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# State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

# H. F. No. 1863

02/25/2014 Authored by Loeffler, Holberg and Carlson

The bill was read for the first time and referred to the Committee on Government Operations

## A bill for an act

relating to state government; modifying laws governing certain executive branch advisory groups; amending Minnesota Statutes 2012, sections 3.922, subdivision 8; 15B.11, subdivision 2; 16B.055, subdivision 1; 16C.137, subdivision 2; 28A.21, subdivision 6; 43A.316, subdivisions 2, 3, 6; 62J.495, subdivision 2; 79A.02, subdivision 1; 85.0146, subdivision 1; 89A.03, subdivision 5; 89A.08, subdivision 1; 92.35; 93.0015, subdivision 3; 97A.055, subdivision 4b; 103F.518, subdivision 1; 115.55, subdivision 12; 115.741, by adding a subdivision; 116U.25; 134.31, subdivision 6; 144.1255, subdivision 1; 144.1481, subdivision 1; 144.608, subdivision 2; 144G.06; 145A.10, subdivision 10; 148.7805, subdivision 2; 153A.20, subdivision 2; 162.07, subdivision 5; 162.13, subdivision 3; 174.52, subdivision 3; 175.007, subdivision 1; 182.656, subdivision 3; 206.805; 214.13, subdivision 4; 216B.813, subdivision 2; 216B.815; 216C.02, subdivision 1; 240.18, subdivision 4; 243.1606, subdivision 4; 252.30; 256B.0625, subdivision 13i; 256B.27, subdivision 3; 256C.28, subdivision 1; 270C.12, subdivision 5; 298.2213, subdivision 5; 298.2214, subdivision 1; 298.297; 299A.62, subdivision 2; 299A.63, subdivision 2; 299E.04, subdivision 5; 326B.07, subdivision 1; 611A.32, subdivision 2; 611A.33; 611A.35; 629.342, subdivision 2; Minnesota Statutes 2013 Supplement, sections 103I.105; 125A.28; 136A.031, subdivision 3; 144.98, subdivision 10; 256B.064, subdivision 1a; proposing coding for new law in Minnesota Statutes, chapter 162; repealing Minnesota Statutes 2012, sections 6.81; 15.059, subdivision 5; 15B.32, subdivision 7; 16E.0475; 43A.316, subdivision 4; 43A.317, subdivision 4; 62U.09; 82B.021, subdivision 10; 82B.05, subdivisions 1, 3, 5, 6, 7; 82B.06; 84.964; 103F.518, subdivision 11; 116C.711; 116L.361, subdivision 2; 116L.363; 124D.94; 127A.70, subdivision 3; 136A.031, subdivision 5; 144.011, subdivision 2; 145.98, subdivisions 1, 3; 147E.35, subdivision 4; 162.02, subdivisions 2, 3; 162.09, subdivisions 2, 3; 174.86, subdivision 5; 196.30; 197.585, subdivision 4; 216C.265, subdivision 4; 241.021, subdivision 4c; 243.93; 245.97, subdivision 7; 252.31; 270C.991, subdivision 4; 299C.156; 299M.02; 402A.15; 611A.34; Minnesota Statutes 2013 Supplement, sections 15.059, subdivision 5b; 197.585, subdivision 2.

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

**ARTICLE 1****STATE GOVERNMENT**

Section 1. Minnesota Statutes 2012, section 16C.137, subdivision 2, is amended to read:

Subd. 2. **SmartFleet Committee.** ~~(a) The commissioner of administration, or the commissioner's designee, shall chair a SmartFleet Committee consisting of representatives designated by the commissioners of the Pollution Control Agency, the Departments of Agriculture and Commerce, and other state departments that wish to participate. To ensure effective and efficient state participation, the SmartFleet Committee must assist state departments in implementing the requirements of this section, including providing information, guidance, sample policies and procedures, and technical and planning assistance.~~

~~(b) The SmartFleet Committee must evaluate the goals and directives established in this section by December 2006 and periodically thereafter. The committee may make recommendations to the governor and appropriate committees of the legislature for new or adjusted goals and directives, in light of the progress the state has made implementing this section, and of the availability of new or improved technologies.~~

~~(c) For the systematic and efficient monitoring of progress in implementing this section by the SmartFleet Committee, The Department of Administration shall implement a fleet reporting and information management system. Each department will use this management system to demonstrate its progress in complying with this section.~~

Sec. 2. Minnesota Statutes 2012, section 43A.316, subdivision 2, is amended to read:

Subd. 2. **Definitions.** For the purpose of this section, the terms defined in this subdivision have the meaning given them.

(a) **Commissioner.** "Commissioner" means the commissioner of management and budget.

(b) **Employee.** "Employee" means:

(1) a person who is a public employee within the definition of section 179A.03, subdivision 14, who is insurance eligible and is employed by an eligible employer;

(2) an elected public official of an eligible employer who is insurance eligible;

(3) a person employed by a labor organization or employee association certified as an exclusive representative of employees of an eligible employer or by another public employer approved by the commissioner, so long as the plan meets the requirements of a governmental plan under United States Code, title 29, section 1002(32); or

(4) a person employed by a county or municipal hospital.

3.1 (c) **Eligible employer.** "Eligible employer" means:

3.2 (1) a public employer within the definition of section 179A.03, subdivision 15, that  
 3.3 is a town, county, city, school district as defined in section 120A.05, service cooperative  
 3.4 as defined in section 123A.21, intermediate district as defined in section 136D.01,  
 3.5 Cooperative Center for Vocational Education as defined in section 123A.22, regional  
 3.6 management information center as defined in section 123A.23, or an education unit  
 3.7 organized under the joint powers action, section 471.59; or

3.8 (2) an exclusive representative of employees, as defined in paragraph (b);

3.9 (3) a county or municipal hospital; or

3.10 (4) another public employer approved by the commissioner.

3.11 (d) **Exclusive representative.** "Exclusive representative" means an exclusive  
 3.12 representative as defined in section 179A.03, subdivision 8.

3.13 ~~(e) **Labor-Management Committee.** "Labor-Management Committee" means the~~  
 3.14 ~~committee established by subdivision 4.~~

3.15 ~~(f)~~ (e) **Program.** "Program" means the statewide public employees insurance  
 3.16 program created by subdivision 3.

3.17 Sec. 3. Minnesota Statutes 2012, section 43A.316, subdivision 3, is amended to read:

3.18 Subd. 3. **Public employee insurance program.** The commissioner shall be the  
 3.19 administrator of the public employee insurance program and may determine its funding  
 3.20 arrangements. The commissioner shall model the program after the plan established  
 3.21 in section 43A.18, subdivision 2, but may modify that plan, ~~in consultation with the~~  
 3.22 ~~Labor-Management Committee.~~

3.23 Sec. 4. Minnesota Statutes 2012, section 43A.316, subdivision 6, is amended to read:

3.24 Subd. 6. **Coverage.** (a) By January 1, 1989, the commissioner shall announce the  
 3.25 benefits of the program. The program shall include employee hospital, medical, dental,  
 3.26 and life insurance for employees and hospital and medical benefits for dependents. Health  
 3.27 maintenance organization options and other delivery system options may be provided if  
 3.28 they are available, cost-effective, and capable of servicing the number of people covered  
 3.29 in the program. Participation in optional coverages may be provided by collective  
 3.30 bargaining agreements. For employees not represented by an exclusive representative, the  
 3.31 employer may offer the optional coverages to eligible employees and their dependents  
 3.32 provided in the program.

3.33 (b) The commissioner, ~~with the assistance of the Labor-Management Committee,~~  
 3.34 shall periodically assess whether it is financially feasible for the program to offer or to

continue an individual retiree program that has competitive premium rates and benefits. If the commissioner determines it to be feasible to offer an individual retiree program, the commissioner shall announce the applicable benefits, premium rates, and terms of participation. Eligibility to participate in the individual retiree program is governed by subdivision 8, but applies to retirees of eligible employers that do not participate in the program and to those retirees' dependents and surviving spouses.

