

**FORTIETH DAY**

St. Paul, Minnesota, Thursday, March 23, 2023

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

**CALL OF THE SENATE**

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

Prayer was offered by the Chaplain, Rev. Emily Rova-Hegener.

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

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 6, 2023

The Honorable Bobby Joe Champion  
President of the Senate

Dear Senator Champion:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

PLUMBING BOARD

Samuel Arnold, 25229 - 230th St., Preston, in the county of Fillmore, effective March 8, 2023, for a term expiring on December 31, 2025.

Bruce Pylkas, 420 Broadway Ave., Saint Paul Park, in the county of Washington, effective March 8, 2023, for a term expiring on December 31, 2025.

Scott Stewart, 23830 Meadow Creek Dr., Loretto, in the county of Hennepin, effective March 8, 2023, for a term expiring on December 31, 2025.

Rick Wahlen, 42365 - 320th St., Le Sueur, in the county of Sibley, effective March 8, 2023, for a term expiring on December 31, 2025.

Shane Willis, 3832 Major Ave. N., Robbinsdale, in the county of Hennepin, effective March 8, 2023, for a term expiring on December 31, 2025.

(Referred to the Committee on Labor.)

March 20, 2023

The Honorable Bobby Joe Champion  
President of the Senate

Dear Senator Champion:

The following appointments are hereby respectfully submitted to the Senate for confirmation as required by law:

CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD

Carol Flynn, 1235 Yale Pl., Minneapolis, in the county of Hennepin, effective March 22, 2023, for a term expiring on January 4, 2027.

Faris Rashid, 6900 Creston Rd., Edina, in the county of Hennepin, effective March 22, 2023, for a term expiring on January 4, 2027.

(Referred to the Committee on Elections.)

Sincerely,  
Tim Walz, Governor

**MESSAGES FROM THE HOUSE**

Mr. President:

I have the honor to inform the Senate that the House of Representatives invites and is ready to meet with the Senate in Joint Convention at 6:45 p.m., on Wednesday, April 19, 2023, to receive the message of the Honorable Tim Walz, Governor of the State of Minnesota, said message to be delivered at 7:00 p.m.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted March 22, 2023

Senator Frentz moved that the Senate accept the invitation of the House of Representatives to meet in Joint Convention in the House Chamber at 6:45 p.m., Wednesday, April 19, 2023, to receive the message of the Honorable Tim Walz, Governor of the State of Minnesota.

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 42 and nays 14, as follows:

Those who voted in the affirmative were:

Abeler	Duckworth	Kreun	Mitchell	Rasmusson
Boldon	Farnsworth	Kunesh	Murphy	Rest
Carlson	Fateh	Kupec	Nelson	Seeberger
Champion	Frentz	Lang	Oumou Verbeten	Westlin
Coleman	Gustafson	Latz	Pappas	Wiklund
Cwodzinski	Hauschild	Limmer	Pha	Xiong
Dibble	Hawj	Mann	Port	
Dornink	Hoffman	Marty	Putnam	
Draheim	Johnson	McEwen	Rarick	

Those who voted in the negative were:

Anderson	Drazkowski	Gruenhagen	Lucero	Weber
Bahr	Eichorn	Howe	Mathews	Wesenberg
Dahms	Green	Lieske	Utke	

The motion prevailed.

**REPORTS OF COMMITTEES**

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

The question was taken on the adoption of the motion.

The roll was called, and there were yeas 37 and nays 18, as follows:

Those who voted in the affirmative were:

Abeler	Dahms	Frentz	Kreun	Mann
Boldon	Dibble	Gustafson	Kunesh	Marty
Carlson	Dornink	Hawj	Kupec	McEwen
Champion	Duckworth	Hoffman	Latz	Mitchell
Cwodzinski	Fateh	Klein	Limmer	Murphy

Nelson  
Oumou Verbeten  
Pappas

Pha  
Port  
Rest

Seeberger  
Weber  
Westlin

Westrom  
Wiklund  
Xiong

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

Those who voted in the negative were:

Anderson  
Bahr  
Coleman  
Drazkowski

Eichorn  
Farnsworth  
Green  
Gruenhagen

Howe  
Jasinski  
Johnson  
Koran

Lucero  
Mathews  
Rarick  
Rasmusson

Utke  
Wesenberg

The motion prevailed.

**Senator Wiklund from the Committee on Health and Human Services, to which was referred**

**S.F. No. 1831:** A bill for an act relating to state government; requiring coverage for self-measured blood pressure monitoring devices; requiring related reimbursement for recipients and providers; requiring commissioner of human services to create medical assistance data practices and clinical oversight policy; amending Minnesota Statutes 2022, section 256B.0625, subdivision 31; proposing coding for new law in Minnesota Statutes, chapter 62Q.

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

Page 1, after line 16, insert:

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

Page 3, line 5, delete everything after "assistance" and insert "covers self-measured blood pressure monitoring devices and related services."

Page 3, delete lines 6 to 16 and insert:

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

Amend the title accordingly

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

**Senator Wiklund from the Committee on Health and Human Services, to which was referred**

**S.F. No. 1490:** A bill for an act relating to insurance coverage; providing medical assistance and insurance coverage of psychiatric collaborative care model; amending Minnesota Statutes 2022, sections 62Q.47; 256B.0671, by adding a subdivision.

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

**Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred**

**S.F. No. 1384:** A bill for an act relating to labor and industry; classifying Occupational Safety and Health Act citation data; amending Minnesota Statutes 2022, sections 182.659, subdivisions 1, 8; 182.66, by adding a subdivision; 182.661, by adding a subdivision; 182.676.

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

**Senator Hawj from the Committee on Environment, Climate, and Legacy, to which was referred**

**S.F. No. 2250:** A bill for an act relating to natural resources; requiring the transfer of Upper Sioux Agency State Park; requiring a report.

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

**Senator Hawj from the Committee on Environment, Climate, and Legacy, to which was referred**

**S.F. No. 2458:** A bill for an act relating to natural resources; modifying enforcement authority for appropriating water; amending Minnesota Statutes 2022, section 103G.299, subdivisions 1, 2, 5, 10; proposing coding for new law in Minnesota Statutes, chapter 103G.

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

Page 6, line 4, after "acts" insert "set forth in the commissioner's order" and before "things" insert "all"

Page 6, line 20, delete "other"

Page 6, line 21, before "order" insert "commissioner's"

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

**Senator Hawj from the Committee on Environment, Climate, and Legacy, to which was referred**

**S.F. No. 1918:** A bill for an act relating to water; reestablishing Legislative Water Commission; providing appointments; proposing coding for new law in Minnesota Statutes, chapter 3.

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

**Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred**

**S.F. No. 2225:** A bill for an act relating to state government; making changes to data practices; establishing the Office of Collaboration and Dispute Resolution; establishing the Office of Enterprise Sustainability; removing an expired report on state government use of eligible contractors; modifying provisions for historic properties and fair campaign practices; amending Minnesota Statutes 2022, sections 13.04, subdivision 4; 16B.58, by adding a subdivision; 16C.36; 138.081, subdivision 3; 138.665, subdivision 2; 211B.20, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 2022, sections 179.90; 179.91.

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

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2022, section 13.04, subdivision 4, is amended to read:

Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject of the data may contest the accuracy or completeness of public or private data about themselves.

(b) To exercise this right, an individual shall notify in writing the responsible authority of the government entity that maintains the data, describing the nature of the disagreement.

(c) Upon receiving notification from the data subject, the responsible authority shall within 30 days either:

(1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or

(2) notify the individual that the responsible authority believes has determined the data to be correct. If the challenged data are determined to be accurate or complete, the responsible authority shall inform the individual of the right to appeal the determination to the commissioner as specified under paragraph (d). Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.

(d) A data subject may appeal the determination of the responsible authority ~~may be appealed~~ pursuant to the provisions of the Administrative Procedure Act relating to contested cases. An individual must submit an appeal to the commissioner within 60 days of the responsible authority's notice of the right to appeal or as otherwise provided by the rules of the commissioner. Upon receipt of an appeal by an individual, the commissioner shall, before issuing the order and notice of a contested case hearing required by chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.

(e) The commissioner may dismiss an appeal without first attempting to resolve the dispute or before issuing an order and notice of a contested case hearing if:

(1) the appeal to the commissioner is not timely;

(2) the appeal concerns data previously presented as evidence in a court proceeding in which the data subject was a party; or

(3) the individual making the appeal is not the subject of the data challenged as inaccurate or incomplete.

~~(b)~~ (f) Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of section 138.17.

(g) After completing, correcting, or destroying successfully challenged data, a government entity may retain a copy of the commissioner of administration's order issued under chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data."

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

**Senator Latz from the Committee on Judiciary and Public Safety, to which was re-referred**

**S.F. No. 2712:** A bill for an act relating to commerce; providing remedies to debtors with coerced debt; proposing coding for new law in Minnesota Statutes, chapter 332.

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

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

**H.F. No. 156** for comparison with companion Senate File, reports the following House File was found not identical with companion Senate File as follows:

<b>GENERAL ORDERS</b>		<b>CONSENT CALENDAR</b>		<b>CALENDAR</b>	
H.F. No.	S.F. No.	H.F. No.	S.F. No.	H.F. No.	S.F. No.
156	1472				

Pursuant to Rule 45, the Committee on Rules and Administration recommends that H.F. No. 156 be amended as follows:

Delete all the language after the enacting clause of H.F. No. 156, the third engrossment; and insert the language after the enacting clause of S.F. No. 1472, the first engrossment; further, delete the title of H.F. No. 156, the third engrossment; and insert the title of S.F. No. 1472, the first engrossment.

And when so amended H.F. No. 156 will be identical to S.F. No. 1472, and further recommends that H.F. No. 156 be given its second reading and substituted for S.F. No. 1472, and that the Senate File be indefinitely postponed.

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

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1657:** A bill for an act relating to data practices; classifying data for licenses issued by local governments; amending Minnesota Statutes 2022, section 13.41, subdivision 1.

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

Delete everything after the enacting clause and insert:

"Section 1. [13.204] POLITICAL SUBDIVISIONS LICENSING DATA.

(a) The following data submitted to a political subdivision by a person seeking to obtain a license are classified as private data on individuals or nonpublic data:

(1) a tax return, as defined by section 270B.01, subdivision 2; and

(2) a bank account statement.

(b) Notwithstanding section 138.17, data collected by a political subdivision as part of a license application and classified under paragraph (a) must be destroyed no later than 90 days after a final decision on the license application.

**EFFECTIVE DATE.** This section is effective the day following final enactment. Data which a political subdivision collected or created before the effective date of this section, and which would otherwise be subject to the destruction requirement in paragraph (b), must be destroyed no later than 90 days following final enactment."

Amend the title numbers accordingly

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

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 733:** A bill for an act relating to public safety; increasing penalties for transferring certain firearms to persons who are ineligible to possess firearms; amending Minnesota Statutes 2022, section 624.7141.

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

Page 1, line 21, delete "five" and insert "seven"

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

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 2042:** A bill for an act relating to controlled substances; modifying Minnesota's schedules of controlled substances; amending Minnesota Statutes 2022, section 152.02, subdivisions 2, 3, 5, 6.



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

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 2380:** A bill for an act relating to corrections; providing for a supervision standards committee; modifying probation, supervised release, and community corrections; providing for rulemaking; requiring a report; appropriating money; amending Minnesota Statutes 2022, sections 243.05, subdivision 1; 244.05, subdivision 3; 244.19, subdivisions 1, 5; 244.195, subdivision 1, by adding subdivisions; 244.20; 244.21; 401.01; 401.02; 401.06; 401.09; 401.10; 401.11; 401.14, subdivision 3; 401.16; repealing Minnesota Statutes 2022, sections 244.19, subdivisions 6, 7, 8; 244.22; 244.24; 244.30; 401.025.

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 2022, section 243.05, subdivision 1, is amended to read:

Subdivision 1. **Conditional release.** (a) The commissioner of corrections may parole any person sentenced to confinement in any state correctional facility for adults under the control of the commissioner of corrections, provided that:

(1) no inmate serving a life sentence for committing murder before May 1, 1980, other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled without having served 20 years, less the diminution that would have been allowed for good conduct had the sentence been for 20 years;

(2) no inmate serving a life sentence for committing murder before May 1, 1980, who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled without having served 25 years, less the diminution which would have been allowed for good conduct had the sentence been for 25 years;

(3) any inmate sentenced prior to September 1, 1963, who would be eligible for parole had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

(4) any new rule or policy or change of rule or policy adopted by the commissioner of corrections which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change.

(b) Upon being paroled and released, an inmate is and remains in the legal custody and under the control of the commissioner, subject at any time to be returned to a facility of the Department of Corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the commissioner.

(c) The written order of the commissioner of corrections, is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in

actual custody any person on parole or supervised release. In addition, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without order of warrant, take and detain a parolee or person on supervised release or work release and bring the person to the commissioner for action.

