

A bill for an act

relating to state government; incorporating Minnesota Milestones goals and indicators in budget preparation; requiring state agencies with certain information and telecommunications technology projects to register with the Office of Enterprise Technology and requiring the office to monitor progress on the projects; requiring the Office of Enterprise Technology to report to the legislature regarding its approval process for state agency technology requests and assistance provided to state agencies in developing agency information systems plans; providing additional duties for the Sesquicentennial Commission; establishing a working group; modifying state surplus land procedures; providing up to three hours of paid leave in any 12-month period for state employees to donate blood; authorizing employers to provide leave to employees to donate blood; modifying financial statement requirements for certain charitable organizations; modifying certain horse racing medication regulations; clarifying definition of gambling device; repealing a provision relating to manufacture of gambling devices or components for shipment to other jurisdictions; amending Minnesota Statutes 2006, sections 3.885, by adding a subdivision; 16A.10, subdivision 1c; 16B.281, subdivision 3; 16B.282; 16B.283; 16B.284; 16B.287, subdivision 2; 16E.01, subdivision 3; 16E.03, subdivision 1; 16E.04, subdivision 2; 240.24, subdivision 2; 309.53, subdivision 3; 609.75, subdivision 4; Laws 2005, First Special Session chapter 1, article 4, section 121, subdivision 4, as amended; proposing coding for new law in Minnesota Statutes, chapters 43A; 181; repealing Minnesota Statutes 2006, sections 16B.281, subdivisions 2, 4, 5; 16B.285; 349.40.

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

ARTICLE 1

STATE GOVERNMENT

Section 1. Minnesota Statutes 2006, section 3.885, is amended by adding a subdivision to read:

Subd. 11. Subcommittee on Government Accountability. The commission must form a Subcommittee on Government Accountability under section 3.3056 to review recommendations from the commissioner of finance under section 16A.10, subdivision 1c,

and to review recommendations from the commissioners of finance and administration on how to improve the use of Minnesota Milestones and other statewide goals and indicators in state planning and budget documents. The subcommittee shall consider testimony from representatives from the following organizations and agencies: (1) nonprofit organizations involved in the preparation of Minnesota Milestones; (2) the University of Minnesota and other higher education institutions; (3) the Department of Finance and other state agencies; and (4) other legislators. The subcommittee shall report to the commission by February 1 of each odd-numbered year with long-range recommendations for the further implementation and uses of Minnesota Milestones and other government accountability improvements.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2006, section 16A.10, subdivision 1c, is amended to read:

Subd. 1c. **Performance measures for change items.** For each change item in the budget proposal requesting new or increased funding, the budget document must present proposed performance measures that can be used to determine if the new or increased funding is accomplishing its goals. To the extent possible, each budget change item must identify relevant Minnesota Milestones and other statewide goals and indicators related to the proposed initiative. The commissioner must report to the Subcommittee on Government Accountability established under section 3.885, subdivision 11, regarding the format to be used for the presentation and selection of Minnesota Milestones and other statewide goals and indicators.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2006, section 16B.281, subdivision 3, is amended to read:

Subd. 3. **Notice to agencies; determination of surplus.** ~~On or before October 1 of each year, the commissioner shall review the certifications of heads of each department or agency provided for in this section.~~ The commissioner of administration shall send written notice to all state departments, agencies, and the University of Minnesota describing any lands or tracts that may be declared surplus. If a department or agency or the University of Minnesota desires custody of the lands or tracts, it shall submit a written request to the commissioner, no later than four calendar weeks after mailing of the notice, setting forth in detail its reasons for desiring to acquire and its intended use of the land or tract. The commissioner shall then determine whether any of the lands described ~~in the certifications of the heads of the departments or agencies~~ should be declared surplus and offered for

sale or otherwise disposed of by transferring custodial control to other requesting state departments or agencies or to the Board of Regents of the University of Minnesota for educational purposes, provided however that transfer to the Board of Regents shall not be determinative of tax exemption or immunity. If the commissioner determines that any of the lands are no longer needed for state purposes, the commissioner shall make findings of fact, describe the lands, declare the lands to be surplus state land, and state the reasons for the sale or disposition of the lands, ~~and notify the Executive Council of the determination.~~

Sec. 4. Minnesota Statutes 2006, section 16B.282, is amended to read:

16B.282 SURVEYS, APPRAISALS, AND SALE.

