

SENATE
STATE OF MINNESOTA
FIFTH SPECIAL SESSION

S.F. No. 10

(SENATE AUTHORS: BENSON)

DATE
10/12/2020

D-PG

Introduction and first reading
Referred to Rules and Administration

OFFICIAL STATUS

1.1 A bill for an act

1.2 relating to open meetings; requiring public comments at all open meetings of public

1.3 bodies, including those conducted by electronic means; amending Minnesota

1.4 Statutes 2018, sections 13D.015, subdivisions 2, 4; 13D.021, subdivisions 1, 3;

1.5 35.0661, subdivision 1; 41A.0235; 41B.026; 116L.03, subdivision 8; 116M.15,

1.6 subdivision 5; 116U.25; 129C.105; 134.31, subdivision 7; 176.102, subdivision

1.7 3c; 248.10; 256.482, subdivision 5b; 256.975, subdivision 2a; 256C.28, subdivision

1.8 7; 268A.02, subdivision 3; 326B.32, subdivision 7; 326B.435, subdivision 7;

1.9 326B.925, subdivision 7; 462A.041; Minnesota Statutes 2019 Supplement, section

1.10 13D.02, subdivision 1, as amended; proposing coding for new law in Minnesota

1.11 Statutes, chapter 13D.

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

1.13 Section 1. **[13D.013] PUBLIC COMMENT REQUIRED.**

1.14 (a) At an open meeting of a public body subject to this chapter, the body must allow a

1.15 public comment period to permit members of the public to directly address the body on any

1.16 agenda item before or during the body's consideration of that item. A public body is not

1.17 required to allow public comment during any closed meeting.

1.18 (b) A public body may adopt reasonable rules and regulations regarding public comments,

1.19 including but not limited to regulations limiting the total amount of time allocated for public

1.20 comments on a particular issue or for each individual speaker. A public body may limit the

1.21 scope of public comments to the specific agenda item currently before the body.

1.22 Sec. 2. Minnesota Statutes 2018, section 13D.015, subdivision 2, is amended to read:

1.23 Subd. 2. **Conditions.** An entity listed in subdivision 1 may conduct a meeting governed

1.24 by this section and section 13D.01, subdivisions 1, 2, 4, and 5, by telephone or other

1.25 electronic means so long as the following conditions are met:

(1) all members of the entity participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the entity can hear all discussion and all votes of members of the entity and participate in testimony or public comment periods;

(3) at least one member of the entity is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

Sec. 3. Minnesota Statutes 2018, section 13D.015, subdivision 4, is amended to read:

Subd. 4. **Monitoring from remote site; costs.** If telephone or another electronic means is used to conduct a meeting, the entity, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location as well as participate in testimony or public comment periods. The entity may require the person making a connection to pay for documented marginal costs that the entity incurs as a result of the additional connection.

Sec. 4. Minnesota Statutes 2019 Supplement, section 13D.02, subdivision 1, as amended by Laws 2020, chapter 74, article 1, section 1, is amended to read:

Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1, 2, 4, and 5, and this section may be conducted by interactive television so long as:

(1) all members of the body participating in the meeting, wherever their physical location, can hear and see one another and can hear and see all discussion and testimony presented at any location at which at least one member is present;

(2) members of the public present at the regular meeting location of the body can hear and see all discussion and testimony and all votes of members of the body as well as participate in testimony or public comment periods;

(3) at least one member of the body is physically present at the regular meeting location;

(4) all votes are conducted by roll call so each member's vote on each issue can be identified and recorded; and

(5) each location at which a member of the body is present is open and accessible to the public.

(b) A meeting satisfies the requirements of paragraph (a), although a member of the public body participates from a location that is not open or accessible to the public, if the member has not participated more than three times in a calendar year from a location that is not open or accessible to the public, and:

(1) the member is serving in the military and is at a required drill, deployed, or on active duty; or

(2) the member has been advised by a health care professional against being in a public place for personal or family medical reasons. This clause only applies when a state of emergency has been declared under section 12.31, and expires 60 days after the removal of the state of emergency.