(d) The written order of the commissioner of corrections is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135. Additionally, when it appears necessary in order to prevent escape or enforce discipline, any state parole and probation agent or state correctional investigator may, without an order, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14.

(e) The written order of the commissioner of corrections is sufficient authority for any peace officer, state correctional investigator, or state parole and probation agent to detain any person on pretrial release who absconds from pretrial release or fails to abide by the conditions of pretrial release.

(f) Persons conditionally released, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or outside the boundaries of the state at the discretion of the commissioner of corrections or the court, and the limits fixed for these persons may be enlarged or reduced according to their conduct.

(g) Except as otherwise provided in subdivision 1b, in considering applications for conditional release or discharge, the commissioner is not required to hear oral argument from any attorney or other person not connected with an adult correctional facility of the Department of Corrections in favor of or against the parole or release of any inmates. The commissioner may institute inquiries by correspondence, taking testimony, or otherwise, as to the previous history, physical or mental condition, and character of the inmate and, to that end, has the authority to require the attendance of the chief executive officer of any state adult correctional facility and the production of the records of these facilities, and to compel the attendance of witnesses. The commissioner is authorized to administer oaths to witnesses for these purposes.

~~(h) Unless the district court directs otherwise, state parole and probation agents may require a person who is under the supervision of the commissioner of corrections to perform community work service for violating a condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, to aid the offender's rehabilitation, or both. Agents may impose up to eight hours of community work service for each violation and up to a total of 24 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. The commissioner may authorize an additional 40 hours of community work services, for a total of 64 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. At the time community work service is imposed, parole and probation agents are required to provide written notice to the offender that states:~~

~~(1) the condition of probation that has been violated;~~

~~(2) the number of hours of community work service imposed for the violation; and~~

~~(3) the total number of hours of community work service imposed to date in the 12-month period.~~

~~An offender may challenge the imposition of community work service by filing a petition in district court. An offender must file the petition within five days of receiving written notice that community work service is being imposed. If the offender challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.~~

~~Community work service includes sentencing to service.~~

~~(i) Prior to revoking a nonviolent controlled substance offender's parole or probation based on a technical violation, when the offender does not present a risk to the public and the offender is amenable to continued supervision in the community, a parole or probation agent must identify community options to address and correct the violation including, but not limited to, inpatient substance use disorder treatment. If a probation or parole agent determines that community options are appropriate, the agent shall seek to restructure the offender's terms of release to incorporate those options. If an offender on probation stipulates in writing to restructure the terms of release, a probation agent must forward a report to the district court containing:~~

~~(1) the specific nature of the technical violation of probation;~~

~~(2) the recommended restructure to the terms of probation; and~~

~~(3) a copy of the offender's signed stipulation indicating that the offender consents to the restructuring of probation.~~

~~The recommended restructuring of probation becomes effective when confirmed by a judge. The order of the court shall be proof of such confirmation and amend the terms of the sentence imposed by the court under section 609.135. If a nonviolent controlled substance offender's parole or probation is revoked, the offender's agent must first attempt to place the offender in a local jail. For purposes of this paragraph, "nonviolent controlled substance offender" is a person who meets the criteria described under section 244.0513, subdivision 2, clauses (1), (2), and (5), and "technical violation" means any violation of a court order of probation or a condition of parole, except an allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or petition.~~

Sec. 2. Minnesota Statutes 2022, section 244.05, subdivision 3, is amended to read:

Subd. 3. **Sanctions for violation.** (a) If an inmate violates the conditions of the inmate's supervised release imposed by the commissioner, the commissioner may:

(1) continue the inmate's supervised release term; with or without:

(i) modifying or enlarging the conditions imposed on the inmate; or

(ii) transferring the inmate's case to a specialized caseload; or

(2) revoke the inmate's supervised release and reimprison the inmate for the appropriate period of time.

(b) Before revoking an inmate's supervised release because of a technical violation that would result in reimprisonment, the commissioner must identify alternative interventions to address and correct the violation only if:

- (1) the inmate does not present a risk to the public; and
- (2) the inmate is amenable to continued supervision.

(c) If alternative interventions are appropriate and available, the commissioner must restructure the inmate's terms of release to incorporate the alternative interventions.

(d) Prior to revoking a nonviolent controlled substance offender's supervised release based on a technical violation, when the offender does not present a risk to the public and the offender is amenable to continued supervision in the community, the commissioner must identify community options to address and correct the violation including, but not limited to, inpatient substance use disorder treatment. If the commissioner determines that community options are appropriate, the commissioner shall restructure the inmate's terms of release to incorporate those options. If a nonviolent controlled substance offender's supervised release is revoked, the offender's agent must first attempt to place the offender in a local jail. For purposes of this subdivision, "nonviolent controlled substance offender" is a person who meets the criteria described under section 244.0513, subdivision 2, clauses (1), (2), and (5), and "technical violation" means a violation of a condition of supervised release, except an allegation of a subsequent criminal act that is alleged in a formal complaint, citation, or petition.

(e) The period of time for which a supervised release may be revoked may not exceed the period of time remaining in the inmate's sentence, except that if a sex offender is sentenced and conditionally released under Minnesota Statutes 2004, section 609.108, subdivision 5, the period of time for which conditional release may be revoked may not exceed the balance of the conditional release term.

Sec. 3. Minnesota Statutes 2022, section 244.19, subdivision 1, is amended to read:

Subdivision 1. **Appointment; joint services; state services.** (a) If a county or group of counties has established a human services board pursuant to chapter 402, the district court may appoint one or more county probation officers as necessary to perform court services, and the human services board shall appoint persons as necessary to provide correctional services within the authority granted in chapter 402. In all counties of more than 200,000 population, which have not organized pursuant to chapter 402, the district court shall appoint one or more persons of good character to serve as county probation officers during the pleasure of the court. All other counties shall provide adult misdemeanor and juvenile probation services to district courts in one of the following ways:

- (1) the court, with the approval of the county boards, may appoint one or more salaried county probation officers to serve during the pleasure of the court;
- (2) when two or more counties offer probation services the district court through the county boards may appoint common salaried county probation officers to serve in the several counties;
- (3) a county or a district court may request the commissioner of corrections to furnish probation services in accordance with the provisions of this section, and the commissioner of corrections shall

furnish such services to any county or court that fails to provide its own probation officer by one of the two procedures listed above;

(4) if a county or district court providing probation services under clause (1) or (2) asks the commissioner of corrections or the legislative body for the state of Minnesota mandates the commissioner of corrections to furnish probation services to the district court, the probation officers and other employees displaced by the changeover shall be employed by the commissioner of corrections. Years of service in the county probation department are to be given full credit for future sick leave and vacation accrual purposes;

(5) all probation officers serving the juvenile courts on July 1, 1972, shall continue to serve if a county receiving probation services under clause (3) decides to provide the services under clause (1) or (2), the probation officers and other employees displaced by the changeover shall be employed by the county at no loss of salary. Years of service in the state are to be given full credit for future sick leave and vacation accrual purposes in the county or counties they are now serving.

(b) A county or counties providing probation services under paragraph (a), clause (1) or (2), is designated a "CPO county" for purposes of receiving a subsidy under chapter 401. A county or counties receiving probation services under paragraph (a), clause (3), is not eligible for a subsidy under chapter 401 and the commissioner of corrections is appropriated the county's share of funding for the purpose of providing probation services and authority to seek reimbursement from the county under subdivision 5.

(c) A county that requests the commissioner of corrections to provide probation services under paragraph (a), clause (3), shall collaborate with the commissioner to develop a comprehensive plan as described in section 401.06.

~~(b)~~ (d) The commissioner of management and budget shall place employees transferred to state service under paragraph (a), clause (4), in the proper classifications in the classified service. Each employee is appointed without examination at no loss in salary or accrued vacation or sick leave benefits, but no additional accrual of vacation or sick leave benefits may occur until the employee's total accrued vacation or sick leave benefits fall below the maximum permitted by the state for the employee's position. An employee appointed under paragraph (a), clause (4), shall serve a probationary period of six months. After exhausting labor contract remedies, a noncertified employee may appeal for a hearing within ten days to the commissioner of management and budget, who may uphold the decision, extend the probation period, or certify the employee. The decision of the commissioner of management and budget is final. The state shall negotiate with the exclusive representative for the bargaining unit to which the employees are transferred regarding their seniority. For purposes of computing seniority among those employees transferring from one county unit only, a transferred employee retains the same seniority position as the employee had within that county's probation office.

Sec. 4. Minnesota Statutes 2022, section 244.19, subdivision 5, is amended to read:

Subd. 5. **Compensation.** ~~In counties of more than 200,000 population, a majority of the judges of the district court may direct the payment of such salary to probation officers as may be approved by the county board, and in addition thereto shall be reimbursed for all necessary expenses incurred in the performance of their official duties. In all counties which obtain probation services from the~~

commissioner of corrections the commissioner shall, out of appropriations provided therefor, pay probation officers the salary and all benefits fixed by the state law or applicable bargaining unit and all necessary expenses, including secretarial service, office equipment and supplies, postage, telephone and telegraph services, and travel and subsistence. Each county receiving probation services from the commissioner of corrections shall reimburse the department of corrections for the total cost and expenses of such services as incurred by the commissioner of corrections, excluding the cost and expense of services provided under the state's obligation in section 244.20. ~~Total annual costs for each county shall be that portion of the total costs and expenses for the services of one probation officer represented by the ratio which the county's population bears to the total population served by one officer. For the purposes of this section, the population of any county shall be the most recent estimate made by the Department of Health.~~ At least every six months the commissioner of corrections shall bill for the total cost and expenses incurred by the commissioner on behalf of each county which has received probation services. The commissioner of corrections shall notify each county of the cost and expenses and the county shall pay to the commissioner the amount due for reimbursement. All such reimbursements shall be ~~deposited in the general fund~~ used to provide services for each county according to their reimbursement amount. Objections by a county to all allocation of such cost and expenses shall be presented to and determined by the commissioner of corrections. Each county providing probation services under this section is hereby authorized to use unexpended funds and to levy additional taxes for this purpose.

The county commissioners of any county of not more than 200,000 population shall, when requested to do so by the juvenile judge, provide probation officers with suitable offices, and may provide equipment, and secretarial help needed to render the required services.

Sec. 5. Minnesota Statutes 2022, section 244.195, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** (a) As used in this subdivision and sections 244.196 to 244.1995, the following terms have the meanings given them.

(b) "Commissioner" means the commissioner of corrections.

(c) "Conditional release" means parole, supervised release, conditional release as authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and any other authorized temporary release from a correctional facility.

(d) "Court services director" means the director or designee of a county probation agency that is not organized under section 244.19 or an agency organized under chapter 401.

(e) "Detain" means to take into actual custody, including custody within a local correctional facility.

(f) "Local correctional facility" has the meaning given in section 241.021, subdivision 1.

(g) "Probation agency" means the Department of Corrections field office or a probation agency organized under section 244.19 or chapter 401.

(h) "Probation officer" means a court services director, county probation officer, or any other community supervision officer employed by the commissioner or by a probation agency organized under section 244.19 or chapter 401.

(i) "Release" means to release from actual custody.

Sec. 6. Minnesota Statutes 2022, section 244.195, subdivision 2, is amended to read:

Subd. 2. **Detention pending hearing.** When it appears necessary to enforce discipline or to prevent a person on conditional release from escaping or absconding from supervision, a court services director has the authority to issue a written order directing any peace officer or any probation officer in the state serving the district and juvenile courts to detain and bring the person before the court or the commissioner, whichever is appropriate, for disposition. If the person on conditional release commits a violation described in section 609.14, subdivision 1a, paragraph (a), the court services director must have a reasonable belief that the order is necessary to prevent the person from escaping or absconding from supervision or that the continued presence of the person in the community presents a risk to public safety before issuing a written order. This written order is sufficient authority for the peace officer or probation officer to detain the person for not more than 72 hours, excluding Saturdays, Sundays, and holidays, pending a hearing before the court or the commissioner.

Sec. 7. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision to read:

Subd. 6. **Intermediate sanctions.** (a) Unless the district court directs otherwise, a probation officer may require a person committed to the officer's care by the court to perform community work service for violating a condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, aiding the person's rehabilitation, or both. A probation officer may impose up to eight hours of community work service for each violation and up to a total of 24 hours per person per 12-month period, beginning on the date on which community work service is first imposed. The court services director or probation agency may authorize an additional 40 hours of community work service, for a total of 64 hours per person per 12-month period, beginning with the date on which community work service is first imposed. At the time community work service is imposed, probation officers are required to provide written notice to the person that states:

(1) the condition of probation that has been violated;

(2) the number of hours of community work service imposed for the violation; and

(3) the total number of hours of community work service imposed to date in the 12-month period.

