



WEEKLY LEGISLATIVE UPDATE

February 3, 2025

Issue No. 4

Anoka | Benton | Blue Earth | Carver | Chisago | Crow Wing | Dakota | Olmsted | Otter Tail | Rice | St. Louis | Scott | Sherburne | Stearns | Washington | Winona | Wright

Quick Links to Contents

[Headlines](#)

[Taxes & Fiscal Policy](#)

[Transportation](#)

[Capital Investment \(Bonding\)](#)

[Health & Human Services](#)

[Environment](#)

[Corrections & Public Safety](#)

[General Government & Other](#)

HEADLINES

No progress on organizing the House of Representatives

The House met briefly each day from Monday to Thursday this week, with all 67 House Republican members in the chamber and no DFL members present. Each time Secretary of State Steve Simon adjourned the meeting after noting that there was not a quorum. House DFL Leader Melissa Hortman (DFL-Brooklyn Park) suggested there was positive momentum in power sharing negotiations early in the week, which House Republican Leader Lisa Demuth (R-Cold Spring) refuted, saying that the House DFL offers had remained largely the same.

By the end of the week the only thing the two House leaders appeared to agree on was that there was no progress being made on a resolution to the impasse. By Wednesday the two sides had stopped meeting to discuss next steps. On Thursday Hortman [sent a letter](#) to Demuth trying to spur negotiations. Demuth [responded on social media](#) expressing her thoughts on House DFL offers. Hortman and the [House DFL issued another statement](#) after there were no negotiations on Friday.

Meanwhile, [House Republicans are suing](#) Secretary of State Simon for adjourning the House “unilaterally” each day. Oral arguments on that lawsuit are scheduled in the State Supreme Court for the morning of Thursday, February 6.

The long-standing wisdom at the capitol is that when the two sides are trading public offers and engaging in dueling press conferences there is not significant progress behind closed doors or a deal on the horizon. That certainly seems to be the case here, with no resolution in sight.

OMB issues federal funding freeze, then rescinds the order later in the week

Earlier this week MICA sent an update about the federal funding freeze, which [OMB issued Monday evening](#). The memo required federal agencies to “*complete a comprehensive analysis of all their federal financial assistance programs.*” While that analysis is being conducted OMB issued guidance requiring federal agencies to “*temporarily pause all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders,*” that President Trump issued in his first few days in office.

The memo caused significant confusion, with the [White House issuing clarifications](#) the following day. The [instructions that OMB sent to federal agencies](#) also became public. Those instructions contain a list of many programs that are subject to the comprehensive analysis required by OMB.

Late on Tuesday a federal district judge in Washington D.C. issued an administrative stay of the freeze due to a lawsuit. A different [federal judge in Rhode Island ordered](#) that the administration not “pause, freeze, impede, block, cancel, or terminate” taxpayer money already allocated by Congress, in response to a lawsuit from 22 attorneys general. On Wednesday, OMB rescinded the federal funding freeze.

Senate Special Election

The special election to fill the open seat in Senate District 60 following the passing of DFL Sen. Kari Dziedzic concluded on Tuesday, breaking the temporary tie in the chamber. DFLer Doron Clark won with 91% of the vote. Senator-Elect Clark is expected to be sworn in today, which will return a 34-33 edge to the DFL in the senate.

News and Notes:

- **MICA Annual Legislative Forum:** On Thursday, January 30, MICA held its annual legislative forum in Scott County. In addition to presentations on health and human services issues, attendees heard from a panel of Scott County legislators as well as a keynote speech from Sen. Jordan Rasmusson (R-Fergus Falls). Thank you to everyone who attended.



