

## SF5244 - 0 - Legislative Task Force on Guardianship

Chief Author: **Scott Dibble**  
 Committee: **State And Local Government And Veterans**  
 Date Completed: **4/4/2024 5:47:05 PM**  
 Lead Agency: **Disability Council**  
 Other Agencies:  
     Human Services Dept      Indian Affairs Council  
     Legislature                Ombudsman for MH/DD  
     Supreme Court

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.  
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
State Total						
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-

**Lead LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

This consolidated fiscal note shows no costs on the State Cost (Savings) table because of the expiration and contingency language in Section 1, Subdivisions 6 and 7. This language states that the task force expires before it convenes if money is not appropriated during the 2025 legislative session. Please see the fiscal notes for the Minnesota Council on Disability and the Legislature that do show the potential fiscal impact in the Assumptions section and the Expenditure and/or Revenue Formula section if money is appropriated by the 2025 legislature.

**LBO Signature:** Steve McDaniel    **Date:** 4/4/2024 5:47:05 PM  
**Phone:** 651-284-6437    **Email:** steve.mcdaniel@lbo.mn.gov

**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

**SF5244 - 0 - Legislative Task Force on Guardianship**

Chief Author: **Scott Dibble**  
 Committee: **State And Local Government And Veterans**  
 Date Completed: **4/4/2024 5:47:05 PM**  
 Agency: **Disability Council**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.  
 Reductions shown in the parentheses.

<b>State Cost (Savings)</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

<b>Full Time Equivalent Positions (FTE)</b>		<b>Biennium</b>			<b>Biennium</b>	
		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

This fiscal note shows no costs on the State Cost (Savings) table because of the expiration and contingency language in Section 1, Subdivisions 6 and 7. This language states that the task force expires before it convenes if money is not appropriated during the 2025 legislative session. Please see the Assumptions section and the Expenditure and/or Revenue Formula section for the potential impact if money is appropriated by the 2025 legislature.

**LBO Signature:** Steve McDaniel **Date:** 4/4/2024 12:38:54 PM  
**Phone:** 651-284-6437 **Email:** steve.mcdaniel@lbo.mn.gov

### State Cost (Savings) Calculation Details

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\*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
	Total	-	-	-	-	-
	Biennial Total			-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
	Total	-	-	-	-	-
	Biennial Total			-		-
<b>2 - Revenues, Transfers In*</b>						
	Total	-	-	-	-	-
	Biennial Total			-		-

### Bill Description

This bill establishes a task force charged to assess Minnesota's guardianship laws and practices with stakeholders to identify changes that improve the civil rights, due process, less restrictive practices, increasing the number of qualified guardians, ongoing funding for guardians, and exploring potential certification or licensure for guardians.

### Assumptions

This task force requires 25 members to be appointed, including four legislators, that have per diems and compensation, per Minn Stat 15.059, and the task force would be hosted and supported by the Minnesota Council on Disability.

We assume that the 8 state agency representatives will not be paid per diem, the 12 members of the public will be eligible for the \$55 per diem, and the 1 judiciary member and 4 legislative members will be paid that their respective rates, in addition to mileage or meal reimbursements.

The task force would begin July 1, 2025, first convene by September 1, 2025, meet at least quarterly, and the final report would be due to the legislature no later than December 21, 2026.

The task force would include statewide participation using hybrid meeting space options, Open Meeting Law compliance, which requires a physical location for the public to attend, when possible.

Based on the scope and deliverables, we would need 1.0 FTE (SPA Prin) staff to provide project management coordination, Open Meeting Law compliance, and ensure administrative and technology support is provided.

Additionally, we assume that we will use independent meeting facilitators, note takers, and they would write the report on the behalf of the task force through a contracted vendor.

We are also assuming that the task force will look at least two other state's guardianship reform packages to identify best practices and current trends.

We assume that the public input opportunities will include public comment, opportunities for submitted documents and letters, and information will be shared with the public throughout the process.

Specific targeted engagement through the consultants will also gather input and feedback from the judicial branch, advocacy groups, individuals under guardianship, people who operate as guardians, and attorneys who work in this space.