(b) A person on supervision may challenge the imposition of community work service by filing a petition in district court within five days of receiving written notice that community work service is being imposed. If the person challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.

(c) Community work service includes sentencing to service.

Sec. 8. Minnesota Statutes 2022, section 244.195, is amended by adding a subdivision to read:

Subd. 7. **Contacts.** Supervision contacts may be conducted over videoconference technology in accordance with the probation agency's established policy.

Sec. 9. Minnesota Statutes 2022, section 244.20, is amended to read:

#### **244.20 PROBATION SUPERVISION.**

Notwithstanding sections 244.19, subdivision 1, and 609.135, subdivision 1, the Department of Corrections shall have exclusive responsibility for providing probation services for adult felons in counties that do not take part in the Community Corrections Act. ~~In counties that do not take part in the Community Corrections Act, the responsibility for providing probation services for individuals convicted of gross misdemeanor offenses shall be discharged according to local judicial policy.~~

Sec. 10. Minnesota Statutes 2022, section 244.21, is amended to read:

#### **244.21 INFORMATION ON OFFENDERS UNDER SUPERVISION; REPORTS.**

Subdivision 1. **Collection of information by probation service providers; report required.** By January 1, 1998, probation service providers shall begin collecting and maintaining information on offenders under supervision. The commissioner of corrections shall specify the nature and extent of the information to be collected. By April 1 of every year, each probation service provider shall report a summary of the information collected to the commissioner as a condition of state subsidy funding under chapter 401.

Subd. 2. **Commissioner of corrections report.** By January 15, ~~1998~~ 2024, the commissioner of corrections shall report to the chairs of the ~~senate crime prevention and house of representatives judiciary~~ legislative committees with jurisdiction over public safety and finance on recommended methods of coordinating the exchange of information collected on offenders under subdivision 1: (1) between probation service providers; and (2) between probation service providers and the Department of Corrections, ~~without requiring service providers to acquire uniform computer software.~~

Sec. 11. Minnesota Statutes 2022, section 401.01, is amended to read:

#### **401.01 PURPOSE AND DEFINITION; ASSISTANCE ~~GRANTS~~ SUBSIDIES.**

Subdivision 1. **Grants Subsidies.** For the purpose of more effectively protecting society and to promote efficiency and economy in the delivery of correctional services, the commissioner is authorized to ~~make grants to assist~~ subsidize counties in the development, implementation, and operation of community-based corrections programs including preventive or diversionary correctional programs, conditional release programs, community corrections centers, and facilities for the detention or confinement, care and treatment of persons convicted of crime or adjudicated delinquent. ~~The commissioner may authorize the use of a percentage of a grant for the operation of an emergency shelter or make a separate grant for the rehabilitation of a facility owned by the grantee and used as a shelter to bring the facility into compliance with state and local laws pertaining to health, fire, and safety, and to provide security.~~



Subd. 2. **Definitions.** (a) For the purposes of sections 401.01 to 401.16, the following terms have the meanings given them.

(b) "CCA county" means a county that participates in the Community Corrections Act.

(c) "Commissioner" means the commissioner of corrections or a designee.

(d) "Conditional release" means parole, supervised release, conditional release as authorized by section 609.3455, subdivision 6, 7, or 8; Minnesota Statutes 2004, section 609.108, subdivision 6; or Minnesota Statutes 2004, section 609.109, subdivision 7, work release as authorized by sections 241.26, 244.065, and 631.425, probation, furlough, and any other authorized temporary release from a correctional facility.

(e) "County probation officer" means a probation officer appointed under section 244.19.

(f) "CPO county" means a county that participates in funding under this act by providing local corrections service for all juveniles and individuals on probation for misdemeanors, pursuant to section 244.19, subdivision 1, paragraph (a), clause (1) or (2).

(g) "Detain" means to take into actual custody, including custody within a local correctional facility.

~~(g)~~ (h) "Joint board" means the board provided in section 471.59.

~~(h)~~ (i) "Local correctional facility" has the meaning given in section 241.021, subdivision 1.

~~(i)~~ (j) "Local correctional service" means those services authorized by and employees, officers, and agents appointed under section 244.19, subdivision 1.

~~(j)~~ (k) "Release" means to release from actual custody.

(l) "Tribal government" means one of the federally recognized Tribes described in section 3.922.

Sec. 12. Minnesota Statutes 2022, section 401.02, is amended to read:

#### **401.02 COUNTIES OR REGIONS; SERVICES INCLUDABLE.**

Subdivision 1. **Qualification of counties or Tribal governments.** (a) One or more counties; ~~having an aggregate population of 30,000 or more persons, or Tribal governments~~ may qualify for a ~~grant as provided in subsidy under~~ section 401.01 ~~by the enactment of appropriate resolutions creating and establishing a corrections advisory board,~~ designating the officer or agency to be responsible for administering ~~grant funds~~ subsidies, and providing for the preparation of a comprehensive plan for the development, implementation and operation of the correctional services described in ~~section~~ sections 401.01 and 401.11, including the assumption of those correctional services, other than the operation of state facilities, presently provided in such counties by the Department of Corrections, and providing for centralized administration and control of those correctional services described in section 401.01. Counties participating as a CCA county must also enact the appropriate resolutions creating and establishing a corrections advisory board.

Where counties or Tribal governments combine as authorized in this section, they shall comply with the provisions of section 471.59.

(b) A county that has participated in the Community Corrections Act for five or more years is eligible to continue to participate in the Community Corrections Act.

(c) If a county or Tribal government withdraws from the subsidy program as outlined in subdivision 1 and asks the commissioner of corrections or the legislature mandates the commissioner of corrections to furnish probation services to the county, the probation officers and other employees displaced by the changeover shall be employed by the commissioner of corrections at no loss of salary. Years of service in the county probation department are to be given full credit for future sick leave and vacation accrual purposes.

**Subd. 2. Planning counties; advisory board members expenses.** To assist counties which have complied with the provisions of subdivision 1 and require financial aid to defray all or a part of the expenses incurred by corrections advisory board members in discharging their official duties pursuant to section 401.08, the commissioner may designate counties as "planning counties", and, upon receipt of resolutions by the governing boards of the counties certifying the need for and inability to pay the expenses described in this subdivision, advance to the counties an amount not to exceed five percent of the maximum quarterly subsidy for which the counties are eligible. The expenses described in this subdivision shall be paid in the same manner and amount as for state employees.

**Subd. 3. Establishment and reorganization of administrative structure.** Any county or group of counties which have qualified for participation in the ~~community corrections~~ subsidy program provided by this chapter may establish, organize, and reorganize an administrative structure and provide for the budgeting, staffing, and operation of court services and probation, construction or improvement to juvenile detention and juvenile correctional facilities and adult detention and correctional facilities, and other activities required to conform to the purposes of this chapter. No contrary general or special statute divests any county or group of counties of the authority granted by this subdivision.

~~**Subd. 5. Intermediate sanctions.** Unless the district court directs otherwise, county probation officers may require a person committed to the officer's care by the court to perform community work service for violating a condition of probation imposed by the court. Community work service may be imposed for the purpose of protecting the public, to aid the offender's rehabilitation, or both. Probation officers may impose up to eight hours of community work service for each violation and up to a total of 24 hours per offender per 12-month period, beginning on the date on which community work service is first imposed. The chief executive officer of a community corrections agency may authorize an additional 40 hours of community work service, for a total of 64 hours per offender per 12-month period, beginning with the date on which community work service is first imposed. At the time community work service is imposed, probation officers are required to provide written notice to the offender that states:~~

~~(1) the condition of probation that has been violated;~~

~~(2) the number of hours of community work service imposed for the violation; and~~

~~(3) the total number of hours of community work service imposed to date in the 12-month period.~~

~~An offender may challenge the imposition of community work service by filing a petition in district court. An offender must file the petition within five days of receiving written notice that community work service is being imposed. If the offender challenges the imposition of community work service, the state bears the burden of showing, by a preponderance of the evidence, that the imposition of community work service is reasonable under the circumstances.~~

~~Community work service includes sentencing to service.~~

Sec. 13. Minnesota Statutes 2022, section 401.025, subdivision 1, is amended to read:

Subdivision 1. **Peace officers and probation officers serving CCA counties.** (a) When it appears necessary to enforce discipline or to prevent a person on conditional release from escaping or absconding from supervision, the chief executive officer or designee of a community corrections agency in a CCA county has the authority to issue a written order directing any peace officer or any probation officer in the state serving the district and juvenile courts to detain and bring the person before the court or the commissioner, whichever is appropriate, for disposition. If the person on conditional release commits a violation described in section 609.14, subdivision 1a, paragraph (a), the chief executive officer or designee must have a reasonable belief that the order is necessary to prevent the person from escaping or absconding from supervision or that the continued presence of the person in the community presents a risk to public safety before issuing a written order. This written order is sufficient authority for the peace officer or probation officer to detain the person for not more than 72 hours, excluding Saturdays, Sundays, and holidays, pending a hearing before the court or the commissioner.

(b) The chief executive officer or designee of a community corrections agency in a CCA county has the authority to issue a written order directing a peace officer or probation officer serving the district and juvenile courts to release a person detained under paragraph (a) within 72 hours, excluding Saturdays, Sundays, and holidays, without an appearance before the court or the commissioner. This written order is sufficient authority for the peace officer or probation officer to release the detained person.

(c) The chief executive officer or designee of a community corrections agency in a CCA county has the authority to issue a written order directing any peace officer or any probation officer serving the district and juvenile courts to detain any person on court-ordered pretrial release who absconds from pretrial release or fails to abide by the conditions of pretrial release. A written order issued under this paragraph is sufficient authority for the peace officer or probation officer to detain the person.

**EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations that occur on or after that date.

Sec. 14. Minnesota Statutes 2022, section 401.06, is amended to read:

**401.06 COMPREHENSIVE PLAN; STANDARDS OF ELIGIBILITY; COMPLIANCE.**

Subdivision 1. **Commissioner approval required.** (a) No county or group of counties or Tribal government or group of Tribal governments electing to provide correctional services pursuant to sections 401.01 to 401.16 shall be under this chapter is eligible for the subsidy herein provided unless and until its comprehensive plan shall have been approved by the commissioner. A comprehensive plan must comply with commissioner-developed standards and reporting requirements and must sufficiently address community needs and supervision standards.

(b) If the commissioner provides supervision to a county that elects not to provide the supervision, the commissioner must prepare a comprehensive plan for the county and present it to the local county board of commissioners. The Department of Corrections is subject to all the standards and requirements under this chapter and supervision standards and policies.

(c) A comprehensive plan is valid for four years, and a corrections advisory board must review and update the plan two years after the plan has been approved or two years after submitted to the commissioner, whichever is earlier.

(d) All approved comprehensive plans, including updated plans, must be made publicly available on the Department of Corrections' website.

Subd. 2. **Rulemaking.** The commissioner shall must, pursuant to in accordance with the Administrative Procedure Act, promulgate adopt rules establishing standards of eligibility for CCA and CPO counties and Tribal governments to receive funds under sections 401.01 to 401.16 this chapter.

Subd. 3. **Substantial compliance required.** (a) To remain eligible for the subsidy, counties shall and Tribal governments must maintain substantial compliance with the minimum standards established pursuant according to sections 401.01 to 401.16 this chapter and the policies and procedures governing the services described in under section 401.025 as prescribed by the commissioner.

(b) Counties shall also must:

(1) be in substantial compliance with other correctional operating standards permitted by law and established by the commissioner; and

shall (2) report statistics required by the commissioner, including but not limited to information on individuals convicted as an extended jurisdiction juvenile identified in under section 241.016, subdivision 1, paragraph (c).

Subd. 4. **Commissioner review.** (a) The commissioner shall must review annually the comprehensive plans submitted by participating counties and Tribal governments, including the facilities and programs operated under the plans. The commissioner is hereby authorized to may enter upon any facility operated under the plan, and inspect books and records, for purposes of recommending needed changes or improvements.

When (b) If the commissioner shall determine determines that there are reasonable grounds to believe that a county or group of counties or Tribal government or group of Tribal governments is not in substantial compliance with minimum standards, the commissioner must provide at least 30 days' notice shall be given to the county or counties and or Tribal government or Tribal governments

of a commissioner-conducted hearing ~~conducted by the commissioner~~ to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance.

Subd. 5. **Noncompliance with comprehensive plan.** (a) After a hearing, the commissioner may sanction a county or group of counties or Tribal government or group of Tribal governments under this subdivision if the commissioner determined that the agency is not maintaining substantial compliance with minimum standards or that satisfactory progress toward compliance has not been made.

(b) The commissioner may suspend all or a portion of any subsidy ~~until the required standard of operation has been met~~ without issuing a corrective action plan.

(c) The commissioner may issue a corrective action plan, which must:

(1) be in writing;

(2) identify all deficiencies;

(3) detail the corrective action required to remedy the deficiencies; and

(4) provide a deadline to:

(i) correct each deficiency; and

(ii) report to the commissioner progress toward correcting the deficiency.