Subdivision 1. **Appraisal; notice and offer to public bodies.** (a) Before offering any surplus state-owned lands for sale, the commissioner of administration may survey the lands and, if the value of the lands is estimated to be ~~\$40,000~~ \$50,000 or less, may have the lands appraised. The commissioner shall have the lands appraised if the estimated value is in excess of ~~\$40,000~~ \$50,000.

~~(b) The appraiser shall, before entering upon the duties of the office, take and subscribe an oath that the appraiser will faithfully and impartially discharge the duties of appraiser according to the best of the appraiser's ability and that the appraiser is not interested, directly or indirectly, in any of the lands to be appraised or the timber or improvements on the lands or in the purchase of the lands, timber, or improvements and has entered into no agreement or combination to purchase any of the lands, timber, or improvements. The oath shall be attached to the appraisal report. Appraisals must be made by an appraiser that holds a state appraiser license issued by the Department of Commerce. The appraisal must be in conformity with the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation.~~

(c) Before offering surplus state-owned lands for public sale, the lands shall first be offered to the city, county, town, school district, or other public body corporate or politic in which the lands are situated for public purposes and the lands may be sold for public purposes for not less than the appraised value of the lands. To determine whether a public body desires to purchase the surplus land, the commissioner shall give a written notice to the governing body of each political subdivision whose jurisdictional boundaries include or are adjacent to the surplus land. If a public body desires to purchase the surplus land, it shall submit a written offer to the commissioner no later than two weeks after receipt of notice setting forth in detail its reasons for desiring to acquire and its intended use of the land. In the event that more than one public body tenders an offer, the commissioner shall determine which party shall receive the property and shall submit written findings

regarding the decision. If lands are offered for sale for public purposes and if a public body notifies the commissioner of its desire to acquire the lands, the public body may have up to two years from the date of the accepted offer to commence payment for the lands in the manner provided by law.

Subd. 2. **Public sale requirements.** ~~(a) Lands certified as surplus by the head of a department or agency under section 16B.281 shall be offered for public sale by the commissioner as provided in this subdivision. After complying with subdivision 1 and before any public sale of surplus state-owned land is made and at least 30 days before the sale, the commissioner of administration shall publish a notice of the sale at least once each week for four successive weeks in a legal newspaper and also in a newspaper of general distribution in the city or county in which the real property to be sold is situated. The notice shall specify the time and place at which the sale will commence, a general description of the lots or tracts to be offered, and a general statement of the terms of sale. Each tract or lot shall be sold separately and shall be sold for no less than its appraised value.~~

(b) Surplus state-owned land shall be sold for no less than the estimated or appraised value. The minimum bid may include expenses incurred by the commissioner in rendering the property saleable, including survey, appraisal, legal, advertising, and other expenses.

(c) Parcels remaining unsold after the offering may be sold to anyone agreeing to pay the appraised value. The sale shall continue until all parcels are sold or until the commissioner orders a reappraisal or withdraws the remaining parcels from sale.

~~(c) Except as provided in section 16B.283, the cost of any survey or appraisal as provided in subdivision 1 shall be added to and made a part of the appraised value of the lands to be sold, whether to any political subdivision of the state or to a private purchaser as provided in this subdivision.~~

Sec. 5. Minnesota Statutes 2006, section 16B.283, is amended to read:

16B.283 TERMS OF PAYMENT.