MAD has indicated that their consulting rate will be updated to \$150 per hour by the project's start time and rates are dependent on if Management Analysis and Development's capacity to support this work or if outside consultants are procured. External consultants typically are more expensive than MAD.

Lastly, we assume that MCD will incur no costs or duties if this task force is not funded by the 2025 legislature

**Expenditure and/or Revenue Formula**

-

Expenditures	FY 26	FY27	Hours
GF Contract for facilitation and reporting	85,000	49,000	Approx. 892 hours @ \$150
GF Contract for research and analysis	53,500	32,000	Approx. 571 hours @ \$150
GF 1 FTE Proj Manager SPA Prin (FY27 .5 FTE)	134,000	75,000	
GF Per diems & reimbursements	6,000	4,000	
Total GF cost	278,500	160,000	
Total FTE	1.0	0.5	

The cost displayed would be incurred pending action by the 2025 legislature.

**Long-Term Fiscal Considerations**

**Local Fiscal Impact**

**References/Sources**

**Agency Contact:** David Dively (651-361-7801)

**Agency Fiscal Note Coordinator Signature:** David Dively

**Phone:** 651-361-7801

**Date:** 4/4/2024 12:13:03 PM

**Email:** david.dively@state.mn.us

## SF5244 - 0 - Legislative Task Force on Guardianship

Chief Author: **Scott Dibble**  
 Committee: **State And Local Government And Veterans**  
 Date Completed: **4/4/2024 5:47:05 PM**  
 Agency: **Human Services Dept**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.  
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-
Biennial Total				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2023	FY2024	FY2025	FY2026	FY2027
Total		-	-	-	-	-

## LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Kate Schiller **Date:** 4/3/2024 10:16:06 AM  
**Phone:** 651-296-6052 **Email:** kate.schiller@lbo.mn.gov

**State Cost (Savings) Calculation Details**

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

**Bill Description**

This bill establishes a Legislative Task Force on Guardianship and describes details on membership, meetings, and duties. The proposed task force would be managed by the Council on Disability.

**Assumptions**

The Department is assuming no additional resources necessary. While the agency does have representatives on this proposed task force, there are no staffing or administrative requirements for the Department of Human Services in this bill.

**Expenditure and/or Revenue Formula****Long-Term Fiscal Considerations****Local Fiscal Impact****References/Sources****Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Chris Zempel

**Phone:** 651-247-3698

**Date:** 4/3/2024 10:08:34 AM

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**SF5244 - 0 - Legislative Task Force on Guardianship**

Chief Author: **Scott Dibble**  
 Committee: **State And Local Government And Veterans**  
 Date Completed: **4/4/2024 5:47:05 PM**  
 Agency: **Indian Affairs Council**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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 Reductions shown in the parentheses.

<b>State Cost (Savings)</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

<b>Full Time Equivalent Positions (FTE)</b>		<b>Biennium</b>			<b>Biennium</b>	
		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Chloe Burns      **Date:** 4/4/2024 4:49:44 PM  
**Phone:** 651-297-1423      **Email:** chloe.burns@lbo.mn.gov



**State Cost (Savings) Calculation Details**

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\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
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<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

**Bill Description**

Establishes a Minnesota Task Force on Guardianship, appointment criteria, and report requirements.

**Assumptions**

MIAC Executive Director is named in the bill as an appointing authority to one seat on this new advisory council. MIAC handles appointments at our quarterly public board meetings as part of our normal business with our executive board who votes and appoints members.

**Expenditure and/or Revenue Formula****Long-Term Fiscal Considerations****Local Fiscal Impact****References/Sources**

**Agency Contact:** Shannon Geshick (651-249-0160)

**Agency Fiscal Note Coordinator Signature:** Shannon Geshick

**Phone:** 651-249-0160

**Date:** 4/4/2024 4:47:14 PM

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**SF5244 - 0 - Legislative Task Force on Guardianship**

Chief Author: **Scott Dibble**  
 Committee: **State And Local Government And Veterans**  
 Date Completed: **4/4/2024 5:47:05 PM**  
 Agency: **Legislature**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative.  
 Reductions shown in the parentheses.