Sec. 5. Minnesota Statutes 2018, section 13D.021, subdivision 1, is amended to read:

Subdivision 1. **Conditions.** A meeting governed by this section and section 13D.01, subdivisions 1, 2, 4, and 5, may be conducted by telephone or other electronic means so long as the following conditions are met:

(1) the presiding officer, chief legal counsel, or chief administrative officer for the affected governing body determines that an in-person meeting or a meeting conducted under section 13D.02 is not practical or prudent because of a health pandemic or an emergency declared under chapter 12;

(2) all members of the body participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(3) members of the public present at the regular meeting location of the body can hear all discussion and testimony and all votes of the members of the body as well as participate in testimony or public comment periods, unless attendance at the regular meeting location is not feasible due to the health pandemic or emergency declaration;

(4) at least one member of the body, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless unfeasible due to the health pandemic or emergency declaration; and

(5) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

Sec. 6. Minnesota Statutes 2018, section 13D.021, subdivision 3, is amended to read:

Subd. 3. **Monitoring from remote site; costs.** If telephone or another electronic means is used to conduct a meeting, to the extent practical, the body shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The body may require the person making a connection to pay for the documented additional cost that the body incurs as a result of the additional connection.

Sec. 7. Minnesota Statutes 2018, section 35.0661, subdivision 1, is amended to read:

Subdivision 1. **Disastrous animal disease outbreaks; declaration of emergency.** (a) If the board determines that a confirmed case of a disease in this state presents a substantial and imminent threat to the state's domestic animal population, it shall certify the case to the governor. After receiving certification from the board, the governor may declare an emergency under this section for purposes of allowing the board to establish quarantine zones of control to protect the health of domestic animals from animal diseases of potentially disastrous proportions. The governor may declare an emergency under this section without declaring a peacetime emergency under section 12.31. A declaration under this section may specify that it applies to all or certain units of state or local government, must specify the time period for which it applies, and must be filed with the secretary of state. This section is in addition to and does not limit authority granted to the governor or local government officials by chapter 12 or other law.

(b) The board may meet by electronic means without violating state open meeting laws for the purpose of declaring that a confirmed case of a disease in this state presents a substantial and imminent threat to the state's domestic animal population. If the board meets by electronic means for this purpose, it shall comply with the emergency meeting notice provisions of section 13D.04, subdivision 3, and, to the fullest extent possible, provide public and media access to the meeting, including the ability to participate in testimony or public comment periods.

Sec. 8. Minnesota Statutes 2018, section 41A.0235, is amended to read:

41A.0235 BOARD MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS.

(a) If compliance with section 13D.02 is impractical, the Minnesota Agricultural and Economic Development Board may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the board participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can:

(i) hear clearly all discussion and testimony and all votes of members of the board;

(ii) participate in testimony or public comment periods; and,

(iii) if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the board is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The board may require the person making such a connection to pay for documented marginal costs that the board incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by section 13D.04.

Sec. 9. Minnesota Statutes 2018, section 41B.026, is amended to read:

41B.026 TELEPHONE OR ELECTRONIC MEETING.

(a) Notwithstanding section 13D.01, the Rural Finance Authority may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the authority participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the authority can hear all discussion and testimony and all votes of members of the authority as well as participate in testimony or public comment periods;

(3) at least one member of the authority is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the authority participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the authority, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The authority may require the person making such a connection to pay for documented marginal costs that the authority incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the authority shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by section 13D.04.

Sec. 10. Minnesota Statutes 2018, section 116L.03, subdivision 8, is amended to read:

Subd. 8. **Board meetings.** (a) If compliance with section 13D.02 is impractical, the Minnesota Job Skills Partnership Board may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the board participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can:

(i) hear clearly all discussion and testimony and all votes of members of the board;

(ii) participate in testimony or public comment periods; and,

(iii) if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the board is physically present at the regular meeting location;
and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The board may require the person making such a connection to pay for documented marginal costs that the board incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by section 13D.04.