~~No less than ten percent of the purchase price shall be paid at the time of sale with the balance payable according to this section. If the purchase price of any lot or parcel is \$5,000 or less, the balance shall be paid within 90 days of the date of sale. If the purchase price of any lot or parcel is in excess of \$5,000, the balance shall be paid in equal annual installments for no more than five years, at the option of the purchaser, with principal and interest payable annually in advance at a rate equal to the rate in effect at the time under section 549.09 on the unpaid balance, payable to the state treasury on or before June 1 each year. Any installment of principal or interest may be prepaid. The purchaser must pay at the time of sale ten percent of the total amount bid and the remainder of the~~

5.1 payment is due within 90 days of the sale date. A person who fails to make final payment
5.2 within 90 days of the sale date is in default. On default, all right, title, and interest of
5.3 the purchaser or heirs, representatives, or assigns of the purchaser in the premises shall
5.4 terminate without the state doing any act or thing. A record of the default must be made in
5.5 the state land records of the commissioner.

5.6 Sec. 6. Minnesota Statutes 2006, section 16B.284, is amended to read:

5.7 **16B.284 ~~CONTRACT FOR DEED AND QUITCLAIM DEED.~~**

5.8 ~~In the event a purchaser elects to purchase surplus real property on an installment~~
5.9 ~~basis, the commissioner shall enter into a contract for deed with the purchaser, in which~~
5.10 ~~shall be set forth the description of the real property sold and the price of the property,~~
5.11 ~~the consideration paid and to be paid for the property, the rate of interest, and time and~~
5.12 ~~terms of payment. The contract for deed shall be made assignable and shall further set~~
5.13 ~~forth that in case of the nonpayment of the annual principal or interest payment due by the~~
5.14 ~~purchaser, or any person claiming under the purchaser, then the contract for deed, from the~~
5.15 ~~time of the failure, is entirely void and of no effect and the state may be repossessed of the~~
5.16 ~~lot or tract and may resell the lot or tract as provided in sections 16B.281 to 16B.287. In~~
5.17 ~~the event the terms and conditions of a contract for deed are completely fulfilled or if a~~
5.18 ~~purchaser makes a lump-sum payment for the subject property in lieu of entering into a~~
5.19 ~~contract for deed; The commissioner of administration shall sign and cause to be issued a~~
5.20 quitclaim deed on behalf of the state. The quitclaim deed shall be in a form prescribed by
5.21 the attorney general and shall vest in the purchaser all of the state's interest in the subject
5.22 property except as provided in section 16B.286.

5.23 Sec. 7. Minnesota Statutes 2006, section 16B.287, subdivision 2, is amended to read:

5.24 Subd. 2. **Payment of expenses.** A portion of the proceeds from the sale equal in
5.25 amount to the survey, appraisal, legal, advertising, and other expenses incurred by the
5.26 commissioner of administration or other state official in rendering the property salable shall
5.27 be remitted to the account from which the expenses were paid and are appropriated and
5.28 immediately available for expenditure in the same manner as other money in the account.

5.29 Sec. 8. Minnesota Statutes 2006, section 16E.01, subdivision 3, is amended to read:

5.30 Subd. 3. **Duties.** (a) The office shall:

5.31 (1) manage the efficient and effective use of available federal, state, local, and
5.32 public-private resources to develop statewide information and telecommunications
5.33 technology systems and services and its infrastructure;

(2) approve state agency and intergovernmental information and telecommunications technology systems and services development efforts involving state or intergovernmental funding, including federal funding, provide information to the legislature regarding projects reviewed, and recommend projects for inclusion in the governor's budget under section 16A.11;

(3) ensure cooperation and collaboration among state and local governments in developing intergovernmental information and telecommunications technology systems and services, and define the structure and responsibilities of a representative governance structure;

(4) cooperate and collaborate with the legislative and judicial branches in the development of information and communications systems in those branches;

(5) continue the development of North Star, the state's official comprehensive online service and information initiative;

(6) promote and collaborate with the state's agencies in the state's transition to an effectively competitive telecommunications market;

(7) collaborate with entities carrying out education and lifelong learning initiatives to assist Minnesotans in developing technical literacy and obtaining access to ongoing learning resources;