Sec. 5. Minnesota Statutes 2012, section 206.805, is amended to read:

**206.805 STATE VOTING SYSTEMS CONTRACTS.**

Subdivision 1. **Contracts required.** (a) The secretary of state, with the assistance of the commissioner of administration, shall establish one or more state voting systems contracts. The contracts should, if practical, include provisions for maintenance of the equipment purchased. The voting systems contracts must address precinct-based optical scan voting equipment, and ballot marking equipment for persons with disabilities and other voters. The contracts must give the state a perpetual license to use and modify the software. The contracts must include provisions to escrow the software source code, as provided in subdivision 2. Bids for voting systems and related election services must be solicited from each vendor selling or leasing voting systems that have been certified for use by the secretary of state. The contracts must be renewed from time to time.

~~(b) The secretary of state shall appoint an advisory committee, including representatives of the state chief information officer, county auditors, municipal clerks who have had operational experience with the use of electronic voting systems, and members of the disabilities community to advise the secretary of state in reviewing and evaluating the merits of proposals submitted from voting equipment vendors for the state contracts.~~

(e) (b) Counties and municipalities may purchase or lease voting systems and obtain related election services from the state contracts. All counties and municipalities are members of the cooperative purchasing venture of the Department of Administration for the purpose of this section. For the purpose of township elections, counties must aggregate orders under contracts negotiated under this section for products and services and may apportion the costs of those products and services proportionally among the townships receiving the products and services. The county is not liable for the timely or accurate delivery of those products or services.

Sec. 6. **REPEALER.**

(a) Minnesota Statutes 2012, sections 6.81; 15.059, subdivision 5; 16E.0475; 43A.316, subdivision 4; 43A.317, subdivision 4; 196.30; 197.585, subdivision 4; and 270C.991, subdivision 4, are repealed.

(b) Minnesota Statutes 2013 Supplement, sections 15.059, subdivision 5b; and 197.585, subdivision 2, are repealed.

## ARTICLE 2

### ENVIRONMENT, NATURAL RESOURCES, AND AGRICULTURE

Section 1. Minnesota Statutes 2012, section 92.35, is amended to read:

#### **92.35 DUTIES AND POWERS.**

The commissioner of natural resources must classify all public and private lands in the state by the use to which the lands are adapted, but principally as to adaptability to present known uses, such as agriculture and forestry. This classification must be based on consideration of the known physical and economic factors affecting use of the land. The commissioner must consult private, state, and federal agencies concerned with land use. ~~The commissioner may appoint advisory committees of residents of the state concerned with and interested in land use. The advisory committees shall serve without pay, at the pleasure of the commissioner. The advisory committee must consider and report on land use problems submitted by the commissioner.~~ The classification must be done first in the counties having land classification committees. In determining the land classification, the commissioner must consult and cooperate with the land classification committee. The determination of the land classification committee is final.

Sec. 2. Minnesota Statutes 2012, section 103F.518, subdivision 1, is amended to read:

Subdivision 1. **Establishment of program.** (a) ~~The board, in consultation with the technical committee established in subdivision 11,~~ shall establish and administer a reinvest in Minnesota (RIM) clean energy program that is in addition to the program under section 103F.515. Selection of land for the clean energy program must be based on its potential benefits for bioenergy crop production, water quality, soil health, reduction of chemical inputs, soil carbon storage, biodiversity, and wildlife habitat.

(b) For the purposes of this section, "diverse native prairie" means a prairie planted from a mix of local Minnesota native prairie species. A selection from all available native prairie species may be made so as to match species appropriate to local site conditions.

Sec. 3. Minnesota Statutes 2012, section 115.55, subdivision 12, is amended to read:

Subd. 12. **Advisory committee; county subsurface sewage treatment system management plan.** (a) A county may adopt a subsurface sewage treatment system management plan that describes how the county plans on carrying out subsurface sewage treatment system needs. ~~The commissioner of the Pollution Control Agency shall form an advisory committee to determine what the plans should address. The advisory committee shall be made up of representatives of the Association of Minnesota Counties, Pollution Control Agency, Board of Water and Soil Resources, Department of Health, and other public agencies or local units of government that have an interest in subsurface sewage treatment systems.~~

~~(b) The advisory committee shall advise the agency on the standards, management, monitoring, and reporting requirements for performance-based systems.~~

Sec. 4. **REPEALER.**

Minnesota Statutes 2012, sections 84.964; 103F.518, subdivision 11; 116C.711; and 216C.265, subdivision 4, are repealed.

**ARTICLE 3**

**EDUCATION**

Section 1. Minnesota Statutes 2013 Supplement, section 136A.031, subdivision 3, is amended to read:

Subd. 3. **Student Advisory Council.** (a) A Student Advisory Council (SAC) to the Minnesota Office of Higher Education is established. The members of SAC shall include: the chair of the University of Minnesota student senate; the state chair of the Minnesota State University Student Association; the president of the Minnesota State College Student Association and an officer of the Minnesota State College Student Association, one in a community college course of study and one in a technical college course of study; ~~the president of the Minnesota Association of Private College Students~~ a student who is enrolled in a private nonprofit postsecondary institution, to be appointed by the Minnesota Private College Council; and a student who is enrolled in a private ~~vocational school~~ for-profit postsecondary institution, to be appointed by the Minnesota Career College Association. A member may be represented by a student designee who attends an institution from the same system that the absent member represents. The SAC shall select one of its members to serve as chair.

(b) The Minnesota Office of Higher Education shall inform the SAC of all matters related to student issues under consideration. The SAC shall report to the Minnesota Office of Higher Education quarterly and at other times that the SAC considers desirable.

7.1 The SAC shall determine its meeting times, but it shall also meet with the office within  
7.2 30 days after the commissioner's request for a meeting.

7.3 (c) The SAC shall:

7.4 (1) bring to the attention of the Minnesota Office of Higher Education any matter  
7.5 that the SAC believes needs the attention of the office;

7.6 (2) make recommendations to the Minnesota Office of Higher Education as it finds  
7.7 appropriate; and

7.8 (3) approve student appointments by the Minnesota Office of Higher Education for  
7.9 each advisory group as provided in subdivision 4.

7.10 Sec. 2. **REPEALER.**

7.11 Minnesota Statutes 2012, section 124D.94, is repealed.

7.12 **ARTICLE 4**

7.13 **TRANSPORTATION**

7.14 Section 1. **[162.152] RULES; ADVISORY COMMITTEE.**

7.15 Subdivision 1. **Advisory committee membership.** The rules referenced in sections  
7.16 162.02, subdivision 1, and 162.09, subdivision 1, shall be made and promulgated by the  
7.17 commissioner acting with the advice of a committee selected as follows:

7.18 (1) nine members must be selected by the county boards acting through the officers  
7.19 of the statewide association of county commissioners. The committee members shall be  
7.20 selected so that each member is from a different state highway construction district. Not  
7.21 more than five of the nine members shall be county commissioners, and the remaining  
7.22 members shall be county highway engineers; and

7.23 (2) 12 members must be selected by the governing bodies of cities, acting through  
7.24 the officers of the statewide association of municipal officials. The committee members  
7.25 shall be selected so that there is one member from each state highway construction district  
7.26 and one member from each city of the first class. Not more than six of the 12 members  
7.27 shall be elected officials of the cities, and the remaining members shall be city engineers.

7.28 Subd. 2. **Commissioner's determination.** If agreement cannot be reached on a  
7.29 rule, the commissioner's determination on what rule will be proposed for adoption is final.

7.30 Subd. 3. **Rules have force of law.** The rules have the force and effect of law as  
7.31 provided in chapter 14.

7.32 Subd. 4. **No expiration.** The committee created in this section does not expire.

7.33 Sec. 2. **REPEALER.**

8.1 Minnesota Statutes 2012, sections 162.02, subdivisions 2 and 3; 162.09, subdivisions  
8.2 2 and 3; and 174.86, subdivision 5, are repealed.

