registration tax calculation must not include the cost of each accessory or item
43.12 of optional equipment separately added to the vehicle and the manufacturer's suggested
43.13 retail price. The registration tax calculation must not include a destination charge, except
43.14 for a vehicle previously registered in Minnesota prior to November 16, 2020.

43.15 ~~(e) In the case of the first registration of a new vehicle sold or leased by a licensed dealer,
43.16 the dealer may elect to individually determine the registration tax on the vehicle using
43.17 manufacturer's suggested retail price information provided by the manufacturer. The registrar
43.18 must use the manufacturer's suggested retail price determined by the dealer as provided in
43.19 paragraph (d). A dealer that elects to make the determination must retain a copy of the
43.20 manufacturer's suggested retail price label or other supporting documentation with the
43.21 vehicle transaction records maintained under Minnesota Rules, part 7400.5200.~~

43.22 ~~(d)~~ (c) The registrar must determine the manufacturer's suggested retail price:

43.23 (1) using list price information published by the manufacturer or any nationally
43.24 recognized firm or association compiling such data for the automotive industry;

43.25 ~~(2) if the list price information is unavailable, using the amount determined by a licensed
43.26 dealer under paragraph (e);~~

43.27 ~~(3)~~ (2) if a dealer does not determine the amount, using the retail price label as provided
43.28 by the manufacturer under United States Code, title 15, section 1232; or

43.29 ~~(4)~~ (3) if the retail price label is not available, using the actual sales price of the vehicle.

43.30 If the registrar is unable to ascertain the manufacturer's suggested retail price of any registered
43.31 vehicle in the foregoing manner, the registrar may use any other available source or method.

44.1 (e) (d) The registrar must calculate the registration tax using information available to
 44.2 dealers and deputy registrars at the time the initial application for registration is submitted.

44.3 (f) (e) The amount under paragraph (a), clauses (1) and (2), must be calculated based
 44.4 on a percentage of the manufacturer's suggested retail price, as follows: during the first year
 44.5 of vehicle life, upon 100 percent of the price; for the second year, 90 percent of the price;
 44.6 for the third year, 80 percent of the price; for the fourth year, 70 percent of the price; for
 44.7 the fifth year, 60 percent of the price; for the sixth year, 50 percent of the price; for the
 44.8 seventh year, 40 percent of the price; for the eighth year, 30 percent of the price; for the
 44.9 ninth year, 20 percent of the price; and for the tenth year, ten percent of the price.

44.10 (g) (f) For the 11th and each succeeding year, the amount under paragraph (a), clauses
 44.11 (1) and (2), must be calculated as \$25.

44.12 (h) (g) Except as provided in subdivision 23, for any vehicle previously registered in
 44.13 Minnesota and regardless of prior ownership, the total amount due under this subdivision
 44.14 and subdivision 1m must not exceed the smallest total amount previously paid or due on
 44.15 the vehicle.

44.16 Sec. 60. Minnesota Statutes 2022, section 168.013, subdivision 1e, is amended to read:

44.17 Subd. 1e. **Truck; tractor; combination; exceptions.** (a) On trucks and tractors except
 44.18 those in this chapter defined as farm trucks, and on truck-tractor and semitrailer combinations
 44.19 except those defined as farm combinations, ~~and on commercial zone vehicles,~~ the tax based
 44.20 on total gross weight shall be graduated according to the Minnesota base rate schedule
 44.21 prescribed in this subdivision, but in no event less than \$120.

44.22 Minnesota Base Rate Schedule

44.23 Scheduled taxes include five percent

44.24 surtax provided for in subdivision 14

44.25	TOTAL GROSS WEIGHT IN POUNDS				TAX
44.26	A	0	-	1,500	\$ 15
44.27	B	1,501	-	3,000	20
44.28	C	3,001	-	4,500	25
44.29	D	4,501	-	6,000	35
44.30	E	6,001	-	10,000	45
44.31	F	10,001	-	12,000	70
44.32	G	12,001	-	15,000	105
44.33	H	15,001	-	18,000	145

45.1	I	18,001	-	21,000	190
45.2	J	21,001	-	26,000	270
45.3	K	26,001	-	33,000	360
45.4	L	33,001	-	39,000	475
45.5	M	39,001	-	45,000	595
45.6	N	45,001	-	51,000	715
45.7	O	51,001	-	57,000	865
45.8	P	57,001	-	63,000	1015
45.9	Q	63,001	-	69,000	1185
45.10	R	69,001	-	73,280	1325
45.11	S	73,281	-	78,000	1595
45.12	T	78,001	-	80,000	1760

45.13 (b) For purposes of the Minnesota base rate schedule, for vehicles with six or more axles
 45.14 in the "S" and "T" categories, the base rates are \$1,520 and \$1,620 respectively.

45.15 (c) For each vehicle with a gross weight in excess of 80,000 pounds an additional tax
 45.16 of \$50 is imposed for each ton or fraction thereof in excess of 80,000 pounds, subject to
 45.17 subdivision 12 or section 169.86, subdivision 5a, as applicable.

45.18 (d) For purposes of registration identification, for vehicles registered in the "O" category,
 45.19 the owner must declare at the time of registration whether the vehicle will carry a weight
 45.20 of 55,000 pounds or more and therefore be subject to the federal heavy vehicle use tax. For
 45.21 those owners who declare a weight less than 55,000 pounds, a distinctive weight sticker
 45.22 must be issued and the owner is restricted to a gross vehicle weight of less than 55,000
 45.23 pounds.

45.24 (e) Truck-tractors except those herein defined as farm ~~and commercial zone~~ vehicles
 45.25 shall be taxed in ~~accord~~ accordance with the foregoing gross weight tax schedule on the
 45.26 basis of the combined gross weight of the truck-tractor and any semitrailer or semitrailers
 45.27 which the applicant proposes to combine with the truck-tractor.

45.28 ~~(f) Commercial zone trucks include only trucks, truck tractors, and semitrailer~~
 45.29 ~~combinations which are operated by an interstate carrier registered under section 221.60,~~
 45.30 ~~or by a carrier receiving operating authority under chapter 221, and operated solely within~~
 45.31 ~~a zone exempt from regulation pursuant to United States Code, title 49, section 13506.~~

45.32 ~~(g) The license plates issued for commercial zone vehicles shall be plainly marked. A~~
 45.33 ~~person operating a commercial zone vehicle outside the zone or area in which its operation~~
 45.34 ~~is authorized is guilty of a misdemeanor and, in addition to the misdemeanor penalty, the~~
 45.35 ~~registrar shall revoke the registration of the vehicle as a commercial zone vehicle and shall~~

46.1 ~~require that the vehicle be registered at 100 percent of the full annual tax prescribed in the~~
46.2 ~~Minnesota base rate schedule, and no part of this tax may be refunded during the balance~~
46.3 ~~of the registration year.~~

46.4 ~~(h) On commercial zone trucks the tax shall be based on the total gross weight of the~~
46.5 ~~vehicle and during each of the first eight years of vehicle life is 75 percent of the Minnesota~~
46.6 ~~base rate schedule. During the ninth and succeeding years of vehicle life the tax is 50 percent~~
46.7 ~~of the Minnesota base rate schedule.~~

46.8 ~~(i) (f) On trucks, truck-tractors and semitrailer combinations, except those defined as~~
46.9 ~~farm trucks and farm combinations, and except for those commercial zone vehicles~~
46.10 ~~specifically provided for in this subdivision, the tax for each of the first eight years of vehicle~~
46.11 ~~life is 100 percent of the tax imposed in the Minnesota base rate schedule, and during the~~
46.12 ~~ninth and succeeding years of vehicle life, the tax is 75 percent of the Minnesota base rate~~
46.13 ~~prescribed by this subdivision.~~

46.14 ~~(j) (g) For the purpose of registration, trailers coupled with a truck-tractor, semitrailer~~
46.15 ~~combination are semitrailers.~~

46.16 Sec. 61. Minnesota Statutes 2022, section 168.013, subdivision 3, is amended to read:

46.17 Subd. 3. **Application; cancellation; excessive gross weight forbidden.** (a) The applicant
46.18 for all licenses based on gross weight shall state the unloaded weight of the motor vehicle,
46.19 trailer, or semitrailer and the maximum load the applicant proposes to carry on it, the sum
46.20 of which constitutes the gross weight upon which the license tax must be paid. However,
46.21 the declared gross weight upon which the tax is paid must not be less than 1-1/4 times the
46.22 declared unloaded weight of the motor vehicle, trailer, or semitrailer to be registered, except
46.23 recreational vehicles taxed under subdivision 1g, school buses taxed under subdivision 18,
46.24 and tow trucks or towing vehicles defined in section 168B.011, subdivision 12a. The gross
46.25 weight of a tow truck or towing vehicle is the actual weight of the tow truck or towing
46.26 vehicle fully equipped, but does not include the weight of a wrecked or disabled vehicle
46.27 towed or drawn by the tow truck or towing vehicle.

46.28 (b) Except as provided by special permit issued under section 169.86, the gross weight
46.29 of a motor vehicle, trailer, or semitrailer must not exceed the gross weight upon which the
46.30 license tax has been paid by more than four percent or 1,000 pounds, whichever is greater;
46.31 provided that, a vehicle transporting unfinished forest products on a highway, other than a
46.32 highway that is part of the system of interstate and defense highways, unless a federal
46.33 exemption is granted, in accordance with paragraph (d), clause (3):

47.1 (1) shall not exceed its gross vehicle weight upon which the license tax has been paid,
47.2 or gross axle weight on any axle, by more than five percent and, notwithstanding other law
47.3 to the contrary, is not subject to any fee, fine, or other assessment or penalty for exceeding
47.4 a gross vehicle or axle weight by up to five percent. This clause applies year round to
47.5 suppliers of unfinished forest products to mills; and

47.6 (2) is not subject to any provision of paragraph (d) or chapter 169 limiting the gross axle
47.7 weight of any individual axle unless the entire vehicle also exceeds its gross vehicle weight
47.8 plus its weight allowance allowed in clause (1) and plus any weight allowance permitted
47.9 under section 169.826 or 169.8261, in which case the vehicle is subject to all applicable
47.10 penalties for excess weight violations.

47.11 (c) The gross weight of the motor vehicle, trailer, or semitrailer for which the license
47.12 tax is paid must be indicated by a distinctive character on the license plate or plates except
47.13 as provided in subdivision 12 or section 169.86, subdivision 5a, as applicable, and the plate
47.14 or plates must be kept clean and clearly visible at all times.

47.15 (d) The owner, driver, or user of a motor vehicle, trailer, or semitrailer, upon conviction
47.16 for transporting a gross weight in excess of the gross weight for which it was registered or
47.17 for operating a vehicle with an axle weight exceeding the maximum lawful axle load weight,
47.18 is guilty of a misdemeanor and subject to increased registration or reregistration according
47.19 to the following schedule:

47.20 (1) Upon conviction for transporting a gross weight in excess of the gross weight for
47.21 which a motor vehicle, trailer, or semitrailer is registered by more than the allowance set
47.22 forth in paragraph (b) but less than 25 percent, or for operating or using a motor vehicle,
47.23 trailer, or semitrailer with an axle weight exceeding the maximum lawful axle load as
47.24 provided in sections 169.822 to 169.829 by more than the allowance set forth in paragraph
47.25 (b) but less than 25 percent, the owner, driver, or user of the motor vehicle, trailer, or
47.26 semitrailer used to commit the violation, in addition to any penalty imposed for the
47.27 misdemeanor, shall apply to the registrar to increase the authorized gross weight to be carried
47.28 on the vehicle to a weight equal to or greater than the gross weight the owner, driver, or
47.29 user was convicted of carrying. The increase is computed for the balance of the calendar
47.30 year on the basis of 1/12 of the annual tax for each month remaining in the calendar year
47.31 beginning with the first day of the month in which the violation occurred. If the additional
47.32 registration tax computed upon that weight, plus the tax already paid, amounts to more than
47.33 the regular tax for the maximum gross weight permitted for the vehicle under sections
47.34 169.822 to 169.829, that additional amount must nevertheless be paid into the highway
47.35 fund, but the additional tax thus paid does not authorize or permit any person to operate the

48.1 vehicle with a gross weight in excess of the maximum legal weight as provided by sections
48.2 169.822 to 169.829. Unless the owner within 30 days after a conviction applies to increase
48.3 the authorized weight and pays the additional tax as provided in this section, the registrar
48.4 shall revoke the registration on the vehicle and demand the return of the registration card
48.5 and plates issued on that registration.

48.6 (2) Upon conviction of an owner, driver, or user of a motor vehicle, trailer, or semitrailer
48.7 for transporting a gross weight in excess of the gross weight for which the motor vehicle,
48.8 trailer, or semitrailer was registered by 25 percent or more or for operating or using the
48.9 vehicle or trailer with an axle weight exceeding the maximum lawful axle load as provided
48.10 in sections 169.822 to 169.829 by 25 percent or more, and in addition to any penalty imposed
48.11 for the misdemeanor, the registrar shall either (i) cancel the reciprocity privileges on the
48.12 vehicle involved if the vehicle is being operated under reciprocity or (ii) if the vehicle is
48.13 not being operated under reciprocity, cancel the certificate of registration on the vehicle
48.14 operated and demand the return of the registration certificate and registration plates. The
48.15 registrar may not cancel the registration or reciprocity privileges for any vehicle found in
48.16 violation of seasonal load restrictions imposed under section 169.87 unless the axle weight
48.17 exceeds the year-round weight limit for the highway on which the violation occurred. The
48.18 registrar may investigate any allegation of gross weight violations and demand that the
48.19 operator show cause why all future operating privileges in the state should not be revoked
48.20 unless the additional tax assessed is paid.

48.21 (3) Clause (1) does not apply to the first haul of unprocessed or raw farm products or
48.22 unfinished forest products, when the registered gross weight is not exceeded by more than
48.23 ten percent. For purposes of this clause, "first haul" means (i) the first, continuous
48.24 transportation of unprocessed or raw farm products from the place of production or on-farm
48.25 storage site to any other location within 100 miles of the place of production or on-farm
48.26 storage site, or (ii) the continuous or noncontinuous transportation of unfinished forest
48.27 products from the place of production to the place of final processing or manufacture located
48.28 within 200 miles of the place of production.

48.29 (4) When the registration on a motor vehicle, trailer, or semitrailer is revoked by the
48.30 registrar according to this section, the vehicle must not be operated on the highways of the
48.31 state until it is registered or reregistered, as the case may be, and new plates issued, and the
48.32 registration fee is the annual tax for the total gross weight of the vehicle at the time of
48.33 violation. The reregistration pursuant to this subdivision of any vehicle operating under
48.34 reciprocity agreements pursuant to section 168.181 or 168.187 must be at the full annual
48.35 registration fee without regard to the percentage of vehicle miles traveled in this state.

49.1 Sec. 62. Minnesota Statutes 2022, section 168.013, subdivision 18, is amended to read:

49.2 Subd. 18. **School buses.** Notwithstanding the provisions of subdivision 1, school buses
49.3 used exclusively for the transportation of students under contract with a school district, used
49.4 in connection with transportation for nonprofit educational institutions, or used as provided
49.5 under section 169.4475, shall be taxed during each year of the vehicle life of such bus in
49.6 the amount of \$25.

49.7 Sec. 63. Minnesota Statutes 2022, section 168.013, subdivision 23, is amended to read:

49.8 Subd. 23. **Adjustments to registration tax.** (a) Except as provided in this subdivision,
49.9 the commissioner must not adjust the manufacturer's suggested retail price or destination
49.10 charge for any vehicle in a subsequent registration period following initial registration in
49.11 Minnesota.

49.12 (b) The commissioner must adjust the registration tax amount of any vehicle to correct
49.13 an error or omission that was made in determining or entering the registration tax amount
49.14 or the destination charge amount. For a vehicle with a registration tax determined based on
49.15 the actual sales price, the commissioner must adjust the registration tax within two years
49.16 of the initial registration using one of the methods described in subdivision 1a, paragraph
49.17 ~~(d)~~ (c), clauses (1) to ~~(3)~~ (2). The adjusted registration tax amount is effective starting with
49.18 the vehicle's next registration period. The commissioner must not collect any amount that
49.19 would have been paid but for the error or omission.

49.20 (c) When the commissioner makes an adjustment to the registration tax amount pursuant
49.21 to this subdivision, the commissioner must mail written notice to the owner of the vehicle
49.22 stating that an adjustment was made to the registration tax amount, the reason for the
49.23 adjustment, and contact information so that the owner may contact the department to ask
49.24 questions.

49.25 Sec. 64. Minnesota Statutes 2022, section 168.04, subdivision 2, is amended to read:

49.26 Subd. 2. **Licensed by armed forces.** The provisions of this chapter, requiring the
49.27 registration and taxation of motor vehicles and the display of license number plates shall
49.28 not apply to a motor vehicle operated by the owner or authorized agent while the owner is
49.29 engaged in active service in the armed forces of the United States, subject to the following
49.30 conditions and limitations:

49.31 (1) that such vehicle is properly registered with, and displays the license number plates
49.32 of, the armed forces of the United States in a foreign country;

50.1 (2) that such vehicle is used only for personal transportation or for transportation of the
50.2 owner or authorized agent's personal property;

50.3 (3) that such vehicle shall be subject to all provisions of law applicable to vehicles owned
50.4 by Minnesota residents except to the extent that exemption from said law is provided by
50.5 this section; and

50.6 (4) that the exemption provided by this subdivision shall be valid only for a period of
50.7 30 days after a vehicle has arrived in this state.

50.8 Sec. 65. Minnesota Statutes 2022, section 168.1253, subdivision 2, is amended to read:

50.9 Subd. 2. **Issuance; eligibility.** ~~Beginning October 1, 2009,~~ The commissioner shall issue
50.10 special plates bearing the inscription "GOLD STAR" to an applicant who:

50.11 (1) is an owner or joint owner of a motor vehicle;

50.12 (2) is an eligible person; and

50.13 (3) complies with all laws relating to the registration and licensing of motor vehicles
50.14 and drivers.

50.15 Sec. 66. Minnesota Statutes 2022, section 168.1256, subdivision 1, is amended to read:

50.16 Subdivision 1. **Issuance of plates.** The commissioner shall issue retired law enforcement
50.17 ~~license~~ special plates or a single motorcycle plate to an applicant who:

50.18 (1) is a registered owner of a passenger automobile, noncommercial one-ton pickup
50.19 truck, motorcycle, or recreational vehicle;

50.20 (2) is a retired peace officer as defined in section 626.84, subdivision 1, paragraph (c)
50.21 or (d);

50.22 (3) provides a letter from the chief law enforcement officer affirming that the applicant
50.23 is a retired peace officer who served ten or more years and separated in good standing;

50.24 (4) pays a fee in the amount specified for special plates under section 168.12, subdivision
50.25 5, for each set of plates, along with any other fees required by this chapter;

50.26 (5) pays the registration tax as required under section 168.013; and

50.27 (6) complies with this chapter and rules governing registration of motor vehicles and
50.28 licensing of drivers.

51.1 Sec. 67. Minnesota Statutes 2022, section 168.1296, subdivision 1, is amended to read:

51.2 Subdivision 1. **General requirements and procedures.** (a) The commissioner shall
51.3 issue critical habitat plates to an applicant who:

51.4 (1) is a registered owner of a passenger automobile or recreational vehicle;

51.5 (2) pays a fee in the amount specified for special plates under section 168.12, subdivision
51.6 5;

51.7 (3) pays the registration tax required under section 168.013;

51.8 (4) pays the fees required under this chapter;

51.9 (5) contributes a minimum of \$30 annually to the Minnesota critical habitat private
51.10 sector matching account established in section 84.943; and

51.11 (6) complies with this chapter and rules governing registration of motor vehicles and
51.12 licensing of drivers.

51.13 (b) The critical habitat plate application must indicate that the annual contribution
51.14 specified under paragraph (a), clause (5), is a minimum contribution to receive the plate
51.15 and that the applicant may make an additional contribution to the account.

51.16 ~~(e) Owners of recreational vehicles under paragraph (a), clause (1), are eligible only for~~
51.17 ~~special critical habitat license plates for which the designs are selected under subdivision~~
51.18 ~~2, on or after January 1, 2006.~~

51.19 ~~(d)~~ (c) Special critical habitat license plates, the designs for which are selected under
51.20 subdivision 2, ~~on or after January 1, 2006,~~ may be personalized according to section 168.12,
51.21 subdivision 2a.

51.22 Sec. 68. Minnesota Statutes 2022, section 168.187, subdivision 2, is amended to read:

51.23 Subd. 2. **Definitions.** ~~(1)~~ (a) The words, terms and phrases defined in section 168.002,
51.24 when used in this section, shall have the same meanings herein as is ascribed to them in
51.25 section 168.002, unless the context otherwise requires, or unless a different definition is
51.26 given in this section.

51.27 ~~(2)~~ (b) The words and phrases hereafter defined in this section shall have the meanings
51.28 respectively ascribed to them when used in this section, except when the context otherwise
51.29 requires.

52.1 Sec. 69. Minnesota Statutes 2022, section 168.187, subdivision 7, is amended to read:

52.2 Subd. 7. **Authority for registration agreements, arrangements or declarations.** (a)
52.3 The commissioner of public safety may enter into any agreement or arrangement with the
52.4 duly authorized representatives of other states or make any independent declaration, granting
52.5 to vehicles or to owners of vehicles which are properly registered or licensed in another
52.6 state, benefits, privileges, and exemptions from the payment, wholly, or partially, of any
52.7 registration taxes, fees, or other charges imposed upon such vehicles or owners with respect
52.8 to the operation or ownership of such vehicles under the laws of this state, upon such
52.9 conditions as are specified therein, provided the terms or conditions of such agreement,
52.10 arrangement, or declaration are not inconsistent with any law of this state.

52.11 (b) Any such agreement or arrangement shall be made in writing and shall provide that
52.12 vehicles properly registered or licensed in this state, when operated upon highways of the
52.13 other state, shall receive exemptions, benefits, and privileges of a similar kind or to a similar
52.14 degree as are extended to vehicles properly registered or licensed in such state when operated
52.15 in this state. Any such declaration shall contemplate and provide for mutual benefits,
52.16 reciprocal privileges or equitable treatment of the owners of vehicles registered in this and
52.17 the other state. Each such agreement, arrangement, or declaration shall, in the judgment of
52.18 the commissioner of public safety, be in the best interest of this state and the citizens thereof
52.19 and shall be fair and equitable with respect to the benefits which the agreement brings to
52.20 the economy of this state.

52.21 Sec. 70. Minnesota Statutes 2022, section 168.187, subdivision 9, is amended to read:

52.22 Subd. 9. **Required provisions.** ~~(1)~~ (a) Every agreement, arrangement, and declaration,
52.23 and amendment thereto and cancellation thereof, shall be in writing and shall be filed in the
52.24 office of the commissioner of public safety. A copy of each agreement, arrangement or
52.25 declaration, and of each amendment thereto and cancellation thereof, shall be filed in the
52.26 office of the commissioner of public safety within ten days after execution or the effective
52.27 date of the instrument, whichever is later. The commissioner of public safety shall provide
52.28 copies for public distribution upon request and the payment of a reasonable charge.

52.29 ~~(2)~~ (b) Every agreement, arrangement and declaration made under authority of this
52.30 section shall contain a provision authorizing the commissioner of public safety to cancel
52.31 and revoke the agreement with respect to this state upon 30 days' notice to the other party
52.32 or parties thereto.

52.33 ~~(3)~~ (c) All agreements, arrangements, and declarations made under authority of this
52.34 section shall contain a provision specifying that no registration, permit privilege or exemption

53.1 issued or accruing thereunder, shall excuse the operator or owner of any vehicle from
53.2 compliance with the laws of this state, except those requiring registration.

53.3 Sec. 71. Minnesota Statutes 2022, section 168.187, subdivision 10, is amended to read:

53.4 Subd. 10. **Fees for proportional registration.** ~~(1)~~ (a) "Total fleet miles" means the total
53.5 number of miles operated in all states during the preceding year by the motor vehicles in a
53.6 fleet during such year.

53.7 ~~(2)~~ (b) "In-state miles" means the total number of miles operated in this state during the
53.8 preceding year by the motor vehicles in a fleet during such year.

53.9 ~~(3)~~ (c) The registration fees for proratable vehicles of a fleet based in another state shall
53.10 be determined as follows:

53.11 ~~(A)~~ (1) Divide in-state miles by total fleet miles.

53.12 ~~(B)~~ (2) Determine the total amount which would be required under the laws of this state
53.13 for full registration of each and every vehicle in the fleet, at the regular annual or applicable
53.14 fees, for the unexpired portion of the registration year.

53.15 ~~(C)~~ (3) Multiply the sum obtained under clause ~~(3)~~ ~~(B)~~ (2) by the quotient obtained under
53.16 clause ~~(3)~~ ~~(A)~~ (1).

53.17 ~~(4)~~ (d) The registration fees for proratable vehicles of a fleet based in this state shall be
53.18 determined as follows:

53.19 ~~(A)~~ (1) Divide in-state miles plus all other fleet miles not subjected to charges in other
53.20 states nor declared for other prorate agreement states by total fleet miles.

53.21 ~~(B)~~ (2) Determine the total amount which would be required under the laws of this state
53.22 for full registration of each and every vehicle in the fleet, at the regular annual or applicable
53.23 fees for the unexpired portion of the registration year.

53.24 ~~(C)~~ (3) Multiply the sum obtained under clause ~~(4)~~ ~~(B)~~ (2) by the quotient under clause
53.25 ~~(4)~~ ~~(A)~~ (1).

53.26 ~~(5)~~ (e) The provisions of this section shall constitute complete authority for the registration
53.27 of the proratable vehicles of a fleet upon a proportional registration basis without reference
53.28 to or application of any other statutes of this state except as in this section expressly provided.

54.1 Sec. 72. Minnesota Statutes 2022, section 168.187, subdivision 11, is amended to read:

54.2 Subd. 11. **Application for proportional registration.** ~~(1)~~ (a) Any owner of one or more
54.3 fleets may file an application for proportional registration of the vehicles of one or more of
54.4 such fleets with the commissioner of public safety, in lieu of registration of such vehicles
54.5 under other sections of this chapter. The application shall be in such form and shall contain
54.6 such information as the commissioner shall require.

54.7 ~~(2)~~ (b) Applications for proportional registration shall be filed annually at such time or
54.8 times as the commissioner establishes by rule. Every application for proportional registration
54.9 shall at the time and in the manner required by the commissioner be supported by the
54.10 payment of the registration fees in the amount determined in the manner provided in
54.11 subdivision 10.

54.12 Sec. 73. Minnesota Statutes 2022, section 168.187, subdivision 12, is amended to read:

54.13 Subd. 12. **Registration of proratable vehicles.** ~~(1)~~ (a) The commissioner of public
54.14 safety shall register proratable vehicles of a fleet upon application and payment of registration
54.15 fees as provided in subdivision 11. Payment of an additional fee for each vehicle so registered
54.16 may be required by the commissioner in an amount not to exceed \$5 per motor powered
54.17 vehicle, for issuance of a plate, sticker, or other suitable identification for each vehicle. A
54.18 registration card shall be issued for each vehicle registered, which shall appropriately identify
54.19 the vehicle for which it is issued. Such registration card shall be carried in or upon the
54.20 vehicle for which it has been issued, at all times, except that the registration cards for all
54.21 vehicles in a combination of vehicles may be carried in or upon the vehicle supplying the
54.22 motive power.

54.23 ~~(2)~~ (b) Fleet vehicles registered as provided in (1) shall be deemed fully registered in
54.24 this state for any type of movement or operation, except that when a state grant of authority
54.25 is required for any movement or operation, no such vehicle shall be operated in this state
54.26 unless the owner or operator thereof has been granted authority or rights therefor by the
54.27 state and unless said vehicle is being operated in conformity with such authority or rights.
54.28 No registration under this section shall excuse the owner or operator of any vehicle from
54.29 compliance with the laws of this state, except those requiring registration and licensing.

54.30 Sec. 74. Minnesota Statutes 2022, section 168.187, subdivision 27, is amended to read:

54.31 Subd. 27. **Prohibited operation.** (a) The commissioner of public safety shall refuse to
54.32 issue a vehicle registration, license plate, or permit to a vehicle licensed under this section
54.33 if the vehicle is assigned to a commercial motor carrier who has been prohibited from

55.1 operating in interstate commerce by a federal agency with authority to do so under federal
55.2 law.

55.3 (b) The commissioner of public safety may revoke the registration of a vehicle licensed
55.4 under this section if the vehicle is assigned to a commercial motor carrier who has been
55.5 prohibited from operating in interstate commerce by a federal agency with authority to do
55.6 so under federal law.

55.7 (c) If the prohibition by the federal agency is rescinded, the commissioner of public
55.8 safety may reinstate a vehicle registration under this section if registration taxes and fees
55.9 have been paid.

55.10 Sec. 75. Minnesota Statutes 2022, section 168.61, subdivision 2, is amended to read:

55.11 Subd. 2. **Registration and taxation.** ~~For the calendar year 1958 and during each year~~
55.12 ~~thereafter~~ Intercity buses ~~shall be~~ are subject to registration and taxation as motor vehicles
55.13 on an apportionment basis.

55.14 Sec. 76. Minnesota Statutes 2022, section 168A.09, subdivision 1, is amended to read:

55.15 Subdivision 1. **Application, issuance, form, bond, and notice.** (a) In the event a
55.16 certificate of title is lost, stolen, mutilated, destroyed, or becomes illegible, the owner or
55.17 legal representative of the owner named in the certificate may submit an application to the
55.18 department or a deputy registrar for a duplicate in a format prescribed by the department.
55.19 The department or deputy registrar must issue a duplicate certificate of title if satisfied that
55.20 the applicant is entitled to the duplicate certificate of title. The duplicate certificate of title
55.21 must be plainly marked as a duplicate and mailed or delivered to the owner. The department
55.22 or deputy registrar must indicate in the driver and vehicle information system records that
55.23 a duplicate certificate of title has been issued. As a condition to issuing a duplicate certificate
55.24 of title, the department may require a bond from the applicant in the manner and format
55.25 prescribed in section 168A.07, subdivision 1, clause (2). The duplicate certificate of title
55.26 must contain the legend: "This duplicate certificate of title may be subject to the rights of
55.27 a person under the original certificate."

55.28 ~~(b) On and after August 1, 2018,~~ The commissioner must allow duplicate certificate of
55.29 title issuance by a deputy registrar, subject to procedures established by the commissioner.

55.30 Sec. 77. Minnesota Statutes 2022, section 168A.24, subdivision 2, is amended to read:

55.31 Subd. 2. **Powers; rules.** The department may:

56.1 (1) make necessary investigations to procure information required to carry out the
56.2 provisions of sections 168A.01 to 168A.31;

56.3 (2) assign a new identifying number to a vehicle if it has none, or its identifying number
56.4 is destroyed or obliterated;

56.5 (3) adopt and enforce such rules as may be necessary to carry out the provisions of
56.6 sections 168A.01 to 168A.31;

56.7 (4) adopt and enforce such rules as the department may deem necessary or appropriate
56.8 to require the payment of fees imposed by section 168.54, as a condition for deferring
56.9 application for a certificate of title by a dealer or secured party in cases provided for in
56.10 section 168A.11 or 168A.12, subdivision 2. ~~Such rules shall permit the use of the "Transfer~~
56.11 ~~Filing Fee" stamp prescribed by section 168.54, when feasible; and~~

56.12 (5) adopt a rule which may require the owner or secured party, as the case may be, to
56.13 deposit the certificate of title with the department during the period when the vehicle for
56.14 which such certificate was issued is registered pursuant to section 168.31, subdivision 4, or
56.15 is subject to the lien imposed by section 168.31, subdivision 6.

56.16 Sec. 78. Minnesota Statutes 2022, section 168B.09, subdivision 2, is amended to read:

56.17 Subd. 2. **Local laws.** Units of government may adopt ordinances and regulations to
56.18 control the matter subject ~~in accordance with~~ to sections 168B.01 to 168B.101, so long as
56.19 the ordinances and regulations are not less stringent than the provisions of sections 168B.01
56.20 to 168B.101 or the rules of the agency.