- **Spring Break:** Legislative leaders have agreed to a spring break holiday schedule. For Eid, the break will begin on Saturday, March 29, and run through Monday, March 31. For Easter and Passover, the break will start at noon on Friday, April 11, with the Legislature reconvening on Monday, April 21.
- **Senate Republican Caucus Announces 2025 Priorities:** On Thursday Senate Republicans held a press conference announcing their [agenda for the 2025 legislative session](#). The proposals focus on addressing fraud in state government and reducing the cost of living.
- **“February” Forecast:** the economic forecast that legislators use to establish their biennial budget targets will be released on March 6.

TAX & FISCAL POLICY

LAST WEEK

Senate Tax Committee hears presentation on Governor’s budget: The Senate tax committee heard a [presentation from Revenue Commissioner Paul Marquart](#) on the tax items in the Governor’s budget on Tuesday, January 28. While much of the discussion centered around the Governor’s proposal to expand the sales tax base and slightly reduce the rate, Sen. Carla Nelson (R-Rochester) [asked how large a shift onto local property taxes](#) the Governor’s budget as a whole would create. Sen. Bill Weber (R-Luverne) echoed concerns about the property tax shift onto counties created by the

Governor’s budget. There was no specific discussion on the proposed repeal of the Local Government Cannabis Aid or reduction of the Aquatic Invasive Species Aid. There is no language for the bill yet so there was no testimony taken on the recommendations. Sen. Ann Rest (DFL-New Hope) noted that there would be an opportunity to testify on the bill when the language is formally before the committee sometime later this month.

Bill Introductions of Interest

- [SF765](#) (Draheim) Modifying the metro regional sales tax for transportation to align it with the Met Council definition of the metropolitan area
- [SF769](#) (Hauschild) Modifying the sales tax exemption for large scale data centers, allowing them to use an up front exemption rather than requiring an application for a refund
- [SF819](#) (Putnam) Increasing Soil & Water Conservation District Aid to \$16 million per year
- [SF960](#) (Putnam) Establishing a riparian agricultural buffer property tax credit and reimbursing local taxing jurisdictions for reduced revenue

THIS WEEK

Senate Tax Committee

[Tuesday, February 4](#)

Sen. Bill Weber has the gavel

- Presentation from nonpartisan senate staff on property taxes
- Presentation from the Minnesota Association of Assessing Officers on property taxes

[Wednesday, February 5](#)

Sen. Bill Weber has the gavel

- Numerous individual income and sales tax expenditure proposals

[Thursday, February 6](#)

Sen. Bill Weber has the gavel

- Presentation from the Office of the State Auditor on the annual Tax Increment Financing legislative report
- Numerous proposals for city specific tax increment financing exceptions

House Committee on Taxes

All hearings remain canceled until further notice

TRANSPORTATION/ BONDING

LAST WEEK

BWSR Presents Local Government Road Wetland Replacement Program Request

On Tuesday, the Board of Water and Soil Resources (BWSR) presented its bonding requests, which include \$3.6 million for the local government road wetland replacement program (LGRWRP), to the Senate Capital Investment Committee. Thanks to the work of MICA and other local government lobbyists, several senators, including Chair Sandy Pappas (DFL-St. Paul), asked questions related to the chronic underfunding of the program and how that impacts local road projects. BWSR representatives did a nice job of articulating how the costs of road projects and burdens on local governments will increase while the quality of replacement wetlands will deteriorate. While the agency cannot advocate for funding beyond the governor’s proposal, the coalition of local government groups pushing for overcoming the credit deficit in the LGRWRP provided a [handout](#) to the committee which demonstrates its \$26 million funding shortfall, which senators also discussed.

MICA has secured senate authors to introduce a bill which would provide the full \$26 million to overcome the gap in wetland credits and give BWSR ongoing base funding to administer the program at sufficient levels into the future. We'll have more details once the bill is officially introduced.

Bill Introductions of Interest

- [SF601](#) (Lieske): Elimination of the state's registration tax on motor vehicles.
- [SF752](#) (Coleman): Requiring municipal approval of Met Council's guideway plans
- [SF817](#) (Fateh): Mandating a "community-preferred alternative analysis" and "transportation cumulative impacts analysis" for certain trunk highway construction and reconstruction projects that receive federal funds.
- [SF820](#) (Lang): Increasing the gross vehicle weight limit on commercial vehicles from 80,000 pounds to 108,000 pounds.