8.3 **ARTICLE 5**

8.4 **COMMERCE AND ECONOMIC DEVELOPMENT**

8.5 Section 1. Minnesota Statutes 2012, section 216B.813, subdivision 2, is amended to  
8.6 read:

8.7 Subd. 2. **Grants.** (a) The commissioner of commerce shall operate a competitive  
8.8 grant program for projects to assist the state in attaining its renewable hydrogen energy  
8.9 goals. ~~The commissioner of commerce shall assemble an advisory committee made up of~~  
8.10 ~~industry, university, government, and nongovernment organizations to:~~

8.11 ~~(1) help identify the most promising technology deployment projects for public~~  
8.12 ~~investment;~~

8.13 ~~(2) advise on the technical specifications for those projects; and~~

8.14 ~~(3) make recommendations on project grants.~~

8.15 (b) The commissioner shall give preference to project concepts included in the  
8.16 department's most recent biennial report: Strategic Demonstration Projects to Accelerate  
8.17 the Commercialization of Renewable Hydrogen and Related Technologies in Minnesota.  
8.18 Projects eligible for funding must combine one or more of the hydrogen production  
8.19 options listed in the department's report with an end use that has significant commercial  
8.20 potential, preferably high visibility, and relies on fuel cells or related technologies. Each  
8.21 funded technology deployment must include an explicit education and awareness-raising  
8.22 component, be compatible with the renewable hydrogen deployment criteria defined in  
8.23 section 216B.812, and receive 50 percent of its total cost from nonstate sources. The 50  
8.24 percent requirement does not apply for recipients that are public institutions.

8.25 Sec. 2. Minnesota Statutes 2012, section 216B.815, is amended to read:

8.26 **216B.815 REGIONAL ENERGY RESEARCH AND EDUCATION**  
8.27 **PARTNERSHIP.**

8.28 (a) The state's public research and higher education institutions should work with  
8.29 one another and with similar institutions in the region to establish Minnesota and the  
8.30 Upper Midwest as a center of research, education, outreach, and technology transfer for  
8.31 the production of renewable energy and products, including hydrogen, fuel cells, and  
8.32 related technologies. The partnership should be designed to create a critical mass of



9.1 research and education capability that can compete effectively for federal and private  
9.2 investment in these areas.

9.3 ~~(b) The partnership must include an advisory committee comprised of government,~~  
9.4 ~~industry, academic, and nonprofit representatives to help focus its research and education~~  
9.5 ~~efforts on the most critical issues.~~

9.6 (e) (b) Initiatives undertaken by the partnership may include:

9.7 (1) collaborative and interdisciplinary research, demonstration projects, and  
9.8 commercialization of market-ready technologies;

9.9 (2) creation of undergraduate and graduate course offerings and eventually degreed  
9.10 and vocational programs with reciprocity;

9.11 (3) establishment of fellows programs at the region's institutes of higher learning  
9.12 that provide financial incentives for relevant study, research, and exchange; and

9.13 (4) development and field-testing of relevant curricula, teacher kits for all educational  
9.14 levels, and widespread teacher training, in collaboration with state energy offices, teachers,  
9.15 nonprofits, businesses, the United States Department of Energy, and other interested parties.

9.16 Sec. 3. Minnesota Statutes 2012, section 216C.02, subdivision 1, is amended to read:

9.17 Subdivision 1. **Powers.** (a) The commissioner may:

9.18 (1) apply for, receive, and spend money received from federal, municipal, county,  
9.19 regional, and other government agencies and private sources;

9.20 (2) apply for, accept, and disburse grants and other aids from public and private  
9.21 sources;

9.22 (3) contract for professional services if work or services required or authorized to  
9.23 be carried out by the commissioner cannot be satisfactorily performed by employees of  
9.24 the department or by another state agency;

9.25 (4) enter into interstate compacts to carry out research and planning jointly with  
9.26 other states or the federal government when appropriate;

9.27 (5) upon reasonable request, distribute informational material at no cost to the  
9.28 public; and

9.29 (6) enter into contracts for the performance of the commissioner's duties with  
9.30 federal, state, regional, metropolitan, local, and other agencies or units of government and  
9.31 educational institutions, including the University of Minnesota, without regard to the  
9.32 competitive bidding requirements of chapters 16A and 16C.

9.33 (b) The commissioner shall collect information on conservation and other  
9.34 energy-related programs carried on by other agencies, by public utilities, by cooperative  
9.35 electric associations, by municipal power agencies, by other fuel suppliers, by political

subdivisions, and by private organizations. Other agencies, cooperative electric associations, municipal power agencies, and political subdivisions shall cooperate with the commissioner by providing information requested by the commissioner. The commissioner may by rule require the submission of information by other program operators. The commissioner shall make the information available to other agencies and to the public and, as necessary, shall recommend to the legislature changes in the laws governing conservation and other energy-related programs to ensure that:

- (1) expenditures on the programs are adequate to meet identified needs;
- (2) the needs of low-income energy users are being adequately addressed;
- (3) duplication of effort is avoided or eliminated;
- (4) a program that is ineffective is improved or eliminated; and
- (5) voluntary efforts are encouraged through incentives for their operators.

~~The commissioner shall appoint an advisory task force to help evaluate the information collected and formulate recommendations to the legislature. The task force must include low-income energy users.~~

(c) By January 15 of each year, the commissioner shall report to the legislature on the projected amount of federal money likely to be available to the state during the next fiscal year, including grant money and money received by the state as a result of litigation or settlements of alleged violations of federal petroleum-pricing regulations. The report must also estimate the amount of money projected as needed during the next fiscal year to finance a level of conservation and other energy-related programs adequate to meet projected needs, particularly the needs of low-income persons and households, and must recommend the amount of state appropriations needed to cover the difference between the projected availability of federal money and the projected needs.

Sec. 4. **REPEALER.**

Minnesota Statutes 2012, sections 82B.021, subdivision 10; 82B.05, subdivisions 1, 3, 5, 6, and 7; 82B.06; 116L.361, subdivision 2; and 116L.363, are repealed.

**ARTICLE 6**

**PUBLIC SAFETY**

Section 1. Minnesota Statutes 2012, section 299A.62, subdivision 2, is amended to read:

Subd. 2. **Awarding grant.** Grants under this section shall be awarded by the commissioner of public safety. ~~Before any grants are awarded, a committee consisting of the attorney general, and representatives from the Minnesota Chiefs of Police~~

11.1 ~~Association, the Minnesota Sheriffs Association, and the Minnesota Police and Peace~~  
11.2 ~~Officers Association, shall evaluate the grant applications. Before grants are awarded,~~  
11.3 ~~the commissioner shall meet and consult with the committee concerning its evaluation~~  
11.4 ~~of and recommendations on grant proposals.~~ A grant under subdivision 1, paragraph  
11.5 (b), clause (1), may be awarded only to a law enforcement agency that demonstrates in  
11.6 its application that it currently has a need for an additional officer to be assigned to: (1)  
11.7 community-oriented policing duties; or (2) the investigation and prevention of juvenile  
11.8 crime, based on the juvenile crime rate in the area over which the agency has jurisdiction.  
11.9 More than one grant under subdivision 1, paragraph (b), clause (1), may be awarded to  
11.10 an agency; however, each grant may fund only one position. At least 50 percent of the  
11.11 grants awarded under subdivision 1, paragraph (b), clause (1), must be awarded to the  
11.12 cities of Minneapolis and St. Paul.

11.13 Sec. 2. Minnesota Statutes 2012, section 299A.63, subdivision 2, is amended to read:

11.14 Subd. 2. **Awarding grant.** The commissioner of public safety shall act as fiscal  
11.15 agent for the grant program and shall be responsible for receiving applications for grants  
11.16 and awarding grants under this section. ~~Before any grants are awarded, a committee~~  
11.17 ~~consisting of the attorney general, and representatives from the Minnesota Chiefs of Police~~  
11.18 ~~Association, the Minnesota Sheriffs Association, and the Minnesota Police and Peace~~  
11.19 ~~Officers Association, shall evaluate the grant applications. Before grants are awarded, the~~  
11.20 ~~commissioner shall meet and consult with the committee concerning its evaluation of and~~  
11.21 ~~recommendations on grant proposals.~~ At least 50 percent of the grants awarded under this  
11.22 section must be awarded to the cities of Minneapolis and St. Paul.