56.21 Sec. 79. Minnesota Statutes 2022, section 169.09, subdivision 13, is amended to read:

56.22 Subd. 13. **Reports confidential; evidence, fee, penalty, appropriation.** (a) All reports
56.23 and supplemental information required under this section must be for the use of the
56.24 commissioner of public safety and other appropriate state, federal, county, and municipal
56.25 governmental agencies for accident analysis purposes, except:

56.26 (1) upon written request, the commissioner of public safety or any law enforcement
56.27 agency shall disclose the report required under subdivision 8 to:

56.28 (i) any individual involved in the accident, the representative of the individual's estate,
56.29 or the surviving spouse, or one or more surviving next of kin, or a trustee appointed under
56.30 section 573.02;

57.1 (ii) any other person injured in person, property, or means of support, or who incurs
57.2 other pecuniary loss by virtue of the accident;

57.3 (iii) legal counsel of a person described in item (i) or (ii);

57.4 (iv) a representative of the insurer of any person described in item (i) or (ii); or

57.5 (v) a city or county attorney or an attorney representing the state in an implied consent
57.6 action who is charged with the prosecution of a traffic or criminal offense that is the result
57.7 of a traffic crash investigation conducted by law enforcement;

57.8 ~~(2) the commissioner of public safety shall, upon written request, provide the driver~~
57.9 ~~filing a report under subdivision 7 with a copy of the report filed by the driver;~~

57.10 ~~(3)~~ (2) the commissioner of public safety may verify with insurance companies vehicle
57.11 insurance information to enforce sections 65B.48, 169.792, 169.793, 169.796, and 169.797;

57.12 ~~(4)~~ (3) the commissioner of public safety shall provide the commissioner of transportation
57.13 the information obtained for each traffic accident involving a commercial motor vehicle,
57.14 for purposes of administering commercial vehicle safety regulations;

57.15 ~~(5)~~ (4) upon specific request, the commissioner of public safety shall provide the
57.16 commissioner of transportation the information obtained regarding each traffic accident
57.17 involving damage to identified state-owned infrastructure, for purposes of debt collection
57.18 under section 161.20, subdivision 4; and

57.19 ~~(6)~~ (5) the commissioner of public safety may give to the United States Department of
57.20 Transportation commercial vehicle accident information in connection with federal grant
57.21 programs relating to safety.

57.22 (b) Accident reports and data contained in the reports are not discoverable under any
57.23 provision of law or rule of court. No report shall be used as evidence in any trial, civil or
57.24 criminal, or any action for damages or criminal proceedings arising out of an accident.
57.25 However, the commissioner of public safety shall furnish, upon the demand of any person
57.26 who has or claims to have made a report or upon demand of any court, a certificate showing
57.27 that a specified accident report has or has not been made to the commissioner solely to prove
57.28 compliance or failure to comply with the requirements that the report be made to the
57.29 commissioner.

57.30 (c) Nothing in this subdivision prevents any individual who has made a report under
57.31 this section from providing information to any individuals involved in an accident or their
57.32 representatives or from testifying in any trial, civil or criminal, arising out of an accident,
57.33 as to facts within the individual's knowledge. It is intended by this subdivision to render

58.1 privileged the reports required, but it is not intended to prohibit proof of the facts to which
58.2 the reports relate.

58.3 (d) Disclosing any information contained in any accident report, except as provided in
58.4 this subdivision, section 13.82, subdivision 3 or 6, or other statutes, is a misdemeanor.

58.5 (e) The commissioner of public safety shall charge authorized persons as described in
58.6 paragraph (a) a \$5 fee for a copy of an accident report. Ninety percent of the \$5 fee collected
58.7 under this paragraph must be deposited in the special revenue fund and credited to the driver
58.8 services operating account established in section 299A.705 and ten percent must be deposited
58.9 in the general fund. The commissioner may also furnish an electronic copy of the database
58.10 of accident records, which must not contain personal or private data on an individual, to
58.11 private agencies as provided in paragraph (g), for not less than the cost of preparing the
58.12 copies on a bulk basis as provided in section 13.03, subdivision 3.

58.13 (f) The fees specified in paragraph (e) notwithstanding, the commissioner and law
58.14 enforcement agencies shall charge commercial users who request access to response or
58.15 incident data relating to accidents a fee not to exceed 50 cents per record. "Commercial
58.16 user" is a user who in one location requests access to data in more than five accident reports
58.17 per month, unless the user establishes that access is not for a commercial purpose. Of the
58.18 money collected by the commissioner under this paragraph, 90 percent must be deposited
58.19 in the special revenue fund and credited to the driver services operating account established
58.20 in section 299A.705 and ten percent must be deposited in the general fund.

58.21 (g) The fees in paragraphs (e) and (f) notwithstanding, the commissioner shall provide
58.22 an electronic copy of the accident records database to the public on a case-by-case basis
58.23 using the cost-recovery charges provided for under section 13.03, subdivision 3. The database
58.24 provided must not contain personal or private data on an individual. However, unless the
58.25 accident records database includes the vehicle identification number, the commissioner
58.26 shall include the vehicle registration plate number if a private agency certifies and agrees
58.27 that the agency:

58.28 (1) is in the business of collecting accident and damage information on vehicles;

58.29 (2) will use the vehicle registration plate number only for identifying vehicles that have
58.30 been involved in accidents or damaged, to provide this information to persons seeking access
58.31 to a vehicle's history and not for identifying individuals or for any other purpose; and

58.32 (3) will be subject to the penalties and remedies under sections 13.08 and 13.09.

59.1 Sec. 80. Minnesota Statutes 2022, section 169.223, subdivision 4, is amended to read:

59.2 Subd. 4. **Headlight requirement.** The provisions of section 169.974, subdivision 5,
59.3 paragraph (i), apply to motorized bicycles that are equipped with headlights. ~~After June 1,~~
59.4 ~~1987,~~ A new motorized bicycle sold or offered for sale in Minnesota must be equipped with
59.5 a headlight.

59.6 Sec. 81. Minnesota Statutes 2022, section 169.4581, is amended to read:

59.7 **169.4581 CRIMINAL CONDUCT ON SCHOOL BUS.**

59.8 ~~By January 1, 1995,~~ Each local law enforcement agency shall adopt a written policy
59.9 regarding procedures for responding to criminal incidents on school buses. In adopting a
59.10 policy, each law enforcement agency shall consult with local school officials, with
59.11 representatives of private companies that contract with school districts to provide
59.12 transportation, and with parents of students. The policy must recognize that responding to
59.13 reports of criminal conduct on school buses is the responsibility of law enforcement officials.

59.14 Sec. 82. Minnesota Statutes 2022, section 169.64, subdivision 9, is amended to read:

59.15 Subd. 9. **Warning lamp on vehicles collecting solid waste or recycling.** A solid waste
59.16 vehicle or recycling vehicle may be equipped with a single amber warning lamp that meets
59.17 the most current ~~Society of Automotive Engineers~~ SAE International standard for authorized
59.18 maintenance and service vehicles, Class 2. The lamp may be operated only when the
59.19 collection vehicle is in the process of collecting solid waste or recycling and is either:

59.20 (1) stopped at an establishment where solid waste or recycling is to be collected; or

59.21 (2) traveling at a speed that is at least ten miles per hour below the posted speed limit
59.22 and moving between establishments where solid waste or recycling is to be collected.

59.23 Sec. 83. Minnesota Statutes 2022, section 169.751, is amended to read:

59.24 **169.751 DEFINITIONS.**

59.25 (a) For the purposes of sections 169.751 to 169.753 the following words ~~shall have the~~
59.26 ~~meanings ascribed to them in this section:~~ have the meanings given.

59.27 ~~(a)~~ (b) "First aid equipment" ~~shall mean~~ means equipment for the purpose of rendering
59.28 first aid to sick or injured persons as prescribed by the Department of Public Safety for its
59.29 State Patrol vehicles, ~~such equipment to include~~ including materials for the application of
59.30 splints to fractures.

60.1 ~~(b)~~ (c) "Patrol motor vehicles" ~~shall mean~~ means the State Patrol motor vehicles used
60.2 in law enforcement of the Department of Public Safety, the county sheriffs, and the various
60.3 city, town, and other local police departments.

60.4 Sec. 84. Minnesota Statutes 2022, section 169A.25, subdivision 1, is amended to read:

60.5 Subdivision 1. **Degree described.** (a) A person who violates section 169A.20, subdivision
60.6 1, ~~1a, 1b, or 1e~~ (driving while impaired crime), is guilty of second-degree driving while
60.7 impaired if two or more aggravating factors were present when the violation was committed.

60.8 (b) A person who violates section 169A.20, subdivision 2 (refusal to submit to chemical
60.9 test crime), is guilty of second-degree driving while impaired if one aggravating factor was
60.10 present when the violation was committed.

60.11 Sec. 85. Minnesota Statutes 2022, section 169A.26, subdivision 1, is amended to read:

60.12 Subdivision 1. **Degree described.** (a) A person who violates section 169A.20, subdivision
60.13 1, ~~1a, 1b, or 1e~~ (driving while impaired crime), is guilty of third-degree driving while
60.14 impaired if one aggravating factor was present when the violation was committed.

60.15 (b) A person who violates section 169A.20, subdivision 2 (refusal to submit to chemical
60.16 test crime), is guilty of third-degree driving while impaired.

60.17 Sec. 86. Minnesota Statutes 2022, section 169A.27, subdivision 1, is amended to read:

60.18 Subdivision 1. **Degree described.** A person who violates section 169A.20, subdivision
60.19 1, ~~1a, 1b, or 1e~~ (driving while impaired crime), is guilty of fourth-degree driving while
60.20 impaired.

60.21 Sec. 87. Minnesota Statutes 2022, section 169A.28, subdivision 2, is amended to read:

60.22 Subd. 2. **Permissive consecutive sentences; multiple offenses.** (a) When a person is
60.23 being sentenced for a violation of a provision listed in paragraph (e), the court may sentence
60.24 the person to a consecutive term of imprisonment for a violation of any other provision
60.25 listed in paragraph (e), notwithstanding the fact that the offenses arose out of the same
60.26 course of conduct, subject to the limitation on consecutive sentences contained in section
60.27 609.15, subdivision 2, and except as provided in paragraphs (b) and (c).

60.28 (b) When a person is being sentenced for a violation of section 171.09 (violation of
60.29 condition of restricted license), 171.20 (operation after revocation, suspension, cancellation,
60.30 or disqualification), 171.24 (driving without valid license), or 171.30 (violation of condition

61.1 of limited license), the court may not impose a consecutive sentence for another violation
61.2 of a provision in chapter 171 (drivers' licenses and training schools).

61.3 (c) When a person is being sentenced for a violation of section 169.791 (failure to provide
61.4 proof of insurance) or 169.797 (failure to provide vehicle insurance), the court may not
61.5 impose a consecutive sentence for another violation of a provision of sections 169.79 to
61.6 169.7995.

61.7 (d) This subdivision does not limit the authority of the court to impose consecutive
61.8 sentences for crimes arising on different dates or to impose a consecutive sentence when a
61.9 person is being sentenced for a crime and is also in violation of the conditions of a stayed
61.10 or otherwise deferred sentence under section 609.135 (stay of imposition or execution of
61.11 sentence).

61.12 (e) This subdivision applies to misdemeanor and gross misdemeanor violations of the
61.13 following if the offender has two or more prior impaired driving convictions within the past
61.14 ten years:

61.15 (1) section 169A.20, subdivision 1, ~~1a, 1b, or 1e~~ (driving while impaired; impaired
61.16 driving offenses);

61.17 (2) section 169A.20, subdivision 2 (driving while impaired; test refusal offense);

61.18 (3) section 169.791;

61.19 (4) section 169.797;

61.20 (5) section 171.09 (violation of condition of restricted license);

61.21 (6) section 171.20, subdivision 2 (operation after revocation, suspension, cancellation,
61.22 or disqualification);

61.23 (7) section 171.24; and

61.24 (8) section 171.30.

61.25 Sec. 88. Minnesota Statutes 2022, section 169A.46, subdivision 1, is amended to read:

61.26 Subdivision 1. **Impairment occurred after driving ceased.** If proven by a preponderance
61.27 of the evidence, it is an affirmative defense to a violation of section 169A.20, subdivision
61.28 1, clause (5); ~~1a, clause (5); 1b, clause (5); or 1e, clause (5)~~ (driving while impaired, alcohol
61.29 concentration within two hours of driving), or 169A.20 by a person having an alcohol
61.30 concentration of 0.16 or more as measured at the time, or within two hours of the time, of
61.31 the offense, that the defendant consumed a sufficient quantity of alcohol after the time of

62.1 the violation and before the administration of the evidentiary test to cause the defendant's
62.2 alcohol concentration to exceed the level specified in the applicable clause. Evidence that
62.3 the defendant consumed alcohol after the time of the violation may not be admitted in
62.4 defense to any alleged violation of section 169A.20, unless notice is given to the prosecution
62.5 prior to the omnibus or pretrial hearing in the matter.

62.6 Sec. 89. Minnesota Statutes 2022, section 171.0701, subdivision 1, is amended to read:

62.7 Subdivision 1. **Driver education requirements.** (a) The commissioner shall adopt rules
62.8 requiring a minimum of 30 minutes of instruction, ~~beginning January 1, 2007,~~ relating to
62.9 organ and tissue donations and the provisions of section 171.07, subdivision 5, for persons
62.10 enrolled in driver education programs offered at public schools, private schools, and
62.11 commercial driver training schools.

62.12 (b) The commissioner shall adopt rules for persons enrolled in driver education programs
62.13 offered at public schools, private schools, and commercial driver training schools, requiring
62.14 inclusion in the course of instruction, ~~by January 1, 2009,~~ a section on awareness and safe
62.15 interaction with commercial motor vehicle traffic. The rules must require classroom
62.16 instruction and behind-the-wheel training that includes, but is not limited to, truck stopping
62.17 distances, proper distances for following trucks, identification of truck blind spots, and
62.18 avoidance of driving in truck blind spots.

62.19 (c) ~~By January 1, 2012,~~ The commissioner shall adopt rules for persons enrolled in driver
62.20 education programs offered at public schools, private schools, and commercial driver training
62.21 schools, requiring inclusion in the course of instruction of a section on carbon monoxide
62.22 poisoning. The instruction must include but is not limited to (1) a description of the
62.23 characteristics of carbon monoxide, (2) a review of the risks and potential speed of death
62.24 from carbon monoxide poisoning, and (3) specific suggestions regarding vehicle idling
62.25 practices.

62.26 Sec. 90. Minnesota Statutes 2022, section 171.0701, subdivision 1a, is amended to read:

62.27 Subd. 1a. **Supplemental parental curriculum.** (a) For purposes of this subdivision,
62.28 "driver education instructor" means an instructor as defined under section 171.33, subdivision
62.29 2, or a person licensed by the Professional Educator Licensing and Standards Board for
62.30 driver training as required under section 122A.26, subdivision 2.

62.31 (b) ~~By July 1, 2014,~~ The commissioner shall establish optional supplemental parental
62.32 curriculum to provide instruction and information to primary driving supervisors in
62.33 conjunction with persons enrolled in driver education programs at public schools, private

63.1 schools, and commercial driver training schools. Each school must establish a schedule or
63.2 procedure for providing the supplemental parental curriculum to any primary driving
63.3 supervisor who chooses to receive it.

63.4 (c) At a minimum, the supplemental parental curriculum must:

63.5 (1) be at least 90 minutes in length;

63.6 (2) be provided by or in the presence of a driver education instructor; and

63.7 (3) provide information concerning graduated driver licensing, safety risks associated
63.8 with novice drivers, potential influence of adults on driving behavior of novice drivers, and
63.9 additional resources.

63.10 Sec. 91. Minnesota Statutes 2022, section 171.0705, subdivision 2, is amended to read:

63.11 Subd. 2. **Driver's manual; bicycle traffic.** The commissioner shall include in each
63.12 edition of the driver's manual published by the department ~~after August 1, 1995~~, a section
63.13 relating to bicycle traffic laws, including any changes in the law which affect bicycle traffic.

63.14 Sec. 92. Minnesota Statutes 2022, section 171.0705, subdivision 3, is amended to read:

63.15 Subd. 3. **Driver's manual; carbon monoxide.** The commissioner shall include in each
63.16 edition of the driver's manual published by the department ~~after August 1, 2011~~, a section
63.17 that includes up-to-date lifesaving information on carbon monoxide poisoning.

63.18 Sec. 93. Minnesota Statutes 2022, section 171.0705, subdivision 4, is amended to read:

63.19 Subd. 4. **Driver's manual; crosswalk right-of-way.** The commissioner shall include
63.20 in each edition of the driver's manual published by the department ~~after August 1, 1996~~, a
63.21 section relating to the circumstances under which a driver must stop to yield the right-of-way
63.22 to a pedestrian in a crosswalk and the penalties for failure to yield.

63.23 Sec. 94. Minnesota Statutes 2022, section 171.0705, subdivision 5, is amended to read:

63.24 Subd. 5. **Driver's manual; driving in right lane.** The commissioner shall include in
63.25 each edition of the driver's manual published by the department ~~after August 1, 2010~~,
63.26 instructions relating to circumstances under which a driver of a motor vehicle should drive
63.27 in the right-hand lane of a highway that is divided into more than one lane in the same
63.28 direction of travel.

64.1 Sec. 95. Minnesota Statutes 2022, section 171.0705, subdivision 7, is amended to read:

64.2 Subd. 7. **Driver's manual; interaction with commercial motor vehicle.** The
64.3 commissioner shall include in each edition of the driver's manual published by the department
64.4 ~~after August 1, 2008~~, a section that includes information on awareness and safe interaction
64.5 with commercial motor vehicle traffic.

64.6 Sec. 96. Minnesota Statutes 2022, section 171.0705, subdivision 8, is amended to read:

64.7 Subd. 8. **Driver's manual; organ and tissue donation.** The commissioner shall include
64.8 in each edition of the driver's manual published by the department ~~after August 1, 2002~~, a
64.9 section that includes information on the shortage of organs and tissues for transplant, basic
64.10 facts about donation, use of the driver's license as an indication of donation intent, and the
64.11 importance of informing family members of the driver's decision.

64.12 Sec. 97. Minnesota Statutes 2022, section 171.26, subdivision 1, is amended to read:

64.13 Subdivision 1. **Driver services operating account.** All money received under this
64.14 chapter must be paid into the state treasury and credited to the driver services operating
64.15 account in the special revenue fund specified under sections 299A.705, ~~except as provided~~
64.16 ~~in subdivision 2 of that section~~; 171.06, subdivision 2a; 171.07, subdivision 11, paragraph
64.17 (g); 171.20, subdivision 4, paragraph (d); and 171.29, subdivision 2, paragraph (b).

64.18 Sec. 98. Minnesota Statutes 2022, section 173.02, subdivision 6, is amended to read:

64.19 Subd. 6. **Various signs and notices defined.** Directional and other official signs and
64.20 notices shall mean:

64.21 (a) "Official signs and notices" ~~mean~~ means signs and notices erected and maintained
64.22 by public officers or public agencies within their territorial jurisdiction and pursuant to and
64.23 in accordance with direction or authorization contained in federal or state law for the purposes
64.24 of carrying out an official duty or responsibility. Historical markers authorized by state law
64.25 and erected by state or local governmental agencies or nonprofit historical societies, and
64.26 municipal identification entrance signs erected in accordance with section 173.025, may be
64.27 considered official signs.

64.28 (b) "Public utility signs" ~~mean~~ means warning signs, notices, or markers which are
64.29 customarily erected and maintained by publicly or privately owned public utilities, as
64.30 essential to their operations.

65.1 (c) "Service club and religious notices" ~~mean~~ means signs and notices, not exceeding
65.2 eight square feet in advertising area, whose erection is authorized by law, relating to meetings
65.3 and location of nonprofit service clubs or charitable associations, or religious services.

65.4 (d) "Directional signs" means signs containing directional information about public
65.5 places owned or operated by public authorities as defined in Code of Federal Regulations,
65.6 title 23, section 460.2, paragraph (b), or their agencies, publicly or privately owned natural
65.7 phenomena, historic, cultural, scientific, educational, and religious sites, and areas of natural
65.8 scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the
65.9 traveling public. To qualify for directional signs, privately owned attractions must be
65.10 nationally or regionally known, and of outstanding interest to the traveling public.

65.11 (e) All definitions in this subdivision are intended to be in conformity with the national
65.12 standards for directional and other official signs.

65.13 Sec. 99. Minnesota Statutes 2022, section 173.13, subdivision 6, is amended to read:

65.14 Subd. 6. **Expiration; renewal; fee.** Permits shall expire on the last day of June of each
65.15 year. They may be renewed upon payment of the annual fee and filing of a renewal
65.16 application form to be provided by the commissioner, but without the filing of a new permit
65.17 application. There shall be proration of the fee for the year in which the permit is first
65.18 obtained, ~~and the portion of any fees for a permit on any advertising device paid under this~~
65.19 ~~chapter, allocable to the period July 1, 1971, through December 31, 1971, shall be deemed~~
65.20 ~~to have been paid upon and shall apply to payment of the fees required by Laws 1971,~~
65.21 ~~chapter 883 or refunded.~~ There shall be no additional fee or permit required for change in
65.22 advertising copy.

65.23 Sec. 100. Minnesota Statutes 2022, section 174.03, subdivision 3, is amended to read:

65.24 Subd. 3. **Relationship with national and local plans.** The statewide plan shall recognize
65.25 established national transportation policies. The plan shall include matters of local or regional
65.26 concern if this inclusion is needed to ~~insure~~ ensure a comprehensive, statewide perspective
65.27 on transportation policies and priorities. The commissioner shall recognize and attempt to
65.28 accommodate the local or regional transportation plans. However, the statewide plan shall
65.29 supersede a local or regional plan to the extent inconsistent on a matter which the
65.30 commissioner demonstrates is of statewide concern. A political subdivision may challenge
65.31 the commissioner's determination that a portion of a local or regional plan is superseded by
65.32 the statewide plan. The subdivision shall institute the challenge by filing a petition with the
65.33 commissioner within 30 days after being notified by the commissioner that the local or

66.1 regional plan is superseded. The challenge shall be resolved by the commissioner as a
66.2 contested case pursuant to chapter 14.

66.3 Sec. 101. Minnesota Statutes 2022, section 174.30, subdivision 3, is amended to read:

66.4 Subd. 3. **Other standards; wheelchair securement; protected transport.** (a) A special
66.5 transportation service that transports individuals occupying wheelchairs is subject to the
66.6 provisions of sections 299A.11 to 299A.17 concerning wheelchair securement devices. The
66.7 commissioners of transportation and public safety shall cooperate in the enforcement of
66.8 this section and sections 299A.11 to 299A.17 so that a single inspection is sufficient to
66.9 ascertain compliance with sections 299A.11 to 299A.17 and with the standards adopted
66.10 under this section. Representatives of the Department of Transportation may inspect
66.11 wheelchair securement devices in vehicles operated by special transportation service
66.12 providers to determine compliance with sections 299A.11 to 299A.17 and to issue certificates
66.13 under section 299A.14, subdivision 4.

66.14 (b) In place of a certificate issued under section 299A.14, the commissioner may issue
66.15 a decal under subdivision 4 for a vehicle equipped with a wheelchair securement device if
66.16 the device complies with sections 299A.11 to 299A.17 and the decal displays the information
66.17 in section 299A.14, subdivision 4.

66.18 (c) For vehicles designated as protected transport under section 256B.0625, subdivision
66.19 17, paragraph ~~(+)~~ (1), the commissioner of transportation, during the commissioner's
66.20 inspection, shall check to ensure the safety provisions contained in that paragraph are in
66.21 working order.

66.22 Sec. 102. Minnesota Statutes 2022, section 174.75, subdivision 3, is amended to read:

66.23 Subd. 3. **Report.** ~~Beginning in 2011,~~ The commissioner shall report on the
66.24 implementation of the complete streets policy in the agency's biennial budget submission
66.25 under section 174.02.

66.26 Sec. 103. Minnesota Statutes 2022, section 174.84, subdivision 1, is amended to read:

66.27 Subdivision 1. **General plan requirements.** ~~By January 15, 2000,~~ The commissioner
66.28 shall adopt a commuter rail system plan to ensure that if commuter rail facilities are acquired,
66.29 developed, constructed, owned, and operated in Minnesota, these activities will be done in
66.30 an efficient, cost-effective manner, and in coordination with buses and other transportation
66.31 modes and facilities. The commissioner shall consult with affected regional railroad
66.32 authorities and may incorporate into its plan elements of the plans of regional railroad

67.1 authorities in order to avoid duplication of efforts. The commissioner may periodically
67.2 update the system plan.

67.3 Sec. 104. Minnesota Statutes 2022, section 176.101, subdivision 4, is amended to read:

67.4 Subd. 4. **Permanent total disability.** For permanent total disability, as defined in
67.5 subdivision 5, the compensation shall be 66-2/3 percent of the daily wage at the time of the
67.6 injury, subject to a maximum weekly compensation equal to the maximum weekly
67.7 compensation for a temporary total disability and a minimum weekly compensation equal
67.8 to 65 percent of the statewide average weekly wage. This compensation shall be paid during
67.9 the permanent total disability of the injured employee but after a total of \$25,000 of weekly
67.10 compensation has been paid, the amount of the weekly compensation benefits being paid
67.11 by the employer shall be reduced by the amount of any disability benefits being paid by
67.12 any government disability benefit program if the disability benefits are occasioned by the
67.13 same injury or injuries which give rise to payments under this subdivision. This reduction
67.14 shall also apply to any old age and survivor insurance benefits. Payments shall be made at
67.15 the intervals when the wage was payable, as nearly as may be. In case an employee who is
67.16 permanently and totally disabled becomes an inmate of a public institution, no compensation
67.17 shall be payable during the period of confinement in the institution, unless there is wholly
67.18 dependent on the employee for support some person named in section 176.111, subdivision
67.19 1, 2 or 3, in which case the compensation provided for in section 176.111, during the period
67.20 of confinement, shall be paid for the benefit of the dependent person during dependency.
67.21 The dependency of this person shall be determined as though the employee were deceased.
67.22 Permanent total disability shall cease at age 72, except that if an employee is injured after
67.23 age 67, permanent total disability benefits shall cease after five years ~~after~~ of those benefits
67.24 have been paid.

67.25 Sec. 105. Minnesota Statutes 2022, section 214.40, subdivision 1, is amended to read:

67.26 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this section.

67.27 (b) "Administrative services unit" means the administrative services unit for the
67.28 health-related licensing boards.

67.29 (c) "Charitable organization" means a charitable organization within the meaning of
67.30 section 501(c)(3) of the Internal Revenue Code that has as a purpose the sponsorship or
67.31 support of programs designed to improve the quality, awareness, and availability of health
67.32 care services and that serves as a funding mechanism for providing those services.

68.1 (d) "Health care facility or organization" means a health care facility licensed under
68.2 chapter 144 or 144A, or a charitable organization.

68.3 (e) "Health care provider" means a physician licensed under chapter 147, physician
68.4 assistant licensed and practicing under chapter 147A, nurse licensed and registered to practice
68.5 under chapter 148, dentist, dental hygienist, or dental therapist licensed under chapter 150A,
68.6 or an advanced dental therapist licensed and certified under chapter 150A.

68.7 (f) "Health care services" means health promotion, health monitoring, health education,
68.8 diagnosis, treatment, minor surgical procedures, the administration of local anesthesia for
68.9 the stitching of wounds, and primary dental services, including preventive, diagnostic,
68.10 restorative, and emergency treatment. Health care services do not include the administration
68.11 of general anesthesia or surgical procedures other than minor surgical procedures.

68.12 (g) "Medical professional liability insurance" means ~~medical malpractice insurance as~~
68.13 ~~defined in section 62F.03~~ insurance against loss, damage, or expense incident to a claim
68.14 arising out of the death or injury of any person as the result of negligence or malpractice in
68.15 rendering licensed health care provider professional services as defined by section 62I.03,
68.16 subdivision 8.

68.17 Sec. 106. Minnesota Statutes 2022, section 219.073, is amended to read:

68.18 **219.073 COMMISSIONER'S RULES ON GRADE CROSSINGS.**

68.19 In accordance with chapter 14, the commissioner of transportation shall adopt rules ~~by~~
68.20 ~~December 1, 1991,~~ that contain standards governing the establishment, vacation, relocation,
68.21 consolidation, and separation of grades at public grade crossings. In adopting standards, the
68.22 commissioner shall consider that the number of grade crossings in this state should be
68.23 reduced and that public safety will be enhanced by reducing the number of grade crossings.

68.24 Sec. 107. Minnesota Statutes 2022, section 219.165, is amended to read:

68.25 **219.165 SAFETY RULES FOR PRIVATE RAILROAD GRADE CROSSING.**

68.26 ~~By December 31, 1992,~~ The commissioner shall adopt rules establishing minimum safety
68.27 standards at all private railroad grade crossings in the state.

68.28 Sec. 108. Minnesota Statutes 2022, section 219.18, is amended to read:

68.29 **219.18 RAILROAD TO ERECT SIGN.**

68.30 ~~At each grade crossing established after April 23, 1925, and where and when crossing~~
68.31 ~~signs existing as of April 24, 1925, are replaced, the~~ A railway company operating the

69.1 railroad at ~~that~~ each grade crossing shall erect and maintain one or more uniform crossbuck
69.2 signs. The signs must be on each side of the railroad tracks and within 50 feet from the
69.3 nearest rail, or at a distance greater than 50 feet as determined by the commissioner.

69.4 Sec. 109. Minnesota Statutes 2022, section 219.501, subdivision 1, is amended to read:

69.5 Subdivision 1. **Duty to provide walkways.** (a) Rail carriers must provide walkways
69.6 adjacent to those portions of yard tracks where rail carrier employees frequently work on
69.7 the ground performing switching activities. For purposes of this section, "frequently work"
69.8 means at least five days per week, one shift per day.

69.9 (b) This section applies to reconstruction and new construction of yard track completed
69.10 after July 1, 2008.

69.11 (c) This section does not apply to an entity that owns or operates track in this state other
69.12 than ~~class one and class two~~ Class I and Class II rail carriers as classified by the Federal
69.13 Railroad Administration.

69.14 Sec. 110. Minnesota Statutes 2022, section 219.551, subdivision 6, is amended to read:

69.15 Subd. 6. **Toilet.** Each operating unit purchased new, not reconditioned, and put into
69.16 service from an initial terminal must be equipped with a dry hopper, gas or electric
69.17 incinerator, or other suitable toilet facility, if the operating unit is used for a road operation
69.18 of 50 miles or more away from the initial terminal. ~~After July 1, 1972,~~ Each consist used
69.19 in road operations of 50 miles or more away from the initial terminal must have at least one
69.20 operating unit equipped with a dry hopper, gas or electric incinerator, or other suitable toilet
69.21 facility; provided, however, in the case of transfer or switching service or emergency or
69.22 emergency need for additional diesel power equipment, this requirement does not apply.
69.23 When put into service from an initial terminal, diesel toilet facilities must be sanitary, clean,
69.24 and operating. Unless otherwise ~~actually~~ required by operating conditions or an emergency,
69.25 the operating unit having the toilet facilities must be positioned at the head end of a consist.

69.26 Sec. 111. Minnesota Statutes 2022, section 219.561, subdivision 1, is amended to read:

69.27 Subdivision 1. **Lights.** ~~From and after January 1, 1950,~~ A person, firm, or corporation
69.28 operating or controlling a railroad shall equip each of its track motor cars used during the
69.29 period from 30 minutes before sunset to 30 minutes after sunrise with:

69.30 (1) an electric headlight of such construction and of sufficient candlepower to render
69.31 plainly visible at a distance of not less than 300 feet in advance of the track motor car a
69.32 track obstruction, landmark, warning sign, or grade crossing; and

70.1 (2) a rear electric red light of such construction and of sufficient candlepower as to be
70.2 plainly visible at a distance of 300 feet.

70.3 Sec. 112. Minnesota Statutes 2022, section 221.031, subdivision 9, is amended to read:

70.4 Subd. 9. **Out-of-service criteria adopted by reference.** The North American ~~Uniform~~
70.5 ~~Driver, Vehicle, and Hazardous Materials~~ Standard Out-Of-Service Criteria developed and
70.6 adopted by the Federal Highway Administration and the Commercial Vehicle Safety Alliance
70.7 are adopted in Minnesota.

70.8 Sec. 113. Minnesota Statutes 2022, section 221.0314, subdivision 3a, is amended to read:

70.9 Subd. 3a. **Waiver for other medical condition.** (a) The commissioner may grant a
70.10 waiver to a person who is not physically qualified to drive under Code of Federal Regulations,
70.11 title 49, section 391.41, paragraph (b)(3), (b)(10), or (b)(11). A waiver granted under this
70.12 subdivision applies to intrastate transportation only.

