

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 1688

(SENATE AUTHORS: BONOFF, Hayden and Pratt)

DATE	D-PG	OFFICIAL STATUS
03/12/2015	778	Introduction and first reading Referred to State and Local Government
03/23/2015	1094a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act
 1.2 relating to state government; requiring policies and procedures that certain
 1.3 entities in the executive branch and the Minnesota State Colleges and Universities
 1.4 must follow when investigating an entity's own employee; amending Minnesota
 1.5 Statutes 2014, sections 16A.06, by adding a subdivision; 136F.06, by adding a
 1.6 subdivision.

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

1.8 Section 1. Minnesota Statutes 2014, section 16A.06, is amended by adding a
 1.9 subdivision to read:

1.10 Subd. 12. **Investigations.** The commissioner shall establish policies and procedures
 1.11 that agencies in the executive branch must follow when conducting an investigation
 1.12 of one of their own employees. The policies and procedures shall ensure that the
 1.13 investigative methods used for such investigations are fair and thorough, the findings
 1.14 are fully documented, and the conclusions are supported by the facts determined by the
 1.15 investigation. The policies and procedures shall establish criteria for when an agency
 1.16 in the executive branch must use an investigator outside of the agency to conduct the
 1.17 investigation. The policies and procedures shall also ensure that agencies in the executive
 1.18 branch fulfill their responsibility to report information to the legislative auditor as required
 1.19 by Minnesota Statutes, section 3.971, subdivision 9. For purposes of this subdivision,
 1.20 "agencies in the executive branch" means all agencies in the executive branch except the
 1.21 Minnesota State Colleges and Universities. Nothing in this section creates authority for an
 1.22 agency to conduct an investigation that it is not otherwise authorized to conduct.

1.23 Sec. 2. Minnesota Statutes 2014, section 136F.06, is amended by adding a subdivision
 1.24 to read:

2.1 Subd. 6. **Investigations.** The board shall establish policies and procedures that
2.2 must be followed when any entity within the Minnesota State Colleges and Universities
2.3 system is conducting an investigation of one of its own employees. The policies and
2.4 procedures shall ensure that the investigative methods used for such investigations are fair
2.5 and thorough, the findings are fully documented, and the conclusions are supported by the
2.6 facts determined by the investigation. The policies and procedures shall establish criteria
2.7 for when an investigator outside of the Minnesota State Colleges and Universities system
2.8 must be used to conduct the investigation. The policies and procedures shall also ensure
2.9 that officials and employees within the Minnesota State Colleges and Universities system
2.10 fulfill their responsibility to report information to the legislative auditor as required by
2.11 Minnesota Statutes, section 3.971, subdivision 9. Nothing in this section creates authority
2.12 for the Minnesota State Colleges and Universities to conduct an investigation that it is not
2.13 otherwise authorized to conduct.