

Minnesota State Register

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**Proposed, Adopted, Emergency, Expedited, Withdrawn, Vetoed Rules;
Executive Orders; Appointments; Commissioners' Orders; Revenue Notices;
Official Notices; State Grants & Loans; State Contracts; Non-State Public Bids,
Contracts and Grants**

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Official Notices

Description of Project and Proposed JCF Funding:

Niagara Bottling, LLC (NAICS 312112) is looking to expand in Elko New Market (Scott County), Minnesota. Niagara Bottling is a national leader in the beverage industry, and continues to expand with physical presence in markets across the U.S. This project will serve the Minneapolis-St. Paul region and surrounding markets, including Minnesota, Wisconsin, and other adjacent states. The total project cost is \$130,000,000 of which \$55,000,000 would be for new construction and \$2,000,000 for site improvements, which could both be rebated up to 5%. The project also includes \$66,000,000 for purchase of machinery and equipment and \$7,000,000 for property acquisition. The company expects to create 59 jobs over three (3) years at an average cash wage of \$31.80 per hour. The company has requested a Minnesota Investment Fund loan in the amount of \$405,000, which may be forgiven if job creation and wage goals are met. The project may be eligible for a job creation award of up to \$300,000 and a capital investment rebate of up to \$500,000 depending on final project specifications.

All interested persons may appear and be heard at the time and place set forth above. Persons interested in participating via teleconference should contact Tom Washa, Minnesota Job Creation Fund Program Manager at (651) 259-7483 or Tom.Washa@state.mn.us prior to the date of the hearing for instructions on how to participate in the conference call.

Interested persons may mail written comments to Tom Washa at 1st National Bank Building, 332 Minnesota Street, Suite E200 St. Paul MN 55101 or e-mail Tom.Washa@state.mn.us prior to the date of the hearing set forth above. All persons who appear at the meeting or participate via teleconference will be given an opportunity to express their views with respect to the proposal to award funds from the Minnesota Job Creation Fund.

Minnesota Sentencing Guidelines Commission Notice of Public Hearing to Consider Amendments to the Sentencing Guidelines and Commentary Related to 2023 Regular Session Laws

THE MINNESOTA SENTENCING GUIDELINES COMMISSION WILL HOLD A PUBLIC HEARING on Thursday, July 20, 2023, at 1:00 p.m., in the Minnesota State Capitol Building, Room G3, 75 Rev. Dr. Martin Luther King, Jr. Blvd., Saint Paul, Minnesota 55155. Remote participation will be optional. The public hearing is being held to consider proposed modifications to the 2022 Minnesota Sentencing Guidelines and Commentary resulting from the Commission's review of the 2023 Regular Session Laws. In brief, the nature and effect of these proposed modifications are as follows:

A. Proposed Modifications Related to Crimes Created or Amended by the Legislature in the 2023 Regular Session – Effective August 1, 2023. The Commission proposes to rank Catalytic Converter Crime (Over 70 Converters) at severity level (SL) 6; to rank Catalytic Converter Crime (11–70 Converters) at SL 3; to rank Catalytic Converter Crime (3–10 Converters) at SL 2; to rank Labor Trafficking (Death) at SL 10; to rank Labor Trafficking (Great Bodily Harm) at SL 9; to rank Labor Trafficking (Minor Victim) at SL 8; to rank Labor Trafficking (Extended Period of Time) at SL 7; to rank Labor Trafficking (other) at SL 6; to continue to list Labor Trafficking in section 6 (Offenses Eligible for Permissive Consecutive Sentences); to list all forms of Labor Trafficking except the SL 6 offense in section 8 (Severe Violent Offense List); to rank Carjacking in the first, second, and third degrees at SL 8, SL 6, and SL 5, respectively; to list Carjacking in section 6; to list Carjacking 1st Degree in section 8; to make conforming and editorial changes related to the enumeration of kidnapping's aggravating circumstances; to rank Fictitious Emergency Call (Substantial Bodily Harm) at SL 3; to rank Organized Retail Theft (Over \$5,000) at SL 4; to rank Organized Retail Theft (\$1,001–\$5,000, or \$501–\$1,000 and Prior Convictions) at SL 3; to rank Organized Retail Theft (\$501–\$1,000, or \$500 or Less and Prior Convictions) at SL 1; to rank Burglary 3rd Degree (Shoplifting Contrary to Trespass Notice, 3rd or Subsequent) at SL 3 and make related conforming and editorial corrections; to rank Machine Gun, Trigger Activator, or Conversion Kit at SL 8 and make related conforming changes; to rank Surreptitious Photography Under or Around Clothing (3rd or Subsequent Violation) at SL 3, list the offense in section 6, and make related conforming and editorial changes; to rank False Statement to Obtain Firearm Transferee Permit at SL 1; to rank Money Transmitter Regulations at SL 1; to rank Nonconsensual Dissemination of a Deep Fake Depicting Intimate Parts or Sexual Acts at SL 3; to list Nonconsensual