11.23 Sec. 3. Minnesota Statutes 2012, section 611A.32, subdivision 2, is amended to read:

11.24 Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the  
11.25 commissioner for a grant to provide emergency shelter services to battered women,  
11.26 support services to domestic abuse victims, or both, to battered women and their children.  
11.27 The application shall be submitted in a form approved by the commissioner by rule  
11.28 adopted under chapter 14, ~~after consultation with the advisory council,~~ and shall include:  
11.29 (1) a proposal for the provision of emergency shelter services for battered women,  
11.30 support services for domestic abuse victims, or both, for battered women and their children;  
11.31 (2) a proposed budget;  
11.32 (3) the agency's overall operating budget, including documentation on the retention  
11.33 of financial reserves and availability of additional funding sources;

12.1 (4) evidence of an ability to integrate into the proposed program the uniform method  
 12.2 of data collection and program evaluation established under ~~sections~~ section 611A.33  
 12.3 ~~and 611A.34;~~

12.4 (5) evidence of an ability to represent the interests of battered women and domestic  
 12.5 abuse victims and their children to local law enforcement agencies and courts, county  
 12.6 welfare agencies, and local boards or departments of health;

12.7 (6) evidence of an ability to do outreach to unserved and underserved populations  
 12.8 and to provide culturally and linguistically appropriate services; and

12.9 (7) any other content the commissioner may require by rule adopted under chapter  
 12.10 14, after considering the recommendations of the advisory council.

12.11 Programs which have been approved for grants in prior years may submit materials  
 12.12 which indicate changes in items listed in clauses (1) to (7), in order to qualify for renewal  
 12.13 funding. Nothing in this subdivision may be construed to require programs to submit  
 12.14 complete applications for each year of renewal funding.

12.15 Sec. 4. Minnesota Statutes 2012, section 611A.33, is amended to read:

12.16 **611A.33 DUTIES OF COMMISSIONER.**

12.17 The commissioner shall:

12.18 (1) review applications for and award grants to a program pursuant to section  
 12.19 611A.32, subdivision 1, ~~after considering the recommendation of the advisory council;~~

12.20 ~~(2) appoint the members of the advisory council created under section 611A.34, and~~  
 12.21 ~~provide consultative staff and other administrative services to the advisory council;~~

12.22 ~~(3) after considering the recommendation of the advisory council, (2)~~ appoint a  
 12.23 program director to perform the duties set forth in section 611A.35;

12.24 ~~(4)~~ (3) design and implement a uniform method of collecting data on domestic abuse  
 12.25 victims to be used to evaluate the programs funded under section 611A.32;

12.26 ~~(5)~~ (4) provide technical aid to applicants in the development of grant requests and  
 12.27 provide technical aid to programs in meeting the data collection requirements established  
 12.28 by the commissioner; and

12.29 ~~(6)~~ (5) adopt, under chapter 14, all rules necessary to implement the provisions  
 12.30 of sections 611A.31 to 611A.36.

12.31 Sec. 5. Minnesota Statutes 2012, section 611A.35, is amended to read:

12.32 **611A.35 ADVISORY COUNCIL ON BATTERED WOMEN AND DOMESTIC**  
 12.33 **ABUSE PROGRAM DIRECTOR.**

13.1 The commissioner shall appoint a program director. ~~In appointing the program~~  
13.2 ~~director the commissioner shall give due consideration to the list of applicants submitted~~  
13.3 ~~to the commissioner pursuant to section 611A.34, subdivision 3, clause (3).~~ The program  
13.4 director shall administer the funds appropriated for sections 611A.31 to 611A.36, ~~consult~~  
13.5 ~~with and provide staff to the advisory council,~~ and perform other duties related to battered  
13.6 women's and domestic abuse programs as the commissioner may assign. The program  
13.7 director shall serve at the pleasure of the commissioner in the unclassified service.

13.8 Sec. 6. Minnesota Statutes 2012, section 629.342, subdivision 2, is amended to read:

13.9 Subd. 2. **Policies required.** (a) By July 1, 1993, each law enforcement agency  
13.10 shall develop, adopt, and implement a written policy regarding arrest procedures for  
13.11 domestic abuse incidents. In the development of a policy, each law enforcement agency  
13.12 shall consult with domestic abuse advocates, community organizations, and other law  
13.13 enforcement agencies with expertise in the recognition and handling of domestic abuse  
13.14 incidents. The policy shall discourage dual arrests, include consideration of whether  
13.15 one of the parties acted in self defense, and provide guidance to officers concerning  
13.16 instances in which officers should remain at the scene of a domestic abuse incident until  
13.17 the likelihood of further imminent violence has been eliminated.

13.18 (b) The Bureau of Criminal Apprehension, ~~and the Board of Peace Officer Standards~~  
13.19 ~~and Training, and the Advisory Council on Battered Women and Domestic Abuse~~  
13.20 ~~appointed by the commissioner of corrections under section 611A.34,~~ in consultation with  
13.21 the Minnesota Chiefs of Police Association, the Minnesota Sheriffs Association, and the  
13.22 Minnesota Police and Peace Officers Association, shall develop a written model policy  
13.23 regarding arrest procedures for domestic abuse incidents for use by local law enforcement  
13.24 agencies. Each law enforcement agency may adopt the model policy in lieu of developing  
13.25 its own policy under the provisions of paragraph (a).

13.26 (c) Local law enforcement agencies that have already developed a written policy  
13.27 regarding arrest procedures for domestic abuse incidents before July 1, 1992, are not  
13.28 required to develop a new policy but must review their policies and consider the written  
13.29 model policy developed under paragraph (b).

13.30 Sec. 7. **CLARIFICATION OF CONTINUED EXISTENCE.**

13.31 This section clarifies that the groups listed in this section did not expire June 30,  
13.32 2009. Actions taken by the groups listed in this section and public funds spent on behalf  
13.33 of these groups since June 30, 2009, are valid:

14.1 (1) Automobile Theft Prevention Advisory Board, created in Minnesota Statutes,  
14.2 section 65B.84, subdivision 4; and

14.3 (2) Fire Service Advisory Committee, created in Minnesota Statutes, section  
14.4 299F.012, subdivision 2.

14.5 **EFFECTIVE DATE.** This section is effective the day following final enactment  
14.6 and applies retroactively from June 30, 2009.

14.7 Sec. 8. **REPEALER.**

14.8 Minnesota Statutes 2012, sections 243.93; 299C.156; 299M.02; and 611A.34, are  
14.9 repealed.

## 14.10 **ARTICLE 7**

### 14.11 **HEALTH AND HUMAN SERVICES**

14.12 Section 1. Minnesota Statutes 2012, section 115.741, is amended by adding a  
14.13 subdivision to read:

14.14 Subd. 5. **Repeal.** This section is repealed June 30, 2019.

14.15 Sec. 2. Minnesota Statutes 2013 Supplement, section 144.98, subdivision 10, is  
14.16 amended to read:

14.17 Subd. 10. **Establishing a selection committee.** (a) The commissioner shall  
14.18 establish a selection committee for the purpose of recommending approval of qualified  
14.19 laboratory assessors and assessment bodies. Committee members shall demonstrate  
14.20 competence in assessment practices. The committee shall initially consist of seven  
14.21 members appointed by the commissioner as follows:

14.22 (1) one member from a municipal laboratory accredited by the commissioner;

14.23 (2) one member from an industrial treatment laboratory accredited by the  
14.24 commissioner;

14.25 (3) one member from a commercial laboratory located in this state and accredited by  
14.26 the commissioner;

14.27 (4) one member from a commercial laboratory located outside the state and  
14.28 accredited by the commissioner;

14.29 (5) one member from a nongovernmental client of environmental laboratories;

14.30 (6) one member from a professional organization with a demonstrated interest in  
14.31 environmental laboratory data and accreditation; and

15.1 (7) one employee of the laboratory accreditation program administered by the  
15.2 department.

15.3 (b) Committee appointments begin on January 1 and end on December 31 of the  
15.4 same year.

15.5 (c) The commissioner shall appoint persons to fill vacant committee positions,  
15.6 expand the total number of appointed positions, or change the designated positions upon  
15.7 the advice of the committee.