Sec. 11. Minnesota Statutes 2018, section 116M.15, subdivision 5, is amended to read:

Subd. 5. **Board meeting.** (a) If compliance with section 13D.02 is impractical, the Minnesota Emerging Entrepreneur Board may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the board participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can:

(i) hear clearly all discussion and testimony and all votes of members of the board;

(ii) participate in testimony or public comment periods; and;

(iii) if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the board is physically present at the regular meeting location;
and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The board may require the person making such a connection to pay for documented marginal costs that the board incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by section 13D.04.

Sec. 12. Minnesota Statutes 2018, section 116U.25, is amended to read:

116U.25 EXPLORE MINNESOTA TOURISM COUNCIL.

(a) The director shall be advised by the Explore Minnesota Tourism Council consisting of up to 28 voting members appointed by the governor for four-year terms, including:

(1) the director of Explore Minnesota Tourism who serves as the chair;

(2) eleven representatives of statewide associations representing bed and breakfast establishments, golf, festivals and events, counties, convention and visitor bureaus, lodging, resorts, trails, campgrounds, restaurants, and chambers of commerce;

(3) one representative from each of the tourism marketing regions of the state as designated by the office;

(4) six representatives of the tourism business representing transportation, retail, travel agencies, tour operators, travel media, and convention facilities;

(5) one or more ex officio nonvoting members including at least one from the University of Minnesota Tourism Center;

(6) four legislators, two from each house, one each from the two largest political party caucuses in each house, appointed according to the rules of the respective houses; and

(7) other persons, if any, as designated from time to time by the governor.

(b) The council shall act to serve the broader interests of tourism in Minnesota by promoting activities that support, maintain, and expand the state's domestic and international travel market, thereby generating increased visitor expenditures, tax revenue, and employment.

(c) Filling of membership vacancies is as provided in section 15.059. The terms of one-half of the members shall be coterminous with the governor and the terms of the remaining one-half of the members shall end on the first Monday in January one year after the terms of the other members. Members may serve until their successors are appointed and qualify. Members are not compensated. A member may be reappointed.

(d) The council shall meet at least four times per year and at other times determined by the council.

(e) If compliance with section 13D.02 is impractical, the Explore Minnesota Tourism Council may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the council participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the council can:

(i) hear clearly all discussion and testimony and all votes of members of the council;

(ii) participate in testimony or public comment periods; and;

(iii) if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the council is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(f) Each member of the council participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(g) If telephone or other electronic means is used to conduct a meeting, the council, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The council may require the person making such a connection to pay for documented marginal costs that the council incurs as a result of the additional connection.

(h) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the council shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (g). The timing and method of providing notice is governed by section 13D.04.

Sec. 13. Minnesota Statutes 2018, section 129C.105, is amended to read:

129C.105 BOARD MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS.

(a) Notwithstanding section 13D.01 and if complying with section 13D.02 is impractical, the Board of the Perpich Center for Arts Education may conduct a meeting of its members by telephone or other electronic means when:

(1) all members of the board participating in the meeting, wherever the members' physical locations, can hear one another and all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can hear all discussion and testimony and all votes of members of the board as well as participate in testimony or public comment periods;

(3) at least one member of the board is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The board may require the person making such a connection to pay for documented marginal costs that the board incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the

11.1 provisions of paragraph (c). The timing and method of providing notice is governed by
11.2 section 13D.04.

11.3 (e) The board must publish minutes of all meetings on the center's website.