70.13 (b) A person who wishes to obtain a waiver under this subdivision must give the
70.14 commissioner the following information:

70.15 (1) the applicant's name, address, and telephone number;

70.16 (2) the name, address, and telephone number of an employer coapplicant, if any;

70.17 (3) a description of the applicant's experience in driving the type of vehicle to be operated
70.18 under the waiver;

70.19 (4) a description of the type of driving to be done under the waiver;

70.20 (5) a description of any modifications to the vehicle the applicant intends to drive under
70.21 the waiver that are designed to accommodate the applicant's medical condition or disability;

70.22 (6) whether the applicant has been granted another waiver under this subdivision;

70.23 (7) a copy of the applicant's current driver's license;

70.24 (8) a copy of a medical examiner's report and medical examiner's certificate showing
70.25 that the applicant is medically unqualified to drive unless a waiver is granted;

70.26 (9) a statement from the applicant's treating physician that includes:

70.27 (i) the extent to which the physician is familiar with the applicant's medical history;

70.28 (ii) a description of the applicant's medical condition for which a waiver is necessary;

71.1 (iii) assurance that the applicant has the ability and willingness to follow any course of
71.2 treatment prescribed by the physician, including the ability to self-monitor or manage the
71.3 medical condition; and

71.4 (iv) the physician's professional opinion that the applicant's condition will not adversely
71.5 affect the applicant's ability to operate a commercial motor vehicle safely; and

71.6 (10) any other information considered necessary by the commissioner including requiring
71.7 a physical examination or medical report from a physician who specializes in a particular
71.8 field of medical practice.

71.9 (c) In granting a waiver under this subdivision, the commissioner may impose conditions
71.10 the commissioner considers necessary to ensure that an applicant is able to operate a motor
71.11 vehicle safely and that the safety of the general public is protected.

71.12 (d) A person who is granted a waiver under this subdivision must:

71.13 (1) at intervals specified in the waiver, give the commissioner periodic reports from the
71.14 person's treating physician, or a medical specialist if the commissioner so requires in the
71.15 waiver, that contain the information described in paragraph (b), clause (9), together with a
71.16 description of any episode that involved the person's loss of consciousness or loss of ability
71.17 to operate a motor vehicle safely; and

71.18 (2) immediately report the person's involvement in an accident ~~for which a report is~~
71.19 ~~required under section 169.09, subdivision 7.~~

71.20 (e) The commissioner may deny an application or may immediately revoke a waiver
71.21 granted under this subdivision. Notice of the commissioner's reasons for denying an
71.22 application or for revoking a waiver must be in writing and must be mailed to the applicant's
71.23 or waiver holder's last known address by certified mail, return receipt requested. A person
71.24 whose application is denied or whose waiver is revoked is entitled to a hearing under chapter
71.25 14.

71.26 (f) A waiver granted under this subdivision expires on the date of expiration shown on
71.27 the medical examiner's certificate described in paragraph (b), clause (8).

71.28 Sec. 114. Minnesota Statutes 2022, section 221.221, subdivision 2, is amended to read:

71.29 Subd. 2. **Enforcement powers.** (a) Transportation program specialists and hazardous
71.30 material program specialists of the department are authorized to enforce (1) this chapter,
71.31 sections 169.781 to 169.783 relating to commercial vehicle inspections, and sections 168D.05
71.32 and 168D.12 relating to motor carrier licenses and trip permits, (2) Code of Federal

72.1 Regulations, title 49, parts 40 and 382, (3) the applicable rules, orders, or directives of the
72.2 commissioner of transportation and the commissioner of revenue, issued under this chapter
72.3 and chapter 168D or 296A, and (4) the North American ~~Uniform~~ Standard Out-Of-Service
72.4 Criteria, including issuing out-of-service orders, as defined in Code of Federal Regulations,
72.5 title 49, section 383.5, and they may conduct inspections at designated highway weigh
72.6 stations or under other appropriate circumstances.

72.7 (b) Transportation program specialists and hazardous material program specialists of
72.8 the department must not be armed and, except as provided in this section, have none of the
72.9 other powers and privileges reserved to peace officers, including the power to enforce traffic
72.10 laws and regulations.

72.11 Sec. 115. Minnesota Statutes 2022, section 221.81, subdivision 3e, is amended to read:

72.12 Subd. 3e. **Safety rules.** (a) A building mover must comply with the rules adopted in
72.13 section 221.0314: (1) subdivision 6 for driving of motor vehicles; (2) subdivision 7 for parts
72.14 and accessories necessary for the safe operation, except as provided in paragraph (b); (3)
72.15 subdivision 10 for inspection, repair, and maintenance; (4) subdivision 8 for accident
72.16 reporting; and, (5) ~~on and after August 1, 1994,~~ subdivisions 2 to 5 for driver qualifications.

72.17 (b) A towed vehicle, other than a full trailer, pole trailer, or semitrailer, as those terms
72.18 are defined in Code of Federal Regulations, title 49, section 390.5, used by a building mover
72.19 to move a building on a highway is not required to comply with rules for parts and accessories
72.20 necessary for safe operation.

72.21 Sec. 116. Minnesota Statutes 2022, section 245.4661, subdivision 2, is amended to read:

72.22 Subd. 2. **Program design and implementation.** Adult mental health initiatives shall
72.23 be responsible for designing, planning, improving, and maintaining a mental health service
72.24 delivery system for adults with serious and persistent mental illness that would:

72.25 (1) provide an expanded array of services from which clients can choose services
72.26 appropriate to their needs;

72.27 (2) be based on purchasing strategies that improve access and coordinate services without
72.28 cost shifting;

72.29 (3) prioritize evidence-based services and implement services that are promising practices
72.30 or theory-based practices so that the service can be evaluated according to subdivision 5a;

72.31 (4) incorporate existing state facilities and resources into the community mental health
72.32 infrastructure through creative partnerships with local vendors; and

73.1 (5) utilize existing categorical funding streams and reimbursement sources in combined
73.2 and creative ways, except appropriations to regional treatment centers and all funds that are
73.3 attributable to the operation of state-operated services are excluded unless appropriated
73.4 specifically by the legislature for a purpose consistent with this section ~~or section 246.0136,~~
73.5 ~~subdivision 1.~~

73.6 Sec. 117. Minnesota Statutes 2022, section 245.4661, subdivision 6, is amended to read:

73.7 Subd. 6. **Duties of commissioner.** (a) For purposes of adult mental health initiatives,
73.8 the commissioner shall facilitate integration of funds or other resources as needed and
73.9 requested by each adult mental health initiative. These resources may include:

73.10 (1) community support services funds administered under Minnesota Rules, parts
73.11 9535.1700 to 9535.1760;

73.12 (2) other mental health special project funds;

73.13 (3) medical assistance, MinnesotaCare, and housing support under chapter 256I if
73.14 requested by the adult mental health initiative's managing entity and if the commissioner
73.15 determines this would be consistent with the state's overall health care reform efforts; and

73.16 (4) regional treatment center resources ~~consistent with section 246.0136, subdivision 1.~~

73.17 (b) The commissioner shall consider the following criteria in awarding grants for adult
73.18 mental health initiatives:

73.19 (1) the ability of the initiatives to accomplish the objectives described in subdivision 2;

73.20 (2) the size of the target population to be served; and

73.21 (3) geographical distribution.

73.22 (c) The commissioner shall review overall status of the initiatives at least every two
73.23 years and recommend any legislative changes needed by January 15 of each odd-numbered
73.24 year.

73.25 (d) The commissioner may waive administrative rule requirements that are incompatible
73.26 with the implementation of the adult mental health initiative.

73.27 (e) The commissioner may exempt the participating counties from fiscal sanctions for
73.28 noncompliance with requirements in laws and rules that are incompatible with the
73.29 implementation of the adult mental health initiative.

74.1 (f) The commissioner may award grants to an entity designated by a county board or
74.2 group of county boards to pay for start-up and implementation costs of the adult mental
74.3 health initiative.

74.4 Sec. 118. Minnesota Statutes 2022, section 245.4885, subdivision 1a, is amended to read:

74.5 Subd. 1a. **Emergency admission.** Effective July 1, 2006, if a child is admitted to a
74.6 treatment foster care setting, residential treatment facility, or held for emergency care by a
74.7 regional treatment center under section ~~253B.05, subdivision 1~~ 253B.051, subdivision 2,
74.8 the level of care determination must occur within five working days of admission.

74.9 Sec. 119. Minnesota Statutes 2022, section 245.814, subdivision 1, is amended to read:

74.10 Subdivision 1. **Insurance for foster home providers.** The commissioner of human
74.11 services shall within the appropriation provided purchase and provide insurance to individuals
74.12 licensed as foster home providers to cover their liability for:

74.13 (1) injuries or property damage caused or sustained by persons in foster care in their
74.14 home; and

74.15 (2) actions arising out of alienation of affections sustained by the birth parents of a foster
74.16 child or birth parents or children of a foster adult.

74.17 For purposes of this subdivision, insurance for homes licensed to provide adult foster
74.18 care shall be limited to family adult foster care homes as defined in section ~~144D.01,~~
74.19 ~~subdivision 7~~ 245A.02, subdivision 6f, and family adult day services licensed under section
74.20 245A.143.

74.21 Sec. 120. Minnesota Statutes 2022, section 245.91, subdivision 5, is amended to read:

74.22 Subd. 5. **Regional center.** "Regional center" means a ~~regional center~~ state-operated
74.23 treatment program as defined in section 253B.02, subdivision 18d.

74.24 Sec. 121. Minnesota Statutes 2022, section 245A.02, subdivision 5a, is amended to read:

74.25 Subd. 5a. **Controlling individual.** (a) "Controlling individual" means an owner of a
74.26 program or service provider licensed under this chapter and the following individuals, if
74.27 applicable:

74.28 (1) each officer of the organization, including the chief executive officer and chief
74.29 financial officer;

75.1 (2) the individual designated as the authorized agent under section 245A.04, subdivision
75.2 1, paragraph (b);

75.3 (3) the individual designated as the compliance officer under section 256B.04, subdivision
75.4 21, paragraph (g);

75.5 (4) each managerial official whose responsibilities include the direction of the
75.6 management or policies of a program; and

75.7 (5) the individual designated as the primary provider of care for a special family child
75.8 care program under section 245A.14, subdivision 4, paragraph ~~(i)~~ (d).

75.9 (b) Controlling individual does not include:

75.10 (1) a bank, savings bank, trust company, savings association, credit union, industrial
75.11 loan and thrift company, investment banking firm, or insurance company unless the entity
75.12 operates a program directly or through a subsidiary;

75.13 (2) an individual who is a state or federal official, or state or federal employee, or a
75.14 member or employee of the governing body of a political subdivision of the state or federal
75.15 government that operates one or more programs, unless the individual is also an officer,
75.16 owner, or managerial official of the program, receives remuneration from the program, or
75.17 owns any of the beneficial interests not excluded in this subdivision;

75.18 (3) an individual who owns less than five percent of the outstanding common shares of
75.19 a corporation:

75.20 (i) whose securities are exempt under section 80A.45, clause (6); or

75.21 (ii) whose transactions are exempt under section 80A.46, clause (2);

75.22 (4) an individual who is a member of an organization exempt from taxation under section
75.23 290.05, unless the individual is also an officer, owner, or managerial official of the program
75.24 or owns any of the beneficial interests not excluded in this subdivision. This clause does
75.25 not exclude from the definition of controlling individual an organization that is exempt from
75.26 taxation; or

75.27 (5) an employee stock ownership plan trust, or a participant or board member of an
75.28 employee stock ownership plan, unless the participant or board member is a controlling
75.29 individual according to paragraph (a).

75.30 (c) For purposes of this subdivision, "managerial official" means an individual who has
75.31 the decision-making authority related to the operation of the program, and the responsibility
75.32 for the ongoing management of or direction of the policies, services, or employees of the

76.1 program. A site director who has no ownership interest in the program is not considered to
76.2 be a managerial official for purposes of this definition.

76.3 Sec. 122. Minnesota Statutes 2022, section 245A.04, subdivision 7, is amended to read:

76.4 Subd. 7. **Grant of license; license extension.** (a) If the commissioner determines that
76.5 the program complies with all applicable rules and laws, the commissioner shall issue a
76.6 license consistent with this section or, if applicable, a temporary change of ownership license
76.7 under section 245A.043. At minimum, the license shall state:

76.8 (1) the name of the license holder;

76.9 (2) the address of the program;

76.10 (3) the effective date and expiration date of the license;

76.11 (4) the type of license;

76.12 (5) the maximum number and ages of persons that may receive services from the program;

76.13 and

76.14 (6) any special conditions of licensure.

76.15 (b) The commissioner may issue a license for a period not to exceed two years if:

76.16 (1) the commissioner is unable to conduct the evaluation or observation required by
76.17 subdivision 4, paragraph (a), clause ~~(4)~~ (3), because the program is not yet operational;

76.18 (2) certain records and documents are not available because persons are not yet receiving
76.19 services from the program; and

76.20 (3) the applicant complies with applicable laws and rules in all other respects.

76.21 (c) A decision by the commissioner to issue a license does not guarantee that any person
76.22 or persons will be placed or cared for in the licensed program.

76.23 (d) Except as provided in paragraphs (f) and (g), the commissioner shall not issue or
76.24 reissue a license if the applicant, license holder, or controlling individual has:

76.25 (1) been disqualified and the disqualification was not set aside and no variance has been
76.26 granted;

76.27 (2) been denied a license under this chapter, within the past two years;

76.28 (3) had a license issued under this chapter revoked within the past five years;

76.29 (4) an outstanding debt related to a license fee, licensing fine, or settlement agreement
76.30 for which payment is delinquent; or

77.1 (5) failed to submit the information required of an applicant under subdivision 1,
77.2 paragraph (f) or (g), after being requested by the commissioner.

77.3 When a license issued under this chapter is revoked under clause (1) or (3), the license
77.4 holder and controlling individual may not hold any license under chapter 245A for five
77.5 years following the revocation, and other licenses held by the applicant, license holder, or
77.6 controlling individual shall also be revoked.

77.7 (e) The commissioner shall not issue or reissue a license under this chapter if an individual
77.8 living in the household where the services will be provided as specified under section
77.9 245C.03, subdivision 1, has been disqualified and the disqualification has not been set aside
77.10 and no variance has been granted.

77.11 (f) Pursuant to section 245A.07, subdivision 1, paragraph (b), when a license issued
77.12 under this chapter has been suspended or revoked and the suspension or revocation is under
77.13 appeal, the program may continue to operate pending a final order from the commissioner.
77.14 If the license under suspension or revocation will expire before a final order is issued, a
77.15 temporary provisional license may be issued provided any applicable license fee is paid
77.16 before the temporary provisional license is issued.

77.17 (g) Notwithstanding paragraph (f), when a revocation is based on the disqualification
77.18 of a controlling individual or license holder, and the controlling individual or license holder
77.19 is ordered under section 245C.17 to be immediately removed from direct contact with
77.20 persons receiving services or is ordered to be under continuous, direct supervision when
77.21 providing direct contact services, the program may continue to operate only if the program
77.22 complies with the order and submits documentation demonstrating compliance with the
77.23 order. If the disqualified individual fails to submit a timely request for reconsideration, or
77.24 if the disqualification is not set aside and no variance is granted, the order to immediately
77.25 remove the individual from direct contact or to be under continuous, direct supervision
77.26 remains in effect pending the outcome of a hearing and final order from the commissioner.

77.27 (h) For purposes of reimbursement for meals only, under the Child and Adult Care Food
77.28 Program, Code of Federal Regulations, title 7, subtitle B, chapter II, subchapter A, part 226,
77.29 relocation within the same county by a licensed family day care provider, shall be considered
77.30 an extension of the license for a period of no more than 30 calendar days or until the new
77.31 license is issued, whichever occurs first, provided the county agency has determined the
77.32 family day care provider meets licensure requirements at the new location.

77.33 (i) Unless otherwise specified by statute, all licenses issued under this chapter expire at
77.34 12:01 a.m. on the day after the expiration date stated on the license. A license holder must

78.1 apply for and be granted a new license to operate the program or the program must not be
78.2 operated after the expiration date.

78.3 (j) The commissioner shall not issue or reissue a license under this chapter if it has been
78.4 determined that a tribal licensing authority has established jurisdiction to license the program
78.5 or service.

78.6 Sec. 123. Minnesota Statutes 2022, section 245A.14, subdivision 4, is amended to read:

78.7 Subd. 4. **Special family child care homes.** (a) Nonresidential child care programs
78.8 serving 14 or fewer children that are conducted at a location other than the license holder's
78.9 own residence shall be licensed under this section and the rules governing family child care
78.10 or group family child care if:

78.11 ~~(a)~~ (1) the license holder is the primary provider of care and the nonresidential child
78.12 care program is conducted in a dwelling that is located on a residential lot;

78.13 ~~(b)~~ (2) the license holder is an employer who may or may not be the primary provider
78.14 of care, and the purpose for the child care program is to provide child care services to
78.15 children of the license holder's employees;

78.16 ~~(c)~~ (3) the license holder is a church or religious organization;

78.17 ~~(d)~~ (4) the license holder is a community collaborative child care provider. For purposes
78.18 of this subdivision, a community collaborative child care provider is a provider participating
78.19 in a cooperative agreement with a community action agency as defined in section 256E.31;

78.20 ~~(e)~~ (5) the license holder is a not-for-profit agency that provides child care in a dwelling
78.21 located on a residential lot and the license holder maintains two or more contracts with
78.22 community employers or other community organizations to provide child care services.
78.23 The county licensing agency may grant a capacity variance to a license holder licensed
78.24 under this ~~paragraph~~ clause to exceed the licensed capacity of 14 children by no more than
78.25 five children during transition periods related to the work schedules of parents, if the license
78.26 holder meets the following requirements:

78.27 ~~(1)~~ (i) the program does not exceed a capacity of 14 children more than a cumulative
78.28 total of four hours per day;

78.29 ~~(2)~~ (ii) the program meets a one to seven staff-to-child ratio during the variance period;

78.30 ~~(3)~~ (iii) all employees receive at least an extra four hours of training per year than required
78.31 in the rules governing family child care each year;

79.1 ~~(4)~~ (iv) the facility has square footage required per child under Minnesota Rules, part
79.2 9502.0425;

79.3 ~~(5)~~ (v) the program is in compliance with local zoning regulations;

79.4 ~~(6)~~ (vi) the program is in compliance with the applicable fire code as follows:

79.5 ~~(i)~~ (A) if the program serves more than five children older than 2-1/2 years of age, but
79.6 no more than five children 2-1/2 years of age or less, the applicable fire code is educational
79.7 occupancy, as provided in Group E Occupancy under the Minnesota State Fire Code 2015,
79.8 Section 202; or

79.9 ~~(ii)~~ (B) if the program serves more than five children 2-1/2 years of age or less, the
79.10 applicable fire code is Group I-4 Occupancies, as provided in the Minnesota State Fire Code
79.11 2015, Section 202, unless the rooms in which the children are cared for are located on a
79.12 level of exit discharge and each of these child care rooms has an exit door directly to the
79.13 exterior, then the applicable fire code is Group E occupancies, as provided in the Minnesota
79.14 State Fire Code 2015, Section 202; and

79.15 ~~(7)~~ (vii) any age and capacity limitations required by the fire code inspection and square
79.16 footage determinations shall be printed on the license; or

79.17 ~~(8)~~ (6) the license holder is the primary provider of care and has located the licensed
79.18 child care program in a commercial space, if the license holder meets the following
79.19 requirements:

79.20 ~~(1)~~ (i) the program is in compliance with local zoning regulations;

79.21 ~~(2)~~ (ii) the program is in compliance with the applicable fire code as follows:

79.22 ~~(i)~~ (A) if the program serves more than five children older than 2-1/2 years of age, but
79.23 no more than five children 2-1/2 years of age or less, the applicable fire code is educational
79.24 occupancy, as provided in Group E Occupancy under the Minnesota State Fire Code 2015,
79.25 Section 202; or

79.26 ~~(ii)~~ (B) if the program serves more than five children 2-1/2 years of age or less, the
79.27 applicable fire code is Group I-4 Occupancies, as provided under the Minnesota State Fire
79.28 Code 2015, Section 202;

79.29 ~~(3)~~ (iii) any age and capacity limitations required by the fire code inspection and square
79.30 footage determinations are printed on the license; and

80.1 ~~(4)~~ (iv) the license holder prominently displays the license issued by the commissioner
80.2 which contains the statement "This special family child care provider is not licensed as a
80.3 child care center."

80.4 ~~(g)~~ (b) Notwithstanding Minnesota Rules, part 9502.0335, subpart 12, the commissioner
80.5 may issue up to four licenses to an organization licensed under paragraph ~~(b)~~ (a), ~~(e)~~, or ~~(e)~~
80.6 clause (2), (3), or (5). Each license must have its own primary provider of care as required
80.7 under paragraph ~~(i)~~ (d). Each license must operate as a distinct and separate program in
80.8 compliance with all applicable laws and regulations.

80.9 ~~(h)~~ (c) For licenses issued under paragraph ~~(b)~~ (a), ~~(e)~~, ~~(d)~~, ~~(e)~~, or ~~(f)~~, clause (2), (3),
80.10 (4), (5), or (6), the commissioner may approve up to four licenses at the same location or
80.11 under one contiguous roof if each license holder is able to demonstrate compliance with all
80.12 applicable rules and laws. Each licensed program must operate as a distinct program and
80.13 within the capacity, age, and ratio distributions of each license.

80.14 ~~(i)~~ (d) For a license issued under paragraph ~~(b)~~ (a), ~~(e)~~, or ~~(e)~~, clause (2), (3), or (5) the
80.15 license holder must designate a person to be the primary provider of care at the licensed
80.16 location on a form and in a manner prescribed by the commissioner. The license holder
80.17 shall notify the commissioner in writing before there is a change of the person designated
80.18 to be the primary provider of care. The primary provider of care:

80.19 (1) must be the person who will be the provider of care at the program and present during
80.20 the hours of operation;

80.21 (2) must operate the program in compliance with applicable laws and regulations under
80.22 chapter 245A and Minnesota Rules, chapter 9502;

80.23 (3) is considered a child care background study subject as defined in section 245C.02,
80.24 subdivision 6a, and must comply with background study requirements in chapter 245C;

80.25 (4) must complete the training that is required of license holders in section 245A.50;
80.26 and

80.27 (5) is authorized to communicate with the county licensing agency and the department
80.28 on matters related to licensing.

80.29 ~~(j)~~ (e) For any license issued under this subdivision, the license holder must ensure that
80.30 any other caregiver, substitute, or helper who assists in the care of children meets the training
80.31 requirements in section 245A.50 and background study requirements under chapter 245C.

81.1 Sec. 124. Minnesota Statutes 2022, section 245A.16, subdivision 1, is amended to read:

81.2 Subdivision 1. **Delegation of authority to agencies.** (a) County agencies and private
81.3 agencies that have been designated or licensed by the commissioner to perform licensing
81.4 functions and activities under section 245A.04 and background studies for family child care
81.5 under chapter 245C; to recommend denial of applicants under section 245A.05; to issue
81.6 correction orders, to issue variances, and recommend a conditional license under section
81.7 245A.06; or to recommend suspending or revoking a license or issuing a fine under section
81.8 245A.07, shall comply with rules and directives of the commissioner governing those
81.9 functions and with this section. The following variances are excluded from the delegation
81.10 of variance authority and may be issued only by the commissioner:

81.11 (1) dual licensure of family child care and child foster care, dual licensure of child and
81.12 adult foster care, and adult foster care and family child care;

81.13 (2) adult foster care maximum capacity;

81.14 (3) adult foster care minimum age requirement;

81.15 (4) child foster care maximum age requirement;

81.16 (5) variances regarding disqualified individuals except that, before the implementation
81.17 of NETStudy 2.0, county agencies may issue variances under section 245C.30 regarding
81.18 disqualified individuals when the county is responsible for conducting a consolidated
81.19 reconsideration according to sections 245C.25 and 245C.27, subdivision 2, clauses (a) and
81.20 (b), of a county maltreatment determination and a disqualification based on serious or
81.21 recurring maltreatment;

81.22 (6) the required presence of a caregiver in the adult foster care residence during normal
81.23 sleeping hours;

81.24 (7) variances to requirements relating to chemical use problems of a license holder or a
81.25 household member of a license holder; and

81.26 (8) variances to section 245A.53 for a time-limited period. If the commissioner grants
81.27 a variance under this clause, the license holder must provide notice of the variance to all
81.28 parents and guardians of the children in care.

81.29 Except as provided in section 245A.14, subdivision 4, paragraph ~~(e)~~(a), clause ~~(5)~~, a county
81.30 agency must not grant a license holder a variance to exceed the maximum allowable family
81.31 child care license capacity of 14 children.

82.1 (b) A county agency that has been designated by the commissioner to issue family child
82.2 care variances must:

82.3 (1) publish the county agency's policies and criteria for issuing variances on the county's
82.4 public website and update the policies as necessary; and

82.5 (2) annually distribute the county agency's policies and criteria for issuing variances to
82.6 all family child care license holders in the county.

82.7 (c) Before the implementation of NETStudy 2.0, county agencies must report information
82.8 about disqualification reconsiderations under sections 245C.25 and 245C.27, subdivision
82.9 2, paragraphs (a) and (b), and variances granted under paragraph (a), clause (5), to the
82.10 commissioner at least monthly in a format prescribed by the commissioner.

82.11 (d) For family child care programs, the commissioner shall require a county agency to
82.12 conduct one unannounced licensing review at least annually.

82.13 (e) For family adult day services programs, the commissioner may authorize licensing
82.14 reviews every two years after a licensee has had at least one annual review.

82.15 (f) A license issued under this section may be issued for up to two years.

82.16 (g) During implementation of chapter 245D, the commissioner shall consider:

82.17 (1) the role of counties in quality assurance;

82.18 (2) the duties of county licensing staff; and

82.19 (3) the possible use of joint powers agreements, according to section 471.59, with counties
82.20 through which some licensing duties under chapter 245D may be delegated by the
82.21 commissioner to the counties.

82.22 Any consideration related to this paragraph must meet all of the requirements of the corrective
82.23 action plan ordered by the federal Centers for Medicare and Medicaid Services.

82.24 (h) Licensing authority specific to section 245D.06, subdivisions 5, 6, 7, and 8, or
82.25 successor provisions; and section 245D.061 or successor provisions, for family child foster
82.26 care programs providing out-of-home respite, as identified in section 245D.03, subdivision
82.27 1, paragraph (b), clause (1), is excluded from the delegation of authority to county and
82.28 private agencies.

82.29 (i) A county agency shall report to the commissioner, in a manner prescribed by the
82.30 commissioner, the following information for a licensed family child care program:

83.1 (1) the results of each licensing review completed, including the date of the review, and
83.2 any licensing correction order issued;

83.3 (2) any death, serious injury, or determination of substantiated maltreatment; and

83.4 (3) any fires that require the service of a fire department within 48 hours of the fire. The
83.5 information under this clause must also be reported to the state fire marshal within two
83.6 business days of receiving notice from a licensed family child care provider.

83.7 Sec. 125. Minnesota Statutes 2022, section 245A.52, subdivision 1, is amended to read:

83.8 Subdivision 1. **Means of escape.** (a)~~(1)~~ At least one emergency escape route separate
83.9 from the main exit from the space must be available in: (1) each room used for sleeping by
83.10 anyone receiving licensed care;; and (2) a basement used for child care. One means of escape
83.11 must be a stairway or door leading to the floor of exit discharge. The other must be a door
83.12 or window leading directly outside. A window used as an emergency escape route must be
83.13 openable without special knowledge.

83.14 (b) In homes with construction that began before May 2, 2016, the interior of the window
83.15 leading directly outside must have a net clear opening area of not less than 4.5 square feet
83.16 or 648 square inches and have minimum clear opening dimensions of 20 inches wide and
83.17 20 inches high. The opening must be no higher than 48 inches from the floor. The height
83.18 to the window may be measured from a platform if a platform is located below the window.

83.19 (c) In homes with construction that began on or after May 2, 2016, the interior of the
83.20 window leading directly outside must have minimum clear opening dimensions of 20 inches
83.21 wide and 24 inches high. The net clear opening dimensions shall be the result of normal
83.22 operation of the opening. The opening must be no higher than 44 inches from the floor.

83.23 (d) Additional requirements are dependent on the distance of the openings from the
83.24 ground outside the window: (1) windows or other openings with a sill height not more than
83.25 44 inches above or below the finished ground level adjacent to the opening (grade-floor
83.26 emergency escape and rescue openings) must have a minimum opening of five square feet;
83.27 and (2) non-grade-floor emergency escape and rescue openings must have a minimum
83.28 opening of 5.7 square feet.

83.29 Sec. 126. Minnesota Statutes 2022, section 245C.04, subdivision 10, is amended to read:

83.30 Subd. 10. **Child protection workers or social services staff having responsibility for**
83.31 **child protective duties.** The commissioner shall conduct background studies of employees
83.32 of county social services and local welfare agencies having responsibility for child protection

84.1 duties when the background study is initiated according to section ~~626.559, subdivision 1b~~
84.2 260E.36, subdivision 3.

84.3 Sec. 127. Minnesota Statutes 2022, section 245D.03, subdivision 1, is amended to read:

84.4 Subdivision 1. **Applicability.** (a) The commissioner shall regulate the provision of home
84.5 and community-based services to persons with disabilities and persons age 65 and older
84.6 pursuant to this chapter. The licensing standards in this chapter govern the provision of
84.7 basic support services and intensive support services.

84.8 (b) Basic support services provide the level of assistance, supervision, and care that is
84.9 necessary to ensure the health and welfare of the person and do not include services that
84.10 are specifically directed toward the training, treatment, habilitation, or rehabilitation of the
84.11 person. Basic support services include:

84.12 (1) in-home and out-of-home respite care services as defined in section 245A.02,
84.13 subdivision 15, and under the brain injury, community alternative care, community access
84.14 for disability inclusion, developmental disabilities, and elderly waiver plans, excluding
84.15 out-of-home respite care provided to children in a family child foster care home licensed
84.16 under Minnesota Rules, parts 2960.3000 to 2960.3100, when the child foster care license
84.17 holder complies with the requirements under section 245D.06, subdivisions 5, 6, 7, and 8,
84.18 or successor provisions; and section 245D.061 or successor provisions, which must be
84.19 stipulated in the statement of intended use required under Minnesota Rules, part 2960.3000,
84.20 subpart 4;

84.21 (2) adult companion services as defined under the brain injury, community access for
84.22 disability inclusion, community alternative care, and elderly waiver plans, excluding adult
84.23 companion services provided under the Corporation for National and Community Services
84.24 Senior Companion Program established under the Domestic Volunteer Service Act of 1973,
84.25 Public Law 98-288;

84.26 (3) personal support as defined under the developmental disabilities waiver plan;

84.27 (4) 24-hour emergency assistance, personal emergency response as defined under the
84.28 community access for disability inclusion and developmental disabilities waiver plans;

84.29 (5) night supervision services as defined under the brain injury, community access for
84.30 disability inclusion, community alternative care, and developmental disabilities waiver
84.31 plans;

84.32 (6) homemaker services as defined under the community access for disability inclusion,
84.33 brain injury, community alternative care, developmental disabilities, and elderly waiver

85.1 plans, excluding providers licensed by the Department of Health under chapter 144A and
85.2 those providers providing cleaning services only;

85.3 (7) individual community living support under section 256S.13; and

85.4 (8) individualized home supports services as defined under the brain injury, community
85.5 alternative care, ~~and~~ community access for disability inclusion, and developmental disabilities
85.6 waiver plans.

