

EIGHTY-FIRST DAY

St. Paul, Minnesota, Wednesday, March 23, 2022

The Senate met at 12:15 p.m. and was called to order by the presider, Senator Kent.

CALL OF THE SENATE

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

Prayer was offered by the Chaplain, Pastor Mike Smith.

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

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

Abeler	Duckworth	Isaacson	Mathews	Rosen
Anderson	Dziedzic	Jasinski	McEwen	Ruud
Benson	Eaton	Johnson	Miller	Senjem
Bigham	Eichorn	Johnson Stewart	Murphy	Tomassoni
Carlson	Eken	Kent	Nelson	Torres Ray
Chamberlain	Fateh	Kiffmeyer	Newman	Utke
Champion	Frentz	Klein	Newton	Weber
Clausen	Gazelka	Koran	Osmek	Westrom
Coleman	Goggin	Kunesh	Pappas	Wiger
Cwodzinski	Hawj	Lang	Port	Wiklund
Dahms	Hoffman	Latz	Pratt	
Dibble	Housley	Limmer	Putnam	
Dornink	Howe	López Franzen	Rarick	
Draheim	Ingebrigtsen	Marty	Rest	

Pursuant to Rule 14.1, the President announced the following members intend to vote under Rule 40.7: Benson, Bigham, Chamberlain, Champion, Coleman, Dibble, Fateh, Hoffman, Isaacson, Johnson Stewart, Kiffmeyer, Latz, Marty, Miller, Newman, Port, Rest, Rosen, Senjem, Tomassoni, Westrom, and Wiklund.

The President declared a quorum present.

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

EXECUTIVE AND OFFICIAL COMMUNICATIONS

The following communications were received.

March 18, 2022

The Honorable Melissa Hortman
Speaker of the House of Representatives

The Honorable David J. Osmek
President of the Senate

I have the honor to inform you that the following enrolled Act of the 2022 Session of the State Legislature has been received from the Office of the Governor and is deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2022	Date Filed 2022
	3175	38	2:23 p.m. March 18	March 18

Sincerely,
Steve Simon
Secretary of State

March 23, 2022

The Honorable David J. Osmek
President of the Senate

Dear Senator Osmek:

Pursuant to Senate Rule 8.2, the following appointment has been withdrawn from the following committee and placed on the Confirmation Calendar:

From the Committee on Civil Law and Data Practices Policy, to which was referred the following appointment as reported in the Journal for March 4, 2021:

BOARD ON JUDICIAL STANDARDS
Scott Sakaguchi

Sincerely,
Cal R. Ludeman
Secretary of the Senate

MESSAGES FROM THE HOUSE

Mr. President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 2919, 3001, 3254, 3379, and 3682.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 21, 2022

FIRST READING OF HOUSE BILLS

The following bills were read the first time.

H.F. No. 2919: A bill for an act relating to certified public accountants; modifying reinstatement provision for accountants; repealing procedures related to the automatic revocation of certain public accountant certificates; amending Minnesota Statutes 2020, section 326A.09; repealing Minnesota Statutes 2020, section 326A.04, subdivision 11.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3251, now on General Orders.

H.F. No. 3001: A bill for an act relating to local government; allowing certificates of discharge from the armed forces of the United States of America to be recorded with the county recorder without a fee; amending Minnesota Statutes 2020, section 386.20, subdivision 1.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2925, now on General Orders.

H.F. No. 3254: A bill for an act relating to commerce; clarifying prohibited contract terms regarding choice of venue; amending Minnesota Statutes 2020, section 325E.37, subdivision 7.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2991, now on General Orders.

H.F. No. 3379: A bill for an act relating to military affairs; changing a provision in the reenlistment and commissioning bonus program; amending Minnesota Statutes 2020, section 192.501, subdivision 1b.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 2635, now on General Orders.

H.F. No. 3682: A bill for an act relating to local government; expanding certain requirements regarding qualified newspapers; amending Minnesota Statutes 2020, sections 331A.01, subdivision 3, by adding subdivisions; 331A.02, subdivisions 1, 3, 5; 331A.04, subdivision 7; 331A.05, subdivision 7; 471.698, subdivision 1; repealing Minnesota Statutes 2020, section 331A.01, subdivision 4.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 3457, now on General Orders.

REPORTS OF COMMITTEES

Senator Johnson moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

Senator Utke from the Committee on Health and Human Services Finance and Policy, to which was referred

S.F. No. 3258: A bill for an act relating to health; modifying licensure requirements for the practice of medicine and acupuncture; strengthening forms of disciplinary action for physicians and physician's assistants; repealing professional corporation rules; amending Minnesota Statutes 2020, sections 147.03, subdivision 1; 147.037, subdivision 1; 147A.16; 147B.02, subdivision 7; Minnesota Statutes 2021 Supplement, section 147.141; repealing Minnesota Rules, parts 5610.0100; 5610.0200; 5610.0300.

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

Page 5, line 16, delete the new language

Page 6, line 3, delete the new language

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete "physician's assistants;"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Utke from the Committee on Health and Human Services Finance and Policy, to which was referred

S.F. No. 3364: A bill for an act relating to health occupations; creating an audiology and speech-language pathology interstate compact; authorizing the commissioner of health to release certain data; amending Minnesota Statutes 2020, section 144.051, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 148.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Report adopted.

Senator Utke from the Committee on Health and Human Services Finance and Policy, to which was referred

S.F. No. 3036: A bill for an act relating to professional licensing; establishing a preliminary application procedure for individuals seeking professional licenses; permitting licensing boards to charge application fees; authorizing appeals; requiring reports; proposing coding for new law in Minnesota Statutes, chapter 214.

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

Page 2, line 5, after "application" insert "or the initial fee for the applicable license, registration, or certificate" and after the period, insert "If the applicant subsequently applies for the license, registration, or certificate, the amount of the preliminary application fee paid by the applicant must be credited toward the applicant's initial fee for the license, registration, or certificate."

Page 2, line 22, after the semicolon, insert "and"

Page 2, delete lines 23 and 24

Page 2, line 25, delete "(3)" and insert "(2)"

Page 2, line 26, delete "; and" and insert a period

Page 2, delete lines 27 to 32

Page 3, line 1, delete "(f)" and insert "(e)"

And when so amended the bill do pass and be re-referred to the Committee on Jobs and Economic Growth Finance and Policy. Amendments adopted. Report adopted.

Senator Utke from the Committee on Health and Human Services Finance and Policy, to which was referred

S.F. No. 2145: A bill for an act relating to public health; exempting certain hot tubs from public pool regulations; amending Minnesota Statutes 2020, section 144.1222, subdivision 2d.

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

Senator Utke from the Committee on Health and Human Services Finance and Policy, to which was referred

S.F. No. 3355: A bill for an act relating to health care; establishing an interstate compact for professional counselors; proposing coding for new law in Minnesota Statutes, chapter 148B.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Report adopted.

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was referred

S.F. No. 4020: A bill for an act relating to natural resources; facilitating safe travel on County State-Aid Highway 113 in Murray County.

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

Page 1, line 6, delete "113" and insert "13"

Page 1, line 9, delete "113" and insert "13"

Amend the title as follows:

Page 1, line 3, delete "113" and insert "13"

And when so amended the bill do pass and be re-referred to the Committee on Environment and Natural Resources Finance. Amendments adopted. Report adopted.

Senator Ruud from the Committee on Environment and Natural Resources Policy and Legacy Finance, to which was re-referred

S.F. No. 2797: A bill for an act relating to mining; improving coordination, effectiveness, transparency, and accountability of environmental review and permitting process for metallic mineral mining projects; proposing coding for new law in Minnesota Statutes, chapter 93.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Environment and Natural Resources Finance. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 4108: A bill for an act relating to commerce; modifying regulation of annuity suitability; amending Minnesota Statutes 2020, sections 72A.2031, subdivisions 8, 10, by adding subdivisions; 72A.2032, subdivisions 4, 6, 7, 8, by adding subdivisions; 72A.2033; 72A.2034; 72A.2035, subdivision 1; 72A.2036; repealing Minnesota Statutes 2020, sections 72A.2031, subdivisions 3, 9, 11; 72A.2032, subdivisions 1, 2, 3, 5.

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

Page 5, line 11, delete "regulatory" and insert "statutory"

Page 6, line 24, delete everything after "commissioner"

Page 6, line 25, delete everything before "must"

Page 8, line 18, delete "that is"

Page 8, delete line 19

Page 8, line 20, delete everything before the comma

Page 9, line 16, strike "Supervision system" and insert "Insurer duties"

Page 9, line 24, restore "insurance"

Page 10, line 14, delete "this section" and insert "subdivisions 1a to 1f, 4, 7, and 8"

Page 14, delete lines 27 and 28 and insert:

"(f) An insurance producer licensed by December 31, 2022, who holds a life insurance line of authority and has previously completed the training in subdivision 2, paragraph (a), shall complete either:"

Page 15, line 2, after "Commerce" insert "by July 1, 2022,"

Page 16, line 27, delete ", general agents, independent agencies,"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3242: A bill for an act relating to commerce; modifying registration filing for franchises; amending Minnesota Statutes 2020, section 80C.08, subdivision 1.

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

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3243: A bill for an act relating to commerce; making technical changes to various provisions administered by the Department of Commerce; updating references to federal law; amending Minnesota Statutes 2020, sections 47.08; 47.16, subdivisions 1, 2; 47.172, subdivision 2; 47.28, subdivision 3; 47.30, subdivision 5; 55.10, subdivision 1; 65B.84, subdivision 2; 80A.61; 80C.05, subdivision 2; 239.761, subdivisions 3, 4; 239.791, subdivision 2a; 296A.01, subdivision 23.

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

Page 3, line 17, delete "September 30" and insert "March 1"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 2922: A bill for an act relating to commerce; modifying provisions governing licensure and registration of collection agencies; amending Minnesota Statutes 2020, section 332.33, subdivision 3, by adding a subdivision.

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

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3049: A bill for an act relating to commerce; establishing certain rights for federal home loan banks with respect to collateral pledged by insurer members; proposing coding for new law in Minnesota Statutes, chapter 60B.

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

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 1450: A bill for an act relating to commerce; prohibiting discrimination against organ or bone marrow donors by certain insurers; amending Minnesota Statutes 2020, section 72A.20, by adding a subdivision.

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

Page 1, line 8, delete "40" and insert "41"

Page 1, line 9, delete "(a)" and after "care insurance," insert "or" and delete ", or health"

Page 1, line 10, delete "insurance"

Page 1, delete lines 14 to 17

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3885: A bill for an act relating to commerce; authorizing certain insurers to offer paid family leave insurance benefits; creating a tax credit; proposing coding for new law in Minnesota Statutes, chapter 290; proposing coding for new law as Minnesota Statutes, chapter 63A.

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

Page 2, delete lines 19 and 20 and insert:

"(b) The benefits may be offered either through a rider to a disability income insurance policy or as a separate insurance policy. The benefits may also be offered through a group policy."

Page 4, delete section 9

Page 5, line 25, delete everything after the period

Page 5, delete line 26

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete "creating a tax credit;"

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was re-referred

S.F. No. 3072: A bill for an act relating to motor vehicles; amending various requirements governing motor vehicle titles and disclosure; making technical and clarifying changes; appropriating money; amending Minnesota Statutes 2020, sections 168A.01, subdivision 17b, by adding a subdivision; 168A.04, subdivisions 1, 4; 168A.05, subdivision 3; 168A.151, subdivision 1; 168A.152,

subdivisions 1, 1a; 325F.662, subdivision 3; 325F.6641; 325F.6642; 325F.665, subdivision 14; repealing Minnesota Statutes 2020, sections 168A.01, subdivision 17a; 325F.6644.

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

Page 6, line 3, after "brand" insert "or stamp"

Page 6, line 9, after "brand" insert "or stamp"

Page 10, delete section 13

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the second semicolon

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Dahms from the Committee on Commerce and Consumer Protection Finance and Policy, to which was referred

S.F. No. 3503: A bill for an act relating to commerce; real estate appraisers; making changes related to minimum damage acquisition reports, continuing education, and investigations by the commissioner; amending Minnesota Statutes 2020, sections 82B.03, by adding a subdivision; 82B.07; 82B.19, by adding a subdivision; 82C.17, subdivision 2.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, section 82B.03, is amended by adding a subdivision to read:

Subd. 4. **Minimum damage acquisition report.** A real estate appraiser may provide a minimum damage acquisition report for purposes of section 117.036. When providing a minimum acquisition damage report, a real estate appraiser is not engaged in real estate appraisal activity and is not subject to this chapter.

Sec. 2. Minnesota Statutes 2020, section 82B.19, is amended by adding a subdivision to read:

Subd. 5. **Out-of-state continuing education credit.** (a) For purposes of this subdivision, the following terms having the meanings given:

(1) "asynchronous educational offering" has the meaning given in the most recent version of the real property appraiser qualification criteria, as established by the Appraiser Qualifications Board; and

(2) "synchronous educational offering" has the meaning given in the most recent version of the real property appraiser qualification criteria, as established by the Appraiser Qualifications Board,

and includes an educational process based on live or real-time instruction where there is no geographic separation of instructor and learner.

(b) Notwithstanding section 45.30, subdivisions 1 and 6, an appraiser licensee may submit, in a form prescribed by the commissioner, an application for continuing education credit for a synchronous educational offering that has not been submitted for prior approval in Minnesota. The commissioner must grant the appraiser licensee continuing education credit if:

(1) the application is submitted by August 1 of the year in which the appraiser license is due for renewal;

(2) the synchronous educational offering has been approved for continuing education credit by the regulator of appraisers in at least one other state or United States territory; and

(3) the application is submitted by the appraiser licensee to the commissioner within 30 days of successfully completing the synchronous educational offering.

(c) The application must include a certificate of successful course completion from the synchronous educational offering provider. The commissioner must grant an appraiser licensee the same number of continuing education credits for successfully completing the synchronous educational offering as that course was approved for by the out-of-state appraiser regulatory authority.

(d) The commissioner may charge an appraisal licensee an application fee in an amount to be determined by the commissioner.

(e) This subdivision does not apply to asynchronous educational offerings.

Sec. 3. Minnesota Statutes 2021 Supplement, section 82B.25, subdivision 2, is amended to read:

~~Subd. 2. **Education.** Within two years of receiving a license under this chapter and as required by the Appraiser Qualifications Board,~~ A real property appraiser shall provide to the commissioner evidence of satisfactory completion of a continuing education course on the valuation bias of real property. Appraisers licensed after September 1, 2021, must complete the course required by this section prior to their first license renewal.

Sec. 4. Minnesota Statutes 2020, section 82C.17, subdivision 2, is amended to read:

Subd. 2. **Evidence.** (a) An appraisal management company can evidence that the fees paid to an appraiser were reasonable and customary through:

(1) objective third-party information, including, but not limited to, government agency fee schedules or academic studies. An academic study used must exclude appraisal assignments ordered by an appraisal management company. ~~The commissioner may establish a fee scheduled for use by an appraisal management company;~~ or

(2) reviewing each of the following factors and making adjustments to recent fees paid for appraisal services performed in the market area:

(i) the type of property appraised;

- (ii) the scope of the appraisal work;
- (iii) the time in which the appraisal service must be performed;
- (iv) appraiser qualifications;
- (v) appraiser experience and professional record; and
- (vi) appraiser work quality.

(b) The fees paid for a complex appraisal assignment shall reflect the increased time, difficulty, and scope of work required.

(c) An appraisal management company shall maintain written documentation describing and substantiating all methods and information used to determine the customary and reasonable fees required by this section.

Sec. 5. EFFECTIVE DATE.

This act is effective September 1, 2022."

Delete the title and insert:

"A bill for an act relating to commerce; real estate appraisers; making changes related to minimum damage acquisition reports and continuing education; amending Minnesota Statutes 2020, sections 82B.03, by adding a subdivision; 82B.19, by adding a subdivision; 82C.17, subdivision 2; Minnesota Statutes 2021 Supplement, section 82B.25, subdivision 2."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Jasinski from the Committee on Local Government Policy, to which was referred

S.F. No. 3032: A bill for an act relating to local government; authorizing online process for county land sales; modifying notice procedures for land sales; amending Minnesota Statutes 2020, section 373.01, subdivision 1.

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

Page 1, line 22, after "county" insert "and the county's website" and delete "on the county's website,"

Page 2, line 5, delete "maybe" and insert "may be"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Pratt from the Committee on Jobs and Economic Growth Finance and Policy, to which was referred

S.F. No. 4072: A bill for an act relating to economic development; authorizing separation and retention incentive programs for employees of the Department of Iron Range Resources and Rehabilitation.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on State Government Finance and Policy and Elections. Report adopted.

Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred

S.F. No. 2952: A bill for an act relating to education; modifying teacher shortage reporting requirements; amending Minnesota Statutes 2020, sections 122A.06, subdivision 6; 122A.091, subdivision 5.

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

Page 1, line 10, delete "based on" and insert "includes"

Page 1, line 11, after "teacher" insert "by November 1 of every even-numbered year, the number of out-of-field permissions issued, and the number of Tier 1 licenses issued in license fields with board-approved preparation programs"

Page 2, line 7, delete "and"

Page 2, line 8, after "teacher" insert ", and licenses and permissions for license fields without a board-approved preparation program by economic development regions"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred

S.F. No. 1316: A bill for an act relating to education; creating civics test reporting requirements; amending Minnesota Statutes 2020, sections 120B.02, subdivision 3; 120B.35, by adding a subdivision; 120B.36, subdivision 1.

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

Page 2, line 24, delete "2021-2022" and insert "2022-2023"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Chamberlain from the Committee on Education Finance and Policy, to which was referred

S.F. No. 4116: A bill for an act relating to education; making forecast adjustments; amending Laws 2021, First Special Session chapter 13, article 1, section 10, subdivisions 2, 3, 4, 5, 6, 7, 9;

article 2, section 4, subdivisions 2, 3, 4, 12, 27; article 3, section 7, subdivision 7; article 5, section 3, subdivisions 2, 3, 4, 5; article 7, section 2, subdivisions 2, 3; article 8, section 3, subdivisions 2, 3, 4; article 9, section 4, subdivisions 5, 6, 12; article 10, section 1, subdivisions 2, 5, 8.

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

Page 10, delete section 26

Page 10, after line 22, insert:

"Sec. 27. Laws 2021, First Special Session chapter 13, article 10, section 1, subdivision 5, is amended to read:

Subd. 5. **School-age care aid.** For school-age care aid under Minnesota Statutes, section 124D.22:

	1,000		
\$	<u>0</u>	2022
\$	1,000	2023

The 2022 appropriation includes \$0 for 2021 and ~~\$1,000~~ \$0 for 2022.

The 2023 appropriation includes \$0 for 2022 and \$1,000 for 2023."

Renumber the sections in sequence

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Chamberlain from the Committee on Education Finance and Policy, to which was re-referred

S.F. No. 1417: A bill for an act relating to education finance; clarifying general education aid; amending Minnesota Statutes 2020, section 126C.21.

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

Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred

S.F. No. 4065: A bill for an act relating to cosmetology; modifying Board of Cosmetologist Examiners provisions; amending Minnesota Statutes 2020, sections 155A.20; 155A.23, subdivisions 8, 11, 18, by adding a subdivision; 155A.25, subdivision 1a; 155A.27, subdivisions 1, 5a, 6, 7, 10, by adding a subdivision; 155A.271, subdivision 1; 155A.29, subdivisions 1, 4; 155A.30, subdivisions 2, 3, 4, 6, 11.

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

Page 2, line 24, delete "As long as" and insert "While"

Page 2, line 25, delete "the board must ensure that"

Page 2, line 26, after "field" insert "is" and delete everything after "automatically" and insert "renewed without fees with a term ending when the instructor license expires."

Page 2, delete lines 27 and 28

Page 5, line 23, delete the new language and insert "The board may only issue one temporary license to an applicant."

Page 5, delete line 24

Page 6, line 4, delete everything after "licensee" and insert "so that the operator or salon manager license expires on the same date as the instructor license."

Page 9, line 23, strike everything after the first "by"

Page 9, strike line 24

Page 9, line 25, strike "is a corporation, association, company, firm, society or trust" and delete ", except that schools in the"

Page 9, delete lines 26 and 27 and insert "the school administrator. For purposes of this section, "school administrator" means the proprietor, if the applicant is a proprietorship; the managing partner, if the applicant is a partnership; the authorized officers, if the applicant is a corporation, association, company, firm, society, or trust; or the dean, principal, or other authorized signatory, if the applicant is a school in the Minnesota State Colleges and Universities system or a secondary school."

Page 10, delete section 21 and insert:

"Sec. 21. **BOARD OF COSMETOLOGIST EXAMINERS LICENSING WORKING GROUP.**

Subdivision 1. **Membership.** The board of cosmetologist examiners licensing working group consists of the following eleven members:

- (1) the executive director of the Minnesota Board of Barber Examiners;
- (2) one licensed salon owner, appointed by the executive director of the board of cosmetologist examiners;
- (3) one representative of a cosmetology school, appointed by the executive director of the board of cosmetologist examiners;
- (4) a representative of a trade association in the cosmetology industry that operates in the state, appointed by the executive director of the board of cosmetologist examiners;
- (5) one state employee from another state agency that works with health and safety issues, appointed by the governor;
- (6) two members of the public who use cosmetology services, appointed by the governor;

(7) two senators, one appointed by the majority leader and one appointed by the minority leader; and

(8) two members of the house of representatives, one appointed by the speaker of the house and one appointed by the minority leader.

(b) The executive director or a designee shall serve as an ex officio.

Subd. 2. **Duties; report.** (a) The working group must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over state government finance and policy by February 15, 2023. The report must:

(1) evaluate the recommendations in the 2021 Office of the Legislative Auditor program evaluation titled Board of Cosmetology Licensing and recommend whether and how to adopt the recommendations;

(2) evaluate the salon manager license and school manager license;

(3) evaluate the scope and requirements for special event services and homebound services permits and considering merging both permits; and

(4) evaluate an endorsement-based licensing structure.

(b) The report must include draft legislation to implement the recommendations of the working group.

Subd. 3. **Meetings; chair.** (a) The executive director of the Board of Cosmetologist Examiners must convene the first meeting of the working group by September 15, 2022. At the first meeting, the members must elect a chair. Subsequent meetings of the working group must be convened by the chair or the chair's designee.

(b) The working group may conduct meetings remotely.

(c) The chair shall be responsible for document management of materials for the working group.

Subd. 4. **Compensation; reimbursement.** Members appointed under subdivision 1, clauses (2) through (6), may be compensated and reimbursed for expenses as provided in Minnesota Statutes, section 15.0575, subdivision 3.

Subd. 5. **Administrative support.** The Board of Cosmetologist Examiners must provide administrative support and meeting space to the working group.

Subd. 6. **Expiration.** The working group expires February 16, 2023, or the day after submitting the report required in subdivision 2, whichever occurs earlier.