(d) After the deficiency has been corrected, documentation must be submitted to the commissioner detailing compliance with the corrective action plan. If the commissioner determines that the county or group of counties or Tribal government or group of Tribal governments has not complied with the plan, the commissioner may suspend all or a portion of the subsidy.

Sec. 15. Minnesota Statutes 2022, section 401.09, is amended to read:

#### **401.09 OTHER SUBSIDY PROGRAMS; PURCHASE OF STATE SERVICES.**

Failure of a county or group of counties to elect to come within the provisions of sections 401.01 to 401.16 shall not affect their eligibility for any other state grant or subsidy for correctional purposes otherwise provided by law. Any comprehensive plan submitted pursuant to sections 401.01 to 401.16 may include the purchase of selected correctional services from the state by contract, including the temporary detention and confinement of persons convicted of crime or adjudicated delinquent; confinement to be in an appropriate state facility as otherwise provided by law. The commissioner shall annually determine the costs of the purchase of services under this section and deduct them from the subsidy due and payable to the county or counties concerned; provided that no contract shall exceed in cost the amount of subsidy to which the participating county or counties are eligible.

Sec. 16. Minnesota Statutes 2022, section 401.10, is amended to read:

#### **401.10 COMMUNITY CORRECTIONS AID.**

Subdivision 1. ~~Aid calculations~~ **Funding formula.** To determine the community corrections aid amount to be paid to each participating county, the commissioner of corrections must apply the following formula:

(1) For each of the 87 counties in the state, a percent score must be calculated for each of the following five factors:

(i) percent of the total state population aged ten to 24 residing within the county according to the most recent federal census, and, in the intervening years between the taking of the federal census, according to the most recent estimate of the state demographer;

(ii) percent of the statewide total number of felony case filings occurring within the county, as determined by the state court administrator;

(iii) percent of the statewide total number of juvenile case filings occurring within the county, as determined by the state court administrator;

(iv) percent of the statewide total number of gross misdemeanor case filings occurring within the county, as determined by the state court administrator; and

(v) percent of the total statewide number of convicted felony offenders who did not receive an executed prison sentence, as monitored and reported by the Sentencing Guidelines Commission.

The percents in items (ii) to (v) must be calculated by combining the most recent three-year period of available data. The percents in items (i) to (v) each must sum to 100 percent across the 87 counties.

(2) For each of the 87 counties, the county's percents in clause (1), items (i) to (v), must be weighted, summed, and divided by the sum of the weights to yield an average percent for each county, referred to as the county's "composite need percent." When performing this calculation, the weight for each of the percents in clause (1), items (i) to (v), is 1.0. The composite need percent must sum to 100 percent across the 87 counties.

(3) For each of the 87 counties, the county's "adjusted net tax capacity percent" is the county's adjusted net tax capacity amount, defined in the same manner as it is defined for cities in section 477A.011, subdivision 20, divided by the statewide total adjusted net tax capacity amount. The adjusted net tax capacity percent must sum to 100 percent across the 87 counties.

(4) For each of the 87 counties, the county's composite need percent must be divided by the county's adjusted net tax capacity percent to produce a ratio that, when multiplied by the county's composite need percent, results in the county's "tax base adjusted need percent."

(5) For each of the 87 counties, the county's tax base adjusted need percent must be added to twice the composite need percent, and the sum must be divided by 3, to yield the county's "weighted need percent."

(6) Each participating county's weighted need percent must be added to the weighted need percent of each other participating county to yield the "total weighted need percent for participating counties."

(7) Each participating county's weighted need percent must be divided by the total weighted need percent for participating counties to yield the county's "share percent." The share percents for participating counties must sum to 100 percent.

(8) Each participating county's "base funding amount" is the aid amount that the county received under this section for fiscal year 1995 plus the amount received in caseload or workload reduction, felony caseload reduction, and sex offender supervision grants in fiscal year 2015, as reported by the commissioner of corrections. In fiscal year 1997 and thereafter, no county's aid amount under this section may be less than its base funding amount, provided that the total amount appropriated for this purpose is at least as much as the aggregate base funding amount defined in clause (9).

(9) The "aggregate base funding amount" is equal to the sum of the base funding amounts for all participating counties. If a county that participated under this section chooses not to participate in any given year, then the aggregate base funding amount must be reduced by that county's base funding amount. If a county that did not participate under this section in fiscal year 1995 chooses to participate on or after July 1, 2015, then the aggregate base funding amount must be increased by the amount of aid that the county would have received had it participated in fiscal year 1995 plus the estimated amount it would have received in caseload or workload reduction, felony caseload reduction, and sex offender supervision grants in fiscal year 2015, as reported by the commissioner of corrections, and the amount of increase shall be that county's base funding amount.

(10) In any given year, the total amount appropriated for this purpose first must be allocated to participating counties in accordance with each county's base funding amount. Then, any remaining amount in excess of the aggregate base funding amount must be allocated to participating counties in proportion to each county's share percent, and is referred to as the county's "formula amount."

Each participating county's "community corrections aid amount" equals the sum of (i) the county's base funding amount, and (ii) the county's formula amount.

(11) However, if in any year the total amount appropriated for the purpose of this section is less than the aggregate base funding amount, then each participating county's community corrections aid amount is the product of (i) the county's base funding amount multiplied by (ii) the ratio of the total amount appropriated to the aggregate base funding amount.

For each participating county, the county's community corrections aid amount calculated in this subdivision is the total amount of subsidy to which the county is entitled under sections 401.01 to 401.16:

(a) Beginning in fiscal year 2024, the subsidy paid to each county and Tribal government and the commissioner of corrections for supervision in counties or Tribal jurisdictions served by the department shall equal the sum of:

(1) a base funding amount equal to \$200,000, plus:

(i) ten percent of the total for all appropriations to the commissioner for community supervision and postrelease services during the fiscal year prior to the fiscal year for which the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's total population as determined by the most recent census; and

(ii) ten percent of the total for all appropriations to the commissioner for community supervision and postrelease services during the fiscal year prior to the fiscal year for which the subsidy will be paid multiplied by the county's or Tribe's percent share of the state's total geographic area; and

(2) a community supervision formula equal to the sum of:

(i) for felony cases, a felony per diem rate of \$5.33 multiplied by the sum of the county's adult felony population, adult supervised release and parole populations, and juvenile supervised release and parole populations as reported in the most recent probation survey published by the commissioner and then, multiplied by 365; and

(ii) for gross misdemeanor, misdemeanor, and juvenile probation cases, the felony per diem rate used in item (i) multiplied by 0.5 and then multiplied by the sum of the county's gross misdemeanor, misdemeanor, and juvenile populations as reported in the most recent probation survey published by the commissioner, multiplied by 365.

(b) Each participating county's "community corrections aid amount" equals the sum of (1) the county's base funding amount, and (2) the county's formula amount.

(c) If in any year the total amount appropriated for the purpose of this section is more than or less than the total of base funding plus community supervision formula funding for all counties, then the sum of each county's base funding plus community supervision formula funding shall be adjusted by the ratio of amounts appropriated for this purpose divided by the total of base funding plus community supervision formula funding for all counties.

Subd. 2. **Transfer of funds.** Notwithstanding any law to the contrary, the commissioner of corrections, after notifying the committees on finance of the senate and ways and means of the house of representatives, may, at the end of any fiscal year, transfer any unobligated funds, including funds available due the withdrawal of a county under section 401.16, in any appropriation to the Department of Corrections to the appropriation under sections 401.01 to 401.16, which appropriation shall not cancel but is reappropriated for the purposes of sections 401.01 to 401.16.

Subd. 3. **Formula review.** ~~Prior to January 16, 2002, the committees with jurisdiction over community corrections funding decisions in the house of representatives and the senate, in consultation with the Department of Corrections and any interested county organizations, must review the formula in subdivision 1 and make recommendations to the legislature for its continuation, modification, replacement, or discontinuation.~~ For fiscal year 2025 and subsequent fiscal years, the commissioner shall make a funding recommendation based upon the commissioner's workload study and the caseload data collected by the commissioner.

Subd. 4. **Report; supervision fees.** (a) The commissioner must collect annual summary expenditure data and funding from each community supervision provider in the state.

(b) On January 15, 2025, and every year thereafter, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety finance and policy on the data collected under paragraph (a). The report may be made in conjunction with reporting under section 244.21.

Sec. 17. Minnesota Statutes 2022, section 401.11, is amended to read:



**401.11 COMPREHENSIVE PLAN ITEMS; GRANT REVIEW.**

Subdivision 1. Items. The comprehensive plan submitted to the commissioner for approval ~~shall~~ must include ~~those~~ items prescribed by rule policy of the commissioner, ~~which may require the inclusion of the following~~ including but not limited to:

~~(a)~~ (1) the manner in which presentence and postsentence investigations and reports for the district courts and social history reports for the juvenile courts will be made;

~~(b)~~ (2) the manner in which conditional release services to the courts and persons under jurisdiction of the commissioner ~~of corrections~~ will be provided;

~~(c)~~ (3) a program for ~~the detention, supervision, and treatment of~~ detaining, supervising, and treating persons under pretrial detention or under commitment;

~~(d)~~ (4) delivery of other local correctional services ~~defined in section 401.01;~~

~~(e)~~ (5) proposals for new programs, which proposals must demonstrate a need for the program, ~~its~~ and the program's purpose, objective, administrative structure, staffing pattern, staff training, financing, evaluation process, degree of community involvement, client participation, and duration ~~of program; and~~

(6) outcome and output data, expenditures, and costs.

Subd. 2. Review. ~~In addition to the foregoing requirements made by this section,~~ Each participating CCA county or group of counties ~~shall~~ must develop and implement a procedure for ~~the review of grant reviewing subsidy applications made to the corrections advisory board and for the manner in which corrections advisory board action will be taken on them the applications.~~ A description of ~~this~~ the procedure must be made available to members of the public upon request.

Sec. 18. Minnesota Statutes 2022, section 401.14, subdivision 3, is amended to read:

Subd. 3. **Installment payments.** The commissioner of corrections shall make payments for community corrections services to each county in 12 installments per year. The commissioner shall ensure that the pertinent payment of the allotment for each month is made to each county on the first working day after the end of each month of the calendar year, except for the last month of the calendar year. The commissioner shall ensure that each county receives its payment of the allotment for that month no later than the last working day of that month. ~~The payment described in this subdivision for services rendered during June 1985 shall be made on the first working day of July 1985.~~

Sec. 19. Minnesota Statutes 2022, section 401.16, is amended to read:

**401.16 WITHDRAWAL FROM PROGRAM.**

Any participating county or Tribal government may, at the beginning of any calendar quarter, by resolution of its board of commissioners or Tribal government leaders, notify the commissioner of its intention to withdraw from the subsidy program established by sections 401.01 to 401.16, and the withdrawal shall be effective the last day of the ~~last month of the quarter in~~ third quarter after which the notice was given. ~~Upon withdrawal, the unexpended balance of moneys allocated to the~~

~~county, or that amount necessary to reinstate state correctional services displaced by that county's participation, including complement positions, may, upon approval of the legislative advisory commission, be transferred to the commissioner for the reinstatement of the displaced services and the payment of any other correctional subsidies for which the withdrawing county had previously been eligible.~~

Sec. 20. [401.17] COMMUNITY SUPERVISION ADVISORY COMMITTEE.

Subdivision 1. **Establishment; members.** (a) The commissioner must establish a Community Supervision Advisory Committee to develop and make recommendations to the commissioner on standards for probation, supervised release, and community supervision. The committee consists of 16 members as follows:

(1) two directors appointed by the Minnesota Association of Community Corrections Act Counties;

(2) two probation directors appointed by the Minnesota Association of County Probation Officers;

(3) three county commissioner representatives appointed by the Association of Minnesota Counties;

(4) two behavioral health, treatment, or programming providers who work directly with individuals on correctional supervision, one appointed by the Department of Human Services and one appointed by the Minnesota Association of County Social Service Administrators;

(5) two representatives appointed by the Minnesota Indian Affairs Council;

(6) one commissioner-appointed representative from the Department of Corrections;

(7) the chair of the statewide Evidence-Based Practice Advisory Committee;

(8) three individuals who have been supervised, either individually or collectively, under each of the state's three community supervision delivery systems appointed by the commissioner in consultation with the Minnesota Association of County Probation Officers and the Minnesota Association of Community Corrections Act Counties; and

(9) an advocate for victims of crime appointed by the commissioner.

(b) When an appointing authority selects an individual for membership on the committee, the authority must make reasonable efforts to reflect geographic diversity and to appoint qualified members of protected groups, as defined under section 43A.02, subdivision 33.

(c) The commissioner must convene the first meeting of the committee on or before July 15, 2024.