85.7 (c) Intensive support services provide assistance, supervision, and care that is necessary
85.8 to ensure the health and welfare of the person and services specifically directed toward the
85.9 training, habilitation, or rehabilitation of the person. Intensive support services include:

85.10 (1) intervention services, including:

85.11 (i) positive support services as defined under the brain injury and community access for
85.12 disability inclusion, community alternative care, and developmental disabilities waiver
85.13 plans;

85.14 (ii) in-home or out-of-home crisis respite services as defined under the brain injury,
85.15 community access for disability inclusion, community alternative care, and developmental
85.16 disabilities waiver plans; and

85.17 (iii) specialist services as defined under the current brain injury, community access for
85.18 disability inclusion, community alternative care, and developmental disabilities waiver
85.19 plans;

85.20 (2) in-home support services, including:

85.21 (i) in-home family support and supported living services as defined under the
85.22 developmental disabilities waiver plan;

85.23 (ii) independent living services training as defined under the brain injury and community
85.24 access for disability inclusion waiver plans;

85.25 (iii) semi-independent living services;

85.26 (iv) individualized home support with training services as defined under the brain injury,
85.27 community alternative care, community access for disability inclusion, and developmental
85.28 disabilities waiver plans; and

85.29 (v) individualized home support with family training services as defined under the brain
85.30 injury, community alternative care, community access for disability inclusion, and
85.31 developmental disabilities waiver plans;

86.1 (3) residential supports and services, including:

86.2 (i) supported living services as defined under the developmental disabilities waiver plan
86.3 provided in a family or corporate child foster care residence, a family adult foster care
86.4 residence, a community residential setting, or a supervised living facility;

86.5 (ii) foster care services as defined in the brain injury, community alternative care, and
86.6 community access for disability inclusion waiver plans provided in a family or corporate
86.7 child foster care residence, a family adult foster care residence, or a community residential
86.8 setting;

86.9 (iii) community residential services as defined under the brain injury, community
86.10 alternative care, community access for disability inclusion, and developmental disabilities
86.11 waiver plans provided in a corporate child foster care residence, a community residential
86.12 setting, or a supervised living facility;

86.13 (iv) family residential services as defined in the brain injury, community alternative
86.14 care, community access for disability inclusion, and developmental disabilities waiver plans
86.15 provided in a family child foster care residence or a family adult foster care residence; and

86.16 (v) residential services provided to more than four persons with developmental disabilities
86.17 in a supervised living facility, including ICFs/DD;

86.18 (4) day services, including:

86.19 (i) structured day services as defined under the brain injury waiver plan;

86.20 (ii) day services under sections 252.41 to 252.46, and as defined under the brain injury,
86.21 community alternative care, community access for disability inclusion, and developmental
86.22 disabilities waiver plans;

86.23 (iii) day training and habilitation services under sections 252.41 to 252.46, and as defined
86.24 under the developmental disabilities waiver plan; and

86.25 (iv) prevocational services as defined under the brain injury, community alternative care,
86.26 community access for disability inclusion, and developmental disabilities waiver plans; and

86.27 (5) employment exploration services as defined under the brain injury, community
86.28 alternative care, community access for disability inclusion, and developmental disabilities
86.29 waiver plans;

86.30 (6) employment development services as defined under the brain injury, community
86.31 alternative care, community access for disability inclusion, and developmental disabilities
86.32 waiver plans;

87.1 (7) employment support services as defined under the brain injury, community alternative
87.2 care, community access for disability inclusion, and developmental disabilities waiver plans;
87.3 and

87.4 (8) integrated community support as defined under the brain injury and community
87.5 access for disability inclusion waiver plans beginning January 1, 2021, and community
87.6 alternative care and developmental disabilities waiver plans beginning January 1, 2023.

87.7 Sec. 128. Minnesota Statutes 2022, section 245I.02, subdivision 5, is amended to read:

87.8 Subd. 5. **Case manager.** "Case manager" means a client's case manager according to
87.9 section ~~256B.0596~~; 256B.0621; 256B.0625, subdivision 20; 256B.092, subdivision 1a;
87.10 256B.0924; 256B.093, subdivision 3a; 256B.094; or 256B.49.

87.11 Sec. 129. Minnesota Statutes 2022, section 245I.04, subdivision 5, is amended to read:

87.12 Subd. 5. **Mental health practitioner scope of practice.** (a) A mental health practitioner
87.13 under the treatment supervision of a mental health professional or certified rehabilitation
87.14 specialist may provide an adult client with client education, rehabilitative mental health
87.15 services, functional assessments, level of care assessments, and treatment plans. A mental
87.16 health practitioner under the treatment supervision of a mental health professional may
87.17 provide skill-building services to a child client and complete treatment plans for a child
87.18 client.

87.19 (b) A mental health practitioner must not provide treatment supervision to other staff
87.20 persons. A mental health practitioner may provide direction to mental health rehabilitation
87.21 workers and mental health behavioral aides.

87.22 (c) A mental health practitioner who provides services to clients according to section
87.23 256B.0624 ~~or 256B.0944~~ may perform crisis assessments and interventions for a client.

87.24 Sec. 130. Minnesota Statutes 2022, section 246.18, subdivision 2a, is amended to read:

87.25 Subd. 2a. **Disposition of interest for the behavioral health fund.** Beginning July 1,
87.26 1991, interest earned on cash balances on deposit with the commissioner of management
87.27 and budget derived from receipts from substance use disorder programs affiliated with
87.28 state-operated facilities under the commissioner of human services must be deposited in
87.29 the state treasury and credited to ~~a substance use disorder account~~ the behavioral health
87.30 fund under subdivision 2. Any interest earned is appropriated to the commissioner to operate
87.31 substance use disorder programs according to subdivision 2.

88.1 Sec. 131. Minnesota Statutes 2022, section 254A.19, subdivision 4, is amended to read:

88.2 Subd. 4. **Civil commitments.** A Rule 25 assessment, under Minnesota Rules, part
88.3 9530.6615, does not need to be completed for an individual being committed as a chemically
88.4 dependent person, as defined in section 253B.02, and for the duration of a civil commitment
88.5 under section ~~253B.065~~, 253B.09, or 253B.095 in order for a county to access the behavioral
88.6 health fund under section 254B.04. The county must determine if the individual meets the
88.7 financial eligibility requirements for the behavioral health fund under section 254B.04.
88.8 Nothing in this subdivision prohibits placement in a treatment facility or treatment program
88.9 governed under this chapter or Minnesota Rules, parts 9530.6600 to 9530.6655.

88.10 Sec. 132. Minnesota Statutes 2022, section 254B.04, subdivision 1, is amended to read:

88.11 Subdivision 1. **Eligibility.** (a) Persons eligible for benefits under Code of Federal
88.12 Regulations, title 25, part 20, who meet the income standards of section 256B.056,
88.13 subdivision 4, and are not enrolled in medical assistance, are entitled to behavioral health
88.14 fund services. State money appropriated for this paragraph must be placed in a separate
88.15 account established for this purpose.

88.16 (b) Persons with dependent children who are determined to be in need of ~~chemical~~
88.17 ~~dependency~~ substance use disorder treatment pursuant to an assessment under section
88.18 260E.20, subdivision 1, or in need of chemical dependency treatment pursuant to a case
88.19 plan under section 260C.201, subdivision 6, or 260C.212, shall be assisted by the local
88.20 agency to access needed treatment services. Treatment services must be appropriate for the
88.21 individual or family, which may include long-term care treatment or treatment in a facility
88.22 that allows the dependent children to stay in the treatment facility. The county shall pay for
88.23 out-of-home placement costs, if applicable.

88.24 (c) Notwithstanding paragraph (a), persons enrolled in medical assistance are eligible
88.25 for room and board services under section 254B.05, subdivision 5, paragraph (b), clause
88.26 (12).

88.27 Sec. 133. Minnesota Statutes 2022, section 254B.09, subdivision 2, is amended to read:

88.28 Subd. 2. **American Indian agreements.** The commissioner may enter into agreements
88.29 with federally recognized tribal units to pay for substance use disorder treatment services
88.30 provided under Laws 1986, chapter 394, sections 8 to 20. The agreements must clarify how
88.31 the governing body of the tribal unit fulfills local agency responsibilities regarding:

88.32 (1) the form and manner of invoicing; ~~and~~

89.1 ~~(2) provide that only invoices for eligible vendors according to section 254B.05 will be~~
89.2 ~~included in invoices sent to the commissioner for payment, to the extent that money allocated~~
89.3 ~~under subdivisions 4 and 5 is used.~~

89.4 Sec. 134. Minnesota Statutes 2022, section 256.0112, subdivision 7, is amended to read:

89.5 Subd. 7. **Contracts with community mental health boards.** A local agency within the
89.6 geographic area served by a community mental health board authorized by sections 245.61
89.7 to ~~245.69~~ 245.66, may contract directly with the community mental health board. However,
89.8 if a local agency outside of the geographic area served by a community mental health board
89.9 wishes to purchase services from the board, the local agency must follow the requirements
89.10 under subdivision 6.

89.11 Sec. 135. Minnesota Statutes 2022, section 256.975, subdivision 10, is amended to read:

89.12 Subd. 10. **Communities for a lifetime.** (a) For purposes of this subdivision, "communities
89.13 for a lifetime" means partnerships of small cities, counties, municipalities, statutory or home
89.14 rule charter cities, or towns, whose citizens seek to affirmatively extend to persons ages 65
89.15 and older the opportunities, supports, and services that will enable them to continue to be
89.16 contributing, civically engaged residents.

89.17 (b) The opportunities extended within a reasonable distance to senior residents by
89.18 communities for a lifetime must include, but not be limited to:

89.19 (1) the opportunity to contribute time and talents through volunteer community service;

89.20 (2) the opportunity to participate in the paid workforce, with flexibility of hours and
89.21 scheduling;

89.22 (3) the opportunity for socializing, recreation, and wellness activities, including both
89.23 physical exercise and mental stimulation;

89.24 (4) the opportunity to "age in place" and choose among a variety of affordable, accessible
89.25 housing options, including single-family housing, independent congregate senior housing,
89.26 and senior housing with services;

89.27 (5) the opportunity to access quality long-term care in the setting of the senior's own
89.28 choice; and

89.29 (6) the opportunity for community-wide mobility and to access public transportation,
89.30 including door-to-door assistance and weekend and evening access.

90.1 (c) Communities for a lifetime must demonstrate the availability of supports and services
90.2 for senior residents that include, but are not limited to:

90.3 (1) an array of home and community-based services to support seniors' options to remain
90.4 in an independent living setting as they age and become more frail;

90.5 (2) access to contemporary remote medical technology for cost-effective home-based
90.6 monitoring of medical conditions;

90.7 (3) access to nutrition programs, including congregate meal and home-delivered meal
90.8 opportunities;

90.9 (4) access to a comprehensive caregiver support system for family members and volunteer
90.10 caregivers, including:

90.11 (i) technological support for caregivers remaining in the paid workforce to manage
90.12 caregiver responsibilities effectively; and

90.13 (ii) respite care that offers temporary substitute care and supervision for frail seniors;

90.14 (5) personal assistance in accessing services and supports, and in seeking financing for
90.15 these services and supports;

90.16 (6) high-quality assisted living facilities within a senior's geographic setting of choice;

90.17 (7) high-quality nursing care facilities within a senior's geographic setting of choice;
90.18 and

90.19 (8) the protection offered to vulnerable seniors by a publicly operated adult protective
90.20 service.

90.21 (d) Communities for a lifetime must also:

90.22 (1) establish an ongoing local commission to advise the community for a lifetime on its
90.23 provision of the opportunities, services, and supports identified in paragraphs (b) and (c);

90.24 (2) offer training and learning opportunities for businesses, civic groups, fire and police
90.25 personnel, and others frequently interacting with seniors on appropriate methods of interacting
90.26 with seniors; and

90.27 (3) incorporate into its local plan, developed in accordance with ~~sections~~ Minnesota
90.28 Statutes 2020, section 366.10, and sections 394.232, and 462.353, elements that address the
90.29 impact of the forecast change in population age structure on land use, housing, public
90.30 facilities, transportation, capital improvement, and other areas addressed by local plans;
90.31 provisions addressing the availability of the opportunities, supports, and services identified

91.1 in paragraphs (b) and (c); and strategies to develop physical infrastructure responsive to the
91.2 needs of the projected population.

91.3 (e) In implementing this subdivision, the Minnesota Board on Aging shall:

91.4 (1) consult with, and when appropriate work through, the area agencies on aging;

91.5 (2) consult with the commissioners of human services, health, and employment and
91.6 economic development, and the League of Minnesota Cities and other organizations
91.7 representing local units of government; and

91.8 (3) review models of senior-friendly community initiatives from other states and
91.9 organizations.

91.10 (f) The Board on Aging shall report to the legislature by February 28, 2010, with
91.11 recommendations on (1) a process for communities to request and receive the designation
91.12 of community for a lifetime, and (2) funding sources to implement these communities.

91.13 Sec. 136. Minnesota Statutes 2022, section 256B.04, subdivision 1b, is amended to read:

91.14 Subd. 1b. **Contract for administrative services for American Indian**

91.15 **children.** Notwithstanding subdivision 1, the commissioner may contract with federally
91.16 recognized Indian tribes with a reservation in Minnesota for the provision of early and
91.17 periodic screening, diagnosis, and treatment administrative services for American Indian
91.18 children, according to section 256B.0625, subdivision 58, and Code of Federal Regulations,
91.19 title 42, section 441, subpart B, ~~and Minnesota Rules, part 9505.1693 et seq.~~, when the tribe
91.20 chooses to provide such services. For purposes of this subdivision, "American Indian" has
91.21 the meaning given to persons to whom services will be provided for in Code of Federal
91.22 Regulations, title 42, section 36.12. ~~Notwithstanding Minnesota Rules, part 9505.1748,~~
91.23 ~~subpart 1,~~ The commissioner, the local agency, and the tribe may contract with any entity
91.24 for the provision of early and periodic screening, diagnosis, and treatment administrative
91.25 services.

91.26 Sec. 137. Minnesota Statutes 2022, section 256B.0575, subdivision 2, is amended to read:

91.27 Subd. 2. **Reasonable expenses.** For the purposes of subdivision 1, paragraph (a), clause
91.28 (9), reasonable expenses are limited to expenses that have not been previously used as a
91.29 deduction from income and were not:

91.30 (1) for long-term care expenses incurred during a period of ineligibility as defined in
91.31 section 256B.0595, subdivision 2;

92.1 (2) incurred more than three months before the month of application associated with the
92.2 current period of eligibility;

92.3 (3) for expenses incurred by a recipient that are duplicative of services that are covered
92.4 under chapter 256B;

92.5 (4) nursing facility expenses incurred without a timely assessment as required under
92.6 section 256B.0911; or

92.7 (5) for private room fees incurred by an assisted living ~~client~~ resident, as defined in
92.8 section ~~144G.01, subdivision 3~~ 144G.08, subdivision 59.

92.9 Sec. 138. Minnesota Statutes 2022, section 256B.0625, subdivision 17, is amended to
92.10 read:

92.11 Subd. 17. **Transportation costs.** (a) "Nonemergency medical transportation service"
92.12 means motor vehicle transportation provided by a public or private person that serves
92.13 Minnesota health care program beneficiaries who do not require emergency ambulance
92.14 service, as defined in section 144E.001, subdivision 3, to obtain covered medical services.

92.15 (b) For purposes of this subdivision, "rural urban commuting area" or "RUCA" means
92.16 a census-tract based classification system under which a geographical area is determined
92.17 to be urban, rural, or super rural.

92.18 ~~(b)~~ (c) Medical assistance covers medical transportation costs incurred solely for obtaining
92.19 emergency medical care or transportation costs incurred by eligible persons in obtaining
92.20 emergency or nonemergency medical care when paid directly to an ambulance company,
92.21 nonemergency medical transportation company, or other recognized providers of
92.22 transportation services. Medical transportation must be provided by:

92.23 (1) nonemergency medical transportation providers who meet the requirements of this
92.24 subdivision;

92.25 (2) ambulances, as defined in section 144E.001, subdivision 2;

92.26 (3) taxicabs that meet the requirements of this subdivision;

92.27 (4) public transit, as defined in section 174.22, subdivision 7; or

92.28 (5) not-for-hire vehicles, including volunteer drivers, as defined in section 65B.472,
92.29 subdivision 1, paragraph (h).

92.30 ~~(e)~~ (d) Medical assistance covers nonemergency medical transportation provided by
92.31 nonemergency medical transportation providers enrolled in the Minnesota health care

93.1 programs. All nonemergency medical transportation providers must comply with the
93.2 operating standards for special transportation service as defined in sections 174.29 to 174.30
93.3 and Minnesota Rules, chapter 8840, and all drivers must be individually enrolled with the
93.4 commissioner and reported on the claim as the individual who provided the service. All
93.5 nonemergency medical transportation providers shall bill for nonemergency medical
93.6 transportation services in accordance with Minnesota health care programs criteria. Publicly
93.7 operated transit systems, volunteers, and not-for-hire vehicles are exempt from the
93.8 requirements outlined in this paragraph.

93.9 ~~(d)~~ (e) An organization may be terminated, denied, or suspended from enrollment if:

93.10 (1) the provider has not initiated background studies on the individuals specified in
93.11 section 174.30, subdivision 10, paragraph (a), clauses (1) to (3); or

93.12 (2) the provider has initiated background studies on the individuals specified in section
93.13 174.30, subdivision 10, paragraph (a), clauses (1) to (3), and:

93.14 (i) the commissioner has sent the provider a notice that the individual has been
93.15 disqualified under section 245C.14; and

93.16 (ii) the individual has not received a disqualification set-aside specific to the special
93.17 transportation services provider under sections 245C.22 and 245C.23.

93.18 ~~(e)~~ (f) The administrative agency of nonemergency medical transportation must:

93.19 (1) adhere to the policies defined by the commissioner;

93.20 (2) pay nonemergency medical transportation providers for services provided to
93.21 Minnesota health care programs beneficiaries to obtain covered medical services;

93.22 (3) provide data monthly to the commissioner on appeals, complaints, no-shows, canceled
93.23 trips, and number of trips by mode; and

93.24 (4) by July 1, 2016, in accordance with subdivision 18e, utilize a web-based single
93.25 administrative structure assessment tool that meets the technical requirements established
93.26 by the commissioner, reconciles trip information with claims being submitted by providers,
93.27 and ensures prompt payment for nonemergency medical transportation services.

93.28 ~~(f)~~ (g) Until the commissioner implements the single administrative structure and delivery
93.29 system under subdivision 18e, clients shall obtain their level-of-service certificate from the
93.30 commissioner or an entity approved by the commissioner that does not dispatch rides for
93.31 clients using modes of transportation under paragraph ~~(f)~~ (1), clauses (4), (5), (6), and (7).

94.1 ~~(g)~~ (h) The commissioner may use an order by the recipient's attending physician,
94.2 advanced practice registered nurse, physician assistant, or a medical or mental health
94.3 professional to certify that the recipient requires nonemergency medical transportation
94.4 services. Nonemergency medical transportation providers shall perform driver-assisted
94.5 services for eligible individuals, when appropriate. Driver-assisted service includes passenger
94.6 pickup at and return to the individual's residence or place of business, assistance with
94.7 admittance of the individual to the medical facility, and assistance in passenger securement
94.8 or in securing of wheelchairs, child seats, or stretchers in the vehicle.

94.9 (i) Nonemergency medical transportation providers must take clients to the health care
94.10 provider using the most direct route, and must not exceed 30 miles for a trip to a primary
94.11 care provider or 60 miles for a trip to a specialty care provider, unless the client receives
94.12 authorization from the local agency.

94.13 (j) Nonemergency medical transportation providers may not bill for separate base rates
94.14 for the continuation of a trip beyond the original destination. Nonemergency medical
94.15 transportation providers must maintain trip logs, which include pickup and drop-off times,
94.16 signed by the medical provider or client, whichever is deemed most appropriate, attesting
94.17 to mileage traveled to obtain covered medical services. Clients requesting client mileage
94.18 reimbursement must sign the trip log attesting mileage traveled to obtain covered medical
94.19 services.

94.20 ~~(h)~~ (k) The administrative agency shall use the level of service process established by
94.21 the commissioner to determine the client's most appropriate mode of transportation. If public
94.22 transit or a certified transportation provider is not available to provide the appropriate service
94.23 mode for the client, the client may receive a onetime service upgrade.

94.24 ~~(i)~~ (l) The covered modes of transportation are:

94.25 (1) client reimbursement, which includes client mileage reimbursement provided to
94.26 clients who have their own transportation, or to family or an acquaintance who provides
94.27 transportation to the client;

94.28 (2) volunteer transport, which includes transportation by volunteers using their own
94.29 vehicle;

94.30 (3) unassisted transport, which includes transportation provided to a client by a taxicab
94.31 or public transit. If a taxicab or public transit is not available, the client can receive
94.32 transportation from another nonemergency medical transportation provider;

95.1 (4) assisted transport, which includes transport provided to clients who require assistance
95.2 by a nonemergency medical transportation provider;

95.3 (5) lift-equipped/ramp transport, which includes transport provided to a client who is
95.4 dependent on a device and requires a nonemergency medical transportation provider with
95.5 a vehicle containing a lift or ramp;

95.6 (6) protected transport, which includes transport provided to a client who has received
95.7 a prescreening that has deemed other forms of transportation inappropriate and who requires
95.8 a provider: (i) with a protected vehicle that is not an ambulance or police car and has safety
95.9 locks, a video recorder, and a transparent thermoplastic partition between the passenger and
95.10 the vehicle driver; and (ii) who is certified as a protected transport provider; and

95.11 (7) stretcher transport, which includes transport for a client in a prone or supine position
95.12 and requires a nonemergency medical transportation provider with a vehicle that can transport
95.13 a client in a prone or supine position.

95.14 ~~(j)~~ (m) The local agency shall be the single administrative agency and shall administer
95.15 and reimburse for modes defined in paragraph ~~(i)~~ (l) according to paragraphs ~~(m)~~ (p) and
95.16 ~~(n)~~ (q) when the commissioner has developed, made available, and funded the web-based
95.17 single administrative structure, assessment tool, and level of need assessment under
95.18 subdivision 18e. The local agency's financial obligation is limited to funds provided by the
95.19 state or federal government.

95.20 ~~(k)~~ (n) The commissioner shall:

95.21 (1) verify that the mode and use of nonemergency medical transportation is appropriate;

95.22 (2) verify that the client is going to an approved medical appointment; and

95.23 (3) investigate all complaints and appeals.

95.24 ~~(h)~~ (o) The administrative agency shall pay for the services provided in this subdivision
95.25 and seek reimbursement from the commissioner, if appropriate. As vendors of medical care,
95.26 local agencies are subject to the provisions in section 256B.041, the sanctions and monetary
95.27 recovery actions in section 256B.064, and Minnesota Rules, parts 9505.2160 to 9505.2245.

95.28 ~~(m)~~ (p) Payments for nonemergency medical transportation must be paid based on the
95.29 client's assessed mode under paragraph ~~(h)~~ (k), not the type of vehicle used to provide the
95.30 service. The medical assistance reimbursement rates for nonemergency medical transportation
95.31 services that are payable by or on behalf of the commissioner for nonemergency medical
95.32 transportation services are:

- 96.1 (1) \$0.22 per mile for client reimbursement;
- 96.2 (2) up to 100 percent of the Internal Revenue Service business deduction rate for volunteer
96.3 transport;
- 96.4 (3) equivalent to the standard fare for unassisted transport when provided by public
96.5 transit, and \$11 for the base rate and \$1.30 per mile when provided by a nonemergency
96.6 medical transportation provider;
- 96.7 (4) \$13 for the base rate and \$1.30 per mile for assisted transport;
- 96.8 (5) \$18 for the base rate and \$1.55 per mile for lift-equipped/ramp transport;
- 96.9 (6) \$75 for the base rate and \$2.40 per mile for protected transport; and
- 96.10 (7) \$60 for the base rate and \$2.40 per mile for stretcher transport, and \$9 per trip for
96.11 an additional attendant if deemed medically necessary.

96.12 ~~(n)~~(q) The base rate for nonemergency medical transportation services in areas defined
96.13 under RUCA to be super rural is equal to 111.3 percent of the respective base rate in
96.14 paragraph ~~(m)~~(p), clauses (1) to (7). The mileage rate for nonemergency medical
96.15 transportation services in areas defined under RUCA to be rural or super rural areas is:

- 96.16 (1) for a trip equal to 17 miles or less, equal to 125 percent of the respective mileage
96.17 rate in paragraph ~~(m)~~(p), clauses (1) to (7); and
- 96.18 (2) for a trip between 18 and 50 miles, equal to 112.5 percent of the respective mileage
96.19 rate in paragraph ~~(m)~~(p), clauses (1) to (7).

96.20 ~~(o)~~(r) For purposes of reimbursement rates for nonemergency medical transportation
96.21 services under paragraphs ~~(m)~~(p) and ~~(n)~~(q), the zip code of the recipient's place of residence
96.22 shall determine whether the urban, rural, or super rural reimbursement rate applies.

96.23 ~~(p) For purposes of this subdivision, "rural urban commuting area" or "RUCA" means~~
96.24 ~~a census tract based classification system under which a geographical area is determined~~
96.25 ~~to be urban, rural, or super rural.~~

96.26 ~~(q)~~(s) The commissioner, when determining reimbursement rates for nonemergency
96.27 medical transportation under paragraphs ~~(m)~~(p) and ~~(n)~~(q), shall exempt all modes of
96.28 transportation listed under paragraph ~~(i)~~(l) from Minnesota Rules, part 9505.0445, item R,
96.29 subitem (2).

97.1 Sec. 139. Minnesota Statutes 2022, section 256B.0625, subdivision 57, is amended to
97.2 read:

97.3 Subd. 57. **Payment for Part B Medicare crossover claims.** (a) Effective for services
97.4 provided on or after January 1, 2012, medical assistance payment for an enrollee's
97.5 cost-sharing associated with Medicare Part B is limited to an amount up to the medical
97.6 assistance total allowed, when the medical assistance rate exceeds the amount paid by
97.7 Medicare.

97.8 (b) Excluded from this limitation are payments for mental health services and payments
97.9 for dialysis services provided to end-stage renal disease patients. The exclusion for mental
97.10 health services does not apply to payments for physician services provided by psychiatrists
97.11 and advanced practice registered nurses with a specialty in mental health.

97.12 (c) Excluded from this limitation are payments to federally qualified health centers,
97.13 Indian Health Services, rural health clinics, and CCBHCs subject to the prospective payment
97.14 system under subdivision 5m.

97.15 Sec. 140. Minnesota Statutes 2022, section 256B.0671, is amended to read:

97.16 **256B.0671 COVERED MENTAL HEALTH SERVICES.**

97.17 Subdivision 1. **Definitions.** (a) "Clinical trainee" means a staff person who is qualified
97.18 under section 245I.04, subdivision 6.

97.19 (b) "Mental health practitioner" means a staff person who is qualified under section
97.20 245I.04, subdivision 4.

97.21 (c) "Mental health professional" means a staff person who is qualified under section
97.22 245I.04, subdivision 2.

97.23 Subd. 2. **Generally.** (a) An individual, organization, or government entity providing
97.24 mental health services to a client under this section must obtain a criminal background study
97.25 of each staff person or volunteer who is providing direct contact services to a client.

97.26 (b) An individual, organization, or government entity providing mental health services
97.27 to a client under this section must comply with all responsibilities that chapter 245I assigns
97.28 to a license holder, except section 245I.011, subdivision 1, unless all of the individual's,
97.29 organization's, or government entity's treatment staff are qualified as mental health
97.30 professionals.

98.1 (c) An individual, organization, or government entity providing mental health services
98.2 to a client under this section must comply with the following requirements if all of the
98.3 license holder's treatment staff are qualified as mental health professionals:

98.4 (1) provider qualifications and scopes of practice under section 245I.04;

98.5 (2) maintaining and updating personnel files under section 245I.07;

98.6 (3) documenting under section 245I.08;

98.7 (4) maintaining and updating client files under section 245I.09;

98.8 (5) completing client assessments and treatment planning under section 245I.10;

98.9 (6) providing clients with health services and medications under section 245I.11; and

98.10 (7) respecting and enforcing client rights under section 245I.12.

98.11 **Subd. 3. Adult day treatment services.** (a) ~~Subject to federal approval,~~ Medical
98.12 assistance covers adult day treatment (ADT) services that are provided under contract with
98.13 the county board. Adult day treatment payment is subject to the conditions in paragraphs
98.14 (b) to (e). The provider must make reasonable and good faith efforts to report individual
98.15 client outcomes to the commissioner using instruments, protocols, and forms approved by
98.16 the commissioner.

98.17 (b) Adult day treatment is an intensive psychotherapeutic treatment to reduce or relieve
98.18 the effects of mental illness on a client to enable the client to benefit from a lower level of
98.19 care and to live and function more independently in the community. Adult day treatment
98.20 services must be provided to a client to stabilize the client's mental health and to improve
98.21 the client's independent living and socialization skills. Adult day treatment must consist of
98.22 at least one hour of group psychotherapy and must include group time focused on
98.23 rehabilitative interventions or other therapeutic services that a multidisciplinary team provides
98.24 to each client. Adult day treatment services are not a part of inpatient or residential treatment
98.25 services. The following providers may apply to become adult day treatment providers:

98.26 (1) a hospital accredited by the Joint Commission on Accreditation of Health
98.27 Organizations and licensed under sections 144.50 to 144.55;

98.28 (2) a community mental health center under section 256B.0625, subdivision 5; or

98.29 (3) an entity that is under contract with the county board to operate a program that meets
98.30 the requirements of section 245.4712, subdivision 2, and Minnesota Rules, parts 9505.0170
98.31 to 9505.0475.

98.32 (c) An adult day treatment services provider must:

99.1 (1) ensure that the commissioner has approved of the organization as an adult day
99.2 treatment provider organization;

99.3 (2) ensure that a multidisciplinary team provides ADT services to a group of clients. A
99.4 mental health professional must supervise each multidisciplinary staff person who provides
99.5 ADT services;

99.6 (3) make ADT services available to the client at least two days a week for at least three
99.7 consecutive hours per day. ADT services may be longer than three hours per day, but medical
99.8 assistance may not reimburse a provider for more than 15 hours per week;

99.9 (4) provide ADT services to each client that includes group psychotherapy by a mental
99.10 health professional or clinical trainee and daily rehabilitative interventions by a mental
99.11 health professional, clinical trainee, or mental health practitioner; and

99.12 (5) include ADT services in the client's individual treatment plan, when appropriate.

99.13 The adult day treatment provider must:

99.14 (i) complete a functional assessment of each client under section 245I.10, subdivision
99.15 9;

99.16 (ii) notwithstanding section 245I.10, subdivision 8, review the client's progress and
99.17 update the individual treatment plan at least every 90 days until the client is discharged
99.18 from the program; and

99.19 (iii) include a discharge plan for the client in the client's individual treatment plan.

99.20 (d) To be eligible for adult day treatment, a client must:

99.21 (1) be 18 years of age or older;

99.22 (2) not reside in a nursing facility, hospital, institute of mental disease, or state-operated
99.23 treatment center unless the client has an active discharge plan that indicates a move to an
99.24 independent living setting within 180 days;

99.25 (3) have the capacity to engage in rehabilitative programming, skills activities, and
99.26 psychotherapy in the structured, therapeutic setting of an adult day treatment program and
99.27 demonstrate measurable improvements in functioning resulting from participation in the
99.28 adult day treatment program;

99.29 (4) have a level of care assessment under section 245I.02, subdivision 19, recommending
99.30 that the client participate in services with the level of intensity and duration of an adult day
99.31 treatment program; and

100.1 (5) have the recommendation of a mental health professional for adult day treatment
100.2 services. The mental health professional must find that adult day treatment services are
100.3 medically necessary for the client.

100.4 (e) Medical assistance does not cover the following services as adult day treatment
100.5 services:

100.6 (1) services that are primarily recreational or that are provided in a setting that is not
100.7 under medical supervision, including sports activities, exercise groups, craft hours, leisure
100.8 time, social hours, meal or snack time, trips to community activities, and tours;

100.9 (2) social or educational services that do not have or cannot reasonably be expected to
100.10 have a therapeutic outcome related to the client's mental illness;

100.11 (3) consultations with other providers or service agency staff persons about the care or
100.12 progress of a client;

100.13 (4) prevention or education programs that are provided to the community;

100.14 (5) day treatment for clients with a primary diagnosis of a substance use disorder;

100.15 (6) day treatment provided in the client's home;

100.16 (7) psychotherapy for more than two hours per day; and

100.17 (8) participation in meal preparation and eating that is not part of a clinical treatment
100.18 plan to address the client's eating disorder.

100.19 Subd. 4. **Explanation of findings.** (a) ~~Subject to federal approval,~~ Medical assistance
100.20 covers an explanation of findings that a mental health professional or clinical trainee provides
100.21 when the provider has obtained the authorization from the client or the client's representative
100.22 to release the information.

100.23 (b) A mental health professional or clinical trainee provides an explanation of findings
100.24 to assist the client or related parties in understanding the results of the client's testing or
100.25 diagnostic assessment and the client's mental illness, and provides professional insight that
100.26 the client or related parties need to carry out a client's treatment plan. Related parties may
100.27 include the client's family and other natural supports and other service providers working
100.28 with the client.