15.8 (d) The commissioner shall rescind the appointment of a selection committee  
15.9 member for sufficient cause as the commissioner determines, such as:

15.10 (1) neglect of duty;

15.11 (2) failure to notify the commissioner of a real or perceived conflict of interest;

15.12 (3) nonconformance with committee procedures;

15.13 (4) failure to demonstrate competence in assessment practices; or

15.14 (5) official misconduct.

15.15 (e) Members of the selection committee shall be compensated according to the  
15.16 provisions in section 15.059, subdivision 3.

15.17 (f) The selection committee expires June 30, 2018.

15.18 Sec. 3. Minnesota Statutes 2012, section 144G.06, is amended to read:

15.19 **144G.06 UNIFORM CONSUMER INFORMATION GUIDE.**

15.20 ~~(a) The commissioner of health shall establish an advisory committee consisting~~  
15.21 ~~of representatives of consumers, providers, county and state officials, and other~~  
15.22 ~~groups the commissioner considers appropriate. The advisory committee shall present~~  
15.23 ~~recommendations to the commissioner on:~~

15.24 ~~(1) a format for a guide to be used by individual providers of assisted living, as~~  
15.25 ~~defined in section 144G.01, that includes information about services offered by that~~  
15.26 ~~provider, which services may be covered by Medicare, service costs, and other relevant~~  
15.27 ~~provider-specific information, as well as a statement of philosophy and values associated~~  
15.28 ~~with assisted living, presented in uniform categories that facilitate comparison with guides~~  
15.29 ~~issued by other providers; and~~

15.30 ~~(2) requirements for informing assisted living clients, as defined in section 144G.01,~~  
15.31 ~~of their applicable legal rights.~~

15.32 (b) The commissioner, after reviewing the recommendations of the advisory  
15.33 committee, shall adopt a uniform format for the guide to be used by individual providers,  
15.34 and the required components of materials to be used by providers to inform assisted

16.1 living clients of their legal rights, and shall make the uniform format and the required  
16.2 components available to assisted living providers.

16.3 Sec. 4. Minnesota Statutes 2012, section 252.30, is amended to read:

16.4 **252.30 AUTHORIZATION TO MAKE GRANTS FOR COMMUNITY**  
16.5 **RESIDENTIAL FACILITIES.**

16.6 The commissioner of human services may make grants to nonprofit organizations,  
16.7 municipalities or local units of government to provide up to 25 percent of the cost of  
16.8 constructing, purchasing or remodeling small community residential facilities for persons  
16.9 with developmental disabilities allowing such persons to live in a homelike atmosphere  
16.10 near their families. Operating capital grants may also be made for up to three months of  
16.11 reimbursable operating costs after the facility begins processing applications for admission  
16.12 and prior to reimbursement for services. Repayment of the operating grants shall be made  
16.13 to the commissioner of human services at the end of the provider's first fiscal year, or at  
16.14 the conclusion of the interim rate period, whichever occurs first. No aid under this section  
16.15 shall be granted to a facility providing for more than 16 residents in a living unit and with  
16.16 more than two living units. ~~The advisory council established by section 252.31 shall~~  
16.17 ~~recommend to the commissioner appropriate disbursement of the funds appropriated by~~  
16.18 ~~Laws 1973, chapter 673, section 3.~~ Prior to any disbursement of funds the commissioner  
16.19 shall review the plans and location of any proposed facility to determine whether such  
16.20 a facility is needed. The commissioner shall promulgate such rules for the making of  
16.21 grants and for the administration of this section as the commissioner deems proper.  
16.22 The remaining portion of the cost of constructing, purchasing, remodeling facilities, or  
16.23 of operating capital shall be borne by nonstate sources including federal grants, local  
16.24 government funds, funds from charitable sources, gifts and mortgages.

16.25 Sec. 5. Minnesota Statutes 2013 Supplement, section 256B.064, subdivision 1a,  
16.26 is amended to read:

16.27 Subd. 1a. **Grounds for sanctions against vendors.** The commissioner may  
16.28 impose sanctions against a vendor of medical care for any of the following: (1) fraud,  
16.29 theft, or abuse in connection with the provision of medical care to recipients of public  
16.30 assistance; (2) a pattern of presentment of false or duplicate claims or claims for services  
16.31 not medically necessary; (3) a pattern of making false statements of material facts for  
16.32 the purpose of obtaining greater compensation than that to which the vendor is legally  
16.33 entitled; (4) suspension or termination as a Medicare vendor; (5) refusal to grant the  
16.34 state agency access during regular business hours to examine all records necessary to



disclose the extent of services provided to program recipients and appropriateness of claims for payment; (6) failure to repay an overpayment or a fine finally established under this section; (7) failure to correct errors in the maintenance of health service or financial records for which a fine was imposed or after issuance of a warning by the commissioner; and (8) any reason for which a vendor could be excluded from participation in the Medicare program under section 1128, 1128A, or 1866(b)(2) of the Social Security Act. ~~The determination of services not medically necessary may be made by the commissioner in consultation with a peer advisory task force appointed by the commissioner on the recommendation of appropriate professional organizations. The task force expires as provided in section 15.059, subdivision 5.~~

Sec. 6. Minnesota Statutes 2012, section 256B.27, subdivision 3, is amended to read:

Subd. 3. **Access to medical records.** The commissioner of human services, with the written consent of the recipient, on file with the local welfare agency, shall be allowed access to all personal medical records of medical assistance recipients solely for the purposes of investigating whether or not: (a) a vendor of medical care has submitted a claim for reimbursement, a cost report or a rate application which is duplicative, erroneous, or false in whole or in part, or which results in the vendor obtaining greater compensation than the vendor is legally entitled to; or (b) the medical care was medically necessary. The vendor of medical care shall receive notification from the commissioner at least 24 hours before the commissioner gains access to such records. The determination of provision of services not medically necessary shall be made by the commissioner. ~~The commissioner may consult with an advisory task force of vendors the commissioner may appoint, on the recommendation of appropriate professional organizations. The task force expires as provided in section 15.059, subdivision 6.~~ Notwithstanding any other law to the contrary, a vendor of medical care shall not be subject to any civil or criminal liability for providing access to medical records to the commissioner of human services pursuant to this section.

Sec. 7. **CLARIFICATION OF CONTINUED EXISTENCE.**

This section clarifies that the groups listed in this section did not expire June 30, 2009. Actions taken by the groups listed in this section and public funds spent on behalf of these groups since June 30, 2009, are valid:

(1) Medical Assistance Drug Formulary Committee, created in Minnesota Statutes, section 256B.0625, subdivision 13c;

(2) Environmental Health Tracking and Biomonitoring Advisory Panel, created in Minnesota Statutes, section 144.998;

18.1 (3) Water Supply Systems and Wastewater Treatment Facilities Advisory Council,  
18.2 created in Minnesota Statutes, section 115.741; and

18.3 (4) Prescription Electronic Reporting Advisory Committee, created in Minnesota  
18.4 Statutes, section 152.126, subdivision 3.

18.5 **EFFECTIVE DATE.** This section is effective the day following final enactment  
18.6 and applies retroactively from June 30, 2009.

18.7 Sec. 8. **REPEALER.**

18.8 Minnesota Statutes 2012, sections 62U.09; 144.011, subdivision 2; 145.98,  
18.9 subdivisions 1 and 3; 252.31; and 402A.15, are repealed.

## 18.10 **ARTICLE 8**

### 18.11 **CONFORMING CHANGES**

18.12 Section 1. Minnesota Statutes 2012, section 3.922, subdivision 8, is amended to read:

18.13 Subd. 8. **Advisory board.** An advisory board on urban Indians shall advise the  
18.14 council on the unique problems and concerns of Minnesota Indians who reside in urban  
18.15 areas of the state. The board must be appointed by the council at the direction of the  
18.16 elected tribal leadership and consist of six Indians residing in the vicinity of Minneapolis,  
18.17 St. Paul, Bemidji, and Duluth. At least one member of the board must be a resident of  
18.18 each city. The terms, compensation, and removal of members are as provided in section  
18.19 15.059, ~~but the expiration dates provided in that section do not apply.~~

18.20 Sec. 2. Minnesota Statutes 2012, section 15B.11, subdivision 2, is amended to read:

18.21 Subd. 2. **Advisory committee.** (a) A three-member advisory committee to the  
18.22 CAAPB is established. Each of the three must be either an architect or a planner. One  
18.23 must be appointed by the CAAPB; one, by the State Board of the Arts; and one, by the  
18.24 Minnesota Society of the American Institute of Architects.