11.4 Sec. 14. Minnesota Statutes 2018, section 134.31, subdivision 7, is amended to read:

11.5 Subd. 7. **Telephone or electronic meetings.** (a) Notwithstanding section 13D.01, the
11.6 Advisory Committee for the Minnesota Braille and Talking Book Library may conduct a
11.7 meeting of its members by telephone or other electronic means so long as the following
11.8 conditions are met:

11.9 (1) all members of the committee participating in the meeting, wherever their physical
11.10 locations, can hear one another and can hear all discussion and testimony;

11.11 (2) members of the public present at the regular meeting location of the committee can
11.12 hear all discussion, testimony, and votes of the members of the committee as well as
11.13 participate in testimony or public comment periods;

11.14 (3) at least one member of the committee is physically present at the regular meeting
11.15 location; and

11.16 (4) all votes are conducted by roll call, so each member's vote on each issue can be
11.17 identified and recorded.

11.18 (b) Each member of the committee participating in a meeting by telephone or other
11.19 electronic means is considered present at the meeting for purposes of determining quorum
11.20 and participating in all proceedings.

11.21 (c) If telephone or other electronic means is used to conduct a meeting, to the extent
11.22 practical, the committee shall allow a person to monitor the meeting electronically from a
11.23 remote location and to participate in testimony or public comment periods. The committee
11.24 may require the person making the connection to pay for the documented additional costs
11.25 that the committee incurs as a result of the additional connection.

11.26 (d) If telephone or other electronic means is used to conduct a regular, special, or
11.27 emergency meeting, the committee shall provide notice of the regular meeting location, the
11.28 fact that some members may participate by telephone or other electronic means, and the
11.29 provisions of paragraph (c). The timing and method of providing notice is governed by
11.30 section 13D.04.

12.1 Sec. 15. Minnesota Statutes 2018, section 176.102, subdivision 3c, is amended to read:

12.2 Subd. 3c. **Rehabilitation review panel meetings.** (a) Except where the rehabilitation
12.3 review panel is making a decision in a contested case matter under subdivision 3, 3a, or 3b,
12.4 the panel may conduct a meeting of its members by telephone or other electronic means so
12.5 long as the following conditions are met:

12.6 (1) all members of the panel participating in the meeting, wherever their physical location,
12.7 can hear one another and can hear all discussion and testimony;

12.8 (2) members of the public present at the regular meeting location of the panel can:

12.9 (i) hear clearly all discussion and testimony and all votes of members of the panel;

12.10 (ii) participate in testimony or public comment periods; and,

12.11 (iii) if needed, receive those services required by sections 15.44 and 15.441;

12.12 (3) at least one member of the panel is physically present at the regular meeting location;

12.13 and

12.14 (4) all votes are conducted by roll call, so each member's vote on each issue can be
12.15 identified and recorded.

12.16 (b) Each member of the panel participating in a meeting by telephone or other electronic
12.17 means is considered present at the meeting for purposes of determining a quorum and
12.18 participating in all proceedings.

12.19 (c) If telephone or other electronic means are used to conduct a regular, special, or
12.20 emergency meeting, the panel, to the extent practical, shall allow a person to monitor the
12.21 meeting electronically from a remote location and to participate in testimony or public
12.22 comment periods. The panel or the Department of Labor and Industry may require the person
12.23 making such a connection to pay for documented costs that the panel or the Department of
12.24 Labor and Industry incurs as a result of the additional connection.

12.25 (d) If telephone or other electronic means are used to conduct a regular, special, or
12.26 emergency meeting, the panel shall provide notice of the regular meeting location, of the
12.27 fact that some members may participate by telephone or other electronic means, and that a
12.28 person may monitor the meeting electronically from a remote location. The timing and
12.29 method of providing notice is governed by section 13D.04.

13.1 Sec. 16. Minnesota Statutes 2018, section 248.10, is amended to read:

13.2 **248.10 REHABILITATION COUNCIL FOR THE BLIND.**

13.3 (a) The commissioner shall establish a Rehabilitation Council for the Blind consistent
13.4 with the federal Rehabilitation Act of 1973, Public Law 93-112, as amended. Council
13.5 members shall be compensated as provided in section 15.059, subdivision 3. The council
13.6 shall advise the commissioner about programs of the Division of State Services for the
13.7 Blind.