Subd. 2. **Terms; removal; reimbursement.** (a) If there is a vacancy, the appointing authority must appoint an individual to fill the vacancy. Committee members must elect any officers and create any subcommittees necessary for the efficient discharge of committee duties.

(b) A member may be removed by the appointing authority at any time at the pleasure of the appointing authority.

(c) Each committee member must be reimbursed for all reasonable expenses actually paid or incurred by that member in the performance of official duties in the same manner as other employees of the state. The public members of the committee must be compensated at the rate of \$55 for each day or part of the day spent on committee activities.

Subd. 3. **Duties; committee.** (a) The committee must comply with section 401.10.

(b) By June 30, 2024, the committee must provide written advice and recommendations to the commissioner on developing policy on:

(1) developing statewide supervision standards and definitions to be applied to community supervision provided by CPO counties, CCA counties, the Department of Corrections, and Tribal governments;

(2) requiring community supervision agencies to use the same agreed-upon risk screener and risk and needs assessment tools as the main supervision assessment methods or a universal five-level matrix allowing for consistent supervision levels and that all tools in use be validated on Minnesota's community supervision population and revalidated every five years;

(3) requiring the use of assessment-driven, formalized collaborative case planning to focus case planning goals on identified criminogenic and behavioral health need areas for moderate- and high-risk individuals;

(4) limiting standard conditions required for all people on supervision across all supervision systems and judicial districts, ensuring that conditions of supervision are directly related to the offense of the person on supervision, and tailoring special conditions to people on supervision identified as high-risk and high-need;

(5) providing gender-responsive, culturally appropriate services and trauma-informed approaches;

(6) developing a statewide incentives and sanctions grid to guide responses to client behavior while under supervision to be reviewed and updated every five years to maintain alignment with national best practices;

(7) developing performance indicators for supervision success as well as recidivism;

(8) developing a statewide training, coaching, and quality assurance system overseen by an evidence-based practices coordinator; and

(9) devising a plan, by December 1, 2024, to eliminate the financial penalty incurred by a jurisdiction that successfully discharges an offender from supervision before the offender's term of supervision concludes.

(c) By December 1, 2024, and every six years thereafter, the committee must review and reassess the existing workload study published by the commissioner under subdivision 4 and make recommendations to the commissioner based on the committee's review.

(d) By June 30, 2024, the committee must submit a report on supervision fees to the commissioner and the chairs and ranking minority members of the legislative committees with jurisdiction over corrections policy and funding. The committee must collect data on supervision fees and include the data in the report.

Subd. 4. **Duties; commissioner.** The commissioner, in consultation with the committee, must complete a workload study by December 1, 2024, to develop a capitated rate for equitably funding community supervision throughout the state. The study must be updated every six years after the initial study is completed.

Subd. 5. **Data collection; report.** (a) By June 1, 2024, the advisory committee, in consultation with the Minnesota Counties Computer Cooperative, must create a method to (1) standardize data classifications across the three delivery systems, and (2) collect data for the commissioner to publish in an annual report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety finance and policy.

(b) The advisory committee's method, at a minimum, must provide for collecting the following data:

(1) the number of offenders placed on probation each year;

(2) the offense levels and offense types for which offenders are placed on probation;

(3) violation and revocation rates and the identified grounds for the violations and revocations, including final disposition of the violation action such as execution of the sentence, imposition of new conditions, or a custodial sanction;

(4) the number of offenders granted early discharge from probation;

(5) the number of offenders restructured on supervision, including imposition of new conditions of release; and

(6) the number of offenders revoked from supervision and the identified grounds for revocation.

(c) On February 1, 2025, and every year thereafter, the commissioner must prepare a report that contains the data collected under the method established by the committee under this subdivision. The report must provide an analysis of the collected data by race, gender, and county.

(d) Nothing in this section overrides the commissioner's authority to require additional data be provided under sections 241.065, 401.06, 401.10, and 401.11.

Subd. 6. **Response.** (a) Within 45 days of receiving the committee's recommendations, the commissioner must respond in writing to the committee's advice and recommendations under subdivision 3. The commissioner's response must explain:

(1) whether the agency will adopt policy changes based on the recommendations;

(2) the timeline for adopting policy changes; and

(3) why the commissioner will not or cannot include any individual recommendations of the committee in the agency's policy.

(b) The commissioner must submit the advice and recommendations of the committee to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety and finance.

Subd. 7. **Staff; meeting room; office equipment.** The commissioner must provide the committee with a committee administrator, staff support, a meeting room, and access to office equipment and services.

Sec. 21. Minnesota Statutes 2022, section 609.14, subdivision 1, is amended to read:

Subdivision 1. **Grounds.** (a) When it appears that the defendant has violated any of the conditions of probation or intermediate sanction, or has otherwise been guilty of misconduct which warrants the imposing or execution of sentence, the court may without notice revoke the stay and direct that the defendant be taken into immediate custody. Revocation should only be used as a last resort when rehabilitation has failed.

(b) When it appears that the defendant violated any of the conditions of probation during the term of the stay, but the term of the stay has since expired, the defendant's probation officer or the prosecutor may ask the court to initiate probation revocation proceedings under the Rules of Criminal Procedure at any time within six months after the expiration of the stay. The court also may initiate proceedings under these circumstances on its own motion. If proceedings are initiated within this six-month period, the court may conduct a revocation hearing and take any action authorized under rule 27.04 at any time during or after the six-month period.

(c) Notwithstanding the provisions of section 609.135 or any law to the contrary, after proceedings to revoke the stay have been initiated by a court order revoking the stay and directing either that the defendant be taken into custody or that a summons be issued in accordance with paragraph (a), the proceedings to revoke the stay may be concluded and the summary hearing provided by subdivision 2 may be conducted after the expiration of the stay or after the six-month period set forth in paragraph (b). The proceedings to revoke the stay shall not be dismissed on the basis that the summary hearing is conducted after the term of the stay or after the six-month period. The ability or inability to locate or apprehend the defendant prior to the expiration of the stay or during or after the six-month period shall not preclude the court from conducting the summary hearing unless the defendant demonstrates that the delay was purposefully caused by the state in order to gain an unfair advantage.

**EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations that occur on or after that date.

Sec. 22. Minnesota Statutes 2022, section 609.14, is amended by adding a subdivision to read:

Subd. 1a. **Violations where policies favor continued rehabilitation.** (a) Correctional treatment is better provided through a community resource than through confinement, it would not unduly depreciate the seriousness of the violation if probation was not revoked, and the policies favoring probation outweigh the need for confinement if a person has not previously violated a condition of probation or intermediate sanction and does any of the following in violation of a condition imposed by the court:

(1) fails to abstain from the use of controlled substances without a valid prescription, unless the person is under supervision for a violation of section:

(i) 169A.20;

(ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

(iii) 609.2113, subdivision 1, clauses (2) to (6), 2, clauses (2) to (6), or 3, clauses (2) to (6);

(2) fails to abstain from the use of alcohol, unless the person is under supervision for a violation of section:

(i) 169A.20;

(ii) 609.2112, subdivision 1, paragraph (a), clauses (2) to (6); or

(iii) 609.2113, subdivision 1, clauses (2) to (6), 2, clauses (2) to (6), or 3, clauses (2) to (6);

(3) possesses drug paraphernalia in violation of section 152.092;

(4) fails to obtain or maintain employment;

(5) fails to pursue a course of study or vocational training;

(6) fails to report a change in employment, unless the person is prohibited from having contact with minors and the employment would involve such contact;

(7) violates a curfew;

(8) fails to report contact with a law enforcement agency, unless the person was charged with a misdemeanor, gross misdemeanor, or felony; or

(9) commits any offense for which the penalty is a petty misdemeanor.

(b) A violation by a person described in paragraph (a) does not warrant the imposition or execution of sentence and the court may not direct that the person be taken into immediate custody unless the court receives a written report, signed under penalty of perjury pursuant to section 358.116, showing probable cause to believe the person violated probation and establishing by a preponderance of the evidence that the continued presence of the person in the community would present a risk to public safety. If the court does not direct that the person be taken into custody, the court may request a supplemental report from the supervising agent containing:

(1) the specific nature of the violation;

(2) the response of the person under supervision to the violation, if any; and

(3) the actions the supervising agent has taken or will take to address the violation.

**EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to violations that occur on or after that date.

Sec. 23. **LOCAL CORRECTIONAL FEES; IMPOSITION ON OFFENDERS.**

By August 1, 2025, each local correctional agency under Minnesota Statutes, section 244.18, must provide a plan for phasing out local correctional fees. A copy of the plan must be provided to all individuals under supervision by the agency. Local correctional fees must not increase from the effective date of this section through August 1, 2025.

Sec. 24. **COMMUNITY SUPERVISION ADVISORY COMMITTEE; REPORT.**

(a) By January 15, 2025, the committee must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety policy and finance on progress toward developing standards and recommendations under Minnesota Statutes, section 401.17, subdivision 3.

(b) By January 15, 2026, the committee must submit a final report to the chairs and ranking minority members of the legislative committees with jurisdiction over public safety policy and finance on the standards and recommendations developed according to Minnesota Statutes, section 401.17, subdivision 3. At a minimum, the recommendations must include a proposed state-level Community Supervision Advisory Board with a governance structure and duties for the board.

Sec. 25. **COMMUNITY SUPERVISION TARGETED INNOVATION GRANTS; SPECIAL REVENUE ACCOUNT; APPROPRIATION.**

(a) The community supervision targeted innovation account is created in the special revenue fund consisting of money deposited, donated, allotted, transferred, or otherwise provided to the account. Of the amount in the account, up to \$..... each year is appropriated to the commissioner of corrections for grants to be awarded to local and Tribal community supervision agencies and nonprofits that provide services to persons on community supervision.

(b) The commissioner shall award grants to applicants that operate, or intend to operate, innovative programs that target specific aspects of community supervision such as:

(1) access to community options, including but not limited to inpatient substance use disorder treatment for nonviolent controlled substance offenders to address and correct behavior that is, or is likely to result in, a technical violation of the conditions of release;

(2) reentry services;

(3) restorative justice;

(4) juvenile diversion;

(5) family-centered approaches to supervision; and

(6) funding the cost of mandated services and equipment as a means to improve compliance rates for persons on community supervision.

(c) Grant recipients must provide an annual report to the commissioner that includes:

(1) the services provided by the grant recipient;

(2) the number of individuals served in the previous year;

(3) measurable outcomes of the recipient's program; and

(4) any other information required by the commissioner.

(d) By January 15, 2025, the commissioner shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over criminal justice policy and finance on how the appropriations in this section were used. The report must detail the impact the appropriations had on improving community supervision practices and outcomes.

(e) The commissioner may use up to 2.5 percent of the annual appropriation to administer the grants.

**Sec. 26. COMMUNITY SUPERVISION TARGETED INNOVATION ACCOUNT; TRANSFER.**

\$..... in fiscal year 2024 is transferred from the general fund to the community supervision targeted innovation account in the special revenue fund.

**Sec. 27. ACCOUNT ESTABLISHED; TRANSFER; APPROPRIATION.**

(a) A community supervision account is established as a special revenue account in the state treasury.

(b) \$99,761,000 in fiscal year 2024 is transferred from the base appropriation to the Department of Corrections to the community supervision account in the special revenue fund.

(c) \$83,178,000 in fiscal year 2024 is transferred from the general fund to the community supervision account in the special revenue fund. This appropriation is added to the base.

(d) For fiscal year 2025 and each year thereafter, the amount deposited in the community supervision account pursuant to paragraphs (b) and (c) shall be the sum of the fiscal year 2024 appropriation multiplied by the ratio of the annual implicit price deflator for government consumption expenditures and gross investment for state and local governments as prepared by the United States Department of Commerce, for the most recently available year to the 2022 implicit price deflator for state and local government purchases.

**Sec. 28. REPEALER.**

(a) Minnesota Statutes 2022, sections 244.19, subdivisions 6, 7, and 8; 244.22; 244.24; and 244.30, are repealed.

(b) Minnesota Statutes 2022, section 244.18, is repealed.

**EFFECTIVE DATE.** Paragraph (a) is effective August 1, 2023, and paragraph (b) is effective August 1, 2025."

Amend the title accordingly



And when so amended the bill be re-referred to the Committee on State and Local Government and Veterans without recommendation. Amendments adopted. Report adopted.

**Senator Latz from the Committee on Judiciary and Public Safety, to which was referred**

**S.F. No. 1972:** A bill for an act relating to juvenile justice; prohibiting visual inspection of delinquent children and youth in detention facilities; prohibiting disciplinary room time for delinquent children and youth in detention facilities; amending Minnesota Statutes 2022, section 241.021, subdivisions 2a, 2b, by adding subdivisions.