State Cost (Savings)		Biennium			Biennium	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

Full Time Equivalent Positions (FTE)		Biennium			Biennium	
		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

This fiscal note shows no costs on the State Cost (Savings) table because of the expiration and contingency language in Section 1, Subdivisions 6 and 7. This language states that the task force expires before it convenes if money is not appropriated during the 2025 legislative session. Please see the Assumptions section and the Expenditure and/or Revenue Formula section for the potential impact if money is appropriated by the 2025 legislature.

**LBO Signature:** Chloe Burns      **Date:** 4/4/2024 2:50:44 PM  
**Phone:** 651-297-1423      **Email:** chloe.burns@lbo.mn.gov

### State Cost (Savings) Calculation Details

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\*Transfers In/Out and Absorbed Costs are only displayed when reported.

<b>State Cost (Savings) = 1-2</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-
<b>2 - Revenues, Transfers In*</b>						
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

### Bill Description

The bill creates a Legislative Task Force on Guardianship of which membership includes two representatives and two senators. Appointments must be made by June 30, 2025, and the first meeting of the task force must be held by September 1, 2025, if an appropriation is made by that date for the task force. The group must meet at least quarterly. Members may receive compensation and reimbursement for expenses as governed by MS 15.059, Subd 3. The task force must submit a report by December 31, 2026, at which the task force expires or by June 1, 2025, if FY26 funds are not appropriated for the operations of the task force.

The Minnesota Council on Disabilities (MCD) must provide administrative support, research support, and meeting location to the task force.

### Assumptions

The establishment of the task force is contingent on funds for the operation of the task force being appropriated during the 2025 legislative session. The following is the projected cost of the legislative members' participation in the meetings of the task force. That cost is a secondary cost and is being provided for informational purposes. The secondary projected costs are not included in the cost table of the fiscal note.

1. The task force will meet four times in FY26 with three meetings occurring during legislative session interim and one meeting occurring during legislative session. During FY27, the task force will meeting two times with all meetings occurring during legislative session interim. All meetings will be held within the Capitol campus with limited remote participation.
2. MCD will provide support to the task force.
3. MCD will address the meeting participation cost of the public members of the task force and any reimbursement of expenses of the state agency members of the task force in their fiscal note.
4. The bill does not provide for payment of per diems or for the reimbursement of expenses of legislators serving on the task force. However, legislative members could request reimbursement for expenses of engaging in legislative activity. This fiscal note is based on the assumption that the legislative members will be paid per diems and reimbursement for their expenses from the House and Senate. New funds will be needed for the House and Senate.
5. Legislative member meeting participation costs includes the following per member, per legislative interim meeting: per diem (\$86 senators, \$86 representatives), and \$102 round trip mileage (152 round trip mile average). Half of the legislative members will be reimbursed for lodging expenses (\$150/night senators, \$175/night representatives). New funds will be needed for the House and Senate for the legislative member meeting cost.

### Expenditure and/or Revenue Formula

The following is the projected cost of the legislative members' participation in the meetings of the task force is a secondary cost and is being provided for informational purposes. The secondary projected costs are not included in the cost table of the fiscal note.

<b><u>Legislative Member Meeting Participation Cost for Task Force</u></b>			
Cost Category	FY25	FY26	FY27
Senate Member Mtg Participation Cost	0	1,577	1,051
House Member Mtg Participation Cost	0	1,652	1,101
<b>Total Legislative Member Mtg Participation Cost (rounded)</b>	<b>0</b>	<b>3,000</b>	<b>2,000</b>
<b><u>Total Cost</u></b>			
Cost Category	FY25	FY26	FY27
Total Legislative Member Mtg Participation Cost (rounded)	0	3,000	2,000
<b>Total Cost (rounded)</b>	<b>0</b>	<b>3,000</b>	<b>2,000</b>