Dissemination of a Deep Fake Depicting Intimate Parts or Sexual Acts in section 6, and make a related editorial change; to leave unranked Using Deep Fake Technology to Influence an Election (2nd or Subsequent Violation); to add Family and Medical Benefit Fraud on the Theft Offense List in section 7, resulting in a ranking of SL 3 for a monetary amount of over \$5,000, or a ranking of SL 2 for a monetary amount of \$5,000 or less; to rank the first-degree versions of cannabis possession, cannabis sale, and cannabis cultivation at SL D2; to make conforming, corrective, and editorial changes related to failure to affix tax stamp crimes, controlled substance crime in the fifth degree, and sale of synthetic cannabinoids; to make conforming changes to section 2.D.3.b(11) and Comment 2.D.308 related to the expansion of bias crimes; to make conforming, corrective, and editorial changes to sections 2.B.2.c, 2.B.5.b, 2.C.1, 2.G, & 4, and to comments 2.B.502, 2.E.02, & 2.F.103, related to the redefinition of a felony; and to make conforming changes to sections 1.B & 2.D.1, and to section 3.A and associated commentary, related to the codification of five-year probation lengths. The Commission proposes no change to Appendix 4 related to a change to the statutory targeted misdemeanor list.

B. Proposed Modifications Related to Crimes Created or Amended by the Legislature in the 2023 Regular Session – Effective August 1, 2025. The Commission proposes to strike section 5's references to medical cannabis violations, which are repealed in 2025.

A complete copy of these proposed amendments will be posted on the Commission's web site at <https://mn.gov/sentencing-guidelines> from June 20 through July 25, 2023. Information on how to attend the public hearing, both in-person and remotely, is also posted on the same web site. The Commission will hold the record open for five calendar days after the public hearing to accept written comment. Instructions on how to submit written materials are posted on the Commission's web site. Written materials must be received no later than July 25, 2023.

After the written comment period ends, the proposed modifications are subject to final action by the Commission at its meeting on Thursday, July 27, 2023, with meeting details to be posted on the Commission's web site. If adopted, modifications will take effect August 1, 2023, and will apply as provided in Guidelines section 3.G, except that the modifications described in part B, above, will take effect August 1, 2025.

For more information, please refer to the Commission's web site at <https://mn.gov/sentencing-guidelines> or call the Commission's office at (651) 296-0144.

Minnesota Department of Transportation (MnDOT) Office of Transportation System Management (OTSM) Notice of Solicitation for Public Review and Comment on the Draft State Transportation Improvement Program (STIP) for State Fiscal Years 2024-2025-2026-2027 (July 1, 2023 through June 30, 2027)

The Minnesota Department of Transportation (MnDOT) is offering an opportunity for public review and comment on a draft list of projects to be included in the State Transportation Improvement Program (STIP) for state fiscal years 2024-2025-2026-2027 (July 1, 2023 through June 30, 2027).

The program for the 2024-2027 STIP is approximately \$3.5 billion of federal funds, \$1.7 billion of state trunk highway funds, plus trunk highway bonds, local agency funds, and other funding sources. The program includes local roads and bridge projects; transit capital investments; state highway roads and bridge projects; national highway roads, bridges, and freight projects.

The draft list of projects in the STIP is available for review at the Department of Transportation District Offices and on MnDOT's website: <http://www.dot.state.mn.us/planning/program/stip.html>.

If you have questions about projects in the Draft 2024-2027 STIP, please feel free to contact the following individuals.

District 1 (Duluth) - Duane Hill, District Engineer, Duane.Hill@state.mn.us