18.25 (b) The advisory committee must advise the CAAPB on all architectural and  
18.26 planning matters.

18.27 ~~(e) Notwithstanding section 15.059, subdivision 5, or other law, the authority for~~  
18.28 ~~appointment of an advisory committee does not expire.~~

18.29 ~~(d)~~ (c) An advisory committee member must not be a contestant in a CAAPB  
18.30 competition.

18.31 Sec. 3. Minnesota Statutes 2012, section 16B.055, subdivision 1, is amended to read:

Subdivision 1. **Federal Assistive Technology Act.** (a) The Department of Administration is designated as the lead agency to carry out all the responsibilities under the Assistive Technology Act of 1998, as provided by Public Law 108-364, as amended. The Minnesota Assistive Technology Advisory Council is established to fulfill the responsibilities required by the Assistive Technology Act, as provided by Public Law 108-364, as amended. Because the existence of this council is required by federal law, this council does not expire ~~and the expiration date provided in section 15.059, subdivision 5, does not apply.~~

(b) The governor shall appoint the membership of the council as required by the Assistive Technology Act of 1998, as provided by Public Law 108-364, as amended. After the governor has completed the appointments required by this subdivision, the commissioner of administration, or the commissioner's designee, shall convene the first meeting of the council following the appointments. Members shall serve two-year terms commencing July 1 of each odd-numbered year, and receive the compensation specified by the Assistive Technology Act of 1998, as provided by Public Law 108-364, as amended. The members of the council shall select their chair at the first meeting following their appointment.

Sec. 4. Minnesota Statutes 2012, section 28A.21, subdivision 6, is amended to read:

Subd. 6. **Expiration.** ~~Notwithstanding section 15.059, subdivision 5,~~ This section expires June 30, 2017.

Sec. 5. Minnesota Statutes 2012, section 62J.495, subdivision 2, is amended to read:

Subd. 2. **E-Health Advisory Committee.** (a) The commissioner shall establish an e-Health Advisory Committee governed by section 15.059 to advise the commissioner on the following matters:

(1) assessment of the adoption and effective use of health information technology by the state, licensed health care providers and facilities, and local public health agencies;

(2) recommendations for implementing a statewide interoperable health information infrastructure, to include estimates of necessary resources, and for determining standards for clinical data exchange, clinical support programs, patient privacy requirements, and maintenance of the security and confidentiality of individual patient data;

(3) recommendations for encouraging use of innovative health care applications using information technology and systems to improve patient care and reduce the cost of care, including applications relating to disease management and personal health

20.1 management that enable remote monitoring of patients' conditions, especially those with  
 20.2 chronic conditions; and

20.3 (4) other related issues as requested by the commissioner.

20.4 (b) The members of the e-Health Advisory Committee shall include the  
 20.5 commissioners, or commissioners' designees, of health, human services, administration,  
 20.6 and commerce and additional members to be appointed by the commissioner to include  
 20.7 persons representing Minnesota's local public health agencies, licensed hospitals and other  
 20.8 licensed facilities and providers, private purchasers, the medical and nursing professions,  
 20.9 health insurers and health plans, the state quality improvement organization, academic and  
 20.10 research institutions, consumer advisory organizations with an interest and expertise in  
 20.11 health information technology, and other stakeholders as identified by the commissioner to  
 20.12 fulfill the requirements of section 3013, paragraph (g), of the HITECH Act.

20.13 (c) The commissioner shall prepare and issue an annual report not later than January  
 20.14 30 of each year outlining progress to date in implementing a statewide health information  
 20.15 infrastructure and recommending action on policy and necessary resources to continue the  
 20.16 promotion of adoption and effective use of health information technology.

20.17 (d) ~~Notwithstanding section 15.059,~~ This subdivision expires June 30, 2015.

20.18 Sec. 6. Minnesota Statutes 2012, section 79A.02, subdivision 1, is amended to read:

20.19 Subdivision 1. **Membership.** For the purposes of assisting the commissioner,  
 20.20 there is established a Workers' Compensation Self-insurers' Advisory Committee of five  
 20.21 members that are employers authorized to self-insure in Minnesota. Three of the members  
 20.22 and three alternates shall be elected by the self-insurers' security fund board of trustees and  
 20.23 two members and two alternates shall be appointed by the commissioner. ~~Notwithstanding~~  
 20.24 ~~section 15.059, the advisory committee does not expire.~~

20.25 Sec. 7. Minnesota Statutes 2012, section 85.0146, subdivision 1, is amended to read:

20.26 Subdivision 1. **Advisory council created.** The Cuyuna Country State Recreation  
 20.27 Area Citizens Advisory Council is established. ~~Notwithstanding section 15.059, the~~  
 20.28 ~~council does not expire.~~ Membership on the advisory council shall include:

20.29 (1) a representative of the Cuyuna Range Mineland Recreation Area Joint Powers  
 20.30 Board;

20.31 (2) a representative of the Croft Mine Historical Park Joint Powers Board;

20.32 (3) a designee of the Cuyuna Range Mineland Reclamation Committee who has  
 20.33 worked as a miner in the local area;

20.34 (4) a representative of the Crow Wing County Board;

- 21.1 (5) an elected state official;
- 21.2 (6) a representative of the Grand Rapids regional office of the Department of Natural
- 21.3 Resources;
- 21.4 (7) a designee of the Iron Range Resources and Rehabilitation Board;
- 21.5 (8) a designee of the local business community selected by the area chambers of
- 21.6 commerce;
- 21.7 (9) a designee of the local environmental community selected by the Crow Wing
- 21.8 County District 5 commissioner;
- 21.9 (10) a designee of a local education organization selected by the Crosby-Ironton
- 21.10 School Board;
- 21.11 (11) a designee of one of the recreation area user groups selected by the Cuyuna
- 21.12 Range Chamber of Commerce; and
- 21.13 (12) a member of the Cuyuna Country Heritage Preservation Society.

21.14 Sec. 8. Minnesota Statutes 2012, section 89A.03, subdivision 5, is amended to read:

21.15 Subd. 5. **Membership regulation.** Terms, compensation, nomination, appointment,

21.16 and removal of council members are governed by section 15.059. ~~Section 15.059,~~

21.17 ~~subdivision 5, does not govern the expiration date of the council.~~

21.18 Sec. 9. Minnesota Statutes 2012, section 89A.08, subdivision 1, is amended to read:

21.19 Subdivision 1. **Establishment.** The council shall appoint a Forest Resources

21.20 Research Advisory Committee. ~~Notwithstanding section 15.059, the council does not~~

21.21 ~~expire.~~ The committee must consist of representatives of:

- 21.22 (1) the College of Natural Resources, University of Minnesota;
- 21.23 (2) the Natural Resources Research Institute, University of Minnesota;
- 21.24 (3) the department;
- 21.25 (4) the North Central Forest Experiment Station, United States Forest Service; and
- 21.26 (5) other organizations as deemed appropriate by the council.

21.27 Sec. 10. Minnesota Statutes 2012, section 93.0015, subdivision 3, is amended to read:

21.28 Subd. 3. **Expiration.** ~~Notwithstanding section 15.059, subdivision 5, or other law to~~

21.29 ~~the contrary,~~ The committee expires June 30, 2016.

21.30 Sec. 11. Minnesota Statutes 2012, section 97A.055, subdivision 4b, is amended to read:

21.31 Subd. 4b. **Citizen oversight committees.** (a) The commissioner shall appoint

21.32 committees of affected persons to review the reports prepared under subdivision 4; review

22.1 the proposed work plans and budgets for the coming year; propose changes in policies,  
22.2 activities, and revenue enhancements or reductions; review other relevant information;  
22.3 and make recommendations to the legislature and the commissioner for improvements in  
22.4 the management and use of money in the game and fish fund.