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

Page 2, delete sections 3 and 4 and insert:

**"Sec. 3. [241.0215] JUVENILE DETENTION FACILITIES; RESTRICTIONS ON STRIP SEARCHES AND DISCIPLINE.**

Subdivision 1. **Applicability.** This section applies to juvenile facilities licensed by the commissioner of corrections under section 241.021, subdivision 2.

Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings given.

(b) "Health care professional" means an individual who is licensed or permitted by a Minnesota health-related licensing board, as defined in section 214.01, subdivision 2, to perform health care services in Minnesota within the professional's scope of practice.

(c) "Strip search" means a visual inspection of a juvenile's unclothed breasts, buttocks, or genitalia.

Subd. 3. **Searches restricted.** (a) A staff person working in a facility may not conduct a strip search unless:

(1) a specific, articulable, and immediate contraband concern is present;

(2) other search techniques and technology cannot be used or have failed to identify the contraband; and

(3) the facility's chief administrator or designee has reviewed the situation and approved the strip search.

(b) A strip search must be conducted by:

(1) a health care professional; or

(2) a staff person working in a facility who has received training on trauma-informed search techniques and other applicable training under Minnesota Rules, chapter 2960.

(c) A strip search must be documented in writing and describe the contraband concern, summarize other inspection techniques used or considered, and verify the approval from the facility's chief administrator or, in the temporary absence of the chief administrator, the staff person designated as

the person in charge of the facility. A copy of the documentation must be provided to the commissioner within 24 hours of the strip search.

(d) Nothing in this section prohibits or limits a strip search as part of a health care procedure conducted by a health care professional.

Subd. 4. **Discipline restricted.** (a) A staff person working in a facility may not discipline a juvenile by physically or socially isolating the juvenile.

(b) Nothing in this subdivision restricts a facility from isolating a juvenile for the juvenile's safety, staff safety, or the safety of other facility residents when the isolation is consistent with rules adopted by the commissioner.

Subd. 5. **Commissioner action.** The commissioner may take any action authorized under section 241.021, subdivisions 2 and 3, to address a violation of this section.

Subd. 6. **Report.** (a) By February 15 each year, the commissioner must report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over public safety finance and policy on the use of strip searches and isolation.

(b) The report must consist of summary data from the previous calendar year and must, at a minimum, include:

(1) how often strip searches were performed;

(2) how often juveniles were isolated;

(3) the length of each period of isolation used and, for juveniles isolated in the previous year, the total cumulative amount of time that the juveniles were isolated that year; and

(4) any injury to a juvenile related to a strip search or isolation, or both, that was reportable as a critical incident.

(c) Data in the report must provide information on the demographics of juveniles who were subject to a strip search and juveniles who were isolated. At a minimum, data must be disaggregated by age, race, and gender.

(d) The report must identify any facility that performed a strip search or used isolation, or both, in a manner that did not comply with this section or rules adopted by the commissioner in conformity with this section.

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

#### Sec. 4. **REVISED FACILITY PLANS.**

The commissioner of corrections must direct any juvenile facility licensed by the commissioner to revise its plan under Minnesota Rules, part 2960.0270, subpart 6, and its restrictive procedures plan under Minnesota Rules, part 2960.0710, subpart 2, to be consistent with Minnesota Statutes, section 241.0215. After receiving notice from the commissioner, a facility must submit the revised plans to the commissioner within 60 days.

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

Sec. 5. **RULEMAKING.**

(a) The commissioner of corrections must amend Minnesota Rules, chapter 2960, to enforce the requirements under Minnesota Statutes, section 241.0215, including but not limited to training, facility audits, strip searches, disciplinary room time, time-outs, and seclusion. The commissioner may amend the rules to make technical changes and ensure consistency with Minnesota Statutes, section 241.0215.

(b) In amending or adopting rules according to paragraph (a), the commissioner must use the exempt rulemaking process under Minnesota Statutes, section 14.386. Notwithstanding Minnesota Statutes, section 14.386, paragraph (b), a rule adopted under this section is permanent. After the rule is adopted, the authorization to use the exempt rulemaking process expires.

(c) Notwithstanding Minnesota Laws 1995, chapter 226, article 3, sections 50, 51, and 60, or any other law to the contrary, the joint rulemaking authority with the commissioner of human services does not apply to rule amendments applicable only to the Department of Corrections. A rule that is amending jointly administered rule parts must be related to requirements on strip searches, disciplinary room time, time-outs, and seclusion and be necessary for consistency with this section.

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

Amend the title as follows:

Page 1, line 2, delete everything after the semicolon and insert "modifying the authority for use of visual inspections and disciplinary room time for delinquent"

Page 1, delete line 3

Page 1, line 4, after the semicolon, insert "authorizing rulemaking; requiring a report"

Amend the title numbers accordingly

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

**Senator Putnam from the Committee on Agriculture, Broadband, and Rural Development, to which was referred**

**S.F. No. 2741:** A bill for an act relating to state government; establishing a budget for the Department of Agriculture, the Board of Animal Health, the Agricultural Utilization Research Institute, and the Office of Broadband Development; transferring money to the border-to-border broadband fund account; making policy and technical changes to agriculture provisions; modifying fees; creating accounts; requiring reports; providing civil penalties; appropriating money; amending Minnesota Statutes 2022, sections 17.055, subdivision 1, by adding subdivisions; 17.116, subdivision 3; 18B.01, subdivision 2b, by adding a subdivision; 18B.051; 18B.055; 18C.425, subdivision 6; 18H.02, by adding a subdivision; 18H.03, subdivision 6; 18H.05; 18H.07, by adding subdivisions; 18H.08, subdivision 2; 18H.09; 18H.13, subdivision 3; 18H.15; 25.39, subdivision 1; 28A.08, by

adding a subdivision; 28A.082, subdivision 1; 28A.09, by adding a subdivision; 41A.12, subdivision 4; 41A.21, subdivision 6; 116J.395, subdivision 7; 223.16, by adding a subdivision; 223.17, subdivisions 7, 7a; 223.175; 223.19; 232.22, subdivision 5; Laws 2021, First Special Session chapter 3, article 1, section 2, subdivision 5, as amended; proposing coding for new law in Minnesota Statutes, chapters 17; 223; repealing Minnesota Statutes 2022, sections 17.055, subdivision 2; 18H.02, subdivisions 21, 22, 23; 18H.07, subdivisions 2, 3; 35.156, subdivision 2.

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

**Senator Dibble from the Committee on Transportation, to which was referred**

**S.F. No. 2321:** A bill for an act relating to transportation; modifying various provisions on traffic safety, including to establish an advisory council, modify certain traffic regulations, and authorize a pilot program; requiring legislative reports; appropriating money; amending Minnesota Statutes 2022, sections 123B.90, subdivision 2; 169.14, by adding a subdivision; 169.18, subdivision 3; 169.222, subdivision 4; 169.475, subdivisions 2, 3; 299A.01, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 4; 123B; 169.

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

Page 1, line 21, before "The" insert "(a)"

Page 2, line 5, delete "director of the state" and insert "statewide" and delete "program" and insert "coordinator"

Page 2, line 13, delete everything after "governments" and insert a semicolon

Page 2, delete line 14

Page 3, line 1, delete "an individual" and insert "two individuals"

Page 3, line 2, delete everything after "conveyance" and insert a semicolon

Page 3, delete lines 3 and 4

Page 3, line 5, delete "(27)" and insert "(26)" and delete the period and insert a semicolon

Page 3, after line 5, insert:

"(27) a representative from the Minnesota Driver and Traffic Safety Education Association;

(28) a representative from the Minnesota Association for Pupil Transportation;

(29) a representative from the State Trauma Advisory Council;

(30) a person representing metropolitan planning organizations; and

(31) a person representing contractors engaged in construction and maintenance of highways and other infrastructure.

(b) The commissioners of public safety and transportation must jointly appoint the advisory council members under paragraph (a), clauses (11), (25), (30), and (31)."

Page 3, line 9, delete everything after the first "the" and insert "appropriate"

Page 3, line 14, delete the second "and"

Page 3, line 16, delete the period and insert "; and"

Page 3, after line 16, insert:

"(6) make recommendations on safe road zone safety measures under section 169.065."

Page 3, line 23, after the period, insert "The advisory council is subject to chapter 13D."

Pages 4 to 5, delete sections 2 and 3

Page 6, delete subdivision 1 and insert:

"Subdivision 1. **Definition.** For purposes of this section, "local request" means a formal request collectively submitted by the chief law enforcement officer of a political subdivision serving the proposed safe road zone, the local road authority for the proposed safe road zone, and the chief executive officer, board, or designee by resolution of the political subdivision encompassing the proposed safe road zone."

Page 6, line 30, delete "request of a local official" and insert "receipt of a local request"

Page 7, line 2, after the semicolon, insert "crash history;"

Page 7, line 4, delete everything after "The" and insert "Advisory Council on Traffic Safety must make recommendations to the commissioners of public safety and transportation on supporting"

Page 7, line 5, delete "support"

Page 7, line 15, before the semicolon, insert ", with supporting speed enforcement and education measures"

Page 7, line 32, delete everything after the period

Page 8, delete lines 1 to 2

Page 8, delete sections 6 and 7

Page 11, line 22, delete "SPEED" and insert "TRAFFIC SAFETY"

Page 11, delete lines 23 and 24 and insert:

"(a) The commissioner of public safety must enter into an agreement with the Center for Transportation Studies at the University of Minnesota to conduct an evaluation of the disposition in recent years of citations for speeding, impairment, distraction, and seatbelt violations. The evaluation under the agreement must include but is not limited to analysis of:"

Page 11, line 28, delete "analysis of"

Page 11, after line 28, insert:

"(b) The agreement must require the Center for Transportation Studies to submit an interim progress report by July 1, 2024, and a final report by July 1, 2025, to the commissioner and the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance and public safety."

Page 12, delete section 12

Page 16, line 5, delete "February 1, 2026" and insert "January 3, 2024"

Page 16, line 10, after the period, insert "The task force must include the Advisory Council on Traffic Safety established by Minnesota Statutes, section 4.076, a representative from the Minnesota County Attorneys Association, a person with expertise in data privacy, and may include other members as the commissioner determines are necessary to develop the report."

Page 16, delete lines 12 and 13

Page 16, line 14, delete "(2)" and insert "(1)"

Page 16, line 15, delete "(3)" and insert "(2)"

Page 16, line 17, delete "(4)" and insert "(3)"

Page 16, line 18, delete "(5)" and insert "(4)"

Page 16, line 19, delete "(6)" and insert "(5)"

Page 16, line 20, delete "(7)" and insert "(6)"

Page 16, line 21, delete "(8)" and insert "(7)"

Page 16, line 22, delete "(9)" and insert "(8)"

Page 16, line 27, delete "\$....." and insert "\$4,000,000" and delete "\$....." and insert "\$4,000,000"

Page 17, line 1, delete "\$....." and insert "\$250,000"

Page 17, delete section 3

Page 17, line 22, delete "\$....." and insert "\$1,000,000" and delete "\$....." and insert "\$1,000,000"

Page 18, line 2, delete "\$....." and insert "\$2,000,000" and delete "\$....." and insert "\$2,000,000"

Page 18, line 5, delete "\$....." and insert "\$10,000,000" and delete "\$....." and insert "\$10,000,000"

Page 18, line 10, after "must" insert "assess crash risks and"

Page 18, after line 14, insert:

"Sec. 6. **APPROPRIATION; SAFE RIDE PROGRAMS.**

\$175,000 in fiscal year 2024 and \$175,000 in fiscal year 2025 are appropriated from the general fund to the commissioner of public safety for grants to local units of government for safe ride programs that provide safe transportation options for patrons of hospitality and entertainment businesses within a community.

Sec. 7. **APPROPRIATION; SUPPLEMENTAL SPEED MITIGATION MEASURES.**

\$300,000 in fiscal year 2024 and \$300,000 in fiscal year 2025 are appropriated from the general fund to the commissioner of transportation for additions and modifications to work zone design or layout to reduce vehicle speeds in a work zone. This appropriation is available following a determination by the commissioner that the initial work zone design or layout insufficiently provides for reduced vehicle speeds.

Sec. 8. **APPROPRIATION; TRAFFIC SAFETY VIOLATIONS DISPOSITION ANALYSIS.**

\$500,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of public safety for the traffic safety violations disposition analysis under article 1, section 7."

Renumber the sections in sequence

Amend the title as follows:

Page 1, line 2, delete "provisions on traffic safety, including" and insert "traffic safety provisions; establishing an advisory council on traffic safety;"

Page 1, delete line 3

Page 1, line 4, delete "a pilot program;"

Amend the title numbers accordingly

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

**Senator Dibble from the Committee on Transportation, to which was referred**

**S.F. No. 1132:** A bill for an act relating to transportation; authorizing electric vehicle infrastructure program; proposing coding for new law in Minnesota Statutes, chapter 174.

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

Page 1, after line 5, insert:

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

(b) "Commissioner" means the commissioner of transportation.