(8) promote and coordinate public information access and network initiatives, consistent with chapter 13, to connect Minnesota's citizens and communities to each other, to their governments, and to the world;

(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota businesses and citizens can successfully compete in the global economy;

(10) manage and promote the regular and periodic reinvestment in the information and telecommunications technology systems and services infrastructure so that state and local government agencies can effectively and efficiently serve their customers;

(11) facilitate the cooperative development of and ensure compliance with standards and policies for information and telecommunications technology systems and services, electronic data practices and privacy, and electronic commerce among international, national, state, and local public and private organizations;

(12) eliminate unnecessary duplication of existing information and telecommunications technology systems and services provided by other public and private organizations while building on the existing governmental, educational, business, health care, and economic development infrastructures;

(13) identify, sponsor, develop, and execute shared information and telecommunications technology projects and ongoing operations; and

(14) ensure overall security of the state's information and technology systems and services.

(b) The chief information officer₂ in consultation with the commissioner of finance₂ must determine when it is cost-effective for agencies to develop and use shared information and telecommunications technology systems and services for the delivery of electronic government services. The chief information officer may require agencies to use shared information and telecommunications technology systems and services. The chief information officer shall establish reimbursement rates in cooperation with the commissioner of finance to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of interagency agreements, or other means as allowed by law.

(c) A state agency that has an information and telecommunications technology project with a total expected project cost of more than \$1,000,000, whether funded as part of the biennial budget or by any other means, shall register with the office by submitting basic project startup documentation, as specified by the chief information officer in both format and content, before any project funding is requested or committed and before the project commences. State agency project leaders must demonstrate that the project will be properly managed, provide updates to the project documentation as changes are proposed, and regularly report on the current status of the project on a schedule agreed to with the chief information officer.

(d) The chief information officer shall monitor progress on any active information and telecommunications technology project with a total expected project cost of more than \$5,000,000 and report on the performance of the project in comparison with the plans for the project in terms of time, scope, and budget. The chief information officer may conduct an independent project audit of the project. The audit analysis and evaluation of the projects subject to paragraph (c) must be presented to agency executive sponsors, the project governance bodies, and the chief information officer. All reports and responses must become part of the project record.

(e) For any active information and telecommunications technology project with a total expected project cost of more than \$10,000,000, the state agency must perform an annual independent audit that conforms to published project audit principles promulgated by the office.

(f) The chief information officer shall report by January 15 of each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the office regarding projects the office has reviewed under paragraph (a),

clause (2). The report must include the reasons for the determinations made in the review of each project and a description of its current status.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 9. Minnesota Statutes 2006, section 16E.03, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For the purposes of chapter 16E, the following terms have the meanings given them.

(a) "Information and telecommunications technology systems and services" means all computing and telecommunications hardware and software, the activities undertaken to secure that hardware and software, and the activities undertaken to acquire, transport, process, analyze, store, and disseminate information electronically. "Information and telecommunications technology systems and services" includes all proposed expenditures for computing and telecommunications hardware and software, security for that hardware and software, and related consulting or other professional services.

(b) "Information and telecommunications technology project" means an effort to acquire or produce information and telecommunications technology systems and services.

(c) "Telecommunications" means voice, video, and data electronic transmissions transported by wire, wireless, fiber-optic, radio, or other available transport technology.

(d) "Cyber security" means the protection of data and systems in networks connected to the Internet.

(e) "State agency" means an agency in the executive branch of state government and includes the Minnesota Office of Higher Education, but does not include the Minnesota State Colleges and Universities unless specifically provided elsewhere in this chapter.

(f) "Total expected project cost" includes direct staff costs, all supplemental contract staff and vendor costs, and costs of hardware and software development or purchase.

Breaking a project into several phases does not affect the cost threshold, which must be computed based on the full cost of all phases.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 10. Minnesota Statutes 2006, section 16E.04, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** (a) In addition to other activities prescribed by law, the office shall carry out the duties set out in this subdivision.