To see a list of all the transportation bills MICA is tracking, click [here](#).

THIS WEEK

Committee schedules are light since the House still is not organized. However, Republican members who expect to serve on the House Transportation Committee once the body officially convenes are holding informal listening sessions. On Monday, they will be discussing the new greenhouse gas (GHG) and vehicle miles traveled assessments and mitigation required for certain trunk highway projects. Anoka County Engineer Joe MacPherson, who has been following the work of MnDOT's GHG Technical Advisory Committee, will be presenting and sharing concerns about the impacts of the program on highway costs and safety, as outlined in MICA's transportation platform.

Senate Capital Investment Committee

[Tuesday, February 4, 2025](#)

Sen. Karin Housley (R-Stillwater) has the gavel

- DPS Bonding Presentation: Includes \$97 million in trunk highway cash for a new State Patrol headquarters

HEALTH AND HUMAN SERVICES

LAST WEEK

Senate Human Services Committee

On [Monday, January 27](#), Carrie Briones and Dan Storkamp of the Department of Care and Treatment provided an overview.

Top DCT concerns:

- Staffing: severe health care shortage; staff overtime; high burnout
- Increasing number of patients with high needs
- Bed shortage:
 - The wait list is substantial and continues to grow
 - Discharge difficulties – not enough community-based options
 - Carrie Briones called out that counties have been working collaboratively with DCT
- Priority Admissions Task Force report is due on February 15, 2025

Sen. Jordan Rasmusson (R-Fergus Falls): "Is there a plan to ever be in compliance with the 48-hour rule?"

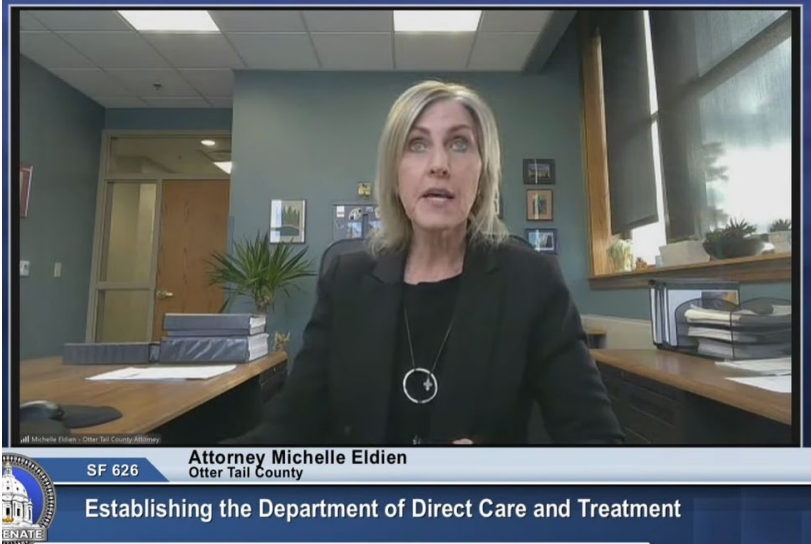
- Otter Tail County has had an individual in its jail for more than 100 days
- Counties, law enforcement, and hospitals all seeing more cases on the ground"

Storkamp response:

- There are currently 300 people on the waiting list

- Also have issues of getting DNMC people out - due to a shortage of beds

On [Monday, January 27](#) and [Wednesday, January 29](#), Sen. Rasmuson presented [SF626](#), which would **establish a Department of Direct Care and Treatment**. The proposal would shift DCT to a traditional agency by modifying the governance structure by dissolving the DCT Executive Board; eliminating the Chief Executive Officer; and replacing both with a Commissioner of DCT.