13.8 (b) Notwithstanding section 13D.01, the Rehabilitation Council for the Blind may conduct
13.9 a meeting of its members by telephone or other electronic means so long as the following
13.10 conditions are met:

13.11 (1) all members of the council participating in the meeting, wherever their physical
13.12 location, can hear one another and can hear all discussion and testimony;

13.13 (2) members of the public present at the regular meeting location of the council can hear
13.14 all discussion and testimony and all votes of members of the council as well as participate
13.15 in testimony or public comment periods;

13.16 (3) at least one member of the council is physically present at the regular meeting location;
13.17 and

13.18 (4) all votes are conducted by roll call, so each member's vote on each issue can be
13.19 identified and recorded.

13.20 (c) Each member of the council participating in a meeting by telephone or other electronic
13.21 means is considered present at the meeting for purposes of determining a quorum and
13.22 participating in all proceedings.

13.23 (d) If telephone or another electronic means is used to conduct a meeting, the council
13.24 to the extent practical, shall allow a person to monitor the meeting electronically from a
13.25 remote location and to participate in testimony or public comment periods. The council may
13.26 require the person making such a connection to pay for documented marginal costs that the
13.27 council incurs as a result of the additional connection.

13.28 (e) If telephone or another electronic means is used to conduct a regular, special, or
13.29 emergency meeting, the council shall provide notice of the regular meeting location, of the
13.30 fact that some members may participate by electronic means, and of the provisions of
13.31 paragraph (d). The timing and method of providing notice is governed by section 13D.04.

14.1 Sec. 17. Minnesota Statutes 2018, section 256.482, subdivision 5b, is amended to read:

14.2 Subd. 5b. **Meetings.** (a) Notwithstanding section 13D.01, the Minnesota State Council
14.3 on Disability may conduct a meeting of its members by telephone or other electronic means
14.4 so long as the following conditions are met:

14.5 (1) all members of the council participating in the meeting, wherever their physical
14.6 location, can hear one another and can hear all discussion and testimony;

14.7 (2) members of the public present at the regular meeting location of the council can hear
14.8 all discussion and all votes of members of the council and participate in testimony or public
14.9 comment periods;

14.10 (3) at least one member of the council is physically present at the regular meeting location;
14.11 and

14.12 (4) all votes are conducted by roll call, so each member's vote on each issue can be
14.13 identified and recorded.

14.14 (b) Each member of the council participating in a meeting by telephone or other electronic
14.15 means is considered present at the meeting for purposes of determining a quorum and
14.16 participating in all proceedings.

14.17 (c) If telephone or another electronic means is used to conduct a meeting, the council,
14.18 to the extent practical, shall allow a person to monitor the meeting electronically from a
14.19 remote location and to participate in testimony or public comment periods. The council may
14.20 require the person making such a connection to pay for documented marginal costs that the
14.21 council incurs as a result of the additional connection.

14.22 (d) If telephone or another electronic means is used to conduct a regular, special, or
14.23 emergency meeting, the council shall provide notice of the regular meeting location, of the
14.24 fact that some members may participate by electronic means, and of the provisions of
14.25 paragraph (c). The timing and method of providing notice is governed by section 13D.04.

14.26 Sec. 18. Minnesota Statutes 2018, section 256.975, subdivision 2a, is amended to read:

14.27 Subd. 2a. **Electronic meetings.** (a) Notwithstanding section 13D.01, the Minnesota
14.28 Board on Aging may conduct a meeting of its members by telephone or other electronic
14.29 means so long as the following conditions are met:

14.30 (1) all members of the board participating in the meeting, wherever their physical location,
14.31 can hear one another and can hear all discussion and testimony;

15.1 (2) members of the public present at the regular meeting location of the board can hear
15.2 all discussion and testimony and all votes of members of the board as well as participate in
15.3 testimony or public comment periods;

15.4 (3) at least one member of the board is physically present at the regular meeting location;
15.5 and

15.6 (4) all votes are conducted by roll call, so that each member's vote on each issue can be
15.7 identified and recorded.