22.5 (b) The commissioner shall appoint the following committees, each comprised  
22.6 of at least ten affected persons:

22.7 (1) a Fisheries Oversight Committee to review fisheries funding and expenditures,  
22.8 including activities related to trout and salmon stamps and walleye stamps; and

22.9 (2) a Wildlife Oversight Committee to review wildlife funding and expenditures,  
22.10 including activities related to migratory waterfowl, pheasant, and wild turkey management  
22.11 and deer and big game management.

22.12 (c) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight  
22.13 Committee, and four additional members from each committee, shall form a Budgetary  
22.14 Oversight Committee to coordinate the integration of the fisheries and wildlife oversight  
22.15 committee reports into an annual report to the legislature; recommend changes on a broad  
22.16 level in policies, activities, and revenue enhancements or reductions; and provide a forum  
22.17 to address issues that transcend the fisheries and wildlife oversight committees.

22.18 (d) The Budgetary Oversight Committee shall develop recommendations for a  
22.19 biennial budget plan and report for expenditures on game and fish activities. By August 15  
22.20 of each even-numbered year, the committee shall submit the budget plan recommendations  
22.21 to the commissioner and to the senate and house of representatives committees with  
22.22 jurisdiction over natural resources finance.

22.23 (e) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight  
22.24 Committee shall be chosen by their respective committees. The chair of the Budgetary  
22.25 Oversight Committee shall be appointed by the commissioner and may not be the chair of  
22.26 either of the other oversight committees.

22.27 (f) The Budgetary Oversight Committee may make recommendations to the  
22.28 commissioner and to the senate and house of representatives committees with jurisdiction  
22.29 over natural resources finance for outcome goals from expenditures.

22.30 (g) ~~Notwithstanding section 15.059, subdivision 5, or other law to the contrary, The~~  
22.31 Fisheries Oversight Committee, the Wildlife Oversight Committee, and the Budgetary  
22.32 Oversight Committee ~~do not expire until June 30, 2015.~~

22.33 Sec. 12. Minnesota Statutes 2013 Supplement, section 103I.105, is amended to read:

22.34 **103I.105 ADVISORY COUNCIL ON WELLS AND BORINGS.**

23.1 (a) The Advisory Council on Wells and Borings is established as an advisory council  
23.2 to the commissioner. The advisory council shall consist of 18 voting members. Of the  
23.3 18 voting members:

23.4 (1) one member must be from the Department of Health, appointed by the  
23.5 commissioner of health;

23.6 (2) one member must be from the Department of Natural Resources, appointed  
23.7 by the commissioner of natural resources;

23.8 (3) one member must be a member of the Minnesota Geological Survey of the  
23.9 University of Minnesota, appointed by the director;

23.10 (4) one member must be a responsible individual for a licensed explorer;

23.11 (5) one member must be a certified representative of a licensed elevator boring  
23.12 contractor;

23.13 (6) two members must be members of the public who are not connected with the  
23.14 boring or well drilling industry;

23.15 (7) one member must be from the Pollution Control Agency, appointed by the  
23.16 commissioner of the Pollution Control Agency;

23.17 (8) one member must be from the Department of Transportation, appointed by the  
23.18 commissioner of transportation;

23.19 (9) one member must be from the Board of Water and Soil Resources appointed by  
23.20 its chair;

23.21 (10) one member must be a certified representative of a monitoring well contractor;

23.22 (11) six members must be residents of this state appointed by the commissioner, who  
23.23 are certified representatives of licensed well contractors, with not more than two from  
23.24 the seven-county metropolitan area and at least four from other areas of the state who  
23.25 represent different geographical regions; and

23.26 (12) one member must be a certified representative of a licensed bored geothermal  
23.27 heat exchanger contractor.

23.28 (b) An appointee of the well drilling industry may not serve more than two  
23.29 consecutive terms.

23.30 (c) The appointees to the advisory council from the well drilling industry must:

23.31 (1) have been residents of this state for at least three years before appointment; and

23.32 (2) have at least five years' experience in the well drilling business.

23.33 (d) The terms of the appointed members and the compensation and removal of all  
23.34 members are governed by section 15.059, ~~except section 15.059, subdivision 5, relating to~~  
23.35 ~~expiration of the advisory council does not apply.~~

24.1 Sec. 13. Minnesota Statutes 2012, section 116U.25, is amended to read:

24.2 **116U.25 EXPLORE MINNESOTA TOURISM COUNCIL.**

24.3 (a) The director shall be advised by the Explore Minnesota Tourism Council  
24.4 consisting of up to 28 voting members appointed by the governor for four-year terms,  
24.5 including:

24.6 (1) the director of Explore Minnesota Tourism who serves as the chair;

24.7 (2) eleven representatives of statewide associations representing bed and breakfast  
24.8 establishments, golf, festivals and events, counties, convention and visitor bureaus,  
24.9 lodging, resorts, trails, campgrounds, restaurants, and chambers of commerce;

24.10 (3) one representative from each of the tourism marketing regions of the state as  
24.11 designated by the office;

24.12 (4) six representatives of the tourism business representing transportation, retail,  
24.13 travel agencies, tour operators, travel media, and convention facilities;

24.14 (5) one or more ex officio nonvoting members including at least one from the  
24.15 University of Minnesota Tourism Center;

24.16 (6) four legislators, two from each house, one each from the two largest political  
24.17 party caucuses in each house, appointed according to the rules of the respective houses; and

24.18 (7) other persons, if any, as designated from time to time by the governor.

24.19 (b) The council shall act to serve the broader interests of tourism in Minnesota  
24.20 by promoting activities that support, maintain, and expand the state's domestic and  
24.21 international travel market, thereby generating increased visitor expenditures, tax revenue,  
24.22 and employment.

24.23 (c) Filling of membership vacancies is as provided in section 15.059. The terms of  
24.24 one-half of the members shall be coterminous with the governor and the terms of the  
24.25 remaining one-half of the members shall end on the first Monday in January one year after  
24.26 the terms of the other members. Members may serve until their successors are appointed  
24.27 and qualify. Members are not compensated. A member may be reappointed.

24.28 (d) The council shall meet at least four times per year and at other times determined  
24.29 by the council. ~~Notwithstanding section 15.059, the council does not expire.~~

24.30 (e) If compliance with section 13D.02 is impractical, the Explore Minnesota Tourism  
24.31 Council may conduct a meeting of its members by telephone or other electronic means so  
24.32 long as the following conditions are met:

24.33 (1) all members of the council participating in the meeting, wherever their physical  
24.34 location, can hear one another and can hear all discussion and testimony;



(2) members of the public present at the regular meeting location of the council can hear clearly all discussion and testimony and all votes of members of the council and, if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the council is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(f) Each member of the council participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(g) If telephone or other electronic means is used to conduct a meeting, the council, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The council may require the person making such a connection to pay for documented marginal costs that the council incurs as a result of the additional connection.

(h) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the council shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (g). The timing and method of providing notice is governed by section 13D.04.

Sec. 14. Minnesota Statutes 2013 Supplement, section 125A.28, is amended to read:

**125A.28 STATE INTERAGENCY COORDINATING COUNCIL.**

An Interagency Coordinating Council of at least 17, but not more than 25 members is established, in compliance with Public Law 108-446, section 641. The members must be appointed by the governor and reasonably represent the population of Minnesota. Council members must elect the council chair, who may not be a representative of the Department of Education. The council must be composed of at least five parents, including persons of color, of children with disabilities under age 12, including at least three parents of a child with a disability under age seven, five representatives of public or private providers of services for children with disabilities under age five, including a special education director, county social service director, local Head Start director, and a community health services or public health nursing administrator, one member of the senate, one member of the house of representatives, one representative of teacher preparation programs in early childhood-special education or other preparation programs in early childhood intervention, at least one representative of advocacy organizations for children with disabilities under age five, one physician who cares for young children with special health care needs, one

26.1 representative each from the commissioners of commerce, education, health, human  
26.2 services, a representative from the state agency responsible for child care, foster care,  
26.3 mental health, homeless coordinator of education of homeless children and youth, and a  
26.4 representative from Indian health services or a tribal council. Section 15.059, subdivisions  
26.5 2 to ~~5~~ 4, apply to the council. The council must meet at least quarterly.