(b) The office shall develop and establish a state information architecture to ensure that state agency development and purchase of information and communications systems, equipment, and services is designed to ensure that individual agency information systems

complement and do not needlessly duplicate or conflict with the systems of other agencies. When state agencies have need for the same or similar public data, the chief information officer, in coordination with the affected agencies, shall manage the most efficient and cost-effective method of producing and storing data for or sharing data between those agencies. The development of this information architecture must include the establishment of standards and guidelines to be followed by state agencies. The office shall ensure compliance with the architecture.

(c) The office shall assist state agencies in the planning and management of information systems so that an individual information system reflects and supports the state agency's mission and the state's requirements and functions. The office shall review and approve agency technology plans to ensure consistency with enterprise information and telecommunications technology strategy. By January 15 of each year, the chief information officer must report to the chairs and the ranking minority members of the legislative committees and divisions with jurisdiction over the office regarding the assistance provided under this paragraph. The report must include a listing of agencies that have developed or are developing plans under this paragraph.

(d) The office shall review and approve agency requests for funding for the development or purchase of information systems equipment or software before the requests may be included in the governor's budget.

(e) The office shall review major purchases of information systems equipment to:

(1) ensure that the equipment follows the standards and guidelines of the state information architecture;

(2) ensure the agency's proposed purchase reflects a cost-effective policy regarding volume purchasing; and

(3) ensure that the equipment is consistent with other systems in other state agencies so that data can be shared among agencies, unless the office determines that the agency purchasing the equipment has special needs justifying the inconsistency.

(f) The office shall review the operation of information systems by state agencies and ensure that these systems are operated efficiently and securely and continually meet the standards and guidelines established by the office. The standards and guidelines must emphasize uniformity that is cost-effective for the enterprise, that encourages information interchange, open systems environments, and portability of information whenever practicable and consistent with an agency's authority and chapter 13.

(g) The office shall conduct a comprehensive review at least every three years of the information systems investments that have been made by state agencies and higher education institutions. The review must include recommendations on any information

systems applications that could be provided in a more cost-beneficial manner by an outside source. The office must report the results of its review to the legislature and the governor.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 11. **[43A.187] BLOOD DONATION LEAVE.**

A state employee must be granted leave from work with 100 percent of pay to donate blood at a location away from the place of work. The total amount of leave used under this paragraph may not exceed three hours in a 12-month period, and must be determined by the employee. A state employee seeking leave from work under this section must provide 14 days' notice to the appointing authority. This leave must not affect the employee's vacation leave, pension, compensatory time, personal vacation days, sick leave, earned overtime accumulation, or cause a loss of seniority. For the purposes of this section, "state employee" does not include an employee of the Minnesota State Colleges and Universities.

Sec. 12. **[181.9458] AUTHORIZATION FOR BLOOD DONATION LEAVE.**

An employer may grant paid leave from work to an employee to allow the employee to donate blood.

Sec. 13. Minnesota Statutes 2006, section 309.53, subdivision 3, is amended to read:

Subd. 3. **Financial statement requirements.** The financial statement shall include a balance sheet, statement of income and expense, and statement of functional expenses, shall be consistent with forms furnished by the attorney general, and shall be prepared in accordance with generally accepted accounting principles so as to make a full disclosure of the following, including necessary allocations between each item and the basis of such allocations:

- (a) total receipts and total income from all sources;
- (b) cost of management and general;
- (c) program services;
- (d) cost of fund-raising;
- (e) cost of public education;
- (f) funds or properties transferred out of state, with explanation as to recipient and purpose;
- (g) total net amount disbursed or dedicated within this state, broken down into total amounts disbursed or dedicated for each major purpose, charitable or otherwise;
- (h) names of professional fund-raisers used during the accounting year and the financial compensation and profit resulting to each professional fund-raiser; and

11.1 (i) a list of the five highest paid directors, officers, and employees of the organization
11.2 and its related organizations, as that term is defined by section 317A.011, subdivision 18,
11.3 that receive total compensation of more than \$50,000, together with the total compensation
11.4 paid to each. Total compensation shall include salaries, fees, bonuses, fringe benefits,
11.5 severance payments, and deferred compensation paid by the charitable organization and
11.6 all related organizations as that term is defined by section 317A.011, subdivision 18.