100.29 (c) An explanation of findings is not paid for separately when a mental health professional
100.30 or clinical trainee explains the results of psychological testing or a diagnostic assessment
100.31 to the client or the client's representative as part of the client's psychological testing or a
100.32 diagnostic assessment.

101.1 Subd. 5. **Family psychoeducation services.** (a) ~~Subject to federal approval,~~ Medical
101.2 assistance covers family psychoeducation services provided to a child up to age 21 with a
101.3 diagnosed mental health condition when identified in the child's individual treatment plan
101.4 and provided by a mental health professional or a clinical trainee who has determined it
101.5 medically necessary to involve family members in the child's care.

101.6 (b) "Family psychoeducation services" means information or demonstration provided
101.7 to an individual or family as part of an individual, family, multifamily group, or peer group
101.8 session to explain, educate, and support the child and family in understanding a child's
101.9 symptoms of mental illness, the impact on the child's development, and needed components
101.10 of treatment and skill development so that the individual, family, or group can help the child
101.11 to prevent relapse, prevent the acquisition of comorbid disorders, and achieve optimal mental
101.12 health and long-term resilience.

101.13 Subd. 6. **Dialectical behavior therapy.** (a) ~~Subject to federal approval,~~ Medical assistance
101.14 covers intensive mental health outpatient treatment for dialectical behavior therapy. A
101.15 dialectical behavior therapy provider must make reasonable and good faith efforts to report
101.16 individual client outcomes to the commissioner using instruments and protocols that are
101.17 approved by the commissioner.

101.18 (b) "Dialectical behavior therapy" means an evidence-based treatment approach that a
101.19 mental health professional or clinical trainee provides to a client or a group of clients in an
101.20 intensive outpatient treatment program using a combination of individualized rehabilitative
101.21 and psychotherapeutic interventions. A dialectical behavior therapy program involves:
101.22 individual dialectical behavior therapy, group skills training, telephone coaching, and team
101.23 consultation meetings.

101.24 (c) To be eligible for dialectical behavior therapy, a client must:

101.25 (1) have mental health needs that available community-based services cannot meet or
101.26 that the client must receive concurrently with other community-based services;

101.27 (2) have either:

101.28 (i) a diagnosis of borderline personality disorder; or

101.29 (ii) multiple mental health diagnoses, exhibit behaviors characterized by impulsivity or
101.30 intentional self-harm, and be at significant risk of death, morbidity, disability, or severe
101.31 dysfunction in multiple areas of the client's life;

102.1 (3) be cognitively capable of participating in dialectical behavior therapy as an intensive
102.2 therapy program and be able and willing to follow program policies and rules to ensure the
102.3 safety of the client and others; and

102.4 (4) be at significant risk of one or more of the following if the client does not receive
102.5 dialectical behavior therapy:

102.6 (i) having a mental health crisis;

102.7 (ii) requiring a more restrictive setting such as hospitalization;

102.8 (iii) decompensating; or

102.9 (iv) engaging in intentional self-harm behavior.

102.10 (d) Individual dialectical behavior therapy combines individualized rehabilitative and
102.11 psychotherapeutic interventions to treat a client's suicidal and other dysfunctional behaviors
102.12 and to reinforce a client's use of adaptive skillful behaviors. A mental health professional
102.13 or clinical trainee must provide individual dialectical behavior therapy to a client. A mental
102.14 health professional or clinical trainee providing dialectical behavior therapy to a client must:

102.15 (1) identify, prioritize, and sequence the client's behavioral targets;

102.16 (2) treat the client's behavioral targets;

102.17 (3) assist the client in applying dialectical behavior therapy skills to the client's natural
102.18 environment through telephone coaching outside of treatment sessions;

102.19 (4) measure the client's progress toward dialectical behavior therapy targets;

102.20 (5) help the client manage mental health crises and life-threatening behaviors; and

102.21 (6) help the client learn and apply effective behaviors when working with other treatment
102.22 providers.

102.23 (e) Group skills training combines individualized psychotherapeutic and psychiatric
102.24 rehabilitative interventions conducted in a group setting to reduce the client's suicidal and
102.25 other dysfunctional coping behaviors and restore function. Group skills training must teach
102.26 the client adaptive skills in the following areas: (1) mindfulness; (2) interpersonal
102.27 effectiveness; (3) emotional regulation; and (4) distress tolerance.

102.28 (f) Group skills training must be provided by two mental health professionals or by a
102.29 mental health professional co-facilitating with a clinical trainee or a mental health practitioner.
102.30 Individual skills training must be provided by a mental health professional, a clinical trainee,
102.31 or a mental health practitioner.

103.1 (g) Before a program provides dialectical behavior therapy to a client, the commissioner
103.2 must certify the program as a dialectical behavior therapy provider. To qualify for
103.3 certification as a dialectical behavior therapy provider, a provider must:

103.4 (1) allow the commissioner to inspect the provider's program;

103.5 (2) provide evidence to the commissioner that the program's policies, procedures, and
103.6 practices meet the requirements of this subdivision and chapter 245I;

103.7 (3) be enrolled as a MHCP provider; and

103.8 (4) have a manual that outlines the program's policies, procedures, and practices that
103.9 meet the requirements of this subdivision.

103.10 **Subd. 7. Mental health clinical care consultation.** (a) ~~Subject to federal approval,~~
103.11 Medical assistance covers clinical care consultation for a person up to age 21 who is
103.12 diagnosed with a complex mental health condition or a mental health condition that co-occurs
103.13 with other complex and chronic conditions, when described in the person's individual
103.14 treatment plan and provided by a mental health professional or a clinical trainee.

103.15 (b) "Clinical care consultation" means communication from a treating mental health
103.16 professional to other providers or educators not under the treatment supervision of the
103.17 treating mental health professional who are working with the same client to inform, inquire,
103.18 and instruct regarding the client's symptoms; strategies for effective engagement, care, and
103.19 intervention needs; and treatment expectations across service settings and to direct and
103.20 coordinate clinical service components provided to the client and family.

103.21 **Subd. 8. Neuropsychological assessment.** (a) ~~Subject to federal approval,~~ Medical
103.22 assistance covers a client's neuropsychological assessment.

103.23 (b) "Neuropsychological assessment" means a specialized clinical assessment of the
103.24 client's underlying cognitive abilities related to thinking, reasoning, and judgment that is
103.25 conducted by a qualified neuropsychologist. A neuropsychological assessment must include
103.26 a face-to-face interview with the client, interpretation of the test results, and preparation
103.27 and completion of a report.

103.28 (c) A client is eligible for a neuropsychological assessment if the client meets at least
103.29 one of the following criteria:

103.30 (1) the client has a known or strongly suspected brain disorder based on the client's
103.31 medical history or the client's prior neurological evaluation, including a history of significant
103.32 head trauma, brain tumor, stroke, seizure disorder, multiple sclerosis, neurodegenerative
103.33 disorder, significant exposure to neurotoxins, central nervous system infection, metabolic

- 104.1 or toxic encephalopathy, fetal alcohol syndrome, or congenital malformation of the brain;
- 104.2 or
- 104.3 (2) the client has cognitive or behavioral symptoms that suggest that the client has an
- 104.4 organic condition that cannot be readily attributed to functional psychopathology or suspected
- 104.5 neuropsychological impairment in addition to functional psychopathology. The client's
- 104.6 symptoms may include:
- 104.7 (i) having a poor memory or impaired problem solving;
- 104.8 (ii) experiencing change in mental status evidenced by lethargy, confusion, or
- 104.9 disorientation;
- 104.10 (iii) experiencing a deteriorating level of functioning;
- 104.11 (iv) displaying a marked change in behavior or personality;
- 104.12 (v) in a child or an adolescent, having significant delays in acquiring academic skill or
- 104.13 poor attention relative to peers;
- 104.14 (vi) in a child or an adolescent, having reached a significant plateau in expected
- 104.15 development of cognitive, social, emotional, or physical functioning relative to peers; and
- 104.16 (vii) in a child or an adolescent, significant inability to develop expected knowledge,
- 104.17 skills, or abilities to adapt to new or changing cognitive, social, emotional, or physical
- 104.18 demands.
- 104.19 (d) The neuropsychological assessment must be completed by a neuropsychologist who:
- 104.20 (1) was awarded a diploma by the American Board of Clinical Neuropsychology, the
- 104.21 American Board of Professional Neuropsychology, or the American Board of Pediatric
- 104.22 Neuropsychology;
- 104.23 (2) earned a doctoral degree in psychology from an accredited university training program
- 104.24 and:
- 104.25 (i) completed an internship or its equivalent in a clinically relevant area of professional
- 104.26 psychology;
- 104.27 (ii) completed the equivalent of two full-time years of experience and specialized training,
- 104.28 at least one of which is at the postdoctoral level, supervised by a clinical neuropsychologist
- 104.29 in the study and practice of clinical neuropsychology and related neurosciences; and
- 104.30 (iii) holds a current license to practice psychology independently according to sections
- 104.31 148.88 to 148.98;

105.1 (3) is licensed or credentialed by another state's board of psychology examiners in the
105.2 specialty of neuropsychology using requirements equivalent to requirements specified by
105.3 one of the boards named in clause (1); or

105.4 (4) was approved by the commissioner as an eligible provider of neuropsychological
105.5 assessments prior to December 31, 2010.

105.6 **Subd. 9. Neuropsychological testing.** (a) ~~Subject to federal approval,~~ Medical assistance
105.7 covers neuropsychological testing for clients.

105.8 (b) "Neuropsychological testing" means administering standardized tests and measures
105.9 designed to evaluate the client's ability to attend to, process, interpret, comprehend,
105.10 communicate, learn, and recall information and use problem solving and judgment.

105.11 (c) Medical assistance covers neuropsychological testing of a client when the client:

105.12 (1) has a significant mental status change that is not a result of a metabolic disorder and
105.13 that has failed to respond to treatment;

105.14 (2) is a child or adolescent with a significant plateau in expected development of
105.15 cognitive, social, emotional, or physical function relative to peers;

105.16 (3) is a child or adolescent with a significant inability to develop expected knowledge,
105.17 skills, or abilities to adapt to new or changing cognitive, social, physical, or emotional
105.18 demands; or

105.19 (4) has a significant behavioral change, memory loss, or suspected neuropsychological
105.20 impairment in addition to functional psychopathology, or other organic brain injury or one
105.21 of the following:

105.22 (i) traumatic brain injury;

105.23 (ii) stroke;

105.24 (iii) brain tumor;

105.25 (iv) substance use disorder;

105.26 (v) cerebral anoxic or hypoxic episode;

105.27 (vi) central nervous system infection or other infectious disease;

105.28 (vii) neoplasms or vascular injury of the central nervous system;

105.29 (viii) neurodegenerative disorders;

105.30 (ix) demyelinating disease;

- 106.1 (x) extrapyramidal disease;
- 106.2 (xi) exposure to systemic or intrathecal agents or cranial radiation known to be associated
106.3 with cerebral dysfunction;
- 106.4 (xii) systemic medical conditions known to be associated with cerebral dysfunction,
106.5 including renal disease, hepatic encephalopathy, cardiac anomaly, sickle cell disease, and
106.6 related hematologic anomalies, and autoimmune disorders, including lupus, erythematosus,
106.7 or celiac disease;
- 106.8 (xiii) congenital genetic or metabolic disorders known to be associated with cerebral
106.9 dysfunction, including phenylketonuria, craniofacial syndromes, or congenital hydrocephalus;
- 106.10 (xiv) severe or prolonged nutrition or malabsorption syndromes; or
- 106.11 (xv) a condition presenting in a manner difficult for a clinician to distinguish between
106.12 the neurocognitive effects of a neurogenic syndrome, including dementia or encephalopathy;
106.13 and a major depressive disorder when adequate treatment for major depressive disorder has
106.14 not improved the client's neurocognitive functioning; or another disorder, including autism,
106.15 selective mutism, anxiety disorder, or reactive attachment disorder.
- 106.16 (d) Neuropsychological testing must be administered or clinically supervised by a
106.17 qualified neuropsychologist under subdivision 8, paragraph (c).
- 106.18 (e) Medical assistance does not cover neuropsychological testing of a client when the
106.19 testing is:
- 106.20 (1) primarily for educational purposes;
- 106.21 (2) primarily for vocational counseling or training;
- 106.22 (3) for personnel or employment testing;
- 106.23 (4) a routine battery of psychological tests given to the client at the client's inpatient
106.24 admission or during a client's continued inpatient stay; or
- 106.25 (5) for legal or forensic purposes.
- 106.26 Subd. 10. **Psychological testing.** (a) ~~Subject to federal approval,~~ Medical assistance
106.27 covers psychological testing of a client.
- 106.28 (b) "Psychological testing" means the use of tests or other psychometric instruments to
106.29 determine the status of a client's mental, intellectual, and emotional functioning.
- 106.30 (c) The psychological testing must:

107.1 (1) be administered or supervised by a licensed psychologist qualified under section
107.2 245I.04, subdivision 2, clause (3), who is competent in the area of psychological testing;
107.3 and

107.4 (2) be validated in a face-to-face interview between the client and a licensed psychologist
107.5 or a clinical trainee in psychology under the treatment supervision of a licensed psychologist
107.6 under section 245I.06.

107.7 (d) A licensed psychologist must supervise the administration, scoring, and interpretation
107.8 of a client's psychological tests when a clinical psychology trainee, technician, psychometrist,
107.9 or psychological assistant or a computer-assisted psychological testing program completes
107.10 the psychological testing of the client. The report resulting from the psychological testing
107.11 must be signed by the licensed psychologist who conducts the face-to-face interview with
107.12 the client. The licensed psychologist or a staff person who is under treatment supervision
107.13 must place the client's psychological testing report in the client's record and release one
107.14 copy of the report to the client and additional copies to individuals authorized by the client
107.15 to receive the report.

107.16 Subd. 11. **Psychotherapy.** (a) ~~Subject to federal approval,~~ Medical assistance covers
107.17 psychotherapy for a client.

107.18 (b) "Psychotherapy" means treatment of a client with mental illness that applies to the
107.19 most appropriate psychological, psychiatric, psychosocial, or interpersonal method that
107.20 conforms to prevailing community standards of professional practice to meet the mental
107.21 health needs of the client. Medical assistance covers psychotherapy if a mental health
107.22 professional or a clinical trainee provides psychotherapy to a client.

107.23 (c) "Individual psychotherapy" means psychotherapy that a mental health professional
107.24 or clinical trainee designs for a client.

107.25 (d) "Family psychotherapy" means psychotherapy that a mental health professional or
107.26 clinical trainee designs for a client and one or more of the client's family members or primary
107.27 caregiver whose participation is necessary to accomplish the client's treatment goals. Family
107.28 members or primary caregivers participating in a therapy session do not need to be eligible
107.29 for medical assistance for medical assistance to cover family psychotherapy. For purposes
107.30 of this paragraph, "primary caregiver whose participation is necessary to accomplish the
107.31 client's treatment goals" excludes shift or facility staff persons who work at the client's
107.32 residence. Medical assistance payments for family psychotherapy are limited to face-to-face
107.33 sessions during which the client is present throughout the session, unless the mental health
107.34 professional or clinical trainee believes that the client's exclusion from the family

108.1 psychotherapy session is necessary to meet the goals of the client's individual treatment
108.2 plan. If the client is excluded from a family psychotherapy session, a mental health
108.3 professional or clinical trainee must document the reason for the client's exclusion and the
108.4 length of time that the client is excluded. The mental health professional must also document
108.5 any reason that a member of the client's family is excluded from a psychotherapy session.

108.6 (e) Group psychotherapy is appropriate for a client who, because of the nature of the
108.7 client's emotional, behavioral, or social dysfunctions, can benefit from treatment in a group
108.8 setting. For a group of three to eight clients, at least one mental health professional or clinical
108.9 trainee must provide psychotherapy to the group. For a group of nine to 12 clients, a team
108.10 of at least two mental health professionals or two clinical trainees or one mental health
108.11 professional and one clinical trainee must provide psychotherapy to the group. Medical
108.12 assistance will cover group psychotherapy for a group of no more than 12 persons.

108.13 (f) A multiple-family group psychotherapy session is eligible for medical assistance if
108.14 a mental health professional or clinical trainee designs the psychotherapy session for at least
108.15 two but not more than five families. A mental health professional or clinical trainee must
108.16 design multiple-family group psychotherapy sessions to meet the treatment needs of each
108.17 client. If the client is excluded from a psychotherapy session, the mental health professional
108.18 or clinical trainee must document the reason for the client's exclusion and the length of time
108.19 that the client was excluded. The mental health professional or clinical trainee must document
108.20 any reason that a member of the client's family was excluded from a psychotherapy session.

108.21 Subd. 12. **Partial hospitalization.** (a) ~~Subject to federal approval,~~ Medical assistance
108.22 covers a client's partial hospitalization.

108.23 (b) "Partial hospitalization" means a provider's time-limited, structured program of
108.24 psychotherapy and other therapeutic services, as defined in United States Code, title 42,
108.25 chapter 7, subchapter XVIII, part E, section 1395x(ff), that a multidisciplinary staff person
108.26 provides in an outpatient hospital facility or community mental health center that meets
108.27 Medicare requirements to provide partial hospitalization services to a client.

108.28 (c) Partial hospitalization is an appropriate alternative to inpatient hospitalization for a
108.29 client who is experiencing an acute episode of mental illness who meets the criteria for an
108.30 inpatient hospital admission under Minnesota Rules, part 9505.0520, subpart 1, and who
108.31 has family and community resources that support the client's residence in the community.
108.32 Partial hospitalization consists of multiple intensive short-term therapeutic services for a
108.33 client that a multidisciplinary staff person provides to a client to treat the client's mental
108.34 illness.

109.1 Subd. 13. **Diagnostic assessments.** ~~Subject to federal approval,~~ Medical assistance
109.2 covers a client's diagnostic assessments that a mental health professional or clinical trainee
109.3 completes under section 245I.10.

109.4 Sec. 141. Minnesota Statutes 2022, section 256B.0943, subdivision 1, is amended to read:

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

109.7 ~~(a)~~ (b) "Children's therapeutic services and supports" means the flexible package of
109.8 mental health services for children who require varying therapeutic and rehabilitative levels
109.9 of intervention to treat a diagnosed emotional disturbance, as defined in section 245.4871,
109.10 subdivision 15, or a diagnosed mental illness, as defined in section 245.462, subdivision
109.11 20. The services are time-limited interventions that are delivered using various treatment
109.12 modalities and combinations of services designed to reach treatment outcomes identified
109.13 in the individual treatment plan.

109.14 ~~(b)~~ (c) "Clinical trainee" means a staff person who is qualified according to section
109.15 245I.04, subdivision 6.

109.16 ~~(c)~~ (d) "Crisis planning" has the meaning given in section 245.4871, subdivision 9a.

109.17 ~~(d)~~ (e) "Culturally competent provider" means a provider who understands and can
109.18 utilize to a client's benefit the client's culture when providing services to the client. A provider
109.19 may be culturally competent because the provider is of the same cultural or ethnic group
109.20 as the client or the provider has developed the knowledge and skills through training and
109.21 experience to provide services to culturally diverse clients.

109.22 ~~(e)~~ (f) "Day treatment program" for children means a site-based structured mental health
109.23 program consisting of psychotherapy for three or more individuals and individual or group
109.24 skills training provided by a team, under the treatment supervision of a mental health
109.25 professional.

109.26 ~~(f)~~ "Standard diagnostic assessment" means the assessment described in 245I.10,
109.27 ~~subdivision 6.~~

109.28 (g) "Direct service time" means the time that a mental health professional, clinical trainee,
109.29 mental health practitioner, or mental health behavioral aide spends face-to-face with a client
109.30 and the client's family or providing covered services through telehealth as defined under
109.31 section 256B.0625, subdivision 3b. Direct service time includes time in which the provider
109.32 obtains a client's history, develops a client's treatment plan, records individual treatment
109.33 outcomes, or provides service components of children's therapeutic services and supports.

110.1 Direct service time does not include time doing work before and after providing direct
110.2 services, including scheduling or maintaining clinical records.

110.3 (h) "Direction of mental health behavioral aide" means the activities of a mental health
110.4 professional, clinical trainee, or mental health practitioner in guiding the mental health
110.5 behavioral aide in providing services to a client. The direction of a mental health behavioral
110.6 aide must be based on the client's individual treatment plan and meet the requirements in
110.7 subdivision 6, paragraph (b), clause (7).

110.8 (i) "Emotional disturbance" has the meaning given in section 245.4871, subdivision 15.

110.9 (j) "Individual treatment plan" means the plan described in section 245I.10, subdivisions
110.10 7 and 8.

110.11 (k) "Mental health behavioral aide services" means medically necessary one-on-one
110.12 activities performed by a mental health behavioral aide qualified according to section
110.13 245I.04, subdivision 16, to assist a child retain or generalize psychosocial skills as previously
110.14 trained by a mental health professional, clinical trainee, or mental health practitioner and
110.15 as described in the child's individual treatment plan and individual behavior plan. Activities
110.16 involve working directly with the child or child's family as provided in subdivision 9,
110.17 paragraph (b), clause (4).

110.18 (l) "Mental health certified family peer specialist" means a staff person who is qualified
110.19 according to section 245I.04, subdivision 12.

110.20 (m) "Mental health practitioner" means a staff person who is qualified according to
110.21 section 245I.04, subdivision 4.

110.22 (n) "Mental health professional" means a staff person who is qualified according to
110.23 section 245I.04, subdivision 2.

110.24 (o) "Mental health service plan development" includes:

110.25 (1) development and revision of a child's individual treatment plan; and

110.26 (2) administering and reporting the standardized outcome measurements in section
110.27 245I.10, subdivision 6, paragraph (d), clauses (3) and (4), and other standardized outcome
110.28 measurements approved by the commissioner, as periodically needed to evaluate the
110.29 effectiveness of treatment.

110.30 (p) "Mental illness," for persons at least age 18 but under age 21, has the meaning given
110.31 in section 245.462, subdivision 20, paragraph (a).

111.1 (q) "Psychotherapy" means the treatment described in section 256B.0671, subdivision
111.2 11.

111.3 (r) "Rehabilitative services" or "psychiatric rehabilitation services" means interventions
111.4 to: (1) restore a child or adolescent to an age-appropriate developmental trajectory that had
111.5 been disrupted by a psychiatric illness; or (2) enable the child to self-monitor, compensate
111.6 for, cope with, counteract, or replace psychosocial skills deficits or maladaptive skills
111.7 acquired over the course of a psychiatric illness. Psychiatric rehabilitation services for
111.8 children combine coordinated psychotherapy to address internal psychological, emotional,
111.9 and intellectual processing deficits, and skills training to restore personal and social
111.10 functioning. Psychiatric rehabilitation services establish a progressive series of goals with
111.11 each achievement building upon a prior achievement.

111.12 (s) "Skills training" means individual, family, or group training, delivered by or under
111.13 the supervision of a mental health professional, designed to facilitate the acquisition of
111.14 psychosocial skills that are medically necessary to rehabilitate the child to an age-appropriate
111.15 developmental trajectory heretofore disrupted by a psychiatric illness or to enable the child
111.16 to self-monitor, compensate for, cope with, counteract, or replace skills deficits or
111.17 maladaptive skills acquired over the course of a psychiatric illness. Skills training is subject
111.18 to the service delivery requirements under subdivision 9, paragraph (b), clause (2).

111.19 (t) "Standard diagnostic assessment" means the assessment described in section 245I.10,
111.20 subdivision 6.

111.21 ~~(t)~~ (u) "Treatment supervision" means the supervision described in section 245I.06.

111.22 Sec. 142. Minnesota Statutes 2022, section 256B.0947, subdivision 3a, is amended to
111.23 read:

111.24 Subd. 3a. **Required service components.** (a) Intensive nonresidential rehabilitative
111.25 mental health services, supports, and ancillary activities that are covered by a single daily
111.26 rate per client must include the following, as needed by the individual client:

111.27 (1) individual, family, and group psychotherapy;

111.28 (2) individual, family, and group skills training, as defined in section 256B.0943,
111.29 subdivision 1, paragraph ~~(t)~~ (u);

111.30 (3) crisis planning as defined in section 245.4871, subdivision 9a;

111.31 (4) medication management provided by a physician, an advanced practice registered
111.32 nurse with certification in psychiatric and mental health care, or a physician assistant;

- 112.1 (5) mental health case management as provided in section 256B.0625, subdivision 20;
- 112.2 (6) medication education services as defined in this section;
- 112.3 (7) care coordination by a client-specific lead worker assigned by and responsible to the
112.4 treatment team;
- 112.5 (8) psychoeducation of and consultation and coordination with the client's biological,
112.6 adoptive, or foster family and, in the case of a youth living independently, the client's
112.7 immediate nonfamilial support network;
- 112.8 (9) clinical consultation to a client's employer or school or to other service agencies or
112.9 to the courts to assist in managing the mental illness or co-occurring disorder and to develop
112.10 client support systems;
- 112.11 (10) coordination with, or performance of, crisis intervention and stabilization services
112.12 as defined in section 256B.0624;
- 112.13 (11) transition services;
- 112.14 (12) co-occurring substance use disorder treatment as defined in section 245I.02,
112.15 subdivision 11; and
- 112.16 (13) housing access support that assists clients to find, obtain, retain, and move to safe
112.17 and adequate housing. Housing access support does not provide monetary assistance for
112.18 rent, damage deposits, or application fees.
- 112.19 (b) The provider shall ensure and document the following by means of performing the
112.20 required function or by contracting with a qualified person or entity: client access to crisis
112.21 intervention services, as defined in section 256B.0624, and available 24 hours per day and
112.22 seven days per week.
- 112.23 Sec. 143. Minnesota Statutes 2022, section 256B.4912, subdivision 4, is amended to read:
- 112.24 Subd. 4. **Payment rate criteria.** (a) The payment methodologies under this section shall
112.25 reflect the payment rate criteria in paragraphs (b), (c), and (d).
- 112.26 (b) Payment rates shall reflect the reasonable, ordinary, and necessary costs of service
112.27 delivery.
- 112.28 (c) Payment rates shall be sufficient to enlist enough providers so that care and services
112.29 are available at least to the extent that such care and services are available to the general
112.30 population in the geographic area as required by section 1902(a)(30)(A) of the Social Security
112.31 Act.

113.1 (d) The commissioner must not reimburse:

113.2 (1) unauthorized service delivery;

113.3 (2) services provided under a receipt of a special grant;

113.4 (3) services provided under contract to a local school district;

113.5 (4) extended employment services under Minnesota Rules, parts ~~3300.2005 to 3300.3100~~

113.6 3300.6000 to 3300.6070, or vocational rehabilitation services provided under the federal

113.7 Rehabilitation Act, as amended, Title I, section 110, or Title VI-C, and not through use of

113.8 medical assistance or county social service funds; or

113.9 (5) services provided to a client by a licensed medical, therapeutic, or rehabilitation

113.10 practitioner or any other vendor of medical care which are billed separately on a

113.11 fee-for-service basis.

113.12 Sec. 144. Minnesota Statutes 2022, section 256B.50, subdivision 1, is amended to read:

113.13 Subdivision 1. **Scope.** A provider may appeal from a determination of a payment rate

113.14 established pursuant to this chapter or allowed costs under chapter 256R if the appeal, if

113.15 successful, would result in a change to the provider's payment rate or to the calculation of

113.16 maximum charges to therapy vendors as provided by section 256R.54. Appeals must be

113.17 filed in accordance with procedures in this section. This section does not apply to a request

113.18 from a resident or long-term care facility for reconsideration of the classification of a resident

113.19 under section ~~144.0722~~ 144.0724.

113.20 Sec. 145. Minnesota Statutes 2022, section 256B.76, subdivision 1, is amended to read:

113.21 Subdivision 1. **Physician reimbursement.** (a) Effective for services rendered on or after

113.22 October 1, 1992, the commissioner shall make payments for physician services as follows:

113.23 (1) payment for level one Centers for Medicare and Medicaid Services' common

113.24 procedural coding system codes titled "office and other outpatient services," "preventive

113.25 medicine new and established patient," "delivery, antepartum, and postpartum care," "critical

113.26 care," cesarean delivery and pharmacologic management provided to psychiatric patients,

113.27 and level three codes for enhanced services for prenatal high risk, shall be paid at the lower

113.28 of (i) submitted charges, or (ii) 25 percent above the rate in effect on June 30, 1992;

113.29 (2) payments for all other services shall be paid at the lower of (i) submitted charges,

113.30 or (ii) 15.4 percent above the rate in effect on June 30, 1992; and

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

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

114.9 (c) Effective for services rendered on or after July 1, 2009, payment rates for physician
114.10 and professional services shall be reduced by five percent, except that for the period July
114.11 1, 2009, through June 30, 2010, payment rates shall be reduced by 6.5 percent for the medical
114.12 assistance and general assistance medical care programs, over the rates in effect on June
114.13 30, 2009. This reduction and the reductions in paragraph (d) do not apply to office or other
114.14 outpatient visits, preventive medicine visits and family planning visits billed by physicians,
114.15 advanced practice registered nurses, or physician assistants in a family planning agency or
114.16 in one of the following primary care practices: general practice, general internal medicine,
114.17 general pediatrics, general geriatrics, and family medicine. This reduction and the reductions
114.18 in paragraph (d) do not apply to federally qualified health centers, rural health centers, and
114.19 Indian health services. Effective October 1, 2009, payments made to managed care plans
114.20 and county-based purchasing plans under sections 256B.69, 256B.692, and 256L.12 shall
114.21 reflect the payment reduction described in this paragraph.

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

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

115.1 (f) Effective for services rendered on or after September 1, 2014, payment rates for
115.2 physician and professional services, including physical therapy, occupational therapy, speech
115.3 pathology, and mental health services shall be increased by five percent from the rates in
115.4 effect on August 31, 2014. In calculating this rate increase, the commissioner shall not
115.5 include in the base rate for August 31, 2014, the rate increase provided under section
115.6 256B.76, subdivision 7. This increase does not apply to federally qualified health centers,
115.7 rural health centers, and Indian health services. Payments made to managed care plans and
115.8 county-based purchasing plans shall not be adjusted to reflect payments under this paragraph.

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

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

115.17 Sec. 146. Minnesota Statutes 2022, section 256G.08, subdivision 1, is amended to read:

115.18 Subdivision 1. **Commitment proceedings.** In cases of voluntary admission or
115.19 commitment to state or other institutions, the committing county shall initially pay for all
115.20 costs. This includes the expenses of the taking into custody, confinement, emergency holds
115.21 under sections ~~253B.05~~ 253B.051, subdivisions 1 and 2, and 253B.07, examination,
115.22 commitment, conveyance to the place of detention, rehearing, and hearings under section
115.23 253B.092, including hearings held under that section which are venued outside the county
115.24 of commitment.

115.25 Sec. 147. Minnesota Statutes 2022, section 256J.54, subdivision 1, is amended to read:

115.26 Subdivision 1. **Assessment of educational progress and needs.** (a) The county agency
115.27 must document the educational level of each MFIP caregiver who is under the age of 20
115.28 and determine if the caregiver has obtained a high school diploma or its equivalent. If the
115.29 caregiver has not obtained a high school diploma or its equivalent, the county agency must
115.30 complete an individual assessment for the caregiver unless the caregiver is exempt from
115.31 the requirement to attend school under subdivision 5 or has chosen to have an employment
115.32 plan under section 256J.521, subdivision 2, as allowed in paragraph (b). The assessment
115.33 must be performed as soon as possible but within 30 days of determining MFIP eligibility

116.1 for the caregiver. The assessment must provide an initial examination of the caregiver's
116.2 educational progress and needs, literacy level, child care and supportive service needs,
116.3 family circumstances, skills, and work experience. In the case of a caregiver under the age
116.4 of 18, the assessment must also consider the results of either the caregiver's or the caregiver's
116.5 minor child's child and teen checkup under ~~Minnesota Rules, parts 9505.0275 and 9505.1693~~
116.6 ~~to 9505.1748~~ section 256B.0625, subdivision 58, if available, and the effect of a child's
116.7 development and educational needs on the caregiver's ability to participate in the program.
116.8 The county agency must advise the caregiver that the caregiver's first goal must be to
116.9 complete an appropriate education option if one is identified for the caregiver through the
116.10 assessment and, in consultation with educational agencies, must review the various school
116.11 completion options with the caregiver and assist in selecting the most appropriate option.