26.6 The council must address methods of implementing the state policy of developing  
26.7 and implementing comprehensive, coordinated, multidisciplinary interagency programs of  
26.8 early intervention services for children with disabilities and their families.

26.9 The duties of the council include recommending policies to ensure a comprehensive  
26.10 and coordinated system of all state and local agency services for children under age five  
26.11 with disabilities and their families. The policies must address how to incorporate each  
26.12 agency's services into a unified state and local system of multidisciplinary assessment  
26.13 practices, individual intervention plans, comprehensive systems to find children in need of  
26.14 services, methods to improve public awareness, and assistance in determining the role of  
26.15 interagency early intervention committees.

26.16 On the date that Minnesota Part C Annual Performance Report is submitted to the  
26.17 federal Office of Special Education, the council must recommend to the governor and the  
26.18 commissioners of education, health, human services, commerce, and employment and  
26.19 economic development policies for a comprehensive and coordinated system.

26.20 Annually, the council must prepare and submit a report to the governor and the  
26.21 secretary of the federal Department of Education on the status of early intervention  
26.22 services and programs for infants and toddlers with disabilities and their families under  
26.23 the Individuals with Disabilities Education Act, United States Code, title 20, sections  
26.24 1471 to 1485 (Part C, Public Law 102-119), as operated in Minnesota. The Minnesota  
26.25 Part C annual performance report may serve as the report.

26.26 Notwithstanding any other law to the contrary, the State Interagency Coordinating  
26.27 Council does not expire unless federal law no longer requires the existence of the council  
26.28 or committee.

26.29 Sec. 15. Minnesota Statutes 2012, section 134.31, subdivision 6, is amended to read:

26.30 Subd. 6. **Advisory committee.** The commissioner shall appoint an advisory  
26.31 committee of five members to advise the staff of the Minnesota Braille and Talking Book  
26.32 Library on long-range plans and library services. Members shall be people who use the  
26.33 library. Section 15.059 governs this committee ~~except that the committee shall not expire.~~

26.34 Sec. 16. Minnesota Statutes 2012, section 144.1255, subdivision 1, is amended to read:

Subdivision 1. **Creation and membership.** (a) By July 1, 2003, the commissioner of health shall appoint an advisory committee to provide advice and recommendations to the commissioner concerning tests and treatments for heritable and congenital disorders found in newborn children. Membership of the committee shall include, but not be limited to, at least one member from each of the following representative groups:

- (1) parents and other consumers;
- (2) primary care providers;
- (3) clinicians and researchers specializing in newborn diseases and disorders;
- (4) genetic counselors;
- (5) birth hospital representatives;
- (6) newborn screening laboratory professionals;
- (7) nutritionists; and
- (8) other experts as needed representing related fields such as emerging technologies and health insurance.

(b) The terms and removal of members are governed by section 15.059. Members shall not receive per diems but shall be compensated for expenses. ~~Notwithstanding section 15.059, subdivision 5, the advisory committee does not expire.~~

Sec. 17. Minnesota Statutes 2012, section 144.1481, subdivision 1, is amended to read:

Subdivision 1. **Establishment; membership.** The commissioner of health shall establish a 15-member Rural Health Advisory Committee. The committee shall consist of the following members, all of whom must reside outside the seven-county metropolitan area, as defined in section 473.121, subdivision 2:

- (1) two members from the house of representatives of the state of Minnesota, one from the majority party and one from the minority party;
- (2) two members from the senate of the state of Minnesota, one from the majority party and one from the minority party;
- (3) a volunteer member of an ambulance service based outside the seven-county metropolitan area;
- (4) a representative of a hospital located outside the seven-county metropolitan area;
- (5) a representative of a nursing home located outside the seven-county metropolitan area;
- (6) a medical doctor or doctor of osteopathy licensed under chapter 147;
- (7) a midlevel practitioner;
- (8) a registered nurse or licensed practical nurse;

(9) a licensed health care professional from an occupation not otherwise represented on the committee;

(10) a representative of an institution of higher education located outside the seven-county metropolitan area that provides training for rural health care providers; and

(11) three consumers, at least one of whom must be an advocate for persons who are mentally ill or developmentally disabled.

The commissioner will make recommendations for committee membership. Committee members will be appointed by the governor. In making appointments, the governor shall ensure that appointments provide geographic balance among those areas of the state outside the seven-county metropolitan area. The chair of the committee shall be elected by the members. The advisory committee is governed by section 15.059, except that the members do not receive per diem compensation. ~~Notwithstanding section 15.059, the advisory committee does not expire.~~

Sec. 18. Minnesota Statutes 2012, section 144.608, subdivision 2, is amended to read:

Subd. 2. **Council administration.** (a) The council must meet at least twice a year but may meet more frequently at the call of the chair, a majority of the council members, or the commissioner.

(b) The terms, compensation, and removal of members of the council are governed by section 15.059, ~~except that~~. The council expires June 30, 2015.

(c) The council may appoint subcommittees and work groups. Subcommittees shall consist of council members. Work groups may include noncouncil members. Noncouncil members shall be compensated for work group activities under section 15.059, subdivision 3, but shall receive expenses only.

Sec. 19. Minnesota Statutes 2012, section 145A.10, subdivision 10, is amended to read:

Subd. 10. **State and local advisory committees.** (a) A State Community Health Advisory Committee is established to advise, consult with, and make recommendations to the commissioner on the development, maintenance, funding, and evaluation of community health services. Each community health board may appoint a member to serve on the committee. The committee must meet at least quarterly, and special meetings may be called by the committee chair or a majority of the members. Members or their alternates may be reimbursed for travel and other necessary expenses while engaged in their official duties. ~~Notwithstanding section 15.059, the State Community Health Advisory Committee does not expire.~~

29.1 (b) The city councils or county boards that have established or are members of a  
29.2 community health board may appoint a community health advisory committee to advise,  
29.3 consult with, and make recommendations to the community health board on the duties  
29.4 under subdivision 5a.

29.5 Sec. 20. Minnesota Statutes 2012, section 148.7805, subdivision 2, is amended to read:

29.6 Subd. 2. **Administration.** The advisory council is established and administered  
29.7 under section 15.059. ~~Notwithstanding section 15.059, subdivision 5, the council shall~~  
29.8 ~~not expire.~~

29.9 Sec. 21. Minnesota Statutes 2012, section 153A.20, subdivision 2, is amended to read:

29.10 Subd. 2. **Organization.** The advisory council shall be organized and administered  
29.11 according to section 15.059, ~~except that, notwithstanding any other law to the contrary, the~~  
29.12 ~~advisory council shall not expire.~~ The council may form committees to carry out its duties.

29.13 Sec. 22. Minnesota Statutes 2012, section 162.07, subdivision 5, is amended to read:

29.14 Subd. 5. **Screening board.** ~~(a)~~ On or before September 1 of each year the county  
29.15 engineer of each county shall forward to the commissioner, on forms prepared by the  
29.16 commissioner, all information relating to the mileage, in lane-miles, of the county state-aid  
29.17 highway system in the county, and the money needs of the county that the commissioner  
29.18 deems necessary in order to apportion the county state-aid highway fund in accordance  
29.19 with the formula heretofore set forth. Upon receipt of the information the commissioner  
29.20 shall appoint a board consisting of the following county engineers:

29.21 (1) two county engineers from the metropolitan highway construction district;

29.22 (2) one county engineer from each nonmetropolitan highway district; and

29.23 (3) one additional county engineer from each county with a population of 175,000  
29.24 or more.

29.25 No county engineer shall be appointed under clause (1) or (2) so as to serve  
29.26 consecutively for more than four years. The board shall investigate and review the  
29.27 information submitted by each county and shall on or before the first day of November  
29.28 of each year submit its findings and recommendations in writing as to each county's  
29.29 lane-mileage and money needs to the commissioner on a form prepared by the  
29.30 commissioner. