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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3431

02/12/2024 Authored by Klevorn and Huot The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act
1.2 relating to state government; making technical changes under the governance of
1.3 the Department of Administration; amending Minnesota Statutes 2022, sections
1.4 16B.055, subdivision 1; 16B.48, subdivision 4; 16C.137, subdivision 2; Minnesota
1.5 Statutes 2023 Supplement, section 307.08, subdivision 3a.

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

1.7 Section 1. Minnesota Statutes 2022, section 16B.055, subdivision 1, is amended to read:

1.8 Subdivision 1. Federal Assistive Technology Act. (a) The Department of Administration
1.9 is designated as the lead agency to carry out all the responsibilities under the 21st Century
1.10 Assistive Technology Act of 1998, as provided by Public Law 108-364, as amended 117-81.
1.11 The Minnesota Assistive Technology Advisory Council is established to fulfill the
1.12 responsibilities required by the Assistive Technology Act, as provided by Public Law
1.13 108-364, as amended 117-81. Because the existence of this council is required by federal
1.14 law, this council does not expire.

1.15 (b) Except as provided in paragraph (c), the governor shall appoint the membership of
1.16 the council as required by the 21st Century Assistive Technology Act of 1998, as provided
1.17 by Public Law 108-364, as amended 117-81. After the governor has completed the
1.18 appointments required by this subdivision, the commissioner of administration, or the
1.19 commissioner's designee, shall convene the first meeting of the council following the
1.20 appointments. Members shall serve two-year terms commencing July 1 of each odd-numbered
1.21 year, and receive the compensation specified by the 21st Century Assistive Technology Act
1.22 of 1998, as provided by Public Law 108-364, as amended 117-81. The members of the
1.23 council shall select their chair at the first meeting following their appointment.

2.1 (c) After consulting with the appropriate commissioner, the commissioner of
2.2 administration shall appoint a representative from:

2.3 (1) State Services for the Blind who has assistive technology expertise;

2.4 (2) vocational rehabilitation services who has assistive technology expertise;

2.5 (3) the Workforce Development Board; ~~and~~

2.6 (4) the Department of Education who has assistive technology expertise; and

2.7 (5) the Board on Aging.

2.8 Sec. 2. Minnesota Statutes 2022, section 16B.48, subdivision 4, is amended to read:

2.9 Subd. 4. **Reimbursements.** (a) Except as specifically provided otherwise by law, each
2.10 agency shall reimburse the general services revolving funds for the cost of all services,
2.11 supplies, materials, labor, and depreciation of equipment, including reasonable overhead
2.12 costs, which the commissioner is authorized and directed to furnish an agency. The cost of
2.13 all publications or other materials produced by the commissioner and financed from the
2.14 general services revolving fund must include reasonable overhead costs.

2.15 (b) The commissioner of administration shall report the rates to be charged for the general
2.16 services revolving funds no later than ~~July 1~~ September 15 each year to the chair of the
2.17 committee or division in the senate and house of representatives with primary jurisdiction
2.18 over the budget of the Department of Administration.

2.19 (c) The commissioner of management and budget shall make appropriate transfers to
2.20 the revolving funds described in this section when requested by the commissioner of
2.21 administration. The commissioner of administration may make allotments, encumbrances,
2.22 and, with the approval of the commissioner of management and budget, disbursements in
2.23 anticipation of such transfers. In addition, the commissioner of administration, with the
2.24 approval of the commissioner of management and budget, may require an agency to make
2.25 advance payments to the revolving funds in this section sufficient to cover the agency's
2.26 estimated obligation for a period of at least 60 days.

2.27 (d) All reimbursements and other money received by the commissioner of administration
2.28 under this section must be deposited in the appropriate revolving fund. Any earnings
2.29 remaining in the fund established to account for the documents service prescribed by section
2.30 16B.51 at the end of each fiscal year not otherwise needed for present or future operations,
2.31 as determined by the commissioners of administration and management and budget, must
2.32 be transferred to the general fund.

3.1 Sec. 3. Minnesota Statutes 2022, section 16C.137, subdivision 2, is amended to read:

3.2 Subd. 2. **Report.** (a) The commissioner of administration, in collaboration with the
3.3 commissioners of the Pollution Control Agency, the Departments of Agriculture, Commerce,
3.4 Natural Resources, and Transportation, and other state departments, must evaluate the goals
3.5 and directives established in this section and ~~report~~ include their findings ~~to the governor~~
3.6 ~~and the appropriate committees of the legislature by February 1 of each odd-numbered year~~
3.7 in the public dashboard under section 16B.372. In the ~~report~~ public dashboard, the
3.8 commissioner must make recommendations for new or adjusted goals, directives, or
3.9 legislative initiatives, in light of the progress the state has made implementing this section
3.10 and the availability of new or improved technologies.

3.11 (b) The Department of Administration shall implement a fleet reporting and information
3.12 management system. Each department will use this management system to demonstrate its
3.13 progress in complying with this section.

3.14 Sec. 4. Minnesota Statutes 2023 Supplement, section 307.08, subdivision 3a, is amended
3.15 to read:

3.16 Subd. 3a. **Cemeteries; records and condition assessments.** (a) Cemeteries shall be
3.17 assessed according to this subdivision.

3.18 (b) The state archaeologist shall implement and maintain a system of records identifying
3.19 the location of known, recorded, or suspected cemeteries. The state archaeologist shall
3.20 provide access to the records as provided in subdivision 11.

3.21 (c) The cemetery condition assessment of non-American Indian cemeteries is at the
3.22 discretion of the state archaeologist based on the needs identified in this section or upon
3.23 request by an agency, a landowner, or other appropriate authority.

3.24 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion
3.25 of the Indian Affairs Council based on the needs identified in this section or upon request
3.26 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has
3.27 possession or takes custody of remains they may follow United States Code, title 25, sections
3.28 3001 to 3013.

3.29 (e) The cemetery condition assessment of cemeteries that include American Indian and
3.30 non-American Indian remains or include remains whose ancestry cannot be determined
3.31 shall be assessed at the discretion of the state archaeologist in collaboration with the Indian
3.32 Affairs Council based on the needs identified in this section or upon request by an agency,
3.33 a landowner, or other appropriate authority.

4.1 (f) The state archaeologist and the Indian Affairs Council shall have 90 days from the
4.2 date a request is received to begin a cemetery condition assessment or provide notice to the
4.3 requester whether or not a condition assessment of a cemetery is needed.

4.4 (g) The state archaeologist and the Indian Affairs Council may retain the services of a
4.5 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate
4.6 experts for the purpose of gathering information that the state archaeologist or the Indian
4.7 Affairs Council can use to assess or identify cemeteries. If probable American Indian
4.8 cemeteries are to be disturbed or probable American Indian remains analyzed, the Indian
4.9 Affairs Council must approve the professional archaeologist, qualified anthropologist, or
4.10 other appropriate expert.