Michelle Eldien, Otter Tail County Attorney illustrated problems in her county during testimony on [SF626](#) on Monday, January 27:

- People committed as mentally ill and dangerous are not staying in state-operated facilities as long as they used to – additional beds at St. Peter are needed.
- Increased Rule 20 cases where an individual is not competent to proceed with their criminal case.
- Increased in numbers of individuals petitioning to be released from MSOP.
- Although jails are not ideal placements, there are often few options.

An [A2](#) amendment was adopted on Wednesday that creates a 15-member Advisory Council on DCT. Counties would have one seat on the council; other members include licensed physicians, NAMI, a union representative, and individuals experienced in the delivery of behavioral health services, care coordination, and traditional healing.

The bill passed as amended and was referred to the State and Local Government Committee. It was noted that it will return to Human Services to address fiscal issues.

(As an aside, **county DNMC shares remain a significant issue**. Information just released reflects that counties paid a total of \$24.1 million for DNMC in 2024. This includes a credit of \$10.2 million for the MI&D exemption where an individual is in a state-operated facility – awaiting a bed in another state-operated facility. Note that this exemption sunsets in a few short months. Counties propose making the exemption permanent, as well as reviewing all DNMC.)

The committee then received several DHS presentations:

- **Acute Care Transitions Advisory Council Report:** Recommendations include **identifying the barriers that exist and begin long-term planning**, while initiating changes in administrative policy that DHS and other lead agencies can make immediately, to expedite the transition of children and adults out of acute care settings. Examples include building short and long-term incentives for direct support staff, providers of existing waiver services and/or organizations that support children and adults while in the hospital to assist with transition planning;

expanding on current funding policies for HCBS providers supporting the transition planning process while children and/or adults are in the hospital; **assessing practices related to guardianship while addressing the rights of individuals and families; and developing strategies related to expediting MnCHOICES assessments.**

- **Program of All-Inclusive Care for the Elderly (PACE) Report Presentation:** PACE is a comprehensive medical and social services benefit design that is available to certain frail, community-dwelling, older individuals, most of whom are dually eligible for Medicare and Medicaid. Its primary objective is to deliver comprehensive healthcare and support services to eligible older adults wanting to maintain their independence in the community, rather than residing in nursing homes or other institutional settings. PACE operates under a collaborative three-way relationship involving CMS, individual states, and PACE organizations. States can elect to provide PACE services to Medicaid beneficiaries as an optional Medicaid benefit through a State Plan Amendment (SPA).
- **Early Intensive Developmental Behavioral Intervention (EIDBI) Licensure Study:** The EIDBI benefit was created in 2013, initially to serve children with autism spectrum disorder (ASD) and related conditions up to age 18; the benefit was subsequently expanded to serve young people up to age 21 who are enrolled in a Minnesota Health Care Program (MHCP) such as Medical Assistance or MinnesotaCare. It is estimated that roughly 1.9% of 4-year-old children (1 of 53) in Minnesota have ASD. There is a significant need for EIDBI services and a shortage of providers available to provide needed services.

Senate Health & Human Services Committee

On [Tuesday, January 28](#), MDH and DHS provided overviews of the Governor's budget recommendations. During the hearing, two senators voiced concerns on cost shifts.

- Sen. Paul Utke (R-Park Rapids) addressed the shift of costs to counties; lawmakers are hearing from their counties.
- Sen. Jim Abeler (R-Anoka) \$800 million in costs would be shifted to counties. People cannot afford property tax increases; they will lose their homes. He suggested that the department should go back to the drawing board.
- Several members expressed concern regarding President Trump's recent Executive Order, which will have a dramatic impact on the people relying on health and human services.

On [Thursday, January 30](#), the Department of Children, Youth and Families provided an overview of the Governor's budget recommendations.

- Several members brought up the reported fraud within the CCAP program. DCF staff indicated that electronic attendance records will help to alleviate the issue.

The Department then shared an Overview of the Report on Income and Resources for Foster Care Youth: Children and youth in foster care may be eligible for various federal benefits administered by the Social Security Administration (SSA) and other federal agencies, such as Supplemental Security Income (SSI); Social Security Disability Insurance (SSDI); Retirement, Survivors, and Disability Insurance (RSDI); veterans benefits; and railroad retirement benefits.

RSDI benefits for children under age 18 are intended to provide necessities for eligible family members and help make it possible for these children to complete school. SSI payments help families care for their children with disabilities and help pay for basic necessities. The SSA appoints a representative payee to manage and use these federal benefits responsibly for the child's needs, such as food, housing, clothing, and medical care. In 2023, the Legislature directed DHS to develop a plan to preserve and make these federal benefits available to children and youth in foster care. That task was assigned to the recently established DCYF.

Results: The engagement results generally fall into two categories: (1) support for preserving funds for children and youth in foster care; and (2) areas of concern or risks.

Support for the preservation of federal benefits for eligible children and youth in foster care:

- Participants felt preserving federal benefits is a matter of equity and ensures they are used by the child and family.
- Preservation of federal benefits could help youth in foster care meet future needs and successfully transition out of the foster care system.
- Knowledge of the preservation of these federal benefits, along with related training and education, may encourage eligible children and youth in foster care to prepare and plan for the future.
- Allowing limited use of preserved federal benefits by children and youth, while in care, could enhance support to meet needs and improve wellbeing.
- Development of policy and practices to preserve these federal benefits for children and youth in foster care may mitigate risk for the State of Minnesota and counties in Minnesota.

Areas of concern and risk related to the potential preservation of federal benefits for eligible children and youth in foster care included:

- Many youth in foster care were unaware of their eligibility and how federal benefits were used by their representative payees.
- Further investigation is needed to determine appropriate account types and financial institutions to hold federal benefits and avoid exceeding asset and income limits.
- Participants warn of potential misuse of federal benefits and exploitation by others.
- **Counties are concerned regarding changes to staff roles, increased staffing needs, and costs.**

Stacy Hennen, Director of Human Services at Western Prairie Human Services and Traverse County, testified that federal foster care dollars go toward providing direct care to children in the county welfare system. If those dollars cannot be used for their care, the children may not be able to access certain services. In addition, requiring counties to have staff who are experts in tax and trust issues to manage the preservation of foster care funds will be another burden - small counties in particular do not have the means to administer yet another program.

Several members expressed concern regarding the uncertainty of President Trump's recent Executive Order.

Senate Housing Committee

On [Tuesday, January 28](#), the Senate Housing Committee received presentations on the state of housing from various advocacy groups, including Housing First Minnesota, the Coalition of Greater Minnesota Cities, Minnesota Realtors, Minnesota Multi Housing Association, Pew Trusts, Builders Association of Minnesota, Pillar Homes, League of Minnesota Cities, and the Center for the American Experiment.

House Health Finance & Policy Committee

House Human Services Finance & Policy Committee

All committees in the House remained cancelled this week.

Child Care Fraud

DHS confirmed this week that its Office of Inspector General has 62 active investigations into family child care and child care centers in the Child Care Assistance Program (CCAP) across the state. It was reported that one center in Minneapolis had 95 violations between 2019 and 2023. Those violations range from "failure to keep hazardous items away from children" to "no records for 16 children."