(c) "Program" means the electric vehicle infrastructure program established in this section.

(d) "Project" includes but is not limited to planning, predesign, design, preliminary and final engineering, environmental analysis, property acquisition, construction, and maintenance."

Page 1, line 6, delete "of"

Page 1, line 7, delete "transportation shall" and insert "must"

Page 1, after line 14, insert:

"Subd. 4. **Program requirements.** (a) The commissioner must require that electric vehicle infrastructure funded under the program is constructed, installed, and maintained in conformance with the requirements under Code of Federal Regulations, title 23, section 680.106, paragraph (j), or successor requirements.

(b) An electric vehicle infrastructure project that receives funds under the program is subject to the requirement of paying the prevailing wage rate as defined in section 177.42, and the requirements and enforcement provisions in sections 177.27, 177.30, 177.32, 177.41 to 177.435, and 177.45.

Subd. 5. **Report.** (a) Every even-numbered year by February 1, the commissioner must submit a report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance regarding the electric vehicle infrastructure program. At a minimum, the report must include:

(1) an itemization of federal funds spent for the program, including the purpose of the expenditure and the recipient of the expenditure;

(2) an itemization of state funds spent for the program, including the purpose of the expenditure and the recipient of the expenditure;

(3) the amount of funds, from any source, that was used for department staff related to the program;

(4) any changes to the plan that were made since the previous report was submitted;

(5) the locations of electric vehicle infrastructure created with the program, including the type of infrastructure and whether the infrastructure is on public or private property;

(6) a description of how projects were selected; and

(7) a description of how the commissioner is ensuring electric vehicle infrastructure is regionally balanced.



(b) The commissioner is not required to submit a report pursuant to this subdivision if, since the previous report was submitted, no funds have been spent pursuant to this section."

Renumber the subdivisions in sequence

Amend the title as follows:

Page 1, line 2, after "program" insert "; requiring a report"

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

**Senator Dibble from the Committee on Transportation, to which was re-referred**

**S.F. No. 1050:** A bill for an act relating to data practices; classifying certain transit applicant and customer data as private data on individuals; amending Minnesota Statutes 2022, sections 13.72, subdivision 19, by adding a subdivision; 473.387, subdivision 4.

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

Page 2, after line 26, insert:

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

Page 3, after line 3, insert:

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

Page 3, after line 9, insert:

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

Page 3, delete section 4

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

**Senator Dibble from the Committee on Transportation, to which was referred**

**S.F. No. 2808:** A bill for an act relating to transportation; creating exemption for hours of service requirements for intrastate transport of heating fuel during an emergency; amending Minnesota Statutes 2022, section 221.0269, by adding a subdivision.

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

Page 1, line 8, before "If" insert "(a)"

Page 1, line 10, after the third comma, insert "and the declaration includes heating fuel as a covered commodity,"

Page 1, after line 12, insert:

"(b) Notwithstanding the relief provided in paragraph (a), a driver may not exceed a total of 14 hours combined on-duty and driving time after coming on duty following at least ten consecutive hours off-duty.

(c) If a driver is operating under the relief provided by paragraph (a), and the declaration is in effect for more than 30 calendar days, the driver must take a 34-hour restart before the driver has been on duty for 30 consecutive days."

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

**Senator Dibble from the Committee on Transportation, to which was re-referred**

**S.F. No. 1337:** A bill for an act relating to public safety; modifying provisions related to Driver and Vehicle Services work, including modifying ignition interlock program, eliminating license reinstatement knowledge examinations, and establishing criminal penalty for obstructing DVS employees; amending Minnesota Statutes 2022, sections 171.306, subdivision 4; 609.50, subdivision 1; repealing Minnesota Statutes 2022, section 171.29, subdivision 1.

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

**Senator Dibble from the Committee on Transportation, to which was referred**

**S.F. No. 624:** A bill for an act relating to motor vehicles; making a technical change to requirements governing motor vehicle titles and disclosure; amending Minnesota Statutes 2022, section 325F.6641, subdivision 2.

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

**Senator Dibble from the Committee on Transportation, to which was re-referred**

**S.F. No. 1335:** A bill for an act relating to public safety; making policy changes related to State Patrol duties, including school bus inspections, commercial vehicle inspections, and rearview mirror requirements; establishing a penalty; amending Minnesota Statutes 2022, sections 169.451, subdivisions 2, 3, 4; 169.70; 169.781, subdivision 3.

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

**Senator Dibble from the Committee on Transportation, to which was re-referred**

**S.F. No. 2156:** A bill for an act relating to state purchasing; requiring the establishment of global warming impact standards for certain construction materials used in state buildings and roads; integrating those global warming standards into the procurement process; establishing pilot programs to report greenhouse gas emissions from the manufacture of certain products; establishing a grant program; establishing a technical advisory committee; establishing an environmental standards procurement task force; requiring reports; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16B.

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

Delete everything after the enacting clause and insert:

"Section 1. [16B.312] CONSTRUCTION MATERIALS; ENVIRONMENTAL ANALYSIS.

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

(a) "Carbon steel" means steel in which the main alloying element is carbon and whose properties are chiefly dependent on the percentage of carbon present.

(b) "Commissioner" means the commissioner of administration.

(c) "Electric arc furnace" means a furnace that produces molten alloy metal and heats the charge materials with electric arcs from carbon electrodes.

(d) "Eligible material" means:

(1) carbon steel rebar;

(2) structural steel;

(3) concrete; or

(4) asphalt paving mixtures.

(e) "Eligible project" means:

(1) new construction of a state building larger than 50,000 gross square feet of occupied or conditioned space;

(2) renovation of more than 50,000 gross square feet of occupied or conditioned space in a state building whose renovation cost exceeds 50 percent of the building's assessed value; or

(3) new construction or reconstruction of two or more lane-miles of a trunk highway.

(f) "Environmental product declaration" means a supply chain specific type III environmental product declaration that:

(1) contains a lifecycle assessment of the environmental impacts of manufacturing a specific product by a specific firm, including the impacts of extracting and producing the raw materials and components that compose the product;

(2) is verified by a third party; and

(3) meets the ISO 14025 standard developed and maintained by the International Organization for Standardization (ISO).

(g) "Global warming potential" has the meaning given in section 216H.10, subdivision 6.

(h) "Greenhouse gas" has the meaning given to "statewide greenhouse gas emissions" in section 216H.01, subdivision 2.

(i) "Integrated steel manufacturing" means the production of iron and subsequently steel from primarily iron ore or iron ore pellets. An integrated steel manufacturing process can include a blast furnace, a basic oxygen furnace for refining molten iron into steel, but may also include furnaces that continuously feed direct-reduced iron ore pellets as the primary source of iron.

(j) "Lifecycle" means an analysis that includes the environmental impacts of all stages of a specific product's production, from mining and processing its raw materials to the process of manufacturing the product itself.

(k) "Rebar" means a steel reinforcing bar or rod encased in concrete.

(l) "Secondary steel manufacturing" means the production of steel where primarily ferrous scrap and other metallic inputs are recycled by melting and refining in electric arc furnaces.

(m) "State building" means a building which is owned by the state of Minnesota or a Minnesota state agency.

(n) "Structural steel" means steel that is classified by the shapes of its cross-sections, such as I, T, and C shapes.

(o) "Supply chain specific" means an environmental product declaration that includes specific data for the production processes of the materials and components composing a product that contribute at least 80 percent of the product's lifecycle global warming potential, as defined in International Organization for Standardization standard 21930.

Subd. 2. **Standard; maximum global warming potential.** (a) The commissioner must, based upon a recommendation from the Environmental Standards Procurement Task Force in subdivision 5, establish and publish a maximum acceptable global warming potential for each eligible material used in an eligible project, in accordance with the following schedule:

(1) for concrete used in buildings, no later than January 15, 2026; and

(2) for carbon steel rebar and structural steel and, after conferring with the commissioner of transportation, for asphalt paving mixtures and concrete pavement, no later than January 15, 2028.

(b) The commissioner must, after considering nationally or internationally recognized databases of environmental product declarations for an eligible material, establish the maximum acceptable global warming potential for that eligible material.

(c) The commissioner may set different maximum global warming potentials for different specific products and sub product categories that are examples of the same eligible material based on distinctions between eligible material production and manufacturing processes such as integrated versus secondary steel production.

(d) The commissioner must establish maximum global warming potentials that are consistent with criteria in an environmental product declaration.

(e) Not later than three years after establishing the maximum global warming potential for an eligible material under paragraph (a), and not longer than every three years thereafter, the commissioner, after conferring with the commissioner of transportation with respect to asphalt paving mixtures and concrete pavement, must review the maximum acceptable global warming potential for each eligible material and for specific eligible material products. The commissioner may adjust any of those values downward to reflect industry improvements if, based on the process described in paragraph (b), the commissioner determines that the industry average has declined.

Subd. 3. **Procurement process.** The commissioners of administration and transportation must, based upon the recommendations of the Environmental Procurement Task Force, establish processes for incorporating the maximum allowable global warming potential of eligible materials into their bidding processes by the effective dates established in subdivision 2.

Subd. 4. **Pilot program.** (a) No later than July 1, 2024, the commissioner of administration must establish a pilot program that seeks to obtain from vendors an estimate of the lifecycle greenhouse gas emissions of products selected by the department from among those procured. The pilot program must encourage, but may not require, a vendor to submit the following data for each selected product that represents at least 90 percent of the total cost of the materials or components composing the selected product:

- (1) the quantity of the product purchased by the department;
- (2) a current environmental product declaration for the product;
- (3) the name and location of the product's manufacturer;
- (4) a copy of the vendor's Supplier Code of Conduct, if any;
- (5) the names and locations of the product's actual production facilities; and
- (6) an assessment of employee working conditions at the product's production facilities.

(b) The commissioner must construct a publicly accessible or adopt an existing publicly accessible database which must be posted on the department's website and must contain the data reported to the department under this subdivision. The data must be reported in a manner that does not disclose, directly or in combination with other publicly available data, the identification of the product manufacturer.

Subd. 5. **Environmental Standards Procurement Task Force.** (a) No later than October 1, 2023, the commissioners of administration and transportation must establish an Environmental Standards Procurement Task Force to examine issues surrounding the implementation of a program requiring vendors of certain construction materials purchased by the state to:

- (1) submit environmental product declarations that assess the lifecycle environmental impacts of those materials to state officials as part of the procurement process; and

(2) meet standards established by the commissioner that limit greenhouse gas emission impacts of those materials.

(b) The task force must examine, at a minimum, the following:

(1) which construction materials should be subject to the program requirements;

(2) what factors should be considered in establishing greenhouse gas emission standards including distinctions between eligible material production and manufacturing processes such as integrated versus secondary steel production;

(3) a schedule for the development of standards for specific materials and for incorporating the standards into the purchasing process including distinctions between eligible material production and manufacturing processes;

(4) the development and use of financial incentives to reward vendors for developing products whose greenhouse gas emissions are below the standards;

(5) the provision of grants to defer a vendor's cost to obtain environmental product declarations;

(6) how the issues in clauses (1) to (5) are addressed by existing programs in other states and countries;

(7) how to coordinate with the federal Buy Clean Task Force established under Executive Order 14057 and representatives of the United States Departments of Commerce, Energy, Housing and Urban Development, Transportation; the Environmental Protection Agency; the General Services Administration; the White House Office of Management and Budget; and the White House Domestic Climate Policy Council; and

(8) any other issues the task force deems relevant.

(c) The task force must make recommendations to the commissioners of administration and transportation regarding:

(1) how the agencies must implement requirements requiring maximum global warming impacts for eligible materials are integrated into the bidding process for eligible projects;

(2) what incentive structures can be included in bidding processes to encourage the use of materials below the maximum global warming potential;

(3) how a successful bidder for a contract will notify the commissioner of the specific environmental product declaration for a material used on a project;

(4) a process for waiving the requirements to procure materials below the maximum global warming potential in case of product supply problems, geographic impracticability, or financial hardship;

(5) a system for awarding grants to manufacturers of eligible materials located in Minnesota to offset the cost of obtaining environmental product declarations or otherwise collect environmental product declaration data from manufacturers based in Minnesota;

(6) whether to use an industry average or a different method to set the maximum allowable global warming potential, or whether that average could be used for some materials but not others; and

(7) any other items it deems appropriate for the implementation of this section.

(d) Members of the task force must include, but may not be limited to, representatives of:

(1) the Departments of Administration and Transportation;

(2) the Center for Sustainable Building Research at the University of Minnesota;

(3) the Aggregate and Ready Mix Association of Minnesota;

(4) the Concrete Paving Association of Minnesota;

(5) the Minnesota Asphalt Pavement Association;

(6) the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design;

(7) a representative of the Minnesota steel industry;

(8) building and transportation construction firms;

(9) suppliers of eligible materials;

(10) organized labor in the construction trades;

(11) organized labor in the manufacturing or industrial sectors;

(12) environmental advocacy organizations; and

(13) environmental justice organizations.