11.7 Unless otherwise required by this subdivision, the financial statement need not be
11.8 certified.

11.9 A financial statement of a charitable organization which has received total revenue
11.10 in excess of \$350,000 for the 12 months of operation covered by the statement shall be
11.11 accompanied by an audited financial statement prepared in accordance with generally
11.12 accepted accounting principles that has been examined by an independent certified public
11.13 accountant for the purpose of expressing an opinion. In preparing the audit the certified
11.14 public accountant shall take into consideration capital, endowment or other reserve funds,
11.15 if any, controlled by the charitable organization. For purposes of calculating the \$350,000
11.16 total revenue threshold provided by this subdivision, the value of donated food to a
11.17 nonprofit food shelf may not be included if the food is donated for subsequent distribution
11.18 at no charge, and not for resale.

11.19 **EFFECTIVE DATE.** This section is effective the day following final enactment
11.20 and applies to any financial statement that is required to be filed under this section after
11.21 May 14, 2008.

11.22 Sec. 14. Laws 2005, First Special Session chapter 1, article 4, section 121, subdivision
11.23 4, as amended by Laws 2007, chapter 29, section 1, subdivision 4, is amended to read:

11.24 Subd. 4. **Duties.** The commission shall have the following duties:

11.25 (1) to present to the governor and legislature a plan for grants to pay for capital
11.26 improvements on Minnesota's historic public and private buildings, to be known as
11.27 sesquicentennial grants;

11.28 (2) to seek funding for activities to celebrate the 150th anniversary of statehood, and
11.29 to form partnerships with private parties to further this mission;

11.30 (3) to present an annual report to the governor and legislature outlining progress
11.31 made towards the celebration of the sesquicentennial; ~~and~~

11.32 (4) to encourage all activities celebrating the sesquicentennial to be as energy
11.33 efficient as practicable; and

11.34 (5) to use the results of the Sesquicentennial Plan for Our Future project to help
11.35 provide feedback on the selection and use of Minnesota Milestones goals and indicators.

12.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.2 Sec. 15. **WORKING GROUP FOR MINNESOTA MILESTONES PROCESS**
12.3 **AND INDICATORS.**

12.4 By September 1, 2008, the commissioner of administration shall convene a working
12.5 group of state agency staff, legislative staff, and other interested parties to assist in the
12.6 use of Minnesota Milestones as required under Minnesota Statutes, section 16A.10,
12.7 subdivision 1c. The working group shall consider collaborative opportunities with
12.8 community organizations and higher education institutions. The working group expires on
12.9 February 27, 2009.

12.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.11 Sec. 16. **REPEALER.**

12.12 Minnesota Statutes 2006, sections 16B.281, subdivisions 2, 4, and 5; and 16B.285,
12.13 are repealed.

12.14 **ARTICLE 2**

12.15 **LAWFUL GAMBLING**

12.16 Section 1. Minnesota Statutes 2006, section 240.24, subdivision 2, is amended to read:

12.17 Subd. 2. **Exception.** Notwithstanding subdivision 1, the commission by rule shall
12.18 allow the use of: (1) topical external applications that do not contain anesthetics or
12.19 steroids; (2) food additives; (3) Furosemide or other pulmonary hemostatic agents if the
12.20 agents are administered under the visual supervision of the veterinarian or a designee of the
12.21 veterinarian employed by the commission; ~~and~~ (4) nonsteroidal anti-inflammatory drugs,
12.22 provided that the test sample does not contain more than five micrograms of the substance
12.23 or metabolites thereof per milliliter of blood plasma; and (5) medications and their
12.24 metabolites, provided their use thereof does not exceed regulatory threshold concentrations
12.25 set by rule by the commission. For purposes of this clause, "test sample" means any bodily
12.26 substance including blood, urine, saliva, or other substance as directed by the commission,
12.27 taken from a horse under the supervision of the commission veterinarian and in such
12.28 manner as prescribed by the commission for the purpose of analysis.