Bill Introductions of Interest:

- [SF556](#) (Limmer) Cannabis selling and advertising provisions modifications
- [SF626](#) (Rasmusson) Department of Direct Care and Treatment establishment

- [SF694](#) (Gruenhagen) Vaccine recipient bill of rights establishment
- [SF704](#) (Lucero) Human Trafficking and Child Exploitation Prevention Act
- [SF717](#) (Lucero) Enforcement prohibition of government vaccine mandates
- [SF743](#) (Gruenhagen) Rulemaking requirement to relax child care staff-to-child ratios for smaller communities
- [SF795](#) (Limmer) Medical cannabis vaporizing or smoking in multifamily housing prohibition provision
- [SF815](#) (Fateh) Community first services and supports requirements for support workers to qualify for enhanced rate modifications
- [SF831](#) (Boldon) Health care worker well-being grant program appropriation
- [SF856](#) (Gustafson) Office of the Inspector General creation

THIS WEEK

Senate Education Policy

[Monday, February 3](#)

- Student Attendance and Truancy Legislative Study Group
- Student Attendance Pilot Project

Senate Judiciary and Public Safety

[Monday, February 3](#)

- [SF456](#) (Utke) Protection to children and vulnerable adults from exposure to fentanyl establishment

Senate Ag, Veterans, Broadband and Rural Development

[Monday, February 3](#)

- [SF391](#) (Lieske) Cottage foods exemption amendment
- [SF310](#) (Dornink) Employee definition modified for the purposes of earned sick and safe time

Senate Human Services

[Monday, February 3](#)

- EIDBI Licensure Study Report Presentation
- Obsolete Rules Report Presentation
- [SF548](#) (Fateh) Medical assistance income limit for people with disabilities and people age 65 and over increase provision
- [SF476](#) (Hoffman) Certain medical assistance services expansion to include coverage of care evaluation

Senate Human Services

[Wednesday, February 5](#)

- [SF94](#) (Hoffman) Integrated community supports payment rates modification
- [SF446](#) (Rasmusson) Home and community-based services standards for out-of-home respite care services for children modification
- [SF401](#) (Utke) Room and board rates increase for certain individual receiving home and community-based services
- [SF402](#) (Seeberger) Disability waiver rates modification

ENVIRONMENT

LAST WEEK

There was little activity relevant to MICA’s environment priorities last week with no House meetings and no Senate environment committee hearings on the schedule. Time was spent securing additional authors on the SCORE bill, which we hope to get introduced in the Senate in the next week or so, and meeting with chairs of the Environment committees in both chambers.

On Tuesday, January 28, the **Senate Capital Investment committee** heard presentations from agency staff on the Governor’s bonding recommendations, including the [Minnesota Pollution Control Agency](#) (MPCA), [Department of Natural Resources](#) (DNR) and [Board of Water and Solid Resources](#) (BWSR). As a reminder, the Governor’s bonding proposal recommends over \$107 million in spending on various clean water projects such as the Point Source Implementation Grants (PSIG) program, Water Infrastructure Funding (WIF) program, a new Emerging Contaminants Grant Program for local governments and support for PFAS removal.

Bill introductions of Interest

- [SF660](#) (Drazkowski) Shotgun zone elimination for taking deer

You can track all relevant environment bills [here](#) as they are introduced. If the bill has had a hearing, our team’s notes on testimony and member discussion will be included.

THIS WEEK

Senate Environment, Climate and Legacy

[Tuesday, February 4](#)

- [SF770](#) (Hawj) Outdoor Heritage Fund appropriation and certain land leveraging for federal grant funds authorization provision
- MPCA 2025 report on PFAS and lead/cadmium laws implementation

[Thursday, February 6](#)

- MN DNR - Permitting Gas Resources Under a Temporary Regulatory Framework Report

House Environment and Natural Resources Finance and Policy

No committee meetings scheduled for this week.

CORRECTIONS & PUBLIC SAFETY

LAST WEEK

Senate Judiciary and Public Safety Committee

[Monday, January 27](#)

The Senate Judiciary and Public Safety Committee heard a presentation from the Minnesota Police and Peace Officers Association on their legislative priorities this session.