15.8 (b) Each member of the board participating in a meeting by telephone or other electronic
15.9 means is considered present at the meeting for purposes of determining a quorum and
15.10 participating in all proceedings.

15.11 (c) If telephone or other electronic means is used to conduct a meeting, the board, to the
15.12 extent practical, shall allow a person to monitor the meeting electronically from a remote
15.13 location and to participate in testimony or public comment periods. The board may require
15.14 the person making a connection to pay for documented marginal costs that the board incurs
15.15 as a result of the additional connection.

15.16 (d) If telephone or other electronic means is used to conduct a regular, special, or
15.17 emergency meeting, the board shall provide notice of the regular meeting location, of the
15.18 fact that some members may participate by telephone or other electronic means, and of the
15.19 provisions of paragraph (c). The timing and method of providing notice is governed by
15.20 section 13D.04.

15.21 Sec. 19. Minnesota Statutes 2018, section 256C.28, subdivision 7, is amended to read:

15.22 Subd. 7. **Electronic meetings.** (a) The commission is subject to the requirements of
15.23 chapter 13D, but may conduct a meeting of its members by telephone or other electronic
15.24 means so long as the following conditions are met:

15.25 (1) all members of the commission participating in the meeting, wherever their physical
15.26 location, can communicate with one another and can hear, see, or feel all discussion and
15.27 testimony;

15.28 (2) members of the public present at the regular meeting location of the commission can
15.29 hear, see, or feel all discussion and testimony and all votes of members of the commission
15.30 as well as participate in testimony or public comment periods;

15.31 (3) at least one member of the commission is physically present at the regular meeting
15.32 location; and

16.1 (4) all votes are conducted by roll call, so that each member's vote on each issue can be
16.2 identified and recorded.

16.3 (b) Each member of the commission participating in a meeting by telephone or other
16.4 electronic means is considered present at the meeting for purposes of determining a quorum
16.5 and participating in all proceedings.

16.6 (c) If telephone or other electronic means is used to conduct a meeting, the commission,
16.7 to the extent practical, shall allow a person to monitor the meeting electronically from a
16.8 remote location and to participate in testimony or public comment periods. The commission
16.9 may require the person making a connection to pay for documented marginal costs that the
16.10 commission incurs as a result of the additional connection.

16.11 (d) If telephone or other electronic means is used to conduct a regular, special, or
16.12 emergency meeting, the commission shall provide notice of the regular meeting location,
16.13 of the fact that some members may participate by telephone or other electronic means, and
16.14 of the provisions of paragraph (c).

16.15 Sec. 20. Minnesota Statutes 2018, section 268A.02, subdivision 3, is amended to read:

16.16 Subd. 3. **Electronic or telephonic meetings.** (a) Notwithstanding section 13D.01, the
16.17 State Rehabilitation Council and the Statewide Independent Living Council may conduct
16.18 a meeting of its members by telephone or other electronic means so long as the following
16.19 conditions are met:

16.20 (1) all members of the council participating in the meeting, wherever their physical
16.21 location, can hear one another and can hear all discussion and testimony;

16.22 (2) members of the public present at the regular meeting location of the council can hear
16.23 all discussion and testimony and all votes of members of the council as well as participate
16.24 in testimony or public comment periods;

16.25 (3) at least one member of the council is physically present at the regular meeting location;
16.26 and

16.27 (4) all votes are conducted by roll call, so each member's vote on each issue can be
16.28 identified and recorded.

16.29 (b) Each member of the council participating in a meeting by telephone or other electronic
16.30 means is considered present at the meeting for purposes of determining a quorum and
16.31 participating in all proceedings.

(c) If telephone or other electronic means is used to conduct a meeting, the council, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The council may require the person making such a connection to pay for documented marginal costs that the council incurs as a result of the additional connection.