12.29 Sec. 2. Minnesota Statutes 2006, section 609.75, subdivision 4, is amended to read:

12.30 Subd. 4. **Gambling device.** A gambling device is a contrivance the purpose of
12.31 which is that for a consideration ~~affords the~~ a player is afforded an opportunity to obtain

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13.1 something of value, other than free plays, automatically from the machine or otherwise,
13.2 the award of which is determined principally by chance, whether or not the contrivance is
13.3 actually played. "Gambling device" also includes a video game of chance, as defined in
13.4 subdivision 8.

13.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.

13.6 Sec. 3. **REPEALER.**

13.7 Minnesota Statutes 2006, section 349.40, is repealed.

13.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

APPENDIX
Article locations in H3494-3

ARTICLE 1	STATE GOVERNMENT	Page.Ln 1.25
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16B.281 SALE AND DISPOSITION OF SURPLUS STATE-OWNED LAND.

Subd. 2. **Certification required.** On or before July 1 of each year, the head of each department or agency having control and supervision over any state-owned land, the sale or disposition of which is not otherwise provided for by law, shall certify in writing to the commissioner whether there is any state-owned land under control and supervision of that department or agency that is no longer needed. If the certification discloses lands no longer needed for a department or agency, the head of the department or agency shall include in the certification a description of the lands and the reasons why the lands are no longer needed.

Subd. 4. **Executive Council approval.** Within 60 days after the receipt of the notification from the commissioner, the Executive Council shall approve or disapprove the commissioner's determinations. If the determinations are approved, the lands shall be offered for sale or otherwise disposed of as provided for in sections 16B.281 to 16B.287. If the Executive Council disapproves the determinations, the same determinations regarding the surplus lands may not be resubmitted to the Executive Council until at least six months after the date of the disapproval.

Subd. 5. **Report required.** On or before November 15 of each even-numbered year, the commissioner shall report to the governor and the legislature the following information for the two-year period immediately preceding:

- (1) the lands that state departments and agencies have certified as no longer needed;
- (2) the lands that have been determined to be no longer needed for state purposes, regarding which the Executive Council has been formally notified; and
- (3) the lands that have been publicly sold.

16B.285 RECORD OF CONTRACTS FOR DEED AND ASSIGNMENTS; EFFECT.

(a) A contract for deed issued for land sold according to sections 16B.281 to 16B.287, or any assignment thereof, executed and acknowledged as provided by law for the execution and acknowledgment of deeds, may be recorded in the office of the county recorder of any county in the state in the same manner and with like effect as deeds are therein recorded. The contract for deed entitles the purchaser, or the heirs and assigns of the purchaser, to the exclusive possession of the land therein described, provided its terms have been in all respects complied with, and the contract for deed and the record thereof is conclusive evidence of title in the purchaser, or the heirs and assigns of the purchaser, for all purposes and against all persons, except the state of Minnesota in case of forfeiture.

(b) When a contract for deed or partial interest in a contract for deed is assigned, the assignment must be made on a form provided by the commissioner, executed by the assignor and assignee, and consented to by the commissioner. An assignment of a partial interest must state that payment to date has been made to the commissioner.

(c) When the assignee satisfies the terms of the assignment and corresponding terms of the contract for deed, the commissioner shall issue a deed to the assignee.

349.40 GAMBLING DEVICES; MANUFACTURE FOR USE IN OTHER STATES.

The manufacture in this state of gambling devices, or any component parts thereof, for shipment, sale, and use in jurisdictions where use of the gambling device is legal is allowed notwithstanding the provisions of this chapter, sections 349.31, 609.75, and 609.76, or other laws to the contrary.