116.12 (b) The county agency must give a caregiver, who is age 18 or 19 and has not obtained
116.13 a high school diploma or its equivalent, the option to choose an employment plan with an
116.14 education option under subdivision 3 or an employment plan under section 256J.521,
116.15 subdivision 2.

116.16 Sec. 148. Minnesota Statutes 2022, section 256L.07, subdivision 4, is amended to read:

116.17 Subd. 4. **Families with children in need of substance use disorder**
116.18 **treatment.** Premiums for families with children when a parent has been determined to be
116.19 in need of ~~chemical dependency~~ substance use disorder treatment pursuant to an assessment
116.20 conducted by the county under section 260E.20, subdivision 1, paragraph (g), or in need of
116.21 chemical dependency treatment pursuant to a case plan under section 260C.201, subdivision
116.22 6, or 260C.212, who are eligible for MinnesotaCare under section 256L.04, subdivision 1,
116.23 may be paid by the county of residence of the person in need of treatment for one year from
116.24 the date the family is determined to be eligible or if the family is currently enrolled in
116.25 MinnesotaCare from the date the person is determined to be in need of substance use disorder
116.26 treatment. Upon renewal, the family is responsible for any premiums owed under section
116.27 256L.15. If the family is not currently enrolled in MinnesotaCare, the local county human
116.28 services agency shall determine whether the family appears to meet the eligibility
116.29 requirements and shall assist the family in applying for the MinnesotaCare program.

116.30 Sec. 149. Minnesota Statutes 2022, section 268.136, subdivision 3, is amended to read:

116.31 Subd. 3. **Applicant requirements.** (a) An applicant, in order to be paid unemployment
116.32 benefits under this section, must meet all of the requirements under section 268.069,

117.1 subdivision 1. The following provisions of section 268.085 do not apply to an applicant in
117.2 an approved shared work plan:

117.3 (1) deductible earnings under subdivision 5;

117.4 (2) the restriction under subdivision 2, clause ~~(6)~~ (5), if the applicant works exactly 32
117.5 hours in a week;

117.6 (3) the requirement of being available for suitable employment under subdivision 1,
117.7 clause (4), but only if the applicant is (i) available for the normal hours of work per week
117.8 with the shared work employer, or (ii) is in a training program when not working; and

117.9 (4) the requirement of actively seeking suitable employment under subdivision 1, clause
117.10 (5).

117.11 (b) An applicant is ineligible for unemployment benefits under this section for any week,
117.12 if the applicant works more than 32 hours in a week in employment with one or more
117.13 employer.

117.14 Sec. 150. Minnesota Statutes 2022, section 272.02, subdivision 49, is amended to read:

117.15 Subd. 49. **Agricultural historical society property.** Property is exempt from taxation
117.16 if it is owned by a nonprofit charitable or educational organization that qualifies for
117.17 exemption under section 501(c)(3) of the Internal Revenue Code and meets the following
117.18 criteria:

117.19 (1) the property is primarily used for storing and exhibiting tools, equipment, and artifacts
117.20 useful in providing an understanding of local or regional agricultural history. Primary use
117.21 is determined each year based on the number of days the property is used solely for storage
117.22 and exhibition purposes;

117.23 (2) the property is limited to a maximum of 40 acres per owner per county, but includes
117.24 the land and any taxable structures, fixtures, and equipment on the land;

117.25 (3) the property is not used for a revenue-producing activity for more than ten days in
117.26 each calendar year; and

117.27 (4) the property is not used for residential purposes on either a temporary or permanent
117.28 basis.

117.29 ~~For assessment year 2019 only, an exemption application under this subdivision must be~~
117.30 ~~filed with the county assessor by July 1, 2019.~~

118.1 Sec. 151. Minnesota Statutes 2022, section 272.02, subdivision 102, is amended to read:

118.2 Subd. 102. **Certain property owned by an Indian tribe.** (a) Property is exempt that:

118.3 (1) is located in a city of the first class with a population of more than 380,000 as of the
118.4 2010 federal census;

118.5 (2) was on January 1, 2016, and is for the current assessment, owned by a federally
118.6 recognized Indian tribe, or its instrumentality, that is located within the state of Minnesota;
118.7 and

118.8 (3) is used exclusively as a pharmacy, as defined in section 151.01, subdivision 2.

118.9 (b) Property that qualifies for the exemption under this subdivision is limited to parcels
118.10 and structures that do not exceed, in the aggregate, 4,000 square feet. Property acquired for
118.11 single-family housing, market-rate apartments, agriculture, or forestry does not qualify for
118.12 this exemption.

118.13 ~~For assessment year 2019 only, an exemption application under this subdivision must be~~
118.14 ~~filed with the county assessor by July 1, 2019.~~ The exemption created by this subdivision
118.15 expires with taxes payable in 2029.

118.16 Sec. 152. Minnesota Statutes 2022, section 272.02, subdivision 103, is amended to read:

118.17 Subd. 103. **Licensed child care facility.** Property used as a licensed child care facility
118.18 that accepts families participating in the child care assistance program under chapter 119B,
118.19 and that is owned and operated by a nonprofit charitable organization that qualifies for tax
118.20 exemption under section 501(c)(3) of the Internal Revenue Code, is exempt. For the purposes
118.21 of this subdivision, "licensed child care facility" means a child care center licensed under
118.22 Minnesota Rules, chapter 9503, or a facility used to provide licensed family day care or
118.23 group family day care as defined under Minnesota Rules, chapter 9502.

118.24 ~~For assessment year 2019 only, an exemption application under this subdivision must be~~
118.25 ~~filed with the county assessor by July 1, 2019.~~

118.26 Sec. 153. Minnesota Statutes 2022, section 273.1387, subdivision 2, is amended to read:

118.27 Subd. 2. **Credit amount.** For each qualifying property, the school building bond
118.28 agricultural credit is equal to ~~the credit percent multiplied by~~ 70 percent of the property's
118.29 eligible net tax capacity multiplied by the school debt tax rate determined under section
118.30 275.08, subdivision 1b. ~~For property taxes payable prior to 2020, the credit percent is equal~~
118.31 ~~to 40 percent. For property taxes payable in 2020, the credit percent is equal to 50 percent.~~

119.1 ~~For property taxes payable in 2021, the credit percent is equal to 55 percent. For property~~
119.2 ~~taxes payable in 2022, the credit percent is equal to 60 percent. For property taxes payable~~
119.3 ~~in 2023 and thereafter, the credit percent is equal to 70 percent.~~

119.4 Sec. 154. Minnesota Statutes 2022, section 273.165, subdivision 1, is amended to read:

119.5 Subdivision 1. **Mineral interest.** "Mineral interest," for the purpose of this subdivision,
119.6 means an interest in any minerals, including but not limited to gas, coal, oil, or other similar
119.7 interest in real estate, which is owned separately and apart from the fee title to the surface
119.8 of such real property. Mineral interests which are recorded in the office of either the county
119.9 recorder or registrar of titles, whether or not filed pursuant to sections 93.52 to ~~93.58~~ 93.551,
119.10 are taxed as provided in this subdivision unless specifically excluded by this subdivision.
119.11 A tax of 40 cents per acre or portion of an acre of mineral interest is imposed and is payable
119.12 annually. If an interest is a fractional undivided interest in an area, the tax due on the interest
119.13 per acre or portion of an acre is equal to the product obtained by multiplying the fractional
119.14 interest times 40 cents, computed to the nearest cent. However, the minimum annual tax on
119.15 any mineral interest is \$3.20. No such tax on mineral interests is imposed on the following:
119.16 (1) mineral interests valued and taxed under other laws relating to the taxation of minerals,
119.17 gas, coal, oil, or other similar interests; or (2) mineral interests which are exempt from
119.18 taxation pursuant to constitutional or related statutory provisions. Taxes received under this
119.19 subdivision must be apportioned to the taxing districts included in the area taxed in the same
119.20 proportion as the surface interest local tax rate of a taxing district bears to the total local tax
119.21 rate applicable to surface interests in the area taxed. The tax imposed by this subdivision is
119.22 not included within any limitations as to rate or amount of taxes which may be imposed in
119.23 an area to which the tax imposed by this subdivision applies. The tax imposed by this
119.24 subdivision does not cause the amount of other taxes levied or to be levied in the area, which
119.25 are subject to any such limitation, to be reduced in any amount. Twenty percent of the
119.26 revenues received from the tax imposed by this subdivision must be distributed under the
119.27 provisions of section 116J.64.

119.28 Sec. 155. Minnesota Statutes 2022, section 290.067, subdivision 1, is amended to read:

119.29 Subdivision 1. **Amount of credit.** (a) A taxpayer may take as a credit against the tax
119.30 due from the taxpayer and a spouse, if any, under this chapter an amount equal to the
119.31 dependent care credit for which the taxpayer is eligible pursuant to the provisions of section
119.32 21 of the Internal Revenue Code except that in determining whether the child qualified as
119.33 a dependent, income received as a Minnesota family investment program grant or allowance

120.1 to or on behalf of the child must not be taken into account in determining whether the child
120.2 received more than half of the child's support from the taxpayer.

120.3 (b) If a child who has not attained the age of six years at the close of the taxable year is
120.4 cared for at a licensed family day care home operated by the child's parent, the taxpayer is
120.5 deemed to have paid employment-related expenses. If the child is 16 months old or younger
120.6 at the close of the taxable year, the amount of expenses deemed to have been paid equals
120.7 the maximum limit for one qualified individual under section 21(c) and (d) of the Internal
120.8 Revenue Code. If the child is older than 16 months of age but has not attained the age of
120.9 six years at the close of the taxable year, the amount of expenses deemed to have been paid
120.10 equals the amount the licensee would charge for the care of a child of the same age for the
120.11 same number of hours of care.

120.12 (c) If a married couple:

120.13 (1) has a child who has not attained the age of one year at the close of the taxable year;

120.14 (2) files a joint tax return for the taxable year; and

120.15 (3) does not participate in a dependent care assistance program as defined in section 129
120.16 of the Internal Revenue Code, in lieu of the actual employment related expenses paid for
120.17 that child under paragraph (a) or the deemed amount under paragraph (b), the lesser of (i)
120.18 the combined earned income of the couple or (ii) the amount of the maximum limit for one
120.19 qualified individual under section 21(c) and (d) of the Internal Revenue Code will be deemed
120.20 to be the employment related expense paid for that child. The earned income limitation of
120.21 section 21(d) of the Internal Revenue Code shall not apply to this deemed amount. These
120.22 deemed amounts apply regardless of whether any employment-related expenses have been
120.23 paid.

120.24 (d) If the taxpayer is not required and does not file a federal individual income tax return
120.25 for the tax year, no credit is allowed for any amount paid to any person unless:

120.26 (1) the name, address, and taxpayer identification number of the person are included on
120.27 the return claiming the credit; or

120.28 (2) if the person is an organization described in section 501(c)(3) of the Internal Revenue
120.29 Code and exempt from tax under section 501(a) of the Internal Revenue Code, the name
120.30 and address of the person are included on the return claiming the credit.

120.31 In the case of a failure to provide the information required under the preceding sentence,
120.32 the preceding sentence does not apply if it is shown that the taxpayer exercised due diligence
120.33 in attempting to provide the information required.

121.1 (e) In the case of a nonresident, part-year resident, or a person who has earned income
121.2 not subject to tax under this chapter ~~including earned income excluded pursuant to section~~
121.3 ~~290.0132, subdivision 10~~, the credit determined under section 21 of the Internal Revenue
121.4 Code must be allocated based on the ratio by which the earned income of the claimant and
121.5 the claimant's spouse from Minnesota sources bears to the total earned income of the claimant
121.6 and the claimant's spouse.

121.7 (f) For residents of Minnesota, the subtractions for military pay under section 290.0132,
121.8 subdivisions 11 and 12, are not considered "earned income not subject to tax under this
121.9 chapter."

121.10 (g) For residents of Minnesota, the exclusion of combat pay under section 112 of the
121.11 Internal Revenue Code is not considered "earned income not subject to tax under this
121.12 chapter."

121.13 (h) For taxpayers with federal adjusted gross income in excess of \$52,230, the credit is
121.14 equal to the lesser of the credit otherwise calculated under this subdivision, or the amount
121.15 equal to \$600 minus five percent of federal adjusted gross income in excess of \$52,230 for
121.16 taxpayers with one qualified individual, or \$1,200 minus five percent of federal adjusted
121.17 gross income in excess of \$52,230 for taxpayers with two or more qualified individuals,
121.18 but in no case is the credit less than zero.

121.19 Sec. 156. Minnesota Statutes 2022, section 290.0671, subdivision 1, is amended to read:

121.20 Subdivision 1. **Credit allowed.** (a) An individual who is a resident of Minnesota is
121.21 allowed a credit against the tax imposed by this chapter equal to a percentage of earned
121.22 income. To receive a credit, a taxpayer must be eligible for a credit under section 32 of the
121.23 Internal Revenue Code, except that:

121.24 (1) a taxpayer with no qualifying children who has attained the age of 19, but not attained
121.25 age 65 before the close of the taxable year and is otherwise eligible for a credit under section
121.26 32 of the Internal Revenue Code may also receive a credit; and

121.27 (2) a taxpayer who is otherwise eligible for a credit under section 32 of the Internal
121.28 Revenue Code remains eligible for the credit even if the taxpayer's earned income or adjusted
121.29 gross income exceeds the income limitation under section 32 of the Internal Revenue Code.

121.30 (b) For individuals with no qualifying children, the credit equals 3.9 percent of the first
121.31 \$7,150 of earned income. The credit is reduced by 2.0 percent of earned income or adjusted
121.32 gross income, whichever is greater, in excess of the phaseout threshold, but in no case is
121.33 the credit less than zero.

122.1 (c) For individuals with one qualifying child, the credit equals 9.35 percent of the first
122.2 \$11,950 of earned income. The credit is reduced by 6.0 percent of earned income or adjusted
122.3 gross income, whichever is greater, in excess of the phaseout threshold, but in no case is
122.4 the credit less than zero.

122.5 (d) For individuals with two qualifying children, the credit equals 11 percent of the first
122.6 \$19,600 of earned income. The credit is reduced by 10.5 percent of earned income or adjusted
122.7 gross income, whichever is greater, in excess of the phaseout threshold, but in no case is
122.8 the credit less than zero.

122.9 (e) For individuals with three or more qualifying children, the credit equals 12.5 percent
122.10 of the first \$20,000 of earned income. The credit is reduced by 10.5 percent of earned income
122.11 or adjusted gross income, whichever is greater, in excess of the phaseout threshold, but in
122.12 no case is the credit less than zero.

122.13 (f) For a part-year resident, the credit must be allocated based on the percentage calculated
122.14 under section 290.06, subdivision 2c, paragraph (e).

122.15 (g) For a person who was a resident for the entire tax year and has earned income not
122.16 subject to tax under this chapter, ~~including income excluded under section 290.0132,~~
122.17 ~~subdivision 10,~~ the credit must be allocated based on the ratio of federal adjusted gross
122.18 income reduced by the earned income not subject to tax under this chapter over federal
122.19 adjusted gross income. For purposes of this paragraph, the following clauses are not
122.20 considered "earned income not subject to tax under this chapter":

122.21 (1) the subtractions for military pay under section 290.0132, subdivisions 11 and 12;

122.22 (2) the exclusion of combat pay under section 112 of the Internal Revenue Code; and

122.23 (3) income derived from an Indian reservation by an enrolled member of the reservation
122.24 while living on the reservation.

122.25 (h) For the purposes of this section, the phaseout threshold equals:

122.26 (1) \$14,570 for married taxpayers filing joint returns with no qualifying children;

122.27 (2) \$8,730 for all other taxpayers with no qualifying children;

122.28 (3) \$28,610 for married taxpayers filing joint returns with one qualifying child;

122.29 (4) \$22,770 for all other taxpayers with one qualifying child;

122.30 (5) \$32,840 for married taxpayers filing joint returns with two qualifying children;

122.31 (6) \$27,000 for all other taxpayers with two qualifying children;

123.1 (7) \$33,140 for married taxpayers filing joint returns with three or more qualifying
123.2 children; and

123.3 (8) \$27,300 for all other taxpayers with three or more qualifying children.

123.4 (i) The commissioner shall construct tables showing the amount of the credit at various
123.5 income levels and make them available to taxpayers. The tables shall follow the schedule
123.6 contained in this subdivision, except that the commissioner may graduate the transition
123.7 between income brackets.

123.8 Sec. 157. Minnesota Statutes 2022, section 290.0677, subdivision 1, is amended to read:

123.9 Subdivision 1. **Credit allowed; current military service.** ~~(a) An individual is allowed~~
123.10 ~~a credit against the tax due under this chapter equal to \$59 for each month or portion thereof~~
123.11 ~~that the individual was in active military service in a designated area after September 11,~~
123.12 ~~2001, and before January 1, 2009, while a Minnesota domiciliary.~~

123.13 ~~(b)~~ (a) An individual is allowed a credit against the tax due under this chapter equal to
123.14 \$120 for each month or portion thereof that the individual was in active military service in
123.15 a designated area after December 31, 2008, while a Minnesota domiciliary.

123.16 ~~(c) For active service performed after September 11, 2001, and before December 31,~~
123.17 ~~2006, the individual may claim the credit in the taxable year beginning after December 31,~~
123.18 ~~2005, and before January 1, 2007.~~

123.19 ~~(d) For active service performed after December 31, 2006, the~~ (b) An individual may
123.20 claim the credit for the taxable year in which the active service was performed.

123.21 Sec. 158. Minnesota Statutes 2022, section 290.0677, subdivision 2, is amended to read:

123.22 Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the
123.23 meanings given.

123.24 (b) "Designated area" means a:

123.25 (1) combat zone designated by Executive Order from the President of the United States;

123.26 (2) qualified hazardous duty area, designated in Public Law; or

123.27 (3) location certified by the U. S. Department of Defense as eligible for combat zone
123.28 tax benefits due to the location's direct support of military operations.

123.29 (c) "Active military service" means active duty service in any of the United States armed
123.30 forces, the National Guard, or reserves.

124.1 (d) "Qualified individual" means an individual who has:

124.2 (1) met one of the following criteria:

124.3 (i) has served at least 20 years in the military;

124.4 (ii) has a service-connected disability rating of 100 percent for a total and permanent
124.5 disability; or

124.6 (iii) has been determined by the military to be eligible for compensation from a pension
124.7 or other retirement pay from the federal government for service in the military, as computed
124.8 under United States Code, title 10, sections 1401 to 1414, 1447 to 1455, or 12733; and

124.9 (2) separated from military service before the end of the taxable year.

124.10 (e) "Adjusted gross income" has the meaning given in section ~~61~~ 62 of the Internal
124.11 Revenue Code.

124.12 Sec. 159. Minnesota Statutes 2022, section 290.068, subdivision 3, is amended to read:

124.13 Subd. 3. **Limitation; carryover.** (a) The credit ~~for a taxable year beginning before~~
124.14 ~~January 1, 2010, and after December 31, 2012,~~ shall not exceed the liability for tax. If the
124.15 amount of the credit allowed exceeds the liability for tax of the taxpayer, but is allowed as
124.16 a result of the liability for tax of other members of the unitary group for the taxable year,
124.17 the taxpayer must allocate the excess as a research credit to another member of the unitary
124.18 group.

124.19 (b) In the case of a corporation which is a partner in a partnership, the credit allowed
124.20 for the taxable year shall not exceed the lesser of the amount determined under paragraph
124.21 (a) for the taxable year or an amount (separately computed with respect to the corporation's
124.22 interest in the trade or business or entity) equal to the amount of tax attributable to that
124.23 portion of taxable income which is allocable or apportionable to the corporation's interest
124.24 in the trade or business or entity.

124.25 (c) If the amount of the credit determined under this section for any taxable year exceeds
124.26 the limitation under paragraph (a) or (b), including amounts allocated to other members of
124.27 the unitary group, the excess shall be a research credit carryover to each of the 15 succeeding
124.28 taxable years. The entire amount of the excess unused credit for the taxable year shall be
124.29 carried first to the earliest of the taxable years to which the credit may be carried and then
124.30 to each successive year to which the credit may be carried. The amount of the unused credit
124.31 which may be added under this clause shall not exceed the taxpayer's liability for tax less
124.32 the research credit for the taxable year.

125.1 Sec. 160. Minnesota Statutes 2022, section 290.9705, subdivision 3, is amended to read:

125.2 Subd. 3. **Waiver of withholding.** The conditions in ~~subdivisions~~ subdivision 1 and 2
125.3 may be waived by the commissioner if (1) the contractor gives the commissioner a cash
125.4 surety or a bond, secured by an insurance company licensed by Minnesota, conditioned that
125.5 the contractor will comply with all applicable provisions of this chapter and chapter 297A,
125.6 or (2) the contractor has done construction work in Minnesota at any time during the three
125.7 calendar years prior to entering the contract and has fully complied with all the provisions
125.8 of this chapter and chapter 297A for the three prior years.

125.9 Sec. 161. Minnesota Statutes 2022, section 297A.70, subdivision 2, is amended to read:

125.10 Subd. 2. **Sales to government.** (a) All sales, except those listed in paragraph (b), to the
125.11 following governments and political subdivisions, or to the listed agencies or instrumentalities
125.12 of governments and political subdivisions, are exempt:

125.13 (1) the United States and its agencies and instrumentalities;

125.14 (2) school districts, local governments, the University of Minnesota, state universities,
125.15 community colleges, technical colleges, state academies, the Perpich Minnesota Center for
125.16 Arts Education, and an instrumentality of a political subdivision that is accredited as an
125.17 optional/special function school by the North Central Association of Colleges and Schools;

125.18 (3) hospitals and nursing homes owned and operated by political subdivisions of the
125.19 state of tangible personal property and taxable services used at or by hospitals and nursing
125.20 homes;

125.21 ~~(4) notwithstanding paragraph (d), the sales and purchases by the Metropolitan Council~~
125.22 ~~of vehicles and repair parts to equip operations provided for in section 473.4051 are exempt~~
125.23 ~~through December 31, 2016;~~

125.24 ~~(5)~~ (4) other states or political subdivisions of other states, if the sale would be exempt
125.25 from taxation if it occurred in that state; and

125.26 ~~(6)~~ (5) public libraries, public library systems, multicounty, multitype library systems
125.27 as defined in section 134.001, county law libraries under chapter 134A, state agency libraries,
125.28 the state library under section 480.09, and the Legislative Reference Library.

125.29 (b) This exemption does not apply to the sales of the following products and services:

125.30 (1) building, construction, or reconstruction materials purchased by a contractor or a
125.31 subcontractor as a part of a lump-sum contract or similar type of contract with a guaranteed

126.1 maximum price covering both labor and materials for use in the construction, alteration, or
 126.2 repair of a building or facility;

126.3 (2) construction materials purchased by tax exempt entities or their contractors to be
 126.4 used in constructing buildings or facilities which will not be used principally by the tax
 126.5 exempt entities;

126.6 (3) the leasing of a motor vehicle as defined in section 297B.01, subdivision 11, except
 126.7 for leases entered into by the United States or its agencies or instrumentalities;

126.8 (4) lodging as defined under section 297A.61, subdivision 3, paragraph (g), clause (2),
 126.9 and prepared food, candy, soft drinks, and alcoholic beverages as defined in section 297A.67,
 126.10 subdivision 2, except for lodging, prepared food, candy, soft drinks, and alcoholic beverages
 126.11 purchased directly by the United States or its agencies or instrumentalities; or

126.12 (5) goods or services purchased by a local government as inputs to a liquor store, gas
 126.13 or electric utility, solid waste hauling service, solid waste recycling service, landfill, golf
 126.14 course, marina, campground, cafe, or laundromat.

126.15 (c) As used in this subdivision, "school districts" means public school entities and districts
 126.16 of every kind and nature organized under the laws of the state of Minnesota, and any
 126.17 instrumentality of a school district, as defined in section 471.59.

126.18 (d) For purposes of the exemption granted under this subdivision, "local governments"
 126.19 has the following meaning:

126.20 (1) for the period prior to January 1, 2017, local governments means statutory or home
 126.21 rule charter cities, counties, and townships; and

126.22 (2) beginning January 1, 2017, local governments means statutory or home rule charter
 126.23 cities, counties, and townships; special districts as defined under section 6.465; any
 126.24 instrumentality of a statutory or home rule charter city, county, or township as defined in
 126.25 section 471.59; and any joint powers board or organization created under section 471.59.

126.26 Sec. 162. Minnesota Statutes 2022, section 297A.71, subdivision 44, is amended to read:

126.27 Subd. 44. **Building materials, capital projects.** (a) Materials and supplies used or
 126.28 consumed in and equipment incorporated into the construction or improvement of a capital
 126.29 project funded partially or wholly under section 297A.9905 are exempt, provided that the
 126.30 project has ~~either:~~

126.31 ~~(1) a total construction cost of at least \$40,000,000 within a 24-month period; or,~~

127.1 ~~(2) a total construction cost of at least \$100,000,000 for a sports facility project, including~~
127.2 ~~infrastructure costs, if construction contracts are signed, that begins after July 1, 2016, and~~
127.3 ~~before December 31, 2017.~~

127.4 (b) Materials and supplies used or consumed in and equipment incorporated into the
127.5 construction, remodeling, expansion, or improvement of an ice arena or other buildings or
127.6 facilities owned and operated by the city of Plymouth are exempt. For purposes of this
127.7 paragraph, "facilities" include municipal streets and facilities associated with streets including
127.8 but not limited to lighting, curbs and gutters, and sidewalks. The total amount of refund on
127.9 all building materials, supplies, and equipment that the city may apply for under this
127.10 paragraph is \$2,500,000.

127.11 (c) The tax on purchases exempt under paragraph (a), ~~clause (1),~~ and paragraph (b),
127.12 must be imposed and collected as if the rate under section 297A.62, subdivision 1, applied
127.13 and then refunded in the manner provided in section 297A.75. Notwithstanding section
127.14 289A.40, the city of Plymouth must file for refund by December 31, 2017, for sales tax paid
127.15 on all eligible purchases under paragraph (b) made prior to December 31, 2015.

127.16 ~~(d) The exemption under paragraph (a), clause (2), expires one year after the date that~~
127.17 ~~the first major sports game is played at the sports facility.~~

127.18 ~~(e) For purposes of paragraph (a), clause (2), the term "infrastructure" means plazas,~~
127.19 ~~parking structures, transit facilities, rights-of-way, sidewalks, pedestrian bridges, bicycle~~
127.20 ~~paths, skyways, tunnels, lighting, landscaping, drainage improvements, utilities, sewer, and~~
127.21 ~~other such facilities and improvements that are:~~

127.22 ~~(1) on land controlled by the city of St. Paul, when construction is complete;~~

127.23 ~~(2) located within the sports facility site within the boundary of Snelling Avenue to the~~
127.24 ~~west, University Avenue to the north, marked Interstate Highway 94 to the south, and Pascal~~
127.25 ~~Street to the east, in St. Paul, Minnesota; and~~

127.26 ~~(3) designed to facilitate public access to or to serve only the sports facility, and not to~~
127.27 ~~provide access to or serve any adjoining commercial or residential properties.~~

127.28 Sec. 163. Minnesota Statutes 2022, section 297B.10, is amended to read:

127.29 **297B.10 PENALTIES.**

127.30 (a) Any person, including persons other than the purchaser, ~~who prepares, completes,~~
127.31 ~~or submits a false or fraudulent motor vehicle purchaser's certificate with intent to defeat~~
127.32 ~~or evade the tax imposed under this chapter or any purchaser who fails to complete or submit~~

128.1 ~~a motor vehicle purchaser's certificate with intent to defeat or evade the tax or~~ who attempts
128.2 to defeat or evade the tax imposed under this chapter in any manner, is guilty of a gross
128.3 misdemeanor unless the tax involved exceeds \$300, in which event the person is guilty of
128.4 a felony. The term "person" as used in this section includes any officer or employee of a
128.5 corporation or a member or employee of a partnership who as an officer, member, or
128.6 employee is under a duty to perform the act with respect to which the violation occurs.
128.7 Notwithstanding the provisions of section 628.26 or any other provision of the criminal
128.8 laws of this state, an indictment may be found and filed, or a complaint filed, upon any
128.9 criminal offense specified in this section, in the proper court within six years after the
128.10 commission of the offense.

128.11 (b) Any person who collects the tax imposed under this chapter from a purchaser and
128.12 willfully fails to remit the tax is guilty of a felony.

128.13 (c) Any person who violates any of the provisions of this chapter, unless the violation
128.14 be of the type referred to in paragraph (a) or (b), is guilty of a misdemeanor.

128.15 (d) When two or more offenses in paragraph (a) or (b) are committed by the same person
128.16 within six months, the offenses may be aggregated; further, if the offenses are committed
128.17 in more than one county, the accused may be prosecuted for all the offenses aggregated
128.18 under this clause in any county in which one of the offenses was committed.

128.19 Sec. 164. Minnesota Statutes 2022, section 297B.12, is amended to read:

128.20 **297B.12 PRIVATE NATURE OF INFORMATION.**

128.21 It shall be unlawful for the motor vehicle registrar, deputy registrars, or any other public
128.22 official or employee to divulge or otherwise make known in any manner any particulars
128.23 acquired from the purchaser's records, officers, or employees except in connection with
128.24 state or federal tax proceedings or upon request of the ~~person named on the certificate~~
128.25 purchaser. Nothing herein contained should be construed to prohibit the publishing of
128.26 statistics so classified. Any person violating the provisions of this section shall be guilty of
128.27 a gross misdemeanor.

128.28 Sec. 165. Minnesota Statutes 2022, section 297E.021, subdivision 3, is amended to read:

128.29 Subd. 3. **Available revenues.** For purposes of this section, "available revenues" equals
128.30 the amount determined under subdivision 2, plus up to \$20,000,000 each fiscal year from
128.31 the taxes imposed under section 290.06, subdivision 1:

128.32 (1) reduced by the following amounts paid for the fiscal year under:

129.1 (i) the appropriation to principal and interest on appropriation bonds under section
129.2 16A.965, subdivision 8;

129.3 (ii) the appropriation from the general fund to make operating expense payments under
129.4 section 473J.13, subdivision 2, paragraph (b);

129.5 (iii) the appropriation for contributions to the capital reserve fund under section 473J.13,
129.6 subdivision 4, paragraph (c);

129.7 (iv) the appropriations under Laws 2012, chapter 299, article 4, for administration and
129.8 any successor appropriation;

129.9 ~~(v) the reduction in revenues resulting from the sales tax exemptions under section~~
129.10 ~~297A.71, subdivision 43;~~

129.11 ~~(vi)~~ (v) reimbursements authorized by section 473J.15, subdivision 2, paragraph (d);

129.12 ~~(vii)~~ (vi) the compulsive gambling appropriations under section 297E.02, subdivision
129.13 3, paragraph (c), and any successor appropriation; and

129.14 ~~(viii)~~ (vii) the appropriation for the city of St. Paul under section 16A.726, paragraph
129.15 (c); and

129.16 (2) increased by the revenue deposited in the general fund under section 297A.994,
129.17 subdivision 4, clauses (1) to (3), for the fiscal year.

129.18 Sec. 166. Minnesota Statutes 2022, section 297F.01, subdivision 22b, is amended to read:

129.19 Subd. 22b. **Nicotine solution products.** ~~(a) "Nicotine solution products" means any~~
129.20 ~~cartridge, bottle, or other package that contains nicotine made or derived from tobacco, that~~
129.21 ~~is in a solution that is consumed, or meant to be consumed, through the use of a heating~~
129.22 ~~element, power source, electronic circuit, or other electronic, chemical, or mechanical means~~
129.23 ~~that produces vapor or aerosol. This paragraph expires December 31, 2019.~~

129.24 ~~(b)~~ (a) Beginning January 1, 2020, "nicotine solution products" means any cartridge,
129.25 bottle, or other package that contains nicotine, including nicotine made or derived from
129.26 tobacco or sources other than tobacco, that is in a solution that is consumed, or meant to be
129.27 consumed, through the use of a heating element, power source, electronic circuit, or other
129.28 electronic, chemical, or mechanical means that produces vapor or aerosol.

129.29 ~~(c)~~ (b) Nicotine solution products includes any electronic cigarette, electronic cigar,
129.30 electronic cigarillo, electronic pipe, electronic nicotine delivery system, electronic vaping
129.31 device, electronic vape pen, electronic oral device, electronic delivery device, or similar
129.32 product or device, and any batteries, heating elements, or other components, parts, or

130.1 accessories sold with and meant to be used in the consumption of a solution containing
130.2 nicotine.