(d) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the council shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (c). The timing and method of providing notice is governed by section 13D.04.

Sec. 21. Minnesota Statutes 2018, section 326B.32, subdivision 7, is amended to read:

Subd. 7. **Board meetings.** (a) The board shall hold meetings at such times as the board shall specify. Notice and conduct of all meetings shall be pursuant to chapter 13D and in a manner as the bylaws may provide.

(b) If compliance with section 13D.02 is impractical, the board may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the board participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can:

(i) hear clearly all discussion and testimony and all votes of members of the board;

(ii) participate in testimony or public comment periods; and,

(iii) if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the board is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The board may require the person making such a connection to pay for documented costs that the board incurs as a result of the additional connection.

If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and that a person may monitor the meeting electronically from a remote location. Any person monitoring the meeting electronically from a remote location may be required to pay documented costs incurred by the board as a result of the additional connection. The timing and method of providing notice is governed by section 13D.04.

Sec. 22. Minnesota Statutes 2018, section 326B.435, subdivision 7, is amended to read:

Subd. 7. Board meetings. (a) The board shall hold meetings at such times as the board shall specify. Notice and conduct of all meetings shall be pursuant to chapter 13D and in such a manner as the bylaws may provide.

(b) If compliance with section 13D.02 is impractical, the board may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the board participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can:

(i) hear clearly all discussion and testimony and all votes of members of the board;

(ii) participate in testimony or public comment periods; and,

(iii) if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the board is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The board may require the person making such a connection to pay for documented costs that the board incurs as a result of the additional connection.

If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and that a person may monitor the meeting electronically from a remote location. Any person monitoring the meeting electronically from a remote location may be required to pay documented costs incurred by the board as a result of the additional connection. The timing and method of providing notice is governed by section 13D.04.

Sec. 23. Minnesota Statutes 2018, section 326B.925, subdivision 7, is amended to read:

Subd. 7. Board meetings. (a) The board shall hold meetings at such times as the board shall specify. Notice and conduct of all meetings shall be pursuant to chapter 13D, and in such a manner as the bylaws may provide.

(b) If compliance with section 13D.02 is impractical, the board may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the board participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the board can:

(i) hear clearly all discussion and testimony and all votes of members of the board;

(ii) participate in testimony or public comment periods; and,

(iii) if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the board is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

Each member of the board participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The board may require the person making such a connection to pay for documented costs that the board incurs as a result of the additional connection.

If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the board shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and that a person may monitor the meeting electronically from a remote location. Any person monitoring the meeting electronically from a remote location may be required to pay documented costs incurred by the board as a result of the additional connection. The timing and method of providing notice is governed by section 13D.04.

Sec. 24. Minnesota Statutes 2018, section 462A.041, is amended to read:

462A.041 MEETINGS BY TELEPHONE OR OTHER ELECTRONIC MEANS.

(a) Notwithstanding sections 13D.01 and 13D.02, the Housing Finance Agency may conduct a meeting of its members by telephone or other electronic means so long as the following conditions are met:

(1) all members of the agency participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the agency can hear all discussion and testimony and all votes of members of the agency as well as participate in testimony or public comment periods;

(3) at least one member of the agency, the commissioner, the deputy commissioner, or an attorney for the agency is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(b) Each member of the agency participating in a meeting by electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(c) If telephone or another electronic means is used to conduct a meeting, the agency to the extent practical, shall allow a person to monitor the meeting electronically from a remote location and to participate in testimony or public comment periods. The agency may require

21.1 the person making such a connection to pay for documented marginal costs that the agency
21.2 incurs as a result of the additional connection.

21.3 (d) If telephone or another electronic means is used to conduct a regular, special, or
21.4 emergency meeting, the agency shall provide notice of the regular meeting location, of the
21.5 fact that some members may participate by electronic means, and of the provisions of
21.6 paragraph (c). The timing and method of providing notice is governed by section 13D.04.