(e) The Department of Administration must provide meeting space and serve as staff to the task force.

(f) The commissioner, or the commissioner's designee, must serve as chair of the task force. The task force must meet at least four times annually, and must convene additional meetings at the call of the chair.

(g) The commissioner must summarize the findings and recommendations of the task force in a report submitted to the chairs and ranking minority members of the senate and house of representatives committees with primary jurisdiction for state government, transportation, and energy no later than December 1, 2025, and annually thereafter until the task force expires.

(h) The task force is subject to section 15.059, subdivision 6.

(i) The task force must sunset on January 1, 2029.

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

Sec. 2. **APPROPRIATION.**

(a) \$300,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of transportation for the requirements under section 1. This is a onetime appropriation and is available until June 30, 2025.

(b) \$200,000 in fiscal year 2024 is appropriated from the general fund to the commissioner of administration for the requirements under section 1. This is a onetime appropriation and is available until June 30, 2025."

Delete the title and insert:

"A bill for an act relating to state purchasing; requiring the establishment of global warming impact standards for certain construction materials used in state buildings and roads; creates an environmental procurement task force; requires the commissioners of transportation and administration to establish processes for incorporating recommendations of environmental procurement task force; establishing pilot program to encourage submission environmental product data from vendors; requiring a report; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 16B."

And when so amended the bill do pass and be re-referred to the Committee on Energy, Utilities, Environment, and Climate. Amendments adopted. Report adopted.

### **SECOND READING OF SENATE BILLS**

S.F. Nos. 2712, 1657, 1132, 1050, 2808, 1337, 624, and 1335 were read the second time.

### **SECOND READING OF HOUSE BILLS**

H.F. No. 156 was read the second time.

### **INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

#### **Senator Hauschild introduced--**

**S.F. No. 3103:** A bill for an act relating to veterans; appropriating money for the city of Rice Lake veterans memorial.

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



**Senators Housley, Lang, and Howe introduced--**

**S.F. No. 3104:** A bill for an act relating to lawful gambling; including rent paid for business purposes in allowable lawful purposes expenditures for a licensed veterans organization; amending Minnesota Statutes 2022, section 349.12, subdivision 25.

Referred to the Committee on Judiciary and Public Safety.

**Senator Housley introduced--**

**S.F. No. 3105:** A bill for an act relating to veterans; modifying appropriation for Veterans Campground wastewater system upgrade; amending Laws 2022, chapter 54, article 1, section 3, subdivision 2.

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

**Senator Housley introduced--**

**S.F. No. 3106:** A bill for an act relating to natural resources; requiring the issuance or modification of groundwater appropriation permits near White Bear Lake; requiring the development of recommendations to ensure safe drinking water for east metropolitan communities in a manner that supports both growth and sustainability; requiring a report; amending Minnesota Statutes 2022, sections 103G.211; 103G.285, by adding a subdivision; 103G.287, by adding subdivisions; 116B.03, subdivision 1; 116B.10, by adding a subdivision.

Referred to the Committee on Environment, Climate, and Legacy.

**Senator Housley introduced--**

**S.F. No. 3107:** A bill for an act relating to capital investment; appropriating money to reconstruct the aquatic center in Pelican Rapids; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Eichorn introduced--**

**S.F. No. 3108:** A bill for an act relating to capital investment; appropriating money for the children's museum in the city of Baxter.

Referred to the Committee on Capital Investment.

**Senator Eichorn introduced--**

**S.F. No. 3109:** A bill for an act relating to capital investment; appropriating money for the children's museum in the city of Grand Rapids.

Referred to the Committee on Capital Investment.

**Senators Gustafson and Kupec introduced--**

**S.F. No. 3110:** A resolution memorializing Congress to overturn the United States Supreme Court decision *Citizens United v. FEC*; requesting that Congress clarify that the rights protected under the Constitution are the rights of natural persons and not the rights of artificial entities and that spending money to influence elections is not speech under the First Amendment; asking that Congress propose a constitutional amendment to provide such clarification.

Referred to the Committee on Elections.

**Senator Lucero introduced--**

**S.F. No. 3111:** A bill for an act relating to family law; providing rights for blind parents; amending Minnesota Statutes 2022, sections 259.53, by adding a subdivision; 260C.201, by adding a subdivision; 518.1751, by adding a subdivision.

Referred to the Committee on Judiciary and Public Safety.

**Senator Lang introduced--**

**S.F. No. 3112:** A bill for an act relating to capital investment; appropriating money for a regional special learning education center in the city of New London; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senator Lang introduced--**

**S.F. No. 3113:** A bill for an act relating to capital investment; appropriating money for the children's museum in the city of Willmar.

Referred to the Committee on Capital Investment.

**Senator Lang introduced--**

**S.F. No. 3114:** A bill for an act relating to capital investment; appropriating money for an assisted living facility and child care center in the city of Cosmos.

Referred to the Committee on Capital Investment.

**Senator Rasmusson introduced--**

**S.F. No. 3115:** A bill for an act relating to capital investment; appropriating money for flood projects in Otter Tail County; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Hauschild and Farnsworth introduced--**

**S.F. No. 3116:** A bill for an act relating to arts and cultural heritage; appropriating money to the Sisu Heritage nonprofit.

Referred to the Committee on Environment, Climate, and Legacy.

**Senator Kunesh introduced--**

**S.F. No. 3117:** A bill for an act relating to taxation; state aids; establishing Tribal Nation aid; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 477A.

Referred to the Committee on Taxes.

**Senator Kunesh introduced--**

**S.F. No. 3118:** A bill for an act relating to capital investment; appropriating money for the Minneapolis American Indian Center.

Referred to the Committee on Capital Investment.

**Senator Champion introduced--**

**S.F. No. 3119:** A bill for an act relating to housing; appropriating money for a grant to Urban Homeworks.

Referred to the Committee on Housing and Homelessness Prevention.

**Senator Mathews introduced--**

**S.F. No. 3120:** A bill for an act relating to energy; requiring a study of advanced nuclear reactors; appropriating money.

Referred to the Committee on Energy, Utilities, Environment, and Climate.

**Senator Xiong introduced--**

**S.F. No. 3121:** A bill for an act relating to consumer protection; modifying provisions governing deceptive trade practices and consumer fraud; amending Minnesota Statutes 2022, sections 325D.44, subdivisions 1, 2; 325F.69, subdivision 1, by adding a subdivision.

Referred to the Committee on Commerce and Consumer Protection.

**Senators Mohamed, Champion, Pappas, Dziejic, and Hoffman introduced--**

**S.F. No. 3122:** A bill for an act relating to workforce development; appropriating money for a grant to MNCAPD, Roots Connect, and FRAYEO.

Referred to the Committee on Jobs and Economic Development.

**Senator Fateh introduced--**

**S.F. No. 3123:** A bill for an act relating to human services; appropriating money to Greater Minneapolis Council of Churches for homelessness support services.

Referred to the Committee on Human Services.

**Senators Marty, Wiklund, Putnam, Fateh, and Abeler introduced--**

**S.F. No. 3124:** A bill for an act relating to academic health care facilities; designating certain academic health care facilities as essential to the University of Minnesota's public health mission.

Referred to the Committee on Human Services.

**Senator McEwen introduced--**

**S.F. No. 3125:** A bill for an act relating to labor; modifying overtime requirements; amending Minnesota Statutes 2022, section 177.25, subdivision 1.

Referred to the Committee on Labor.

**Senator McEwen introduced--**

**S.F. No. 3126:** A bill for an act relating to workforce development; appropriating money for apprenticeship preparation programming.

Referred to the Committee on Jobs and Economic Development.

**Senators Rasmusson, Duckworth, Coleman, Kreun, and Bahr introduced--**

**S.F. No. 3127:** A bill for an act relating to taxation; modifying property taxes and individual income taxes; modifying the first-tier valuation limit for agricultural homestead properties; increasing tier limits for homestead resort properties; modifying the homestead market value exclusion; reducing the state general levy; allowing an unlimited Social Security subtraction; decreasing income tax rates; establishing a temporary refundable child credit; providing a direct payment to individuals; appropriating money; amending Minnesota Statutes 2022, sections 273.11, subdivision 23; 273.13, subdivisions 22, 35; 275.025, subdivision 1; 290.0132, subdivision 26; 290.06, subdivisions 2c, as amended, 2d.

Referred to the Committee on Taxes.

**Senators Pha and Hoffman introduced--**

**S.F. No. 3128:** A bill for an act relating to human services; appropriating money for a grant to the Coalition of Northwest Suburbs Community Organizations.

Referred to the Committee on Human Services.

**Senators Bahr, Wesenberg, Drazkowski, Lieske, and Howe introduced--**

**S.F. No. 3129:** A bill for an act relating to taxation; proposing an amendment to the Minnesota Constitution, article XIII, adding a new section requiring tax refunds of a budget surplus.

Referred to the Committee on Taxes.

**Senators Hoffman, Abeler, Kunesh, and Marty introduced--**

**S.F. No. 3130:** A bill for an act relating to education finance; appropriating money for a grant to the Kids In Need Foundation.

Referred to the Committee on Education Finance.

**Senators Lieske, Pha, Mathews, Koran, and Hoffman introduced--**

**S.F. No. 3131:** A bill for an act relating to agriculture; creating a microenterprise home kitchen operation license; appropriating money; amending Minnesota Statutes 2022, sections 28A.03, by adding a subdivision; 28A.04, subdivision 1; 28A.05; 28A.08, subdivision 3; 31.04; 34A.01, subdivision 1; 34A.04, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 31C.

Referred to the Committee on Agriculture, Broadband, and Rural Development.

**Senators Drazkowski and Miller introduced--**

**S.F. No. 3132:** A bill for an act relating to natural resources; appropriating money to clean and reestablish earthen dams in certain counties.

Referred to the Committee on Environment, Climate, and Legacy.

**MOTIONS AND RESOLUTIONS**

Senator Rest moved that the name of Senator Koran be added as a co-author to S.F. No. 1405. The motion prevailed.

Senator Mitchell moved that the names of Senators Maye Quade and Housley be added as co-authors to S.F. No. 1509. The motion prevailed.

Senator Hoffman moved that the name of Senator Maye Quade be added as a co-author to S.F. No. 1593. The motion prevailed.

Senator Hoffman moved that the name of Senator Lieske be added as a co-author to S.F. No. 1831. The motion prevailed.

Senator Champion moved that the name of Senator Dibble be added as a co-author to S.F. No. 1999. The motion prevailed.

Senator Mitchell moved that the name of Senator Gustafson be added as a co-author to S.F. No. 2247. The motion prevailed.

Senator Green moved that the name of Senator Housley be added as a co-author to S.F. No. 2784. The motion prevailed.

Senator Nelson moved that the name of Senator Coleman be added as a co-author to S.F. No. 2911. The motion prevailed.

Senator Limmer moved that the name of Senator Westlin be added as a co-author to S.F. No. 2913. The motion prevailed.

Senator Dibble moved that the name of Senator Maye Quade be added as a co-author to S.F. No. 3017. The motion prevailed.

Senator Dibble moved that the name of Senator Boldon be added as a co-author to S.F. No. 3062. The motion prevailed.

Senator Fateh moved that S.F. No. 1853 be withdrawn from the Committee on Jobs and Economic Development and re-referred to the Committee on Capital Investment. The motion prevailed.

Senator Xiong moved that S.F. No. 2301 be withdrawn from the Committee on State and Local Government and Veterans and re-referred to the Committee on Commerce and Consumer Protection. The motion prevailed.

Senator Seeberger moved that S.F. No. 2646 be withdrawn from the Committee on Transportation and re-referred to the Committee on Capital Investment. The motion prevailed.

Senator Hoffman moved that S.F. No. 1129 be withdrawn from the Committee on State and Local Government and Veterans and re-referred to the Committee on Health and Human Services. The motion prevailed.

Senator Dibble moved that S.F. No. 1529, No. 82 on General Orders, be stricken and re-referred to the Committee on Finance. The motion prevailed.

Senator Latz moved that S.F. No. 2908 be withdrawn from the Committee on Judiciary and Public Safety and re-referred to the Committee on State and Local Government and Veterans. The motion prevailed.

**Senator Hawj introduced --**

**Senate Resolution No. 28:** A Senate resolution celebrating the 45th wedding anniversary of Chertoua Yang and Kazoua Xiong.

Referred to the Committee on Rules and Administration.

**MEMBERS EXCUSED**

Senators Housley, Miller, and Pratt were excused from the Session of today.

40TH DAY]

THURSDAY, MARCH 23, 2023

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**ADJOURNMENT**

Senator Frentz moved that the Senate do now adjourn until 10:00 a.m., Monday, March 27, 2023. The motion prevailed.

Thomas S. Bottern, Secretary of the Senate