Following the presentation, the committee heard [SF202](#) (Kreun) which establishes a task force to review and recommend improvements to Minnesota’s criminal justice system. The task force, composed of representatives from law enforcement, the judiciary, public defenders, prosecutors, and community organizations, is proposed to examine sentencing guidelines, assess disparities, evaluate rehabilitation and reentry programs, and propose policy changes to reduce recidivism and enhance public safety. A comprehensive report with findings and recommendations is included to be submitted to the legislature by a specified deadline, with administrative support and funding allocated for its work.

[Wednesday, January 29](#)

On Wednesday the committee heard [SF730](#) (Kreun) which makes a clarifying change to certain data maintained by the attorney general.

The bill was followed by a presentation by the Center of the American Experiment which focused on an Analysis of Minnesota's Offender Outcomes.

House Public Safety Finance & Policy Committee

All committees in the House remained cancelled this week.

Bill Introductions of Interest

- [SF624](#) (Howe) Proposes eliminating the duty to retreat before using reasonable force in defense of oneself or others.
- [SF625](#) (Howe) Authorizes law enforcement to use unmanned aerial vehicles (drones) to locate missing persons, individuals fleeing arrest, and incarcerated persons.
- [SF666](#) (Oumou Verbeten) Modifies the duties of certain facilities that confine people, particularly concerning phone calls and other communication services.
- [SF762](#) (Pratt) Aims to increase the penalty for introducing contraband into a correctional facility.
- [SF763](#) (Drazkowski) Proposes eliminating the Public Safety Advisory Council.
- [SF803](#) (Howe) Authorizes local units of government to conduct criminal background checks under certain circumstances.
- [SF852](#) (Oumou Verbeten) Appropriates grants for organizations providing direct services and advocacy for victims.

THIS WEEK

Senate Judiciary and Public Safety Committee

[Monday, February 3](#)

- [SF0009](#) (Rest) Commissioner of revenue requirement to establish an online system to claim the political contribution refund
- [SF0011](#) (Rest) Exemption modification for firearm storage units
- [SF0456](#) (Utke) Protection to children and vulnerable adults from exposure to fentanyl establishment
- Presentation by the MN Department of Corrections

[Wednesday, February 5](#)

- Presentation by the Minnesota Department of Human Rights
- Presentation by the Minnesota Police and Peace Officers Association
- Presentation by the Minnesota Chiefs of Police Association

House Public Safety Finance and Policy Committee

With no notable progress towards a power-sharing agreement, we expect the House Public Safety Finance and Policy Committee to remain in a state of inactivity.

GENERAL GOVERNMENT & OTHER

LAST WEEK

Senate State Government Finance Committee hears bill on county boundaries and requirements: Sen. Steve Green (R-Fosston) brought a bill that would require counties to conduct land survey monuments assessment within their borders

and repair any that are destroyed or obscured. The bill also sets out procedures for counties to alter pre-established property boundary lines. There were some questions about how the bill would be implemented and it was noted that they may be better suited for the Judiciary Committee, which is the next stop for the bill.

Bill introductions of interest:

- [SF757](#) (Klein) Authorizing sports betting
- [SF787](#) (Mann) Modifying the open meeting law to allow unlimited remote participation
- [SF947](#) (Pratt) Modifying the definition of employee for earned sick and safe time to specifically exclude incarcerated inmates at correctional facilities performing work
- [SF978](#) (Marty) Authorizing sports betting

THIS WEEK

While there are no formal hearings in the House, Republican members and committees are organizing informational meetings to discuss issues with different stakeholder groups. House DFL members continue to avoid the capitol, but a number are holding meetings virtually or in their districts.

Senate Finance

[Wednesday, February 5](#)

- Presentation from non-partisan staff on fiscal note process

Senate Labor

[Thursday, February 6](#)

Sen. Gene Dornink and Sen. Jennifer McEwen will share the gavel

- To be announced

Senate State and Local Government

[Thursday, February 6](#)

Sen. Tou Xiong & Sen. Andrew Lang will share the gavel

- To be announced

COMBINED HEARING SCHEDULES

[Next 7 Days Combined Hearing Schedule](#)

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