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

Page 11, line 3, delete everything after the period

Page 11, delete line 4

Amend the title accordingly

And when so amended the bill do pass and be re-referred to the Committee on Rules and Administration. Amendments adopted. Report adopted.

Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred

S.F. No. 3469: A bill for an act relating to elections; amending requirements related to returning absentee ballots and absentee ballot drop boxes; requiring certain election activity to be livestreamed and recorded; requiring the commissioner of information technology services to retain and make certain video recordings available to the public; amending requirements on releasing vote totals; requiring a report; appropriating money; amending Minnesota Statutes 2020, sections 201.121, subdivision 1; 203B.121, subdivision 5, by adding a subdivision; 204C.19, subdivision 3; Minnesota Statutes 2021 Supplement, sections 203B.08, subdivision 1; 203B.082; 203B.121, subdivision 1; Laws 2021, First Special Session chapter 12, article 1, section 6; proposing coding for new law in Minnesota Statutes, chapter 203B.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, section 201.121, subdivision 1, is amended to read:

Subdivision 1. **Entry of registration information.** (a) At the time a voter registration application is properly completed, submitted, and received in accordance with sections 201.061 and 201.071, the county auditor shall enter the information contained on it into the statewide voter registration system. Voter registration applications completed before election day must be entered into the statewide voter registration system within ten days after they have been submitted to the county auditor. Voter registration applications completed on election day must be entered into the statewide voter registration system ~~within 42 days after the election, unless the county auditor notifies the secretary of state before the deadline has expired that the deadline will not be met. Upon receipt of a notification under this paragraph, the secretary of state must extend the deadline for that county auditor by an additional 28 days. The secretary of state may waive a county's obligations under this paragraph if, on good cause shown, the county demonstrates its permanent inability to comply before the canvass of that election is started.~~

The secretary of state must post data on each county's compliance with this paragraph on the secretary of state's website including, as applicable, the date each county fully complied ~~or the deadline by which a county's compliance must be complete.~~

(b) Upon receiving a completed voter registration application, the secretary of state ~~may~~ must electronically transmit the information on the application to the appropriate county auditor as soon as possible for review by the county auditor before final entry into the statewide voter registration system. ~~The secretary of state may mail the voter registration application to the county auditor.~~

(c) Within ten days after the county auditor has entered information from a voter registration application into the statewide voter registration system, the secretary of state shall compare the voter's name, date of birth, and driver's license number, state identification number, or the last four

digits of the Social Security number with the same information contained in the Department of Public Safety database.

(d) The secretary of state shall provide a report to the county auditor on a weekly basis that includes a list of voters whose name, date of birth, or identification number have been compared with the same information in the Department of Public Safety database and cannot be verified as provided in this subdivision. The report must list separately those voters who have submitted a voter registration application by mail and have not voted in a federal election in this state.

(e) The county auditor shall compile a list of voters for whom the county auditor and the secretary of state are unable to conclude that information on the voter registration application and the corresponding information in the Department of Public Safety database relate to the same person.

(f) The county auditor shall send a notice of incomplete registration to any voter whose name appears on the list and change the voter's status to "incomplete." A voter who receives a notice of incomplete registration from the county auditor may either provide the information required to complete the registration at least 21 days before the next election or at the polling place on election day.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to elections on or after that date.

Sec. 2. Minnesota Statutes 2021 Supplement, section 203B.08, subdivision 1, is amended to read:

Subdivision 1. **Marking and return by voter.** (a) An eligible voter who receives absentee ballots as provided in this chapter shall mark them in the manner specified in the directions for casting the absentee ballots. The return envelope containing marked ballots may be mailed as provided in the directions for casting the absentee ballots, may be ~~left with~~ personally delivered to the county auditor or municipal clerk who transmitted the absentee ballots to the voter, or may be left in a drop box as provided in section 203B.082. If delivered in person, the return envelope must be submitted to the county auditor or municipal clerk by 3:00 p.m. on election day.

(b) The voter may designate an agent to deliver in person the sealed absentee ballot return envelope to the county auditor or municipal clerk or to deposit the return envelope in the mail. An agent may deliver or mail the return envelopes of not more than three voters in any election. An agent must not deposit the absentee ballot return envelope of another person in a drop box. Any person designated as an agent who tampers with either the return envelope or the voted ballots or does not immediately mail or deliver the return envelope to the county auditor or municipal clerk is guilty of a misdemeanor.

Sec. 3. Minnesota Statutes 2021 Supplement, section 203B.082, is amended to read:

203B.082 ABSENTEE BALLOT DROP BOXES; SECURITY AND INTEGRITY.

Subdivision 1. **Definition.** As used in this section, "drop box" means a secure receptacle or container established to receive completed absentee ballots 24 hours per day. Drop box does not include a receptacle or container maintained by the United States Postal Service, or a location at

which a voter or an agent may return a completed absentee ballot by providing it directly to an employee of the county auditor or municipal clerk.

Subd. 2. **Minimum security and integrity standards.** The county auditor or municipal clerk may provide locations at which a voter may deposit a completed absentee ballot enclosed in the completed signature envelope in a secure drop box, consistent with the following security and integrity standards:

(1) each drop box must be continually ~~recorded~~ livestreamed during the absentee voting period as established in section 203B.155;

(2) each drop box must be located within 100 feet of a door of the building where the county auditor or municipal clerk's office is located;

(3) each drop box must be available for use during the absentee voting period as established in section 203B.155;

(4) each drop box must be assigned a unique identification number;

~~(2)~~ (5) each drop box must be designed to prevent an unauthorized person from moving, removing, or tampering with the drop box;

~~(3)~~ (6) each drop box placed in an outdoor location must be fastened to a building, bolted to a concrete pad, or otherwise attached to a similarly secure structure;

(4) (7) ballots deposited in a drop box must be secured against access by any unauthorized person, and in the case of a drop box located in an outdoor location, the drop box must be secured against damage due to weather or other natural conditions;

~~(5)~~ (8) each drop box must contain signage or markings that:

(i) clearly identifies the drop box as an official absentee ballot return location; ~~and~~

(ii) include the location and hours where an agent may return an absentee ballot;

(iii) include the statement: "STOP! You can only return your own ballot in this drop box."; and

(iv) the unique identification number assigned to the drop box;

~~(6)~~ (9) deposited ballots must be collected at least once per ~~business~~ day during the absentee voting period by the county auditor, municipal clerk, or an elections official trained by the county auditor or municipal clerk in the proper maintenance and handling of absentee ballots and absentee ballot drop boxes, and in the security measures used to protect absentee ballots; and

~~(7)~~ (10) ballots collected from each drop box must be properly date-stamped and stored in a locked ballot container or other secured and locked space consistent with any applicable laws governing the collection and storage of absentee ballots.

Subd. 3. **Publication of locations required.** (a) The county auditor or municipal clerk must provide a list of designated absentee ballot drop box locations to the secretary of state no later than

40 days prior to the start of the absentee voting period at every regularly scheduled primary or general election. The list must be published on the website of the county or municipality and on the website of the secretary of state at least 35 days prior to the start of the absentee voting period.

(b) The county auditor or municipal clerk must provide an updated list of designated absentee ballot drop box locations to the secretary of state no later than 20 days prior to the start of the absentee voting period at every regularly scheduled primary or general election, if any locations have changed or been added since submission of the list under paragraph (a). The list must be published on the website of the county or municipality and on the website of the secretary of state at least 15 days prior to the start of the absentee voting period.

Subd. 4. **Electioneering prohibited.** Section 211B.11 applies to conduct within 100 feet of an absentee ballot drop box established under this section.

Subd. 5. **Ballot collection log and report.** (a) The county auditor or municipal clerk must maintain a log for each drop box. The log must include the unique identification number assigned to the drop box. The log must include the following information for each day during the absentee voting period:

- (1) the date and time of each ballot collection;
- (2) the person who collected the ballots; and
- (3) the number of ballots collected.

(b) Before the meeting of the local canvassing board, each county auditor and municipal clerk must total the number of ballots collected from each drop box for each day during the absentee voting period and submit the totals to the local canvassing board and the secretary of state. Before the meeting of the state canvassing board for an election, the secretary of state must compile the totals, broken down by county. Prior to the state canvassing board beginning the state canvass, the secretary of state must submit the totals to the state canvassing board and the chairs and ranking minority members of the legislative committees having jurisdiction over election policy.

Subd. 6. **Rulemaking prohibited.** The secretary of state is not authorized to adopt rules to implement or supplement the provisions of this section.

Sec. 4. Minnesota Statutes 2021 Supplement, section 203B.121, subdivision 1, is amended to read:

Subdivision 1. **Establishment; applicable laws.** (a) The governing body of each county, municipality, and school district with responsibility to accept and reject absentee ballots must, by ordinance or resolution, establish a ballot board. The board must consist of a sufficient number of election judges appointed as provided in sections 204B.19 to 204B.22. The board ~~may~~ **must not** include deputy county auditors or deputy city clerks ~~who have received training in the processing and counting of absentee ballots~~, unless the deputy county auditor or deputy city clerk has been appointed an election judge as provided in sections 204B.19 to 204B.22. Each member of the ballot board must be provided adequate training on the processing and counting of absentee ballots, including but not limited to instruction on accepting and rejecting absentee ballots, storage of absentee ballots, timelines and deadlines, the role of the ballot board, procedures for opening absentee ballot

envelopes, procedures for counting absentee ballots, and procedures for reporting absentee ballot totals.

(b) Each jurisdiction must pay a reasonable compensation to each member of that jurisdiction's ballot board for services rendered during an election.

(c) Except as otherwise provided by this section, all provisions of the Minnesota Election Law apply to a ballot board.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to elections on or after that date.

Sec. 5. Minnesota Statutes 2020, section 203B.121, subdivision 5, is amended to read:

Subd. 5. **Storage and counting of absentee ballots.** (a) On a day on which absentee ballots are inserted into a ballot box, two members of the ballot board must:

- (1) remove the ballots from the ballot box at the end of the day;
- (2) without inspecting the ballots, ensure that the number of ballots removed from the ballot box is equal to the number of voters whose absentee ballots were accepted that day; and
- (3) seal and secure all voted and unvoted ballots present in that location at the end of the day.

(b) After the polls have closed on election day, two members of the ballot board must count the ballots, tabulating the vote in a manner that indicates each vote of the voter and the total votes cast for each candidate or question. In state primary and state general elections, the results must indicate the total votes cast for each candidate or question in each precinct and report the vote totals tabulated for each precinct. The count must be recorded on a summary statement in substantially the same format as provided in section 204C.26. The ballot board shall submit at least one completed summary statement to the county auditor or municipal clerk. The county auditor or municipal clerk may require the ballot board to submit a sufficient number of completed summary statements to comply with the provisions of section 204C.27, or the county auditor or municipal clerk may certify reports containing the details of the ballot board summary statement to the recipients of the summary statements designated in section 204C.27.

In state primary and state general elections, these vote totals shall be added to the vote totals on the summary statements of the returns for the appropriate precinct. In other elections, these vote totals may be added to the vote totals on the summary statement of returns for the appropriate precinct or may be reported as a separate total.

~~The count shall counting of ballots must be public. No vote totals from ballots may be made public before the close of voting on election day.~~ Vote totals must only be disclosed in accordance with section 204C.19.

(c) In addition to the requirements of paragraphs (a) and (b), if the task has not been completed previously, the members of the ballot board must verify as soon as possible, but no later than 24 hours after the end of the hours for voting, that voters whose absentee ballots arrived after the rosters were marked or supplemental reports were generated and whose ballots were accepted did not vote

in person on election day. An absentee ballot submitted by a voter who has voted in person on election day must be rejected. All other accepted absentee ballots must be opened, duplicated if necessary, and counted by members of the ballot board. The vote totals from these ballots must be incorporated into the totals with the other absentee ballots and handled according to paragraph (b).

EFFECTIVE DATE. This section is effective the day following final enactment and applies to elections on or after that date.

Sec. 6. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision to read:

Subd. 6. Ballot board observers. (a) A candidate or party on a ballot at an election may appoint a person to serve as an absentee ballot board observer. All appointments must be made at least 30 days prior to the start of the absentee voting period, except that if an observer is unable to perform the required duties the observer may be replaced by the appointing candidate or party. The candidate or party must notify the county auditor, city clerk, or school district clerk if a ballot board observer is appointed and provide the observer's name, address, phone number, and e-mail address. A ballot board observer must complete election judge training as described in section 204B.25. The following individuals are not eligible to serve as absentee ballot board observers: election judges, candidates on the ballot, and immediate family members of candidates on the ballot.

(b) During the absentee voting period, a ballot board observer must be allowed to observe the following activities of the ballot board:

- (1) examining envelopes and accepting or rejecting envelopes as required by subdivision 2;
- (2) opening envelopes and duplicating ballots, if necessary, as required by subdivision 4;
- (3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph (a); and
- (4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

(c) The county auditor, municipal clerk, or school district clerk must notify each ballot board observer of the date, time, and location anytime the activities in paragraph (b) will take place. The notice must be in writing and delivered to the ballot board observer at least seven days before the activity is to take place.

(d) A ballot board observer may present questions or make challenges to the head election official. A ballot board observer must be allowed to be within four feet of the ballots or envelopes being handled. A ballot board observer must not handle any absentee ballots, envelopes, or other election documents. A ballot board observer may record any of the activities described in paragraph (b). A ballot board observer must not interfere with the conduct of the ballot board. The ballot board may have a ballot board observer removed if the observer is disrupting the activities of the ballot board. The sole act of recording does not constitute sufficient grounds for the ballot board to remove a ballot board observer.

EFFECTIVE DATE. This section is effective May 15, 2022, and applies to absentee voting periods beginning on or after June 24, 2022.

Sec. 7. Minnesota Statutes 2020, section 203B.121, is amended by adding a subdivision to read:

Subd. 7. **Livestreaming.** (a) For the 7 days immediately preceding an election and on election day, the county auditor, municipal clerk, or school district clerk must ensure that all ballot board activity is livestreamed as provided by this subdivision and section 203B.155. At a minimum, the following activities must be livestreamed:

- (1) examining envelopes and accepting or rejecting envelopes as required by subdivision 2;
- (2) opening envelopes and duplicating ballots, if necessary, as required by subdivision 4;
- (3) depositing absentee ballots into a ballot box as required by subdivision 5, paragraph (a); and
- (4) counting and tabulating the ballots as required by subdivision 5, paragraph (b).

(b) The county auditor, municipal clerk, or school district clerk must position one or more cameras so as to livestream the following:

- (1) the ballot board members performing the activities described in paragraph (a);
- (2) all ballots in the room where the activities in paragraph (a) are taking place; and
- (3) all doors in the room where the activities in paragraph (a) are taking place.

To the extent possible while complying with clauses 1 to 3, the cameras must be positioned so as to avoid livestreaming private data included on absentee ballot envelopes or other documents.

Sec. 8. **[203B.155] LIVESTREAMING REQUIREMENTS.**

Subdivision 1. **Definitions.** (a) The following terms have the meanings given for purposes of this section.

- (b) "Commissioner" means the commissioner of information technology services.
- (c) "Department" means the Department of Information Technology Services.

Subd. 2. **Livestreaming.** (a) When livestreaming is required by sections 203B.082, subdivision 2, clause (1), and 203B.121, the commissioner must ensure the livestream is available on the department's website in a manner that allows members of the public to easily access and view the livestream. The commissioner must not charge a fee to the public or to the county, municipality, or school district for providing this service.

(b) The secretary of state must include information on the office's website on how to find and access livestreams on the department's website. Each county auditor, municipal clerk, and school district clerk must post the same information on their respective local government's website, if there is one.

Subd. 3. **Data.** The commissioner must record all livestreamed video and retain the recording for four years after the date of the recording. The commissioner must retain the recordings of livestreamed activities required by sections 203B.082, subdivision 2, clause (1), and 203B.121, as provided by this section. The recordings are public data, except that the commissioner may obscure private data on individuals that is visible on a recording. Notwithstanding chapter 13, the county

auditor, city clerk, or school board clerk is not required to maintain any livestreamed or recorded data.

Subd. 4. **Livestream disruptions.** If a livestream is disrupted or disabled, the commissioner, county auditor, municipal clerk, or school district clerk is not liable if the disruption is due to a cause outside of the control of the commissioner, county auditor, municipal clerk, or school district clerk. If there is a disruption in a livestream, the commissioner must work with the county auditor, municipal clerk, or school district clerk to reinstate livestreaming as soon as possible. If all appointed ballot board observers are present and there is a disruption in livestreaming, the activities of the ballot board may continue. If all appointed ballot board observers are not present and there is a disruption in livestreaming, the ballot board must stop all activities until the livestream is reinstated or all ballot board observers are present.

Sec. 9. Minnesota Statutes 2020, section 204C.19, subdivision 3, is amended to read:

Subd. 3. **Premature disclosure of count results.** ~~No~~ The county auditor, municipal clerk, school district clerk, election judge, or any other person must not disclose count results from any precinct ~~shall be disclosed by any election judge or other individual~~ until all count results from that precinct ~~are available, nor shall~~ have been counted and totaled, including absentee votes received and processed by 8 p.m. on election day. Absentee ballots may continue to be processed and counted after 8 p.m. on election day as provided in section 203B.121, subdivision 5, paragraph (c). The public media must not disclose any count results from any precinct before the time when voting is scheduled to end in the state.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to elections on or after that date.

Sec. 10. Minnesota Statutes 2020, section 206.83, is amended to read:

206.83 TESTING OF VOTING SYSTEMS.

(a) Within 14 days before election day, the official in charge of elections shall have the voting system tested to ascertain that the system will correctly mark ballots using all methods supported by the system, including through assistive technology, and count the votes cast for all candidates and on all questions. ~~Public notice of the time and place of the test must be given at least two days in advance by publication once in official newspapers.~~ The test must be observed by at least two election judges, who are not of the same major political party, and must be open to representatives of the political parties, candidates, the press, and the public. The test must be conducted by (1) processing a preaudited group of ballots punched or marked to record a predetermined number of valid votes for each candidate and on each question, and must include for each office one or more ballot cards which have votes in excess of the number allowed by law in order to test the ability of the voting system tabulator and electronic ballot marker to reject those votes; and (2) processing an additional test deck of ballots marked using the electronic ballot marker for the precinct, including ballots marked using the electronic ballot display, audio ballot reader, and any assistive voting technology used with the electronic ballot marker. If any error is detected, the cause must be ascertained and corrected and an errorless count must be made before the voting system may be used in the election. After the completion of the test, the programs used and ballot cards must be sealed, retained, and disposed of as provided for paper ballots.

(b) At least 14 days before conducting the testing required by paragraph (a), the official in charge of elections must give notice of the time and place of the testing in the following manner:

(1) by publishing the notice once in the official newspaper;

(2) by prominently posting the notice on the applicable county, municipal, or school district website, if there is one; and

(3) by sending the notice to the chairs of each major political party in the state.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to elections on or after that date.

Sec. 11. Laws 2021, First Special Session chapter 12, article 1, section 6, is amended to read:

Sec. 6. SECRETARY OF STATE	\$	9,684,000	\$	9,152,000
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\$750,000 each year is for transfer to the voting equipment grant account under Minnesota Statutes, section 206.95.

\$1,000,000 each year is for grants to local units of government to implement the provisions of Minnesota Statutes, section 203B.082. This is a onetime appropriation.

Sec. 12. **ELECTION SECURITY AND INTEGRITY GRANTS; REPORT.**

No later than January 15, 2024, the secretary of state must submit a report to the chairs and ranking minority members of the legislative committees having jurisdiction over elections on grants awarded under Laws 2021, First Special Session chapter 12, article 1, section 6, for ballot dropbox security and integrity. The report must detail each grant awarded including the jurisdiction, the amount of the grant, and what the grant money is intended to purchase.

Sec. 13. **APPROPRIATION.**

(a) \$..... in fiscal year 2023 is appropriated from the general fund to the secretary of state to make grants to local units of government to comply with livestreaming requirements under Minnesota Statutes, sections 203B.082, subdivision 2, and 203B.121, subdivision 7. This is a onetime appropriation and is available until June 30, 2025.

(b) \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of information and technology services to livestream and record election-related activity and to retain data as required under Minnesota Statutes, section 203B.155. The base for this appropriation in fiscal year 2024 is The base for this appropriation in fiscal year 2025 and each fiscal year thereafter is

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

Sec. 14. **EFFECTIVE DATE.**

Except as otherwise provided, this act is effective September 1, 2022, and applies to elections conducted on or after that date."

Amend the title as follows:

Page 1, line 3, after "boxes;" insert "authorizing absentee ballot board observers;"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Amendments adopted. Report adopted.

Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was referred

S.F. No. 3928: A bill for an act relating to state government; requiring divestment from certain investments relating to Russia; terminating contracts with Russian entities; requiring a report; proposing coding for new law in Minnesota Statutes, chapters 11A; 16C.

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

Delete everything after the enacting clause and insert:

"Section 1. [11A.245] INVESTMENT IN RUSSIA AND BELARUS.

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

(b) "Active business operations" means all business operations that are not inactive business operations.

(c) "Belarus" means the government of the Republic of Belarus and its instrumentalities or political subdivisions, and companies owned or controlled by the Republic of Belarus.

(d) "Company" means any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, or other entity or business association, including all wholly owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of such entities or business associations, that exists for profit-making purposes.

(e) "Direct holdings" means all publicly traded debt and equity securities, including depository receipts representing ownership rights of such securities, of an entity subject to this section, or derivatives or notes representing exposure to such securities, that are held directly by the state board or held in an account or fund in which the state board owns all shares or interests.

(f) "Inactive business operations" means the continued holding or renewal of rights to property previously operated for the purpose of generating revenues but not presently deployed for such a purpose.

(g) "Indirect holdings" means all investments held in an account or fund, including a mutual fund, a real estate fund, a private equity fund, or a commingled fund, managed by one or more persons who are not employed by the state board, in which the public funds own shares or interests together with other investors who are not subject to this section.

(h) "Russia" means the government of the Russian Federation or its instrumentalities or political subdivisions, and companies owned or controlled by the Russian Federation.

Subd. 2. Divestment required. (a) The state board must sell, redeem, or withdraw, in a fiscally prudent manner and consistent with applicable laws and regulations not in conflict with this section, all direct holdings of the following assets:

(1) securities issued by a company with a principal place of business in Russia or Belarus, or depository receipts representing ownership rights to such securities;

(2) securities issued by Russia or Belarus;

(3) securities issued by any governmental unit of Russia or Belarus;

(4) currency issued by Russia, Belarus, or a governmental unit of Russia or Belarus; and

(5) derivatives or notes representing exposure to any assets listed in this subdivision.

(b) For purposes of this subdivision, when determining whether a company has a principal place of business in Russia or Belarus, the state board must give consideration to the company's country of risk; domicile; country of incorporation; the country in which the company's securities are issued; and other relevant factors as determined by the state board or its director.

(c) At least quarterly, the director must report to the state board on the status of any actions taken under this subdivision.

Subd. 3. Schedule. To the extent practicable, the sale, redemption, or withdrawal of assets under subdivision 2 must be completed according to the following schedule:

(1) at least 50 percent of any direct holdings must be removed from the state board's assets under management by nine months after the effective date of this section; and

(2) 100 percent of any direct holdings must be removed from the state board's assets under management within 15 months after the effective date of this section.

Subd. 4. Prohibition on new acquisitions. The state board may not further acquire securities that are subject to sale, redemption, or withdrawal under subdivision 2.

Subd. 5. Relation to federal action. If the federal government excludes an asset from its present, or any future, federal sanctions relating to Russia or Belarus, that asset is exempt from the divestment requirements and the investment prohibitions in this section.

Subd. 6. Exemptions. Subdivision 2 does not apply to any of the following:

(1) investments in a company that is primarily engaged in supplying goods or services intended to relieve human suffering in Russia or Belarus;

(2) investments in a company that is primarily engaged in promoting health; education; or journalistic, religious, or welfare activities in Russia or Belarus; and

(3) investments in a United States company that is authorized by the federal government to have active business operations in Russia or Belarus.

Subd. 7. **Excluded securities.** Subdivision 2 does not apply to indirect holdings in actively managed investment funds. The state board must submit letters to the managers of investment funds containing assets that would otherwise be subject to sale, redemption, or withdrawal under subdivision 2 requesting the managers to consider removing those assets from the fund or to create a similar actively managed fund with indirect holdings that do not include those assets. If a manager creates a similar fund, the state board shall promptly replace all applicable investments with investments in the similar fund consistent with prudent investing standards. For the purposes of this section, private equity funds shall be deemed to be actively managed investment funds.

Subd. 8. **Reporting.** By January 15 of each calendar year, the state board shall submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the state board. The report must include:

(1) a list of all investments sold, redeemed, or withdrawn in compliance with subdivision 2;

(2) a list of all prohibited investments under subdivision 4; and

(3) a description of any progress made under subdivision 7.

Subd. 9. **Expiration.** This section ceases to be operative if the President of the United States determines and certifies that state legislation similar to this section interferes with the conduct of United States foreign policy.

Subd. 10. **Other legal obligations.** The state board, including its executive director and staff, is exempt from any statutory or common law obligations that conflict with actions taken in compliance with this section, including all good-faith determinations regarding companies as required by this section, including any obligations regarding the choice of asset managers, investment funds, or investments for the State Board of Investment's securities portfolios.

Subd. 11. **Severability.** The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application.

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

Sec. 2. **[16C.051] CONTRACTS WITH RUSSIA OR BELARUS.**

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

(b) "Belarusian entity" means an institution or company that is headquartered in the Republic of Belarus or has its principal place of business in the Republic of Belarus.

(c) "Russian entity" means an institution or company that is headquartered in the Russian Federation or has its principal place of business in the Russian Federation.

Subd. 2. **Terminating contracts with Russia or Belarus.** (a) All state agencies must:

(1) review existing contracts to determine if any existing contracts are with Russian entities or Belarusian entities;

(2) promptly terminate existing contracts with Russian entities or Belarusian entities as practicable; and

(3) refrain from entering into contracts with Russian entities or Belarusian entities unless the head of the state agency determines that there is no suitable alternative.

(b) Nothing in this section is intended to require or encourage state agencies to terminate or avoid contracts with Minnesota companies or other domestic entities, or to relieve state agencies of any obligations under applicable laws, rules, or regulations related to contracting and procurement.

Subd. 3. **Severability.** The provisions of this section are severable. If any provision of this section or its application is held invalid, that invalidity does not affect other provisions or applications that can be given effect without the invalid provision or application.

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

Amend the title as follows:

Page 1, line 3, after "Russia" insert "and Belarus" and after "Russian" insert "and Belarusian"

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Kiffmeyer from the Committee on State Government Finance and Policy and Elections, to which was re-referred

S.F. No. 3408: A bill for an act relating to employees; modifying the membership and duties of the Task Force on Subminimum Wages; amending Laws 2021, First Special Session chapter 7, article 17, section 14.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Tomassoni from the Committee on Higher Education Finance and Policy, to which was referred

S.F. No. 4023: A bill for an act relating to higher education; providing supplemental financing to the University of Minnesota for campus safety; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. **APPROPRIATION.**

\$100,000,000 in fiscal year 2023 is appropriated from the general fund to the Board of Regents of the University of Minnesota to improve campus safety, bolstering the technology infrastructure with cameras and strategic information accessibility, and provide a safe campus by increasing security and full-time law enforcement presence. The base for this appropriation is \$10,000,000 in fiscal year 2024 and later."

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

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

S.F. No. 2786: A bill for an act relating to health and human services; establishing grant programs for bonuses to certain employees of long-term care providers; temporarily permitting retired nurses to practice in certain long-term care settings; temporarily modifying training requirements for direct care staff in certain long-term care settings; establishing a temporary voluntary correction program for nursing homes; establishing a temporary staffing pool; modifying payment rates for certain home and community based waiver services; appropriating money for initial planning for establishment of a program for all inclusive care for the elderly; appropriating money.

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

Delete everything after the enacting clause and insert:

"Section 1. **DIRECTION TO THE COMMISSIONER; INITIAL PACE IMPLEMENTATION FINANCING.**

The commissioner of human services must work with stakeholders to develop recommendations for financing mechanisms to complete the actuarial work and cover the administrative costs of a program of all-inclusive care for the elderly (PACE). The commissioner must recommend a financing mechanism that could begin July 1, 2024. By December 15, 2023, the commissioner shall inform the chairs and ranking minority members of the legislative committees with jurisdiction over health care finance on the commissioner's progress toward developing a recommended financing mechanism.

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

Sec. 2. **LONG-TERM SERVICES AND SUPPORTS WORKFORCE GRANTS.**

Subdivision 1. **Grant program established.** The commissioner shall establish a long-term services and supports workforce grant program to assist eligible employers with recruiting and retaining employees.

Subd. 2. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Allowable education and training costs" means either:

(1) incurred costs related to tuition, direct educational expenses, training fees, uniforms, books, background study fees, and child care and transportation costs incurred as a direct result of participating in classroom instruction or training; or

(2) repayment of student loan debt directly incurred as a result of completing a qualifying course of study or training. Costs incurred pursuing an incomplete course of study or participating in classroom instruction or training that has not been completed are not allowable educational or training costs.

(c) "Commissioner" means the commissioner of human services.

(d) "Eligible employer" means an employer who is an enrolled medical assistance provider, meets the requirements of subdivision 5, and is either:

(1) a nursing home licensed under Minnesota Statutes, chapter 144A;

(2) a boarding care home licensed under Minnesota Statutes, sections 144.50 to 144.56;

(3) an assisted living facility licensed under Minnesota Statutes, chapter 144G;

(4) a hospice provider, including a licensed residential hospice provider, licensed under Minnesota Statutes, sections 144A.75 to 144A.755;

(5) a provider of home and community-based services licensed under Minnesota Statutes, chapter 245D;

(6) a home care provider licensed under Minnesota Statutes, sections 144A.43 to 144A.482;

(7) a facility certified as an intermediate care facility for persons with developmental disabilities;

(8) a provider of home care services as defined under Minnesota Statutes, section 256B.0651, subdivision 1, paragraph (d);

(9) an agency as defined under Minnesota Statutes, section 256B.0949, subdivision 2;

(10) an agency provider or financial management service provider under Minnesota Statutes, section 256B.85;

(11) an eligible financial management service provider serving people through consumer-directed community supports under Minnesota Statutes, sections 256B.092 and 256B.49, and chapter 256S, and consumer support grants under Minnesota Statutes, section 256.476; or

(12) a provider of customized living services as defined in Minnesota Statutes, section 256S.02, subdivision 12, under the elderly waiver, brain injury waiver, or community access for disability inclusion waiver.

(e) "Eligible employee" means an individual employed by an eligible employer who is eligible under Minnesota Statutes, chapter 245C, to have access to persons receiving services without continuous direct supervision, works on average at least 20 hours per week, earns \$30 per hour or less, and has not received a bonus or grant funded under this section from any other employer.

Subd. 3. **Allowable uses of funds.** Grantees must use funds awarded under this section for any combination of the following purposes:

(1) retention bonuses of \$1,000, inclusive of applicable payroll taxes, paid to eligible employees who are continuously employed by the same employer between February 28, 2022, and August 31, 2022;

(2) signing bonuses of \$750, inclusive of applicable payroll taxes, paid to newly hired eligible employees hired on or after March 1, 2022, and who are continuously employed by the same employer for 30 days;

(3) retention bonuses of \$750, inclusive of applicable payroll taxes, paid to recipients of bonuses under clause (2) who remain continuously employed as eligible employees with the same eligible employer for six months; or

(4) education and training grants of up to \$1,500, inclusive of applicable taxes, paid to eligible employees to cover allowable education and training costs related to a recently completed course of study or training that is expected to lead to employment or career advancement with any eligible provider as defined in subdivision 2.

Subd. 4. **Grant request.** Within 30 days of final enactment of this section, the commissioner shall develop an expedited request process that includes a form allowing providers to meet the requirements of subdivision 5 in as timely and simple a manner as possible. Eligible employers may begin requesting grants 30 days following final enactment of this section. The commissioner shall allow the use of electronic submission of request forms and accept electronic signatures.

Subd. 5. **Attestation and agreement.** As a condition of obtaining funds under this section, an eligible employer must attest and agree to the following on the grant request form:

(1) the employer is an eligible provider;

(2) the total number of eligible employees for whom the employer is requesting grant funding;

(3) the total amount the eligible employer is requesting;

(4) the employer will distribute the entire value of the grant award as required under this section;

(5) the employer will create and maintain the records required under subdivision 6;

(6) the employer will create and post the distribution plan required under subdivision 8; and

(7) the employer will segregate funds received under this section from other sources of revenue and will not use the funds for any purpose other than the purposes permitted under this section.

Subd. 6. **Record keeping requirements.** (a) As a condition of obtaining funds under this section, an eligible employer must create and retain until December 31, 2028, records containing sufficient evidence to determine:

(1) the number of eligible employees that received bonuses;

(2) that the individuals who received bonuses or grants from the grantee under this section were eligible employees, including attestations by each individual that the individual has not received from any other employer a bonus or grant funded under this section;

(3) that the bonuses were for allowable uses and allowable education and training costs; and

(4) that the awarded funds were distributed as required under this section.

(b) Upon request of the commissioner or the commissioner's designee, a grantee must immediately produce for inspection the records required under this subdivision.

Subd. 7. **Workforce grants.** (a) For the purpose of this section, the commissioner and the commissioner of management and budget are not subject to Minnesota Statutes, sections 16B.97; 16B.98, subdivisions 5 to 7; and the express audit clause requirement in section 16B.98, subdivision 8.

(b) No later than 60 days following final enactment of this section, the commissioner shall begin issuing long-term services and supports workforce grants to eligible employers. Within the appropriation for this purpose, the commissioner shall award grants under this section on a rolling basis and in the order in which the grant requests are received.

(c) By accepting a grant under this subdivision, the grantee attests and agrees to the conditions specified in subdivision 5.

(d) By accepting a bonus or education and training grant from an employer, an individual attests that the individual is an eligible employee.

(e) The commissioner's determination of the grant amount determined under this subdivision is final and is not subject to appeal. This paragraph does not apply to recoupment by the commissioner under subdivision 10.

Subd. 8. **Distribution plan.** (a) An eligible employer must develop a plan to distribute the entire value of any grant amounts as bonuses and grants, inclusive of applicable payroll taxes, to eligible employees for whom the employer requested funds.

(b) Within 30 calendar days following receipt of a grant award under this section, the grantee must distribute the entire value of the grant amount according to the grantee's distribution plan.

(c) Within 30 days of receiving a grant award under this section, the grantee must post both the distribution plan and the grant application submitted to the commissioner and leave both documents posted for a period of six months in an area of the facility or on a secure website to which all eligible employees have access. The grantee must provide instructions for employees who do not believe they have received the bonuses or grants specified in the distribution plan. The instructions must include a mailing address, e-mail address, and telephone number that an employee may use to contact the employer's management. If an employee is unable to resolve the problem with the employer's management, the employee may contact the commissioner or the commissioner's representative. The commissioner must provide grantees a mailing address, e-mail address, and telephone number for this purpose and the grantee must include them in the distribution plan.

(d) Upon request of the commissioner, the grantee must submit the distribution plan to the commissioner.

Subd. 9. **Effect of grants on reimbursement rates.** (a) Costs associated with the purposes described in this section that are funded under this section are not allowable costs under Minnesota Statutes, chapter 256R. Grants provided under this section are not applicable credits under Minnesota Statutes, chapter 256R.

(b) Money received by a facility under this section must not be used to supplant funding available under Minnesota Statutes, section 144.1503, or to supplant the portion of a nursing facility's total payment rate attributable to scholarships under Minnesota Statutes, section 256R.37.

Subd. 10. **Recoupment.** (a) The commissioner may perform an audit under this section up to six years after the grant is awarded to ensure the grantee used the funds solely for the purposes stated in subdivision 3, was truthful when making attestations under subdivision 5, and complied with the conditions of receiving a grant under this section.

(b) If the commissioner determines that a grantee used awarded funds for purposes not authorized under this section, the commissioner shall treat any amount used for a purpose not authorized under this section as an overpayment. The commissioner shall recover any overpayment.

Subd. 11. **Treble damages.** Any grantee who willfully submits a grant application, invoice, cost report, or claim for reimbursement for grant funds which the grantee knows is a false representation and which results in the payment of public funds for which the grantee is ineligible shall, in addition to other provisions of Minnesota law, be subject to an action by the state of Minnesota or any of its subdivisions or agencies for civil damages. The damages awarded shall include three times the payments which result from the false representation, together with costs and disbursements, including reasonable attorney fees or their equivalent.

Subd. 12. **Fraud.** A person who obtains or tries to obtain, or aids or abets any person in obtaining funds available under this section for which the person is not eligible by a willfully false statement or representation, or by the intentional withholding or concealment of a material fact, or by impersonation, or other fraudulent device, violates Minnesota Statutes, section 256.98, and is subject to both the criminal and civil penalties in that section.

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

Sec. 3. **DIRECTION TO THE COMMISSIONER OF HUMAN SERVICES; TEMPORARY DWRS PAYMENT ADJUSTMENT.**

Effective on the effective date of this section, the commissioner must implement a temporary claims adjustment of 13.3 percent for service rates paid under Minnesota Statutes, section 256B.4914. This adjustment is in effect for services provided during the 90 days following the effective date of this section.

EFFECTIVE DATE. This section is effective April 1, 2022, or upon federal approval, whichever is later.

Sec. 4. **EXPEDITED REREGISTRATION FOR LAPSED NURSING LICENSES.**

(a) Notwithstanding Minnesota Statutes, section 148.231, a nurse who desires to resume the practice of professional or practical nursing at a licensed nursing facility or licensed assisted living facility but whose license to practice nursing has lapsed effective on or after January 1, 2019, may submit an application to the Board of Nursing for reregistration. The application must be submitted and received by the board between March 31, 2022, and March 31, 2023, and must be accompanied with the reregistration fee specified in Minnesota Statutes, section 148.243, subdivision 5. The applicant must include with the application the name and location of the facility where the nurse is or will be employed.

(b) The board shall issue a current registration if upon a licensure history review, the board determines that at the time the nurse's license lapsed:

(1) the nurse's license was in good standing; and

(2) the nurse was not the subject of any pending investigations or disciplinary actions or was not disqualified to practice in any way.

The board shall waive any other requirements for reregistration including any continuing education requirements.

(c) The registration issued under this section shall remain valid until the nurse's next registration period. If the nurse desires to continue to practice after that date, the nurse must meet the reregistration requirements under Minnesota Statutes, section 148.231, including any penalty fees required.

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

Sec. 5. TEMPORARY ASSISTED LIVING STAFF TRAINING REQUIREMENTS.

(a) Notwithstanding Minnesota Statutes, section 144G.60, subdivision 4, paragraphs (a) and (b), a person who registers, completes, and passes the American Health Care Association's eight-hour online temporary nurse aide training course may be employed by a licensed assisted living facility to provide assisted living services or perform delegated nursing tasks. Assisted living facilities must maintain documentation that a person employed under the authority of this section to provide assisted living services or perform delegated nursing tasks completed the required training program.

(b) Whenever providing assisted living services, a person employed under the authority of this section must be directly supervised by another employee who meets the requirements of Minnesota Statutes, section 144G.60, subdivision 4, paragraph (a). If, during employment, the person meets the requirements of Minnesota Statutes, section 144G.60, subdivision 4, paragraph (a), the supervision described in this paragraph is no longer required.

(c) Whenever performing delegated nursing tasks, a person employed under the authority of this section must be directly supervised by another employee who meets the requirements of Minnesota Statutes, section 144G.60, subdivision 4, paragraph (b). If, during employment, the person meets the requirements of Minnesota Statutes, section 144G.60, subdivision 4, paragraph (b), the supervision described in this paragraph is no longer required.

(d) This section expires four months after the expiration of the blanket federal waiver of the nurse aides training and certification requirements under Code of Federal Regulations, title 42,

section 483.35(d), by the Centers for Medicare and Medicaid Services as authorized by section 1135 of the Social Security Act.

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

Sec. 6. **DIRECTION TO COMMISSIONER OF HEALTH.**

(a) The commissioner of health shall develop a plan to implement a voluntary technical assistance program for nursing facilities licensed under Minnesota Statutes, chapter 144A, and assisted living facilities licensed under Minnesota Statutes, chapter 144G. The program shall operate separately from current regulatory activities of the department and offer participating facilities the ability to receive consultation related to compliance with federal or state licensure or certification standards.

(b) By December 15, 2022, the commissioner shall provide to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services recommendations and legislative language for resources needed to establish and implement the program.

(c) This section expires on December 15, 2023.

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

Sec. 7. **APPROPRIATION; INITIAL PACE IMPLEMENTATION FUNDING.**

\$390,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of human services to complete the initial actuarial and administrative work necessary to recommend a financing mechanism for the operation of PACE under Minnesota Statutes, section 256B.69, subdivision 23, paragraph (e).

Sec. 8. **APPROPRIATION; LONG-TERM SERVICES AND SUPPORTS WORKFORCE GRANTS.**

\$269,265,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of human services for grants to eligible employers for long-term services and supports workforce grants. Of this amount, \$259,063,000 is for grants and \$10,202,000 is for administration of the grants. The amount for administration is eligible to claim federal financial participation of \$3,265,000. This is a onetime appropriation and is available until June 30, 2025.

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

Sec. 9. **APPROPRIATION; DWRS AFTER-MODEL ADJUSTMENT.**

\$54,465,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of human services for a temporary DWRS after-model adjustment and \$15,000 is appropriated from the general fund to the commissioner of human services for systems costs for the DWRS after-model adjustment. These are onetime appropriations.

Sec. 10. **APPROPRIATION; VOLUNTARY TECHNICAL ASSISTANCE PROGRAM FOR NURSING FACILITIES.**

\$47,000 in fiscal year 2023 is appropriated from the general fund to the commissioner of health to implement a voluntary technical assistance program for nursing facilities. This is a onetime appropriation."

Delete the title and insert:

"A bill for an act relating to health and human services; establishing grant programs for bonuses to certain employees of long-term care providers; temporarily permitting retired nurses to practice in certain long-term care settings; temporarily modifying training requirements for direct care staff in certain long-term care settings; establishing a temporary voluntary correction program for nursing homes; modifying payment rates for certain home and community-based waiver services; appropriating money for initial planning for establishment of a program for all-inclusive care for the elderly; appropriating money."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Rosen from the Committee on Finance, to which was referred

H.F. No. 3420: A bill for an act relating to drought relief; modifying the disaster recovery loan program; increasing funding for agricultural drought relief loans; appropriating money for drought relief grants and other financial assistance for eligible farmers; providing financial assistance to municipalities, townships, and Tribal governments for increasing water efficiency in public water supplies; providing grants for planting shade trees and purchasing tree-watering equipment; providing financial assistance to replace drought-killed seedlings; appropriating money; amending Minnesota Statutes 2020, section 41B.047, subdivision 3.

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

Delete everything after the enacting clause and insert:

"Section 1. **DROUGHT RELIEF; APPROPRIATION.**

(a) \$7,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of agriculture for the purpose of providing grants and other forms of financial assistance to livestock farmers and specialty crop producers impacted by the drought in 2021. For purposes of this section, "specialty crop" means an eligible crop under the United States Department of Agriculture's specialty crop block grant program. Of the amount appropriated in this paragraph:

(1) \$5,500,000 is for livestock farmers; and

(2) \$1,500,000 is for livestock farmers or specialty crop producers. Of the amount appropriated in this clause, up to \$100,000 may be used to reimburse livestock farmers for expenses not reimbursed through the United States Department of Agriculture Emergency Assistance for Livestock, Honey Bees, and Farm-raised Fish (ELAP) program, at a rate of \$6.60 per mile used in obtaining or transporting feed or feed ingredients up to 25 miles to and from the farm.

The commissioner may issue payments of up to \$5,000 on a first-come, first-served, noncompetitive basis. Eligible producers must be located in counties that were designated as a primary natural disaster area by the United States Department of Agriculture between July 20, 2021, and December

31, 2021. Beginning January 10, 2023, and annually thereafter until January 10, 2025, the commissioner must report on the utilization of the grants under this paragraph to the legislative committees with jurisdiction over agriculture finance. The report must include a breakdown of grants by type of farm, either livestock or specialty crop, and by county. Any unencumbered balance at the end of the year does not cancel and is available until June 30, 2024. This is a onetime appropriation.

(b) \$1,500,000 in fiscal year 2022 is appropriated from the general fund to the Rural Finance Authority revolving loan account established under Minnesota Statutes, section 41B.06, for drought relief loans under Minnesota Statutes, section 41B.047. If this appropriation exceeds the total amount for which all farmers are eligible in a fiscal year, the balance of the appropriation is available for other programs eligible for funding under the Rural Finance Authority's revolving loan account. Beginning January 10, 2023, and annually thereafter until January 10, 2025, the commissioner must report activities and expenditures under this paragraph to the legislative committees and divisions with jurisdiction over agriculture finance. Any unencumbered balance at the end of the year does not cancel and is available until June 30, 2024. This is a onetime appropriation.

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

Sec. 2. APPROPRIATION; VETERINARY DISEASE TESTING EQUIPMENT.