130.3 Sec. 167. Minnesota Statutes 2022, section 297I.20, subdivision 1, is amended to read:

130.4 Subdivision 1. **Guaranty association assessment offsets.** (a) An insurance company
130.5 or health maintenance organization may offset against its premium tax liability to this state
130.6 any amount paid for assessments made for insolvencies under sections 60C.01 to 60C.22;
130.7 and any amount paid for assessments under ~~Minnesota Statutes 1992, sections 61B.01 to~~
130.8 ~~61B.16, or under~~ sections 61B.18 to 61B.32 as follows:

130.9 (1) Each such assessment shall give rise to an amount of offset equal to 20 percent of
130.10 the amount of the assessment for each of the five calendar years following the year in which
130.11 the assessment was paid.

130.12 (2) The amount of offset initially determined for each taxable year is the sum of the
130.13 amounts determined under clause (1) for that taxable year.

130.14 (b)(1) Each year the commissioner shall compare total guaranty association assessments
130.15 levied over the preceding five calendar years to the sum of all premium tax and corporate
130.16 franchise tax revenues collected from insurance companies and health maintenance
130.17 organizations, without reduction for any guaranty association assessment offset in the
130.18 preceding calendar year, referred to in this subdivision as "preceding year insurance tax
130.19 revenues."

130.20 (2) If total guaranty association assessments levied over the preceding five years exceed
130.21 the preceding year insurance tax revenues, insurance companies and health maintenance
130.22 organizations must be allowed only a proportionate part of the premium tax offset calculated
130.23 under paragraph (a) for the current calendar year.

130.24 (3) The proportionate part of the premium tax offset allowed in the current calendar year
130.25 is determined by multiplying the amount calculated under paragraph (a) by a fraction. The
130.26 numerator of the fraction equals the preceding year insurance tax revenues, and its
130.27 denominator equals total guaranty association assessments levied over the preceding five-year
130.28 period.

130.29 (4) The proportionate part of the premium tax offset that is not allowed must be carried
130.30 forward to subsequent tax years and added to the amount of premium tax offset calculated
130.31 under paragraph (a) prior to application of the limitation imposed by this paragraph.

130.32 (5) Any amount carried forward from prior years must be allowed before allowance of
130.33 the offset for the current year calculated under paragraph (a).

131.1 (6) The premium tax offset limitation must be calculated separately for (i) insurance
131.2 companies subject to assessment under sections 60C.01 to 60C.22, and (ii) insurance
131.3 companies or health maintenance organizations subject to assessment under sections ~~61B.01~~
131.4 ~~to 61B.16, or 61B.18 to 61B.32.~~

131.5 (7) When the premium tax offset is limited by this provision, the commissioner shall
131.6 notify affected insurance companies or health maintenance organizations on a timely basis
131.7 for purposes of completing premium and corporate franchise tax returns.

131.8 (8) The guaranty associations created under sections 60C.01 to 60C.22, ~~61B.01 to 61B.16,~~
131.9 and 61B.18 to 61B.32, shall provide the commissioner with the necessary information on
131.10 guaranty association assessments.

131.11 (c)(1) If the offset determined by the application of paragraphs (a) and (b) exceeds the
131.12 insurance company's or health maintenance organization's premium tax liability under this
131.13 section prior to allowance of the credit for premium taxes, then the insurance company or
131.14 health maintenance organization may carry forward the excess, referred to in this subdivision
131.15 as the "carryforward credit" to subsequent taxable years.

131.16 (2) The carryforward credit is allowed as an offset against premium tax liability for the
131.17 first succeeding year to the extent that the premium tax liability for that year exceeds the
131.18 amount of the allowable offset for the year determined under paragraphs (a) and (b).

131.19 (3) The carryforward credit must be reduced, but not below zero, by the amount of the
131.20 carryforward credit allowed as an offset against the premium tax under this paragraph. The
131.21 remainder, if any, of the carryforward credit must be carried forward to succeeding taxable
131.22 years until the entire carryforward credit has been credited against the insurance company's
131.23 or health maintenance organization's liability for premium tax under this chapter if applicable
131.24 for that taxable year.

131.25 (d) When an insurer or health maintenance organization has offset against taxes its
131.26 payment of an assessment of the Minnesota Life and Health Guaranty Association, and the
131.27 association pays the insurer or health maintenance organization a refund with respect to the
131.28 assessment under section ~~61B.07, subdivision 6, or 61B.24, subdivision 6,~~ then the refund
131.29 reduces the insurer's or health maintenance organization's carryforward credit under paragraph
131.30 (c). If the refund exceeds the amount of the carryforward credit, the excess amount must
131.31 be repaid to the state by the insurers or health maintenance organizations to the extent of
131.32 the offset in the manner the commissioner requires.

132.1 Sec. 168. Minnesota Statutes 2022, section 327C.015, subdivision 11, is amended to read:

132.2 Subd. 11. **Planning agency.** "Planning agency" means the planning commission or the
132.3 planning department of a municipality as defined in section 462.352, the planning and
132.4 zoning commission of a town as defined in Minnesota Statutes 2020, section 366.17, or the
132.5 planning commission of a county, as defined in section 394.30, or if the municipality does
132.6 not have a planning agency, the governing body of the municipality.

132.7 Sec. 169. Minnesota Statutes 2022, section 349.12, subdivision 25, is amended to read:

132.8 Subd. 25. **Lawful purpose.** (a) "Lawful purpose" means one or more of the following:

132.9 (1) any expenditure by or contribution to a 501(c)(3) or festival organization, as defined
132.10 in subdivision 15c, provided that the organization and expenditure or contribution are in
132.11 conformity with standards prescribed by the board under section 349.154, which standards
132.12 must apply to both types of organizations in the same manner and to the same extent;

132.13 (2) a contribution to or expenditure for goods and services for an individual or family
132.14 suffering from poverty, homelessness, or disability, which is used to relieve the effects of
132.15 that suffering;

132.16 (3) a contribution to a program recognized by the Minnesota Department of Human
132.17 Services for the education, prevention, or treatment of problem gambling;

132.18 (4) a contribution to or expenditure on a public or private nonprofit educational institution
132.19 registered with or accredited by this state or any other state;

132.20 (5) a contribution to an individual, public or private nonprofit educational institution
132.21 registered with or accredited by this state or any other state, or to a scholarship fund of a
132.22 nonprofit organization whose primary mission is to award scholarships, for defraying the
132.23 cost of education to individuals where the funds are awarded through an open and fair
132.24 selection process;

132.25 (6) activities by an organization or a government entity which recognize military service
132.26 to the United States, the state of Minnesota, or a community, subject to rules of the board,
132.27 provided that the rules must not include mileage reimbursements in the computation of the
132.28 per diem reimbursement limit and must impose no aggregate annual limit on the amount of
132.29 reasonable and necessary expenditures made to support:

132.30 (i) members of a military marching or color guard unit for activities conducted within
132.31 the state;

133.1 (ii) members of an organization solely for services performed by the members at funeral
133.2 services;

133.3 (iii) members of military marching, color guard, or honor guard units may be reimbursed
133.4 for participating in color guard, honor guard, or marching unit events within the state or
133.5 states contiguous to Minnesota at a per participant rate of up to \$50 per diem; or

133.6 (iv) active military personnel and their immediate family members in need of support
133.7 services;

133.8 (7) recreational, community, and athletic facilities and activities, intended primarily for
133.9 persons under age 21, provided that such facilities and activities do not discriminate on the
133.10 basis of gender and the organization complies with section 349.154, subdivision 3a;

133.11 (8) payment of local taxes authorized under this chapter, including local gambling taxes
133.12 authorized under section 349.213, subdivision 3, taxes imposed by the United States on
133.13 receipts from lawful gambling, the taxes imposed by section 297E.02, subdivisions 1, ~~5~~,
133.14 and 6, and the tax imposed on unrelated business income by section 290.05, subdivision 3;

133.15 (9) payment of real estate taxes and assessments on permitted gambling premises owned
133.16 by the licensed organization paying the taxes, or wholly leased by a licensed veterans
133.17 organization under a national charter recognized under section 501(c)(19) of the Internal
133.18 Revenue Code;

133.19 (10) a contribution to the United States, this state or any of its political subdivisions, or
133.20 any agency or instrumentality thereof other than a direct contribution to a law enforcement
133.21 or prosecutorial agency;

133.22 (11) a contribution to or expenditure by a nonprofit organization which is a church or
133.23 body of communicants gathered in common membership for mutual support and edification
133.24 in piety, worship, or religious observances;

133.25 (12) an expenditure for citizen monitoring of surface water quality by individuals or
133.26 nongovernmental organizations that is consistent with section 115.06, subdivision 4, and
133.27 Minnesota Pollution Control Agency guidance on monitoring procedures, quality assurance
133.28 protocols, and data management, provided that the resulting data is submitted to the
133.29 Minnesota Pollution Control Agency for review and inclusion in the state water quality
133.30 database;

133.31 (13) a contribution to or expenditure on projects or activities approved by the
133.32 commissioner of natural resources for:

133.33 (i) wildlife management projects that benefit the public at large;

134.1 (ii) grant-in-aid trail maintenance and grooming established under sections 84.83 and
134.2 84.927, and other trails open to public use, including purchase or lease of equipment for
134.3 this purpose; and

134.4 (iii) supplies and materials for safety training and educational programs coordinated by
134.5 the Department of Natural Resources, including the Enforcement Division;

134.6 (14) conducting nutritional programs, food shelves, and congregate dining programs
134.7 primarily for persons who are age 62 or older or disabled;

134.8 (15) a contribution to a community arts organization, or an expenditure to sponsor arts
134.9 programs in the community, including but not limited to visual, literary, performing, or
134.10 musical arts;

134.11 (16) an expenditure by a licensed fraternal organization or a licensed veterans organization
134.12 for payment of water, fuel for heating, electricity, and sewer costs for:

134.13 (i) up to 100 percent for a building wholly owned or wholly leased by and used as the
134.14 primary headquarters of the licensed veteran or fraternal organization; or

134.15 (ii) a proportional amount subject to approval by the director and based on the portion
134.16 of a building used as the primary headquarters of the licensed veteran or fraternal
134.17 organization;

134.18 (17) expenditure by a licensed veterans organization of up to \$5,000 in a calendar year
134.19 in net costs to the organization for meals and other membership events, limited to members
134.20 and spouses, held in recognition of military service. No more than \$5,000 can be expended
134.21 in total per calendar year under this clause by all licensed veterans organizations sharing
134.22 the same veterans post home;

134.23 (18) payment of fees authorized under this chapter imposed by the state of Minnesota
134.24 to conduct lawful gambling in Minnesota;

134.25 (19) a contribution or expenditure to honor an individual's humanitarian service as
134.26 demonstrated through philanthropy or volunteerism to the United States, this state, or local
134.27 community;

134.28 (20) a contribution by a licensed organization to another licensed organization with prior
134.29 board approval, with the contribution designated to be used for one or more of the following
134.30 lawful purposes under this section: clauses (1) to (7), (11) to (15), (19), and (25);

134.31 (21) an expenditure that is a contribution to a parent organization, if the parent
134.32 organization: (i) has not provided to the contributing organization within one year of the

135.1 contribution any money, grants, property, or other thing of value, and (ii) has received prior
135.2 board approval for the contribution that will be used for a program that meets one or more
135.3 of the lawful purposes under subdivision 7a;

135.4 (22) an expenditure for the repair, maintenance, or improvement of real property and
135.5 capital assets owned by an organization, or for the replacement of a capital asset that can
135.6 no longer be repaired, with a fiscal year limit of five percent of gross profits from the
135.7 previous fiscal year, with no carryforward of unused allowances. The fiscal year is July 1
135.8 through June 30. Total expenditures for the fiscal year may not exceed the limit unless the
135.9 board has specifically approved the expenditures that exceed the limit due to extenuating
135.10 circumstances beyond the organization's control. An expansion of a building or bar-related
135.11 expenditures are not allowed under this provision.

135.12 (i) The expenditure must be related to the portion of the real property or capital asset
135.13 that must be made available for use free of any charge to other nonprofit organizations,
135.14 community groups, or service groups, and is used for the organization's primary mission or
135.15 headquarters.

135.16 (ii) An expenditure may be made to bring an existing building that the organization owns
135.17 into compliance with the Americans with Disabilities Act.

135.18 (iii) An organization may apply the amount that is allowed under item (ii) to the erection
135.19 or acquisition of a replacement building that is in compliance with the Americans with
135.20 Disabilities Act if the board has specifically approved the amount. The cost of the erection
135.21 or acquisition of a replacement building may not be made from gambling proceeds, except
135.22 for the portion allowed under this item;

135.23 (23) an expenditure for the acquisition or improvement of a capital asset with a cost
135.24 greater than \$2,000, excluding real property, that will be used exclusively for lawful purposes
135.25 under this section if the board has specifically approved the amount;

135.26 (24) an expenditure for the acquisition, erection, improvement, or expansion of real
135.27 property, if the board has first specifically authorized the expenditure after finding that the
135.28 real property will be used exclusively for lawful purpose under this section;

135.29 (25) an expenditure, including a mortgage payment or other debt service payment, for
135.30 the erection or acquisition of a comparable building to replace an organization-owned
135.31 building that was destroyed or made uninhabitable by fire or catastrophe or to replace an
135.32 organization-owned building that was taken or sold under an eminent domain proceeding.
135.33 The expenditure may be only for that part of the replacement cost not reimbursed by
135.34 insurance for the fire or catastrophe or compensation not received from a governmental unit

136.1 under the eminent domain proceeding, if the board has first specifically authorized the
136.2 expenditure; or

136.3 (26) a contribution to a 501(c)(19) organization that does not have an organization license
136.4 under section 349.16 and is not affiliated with the contributing organization, and whose
136.5 owned or leased property is not a permitted premises under section 349.165. The 501(c)(19)
136.6 organization may only use the contribution for lawful purposes under this subdivision or
136.7 for the organization's primary mission. The 501(c)(19) organization may not use the
136.8 contribution for expansion of a building or for bar-related expenditures. A contribution may
136.9 not be made to a statewide organization representing a consortia of 501(c)(19) organizations.

136.10 (b) Expenditures authorized by the board under paragraph (a), clauses (24) and (25),
136.11 must be 51 percent completed within two years of the date of board approval; otherwise the
136.12 organization must reapply to the board for approval of the project. "Fifty-one percent
136.13 completed" means that the work completed must represent at least 51 percent of the value
136.14 of the project as documented by the contractor or vendor.

136.15 (c) Notwithstanding paragraph (a), "lawful purpose" does not include:

136.16 (1) any expenditure made or incurred for the purpose of influencing the nomination or
136.17 election of a candidate for public office or for the purpose of promoting or defeating a ballot
136.18 question;

136.19 (2) any activity intended to influence an election or a governmental decision-making
136.20 process;

136.21 (3) a contribution to a statutory or home rule charter city, county, or town by a licensed
136.22 organization with the knowledge that the governmental unit intends to use the contribution
136.23 for a pension or retirement fund; or

136.24 (4) a contribution to a 501(c)(3) organization or other entity with the intent or effect of
136.25 not complying with lawful purpose restrictions or requirements.

136.26 Sec. 170. Minnesota Statutes 2022, section 352.91, subdivision 3f, is amended to read:

136.27 Subd. 3f. **Additional Department of Human Services personnel.** (a) "Covered
136.28 correctional service" means service by a state employee in one of the employment positions
136.29 specified in paragraph (b) in the state-operated forensic services program or the Minnesota
136.30 Sex Offender Program if at least 75 percent of the employee's working time is spent in direct
136.31 contact with patients and the determination of this direct contact is certified to the executive
136.32 director by the commissioner of human services.

- 137.1 (b) The employment positions are:
- 137.2 (1) behavior analyst 2;
- 137.3 (2) behavior analyst 3;
- 137.4 (3) certified occupational therapy assistant 1;
- 137.5 (4) certified occupational therapy assistant 2;
- 137.6 ~~(5) substance use disorder counselor senior;~~
- 137.7 ~~(6)~~ (5) client advocate;
- 137.8 ~~(7)~~ (6) clinical program therapist 2;
- 137.9 ~~(8)~~ (7) clinical program therapist 3;
- 137.10 ~~(9)~~ (8) clinical program therapist 4;
- 137.11 ~~(10)~~ (9) customer services specialist principal;
- 137.12 ~~(11)~~ (10) dental assistant registered;
- 137.13 ~~(12)~~ (11) dental hygienist;
- 137.14 ~~(13)~~ (12) group supervisor;
- 137.15 ~~(14)~~ (13) group supervisor assistant;
- 137.16 ~~(15)~~ (14) human services support specialist;
- 137.17 ~~(16)~~ (15) licensed alcohol and drug counselor;
- 137.18 ~~(17)~~ (16) licensed practical nurse;
- 137.19 ~~(18)~~ (17) management analyst 3;
- 137.20 ~~(19)~~ (18) occupational therapist;
- 137.21 ~~(20)~~ (19) occupational therapist, senior;
- 137.22 ~~(21)~~ (20) physical therapist;
- 137.23 ~~(22)~~ (21) psychologist 1;
- 137.24 ~~(23)~~ (22) psychologist 2;
- 137.25 ~~(24)~~ (23) psychologist 3;
- 137.26 ~~(25)~~ (24) recreation program assistant;
- 137.27 ~~(26)~~ (25) recreation therapist lead;

- 138.1 ~~(27)~~ (26) recreation therapist senior;
- 138.2 ~~(28)~~ (27) rehabilitation counselor senior;
- 138.3 ~~(29)~~ (28) residential program lead;
- 138.4 ~~(30)~~ (29) security supervisor;
- 138.5 ~~(31)~~ (30) skills development specialist;
- 138.6 ~~(32)~~ (31) social worker senior;
- 138.7 ~~(33)~~ (32) social worker specialist;
- 138.8 ~~(34)~~ (33) social worker specialist, senior;
- 138.9 ~~(35)~~ (34) special education program assistant;
- 138.10 ~~(36)~~ (35) speech pathology clinician;
- 138.11 (36) substance use disorder counselor senior;
- 138.12 (37) work therapy assistant; and
- 138.13 (38) work therapy program coordinator.

138.14 Sec. 171. Minnesota Statutes 2022, section 360.013, subdivision 50, is amended to read:

138.15 Subd. 50. **Municipality.** "Municipality" means a city of any class, including a city
 138.16 organized under a charter framed pursuant to the Constitution of the state of Minnesota,
 138.17 article ~~4~~ IV, section 36, article XI, section 4, or article XII, section 5, a county, a town, or
 138.18 a statutory city in this state, the regents of the University of Minnesota, and any other political
 138.19 subdivision, public corporation, authority, or district in this state which is or may be
 138.20 authorized by law to acquire, establish, construct, maintain, improve, and operate airports
 138.21 and other air navigation facilities.

138.22 Sec. 172. Minnesota Statutes 2022, section 360.0161, subdivision 2, is amended to read:

138.23 Subd. 2. **Approval of application; Federal Airport Act of 1946.** No municipality in
 138.24 this state, whether acting alone or jointly with another municipality or with the state, shall
 138.25 submit to the administrator of civil aeronautics of the United States any project application
 138.26 under the provisions of Section 9(a) of the Act of Congress approved May 13, 1946, being
 138.27 ~~a Public Law 377, 79th Congress, known and hereinafter designated as the "Federal Airport~~
 138.28 ~~Act,"~~ Federal Airport Act, Public Law 79-377, or any amendment thereof, unless the project
 138.29 and the project application have been first approved by the commissioner of transportation.

139.1 Sec. 173. Minnesota Statutes 2022, section 360.061, subdivision 1, is amended to read:

139.2 Subdivision 1. **Scope.** For the purposes of sections 360.061 to 360.074 the terms in this
139.3 section have the meanings given.

139.4 Sec. 174. Minnesota Statutes 2022, section 360.067, subdivision 4, is amended to read:

139.5 Subd. 4. **Administrative agent, appointment.** In the case of an airport owned or operated
139.6 by the state, the state airport zoning board adopting the zoning regulations for such airport,
139.7 or the commissioner of transportation in case the zoning regulations are adopted by the
139.8 commissioner as provided herein, shall appoint a local governmental official of a
139.9 governmental unit in which the airport hazard area is located as the administrative agent.
139.10 The governmental official so appointed is hereby authorized and directed as part of official
139.11 duties to exercise the powers and duties of the administrative agency as described in ~~sections~~
139.12 ~~360.067~~ this section and section 360.069.

139.13 Sec. 175. Minnesota Statutes 2022, section 360.511, subdivision 24, is amended to read:

139.14 Subd. 24. **Fiscal year.** "Fiscal year" starts July 1 and ends June 30, ~~effective July 1,~~
139.15 ~~1966.~~

139.16 Sec. 176. Minnesota Statutes 2022, section 383B.058, is amended to read:

139.17 **383B.058 LOCAL ORDINANCES AND CHARTERS SUPERSEDED.**

139.18 (a) Except as provided in this section, ~~sections~~ section 383B.041 to 383B.057 ~~supersede~~
139.19 supersedes the provisions of any ordinance or resolution of a jurisdiction governed by
139.20 sections 383B.041 ~~to~~ or 383B.058 or any existing special law or home rule charter provision
139.21 requiring disclosure of information related to the financing of election campaigns or requiring
139.22 disclosure of economic interests by candidates and elected officials of that jurisdiction.

139.23 (b) The governing body of Hennepin County, the governing body of any home rule
139.24 charter city or statutory city located wholly in Hennepin County, and the school board of
139.25 Special School District No. 1, Minneapolis may adopt or continue in force ordinances or
139.26 resolutions that:

139.27 (1) impose limits on the amount that any individual or association may contribute to any
139.28 candidate for elected office in that jurisdiction;

139.29 (2) require disclosure of economic interests ~~in addition to those required to be disclosed~~
139.30 ~~under section 383B.053;~~ or

139.31 (3) require other public officials of that jurisdiction to make such disclosure.

140.1 (c) Any home rule charter city that adopts a charter provision modifying or superseding
140.2 any provision of ~~sections~~ section 383B.041 to 383B.057 shall file a copy of the charter
140.3 provision with the Campaign Finance and Public Disclosure Board within 60 days of its
140.4 adoption.

140.5 Sec. 177. Minnesota Statutes 2022, section 402.02, subdivision 2, is amended to read:

140.6 Subd. 2. **Powers and duties.** Notwithstanding the population requirements of sections
140.7 145A.11 to 145A.131 and 245.61 to ~~245.69~~ 245.66 and chapter 401, a human services board
140.8 shall possess all the powers and duties now assigned by law to:

140.9 (a) manage the public resources devoted to human services delivered or purchased by
140.10 the counties, which are subsidized or regulated by the Departments of Corrections, Health,
140.11 and Human Services;

140.12 (b) employ staff to carry out the purposes of sections 402.01 to 402.10;

140.13 (c) deliver services directly or through contract with other governmental or
140.14 nongovernmental providers;

140.15 (d) plan for the delivery of human services, which shall include corrections services,
140.16 public health services, public assistance, developmental disability services, social services,
140.17 mental health services, and others of similar classification;

140.18 (e) receive and expend funds for the purposes of sections 402.01 to 402.10;

140.19 (f) rent, purchase, sell, or otherwise dispose of real and personal property and equipment;
140.20 and

140.21 (g) county health boards, local social services agencies, and mental health boards.

140.22 Sec. 178. Minnesota Statutes 2022, section 403.03, subdivision 2, is amended to read:

140.23 Subd. 2. **Telephone cardiopulmonary resuscitation program.** (a) ~~On or before July~~
140.24 ~~1, 2021,~~ Every public safety answering point must maintain a telephone cardiopulmonary
140.25 resuscitation program by either:

140.26 (1) providing each 911 telecommunicator with training in cardiopulmonary resuscitation;
140.27 or

140.28 (2) transferring callers to another public safety answering point with 911
140.29 telecommunicators that have received training in cardiopulmonary resuscitation.

140.30 (b) Training in cardiopulmonary resuscitation must, at a minimum, include:

141.1 (1) use of an evidence-based protocol or script for providing cardiopulmonary
141.2 resuscitation instruction that has been recommended by an academic institution or a nationally
141.3 recognized organization specializing in medical dispatch and, if the public safety answering
141.4 point has a medical director, approved by that medical director; and

141.5 (2) appropriate continuing education, as determined by the evidence-based protocol for
141.6 providing cardiopulmonary resuscitation instruction and, if the public safety answering
141.7 point has a medical director, approved by that medical director.

141.8 (c) A public safety answering point that transfers callers to another public safety
141.9 answering point must, at a minimum:

141.10 (1) use an evidence-based protocol for the identification of a person in need of
141.11 cardiopulmonary resuscitation;

141.12 (2) provide each 911 telecommunicator with appropriate training and continuing education
141.13 to identify a person in need of cardiopulmonary resuscitation through the use of an
141.14 evidence-based protocol; and

141.15 (3) ensure that any public safety answering point to which calls are transferred uses 911
141.16 telecommunicators who meet the training requirements under paragraph (b).

141.17 (d) Each public safety answering point shall conduct ongoing quality assurance of its
141.18 telephone cardiopulmonary resuscitation program.

141.19 Sec. 179. Minnesota Statutes 2022, section 403.11, subdivision 1, is amended to read:

141.20 Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer
141.21 of a wireless or wire-line switched or packet-based telecommunications service provider
141.22 connected to the public switched telephone network that furnishes service capable of
141.23 originating a 911 emergency telephone call is assessed a fee based upon the number of
141.24 wired or wireless telephone lines, or their equivalent, to cover the costs of ongoing
141.25 maintenance and related improvements for trunking and central office switching equipment
141.26 for 911 emergency telecommunications service, to offset administrative and staffing costs
141.27 of the commissioner related to managing the 911 emergency telecommunications service
141.28 program, to make distributions provided for in section 403.113, and to offset the costs,
141.29 including administrative and staffing costs, incurred by the State Patrol Division of the
141.30 Department of Public Safety in handling 911 emergency calls made from wireless phones.

141.31 (b) Money remaining in the 911 emergency telecommunications service account after
141.32 all other obligations are paid must not cancel and is carried forward to subsequent years

142.1 and may be appropriated from time to time to the commissioner to provide financial
142.2 assistance to counties for the improvement of local emergency telecommunications services.

142.3 (c) The fee may not be more than 95 cents a month ~~on or after July 1, 2010~~, for each
142.4 customer access line or other basic access service, including trunk equivalents as designated
142.5 by the Public Utilities Commission for access charge purposes and including wireless
142.6 telecommunications services. With the approval of the commissioner of management and
142.7 budget, the commissioner of public safety shall establish the amount of the fee within the
142.8 limits specified and inform the companies and carriers of the amount to be collected. When
142.9 the revenue bonds authorized under section 403.27, subdivision 1, have been fully paid or
142.10 defeased, the commissioner shall reduce the fee to reflect that debt service on the bonds is
142.11 no longer needed. The commissioner shall provide companies and carriers a minimum of
142.12 45 days' notice of each fee change. The fee must be the same for all customers, except that
142.13 the fee imposed under this subdivision does not apply to prepaid wireless telecommunications
142.14 service, which is instead subject to the fee imposed under section 403.161, subdivision 1,
142.15 paragraph (a).

142.16 (d) The fee must be collected by each wireless or wire-line telecommunications service
142.17 provider subject to the fee. Fees are payable to and must be submitted to the commissioner
142.18 monthly before the 25th of each month following the month of collection, except that fees
142.19 may be submitted quarterly if less than \$250 a month is due, or annually if less than \$25 a
142.20 month is due. Receipts must be deposited in the state treasury and credited to a 911
142.21 emergency telecommunications service account in the special revenue fund. The money in
142.22 the account may only be used for 911 telecommunications services.

142.23 (e) Competitive local exchanges carriers holding certificates of authority from the Public
142.24 Utilities Commission are eligible to receive payment for recurring 911 services.

142.25 Sec. 180. Minnesota Statutes 2022, section 403.11, subdivision 6, is amended to read:

142.26 Subd. 6. **Report.** (a) ~~Beginning September 1, 2013, and continuing semiannually~~
142.27 ~~thereafter~~, Each wireless telecommunications service provider shall semiannually report to
142.28 the commissioner, based on the mobile telephone number, both the total number of prepaid
142.29 wireless telecommunications subscribers sourced to Minnesota and the total number of
142.30 wireless telecommunications subscribers sourced to Minnesota. The report must be filed
142.31 on the same schedule as Federal Communications Commission Form 477.

142.32 (b) The commissioner shall make a standard form available to all wireless
142.33 telecommunications service providers for submitting information required to compile the
142.34 report required under this subdivision.

143.1 (c) The information provided to the commissioner under this subdivision is considered
143.2 trade secret information under section 13.37 and may only be used for purposes of
143.3 administering this chapter.

143.4 Sec. 181. Minnesota Statutes 2022, section 403.15, subdivision 3, is amended to read:

143.5 Subd. 3. **Shared residential multiline telephone system.** ~~On and after January 1, 2005,~~
143.6 Operators of shared multiline telephone systems, whenever installed, serving residential
143.7 customers shall ensure that the shared multiline telephone system is connected to the public
143.8 switched network and that 911 calls from the system result in at least one distinctive
143.9 automatic number identification and automatic location identification for each residential
143.10 unit, except those requirements do not apply if the residential facility maintains one of the
143.11 following:

143.12 (1) automatic location identification for each respective emergency response location;

143.13 (2) the ability to direct emergency responders to the 911 caller's location through an
143.14 alternative and adequate means, such as the establishment of a 24-hour private answering
143.15 point; or

143.16 (3) a connection to a switchboard operator, attendant, or other designated on-site
143.17 individual.

143.18 Sec. 182. Minnesota Statutes 2022, section 403.161, subdivision 7, is amended to read:

143.19 Subd. 7. **Fee changes.** (a) The prepaid wireless E911 and telecommunications access
143.20 Minnesota fee must be proportionately increased or reduced upon any change to the fee
143.21 imposed under section 403.11, subdivision 1, paragraph (c), ~~after July 1, 2013,~~ or the fee
143.22 imposed under section 237.52, subdivision 2, as applicable.

143.23 (b) The department shall post notice of any fee changes on its website at least 30 days
143.24 in advance of the effective date of the fee changes. It is the responsibility of sellers to monitor
143.25 the department's website for notice of fee changes.

143.26 (c) Fee changes are effective 60 days after the first day of the first calendar month after
143.27 the commissioner of public safety or the Public Utilities Commission, as applicable, changes
143.28 the fee.

143.29 Sec. 183. Minnesota Statutes 2022, section 473H.02, subdivision 4, is amended to read:

143.30 Subd. 4. **Authority.** "Authority" means the unit of government exercising planning and
143.31 zoning authority for the land specified in an application as provided under section 473H.05

144.1 and pursuant to sections 394.21 to 394.37, or 462.351 to 462.364, or Minnesota Statutes
144.2 2020, sections 366.10 to 366.181. Where both a county and a township have adopted zoning
144.3 regulations, the authority shall be the unit of government designated to prepare a
144.4 comprehensive plan pursuant to section 473.861, subdivision 2.

144.5 Sec. 184. Minnesota Statutes 2022, section 477C.03, subdivision 3, is amended to read:

144.6 Subd. 3. **Apportionment reduction; excess police state aid.** (a) The commissioner
144.7 must reduce the apportionment of police state aid under this section for eligible municipalities
144.8 by the amount of any excess police state aid calculated under this subdivision.

144.9 (b) The commissioner must calculate the amount of excess police state aid for each
144.10 municipality as follows:

144.11 (1) for municipalities in which police retirement coverage is provided wholly by the
144.12 public employees police and fire fund and all peace officers are members of the plan governed
144.13 by sections 353.63 to 353.657, the excess police state aid amount equals the amount of
144.14 police state aid apportioned under subdivision 2 that exceeds the employer's total prior
144.15 calendar year obligation as defined in paragraph (c), as certified by the executive director
144.16 of the Public Employees Retirement Association;

144.17 (2) for the Metropolitan Airports Commission, the excess police state aid amount equals
144.18 the amount of apportioned police aid calculated under subdivision 2 that exceeds the
144.19 commission's total prior calendar year obligation as defined in paragraph (c), as certified
144.20 by the executive director of the Public Employees Retirement Association; and

144.21 (3) for the Departments of Natural Resources and Public Safety, the excess police state
144.22 aid amount equals the amount of apportioned police aid calculated under subdivision 2 that
144.23 exceeds the employer's total prior calendar year obligation under section 352B.02, subdivision
144.24 1c, for plan members who are peace officers, as certified by the executive director of the
144.25 Minnesota State Retirement System.

144.26 (c) The municipality's total prior calendar year obligation with respect to the public
144.27 employees police and fire plan under paragraph (b), clause (1), is the total prior calendar
144.28 year obligation under section 353.65, subdivision 3, for police officers as defined in section
144.29 353.64, subdivisions 1, 1a, and 2, and the actual total prior calendar year obligation under
144.30 section 353.65, subdivision 3, for firefighters, as defined in section 353.64, subdivisions 1,
144.31 1a, and 2, but not to exceed for those firefighters the applicable following employer calendar
144.32 year amount:

	Municipality	Maximum Amount
145.1		
145.2	Albert Lea	\$54,157.01
145.3	Anoka	10,399.31
145.4	Apple Valley	5,442.44
145.5	Austin	49,864.73
145.6	Bemidji	27,671.38
145.7	Brooklyn Center	6,605.92
145.8	Brooklyn Park	24,002.26
145.9	Burnsville	15,956.00
145.10	Cloquet	4,260.49
145.11	Coon Rapids	39,920.00
145.12	Cottage Grove	8,588.48
145.13	Crystal	5,855.00
145.14	East Grand Forks	51,009.88
145.15	Edina	32,251.00
145.16	Elk River	5,216.55
145.17	Ely	13,584.16
145.18	Eveleth	16,288.27
145.19	Fergus Falls	6,742.00
145.20	Fridley	33,420.64
145.21	Golden Valley	11,744.61
145.22	Hastings	16,561.00
145.23	Hopkins	4,324.23
145.24	International Falls	14,400.69
145.25	Lakeville	782.35
145.26	Lino Lakes	5,324.00
145.27	Little Falls	7,889.41
145.28	Maple Grove	6,707.54
145.29	Maplewood	8,476.69
145.30	Minnetonka	10,403.00
145.31	Montevideo	1,307.66
145.32	Moorhead	68,069.26
145.33	New Hope	6,739.72
145.34	North St. Paul	4,241.14
145.35	Northfield	770.63
145.36	Owatonna	37,292.67
145.37	Plymouth	6,754.71
145.38	Red Wing	3,504.01

146.1	Richfield	53,757.96
146.2	Rosemount	1,712.55
146.3	Roseville	9,854.51
146.4	St. Anthony	33,055.00
146.5	St. Louis Park	53,643.11
146.6	Thief River Falls	28,365.04
146.7	Virginia	31,164.46
146.8	Waseca	11,135.17
146.9	West St. Paul	15,707.20
146.10	White Bear Lake	6,521.04
146.11	Woodbury	3,613.00
146.12	any other municipality	0.00

146.13 (d) The total amount of excess police state aid must be deposited in the excess police
 146.14 state aid holding account in the general fund, and administered and distributed as provided
 146.15 in subdivision 4.

146.16 Sec. 185. Minnesota Statutes 2022, section 504B.371, subdivision 7, is amended to read:

146.17 Subd. 7. **Exception.** Subdivisions 1, 4, and ~~6~~ 5 do not apply in an action on a lease,
 146.18 against a tenant holding over after the expiration of the term of the lease, or a termination
 146.19 of the lease by a notice to quit, if the plaintiff gives a bond conditioned to pay all costs and
 146.20 damages if on the appeal the judgment of restitution is reversed and a new trial ordered. In
 146.21 such a case, the court shall issue a writ for recovery of premises and order to vacate
 146.22 notwithstanding the notice of appeal, as if no appeal had been taken, and the appellate court
 146.23 shall issue all needful writs and processes to carry out any judgment which may be rendered
 146.24 in the court.

146.25 Sec. 186. Minnesota Statutes 2022, section 507.24, subdivision 2, is amended to read:

146.26 Subd. 2. **Original signatures required.** (a) Unless otherwise provided by law, an
 146.27 instrument affecting real estate that is to be recorded as provided in this section or other
 146.28 applicable law must contain the original signatures of the parties who execute it and of the
 146.29 notary public or other officer taking an acknowledgment. However, a financing statement
 146.30 that is recorded as a filing pursuant to section 336.9-502(b) need not contain: (1) the
 146.31 signatures of the debtor or the secured party; or (2) an acknowledgment. An instrument
 146.32 acknowledged in a representative capacity as defined in section 358.52 on behalf of a
 146.33 corporation, partnership, limited liability company, or trust that is otherwise entitled to be
 146.34 recorded shall be recorded if the acknowledgment made in a representative capacity is

147.1 substantially in the form prescribed in chapter 358, without further inquiry into the authority
147.2 of the person making the acknowledgment.

147.3 (b) Any electronic instruments, including signatures and seals, affecting real estate may
147.4 only be recorded in conformance with standards implemented by the Electronic Real Estate
147.5 Recording Commission created under the Minnesota Real Property Electronic Recording
147.6 Act, sections 507.0941 to 507.0948. The Electronic Real Estate Recording Commission
147.7 created under the Minnesota Real Property Electronic Recording Act may adopt or amend
147.8 standards set by the task force created in Laws 2000, chapter 391, and the Electronic Real
147.9 Estate Recording Task Force created under Laws 2005, chapter 156, article 2, section 41,
147.10 and may set new or additional standards to the full extent permitted in section 507.0945.
147.11 Documents recorded in conformity with the standards created as part of a pilot project for
147.12 the electronic filing of real estate documents implemented by the task force created in Laws
147.13 2000, chapter 391, or by the Electronic Real Estate Recording Task Force created under
147.14 Laws 2005, chapter 156, article 2, section 41, are deemed to meet the requirements of this
147.15 section.

147.16 (c) Notices filed pursuant to section ~~168A.141, subdivisions 1 and 3~~ 168A.1412,
147.17 subdivisions 2, 3, and 6, need not contain an acknowledgment.

147.18 Sec. 187. Minnesota Statutes 2022, section 609.035, subdivision 2, is amended to read:

147.19 Subd. 2. **Consecutive sentences.** (a) When a person is being sentenced for a violation
147.20 of a provision listed in paragraph (e), the court may sentence the person to a consecutive
147.21 term of imprisonment for a violation of any other provision listed in paragraph (e),
147.22 notwithstanding the fact that the offenses arose out of the same course of conduct, subject
147.23 to the limitation on consecutive sentences contained in section 609.15, subdivision 2, and
147.24 except as provided in paragraphs (b), (c), and (f).

147.25 (b) When a person is being sentenced for a violation of section 171.09, 171.20, 171.24,
147.26 or 171.30, the court may not impose a consecutive sentence for another violation of a
147.27 provision in chapter 171.

147.28 (c) When a person is being sentenced for a violation of section 169.791 or 169.797, the
147.29 court may not impose a consecutive sentence for another violation of a provision of sections
147.30 169.79 to 169.7995.

147.31 (d) This subdivision does not limit the authority of the court to impose consecutive
147.32 sentences for crimes arising on different dates or to impose a consecutive sentence when a

148.1 person is being sentenced for a crime and is also in violation of the conditions of a stayed
148.2 or otherwise deferred sentence under section 609.135.

148.3 (e) This subdivision applies to misdemeanor and gross misdemeanor violations of the
148.4 following if the offender has two or more prior impaired driving convictions as defined in
148.5 section 169A.03 within the past ten years:

148.6 (1) section 169A.20, subdivision 1, ~~1a, 1b, or 1c~~, driving while impaired;

148.7 (2) section 169A.20, subdivision 2, test refusal;

148.8 (3) section 169.791, failure to provide proof of insurance;

148.9 (4) section 169.797, failure to provide vehicle insurance;

148.10 (5) section 171.09, violation of condition of restricted license;

148.11 (6) section 171.20, subdivision 2, operation after revocation, suspension, cancellation,
148.12 or disqualification;

148.13 (7) section 171.24, driving without valid license; and

148.14 (8) section 171.30, violation of condition of limited license.

148.15 (f) When a court is sentencing an offender for a violation of section 169A.20 and a
148.16 violation of an offense listed in paragraph (e), and the offender has five or more qualified
148.17 prior impaired driving incidents, as defined in section 169A.03, within the past ten years,
148.18 the court shall sentence the offender to serve consecutive sentences for the offenses,
148.19 notwithstanding the fact that the offenses arose out of the same course of conduct.

148.20 Sec. 188. Minnesota Statutes 2022, section 626.892, subdivision 7, is amended to read:

148.21 Subd. 7. **Applicability of Minnesota Rules, ~~chapter~~ chapters 5510 and 5530**. To the
148.22 extent consistent with this section, the following provisions of Minnesota Rules apply to
148.23 arbitrators on the roster of arbitrators established under this section:

148.24 (1) Minnesota Rules, part 5530.0500 (status of arbitrators);

148.25 (2) Minnesota Rules, part 5530.0800 (arbitrator conduct and standards); ~~and~~

148.26 (3) Minnesota Rules, part ~~5530.1000 (arbitration proceedings)~~, 5510.5220 (arbitrator
148.27 responsibilities);

148.28 (4) Minnesota Rules, part 5510.5230, subpart 4 (hearing transcripts and recordings);

148.29 (5) Minnesota Rules, part 5510.5260 (briefs); and

148.30 (6) Minnesota Rules, part 5510.5295 (arbitrator fees and costs).

149.1 Sec. 189. **REVISOR INSTRUCTION.**

149.2 In Minnesota Statutes, section 127A.85, Article II, section A, the revisor of statutes shall
149.3 replace the range reference "United States Code, title 10, sections 1209 and 1211" with
149.4 "United States Code, title 10, chapters 1209 and 1211."

149.5 Sec. 190. **REPEALER.**

149.6 Subdivision 1. **Obsolete subdivision.** Minnesota Statutes 2022, section 13.461,
149.7 subdivision 4, is repealed.

149.8 Subd. 2. **Obsolete subdivision.** Minnesota Statutes 2022, section 13.7191, subdivision
149.9 16, is repealed.

149.10 Subd. 3. **Obsolete subdivision.** Minnesota Statutes 2022, section 147D.27, subdivision
149.11 5, is repealed.

149.12 Subd. 4. **Obsolete subdivision.** Minnesota Statutes 2022, section 160.165, subdivision
149.13 3, is repealed.

149.14 Subd. 5. **Obsolete section.** Minnesota Statutes 2022, section 165.14, is repealed.

149.15 Subd. 6. **Obsolete subdivision.** Minnesota Statutes 2022, section 168.013, subdivision
149.16 16, is repealed.

149.17 Subd. 7. **Obsolete subdivision.** Minnesota Statutes 2022, section 168.271, subdivision
149.18 2, is repealed.

149.19 Subd. 8. **Obsolete subdivision.** Minnesota Statutes 2022, section 174.285, subdivision
149.20 7, is repealed.

149.21 Subd. 9. **Obsolete subdivision.** Minnesota Statutes 2022, section 219.662, subdivision
149.22 2, is repealed.

149.23 Subd. 10. **Obsolete subdivision.** Minnesota Statutes 2022, section 256B.051, subdivision
149.24 7, is repealed.

149.25 Subd. 11. **Obsolete subdivision.** Minnesota Statutes 2022, section 256B.439, subdivision
149.26 3b, is repealed.

149.27 Subd. 12. **Obsolete subdivisions.** Minnesota Statutes 2022, section 290.068, subdivisions
149.28 6a and 7, are repealed.

149.29 Subd. 13. **Obsolete subdivision.** Minnesota Statutes 2022, section 295.50, subdivision
149.30 10b, is repealed.

150.1 Subd. 14. **Obsolete section.** Minnesota Statutes 2022, section 297B.04, is repealed.

150.2 Subd. 15. **Obsolete section.** Minnesota Statutes 2022, section 297B.05, is repealed.

150.3 Subd. 16. **Obsolete subdivision.** Minnesota Statutes 2022, section 299F.851, subdivision
150.4 7, is repealed.

150.5 Subd. 17. **Obsolete rule part.** Minnesota Rules, part 5530.1000, is repealed.

150.6 Subd. 18. **Obsolete rule part.** Minnesota Rules, part 7805.0300, is repealed.

150.7 Subd. 19. **Obsolete rule part.** Minnesota Rules, part 8810.4100, is repealed.

150.8 Subd. 20. **Conflict resolution.** Laws 2021, chapter 30, article 17, section 16, is repealed.

150.9 Sec. 191. **SUPERSEDING ACTS.**

150.10 Any amendments or repeals enacted in the 2023 session of the legislature to sections

150.11 also amended or repealed in this act supersede the amendments or repeals in this act,

150.12 regardless of order of enactment.

13.461 HUMAN SERVICES DATA CODED ELSEWHERE.

Subd. 4. **Mental health clinics and centers.** Data collected by mental health clinics and centers approved by the commissioner of human services are classified under section 245.69, subdivision 2.

13.7191 MISCELLANEOUS INSURANCE DATA CODED ELSEWHERE.

Subd. 16. **Regulation of trade practices; insurance contract data.** Certain insurance contract data held by the commissioner of commerce are classified under section 72A.20, subdivision 15.

147D.27 FEES.

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

- (1) verification fee, \$25;
- (2) certification letter fee, \$25;
- (3) education or training program approval fee, \$100;
- (4) report creation and generation fee, \$60 per hour; and
- (5) duplicate license fee, \$20.

160.165 MITIGATING TRANSPORTATION PROJECT IMPACTS ON BUSINESS.

Subd. 3. **Exception.** This section does not apply to construction work in connection with the Central Corridor light rail transit line that will connect downtown Minneapolis and downtown St. Paul.

165.14 TRUNK HIGHWAY BRIDGE IMPROVEMENT PROGRAM.

Subdivision 1. **Definition.** For purposes of this section, "program" means the trunk highway bridge improvement program established under this section.

Subd. 2. **Program created.** The commissioner shall develop a trunk highway bridge improvement program for accelerating repair and replacement of trunk highway bridges throughout the state. The program receives funding for bridge projects as specified by law.

Subd. 3. **Program requirements.** (a) The commissioner shall develop an inventory of bridges included in the program. The inventory must include all bridges on the trunk highway system in Minnesota that are classified as fracture critical or structurally deficient, or constitute a priority project, as identified by the commissioner. In determining whether a bridge is a priority project, the commissioner may consider national bridge inventory (NBI) condition codes, bridge classification as functionally obsolete, the year in which the bridge was built, the history of bridge maintenance and inspection report findings, the average daily traffic count, engineering judgments with respect to the safety or condition of the bridge, and any other factors specifically identified by the commissioner.

(b) For each bridge included in the inventory, the commissioner must provide the following information: a summary of the bridge, including but not limited to, county and department district, route number, feature crossed, the year in which the bridge was built, average daily traffic count, load rating, bridge length and deck area, and main span type; the condition ratings for the deck, superstructure, and substructure; identification of whether the bridge is structurally deficient, functionally obsolete, or fracture critical; the sufficiency rating; a brief description of the work planned for the bridge, including work type needed; an estimate of total costs related to the bridge, which may include general and planning cost estimates; and, the year or range of years in which the work is planned.

Subd. 4. **Prioritization of bridge projects.** (a) The commissioner shall classify all bridges in the program into tier 1, 2, or 3 bridges, where tier 1 is the highest tier. Unless the commissioner identifies a reason for proceeding otherwise, before commencing bridge projects in a lower tier, all bridge projects within a higher tier must to the extent feasible be selected and funded in the approved state transportation improvement program, at any stage in the project development process, solicited for bids, in contract negotiation, under construction, or completed.

(b) The classification of each tier is as follows:

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(1) tier 1 consists of any bridge in the program that (i) has an average daily traffic count that is above 1,000 and has a sufficiency rating that is at or below 50, or (ii) is identified by the commissioner as a priority project;

(2) tier 2 consists of any bridge that is not a tier 1 bridge, and (i) is classified as fracture critical, or (ii) has a sufficiency rating that is at or below 80; and

(3) tier 3 consists of any other bridge in the program that is not a tier 1 or tier 2 bridge.

(c) By June 30, 2018, all tier 1 and tier 2 bridges originally included in the program must be under contract for repair or replacement with a new bridge that contains a load-path-redundant design, except that a specific bridge may remain in continued service if the reasons are documented in the report required under subdivision 5. Bridges that are not originally included in the program and additional bridges identified for contract after the trunk highway bridge improvement program concludes on June 30, 2018, must be prioritized according to subdivision 7.

(d) All bridge projects funded under this section in fiscal year 2012 or later must include bicycle and pedestrian accommodations if both sides of the bridge are located in a city or the bridge links a pedestrian way, shared-use path, trail, or scenic bikeway.

Bicycle and pedestrian accommodations would not be required if:

(1) a comprehensive assessment demonstrates that there is an absence of need for bicycle and pedestrian accommodations for the life of the bridge; or

(2) there is a reasonable alternative bicycle and pedestrian crossing within one-quarter mile of the bridge project.

All bicycle and pedestrian accommodations should enable a connection to any existing bicycle and pedestrian infrastructure in close proximity to the bridge. All pedestrian facilities must meet or exceed federal accessibility requirements as outlined in Title II of the Americans with Disabilities Act, codified in United States Code, title 42, chapter 126, subchapter II, and Section 504 of the Rehabilitation Act of 1973, codified in United States Code, title 29, section 794.

(e) The commissioner shall establish criteria for determining the priority of bridge projects within each tier, and must include safety considerations as a criterion.

Subd. 5. Statewide transportation planning report. In conjunction with each update to the Minnesota statewide transportation plan, or at least every six years, the commissioner shall submit a report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over transportation finance. The report must include:

(1) an explanation of the criteria and decision-making processes used to prioritize bridge projects;

(2) a historical and projected analysis of the extent to which all trunk highway bridges meet bridge performance targets and comply with the accessibility requirements of Title II of the Americans with Disabilities Act of 1990, Public Law 101-336;

(3) a summary of bridge projects (i) completed in the previous six years or since the last update to the Minnesota statewide transportation plan, and (ii) currently in progress under the program;

(4) a summary of bridge projects scheduled in the next four fiscal years and included in the state transportation improvement program;

(5) a projection of annual needs over the next 20 years;

(6) a calculation of funding necessary to meet the completion date under subdivision 4, paragraph (c), compared to the total amount of bridge-related funding available; and

(7) for any tier 1 fracture-critical bridge that is repaired but not replaced, an explanation of the reasons for repair instead of replacement.

Subd. 6. Annual report. Annually by January 15, the commissioner shall submit a report on the program to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over transportation finance. The report must include the inventory information required under subdivision 3, and an analysis, including any recommendations for changes, of the adequacy and efficacy of (1) the program requirements under subdivision 3, and (2) the prioritization requirements under subdivision 4.

Subd. 7. Prioritization of subsequent trunk highway bridge projects. The trunk highway bridge improvement program described in subdivisions 1 through 6 concludes on June 30, 2018,

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and applies to bridge projects identified at the inception of the program. Additional bridges that did not qualify for the initial trunk highway bridge improvement program under the tiered classification system that may subsequently need repair or replacement must be prioritized as follows:

(1) the commissioner shall develop a prioritization method for scheduling bridge repairs and replacements that will include consideration of the risk of service interruption resulting in temporary road closures or restrictions of existing bridges;

(2) the prioritization system must consider factors including but not limited to bridge condition, age, load capacity, type of bridge, susceptibility to flood damage, fracture-critical design features, traffic volume, detour length, and functional classification of highway route;

(3) the prioritization system must be utilized in conjunction with department knowledge of the bridge infrastructure to establish the repair and replacement program; and

(4) the commissioner shall establish a risk-based prioritization system no later than February 1, 2011.

168.013 VEHICLE REGISTRATION TAXES.

Subd. 16. **Repair and servicing permit.** Upon the written application of the owner of a motor vehicle registered and taxed as a commercial zone truck, a truck-tractor, a semitrailer, or any combination thereof in accordance with this section, the registrar may grant permission in writing to such owner to operate such vehicle to and from a repair shop or service station outside of its licensed zone of operation for the limited purpose of repair or servicing. The application and any permit issued under this subdivision shall state the location of the repair or servicing facility, together with such other information and subject to such conditions as the registrar may specify. Any motor vehicle operated under such a permit shall carry no load.

168.271 INFORMATIONAL LABELS ON PICKUP TRUCKS; PENALTY.

Subd. 2. **Applicability.** This section shall apply to new trucks having a gross vehicle weight of 9,000 pounds or less built after December 31, 1978.

174.285 MINNESOTA COUNCIL ON TRANSPORTATION ACCESS.

Subd. 7. **Transfer of appropriation.** The amount appropriated to the Metropolitan Council in Laws 2009, chapter 36, article 1, section 4, subdivision 2, for the administrative expenses of the Minnesota Council on Transportation Access, and for other costs relating to the preparation of required reports, including the costs of hiring a consultant, is transferred to the Department of Transportation for the same purposes.

219.662 SPEEDOMETER REQUIRED; REPORTS.

Subd. 2. **Compliance period.** A railroad complies with subdivision 1 if, (1) by the first day of October 1975, it has at least one-third of its locomotives equipped with speed indicators or speed recorders as required in subdivision 1, (2) by the first day of October 1976, an additional one-third of the locomotives are so equipped, and (3) by the first day of October 1977, its remaining locomotives are so equipped.

256B.051 HOUSING STABILIZATION SERVICES.

Subd. 7. **Housing support supplemental service rates.** Supplemental service rates for individuals in settings according to sections 144D.025, 256I.04, subdivision 3, paragraph (a), clause (3), and 256I.05, subdivision 1g, shall be reduced by one-half over a two-year period. This reduction only applies to supplemental service rates for individuals eligible for housing stabilization services under this section.

256B.439 LONG-TERM CARE QUALITY PROFILES.

Subd. 3b. **Home and community-based services report card in cooperation with the commissioner of health.** The commissioner shall work with existing Department of Human Services advisory groups to develop recommendations for a home and community-based services report card. Health and human services staff that regulate home and community-based services as provided in chapter 245D and licensed home care as provided in chapter 144A shall be consulted. The advisory groups shall consider the requirements from the Minnesota consumer information guide under section 144G.06 as a base for development of the home and community-based services report card to compare the housing options available to consumers. Other items to be considered by the advisory groups in developing recommendations include:

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- (1) defining the goals of the report card, including measuring outcomes, providing consumer information, and defining vehicle-for-pay performance;
- (2) developing separate measures for programs for the elderly population and for persons with disabilities;
- (3) the sources of information needed that are standardized and contain sufficient data;
- (4) the financial support needed for creating and publicizing the housing information guide, and ongoing funding for data collection and staffing to monitor, report, and analyze;
- (5) a recognition that home and community-based services settings exist with significant variations in size, settings, and services available;
- (6) ensuring that consumer choice and consumer information are retained and valued;
- (7) the applicability of these measures to providers based on payor source, size, and population served; and
- (8) dissemination of quality profiles.

The advisory groups shall discuss whether there are additional funding, resources, and research needed. The commissioner shall report recommendations to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over health and human services issues by August 1, 2014. The report card shall be available on July 1, 2015.

290.068 CREDIT FOR INCREASING RESEARCH ACTIVITIES.

Subd. 6a. **Credit to be refundable.** If the amount of credit allowed in this section for qualified research expenses incurred in taxable years beginning after December 31, 2009, and before January 1, 2013, exceeds the taxpayer's tax liability under this chapter, the commissioner shall refund the excess amount. The credit allowed for qualified research expenses incurred in taxable years beginning after December 31, 2009, and before January 1, 2013, must be used before any research credit earned under subdivision 3.

Subd. 7. **Appropriation.** An amount sufficient to pay the refunds required by this section is appropriated to the commissioner from the general fund.

295.50 DEFINITIONS.

Subd. 10b. **Regional treatment center.** "Regional treatment center" means a regional center as defined in section 253B.02, subdivision 18d.

297B.04 PURCHASER'S CERTIFICATE FURNISHED TO REGISTRAR.

All persons who apply for registration of any motor vehicle shall complete a motor vehicle purchaser's certificate in such form and manner as may be prescribed by the motor vehicle registrar, showing a complete description of the motor vehicle, the seller's name and address, the buyer's name and address, the full purchase price of the vehicle, trade-in allowance if any, whether the vehicle was the subject of a gift, and any other information that the motor vehicle registrar may require.

297B.05 PRESENTATION OF PURCHASER'S CERTIFICATE TO REGISTRAR.

No registration plates or certificate shall be issued by the motor vehicle registrar for a motor vehicle unless and until the applicant therefor shall attach a properly executed motor vehicle purchaser's certificate to the application for license registration. If an application for registration or transfer is made for a motor vehicle that has been previously registered in this state and the applicant is the same person in whose name the registration had previously been issued, the motor vehicle purchaser's certificate need not be submitted to the motor vehicle registrar.

299F.851 TEST METHOD AND PERFORMANCE STANDARD.

Subd. 7. **Inventory before state standards.** The requirements of subdivision 1 do not prohibit wholesale or retail dealers from selling their existing inventory of cigarettes on or after December 1, 2008, if the wholesale or retail dealer can establish that state tax stamps were affixed to the cigarettes before December 1, 2008, and if the wholesale or retail dealer can establish that the inventory was purchased before December 1, 2008, in comparable quantity to the inventory purchased during the same period of the previous year.

Laws 2021, chapter 30, article 17, section 16

Sec. 16. Minnesota Statutes 2020, section 245.462, subdivision 17, is amended to read:

Subd. 17. **Mental health practitioner.** ~~(a) "Mental health practitioner" means a staff person providing services to adults with mental illness or children with emotional disturbance who is qualified in at least one of the ways described in paragraphs (b) to (g). A mental health practitioner for a child client must have training working with children. A mental health practitioner for an adult client must have training working with adults~~ qualified according to section 245I.04, subdivision 4.

~~(b) For purposes of this subdivision, a practitioner is qualified through relevant coursework if the practitioner completes at least 30 semester hours or 45 quarter hours in behavioral sciences or related fields and:~~

~~(1) has at least 2,000 hours of supervised experience in the delivery of services to adults or children with:~~

~~(i) mental illness, substance use disorder, or emotional disturbance; or~~

~~(ii) traumatic brain injury or developmental disabilities and completes training on mental illness, recovery from mental illness, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects;~~

~~(2) is fluent in the non-English language of the ethnic group to which at least 50 percent of the practitioner's clients belong, completes 40 hours of training in the delivery of services to adults with mental illness or children with emotional disturbance, and receives clinical supervision from a mental health professional at least once a week until the requirement of 2,000 hours of supervised experience is met;~~

~~(3) is working in a day treatment program under section 245.4712, subdivision 2; or~~

~~(4) has completed a practicum or internship that (i) requires direct interaction with adults or children served, and (ii) is focused on behavioral sciences or related fields.~~

~~(c) For purposes of this subdivision, a practitioner is qualified through work experience if the person:~~

~~(1) has at least 4,000 hours of supervised experience in the delivery of services to adults or children with:~~

~~(i) mental illness, substance use disorder, or emotional disturbance; or~~

~~(ii) traumatic brain injury or developmental disabilities and completes training on mental illness, recovery from mental illness, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects; or~~

~~(2) has at least 2,000 hours of supervised experience in the delivery of services to adults or children with:~~

~~(i) mental illness, emotional disturbance, or substance use disorder, and receives clinical supervision as required by applicable statutes and rules from a mental health professional at least once a week until the requirement of 4,000 hours of supervised experience is met; or~~

~~(ii) traumatic brain injury or developmental disabilities; completes training on mental illness, recovery from mental illness, mental health de-escalation techniques, co-occurring mental illness and substance abuse, and psychotropic medications and side effects; and receives clinical supervision as required by applicable statutes and rules at least once a week from a mental health professional until the requirement of 4,000 hours of supervised experience is met.~~

~~(d) For purposes of this subdivision, a practitioner is qualified through a graduate student internship if the practitioner is a graduate student in behavioral sciences or related fields and is formally assigned by an accredited college or university to an agency or facility for clinical training.~~

~~(e) For purposes of this subdivision, a practitioner is qualified by a bachelor's or master's degree if the practitioner:~~

~~(1) holds a master's or other graduate degree in behavioral sciences or related fields; or~~

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~~(2) holds a bachelor's degree in behavioral sciences or related fields and completes a practicum or internship that (i) requires direct interaction with adults or children served, and (ii) is focused on behavioral sciences or related fields.~~

~~(f) For purposes of this subdivision, a practitioner is qualified as a vendor of medical care if the practitioner meets the definition of vendor of medical care in section 256B.02, subdivision 7, paragraphs (b) and (c), and is serving a federally recognized tribe.~~

~~(g) For purposes of medical assistance coverage of diagnostic assessments, explanations of findings, and psychotherapy under section 256B.0625, subdivision 65, a mental health practitioner working as a clinical trainee means that the practitioner's clinical supervision experience is helping the practitioner gain knowledge and skills necessary to practice effectively and independently. This may include supervision of direct practice, treatment team collaboration, continued professional learning, and job management. The practitioner must also:~~

~~(1) comply with requirements for licensure or board certification as a mental health professional, according to the qualifications under Minnesota Rules, part 9505.0371, subpart 5, item A, including supervised practice in the delivery of mental health services for the treatment of mental illness; or~~

~~(2) be a student in a bona fide field placement or internship under a program leading to completion of the requirements for licensure as a mental health professional according to the qualifications under Minnesota Rules, part 9505.0371, subpart 5, item A.~~

~~(h) For purposes of this subdivision, "behavioral sciences or related fields" has the meaning given in section 256B.0623, subdivision 5, paragraph (d).~~

~~(i) Notwithstanding the licensing requirements established by a health-related licensing board, as defined in section 214.01, subdivision 2, this subdivision supersedes any other statute or rule.~~

5530.1000 ARBITRATION PROCEEDINGS.

Subpart 1. **Responsibility of arbitrators.** For purposes of Minnesota Statutes, section 626.892, subdivision 7, clause (3), this subpart is recodified at part 5510.5220, subpart 1.

Subp. 2. **Transcripts or recordings.** For purposes of Minnesota Statutes, section 626.892, subdivision 7, clause (3), this subpart is recodified at part 5510.5230, subpart 4.

Subp. 3. **Tape recordings.** For purposes of Minnesota Statutes, section 626.892, subdivision 7, clause (3), this subpart is recodified at part 5510.5220, subpart 2.

Subp. 4. **Briefs.** For purposes of Minnesota Statutes, section 626.892, subdivision 7, clause (3), this subpart is recodified at part 5510.5260.

Subp. 5. **Payment of fees and costs.** For purposes of Minnesota Statutes, section 626.892, subdivision 7, clause (3), this subpart is recodified at part 5510.5295, subpart 1.

Subp. 6. **Dispute over fees.** For purposes of Minnesota Statutes, section 626.892, subdivision 7, clause (3), this subpart is recodified at part 5510.5295, subpart 2.

7805.0300 TARIFFS; PERMIT CARRIER, EXCEPT LOCAL CARTAGE CARRIER.

All tariffs and classifications, supplements thereto, and reissues thereof shall be prepared, posted, and filed in accordance with the Rules of Tariff Circular MF No. 3, supplements thereto or reissues thereof, issued by the Interstate Commerce Commission and naming rules governing the construction, filing, and posting of Freight-Rate Publications, except to the extent that such rules may contravene Minnesota Public Utilities Commission orders or specific provisions of Minnesota Statutes, and except that tariffs and supplements thereto may be prepared with pen and ink or typewriter, in addition to the form of preparations authorized by Tariff Circular MF No. 3. Freight rate publications shall be filed on ten days' notice, except as otherwise specifically authorized by the commission.

The commission shall not accept for filing a tariff of rates from permit carriers which on its face appears to be noncompensatory. If the carrier filing the tariff is of the opinion that the rates are compensatory, the carrier may file a petition for reconsideration which the commission shall hear and make determination by a final order on the premises.

8810.4100 DEFINITIONS OF DISTRICT AND STREET CLASSIFICATIONS.

Subpart 1. **Scope.** In the absence of an established classification by local authorities, the definitions in subparts 2 to 5 shall govern.

Subp. 2. **Major street.** "Major street" means any road that has an average annual daily traffic volume of 1,500 vehicles or greater.

Subp. 3. **Minor street.** "Minor street" means any road that has an average annual daily traffic volume less than 1,500 vehicles.

Subp. 4. **Rural district.** "Rural district" means all other locations not meeting the urban district definition.

Subp. 5. **Urban district.** "Urban district" means those properties contiguous to the trunk highway system of the state of Minnesota, including any street, that are built up with structures devoted to business, industry, or dwelling houses where such structures are situated at intervals of less than 100 feet for a distance of one-quarter of a mile or more.