**Long-Term Fiscal Considerations**

N/A

**Local Fiscal Impact**

N/A

**References/Sources**

Emily Adriaens, House of Representatives

Patrick McCormack, House of Representatives

Tom Bottern, Minnesota Senate

Eric Nauman, Minnesota Senate

Alexis Stangl, Minnesota Senate

Michelle Yurich, Legislative Coordinating Commission

**Agency Contact:** Diane Henry-Wangenstein

**Agency Fiscal Note Coordinator Signature:** Diane Henry

**Phone:** 651-296-1121

**Date:** 4/4/2024 1:19:59 PM

**Email:** diane.henry@lcc.mn.gov

**SF5244 - 0 - Legislative Task Force on Guardianship**

Chief Author: **Scott Dibble**  
 Committee: **State And Local Government And Veterans**  
 Date Completed: **4/4/2024 5:47:05 PM**  
 Agency: **Ombudsman for MH/DD**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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 Reductions shown in the parentheses.

<b>State Cost (Savings)</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

<b>Full Time Equivalent Positions (FTE)</b>		<b>Biennium</b>			<b>Biennium</b>	
		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Steve McDaniel    **Date:** 4/4/2024 8:32:31 AM  
**Phone:** 651-284-6437    **Email:** steve.mcdaniel@lbo.mn.gov

**State Cost (Savings) Calculation Details**

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	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>2 - Revenues, Transfers In*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-

**Bill Description**

This bill establishes a legislative task force on guardianship to make recommendations to address concerns and gaps related to guardianship and less restrictive alternatives to guardianship and requires a report to the legislature.

**Assumptions**

It is assumed that participation in the task force will be absorbed into the regular work of the Office of Ombudsman for Mental Health and Developmental Disabilities.

**Expenditure and/or Revenue Formula**

This bill is not expected to have a significant fiscal impact on the Office of Ombudsman for Mental Health and Developmental Disabilities.

**Long-Term Fiscal Considerations****Local Fiscal Impact****References/Sources**

**Agency Contact:** Lisa Harrison-Hadler (651-757-1806)

**Agency Fiscal Note Coordinator Signature:** Lisa Harrison-Hadler

**Phone:** 651-757-1806

**Date:** 4/4/2024 8:26:09 AM

**Email:** lisa.harrison-hadler@state.mn.us

**SF5244 - 0 - Legislative Task Force on Guardianship**

Chief Author: **Scott Dibble**  
 Committee: **State And Local Government And Veterans**  
 Date Completed: **4/4/2024 5:47:05 PM**  
 Agency: **Supreme Court**

State Fiscal Impact	Yes	No
Expenditures		X
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

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<b>State Cost (Savings)</b>		<b>Biennium</b>			<b>Biennium</b>	
Dollars in Thousands		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-
<b>Biennial Total</b>				-		-

<b>Full Time Equivalent Positions (FTE)</b>		<b>Biennium</b>			<b>Biennium</b>	
		FY2023	FY2024	FY2025	FY2026	FY2027
<b>Total</b>		-	-	-	-	-

**LBO Analyst's Comment**

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

**LBO Signature:** Karen McKey    **Date:** 4/4/2024 5:03:16 PM  
**Phone:** 651-284-6429    **Email:** karen.mckey@lbo.mn.gov

**State Cost (Savings) Calculation Details**

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Dollars in Thousands		<b>FY2023</b>	<b>FY2024</b>	<b>FY2025</b>	<b>FY2026</b>	<b>FY2027</b>
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>1 - Expenditures, Absorbed Costs*, Transfers Out*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-
<b>2 - Revenues, Transfers In*</b>						
	<b>Total</b>	-	-	-	-	-
	<b>Biennial Total</b>			-		-

**Bill Description**

The bill establishes a Legislative Task Force on guardianship that includes one judge who has experience working on guardianship cases appointed by the chief justice of the supreme court.

**Assumptions**

It is assumed that the chief justice would appoint a judge to this task force which would require judicial time and resources to prepare and participate in the task force.

**Expenditure and/or Revenue Formula**

This bill is not anticipated to have a significant fiscal impact on the judicial branch.

**Long-Term Fiscal Considerations**

None.

**Local Fiscal Impact****References/Sources****Agency Contact:**

**Agency Fiscal Note Coordinator Signature:** Callie Lehman

**Phone:** 651-297-7579

**Date:** 4/4/2024 4:55:17 PM

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