\$1,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner of agriculture for a grant to the Board of Regents of the University of Minnesota to purchase equipment for the Veterinary Diagnostic Laboratory to test for chronic wasting disease, African swine fever, avian influenza, and other animal diseases. The Veterinary Diagnostic Laboratory must report expenditures under this section to the legislative committees with jurisdiction over agriculture finance and higher education with an initial report completed by January 3, 2023, and a final report by September 1, 2023. The reports must include a list of equipment purchased including the cost of each item. This is a onetime appropriation that is available until June 30, 2023.

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

Sec. 3. APPROPRIATION; AGRICULTURAL EMERGENCY ACCOUNT.

(a) \$500,000 in fiscal year 2023 is transferred from the general fund to the agricultural emergency account in the agricultural fund under Minnesota Statutes, section 17.041. This is a onetime transfer.

(b) Notwithstanding Minnesota Statutes, section 17.041, the commissioner may spend money from the agricultural emergency account for the purposes of avian influenza testing supplies, including but not limited to poultry drinking water tests. This paragraph expires on December 31, 2022."

Delete the title and insert:

"A bill for an act relating to agriculture; appropriating money for grants and financial assistance to livestock farmers and specialty crop producers impacted by drought; appropriating money to the Rural Finance Authority revolving loan account for drought relief; appropriating money for veterinary diagnostic laboratory equipment; appropriating money for transfer to the agricultural emergency account; requiring a report."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Ingebrigtsen from the Committee on Environment and Natural Resources Finance, to which was referred

S.F. No. 1531: A bill for an act relating to taxation; solid waste management; amending allocation of revenues from solid waste management tax; amending Minnesota Statutes 2020, section 297H.13, subdivision 2.

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

Page 1, line 8, delete "years 2022 and" and insert "year"

Page 1, lines 11 and 12, delete "2022" and insert "2023"

And when so amended the bill do pass and be re-referred to the Committee on Taxes. Amendments adopted. Report adopted.

Senator Ingebrigtsen from the Committee on Environment and Natural Resources Finance, to which was re-referred

S.F. No. 3704: A bill for an act relating to state lands; modifying requirements for conveying easements and leasing state lands; adding to and deleting from state parks and state forests; authorizing sale or conveyance of certain surplus state land; modifying county lease restrictions on tax-forfeited land; allowing counties to lease tax-forfeited land for conservation easements; authorizing exchange of land in St. Louis County; providing for land acquisition trust fund in St. Louis County; authorizing private sale of certain tax-forfeited land in St. Louis County; eliminating sunset for authority to sell leased lakeshore lots in St. Louis County; authorizing conveyance of certain tax-forfeited land bordering public water in Goodhue County; amending Minnesota Statutes 2020, sections 84.632; 282.04, subdivision 1, by adding a subdivision; Minnesota Statutes 2021 Supplement, sections 84.63; 84.631; 92.502; repealing Laws 2012, chapter 236, section 28, subdivision 9, as amended.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Abeler from the Committee on Human Services Reform Finance and Policy, to which was referred

S.F. No. 3644: A bill for an act relating to human services; expanding the type of data disseminated to local and state welfare agencies for monitoring eligibility of data subject for public assistance programs; amending Minnesota Statutes 2020, section 268.19, subdivision 1.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Civil Law and Data Practices Policy. Report adopted.

Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was referred

S.F. No. 3350: A bill for an act relating to children; amending child welfare provisions; amending Minnesota Statutes 2020, sections 260.012; 260C.007, by adding a subdivision; 260C.151, subdivision 6; 260C.152, subdivision 5; 260C.175, subdivision 2; 260C.176, subdivision 2; 260C.178, subdivision 1; 260C.181, subdivision 2; 260C.193, subdivision 3; 260C.201, subdivisions 1, 2; 260C.202; 260C.203; 260C.204; 260C.221; 260C.607, subdivisions 2, 5; 260C.613, subdivisions 1, 5; Minnesota Statutes 2021 Supplement, sections 260C.212, subdivisions 1, 2; 260C.605, subdivision 1; 260C.607, subdivision 6.

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

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2020, section 260.012, is amended to read:

260.012 DUTY TO ENSURE PLACEMENT PREVENTION AND FAMILY REUNIFICATION; REASONABLE EFFORTS.

(a) Once a child alleged to be in need of protection or services is under the court's jurisdiction, the court shall ensure that reasonable efforts, including culturally appropriate services and practices, by the social services agency are made to prevent placement or to eliminate the need for removal and to reunite the child with the child's family at the earliest possible time, and the court must ensure that the responsible social services agency makes reasonable efforts to finalize an alternative permanent plan for the child as provided in paragraph (e). In determining reasonable efforts to be made with respect to a child and in making those reasonable efforts, the child's best interests, health, and safety must be of paramount concern. Reasonable efforts to prevent placement and for rehabilitation and reunification are always required except upon a determination by the court that a petition has been filed stating a prima facie case that:

(1) the parent has subjected a child to egregious harm as defined in section 260C.007, subdivision 14;

(2) the parental rights of the parent to another child have been terminated involuntarily;

(3) the child is an abandoned infant under section 260C.301, subdivision 2, paragraph (a), clause (2);

(4) the parent's custodial rights to another child have been involuntarily transferred to a relative under Minnesota Statutes 2010, section 260C.201, subdivision 11, paragraph (d), clause (1), section 260C.515, subdivision 4, or a similar law of another jurisdiction;

(5) the parent has committed sexual abuse as defined in section 260E.03, against the child or another child of the parent;

(6) the parent has committed an offense that requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a) or (b); or

(7) the provision of services or further services for the purpose of reunification is futile and therefore unreasonable under the circumstances.

(b) When the court makes one of the prima facie determinations under paragraph (a), either permanency pleadings under section 260C.505, or a termination of parental rights petition under sections 260C.141 and 260C.301 must be filed. A permanency hearing under sections 260C.503 to 260C.521 must be held within 30 days of this determination.

(c) In the case of an Indian child, in proceedings under sections 260B.178, 260C.178, 260C.201, 260C.202, 260C.204, 260C.301, or 260C.503 to 260C.521, the juvenile court must make findings and conclusions consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901 et seq., as to the provision of active efforts. In cases governed by the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901, the responsible social services agency must provide active efforts as required under United States Code, title 25, section 1911(d).

(d) "Reasonable efforts to prevent placement" means:

(1) the agency has made reasonable efforts to prevent the placement of the child in foster care by working with the family to develop and implement a safety plan that is individualized to the needs of the child and the child's family and may include support persons from the child's extended family, kin network, and community; or

(2) the agency has demonstrated to the court that, given the particular circumstances of the child and family at the time of the child's removal, there are no services or efforts available which that could allow the child to safely remain in the home.

(e) "Reasonable efforts to finalize a permanent plan for the child" means due diligence by the responsible social services agency to:

(1) reunify the child with the parent or guardian from whom the child was removed;

(2) assess a noncustodial parent's ability to provide day-to-day care for the child and, where appropriate, provide services necessary to enable the noncustodial parent to safely provide the care, as required by section 260C.219;

(3) conduct a relative search to identify and provide notice to adult relatives, and engage relatives in case planning and permanency planning, as required under section 260C.221;

(4) consider placing the child with relatives in the order specified in section 260C.212, subdivision 2, paragraph (a);

~~(4)~~ (5) place siblings removed from their home in the same home for foster care or adoption, or transfer permanent legal and physical custody to a relative. Visitation between siblings who are not in the same foster care, adoption, or custodial placement or facility shall be consistent with section 260C.212, subdivision 2; and

~~(5)~~ (6) when the child cannot return to the parent or guardian from whom the child was removed, to plan for and finalize a safe and legally permanent alternative home for the child, and considers permanent alternative homes for the child inside or outside of the state, preferably with a relative

in the order specified in section 260C.212, subdivision 2, paragraph (a), through adoption or transfer of permanent legal and physical custody of the child.

(f) Reasonable efforts are made upon the exercise of due diligence by the responsible social services agency to use culturally appropriate and available services to meet the individualized needs of the child and the child's family. Services may include those provided by the responsible social services agency and other culturally appropriate services available in the community. The responsible social services agency must select services for a child and the child's family by collaborating with the child's family and, if appropriate, the child. At each stage of the proceedings where when the court is required to review the appropriateness of the responsible social services agency's reasonable efforts as described in paragraphs (a), (d), and (e), the social services agency has the burden of demonstrating that:

(1) ~~it~~ the agency has made reasonable efforts to prevent placement of the child in foster care, including that the agency considered or established a safety plan according to paragraph (d), clause (1);

(2) ~~it~~ the agency has made reasonable efforts to eliminate the need for removal of the child from the child's home and to reunify the child with the child's family at the earliest possible time;

(3) the agency has made reasonable efforts to finalize a permanent plan for the child pursuant to paragraph (e);

~~(3) ~~it~~ (4) the agency has made reasonable efforts to finalize an alternative permanent home for the child, and ~~considers~~ considered permanent alternative homes for the child ~~inside or outside in or out of the state, preferably with a relative in the order specified in section 260C.212, subdivision 2, paragraph (a); or~~~~

~~(4) (5) reasonable efforts to prevent placement and to reunify the child with the parent or guardian are not required. The agency may meet this burden by stating facts in a sworn petition filed under section 260C.141, by filing an affidavit summarizing the agency's reasonable efforts or facts that the agency believes demonstrate that there is no need for reasonable efforts to reunify the parent and child, or through testimony or a certified report required under juvenile court rules.~~

(g) Once the court determines that reasonable efforts for reunification are not required because the court has made one of the prima facie determinations under paragraph (a), the court may only require the agency to make reasonable efforts for reunification after a hearing according to section 260C.163, where if the court finds that there is not clear and convincing evidence of the facts upon which the court based its the court's prima facie determination. In this case when If there is clear and convincing evidence that the child is in need of protection or services, the court may find the child in need of protection or services and order any of the dispositions available under section 260C.201, subdivision 1. Reunification of a child with a parent is not required if the parent has been convicted of:

(1) a violation of, or an attempt or conspiracy to commit a violation of, sections 609.185 to 609.20; 609.222, subdivision 2; or 609.223 in regard to another child of the parent;

(2) a violation of section 609.222, subdivision 2; or 609.223, in regard to the child;

(3) a violation of, or an attempt or conspiracy to commit a violation of, United States Code, title 18, section 1111(a) or 1112(a), in regard to another child of the parent;

(4) committing sexual abuse as defined in section 260E.03, against the child or another child of the parent; or

(5) an offense that requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a) or (b).

(h) The juvenile court, in proceedings under sections 260B.178, 260C.178, 260C.201, 260C.202, 260C.204, 260C.301, or 260C.503 to 260C.521, shall make findings and conclusions as to the provision of reasonable efforts. When determining whether reasonable efforts have been made by the agency, the court shall consider whether services to the child and family were:

(1) selected in collaboration with the child's family and, if appropriate, the child;

(2) tailored to the individualized needs of the child and child's family;

~~(+)~~ (3) relevant to the safety and, protection, and well-being of the child;

~~(2)~~ (4) adequate to meet the individualized needs of the child and family;

~~(3)~~ (5) culturally appropriate;

~~(4)~~ (6) available and accessible;

~~(5)~~ (7) consistent and timely; and

~~(6)~~ (8) realistic under the circumstances.

In the alternative, the court may determine that the provision of services or further services for the purpose of rehabilitation is futile and therefore unreasonable under the circumstances or that reasonable efforts are not required as provided in paragraph (a).

(i) This section does not prevent out-of-home placement for the treatment of a child with a mental disability when it is determined to be medically necessary as a result of the child's diagnostic assessment or the child's individual treatment plan indicates that appropriate and necessary treatment cannot be effectively provided outside of a residential or inpatient treatment program and the level or intensity of supervision and treatment cannot be effectively and safely provided in the child's home or community and it is determined that a residential treatment setting is the least restrictive setting that is appropriate to the needs of the child.

(j) If continuation of reasonable efforts to prevent placement or reunify the child with the parent or guardian from whom the child was removed is determined by the court to be inconsistent with the permanent plan for the child or upon the court making one of the prima facie determinations under paragraph (a), reasonable efforts must be made to place the child in a timely manner in a safe and permanent home and to complete whatever steps are necessary to legally finalize the permanent placement of the child.

(k) Reasonable efforts to place a child for adoption or in another permanent placement may be made concurrently with reasonable efforts to prevent placement or to reunify the child with the parent or guardian from whom the child was removed. When the responsible social services agency decides to concurrently make reasonable efforts for both reunification and permanent placement away from the parent under paragraph (a), the agency shall disclose ~~its~~ the agency's decision and both plans for concurrent reasonable efforts to all parties and the court. When the agency discloses ~~its~~ the agency's decision to proceed ~~on~~ with both plans for reunification and permanent placement away from the parent, the court's review of the agency's reasonable efforts shall include the agency's efforts under both plans.

Sec. 2. Minnesota Statutes 2020, section 260C.001, subdivision 3, is amended to read:

Subd. 3. **Permanency, termination of parental rights, and adoption.** The purpose of the laws relating to permanency, termination of parental rights, and children who come under the guardianship of the commissioner of human services is to ensure that:

(1) when required and appropriate, reasonable efforts have been made by the social services agency to reunite the child with the child's parents in a home that is safe and permanent;

(2) if placement with the parents is not reasonably foreseeable, to secure for the child a safe and permanent placement according to the requirements of section 260C.212, subdivision 2, preferably ~~with adoptive parents~~ with a relative through an adoption or a transfer of permanent legal and physical custody or, if that is not possible or in the best interests of the child, ~~a fit and willing relative through transfer of permanent legal and physical custody to that relative~~ with a nonrelative caregiver through adoption; and

(3) when a child is under the guardianship of the commissioner of human services, reasonable efforts are made to finalize an adoptive home for the child in a timely manner.

Nothing in this section requires reasonable efforts to prevent placement or to reunify the child with the parent or guardian to be made in circumstances where the court has determined that the child has been subjected to egregious harm, when the child is an abandoned infant, the parent has involuntarily lost custody of another child through a proceeding under section 260C.515, subdivision 4, or similar law of another state, the parental rights of the parent to a sibling have been involuntarily terminated, or the court has determined that reasonable efforts or further reasonable efforts to reunify the child with the parent or guardian would be futile.

The paramount consideration in all proceedings for permanent placement of the child under sections 260C.503 to 260C.521, or the termination of parental rights is the best interests of the child. In proceedings involving an American Indian child, as defined in section 260.755, subdivision 8, the best interests of the child must be determined consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1901, et seq.

Sec. 3. Minnesota Statutes 2020, section 260C.007, subdivision 27, is amended to read:

Subd. 27. **Relative.** "Relative" means a person related to the child by blood, marriage, or adoption; the legal parent, guardian, or custodian of the child's siblings; or an individual who is an important friend of the child or of the child's parent or custodian, including an individual with whom the child

has resided or had significant contact or who has a significant relationship to the child or the child's parent or custodian.

Sec. 4. Minnesota Statutes 2020, section 260C.151, subdivision 6, is amended to read:

Subd. 6. **Immediate custody.** If the court makes individualized, explicit findings, based on the notarized petition or sworn affidavit, that there are reasonable grounds to believe that the child is in surroundings or conditions ~~which~~ that endanger the child's health, safety, or welfare that require that responsibility for the child's care and custody be immediately assumed by the responsible social services agency and that continuation of the child in the custody of the parent or guardian is contrary to the child's welfare, the court may order that the officer serving the summons take the child into immediate custody for placement of the child in foster care, preferably with a relative. In ordering that responsibility for the care, custody, and control of the child be assumed by the responsible social services agency, the court is ordering emergency protective care as that term is defined in the juvenile court rules.

Sec. 5. Minnesota Statutes 2020, section 260C.152, subdivision 5, is amended to read:

Subd. 5. **Notice to foster parents and preadoptive parents and relatives.** The foster parents, if any, of a child and any preadoptive parent or relative providing care for the child must be provided notice of and a right to be heard in any review or hearing to be held with respect to the child. Any other relative may also request, and must be granted, a notice and the opportunity right to be heard under this section. This subdivision does not require that a foster parent, preadoptive parent, ~~or~~ relative providing care for the child, or any other relative be made a party to a review or hearing solely on the basis of the notice and right to be heard.

Sec. 6. Minnesota Statutes 2020, section 260C.175, subdivision 2, is amended to read:

Subd. 2. **Notice to parent or custodian and child; emergency placement with relative.** ~~Whenever~~ (a) At the time that a peace officer takes a child into custody for relative placement or shelter care or relative placement pursuant to subdivision 1, section 260C.151, subdivision 5, or section 260C.154, the officer shall notify the child's parent or custodian and the child, if the child is ten years of age or older, that under section 260C.181, subdivision 2, the parent or custodian or the child may request that to place the child be placed with a relative or a designated caregiver under chapter 257A as defined in section 260C.007, subdivision 27, instead of in a shelter care facility.

(b) When a child who is not alleged to be delinquent is taken into custody pursuant to subdivision 1, clause (1), or clause (2), item (ii), and placement with an identified relative is requested, the peace officer shall coordinate with the responsible social services agency to ensure the child's safety and well-being, and comply with section 260C.181, subdivision 2.

(c) The officer also shall give the parent or custodian of the child a list of names, addresses, and telephone numbers of social services agencies that offer child welfare services. If the parent or custodian was not present when the child was removed from the residence, the list shall be left with an adult on the premises or left in a conspicuous place on the premises if no adult is present. If the officer has reason to believe the parent or custodian is not able to read and understand English, the officer must provide a list that is written in the language of the parent or custodian. The list shall be prepared by the commissioner of human services. The commissioner shall prepare lists for each county and provide each county with copies of the list without charge. The list shall be reviewed

annually by the commissioner and updated if it is no longer accurate. Neither the commissioner nor any peace officer or the officer's employer shall be liable to any person for mistakes or omissions in the list. The list does not constitute a promise that any agency listed will ~~in fact~~ assist the parent or custodian.

Sec. 7. Minnesota Statutes 2020, section 260C.176, subdivision 2, is amended to read:

Subd. 2. **Reasons for detention.** (a) If the child is not released as provided in subdivision 1, the person taking the child into custody shall notify the court as soon as possible of the detention of the child and the reasons for detention.

(b) No child taken into custody and placed in a relative's home or shelter care facility ~~or relative's home~~ by a peace officer pursuant to section 260C.175, subdivision 1, clause (1) or (2), item (ii), may be held in custody longer than 72 hours, excluding Saturdays, Sundays and holidays, unless a petition has been filed and the judge or referee determines pursuant to section 260C.178 that the child shall remain in custody or unless the court has made a finding of domestic abuse perpetrated by a minor after a hearing under Laws 1997, chapter 239, article 10, sections 2 to 26, in which case the court may extend the period of detention for an additional seven days, within which time the social services agency shall conduct an assessment and shall provide recommendations to the court regarding voluntary services or file a child in need of protection or services petition.

Sec. 8. Minnesota Statutes 2020, section 260C.178, subdivision 1, is amended to read:

Subdivision 1. **Hearing and release requirements.** (a) If a child was taken into custody under section 260C.175, subdivision 1, clause (1) or (2), item (ii), the court shall hold a hearing within 72 hours of the time that the child was taken into custody, excluding Saturdays, Sundays, and holidays, to determine whether the child should continue to be in custody.

(b) Unless there is reason to believe that the child would endanger self or others or not return for a court hearing, or that the child's health or welfare would be immediately endangered, the child shall be released to the custody of a parent, guardian, custodian, or other suitable person, subject to reasonable conditions of release including, but not limited to, a requirement that the child undergo a chemical use assessment as provided in section 260C.157, subdivision 1.

(c) If the court determines that there is reason to believe that the child would endanger self or others or not return for a court hearing, or that the child's health or welfare would be immediately endangered if returned to the care of the parent or guardian who has custody and from whom the child was removed, the court shall order the child:

(1) into the care of the child's noncustodial parent and order the noncustodial parent to comply with any conditions that the court determines appropriate to ensure the safety and care of the child, including requiring the noncustodial parent to cooperate with paternity establishment proceedings if the noncustodial parent has not been adjudicated the child's father; or

(2) into foster care as defined in section 260C.007, subdivision 18, under the legal responsibility of the responsible social services agency or responsible probation or corrections agency for the purposes of protective care as that term is used in the juvenile court rules ~~or into the home of a noncustodial parent and order the noncustodial parent to comply with any conditions the court determines to be appropriate to the safety and care of the child, including cooperating with paternity~~

~~establishment proceedings in the case of a man who has not been adjudicated the child's father.~~ The court shall not give the responsible social services legal custody and order a trial home visit at any time prior to adjudication and disposition under section 260C.201, subdivision 1, paragraph (a), clause (3), but may order the child returned to the care of the parent or guardian who has custody and from whom the child was removed and order the parent or guardian to comply with any conditions the court determines to be appropriate to meet the safety, health, and welfare of the child.

(d) In determining whether the child's health or welfare would be immediately endangered, the court shall consider whether the child would reside with a perpetrator of domestic child abuse.

(e) The court, before determining whether a child should be placed in or continue in foster care under the protective care of the responsible agency, shall also make a determination, consistent with section 260.012 as to whether reasonable efforts were made to prevent placement or whether reasonable efforts to prevent placement are not required. In the case of an Indian child, the court shall determine whether active efforts, according to section 260.762 and the Indian Child Welfare Act of 1978, United States Code, title 25, section 1912(d), were made to prevent placement. The court shall enter a finding that the responsible social services agency has made reasonable efforts to prevent placement when the agency establishes either:

(1) that ~~the agency~~ the agency has actually provided services or made efforts in an attempt to prevent the child's removal but that such services or efforts have not proven sufficient to permit the child to safely remain in the home; or

(2) that there are no services or other efforts that could be made at the time of the hearing that could safely permit the child to remain home or to return home. The court shall not make a reasonable efforts determination under this clause unless the court is satisfied that the agency has sufficiently demonstrated to the court that there were no services or other efforts that the agency was able to provide at the time of the hearing enabling the child to safely remain home or to safely return home. When reasonable efforts to prevent placement are required and there are services or other efforts that could be ordered ~~which that~~ which that would permit the child to safely return home, the court shall order the child returned to the care of the parent or guardian and the services or efforts put in place to ensure the child's safety. When the court makes a prima facie determination that one of the circumstances under paragraph (g) exists, the court shall determine that reasonable efforts to prevent placement and to return the child to the care of the parent or guardian are not required.

(f) If the court finds the social services agency's preventive or reunification efforts have not been reasonable but further preventive or reunification efforts could not permit the child to safely remain at home, the court may nevertheless authorize or continue the removal of the child.

~~(f)~~ (g) The court may not order or continue the foster care placement of the child unless the court makes explicit, individualized findings that continued custody of the child by the parent or guardian would be contrary to the welfare of the child and that placement is in the best interest of the child.

~~(g)~~ (h) At the emergency removal hearing, or at any time during the course of the proceeding, and upon notice and request of the county attorney, the court shall determine whether a petition has been filed stating a prima facie case that:

(1) the parent has subjected a child to egregious harm as defined in section 260C.007, subdivision 14;

(2) the parental rights of the parent to another child have been involuntarily terminated;

(3) the child is an abandoned infant under section 260C.301, subdivision 2, paragraph (a), clause (2);

(4) the parents' custodial rights to another child have been involuntarily transferred to a relative under Minnesota Statutes 2010, section 260C.201, subdivision 11, paragraph (e), clause (1); section 260C.515, subdivision 4; or a similar law of another jurisdiction;

(5) the parent has committed sexual abuse as defined in section 260E.03, against the child or another child of the parent;

(6) the parent has committed an offense that requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a) or (b); or

(7) the provision of services or further services for the purpose of reunification is futile and therefore unreasonable.

~~(h)~~ (i) When a petition to terminate parental rights is required under section 260C.301, subdivision 4, or 260C.503, subdivision 2, but the county attorney has determined not to proceed with a termination of parental rights petition, and has instead filed a petition to transfer permanent legal and physical custody to a relative under section 260C.507, the court shall schedule a permanency hearing within 30 days of the filing of the petition.

~~(h)~~ (j) If the county attorney has filed a petition under section 260C.307, the court shall schedule a trial under section 260C.163 within 90 days of the filing of the petition except when the county attorney determines that the criminal case shall proceed to trial first under section 260C.503, subdivision 2, paragraph (c).

~~(h)~~ (k) If the court determines the child should be ordered into foster care and the child's parent refuses to give information to the responsible social services agency regarding the child's father or relatives of the child, the court may order the parent to disclose the names, addresses, telephone numbers, and other identifying information to the responsible social services agency for the purpose of complying with sections 260C.150, 260C.151, 260C.212, 260C.215, 260C.219, and 260C.221.

~~(h)~~ (l) If a child ordered into foster care has siblings, whether full, half, or step, who are also ordered into foster care, the court shall inquire of the responsible social services agency of the efforts to place the children together as required by section 260C.212, subdivision 2, paragraph (d), if placement together is in each child's best interests, unless a child is in placement for treatment or a child is placed with a previously noncustodial parent who is not a parent to all siblings. If the children are not placed together at the time of the hearing, the court shall inquire at each subsequent hearing of the agency's reasonable efforts to place the siblings together, as required under section 260.012. If any sibling is not placed with another sibling or siblings, the agency must develop a plan to facilitate visitation or ongoing contact among the siblings as required under section 260C.212, subdivision 1, unless it is contrary to the safety or well-being of any of the siblings to do so.

~~(H)~~ (m) When the court has ordered the child into the care of a noncustodial parent or in foster care ~~or into the home of a noncustodial parent~~, the court may order a chemical dependency evaluation, mental health evaluation, medical examination, and parenting assessment for the parent as necessary to support the development of a plan for reunification required under subdivision 7 and section 260C.212, subdivision 1, or the child protective services plan under section 260E.26, and Minnesota Rules, part 9560.0228.

Sec. 9. Minnesota Statutes 2020, section 260C.181, subdivision 2, is amended to read:

Subd. 2. **Least restrictive setting.** Notwithstanding the provisions of subdivision 1, if the child had been taken into custody pursuant to section 260C.175, subdivision 1, clause (1) or (2), item (ii), and is not alleged to be delinquent, the child shall be detained in the least restrictive setting consistent with the child's health and welfare and in closest proximity to the child's family as possible. Placement may be with a child's relative, ~~a designated caregiver under chapter 257A,~~ or, if no placement is available with a relative, in a shelter care facility. The placing officer shall comply with this section and shall document why a less restrictive setting will or will not be in the best interests of the child for placement purposes.

Sec. 10. Minnesota Statutes 2020, section 260C.193, subdivision 3, is amended to read:

Subd. 3. **Best interests of the child.** (a) The policy of the state is to ensure that the best interests of children in foster care, who experience a transfer of permanent legal and physical custody to a relative under section 260C.515, subdivision 4, or adoption under this chapter, are met by:

(1) considering placement of a child with relatives in the order specified in section 260C.212, subdivision 2, paragraph (a); and

(2) requiring individualized determinations under section 260C.212, subdivision 2, paragraph (b), of the needs of the child and of how the selected home will serve the needs of the child.

(b) No later than three months after a child is ordered to be removed from the care of a parent in the hearing required under section 260C.202, the court shall review and enter findings regarding whether the responsible social services agency ~~made:~~

(1) diligent efforts exercised due diligence to identify and search for, notify, and engage relatives as required under section 260C.221; and

(2) made a placement consistent with section 260C.212, subdivision 2, that is based on an individualized determination as required under section 260C.212, subdivision 2, of the child's needs to select a home that meets the needs of the child.

(c) If the court finds that the agency has not made efforts exercised due diligence as required under section 260C.221, and the court shall order the agency to make reasonable efforts. If there is a relative who qualifies to be licensed to provide family foster care under chapter 245A, the court may order the child to be placed with the relative consistent with the child's best interests.

(d) If the agency's efforts under section 260C.221 are found by the court to be sufficient, the court shall order the agency to continue to appropriately engage relatives who responded to the notice under section 260C.221 in placement and case planning decisions and to appropriately engage

relatives who subsequently come to the agency's attention. A court's finding that the agency has made reasonable efforts under this paragraph does not relieve the agency of the duty to continue notifying relatives who come to the agency's attention and engaging and considering relatives who respond to the notice under section 260C.221 in child placement and case planning decisions.

(e) If the child's birth parent ~~or parents~~ explicitly ~~request~~ requests that a specific relative or important friend not be considered for placement of the child, the court shall honor that request if it is consistent with the best interests of the child and consistent with the requirements of section 260C.221. The court shall not waive relative search, notice, and consideration requirements, unless section 260C.139 applies. If the child's birth parent ~~or parents express~~ expresses a preference for placing the child in a foster or adoptive home of the same or a similar religious background ~~to~~ as that of the birth parent or parents, the court shall order placement of the child with an individual who meets the birth parent's religious preference.

(f) Placement of a child ~~cannot~~ must not be delayed or denied based on race, color, or national origin of the foster parent or the child.

(g) Whenever possible, siblings requiring foster care placement ~~should~~ shall be placed together unless it is determined not to be in the best interests of one or more of the siblings after weighing the benefits of separate placement against the benefits of sibling connections for each sibling. The agency shall consider section 260C.008 when making this determination. If siblings were not placed together according to section 260C.212, subdivision 2, paragraph (d), the responsible social services agency shall report to the court the efforts made to place the siblings together and why the efforts were not successful. If the court is not satisfied that the agency has made reasonable efforts to place siblings together, the court must order the agency to make further reasonable efforts. If siblings are not placed together, the court shall order the responsible social services agency to implement the plan for visitation among siblings required as part of the out-of-home placement plan under section 260C.212.

(h) This subdivision does not affect the Indian Child Welfare Act, United States Code, title 25, sections 1901 to 1923, and the Minnesota Indian Family Preservation Act, sections 260.751 to 260.835.

Sec. 11. Minnesota Statutes 2020, section 260C.201, subdivision 1, is amended to read:

Subdivision 1. **Dispositions.** (a) If the court finds that the child is in need of protection or services or neglected and in foster care, ~~it~~ the court shall enter an order making any of the following dispositions of the case:

(1) place the child under the protective supervision of the responsible social services agency or child-placing agency in the home of a parent of the child under conditions prescribed by the court directed to the correction of the child's need for protection or services:

(i) the court may order the child into the home of a parent who does not otherwise have legal custody of the child, however, an order under this section does not confer legal custody on that parent;

(ii) if the court orders the child into the home of a father who is not adjudicated, the father must cooperate with paternity establishment proceedings regarding the child in the appropriate jurisdiction as one of the conditions prescribed by the court for the child to continue in the father's home; and

(iii) the court may order the child into the home of a noncustodial parent with conditions and may also order both the noncustodial and the custodial parent to comply with the requirements of a case plan under subdivision 2; or

(2) transfer legal custody to one of the following:

(i) a child-placing agency; or

(ii) the responsible social services agency. In making a foster care placement ~~for~~ of a child whose custody has been transferred under this subdivision, the agency shall make an individualized determination of how the placement is in the child's best interests using the placement consideration order for relatives, and the best interest factors in section 260C.212, subdivision 2, ~~paragraph (b)~~, and may include a child colocated with a parent in a licensed residential family-based substance use disorder treatment program under section 260C.190; or

(3) order a trial home visit without modifying the transfer of legal custody to the responsible social services agency under clause (2). Trial home visit means the child is returned to the care of the parent or guardian from whom the child was removed for a period not to exceed six months. During the period of the trial home visit, the responsible social services agency:

(i) shall continue to have legal custody of the child, which means that the agency may see the child in the parent's home, at school, in a child care facility, or other setting as the agency deems necessary and appropriate;

(ii) shall continue to have the ability to access information under section 260C.208;

(iii) shall continue to provide appropriate services to both the parent and the child during the period of the trial home visit;

(iv) without previous court order or authorization, may terminate the trial home visit in order to protect the child's health, safety, or welfare and may remove the child to foster care;

(v) shall advise the court and parties within three days of the termination of the trial home visit when a visit is terminated by the responsible social services agency without a court order; and

(vi) shall prepare a report for the court when the trial home visit is terminated whether by the agency or court order ~~which~~ that describes the child's circumstances during the trial home visit and recommends appropriate orders, if any, for the court to enter to provide for the child's safety and stability. In the event a trial home visit is terminated by the agency by removing the child to foster care without prior court order or authorization, the court shall conduct a hearing within ten days of receiving notice of the termination of the trial home visit by the agency and shall order disposition under this subdivision or commence permanency proceedings under sections 260C.503 to 260C.515. The time period for the hearing may be extended by the court for good cause shown and if it is in the best interests of the child as long as the total time the child spends in foster care without a permanency hearing does not exceed 12 months;

(4) if the child has been adjudicated as a child in need of protection or services because the child is in need of special services or care to treat or ameliorate a physical or mental disability or emotional disturbance as defined in section 245.4871, subdivision 15, the court may order the child's parent, guardian, or custodian to provide it. The court may order the child's health plan company to provide mental health services to the child. Section 62Q.535 applies to an order for mental health services directed to the child's health plan company. If the health plan, parent, guardian, or custodian fails or is unable to provide this treatment or care, the court may order it provided. Absent specific written findings by the court that the child's disability is the result of abuse or neglect by the child's parent or guardian, the court shall not transfer legal custody of the child for the purpose of obtaining special treatment or care solely because the parent is unable to provide the treatment or care. If the court's order for mental health treatment is based on a diagnosis made by a treatment professional, the court may order that the diagnosing professional not provide the treatment to the child if it finds that such an order is in the child's best interests; or

(5) if the court believes that the child has sufficient maturity and judgment and that it is in the best interests of the child, the court may order a child 16 years old or older to be allowed to live independently, either alone or with others as approved by the court under supervision the court considers appropriate, if the county board, after consultation with the court, has specifically authorized this dispositional alternative for a child.

(b) If the child was adjudicated in need of protection or services because the child is a runaway or habitual truant, the court may order any of the following dispositions in addition to or as alternatives to the dispositions authorized under paragraph (a):

(1) counsel the child or the child's parents, guardian, or custodian;

(2) place the child under the supervision of a probation officer or other suitable person in the child's own home under conditions prescribed by the court, including reasonable rules for the child's conduct and the conduct of the parents, guardian, or custodian, designed for the physical, mental, and moral well-being and behavior of the child;

(3) subject to the court's supervision, transfer legal custody of the child to one of the following:

(i) a reputable person of good moral character. No person may receive custody of two or more unrelated children unless licensed to operate a residential program under sections 245A.01 to 245A.16; or

(ii) a county probation officer for placement in a group foster home established under the direction of the juvenile court and licensed pursuant to section 241.021;

(4) require the child to pay a fine of up to \$100. The court shall order payment of the fine in a manner that will not impose undue financial hardship upon the child;

(5) require the child to participate in a community service project;

(6) order the child to undergo a chemical dependency evaluation and, if warranted by the evaluation, order participation by the child in a drug awareness program or an inpatient or outpatient chemical dependency treatment program;

(7) if the court believes that it is in the best interests of the child or of public safety that the child's driver's license or instruction permit be canceled, the court may order the commissioner of public safety to cancel the child's license or permit for any period up to the child's 18th birthday. If the child does not have a driver's license or permit, the court may order a denial of driving privileges for any period up to the child's 18th birthday. The court shall forward an order issued under this clause to the commissioner, who shall cancel the license or permit or deny driving privileges without a hearing for the period specified by the court. At any time before the expiration of the period of cancellation or denial, the court may, for good cause, order the commissioner of public safety to allow the child to apply for a license or permit, and the commissioner shall so authorize;

(8) order that the child's parent or legal guardian deliver the child to school at the beginning of each school day for a period of time specified by the court; or

(9) require the child to perform any other activities or participate in any other treatment programs deemed appropriate by the court.

To the extent practicable, the court shall enter a disposition order the same day it makes a finding that a child is in need of protection or services or neglected and in foster care, but in no event more than 15 days after the finding unless the court finds that the best interests of the child will be served by granting a delay. If the child was under eight years of age at the time the petition was filed, the disposition order must be entered within ten days of the finding and the court may not grant a delay unless good cause is shown and the court finds the best interests of the child will be served by the delay.

(c) If a child who is 14 years of age or older is adjudicated in need of protection or services because the child is a habitual truant and truancy procedures involving the child were previously dealt with by a school attendance review board or county attorney mediation program under section 260A.06 or 260A.07, the court shall order a cancellation or denial of driving privileges under paragraph (b), clause (7), for any period up to the child's 18th birthday.

(d) In the case of a child adjudicated in need of protection or services because the child has committed domestic abuse and been ordered excluded from the child's parent's home, the court shall dismiss jurisdiction if the court, at any time, finds the parent is able or willing to provide an alternative safe living arrangement for the child, as defined in Laws 1997, chapter 239, article 10, section 2.

(e) When a parent has complied with a case plan ordered under subdivision 6 and the child is in the care of the parent, the court may order the responsible social services agency to monitor the parent's continued ability to maintain the child safely in the home under such terms and conditions as the court determines appropriate under the circumstances.

Sec. 12. Minnesota Statutes 2020, section 260C.201, subdivision 2, is amended to read:

Subd. 2. **Written findings.** (a) Any order for a disposition authorized under this section shall contain written findings of fact to support the disposition and case plan ordered and shall also set forth in writing the following information:

(1) why the best interests and safety of the child are served by the disposition and case plan ordered;

(2) what alternative dispositions or services under the case plan were considered by the court and why such dispositions or services were not appropriate in the instant case;

(3) when legal custody of the child is transferred, the appropriateness of the particular placement made or to be made by the placing agency using the relative and sibling placement considerations and best interest factors in section 260C.212, subdivision 2, ~~paragraph (b)~~, or the appropriateness of a child colocated with a parent in a licensed residential family-based substance use disorder treatment program under section 260C.190;

(4) whether reasonable efforts to finalize the permanent plan for the child consistent with section 260.012 were made including reasonable efforts:

(i) to prevent the child's placement and to reunify the child with the parent or guardian from whom the child was removed at the earliest time consistent with the child's safety. The court's findings must include a brief description of what preventive and reunification efforts were made and why further efforts could not have prevented or eliminated the necessity of removal or that reasonable efforts were not required under section 260.012 or 260C.178, subdivision 1;

(ii) to identify and locate any noncustodial or nonresident parent of the child and to assess such parent's ability to provide day-to-day care of the child, and, where appropriate, provide services necessary to enable the noncustodial or nonresident parent to safely provide day-to-day care of the child as required under section 260C.219, unless such services are not required under section 260.012 or 260C.178, subdivision 1; The court's findings must include a description of the agency's efforts to:

(A) identify and locate the child's noncustodial or nonresident parent;

(B) assess the noncustodial or nonresident parent's ability to provide day-to-day care of the child; and

(C) if appropriate, provide services necessary to enable the noncustodial or nonresident parent to safely provide the child's day-to-day care, including efforts to engage the noncustodial or nonresident parent in assuming care and responsibility of the child;

(iii) to make the diligent search for relatives and provide the notices required under section 260C.221; a finding made pursuant to a hearing under section 260C.202 that the agency has made diligent efforts to conduct a relative search and has appropriately engaged relatives who responded to the notice under section 260C.221 and other relatives, who came to the attention of the agency after notice under section 260C.221 was sent, in placement and case planning decisions fulfills the requirement of this item;

(iv) to identify and make a foster care placement of the child, considering the order in section 260C.212, subdivision 2, paragraph (a), in the home of an unlicensed relative, according to the requirements of section 245A.035, a licensed relative, or other licensed foster care provider, who will commit to being the permanent legal parent or custodian for the child in the event reunification cannot occur, but who will actively support the reunification plan for the child. If the court finds that the agency has not appropriately considered relatives for placement of the child, the court shall order the agency to comply with section 260C.212, subdivision 2, paragraph (a). The court may

order the agency to continue considering relatives for placement of the child regardless of the child's current placement setting; and

(v) to place siblings together in the same home or to ensure visitation is occurring when siblings are separated in foster care placement and visitation is in the siblings' best interests under section 260C.212, subdivision 2, paragraph (d); and

(5) if the child has been adjudicated as a child in need of protection or services because the child is in need of special services or care to treat or ameliorate a mental disability or emotional disturbance as defined in section 245.4871, subdivision 15, the written findings shall also set forth:

(i) whether the child has mental health needs that must be addressed by the case plan;

(ii) what consideration was given to the diagnostic and functional assessments performed by the child's mental health professional and to health and mental health care professionals' treatment recommendations;

(iii) what consideration was given to the requests or preferences of the child's parent or guardian with regard to the child's interventions, services, or treatment; and

(iv) what consideration was given to the cultural appropriateness of the child's treatment or services.

(b) If the court finds that the social services agency's preventive or reunification efforts have not been reasonable but that further preventive or reunification efforts could not permit the child to safely remain at home, the court may nevertheless authorize or continue the removal of the child.

(c) If the child has been identified by the responsible social services agency as the subject of concurrent permanency planning, the court shall review the reasonable efforts of the agency to develop a permanency plan for the child that includes a primary plan ~~which that~~ is for reunification with the child's parent or guardian and a secondary plan ~~which that~~ is for an alternative, legally permanent home for the child in the event reunification cannot be achieved in a timely manner.

Sec. 13. Minnesota Statutes 2020, section 260C.202, is amended to read:

260C.202 COURT REVIEW OF FOSTER CARE.

(a) If the court orders a child placed in foster care, the court shall review the out-of-home placement plan and the child's placement at least every 90 days as required in juvenile court rules to determine whether continued out-of-home placement is necessary and appropriate or whether the child should be returned home. This review is not required if the court has returned the child home, ordered the child permanently placed away from the parent under sections 260C.503 to 260C.521, or terminated rights under section 260C.301. Court review for a child permanently placed away from a parent, including where the child is under guardianship of the commissioner, shall be governed by section 260C.607. When a child is placed in a qualified residential treatment program setting as defined in section 260C.007, subdivision 26d, the responsible social services agency must submit evidence to the court as specified in section 260C.712.

(b) No later than three months after the child's placement in foster care, the court shall review agency efforts to search for and notify relatives pursuant to section 260C.221, and order that the agency's efforts begin immediately, or continue, if the agency has failed to perform, or has not adequately performed, the duties under that section. The court must order the agency to continue to appropriately engage relatives who responded to the notice under section 260C.221 in placement and case planning decisions and to consider relatives for foster care placement consistent with section 260C.221. Notwithstanding a court's finding that the agency has made reasonable efforts to search for and notify relatives under section 260C.221, the court may order the agency to continue making reasonable efforts to search for, notify, engage other, and consider relatives who came to the agency's attention after sending the initial notice under section 260C.221 ~~was sent.~~

(c) The court shall review the out-of-home placement plan and may modify the plan as provided under section 260C.201, subdivisions 6 and 7.

(d) When the court ~~orders transfer of~~ transfers the custody of a child to a responsible social services agency resulting in foster care or protective supervision with a noncustodial parent under subdivision 1, the court shall notify the parents of the provisions of sections 260C.204 and 260C.503 to 260C.521, as required under juvenile court rules.

(e) When a child remains in or returns to foster care pursuant to section 260C.451 and the court has jurisdiction pursuant to section 260C.193, subdivision 6, paragraph (c), the court shall at least annually conduct the review required under section 260C.203.

Sec. 14. Minnesota Statutes 2020, section 260C.203, is amended to read:

260C.203 ADMINISTRATIVE OR COURT REVIEW OF PLACEMENTS.

(a) Unless the court is conducting the reviews required under section 260C.202, there shall be an administrative review of the out-of-home placement plan of each child placed in foster care no later than 180 days after the initial placement of the child in foster care and at least every six months thereafter if the child is not returned to the home of the parent or parents within that time. The out-of-home placement plan must be monitored and updated by the responsible social services agency at each administrative review. The administrative review shall be conducted by the responsible social services agency using a panel of appropriate persons at least one of whom is not responsible for the case management of, or the delivery of services to, either the child or the parents who are the subject of the review. The administrative review shall be open to participation by the parent or guardian of the child and the child, as appropriate.

(b) As an alternative to the administrative review required in paragraph (a), the court may, as part of any hearing required under the Minnesota Rules of Juvenile Protection Procedure, conduct a hearing to monitor and update the out-of-home placement plan pursuant to the procedure and standard in section 260C.201, subdivision 6, paragraph (d). The party requesting review of the out-of-home placement plan shall give parties to the proceeding notice of the request to review and update the out-of-home placement plan. A court review conducted pursuant to section 260C.141, subdivision 2; 260C.193; 260C.201, subdivision 1; 260C.202; 260C.204; 260C.317; or 260D.06 shall satisfy the requirement for the review so long as the other requirements of this section are met.

(c) As appropriate to the stage of the proceedings and relevant court orders, the responsible social services agency or the court shall review:

(1) the safety, permanency needs, and well-being of the child;

(2) the continuing necessity for and appropriateness of the placement, including whether the placement is consistent with the child's best interests and other placement considerations, including relative and sibling placement considerations under section 260C.212, subdivision 2;

(3) the extent of compliance with the out-of-home placement plan required under section 260C.212, subdivisions 1 and 1a, including services and resources that the agency has provided to the child and child's parents, services and resources that other agencies and individuals have provided to the child and child's parents, and whether the out-of-home placement plan is individualized to the needs of the child and child's parents;

(4) the extent of progress that has been made toward alleviating or mitigating the causes necessitating placement in foster care;

(5) the projected date by which the child may be returned to and safely maintained in the home or placed permanently away from the care of the parent or parents or guardian; and

(6) the appropriateness of the services provided to the child.

(d) When a child is age 14 or older:

(1) in addition to any administrative review conducted by the responsible social services agency, at the in-court review required under section 260C.317, subdivision 3, clause (3), or 260C.515, subdivision 5 or 6, the court shall review the independent living plan required under section 260C.212, subdivision 1, paragraph (c), clause (12), and the provision of services to the child related to the well-being of the child as the child prepares to leave foster care. The review shall include the actual plans related to each item in the plan necessary to the child's future safety and well-being when the child is no longer in foster care; and

(2) consistent with the requirements of the independent living plan, the court shall review progress toward or accomplishment of the following goals:

(i) the child has obtained a high school diploma or its equivalent;

(ii) the child has completed a driver's education course or has demonstrated the ability to use public transportation in the child's community;

(iii) the child is employed or enrolled in postsecondary education;

(iv) the child has applied for and obtained postsecondary education financial aid for which the child is eligible;

(v) the child has health care coverage and health care providers to meet the child's physical and mental health needs;

(vi) the child has applied for and obtained disability income assistance for which the child is eligible;

(vii) the child has obtained affordable housing with necessary supports, which does not include a homeless shelter;

(viii) the child has saved sufficient funds to pay for the first month's rent and a damage deposit;

(ix) the child has an alternative affordable housing plan, which does not include a homeless shelter, if the original housing plan is unworkable;

(x) the child, if male, has registered for the Selective Service; and

(xi) the child has a permanent connection to a caring adult.

Sec. 15. Minnesota Statutes 2020, section 260C.204, is amended to read:

260C.204 PERMANENCY PROGRESS REVIEW FOR CHILDREN IN FOSTER CARE FOR SIX MONTHS.

(a) When a child continues in placement out of the home of the parent or guardian from whom the child was removed, no later than six months after the child's placement the court shall conduct a permanency progress hearing to review:

(1) the progress of the case, the parent's progress on the case plan or out-of-home placement plan, whichever is applicable;

(2) the agency's reasonable, or in the case of an Indian child, active efforts for reunification and its provision of services;

(3) the agency's reasonable efforts to finalize the permanent plan for the child under section 260.012, paragraph (e), and to make a placement as required under section 260C.212, subdivision 2, in a home that will commit to being the legally permanent family for the child in the event the child cannot return home according to the timelines in this section; and

(4) in the case of an Indian child, active efforts to prevent the breakup of the Indian family and to make a placement according to the placement preferences under United States Code, title 25, chapter 21, section 1915.

(b) When a child is placed in a qualified residential treatment program setting as defined in section 260C.007, subdivision 26d, the responsible social services agency must submit evidence to the court as specified in section 260C.712.

(c) The court shall ensure that notice of the hearing is sent to any relative who:

(1) responded to the agency's notice provided under section 260C.221, indicating an interest in participating in planning for the child or being a permanency resource for the child and who has kept the court apprised of the relative's address; or

(2) asked to be notified of court proceedings regarding the child as is permitted in section 260C.152, subdivision 5.

(d)(1) If the parent or guardian has maintained contact with the child and is complying with the court-ordered out-of-home placement plan, and if the child would benefit from reunification with the parent, the court may either:

(i) return the child home, if the conditions ~~which~~ that led to the out-of-home placement have been sufficiently mitigated that it is safe and in the child's best interests to return home; or

(ii) continue the matter up to a total of six additional months. If the child has not returned home by the end of the additional six months, the court must conduct a hearing according to sections 260C.503 to 260C.521.

(2) If the court determines that the parent or guardian is not complying, is not making progress with or engaging with services in the out-of-home placement plan, or is not maintaining regular contact with the child as outlined in the visitation plan required as part of the out-of-home placement plan under section 260C.212, the court may order the responsible social services agency:

(i) to develop a plan for legally permanent placement of the child away from the parent;

(ii) to consider, identify, recruit, and support one or more permanency resources from the child's relatives and foster parent, consistent with section 260C.212, subdivision 2, paragraph (a), to be the legally permanent home in the event the child cannot be returned to the parent. Any relative or the child's foster parent may ask the court to order the agency to consider them for permanent placement of the child in the event the child cannot be returned to the parent. A relative or foster parent who wants to be considered under this item shall cooperate with the background study required under section 245C.08, if the individual has not already done so, and with the home study process required under chapter 245A for providing child foster care and for adoption under section 259.41. The home study referred to in this item shall be a single-home study in the form required by the commissioner of human services or similar study required by the individual's state of residence when the subject of the study is not a resident of Minnesota. The court may order the responsible social services agency to make a referral under the Interstate Compact on the Placement of Children when necessary to obtain a home study for an individual who wants to be considered for transfer of permanent legal and physical custody or adoption of the child; and

(iii) to file a petition to support an order for the legally permanent placement plan.

(e) Following the review under this section:

(1) if the court has either returned the child home or continued the matter up to a total of six additional months, the agency shall continue to provide services to support the child's return home or to make reasonable efforts to achieve reunification of the child and the parent as ordered by the court under an approved case plan;

(2) if the court orders the agency to develop a plan for the transfer of permanent legal and physical custody of the child to a relative, a petition supporting the plan shall be filed in juvenile court within 30 days of the hearing required under this section and a trial on the petition held within 60 days of the filing of the pleadings; or

(3) if the court orders the agency to file a termination of parental rights, unless the county attorney can show cause why a termination of parental rights petition should not be filed, a petition

for termination of parental rights shall be filed in juvenile court within 30 days of the hearing required under this section and a trial on the petition held within 60 days of the filing of the petition.

Sec. 16. Minnesota Statutes 2021 Supplement, section 260C.212, subdivision 1, is amended to read:

Subdivision 1. **Out-of-home placement; plan.** (a) An out-of-home placement plan shall be prepared within 30 days after any child is placed in foster care by court order or a voluntary placement agreement between the responsible social services agency and the child's parent pursuant to section 260C.227 or chapter 260D.

(b) An out-of-home placement plan means a written document ~~which~~ individualized to the needs of the child and the child's parents or guardians that is prepared by the responsible social services agency jointly with the parent or parents or guardian of the child the child's parents or guardians and in consultation with the child's guardian ad litem; the child's tribe, if the child is an Indian child; the child's foster parent or representative of the foster care facility; and, ~~where~~ when appropriate, the child. When a child is age 14 or older, the child may include two other individuals on the team preparing the child's out-of-home placement plan. The child may select one member of the case planning team to be designated as the child's advisor and to advocate with respect to the application of the reasonable and prudent parenting standards. The responsible social services agency may reject an individual selected by the child if the agency has good cause to believe that the individual would not act in the best interest of the child. For a child in voluntary foster care for treatment under chapter 260D, preparation of the out-of-home placement plan shall additionally include the child's mental health treatment provider. For a child 18 years of age or older, the responsible social services agency shall involve the child and the child's parents as appropriate. As appropriate, the plan shall be:

(1) submitted to the court for approval under section 260C.178, subdivision 7;

(2) ordered by the court, either as presented or modified after hearing, under section 260C.178, subdivision 7, or 260C.201, subdivision 6; and

(3) signed by the parent or parents or guardian of the child, the child's guardian ad litem, a representative of the child's tribe, the responsible social services agency, and, if possible, the child.

(c) The out-of-home placement plan shall be explained by the responsible social services agency to all persons involved in ~~its~~ the plan's implementation, including the child who has signed the plan, and shall set forth:

(1) a description of the foster care home or facility selected, including how the out-of-home placement plan is designed to achieve a safe placement for the child in the least restrictive, most family-like, setting available ~~which~~ that is in close proximity to the home of the parent or child's parents or guardian of the child guardians when the case plan goal is reunification; and how the placement is consistent with the best interests and special needs of the child according to the factors under subdivision 2, paragraph (b);

(2) the specific reasons for the placement of the child in foster care, and when reunification is the plan, a description of the problems or conditions in the home of the parent or parents ~~which~~ that

necessitated removal of the child from home and the changes the parent or parents must make for the child to safely return home;

(3) a description of the services offered and provided to prevent removal of the child from the home and to reunify the family including:

(i) the specific actions to be taken by the parent or parents of the child to eliminate or correct the problems or conditions identified in clause (2), and the time period during which the actions are to be taken; and

(ii) the reasonable efforts, or in the case of an Indian child, active efforts to be made to achieve a safe and stable home for the child including social and other supportive services to be provided or offered to the parent or parents or guardian of the child, the child, and the residential facility during the period the child is in the residential facility;

(4) a description of any services or resources that were requested by the child or the child's parent, guardian, foster parent, or custodian since the date of the child's placement in the residential facility, and whether those services or resources were provided and if not, the basis for the denial of the services or resources;

(5) the visitation plan for the parent or parents or guardian, other relatives as defined in section 260C.007, subdivision 26b or 27, and siblings of the child if the siblings are not placed together in foster care, and whether visitation is consistent with the best interest of the child, during the period the child is in foster care;

(6) when a child cannot return to or be in the care of either parent, documentation of steps to finalize adoption as the permanency plan for the child through reasonable efforts to place the child for adoption pursuant to section 260C.605. At a minimum, the documentation must include consideration of whether adoption is in the best interests of the child; and child-specific recruitment efforts such as a relative search, consideration of relatives for adoptive placement, and the use of state, regional, and national adoption exchanges to facilitate orderly and timely placements in and outside of the state. A copy of this documentation shall be provided to the court in the review required under section 260C.317, subdivision 3, paragraph (b);

(7) when a child cannot return to or be in the care of either parent, documentation of steps to finalize the transfer of permanent legal and physical custody to a relative as the permanency plan for the child. This documentation must support the requirements of the kinship placement agreement under section 256N.22 and must include the reasonable efforts used to determine that it is not appropriate for the child to return home or be adopted, and reasons why permanent placement with a relative through a Northstar kinship assistance arrangement is in the child's best interest; how the child meets the eligibility requirements for Northstar kinship assistance payments; agency efforts to discuss adoption with the child's relative foster parent and reasons why the relative foster parent chose not to pursue adoption, if applicable; and agency efforts to discuss with the child's parent or parents the permanent transfer of permanent legal and physical custody or the reasons why these efforts were not made;

(8) efforts to ensure the child's educational stability while in foster care for a child who attained the minimum age for compulsory school attendance under state law and is enrolled full time in elementary or secondary school, or instructed in elementary or secondary education at home, or

instructed in an independent study elementary or secondary program, or incapable of attending school on a full-time basis due to a medical condition that is documented and supported by regularly updated information in the child's case plan. Educational stability efforts include:

(i) efforts to ensure that the child remains in the same school in which the child was enrolled prior to placement or upon the child's move from one placement to another, including efforts to work with the local education authorities to ensure the child's educational stability and attendance; or

(ii) if it is not in the child's best interest to remain in the same school that the child was enrolled in prior to placement or move from one placement to another, efforts to ensure immediate and appropriate enrollment for the child in a new school;

(9) the educational records of the child including the most recent information available regarding:

(i) the names and addresses of the child's educational providers;

(ii) the child's grade level performance;

(iii) the child's school record;

(iv) a statement about how the child's placement in foster care takes into account proximity to the school in which the child is enrolled at the time of placement; and

(v) any other relevant educational information;

(10) the efforts by the responsible social services agency to ensure the oversight and continuity of health care services for the foster child, including:

(i) the plan to schedule the child's initial health screens;

(ii) how the child's known medical problems and identified needs from the screens, including any known communicable diseases, as defined in section 144.4172, subdivision 2, shall be monitored and treated while the child is in foster care;

(iii) how the child's medical information shall be updated and shared, including the child's immunizations;

(iv) who is responsible to coordinate and respond to the child's health care needs, including the role of the parent, the agency, and the foster parent;

(v) who is responsible for oversight of the child's prescription medications;

(vi) how physicians or other appropriate medical and nonmedical professionals shall be consulted and involved in assessing the health and well-being of the child and determine the appropriate medical treatment for the child; and

(vii) the responsibility to ensure that the child has access to medical care through either medical insurance or medical assistance;

(11) the health records of the child including information available regarding:

(i) the names and addresses of the child's health care and dental care providers;

(ii) a record of the child's immunizations;

(iii) the child's known medical problems, including any known communicable diseases as defined in section 144.4172, subdivision 2;

(iv) the child's medications; and

(v) any other relevant health care information such as the child's eligibility for medical insurance or medical assistance;

(12) an independent living plan for a child 14 years of age or older, developed in consultation with the child. The child may select one member of the case planning team to be designated as the child's advisor and to advocate with respect to the application of the reasonable and prudent parenting standards in subdivision 14. The plan should include, but not be limited to, the following objectives:

(i) educational, vocational, or employment planning;

(ii) health care planning and medical coverage;

(iii) transportation including, where appropriate, assisting the child in obtaining a driver's license;

(iv) money management, including the responsibility of the responsible social services agency to ensure that the child annually receives, at no cost to the child, a consumer report as defined under section 13C.001 and assistance in interpreting and resolving any inaccuracies in the report;

(v) planning for housing;

(vi) social and recreational skills;

(vii) establishing and maintaining connections with the child's family and community; and

(viii) regular opportunities to engage in age-appropriate or developmentally appropriate activities typical for the child's age group, taking into consideration the capacities of the individual child;

(13) for a child in voluntary foster care for treatment under chapter 260D, diagnostic and assessment information, specific services relating to meeting the mental health care needs of the child, and treatment outcomes;

(14) for a child 14 years of age or older, a signed acknowledgment that describes the child's rights regarding education, health care, visitation, safety and protection from exploitation, and court participation; receipt of the documents identified in section 260C.452; and receipt of an annual credit report. The acknowledgment shall state that the rights were explained in an age-appropriate manner to the child; and

(15) for a child placed in a qualified residential treatment program, the plan must include the requirements in section 260C.708.

(d) The parent or parents or guardian and the child each shall have the right to legal counsel in the preparation of the case plan and shall be informed of the right at the time of placement of the child. The child shall also have the right to a guardian ad litem. If unable to employ counsel from their own resources, the court shall appoint counsel upon the request of the parent or parents or the child or the child's legal guardian. The parent or parents may also receive assistance from any person or social services agency in preparation of the case plan.

(e) After the plan has been agreed upon by the parties involved or approved or ordered by the court, the foster parents shall be fully informed of the provisions of the case plan and shall be provided a copy of the plan.

(f) Upon the child's discharge from foster care, the responsible social services agency must provide the child's parent, adoptive parent, or permanent legal and physical custodian, and the child, if the child is 14 years of age or older, with a current copy of the child's health and education record. If a child meets the conditions in subdivision 15, paragraph (b), the agency must also provide the child with the child's social and medical history. The responsible social services agency may give a copy of the child's health and education record and social and medical history to a child who is younger than 14 years of age, if it is appropriate and if subdivision 15, paragraph (b), applies.

Sec. 17. Minnesota Statutes 2021 Supplement, section 260C.212, subdivision 2, is amended to read:

Subd. 2. Placement decisions based on best interests of the child. (a) The policy of the state of Minnesota is to ensure that the child's best interests are met by requiring an individualized determination of the needs of the child in consideration of paragraphs (a) to (f), and of how the selected placement will serve the current and future needs of the child being placed. The authorized child-placing agency shall place a child, released by court order or by voluntary release by the parent or parents, in a family foster home selected by considering placement with relatives ~~and important friends~~ in the following order:

(1) with an individual who is related to the child by blood, marriage, or adoption, including the legal parent, guardian, or custodian of the child's ~~siblings~~ sibling; or

(2) with an individual who is an important friend ~~with whom the child has resided or had significant contact~~ of the child or the child's parent or custodian, including an individual with whom the child has resided or had significant contact or who has a significant relationship to the child or the child's parent or custodian.

For an Indian child, the agency shall follow the order of placement preferences in the Indian Child Welfare Act of 1978, United States Code, title 25, section 1915.

(b) Among the factors the agency shall consider in determining the current and future needs of the child are the following:

- (1) the child's current functioning and behaviors;
- (2) the medical needs of the child;
- (3) the educational needs of the child;

- (4) the developmental needs of the child;
- (5) the child's history and past experience;
- (6) the child's religious and cultural needs;
- (7) the child's connection with a community, school, and faith community;
- (8) the child's interests and talents;

(9) the child's ~~relationship to current caretakers,~~ current and long-term needs regarding relationships with parents, siblings, and relatives, and other caretakers;

(10) the reasonable preference of the child, if the court, or the child-placing agency in the case of a voluntary placement, deems the child to be of sufficient age to express preferences; and

(11) for an Indian child, the best interests of an Indian child as defined in section 260.755, subdivision 2a.

When placing a child in foster care or in a permanent placement based on an individualized determination of the child's needs, the agency must not use one factor in this paragraph to the exclusion of all others, and the agency shall consider that the factors in paragraph (b) may be interrelated.

(c) Placement of a child cannot be delayed or denied based on race, color, or national origin of the foster parent or the child.

(d) Siblings should be placed together for foster care and adoption at the earliest possible time unless it is documented that a joint placement would be contrary to the safety or well-being of any of the siblings or unless it is not possible after reasonable efforts by the responsible social services agency. In cases where siblings cannot be placed together, the agency is required to provide frequent visitation or other ongoing interaction between siblings unless the agency documents that the interaction would be contrary to the safety or well-being of any of the siblings.

(e) Except for emergency placement as provided for in section 245A.035, the following requirements must be satisfied before the approval of a foster or adoptive placement in a related or unrelated home: (1) a completed background study under section 245C.08; and (2) a completed review of the written home study required under section 260C.215, subdivision 4, clause (5), or 260C.611, to assess the capacity of the prospective foster or adoptive parent to ensure the placement will meet the needs of the individual child.

(f) The agency must determine whether colocation with a parent who is receiving services in a licensed residential family-based substance use disorder treatment program is in the child's best interests according to paragraph (b) and include that determination in the child's case plan under subdivision 1. The agency may consider additional factors not identified in paragraph (b). The agency's determination must be documented in the child's case plan before the child is colocated with a parent.

(g) The agency must establish a juvenile treatment screening team under section 260C.157 to determine whether it is necessary and appropriate to recommend placing a child in a qualified residential treatment program, as defined in section 260C.007, subdivision 26d.

Sec. 18. Minnesota Statutes 2020, section 260C.221, is amended to read:

260C.221 RELATIVE SEARCH AND ENGAGEMENT; PLACEMENT CONSIDERATION.

Subdivision 1. Relative search requirements. (a) The responsible social services agency shall exercise due diligence to identify and notify adult relatives and current caregivers of a child's sibling, prior to placement or within 30 days after the child's removal from the parent, regardless of whether a child is placed in a relative's home, as required under subdivision 2. ~~The county agency shall consider placement with a relative under this section without delay and whenever the child must move from or be returned to foster care.~~ The relative search required by this section shall be comprehensive in scope. ~~After a finding that the agency has made reasonable efforts to conduct the relative search under this paragraph, the agency has the continuing responsibility to appropriately involve relatives, who have responded to the notice required under this paragraph, in planning for the child and to continue to consider relatives according to the requirements of section 260C.212, subdivision 2. At any time during the course of juvenile protection proceedings, the court may order the agency to reopen its search for relatives when it is in the child's best interest to do so.~~

(b) The relative search required by this section shall include both maternal and paternal adult relatives of the child; all adult grandparents; all legal parents, guardians, or custodians of the child's siblings; and any other adult relatives suggested by the child's parents, subject to the exceptions due to family violence in subdivision 5, paragraph (e) (b). The search shall also include getting information from the child in an age-appropriate manner about who the child considers to be family members and important friends with whom the child has resided or had significant contact. The relative search required under this section must fulfill the agency's duties under the Indian Child Welfare Act regarding active efforts to prevent the breakup of the Indian family under United States Code, title 25, section 1912(d), and to meet placement preferences under United States Code, title 25, section 1915.

(c) The responsible social services agency has a continuing responsibility to search for and identify relatives of a child and send the notice to relatives that is required under subdivision 2, unless the court has relieved the agency of this duty under subdivision 5, paragraph (e).

Subd. 2. Relative notice requirements. (a) The agency may provide oral or written notice to a child's relatives. In the child's case record, the agency must document providing the required notice to each of the child's relatives. The responsible social services agency must notify relatives ~~must be notified:~~

(1) of the need for a foster home for the child, the option to become a placement resource for the child, the order of placement that the agency will consider under section 260C.212, subdivision 2, paragraph (a), and the possibility of the need for a permanent placement for the child;

(2) of their responsibility to keep the responsible social services agency and the court informed of their current address in order to receive notice in the event that a permanent placement is sought for the child and to receive notice of the permanency progress review hearing under section 260C.204.

A relative who fails to provide a current address to the responsible social services agency and the court forfeits the right to receive notice of the possibility of permanent placement and of the permanency progress review hearing under section 260C.204, until the relative provides a current address to the responsible social services agency and the court. A decision by a relative not to be identified as a potential permanent placement resource or participate in planning for the child at the beginning of the case shall not affect whether the relative is considered for placement of, or as a permanency resource for, the child with that relative later at any time in the case, and shall not be the sole basis for the court to rule out the relative as the child's placement or permanency resource;

(3) that the relative may participate in the care and planning for the child, as specified in subdivision 3, including that the opportunity for such participation may be lost by failing to respond to the notice sent under this subdivision. "Participate in the care and planning" includes, but is not limited to, participation in case planning for the parent and child, identifying the strengths and needs of the parent and child, supervising visits, providing respite and vacation visits for the child, providing transportation to appointments, suggesting other relatives who might be able to help support the case plan, and to the extent possible, helping to maintain the child's familiar and regular activities and contact with friends and relatives;

(4) of the family foster care licensing and adoption home study requirements, including how to complete an application and how to request a variance from licensing standards that do not present a safety or health risk to the child in the home under section 245A.04 and supports that are available for relatives and children who reside in a family foster home; and

(5) of the relatives' right to ask to be notified of any court proceedings regarding the child, to attend the hearings, and of a relative's right or opportunity to be heard by the court as required under section 260C.152, subdivision 5;

(6) that regardless of the relative's response to the notice sent under this subdivision, the agency is required to establish permanency for a child, including planning for alternative permanency options if the agency's reunification efforts fail or are not required; and

(7) that by responding to the notice, a relative may receive information about participating in a child's family and permanency team if the child is placed in a qualified residential treatment program as defined in section 260C.007, subdivision 26d.

(b) The responsible social services agency shall send the notice required under paragraph (a) to relatives who become known to the responsible social services agency, except for relatives that the agency does not contact due to safety reasons under subdivision 5, paragraph (b). The responsible social services agency shall continue to send notice to relatives notwithstanding a court's finding that the agency has made reasonable efforts to conduct a relative search.

(c) The responsible social services agency is not required to send the notice under paragraph (a) to relatives who become known to the agency after an adoption placement agreement has been fully executed under section 260C.613, subdivision 1. If such a relative wishes to be considered for adoptive placement of the child, the agency shall inform the relative of the relative's ability to file a motion for an order for adoptive placement under section 260C.607, subdivision 6.

Subd. 3. Relative engagement requirements. (a) A relative who responds to the notice under subdivision 2 has the opportunity to participate in care and planning for a child, which must not be

limited based solely on the relative's prior inconsistent participation or nonparticipation in care and planning for the child. Care and planning for a child may include but is not limited to:

(1) participating in case planning for the child and child's parent, including identifying services and resources that meet the individualized needs of the child and child's parent. A relative's participation in case planning may be in person, via phone call, or by electronic means;

(2) identifying the strengths and needs of the child and child's parent;

(3) asking the responsible social services agency to consider the relative for placement of the child according to subdivision 4;

(4) acting as a support person for the child, the child's parents, and the child's current caregiver;

(5) supervising visits;

(6) providing respite care for the child and having vacation visits with the child;

(7) providing transportation;

(8) suggesting other relatives who may be able to participate in the case plan or that the agency may consider for placement of the child. The agency shall send a notice to each relative identified by other relatives according to subdivision 2, paragraph (b), unless a relative received this notice earlier in the case;

(9) helping to maintain the child's familiar and regular activities and contact with the child's friends and relatives, including providing supervision of the child at family gatherings and events; and

(10) participating in the child's family and permanency team if the child is placed in a qualified residential treatment program as defined in section 260C.007, subdivision 26d.

(b) The responsible social services agency shall make reasonable efforts to contact and engage relatives who respond to the notice required under this section. Upon a request by a relative or party to the proceeding, the court may conduct a review of the agency's reasonable efforts to contact and engage relatives who respond to the notice. If the court finds that the agency did not make reasonable efforts to contact and engage relatives who respond to the notice, the court may order the agency to make reasonable efforts to contact and engage relatives who respond to the notice in care and planning for the child.

Subd. 4. **Placement considerations.** (a) The responsible social services agency shall consider placing a child with a relative under this section without delay and when the child:

(1) enters foster care;

(2) must be moved from the child's current foster setting;

(3) must be permanently placed away from the child's parent; or

(4) returns to foster care after permanency has been achieved for the child.

(b) The agency shall consider placing a child with relatives:

(1) in the order specified in section 260C.212, subdivision 2, paragraph (a); and

(2) based on the child's best interests using the factors in section 260C.212, subdivision 2.

(c) The agency shall document how the agency considered relatives in the child's case record.

(d) Any relative who requests to be a placement option for a child in foster care has the right to be considered for placement of the child according to section 260C.212, subdivision 2, paragraph (a), unless the court finds that placing the child with a specific relative would endanger the child, sibling, parent, guardian, or any other family member under subdivision 5, paragraph (b).

(e) When adoption is the responsible social services agency's permanency goal for the child, the agency shall consider adoptive placement of the child with a relative in the order specified under section 260C.212, subdivision 2, paragraph (a).

Subd. 5. Data disclosure; court review. ~~(e)~~ (a) A responsible social services agency may disclose private data, as defined in section 13.02 and chapter 260E, to relatives of the child for the purpose of locating and assessing a suitable placement and may use any reasonable means of identifying and locating relatives including the Internet or other electronic means of conducting a search. The agency shall disclose data that is necessary to facilitate possible placement with relatives and to ensure that the relative is informed of the needs of the child so the relative can participate in planning for the child and be supportive of services to the child and family.

(b) If the child's parent refuses to give the responsible social services agency information sufficient to identify the maternal and paternal relatives of the child, the agency shall ask the juvenile court to order the parent to provide the necessary information and shall use other resources to identify the child's maternal and paternal relatives. If a parent makes an explicit request that a specific relative not be contacted or considered for placement due to safety reasons, including past family or domestic violence, the agency shall bring the parent's request to the attention of the court to determine whether the parent's request is consistent with the best interests of the child and. The agency shall not contact the specific relative when the juvenile court finds that contacting or placing the child with the specific relative would endanger the parent, guardian, child, sibling, or any family member. Unless section 260C.139 applies to the child's case, a court shall not waive or relieve the responsible social services agency of reasonable efforts to:

(1) conduct a relative search;

(2) notify relatives;

(3) contact and engage relatives in case planning; and

(4) consider relatives for placement of the child.

(c) Notwithstanding chapter 13, the agency shall disclose data to the court about particular relatives that the agency has identified, contacted, or considered for the child's placement for the court to review the agency's due diligence.

(d) At a regularly scheduled hearing not later than three months after the child's placement in foster care and as required in ~~section~~ sections 260C.193 and 260C.202, the agency shall report to the court:

(1) ~~its~~ the agency's efforts to identify maternal and paternal relatives of the child and to engage the relatives in providing support for the child and family, and document that the relatives have been provided the notice required under ~~paragraph (a)~~ subdivision 2; and

(2) ~~its~~ the agency's decision regarding placing the child with a relative as required under section 260C.212, subdivision 2, ~~and to ask~~. If the responsible social services agency decides that relative placement is not in the child's best interests at the time of the hearing, the agency shall inform the court of the agency's decision, including:

(i) why the agency decided against relative placement of the child; and

(ii) the agency's efforts to engage relatives to visit or maintain contact with the child in order as required under subdivision 3 to support family connections for the child, when placement with a relative is not possible or appropriate.

~~(e) Notwithstanding chapter 13, the agency shall disclose data about particular relatives identified, searched for, and contacted for the purposes of the court's review of the agency's due diligence.~~

~~(e)~~ (e) When the court is satisfied that the agency has exercised due diligence to identify relatives and provide the notice required in ~~paragraph (a)~~ subdivision 2, the court may find that the agency made reasonable efforts have been made to conduct a relative search to identify and provide notice to adult relatives as required under section 260.012, paragraph (e), clause (3). A finding under this paragraph does not relieve the responsible social services agency of the ongoing duty to contact, engage, and consider relatives under this section nor is it a basis for the court to rule out any relative from being a foster care or permanent placement option for the child. The agency has the continuing responsibility to:

(1) involve relatives who respond to the notice in planning for the child; and

(2) continue considering relatives for the child's placement while taking the child's short- and long-term permanency goals into consideration, according to the requirements of section 260C.212, subdivision 2.

(f) At any time during the course of juvenile protection proceedings, the court may order the agency to reopen the search for relatives when it is in the child's best interests.

(g) If the court is not satisfied that the agency has exercised due diligence to identify relatives and provide the notice required in ~~paragraph (a)~~ subdivision 2, the court may order the agency to continue its search and notice efforts and to report back to the court.

~~(g) When the placing agency determines that permanent placement proceedings are necessary because there is a likelihood that the child will not return to a parent's care, the agency must send the notice provided in paragraph (h), may ask the court to modify the duty of the agency to send the notice required in paragraph (h), or may ask the court to completely relieve the agency of the requirements of paragraph (h). The relative notification requirements of paragraph (h) do not apply~~

~~when the child is placed with an appropriate relative or a foster home that has committed to adopting the child or taking permanent legal and physical custody of the child and the agency approves of that foster home for permanent placement of the child. The actions ordered by the court under this section must be consistent with the best interests, safety, permanency, and welfare of the child.~~

~~(h) Unless required under the Indian Child Welfare Act or relieved of this duty by the court under paragraph (f), When the agency determines that it is necessary to prepare for permanent placement determination proceedings, or in anticipation of filing a termination of parental rights petition, the agency shall send notice to ~~the~~ relatives who responded to a notice under this section sent at any time during the case, any adult with whom the child is currently residing, any adult with whom the child has resided for one year or longer in the past, and any adults who have maintained a relationship or exercised visitation with the child as identified in the agency case plan. The notice must state that a permanent home is sought for the child and that the individuals receiving the notice may indicate to the agency their interest in providing a permanent home. The notice must state that within 30 days of receipt of the notice an individual receiving the notice must indicate to the agency the individual's interest in providing a permanent home for the child or that the individual may lose the opportunity to be considered for a permanent placement. A relative's failure to respond or timely respond to the notice is not a basis for ruling out the relative from being a permanent placement option for the child should the relative request to be considered for permanent placement at a later date.~~

Sec. 19. Minnesota Statutes 2020, section 260C.513, is amended to read:

260C.513 PERMANENCY DISPOSITIONS WHEN CHILD CANNOT RETURN HOME.

~~(a) Termination of parental rights and adoption, or guardianship to the commissioner of human services through a consent to adopt, are preferred permanency options for a child who cannot return home. If the court finds that termination of parental rights and guardianship to the commissioner is not in the child's best interests, the court may transfer permanent legal and physical custody of the child to a relative when that order is in the child's best interests. In determining a permanency disposition under section 260C.515 for a child who cannot return home, the court shall give preference to a permanency disposition that will result in the child being placed in the permanent care of a relative through a termination of parental rights and adoption, guardianship to the commissioner of human services through a consent to adopt, or a transfer of permanent legal and physical custody, consistent with the best interests of the child and section 260C.212, subdivision 2, paragraph (a). If a relative is not available to accept placement or the court finds that a permanent placement with a relative is not in the child's best interests, the court may consider a permanency disposition that may result in the child being permanently placed in the care of a nonrelative caregiver, including adoption.~~

~~(b) When the court has determined that permanent placement of the child away from the parent is necessary, the court shall consider permanent alternative homes that are available both inside and outside the state.~~

Sec. 20. Minnesota Statutes 2021 Supplement, section 260C.605, subdivision 1, is amended to read:

Subdivision 1. **Requirements.** (a) Reasonable efforts to finalize the adoption of a child under the guardianship of the commissioner shall be made by the responsible social services agency responsible for permanency planning for the child.

(b) Reasonable efforts to make a placement in a home according to the placement considerations under section 260C.212, subdivision 2, with a relative or foster parent who will commit to being the permanent resource for the child in the event the child cannot be reunified with a parent are required under section 260.012 and may be made concurrently with reasonable, or if the child is an Indian child, active efforts to reunify the child with the parent.

(c) Reasonable efforts under paragraph (b) must begin as soon as possible when the child is in foster care under this chapter, but not later than the hearing required under section 260C.204.

(d) Reasonable efforts to finalize the adoption of the child include:

(1) considering the child's preference for an adoptive family;

~~(+)~~ (2) using age-appropriate engagement strategies to plan for adoption with the child;

~~(2)~~ (3) identifying an appropriate prospective adoptive parent for the child by updating the child's identified needs using the factors in section 260C.212, subdivision 2;

~~(3)~~ (4) making an adoptive placement that meets the child's needs by:

(i) completing or updating the relative search required under section 260C.221 and giving notice of the need for an adoptive home for the child to:

(A) relatives who have kept the agency or the court apprised of their whereabouts ~~and who have indicated an interest in adopting the child;~~ or

(B) relatives of the child who are located in an updated search;

(ii) an updated search is required whenever:

(A) there is no identified prospective adoptive placement for the child notwithstanding a finding by the court that the agency made diligent efforts under section 260C.221, in a hearing required under section 260C.202;

(B) the child is removed from the home of an adopting parent; or

(C) the court determines that a relative search by the agency is in the best interests of the child;

(iii) engaging the child's relatives or current or former foster parent and the child's relatives identified as an adoptive resource during the search conducted under section 260C.221, parents to commit to being the prospective adoptive parent of the child, and considering the child's relatives for adoptive placement of the child in the order specified under section 260C.212, subdivision 2, paragraph (a); or

(iv) when there is no identified prospective adoptive parent:

(A) registering the child on the state adoption exchange as required in section 259.75 unless the agency documents to the court an exception to placing the child on the state adoption exchange reported to the commissioner;

(B) reviewing all families with approved adoption home studies associated with the responsible social services agency;

(C) presenting the child to adoption agencies and adoption personnel who may assist with finding an adoptive home for the child;

(D) using newspapers and other media to promote the particular child;

(E) using a private agency under grant contract with the commissioner to provide adoption services for intensive child-specific recruitment efforts; and

(F) making any other efforts or using any other resources reasonably calculated to identify a prospective adoption parent for the child;

~~(4)~~ (5) updating and completing the social and medical history required under sections 260C.212, subdivision 15, and 260C.609;

~~(5)~~ (6) making, and keeping updated, appropriate referrals required by section 260.851, the Interstate Compact on the Placement of Children;

~~(6)~~ (7) giving notice regarding the responsibilities of an adoptive parent to any prospective adoptive parent as required under section 259.35;

~~(7)~~ (8) offering the adopting parent the opportunity to apply for or decline adoption assistance under chapter 256N;

~~(8)~~ (9) certifying the child for adoption assistance, assessing the amount of adoption assistance, and ascertaining the status of the commissioner's decision on the level of payment if the adopting parent has applied for adoption assistance;

~~(9)~~ (10) placing the child with siblings. If the child is not placed with siblings, the agency must document reasonable efforts to place the siblings together, as well as the reason for separation. The agency may not cease reasonable efforts to place siblings together for final adoption until the court finds further reasonable efforts would be futile or that placement together for purposes of adoption is not in the best interests of one of the siblings; and

~~(10)~~ (11) working with the adopting parent to file a petition to adopt the child and with the court administrator to obtain a timely hearing to finalize the adoption.

Sec. 21. Minnesota Statutes 2020, section 260C.607, subdivision 2, is amended to read:

Subd. 2. **Notice.** Notice of review hearings shall be given by the court to:

(1) the responsible social services agency;

(2) the child, if the child is age ten and older;

(3) the child's guardian ad litem;

(4) counsel appointed for the child pursuant to section 260C.163, subdivision 3;

(5) relatives of the child who have kept the court informed of their whereabouts as required in section 260C.221 and who have responded to the agency's notice under section 260C.221, ~~indicating a willingness to provide an adoptive home for the child~~ unless the relative has been previously ruled out by the court as a suitable ~~foster parent~~ or permanency resource for the child;

(6) the current foster or adopting parent of the child;

(7) any foster or adopting parents of siblings of the child; and

(8) the Indian child's tribe.

Sec. 22. Minnesota Statutes 2020, section 260C.607, subdivision 5, is amended to read:

Subd. 5. Required placement by responsible social services agency. (a) No petition for adoption shall be filed for a child under the guardianship of the commissioner unless the child sought to be adopted has been placed for adoption with the adopting parent by the responsible social services agency as required under section 260C.613, subdivision 1. The court may order the agency to make an adoptive placement using standards and procedures under subdivision 6.

(b) Any relative or the child's foster parent who believes the responsible agency has not reasonably considered the relative's or foster parent's request to be considered for adoptive placement as required under section 260C.212, subdivision 2, and who wants to be considered for adoptive placement of the child shall bring a request for consideration to the attention of the court during a review required under this section. The child's guardian ad litem and the child may also bring a request for a relative or the child's foster parent to be considered for adoptive placement. After hearing from the agency, the court may order the agency to take appropriate action regarding the relative's or foster parent's request for consideration under section 260C.212, subdivision 2, paragraph (b).

Sec. 23. Minnesota Statutes 2021 Supplement, section 260C.607, subdivision 6, is amended to read:

Subd. 6. Motion and hearing to order adoptive placement. (a) At any time after the district court orders the child under the guardianship of the commissioner of human services, but not later than 30 days after receiving notice required under section 260C.613, subdivision 1, paragraph (c), that the agency has made an adoptive placement, a relative or the child's foster parent may file a motion for an order for adoptive placement of a child who is under the guardianship of the commissioner if the relative or the child's foster parent:

(1) has an adoption home study under section 259.41 or 260C.611 approving the relative or foster parent for adoption and has. If the relative or foster parent does not have an adoption home study, an affidavit attesting to efforts to complete an adoption home study may be filed with the motion. The affidavit must be signed by the relative or foster parent and the responsible social services agency or licensed child-placing agency completing the adoption home study. The relative or foster parent must also have been a resident of Minnesota for at least six months before filing the

motion; the court may waive the residency requirement for the moving party if there is a reasonable basis to do so; or

(2) is not a resident of Minnesota, but has an approved adoption home study by an agency licensed or approved to complete an adoption home study in the state of the individual's residence and the study is filed with the motion for adoptive placement. If the relative or foster parent does not have an adoption home study in the relative or foster parent's state of residence, an affidavit attesting to efforts to complete an adoption home study may be filed with the motion instead. The affidavit must be signed by the relative or foster parent and the agency completing the adoption home study.

(b) The motion shall be filed with the court conducting reviews of the child's progress toward adoption under this section. The motion and supporting documents must make a prima facie showing that the agency has been unreasonable in failing to make the requested adoptive placement. The motion must be served according to the requirements for motions under the Minnesota Rules of Juvenile Protection Procedure and shall be made on all individuals and entities listed in subdivision 2.

(c) If the motion and supporting documents do not make a prima facie showing for the court to determine whether the agency has been unreasonable in failing to make the requested adoptive placement, the court shall dismiss the motion. If the court determines a prima facie basis is made, the court shall set the matter for evidentiary hearing.

(d) At the evidentiary hearing, the responsible social services agency shall proceed first with evidence about the reason for not making the adoptive placement proposed by the moving party. When the agency presents evidence regarding the child's current relationship with the identified adoptive placement resource, the court must consider the agency's efforts to support the child's relationship with the moving party consistent with section 260C.221. The moving party then has the burden of proving by a preponderance of the evidence that the agency has been unreasonable in failing to make the adoptive placement.

(e) The court shall review and enter findings regarding whether the agency, in making an adoptive placement decision for the child:

(1) considered relatives for adoptive placement in the order specified under section 260C.212, subdivision 2, paragraph (a); and

(2) assessed how the identified adoptive placement resource and the moving party are each able to meet the child's current and future needs, based on an individualized determination of the child's needs, as required under section 260C.613, subdivision 1, paragraph (b), and section 260C.212, subdivision 2.

~~(e)~~ (f) At the conclusion of the evidentiary hearing, if the court finds that the agency has been unreasonable in failing to make the adoptive placement and that the ~~relative or the child's foster parent~~ moving party is the most suitable adoptive home to meet the child's needs using the factors in section 260C.212, subdivision 2, paragraph (b), the court may:

(1) order the responsible social services agency to make an adoptive placement in the home of the relative or the child's foster parent. moving party if the moving party has an approved adoption home study; or

(2) order the responsible social services agency to place the child in the home of the moving party upon approval of an adoption home study. The agency must promote and support the child's ongoing visitation and contact with the moving party until the child is placed in the moving party's home. The agency must provide an update to the court after 90 days, including progress and any barriers encountered. If the moving party does not have an approved adoption home study within 180 days, the moving party and the agency must inform the court of any barriers to obtaining the approved adoption home study during a review hearing under this section. If the court finds that the moving party is unable to obtain an approved adoption home study, the court must dismiss the order for adoptive placement under this subdivision and order the agency to continue making reasonable efforts to finalize the adoption of the child as required under section 260C.605.

~~(f)~~ (g) If, in order to ensure that a timely adoption may occur, the court orders the responsible social services agency to make an adoptive placement under this subdivision, the agency shall:

(1) make reasonable efforts to obtain a fully executed adoption placement agreement, including assisting the moving party with the adoption home study process;

(2) work with the moving party regarding eligibility for adoption assistance as required under chapter 256N; and

(3) if the moving party is not a resident of Minnesota, timely refer the matter for approval of the adoptive placement through the Interstate Compact on the Placement of Children.

~~(g)~~ (h) Denial or granting of a motion for an order for adoptive placement after an evidentiary hearing is an order which may be appealed by the responsible social services agency, the moving party, the child, when age ten or over, the child's guardian ad litem, and any individual who had a fully executed adoption placement agreement regarding the child at the time the motion was filed if the court's order has the effect of terminating the adoption placement agreement. An appeal shall be conducted according to the requirements of the Rules of Juvenile Protection Procedure.

Sec. 24. Minnesota Statutes 2020, section 260C.613, subdivision 1, is amended to read:

Subdivision 1. **Adoptive placement decisions.** (a) The responsible social services agency has exclusive authority to make an adoptive placement of a child under the guardianship of the commissioner. The child shall be considered placed for adoption when the adopting parent, the agency, and the commissioner have fully executed an adoption placement agreement on the form prescribed by the commissioner.

(b) The responsible social services agency shall use an individualized determination of the child's current and future needs, pursuant to section 260C.212, subdivision 2, paragraph (b), to determine the most suitable adopting parent for the child in the child's best interests. The responsible social services agency must consider adoptive placement of the child with relatives in the order specified in section 260C.212, subdivision 2, paragraph (a).

(c) The responsible social services agency shall notify the court and parties entitled to notice under section 260C.607, subdivision 2, when there is a fully executed adoption placement agreement for the child.

(d) In the event an adoption placement agreement terminates, the responsible social services agency shall notify the court, the parties entitled to notice under section 260C.607, subdivision 2, and the commissioner that the agreement and the adoptive placement have terminated.

Sec. 25. Minnesota Statutes 2020, section 260C.613, subdivision 5, is amended to read:

Subd. 5. **Required record keeping.** The responsible social services agency shall document, in the records required to be kept under section 259.79, the reasons for the adoptive placement decision regarding the child, including the individualized determination of the child's needs based on the factors in section 260C.212, subdivision 2, paragraph (b); the agency's consideration of relatives in the order specified in section 260C.212, subdivision 2, paragraph (a); and the assessment of how the selected adoptive placement meets the identified needs of the child. The responsible social services agency shall retain in the records required to be kept under section 259.79, copies of all out-of-home placement plans made since the child was ordered under guardianship of the commissioner and all court orders from reviews conducted pursuant to section 260C.607."

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Human Services Reform Finance and Policy. Amendments adopted. Report adopted.

Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was re-referred

S.F. No. 3476: A bill for an act relating to broadband; establishing a program of financial assistance to extend broadband service to unserved areas; establishing a process to allow existing easements to be used for broadband service; amending Minnesota Statutes 2020, section 116J.396, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 116J.

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

Page 6, after line 24, insert:

"Subd. 9. **Railroad rights-of-way crossing.** The placement of broadband infrastructure for use to provide broadband service under subdivisions 1 to 7, or section 308A.201, subdivision 12, in any portion of an existing easement located in a railroad right-of-way is subject to sections 237.04 and 237.045."

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was re-referred

S.F. No. 3487: A bill for an act relating to public safety; establishing the crime of organized retail theft; providing for the release of certain financial account information to law enforcement;

amending certain burglary crimes following trespass notice; establishing a time period for a search warrant on financial institutions; amending Minnesota Statutes 2020, sections 13A.02, subdivisions 1, 2; 609.52, subdivision 3; 609.527, subdivision 1, by adding a subdivision; 609.582, subdivisions 3, 4; 626.15; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Page 7, line 28, delete everything after "7"

Page 7, delete line 29

Page 7, line 30, delete everything before the period

And when so amended the bill do pass and be re-referred to the Committee on Finance. Amendments adopted. Report adopted.

Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was referred

S.F. No. 3647: A bill for an act relating to child welfare; modifying provisions governing out-of-home placement cost of care, examination, and treatment; requiring an initial phone call between the foster parent and child's parent or legal guardian; amending Minnesota Statutes 2020, sections 242.19, subdivision 2; 260B.331, subdivision 1; 260C.219, subdivision 6; 260C.331, subdivision 1; 518A.43, subdivision 1.

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

Page 2, line 10, strike "shall" and insert "may"

Page 4, delete section 3

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 3, delete everything after the semicolon

Page 1, line 4, delete everything before "amending"

Amend the title numbers accordingly

And when so amended the bill do pass and be re-referred to the Committee on Human Services Reform Finance and Policy. Amendments adopted. Report adopted.

Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was re-referred

S.F. No. 3680: A bill for an act relating to motor vehicles; modifying provisions regarding access to driver and vehicle services information system; amending Minnesota Statutes 2020, section 171.12, subdivision 1a.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Finance. Report adopted.

Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was referred

S.F. No. 3805: A bill for an act relating to child protection; extending the effective date for mandatory reporting for certain youth recreation program employees; modifying deadlines and duties for the legislative task force on child protection; amending Laws 2021, First Special Session chapter 7, article 10, sections 1; 3.

Reports the same back with the recommendation that the bill do pass and be re-referred to the Committee on Human Services Reform Finance and Policy. Report adopted.

Senator Mathews from the Committee on Civil Law and Data Practices Policy, to which was referred

S.F. No. 3850: A bill for an act relating to civil law; clarifying indemnity application when insurance coverage exists; amending Minnesota Statutes 2020, section 604.21.

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

SECOND READING OF SENATE BILLS

S.F. Nos. 3258, 2145, 4108, 3242, 3243, 2922, 3049, 1450, 3885, 3072, 3503, 3032, 2952, 1316, 4116, 1417, 3928, 2786, 3476, and 3850 were read the second time.

SECOND READING OF HOUSE BILLS

H.F. No. 3420 was read the second time.

INTRODUCTION AND FIRST READING OF SENATE BILLS

The following bills were read the first time.

Senator Pratt introduced--

S.F. No. 4197: A bill for an act relating to liquor; authorizing a license for the city of St. Paul.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senator Utke introduced--

S.F. No. 4198: A bill for an act relating to state government; making human services forecast adjustments; appropriating money.

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

Senator Clausen introduced--

S.F. No. 4199: A bill for an act relating to capital investment; appropriating money for a driver training facility at Dakota County Technical College; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Cwodzinski introduced--

S.F. No. 4200: A bill for an act relating to metropolitan government; modifying the basis for determining operation and maintenance expenditures for metropolitan-area regional parks; amending Minnesota Statutes 2020, section 473.351, subdivision 3.

Referred to the Committee on Local Government Policy.

Senator Howe introduced--

S.F. No. 4201: A bill for an act relating to capital investment; appropriating money for a regional sports complex in Sauk Rapids; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Westrom introduced--

S.F. No. 4202: A bill for an act relating to agriculture; modifying the Minnesota State College and Universities mental health grants appropriation; increasing funding for mental health grants; amending Laws 2021, First Special Session chapter 3, article 1, section 2, subdivision 5.

Referred to the Committee on Agriculture and Rural Development Finance and Policy.

Senator Westrom introduced--

S.F. No. 4203: A bill for an act relating to agriculture; appropriating money to the commissioner of agriculture for additional food handler inspectors.

Referred to the Committee on Agriculture and Rural Development Finance and Policy.

Senators Pratt and Draheim introduced--

S.F. No. 4204: A bill for an act relating to capital investment; amending an appropriation of bond proceeds; amending Laws 2020, Fifth Special Session chapter 3, article 1, section 7, subdivision 24.

Referred to the Committee on Capital Investment.

Senators Pratt, Rest, Housley, Nelson, and Weber introduced--

S.F. No. 4205: A bill for an act relating to taxation; individual income; expanding the dependent care credit; establishing the great start child care credit; amending Minnesota Statutes 2020, sections 290.0131, by adding a subdivision; 290.067.

Referred to the Committee on Taxes.

Senators Abeler, Hoffman, and Newton introduced--

S.F. No. 4206: A bill for an act relating to capital investment; requiring the commissioner of management and budget to defease stadium appropriation bonds; appropriating money; repealing Minnesota Statutes 2020, section 16A.965.

Referred to the Committee on Capital Investment.

Senators Dzedzic, Klein, and Wiklund introduced--

S.F. No. 4207: A bill for an act relating to human services; appropriating money to ServeMinnesota.

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

Senator Housley introduced--

S.F. No. 4208: A bill for an act relating to human services; appropriating money for the senior nutrition program.

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

Senator Housley introduced--

S.F. No. 4209: A bill for an act relating to children and families; establishing the Office of the Foster Youth Ombudsperson and Board of the Foster Youth Ombudsperson; appropriating money for the Office of the Foster Youth Ombudsperson and Board of the Foster Youth Ombudsperson; proposing coding for new law in Minnesota Statutes, chapters 13; 260C.

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

Senators Latz, Dzedzic, Bigham, López Franzen, and McEwen introduced--

S.F. No. 4210: A bill for an act relating to public defenders; appropriating money for the Board of Public Defense.

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

Senators Isaacson, Wiklund, Murphy, and Dibble introduced--

S.F. No. 4211: A bill for an act relating to health care; prohibiting prior authorization for prescription drugs prescribed for the treatment of mental illness in the medical assistance and MinnesotaCare programs; amending Minnesota Statutes 2020, section 256B.0625, subdivisions 13f, 13j.

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

Senator Jasinski introduced--

S.F. No. 4212: A bill for an act relating to local government; amending the conditions for participation in an open meeting from a nonpublic location; amending Minnesota Statutes 2021 Supplement, section 13D.02, subdivision 1.

Referred to the Committee on Local Government Policy.

Senator Champion introduced--

S.F. No. 4213: A bill for an act relating to capital investment; appropriating money for a new facility for Avenues for Youth.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senator Utke introduced--

S.F. No. 4214: A bill for an act relating to local government; providing additional investment authority for certain self-insurance pools; proposing coding for new law in Minnesota Statutes, chapter 118A.

Referred to the Committee on Local Government Policy.

Senators Torres Ray, Duckworth, and Newton introduced--

S.F. No. 4215: A bill for an act relating to capital investment; appropriating money for the development and construction of veterans affordable housing in the city of Richfield; authorizing the sale and issuance of general obligation bonds.

Referred to the Committee on Capital Investment.

Senators Port and López Franzen introduced--

S.F. No. 4216: A bill for an act relating to trade regulations; prohibiting abuse of dominance; proposing coding for new law in Minnesota Statutes, chapter 325D.

Referred to the Committee on Commerce and Consumer Protection Finance and Policy.

Senators Frentz, López Franzen, Cwodzinski, and Carlson introduced--

S.F. No. 4217: A bill for an act relating to elections; prohibiting intimidation of election officials; prohibiting interference with the performance of a duty of election administration by an election official; providing penalties; amending Minnesota Statutes 2020, sections 8.31, subdivision 1; 211B.32, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 211B.

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

Senator Mathews introduced--

S.F. No. 4218: A bill for an act relating to taxation; aid to Tribal governments; aid to local governments; increasing state aid to reimburse counties for the nonfederal share of the cost for out-of-home placement of Indian children; establishing a Tribal resiliency aid program; establishing a juvenile safety and placement working group; requiring a report; appropriating money; amending Minnesota Statutes 2020, section 477A.0126, subdivisions 3, 7; proposing coding for new law in Minnesota Statutes, chapter 477A.

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

Senator Bakk introduced--

S.F. No. 4219: A bill for an act relating to capital investment; appropriating money for a community facility in the city of Babbitt; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senators Bakk and Tomassoni introduced--

S.F. No. 4220: A bill for an act relating to mining; facilitating mineral commodity and nonfuel gas leases; amending Minnesota Statutes 2020, sections 9.071; 93.245; 93.25, subdivisions 1, 2.

Referred to the Committee on Mining and Forestry Policy.

Senator Howe introduced--

S.F. No. 4221: A bill for an act relating to transportation; appropriating money for local road improvements in the city of Rockville.

Referred to the Committee on Transportation Finance and Policy.

Senator Cwodzinski introduced--

S.F. No. 4222: A bill for an act relating to education finance; increasing the general education basic formula allowance by five percent; appropriating money; amending Minnesota Statutes 2021 Supplement, section 126C.10, subdivision 2.

Referred to the Committee on Education Finance and Policy.

Senators Johnson Stewart, Dibble, López Franzen, and Rest introduced--

S.F. No. 4223: A bill for an act relating to public safety; establishing the crime of carjacking; proposing coding for new law in Minnesota Statutes, chapter 609.

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

Senator Wiklund introduced--

S.F. No. 4224: A bill for an act relating to human services; establishing a state-issued identification process for certain persons eligible for medical assistance; amending Minnesota Statutes 2020, section 171.06, by adding a subdivision.

Referred to the Committee on Transportation Finance and Policy.

Senator Housley introduced--

S.F. No. 4225: A bill for an act relating to capital investment; appropriating money for a household hazardous waste facility in Washington County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Chamberlain introduced--

S.F. No. 4226: A bill for an act relating to workforce development; appropriating money to the White Bear Center for the Arts for a paid high school internship program.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senators Bigham, Putnam, McEwen, Klein, and Eken introduced--

S.F. No. 4227: A bill for an act relating to taxation; adjusting the calculation of local government aid and county program aid in 2023 only; increasing the annual appropriation for local government aid; increasing the annual appropriation for county program aid; amending Minnesota Statutes 2020, sections 477A.013, subdivision 9; 477A.03, subdivision 2a; Minnesota Statutes 2021 Supplement, section 477A.03, subdivision 2b.

Referred to the Committee on Taxes.

Senators Abeler and Hoffman introduced--

S.F. No. 4228: A bill for an act relating to data practices; modifying certain provisions classifying and regulating the use and sharing of mental health data when responding to a mental health emergency; amending Minnesota Statutes 2020, sections 13.46, subdivisions 1, 2, 7; 13.82, subdivision 16, by adding a subdivision; 144.294, subdivision 2; 245.469, as amended; 403.10, subdivision 2.

Referred to the Committee on Civil Law and Data Practices Policy.

Senators Westrom, Pratt, Ingebrigtsen, Howe, and Duckworth introduced--

S.F. No. 4229: A bill for an act relating to taxation; property; authorizing a property tax rebate; appropriating money.

Referred to the Committee on Taxes.

Senators Kent and Pappas introduced--

S.F. No. 4230: A bill for an act relating to tourism; expanding membership on the Explore Minnesota Tourism Council; amending Minnesota Statutes 2020, section 116U.25.

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

Senator Champion introduced--

S.F. No. 4231: A bill for an act relating to human rights; requiring nondiscrimination and equity in access to organ transplants; prescribing penalties; proposing coding for new law in Minnesota Statutes, chapter 363A.

Referred to the Committee on Civil Law and Data Practices Policy.

Senators Anderson, Ingebrigtsen, Senjem, and Utke introduced--

S.F. No. 4232: A bill for an act relating to judiciary; appropriating money for a grant to Beltrami County for planning and developing a comprehensive mental health services program for individuals under arrest or subject to arrest.

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

Senator Lang introduced--

S.F. No. 4233: A bill for an act relating to the military; appropriating money for holistic health and fitness program for Minnesota Army National Guard.

Referred to the Committee on Veterans and Military Affairs Finance and Policy.

Senator Johnson introduced--

S.F. No. 4234: A bill for an act relating to traffic regulations; establishing a special permit for hauling sugar beets; proposing coding for new law in Minnesota Statutes, chapter 169.

Referred to the Committee on Transportation Finance and Policy.

Senator Howe introduced--

S.F. No. 4235: A bill for an act relating to construction; modifying building permit fees for certain types of work; amending the definition of special skills for contractor licensing; amending

Minnesota Statutes 2020, section 326B.802, subdivision 15; Minnesota Statutes 2021 Supplement, section 326B.153, subdivision 1.

Referred to the Committee on Labor and Industry Policy.

Senator Lang introduced--

S.F. No. 4236: A bill for an act relating to public safety; amending definitions of labor trafficking; establishing enhanced penalties for labor trafficking when the trafficking occurs over an extended period of time or when a victim dies or suffers great bodily harm; making conforming changes related to the statewide human trafficking assessment; amending Minnesota Statutes 2020, sections 299A.78, subdivision 1; 299A.79, subdivision 3; 609.281, subdivisions 3, 4, 5; 609.282, subdivision 1, by adding a subdivision; repealing Minnesota Statutes 2020, section 609.281, subdivision 2.

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

Senator Putnam introduced--

S.F. No. 4237: A bill for an act relating to workforce development; appropriating money for a survivor employment readiness pilot project in the greater St. Cloud area.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senator Jasinski introduced--

S.F. No. 4238: A bill for an act relating to capital investment; appropriating money for new law enforcement and government facilities in Rice County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Mathews introduced--

S.F. No. 4239: A bill for an act relating to government data practices; creating general data audit trail requirements for not public data; amending Minnesota Statutes 2020, section 13.05, by adding a subdivision.

Referred to the Committee on Civil Law and Data Practices Policy.

Senators Tomassoni and Bakk introduced--

S.F. No. 4240: A bill for an act relating to economic development; creating the pandemic relief grant program; requiring reports; appropriating money.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senators Frentz, Newton, and Johnson Stewart introduced--

S.F. No. 4241: A bill for an act relating to energy; requiring owners of certain buildings to enter energy use data into a benchmarking tool; requiring public disclosure of energy use data; providing grants; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 216C.

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

Senator Carlson introduced--

S.F. No. 4242: A bill for an act relating to state government; appropriating money to the secretary of state for certain activities related to election security.

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

Senator Senjem introduced--

S.F. No. 4243: A bill for an act relating to environment; establishing a working group on ending land disposal of mixed municipal solid waste in Minnesota; appropriating money for the working group; providing appointments.

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

Senators Tomassoni and Bakk introduced--

S.F. No. 4244: A bill for an act relating to natural resources; establishing a legacy mine water management account; requiring a report; transferring money; appropriating money; amending Minnesota Statutes 2020, section 93.46, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 93.

Referred to the Committee on Mining and Forestry Policy.

Senator Hawj introduced--

S.F. No. 4245: A bill for an act relating to state government; appropriating money to address disparities experienced by Asian Minnesotans.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senator Howe introduced--

S.F. No. 4246: A bill for an act relating to transportation; appropriating money for intersection improvements on marked Trunk Highway 23 in the city of Rockville.

Referred to the Committee on Transportation Finance and Policy.

Senators Hoffman, Abeler, and Newton introduced--

S.F. No. 4247: A bill for an act relating to capital investment; appropriating money for Mississippi Gateway Regional Park improvements; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Kunesh introduced--

S.F. No. 4248: A bill for an act relating to capital investment; appropriating money for a wellness and community center in the city of St. Anthony; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

Senator Kunesh introduced--

S.F. No. 4249: A bill for an act relating to natural resources; modifying enforcement authority for appropriating water; amending Minnesota Statutes 2020, section 103G.299, subdivisions 1, 2, 5; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Senator McEwen introduced--

S.F. No. 4250: A bill for an act relating to retirement; Minnesota State Retirement System; Public Employees Retirement Association; Teachers Retirement Association; St. Paul Teachers' Retirement Fund Association; restoring augmentation of deferred annuities for members who left public employment before January 1, 2019; amending Minnesota Statutes 2020, sections 352.22, subdivision 3a; 352B.08, subdivision 2b; 353.34, subdivision 3; 354.55, subdivision 11; 354A.37, subdivision 2.

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

Senator Utke introduced--

S.F. No. 4251: A bill for an act relating to capital investment; appropriating money for demolition of the abandoned Williams School building in Lake of the Woods County.

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

Senator Champion introduced--

S.F. No. 4252: A bill for an act relating to economic development; appropriating money to the small business partnership grant program; amending Laws 2021, First Special Session chapter 10, article 1, section 2, subdivision 2.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senator Champion introduced--

S.F. No. 4253: A bill for an act relating to economic development; requiring a report; appropriating money to make workforce training and entrepreneurship investments intended to help close the state's opportunity gaps for Minnesotans of color.

Referred to the Committee on Jobs and Economic Growth Finance and Policy.

Senator Johnson Stewart introduced--

S.F. No. 4254: A bill for an act relating to capital investment; requiring the withholding of certain grant funds for capital projects before receipt of an approval of compliance with sustainable building guidelines; requiring the adjustment of certain capital project construction cost thresholds by the commissioner of administration; appropriating money for sustainable building guideline education; amending Minnesota Statutes 2020, sections 16B.325, by adding a subdivision; 16B.335, subdivision 1.

Referred to the Committee on Capital Investment.

Senator Draheim introduced--

S.F. No. 4255: A bill for an act relating to local government; increasing the threshold for municipal reporting of construction-related and development-related fee collections; requiring the commissioner of labor and industry to establish a cost per square foot valuation of certain properties for the purpose of setting municipal building permit fees; amending Minnesota Statutes 2020, sections 326B.145; 326B.153, by adding a subdivision.

Referred to the Committee on Labor and Industry Policy.

Senators Bakk and Tomassoni introduced--

S.F. No. 4256: A bill for an act relating to environment; appropriating money for a new landfill in St. Louis County.

Referred to the Committee on Environment and Natural Resources Finance.

Senator Koran introduced--

S.F. No. 4257: A bill for an act relating to health; modifying reporting, access, and other requirements related to the prescription monitoring program; amending Minnesota Statutes 2020, section 152.126, subdivisions 4, 5, 6, 9.

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

Senator Duckworth introduced--

S.F. No. 4258: A bill for an act relating to education finance; authorizing a school district to levy for certain costs associated with data requests; amending Minnesota Statutes 2020, section 126C.43.

Referred to the Committee on Education Finance and Policy.

Senator Wiger introduced--

S.F. No. 4259: A bill for an act relating to capital investment; appropriating money for planning and design of a grade-separated interchange at Trunk Highway 36 and Trunk Highway 120.

Referred to the Committee on Transportation Finance and Policy.

Senator Ingebrigtsen introduced--

S.F. No. 4260: A bill for an act relating to capital investment; extending the availability of an appropriation for a Glendalough State Park visitor center; appropriating money for a Glendalough State Park visitor center; authorizing the sale and issuance of state bonds; amending Laws 2018, chapter 214, article 1, section 7, subdivision 9.

Referred to the Committee on Capital Investment.

MOTIONS AND RESOLUTIONS

Senator Utke moved that the name of Senator Dornink be added as a co-author to S.F. No. 121. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 317. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 1222. The motion prevailed.

Senator Chamberlain moved that the name of Senator Wiger be added as a co-author to S.F. No. 1417. The motion prevailed.

Senator Dibble moved that the name of Senator Cwodzinski be added as a co-author to S.F. No. 1513. The motion prevailed.

Senator Kunesh moved that the name of Senator Isaacson be added as a co-author to S.F. No. 1966. The motion prevailed.

Senator Kunesh moved that the name of Senator Abeler be added as a co-author to S.F. No. 2136. The motion prevailed.

Senator Benson moved that her name be stricken as chief author, shown as a co-author, and the name of Senator Utke be added as chief author to S.F. No. 2247. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 2325. The motion prevailed.

Senator Howe moved that the name of Senator Putnam be added as a co-author to S.F. No. 2615. The motion prevailed.

Senator Senjem moved that the name of Senator Dornink be added as a co-author to S.F. No. 2630. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 2632. The motion prevailed.

Senator Coleman moved that the name of Senator Senjem be added as a co-author to S.F. No. 2649. The motion prevailed.

Senator Tomassoni moved that the name of Senator Bakk be added as a co-author to S.F. No. 3032. The motion prevailed.

Senator Koran moved that the name of Senator Draheim be added as a co-author to S.F. No. 3036. The motion prevailed.

Senator Jasinski moved that the name of Senator Carlson be added as a co-author to S.F. No. 3072. The motion prevailed.

Senator Abeler moved that the name of Senator Eaton be added as a co-author to S.F. No. 3279. The motion prevailed.

Senator Nelson moved that the name of Senator Jasinski be added as a co-author to S.F. No. 3364. The motion prevailed.

Senator Weber moved that the name of Senator Klein be added as a co-author to S.F. No. 3503. The motion prevailed.

Senator Howe moved that the names of Senators Rosen and Ingebrigtsen be added as co-authors to S.F. No. 3538. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 3800. The motion prevailed.

Senator Mathews moved that the name of Senator Dornink be added as a co-author to S.F. No. 3860. The motion prevailed.

Senator Wiklund moved that the name of Senator Champion be added as a co-author to S.F. No. 3903. The motion prevailed.

Senator Rosen moved that the name of Senator Draheim be added as a co-author to S.F. No. 4025. The motion prevailed.

Senator Johnson Stewart moved that the name of Senator Bakk be added as a co-author to S.F. No. 4037. The motion prevailed.

Senator Lang moved that his name be stricken as chief author, shown as a co-author, and the name of Senator Rosen be shown as chief author to S.F. No. 4046. The motion prevailed.

Senator Rarick moved that the name of Senator Latz be added as a co-author to S.F. No. 4074. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 4089. The motion prevailed.

Senator Isaacson moved that the names of Senators Kunesh, Cwodzinski, Putnam, and Clausen be added as co-authors to S.F. No. 4101. The motion prevailed.

Senator Coleman moved that the name of Senator Housley be added as a co-author to S.F. No. 4109. The motion prevailed.

Senator Dibble moved that the name of Senator Coleman be added as a co-author to S.F. No. 4110. The motion prevailed.

Senator Chamberlain moved that the name of Senator Wiger be added as a co-author to S.F. No. 4116. The motion prevailed.

Senator Weber moved that the name of Senator Bigham be added as a co-author to S.F. No. 4138. The motion prevailed.

Senator Senjem moved that the name of Senator Nelson be added as a co-author to S.F. No. 4143. The motion prevailed.

Senator Coleman moved that the name of Senator Dibble be added as a co-author to S.F. No. 4193. The motion prevailed.

Senator Dibble moved that the name of Senator Dziejic be added as a co-author to S.F. No. 4194. The motion prevailed.

Senator López Franzen moved that the names of Senators Putnam and Frentz be added as co-authors to S.F. No. 4195. The motion prevailed.

Senator Newman moved that the name of Senator Rosen be added as a co-author to S.F. No. 4196. The motion prevailed.

Senator Ingebrigtsen moved that S.F. No. 3893 be withdrawn from the Committee on Judiciary and Public Safety Finance and Policy and returned to its author. The motion prevailed.

Senator Newton moved that S.F. No. 4103 be withdrawn from the Committee on Taxes and re-referred to the Committee on Veterans and Military Affairs Finance and Policy. The motion prevailed.

MEMBERS EXCUSED

Senator Bakk was excused from the Session of today.

ADJOURNMENT

Senator Johnson moved that the Senate do now adjourn until 11:00 a.m., Thursday, March 24, 2022. The motion prevailed.

Cal R. Ludeman, Secretary of the Senate

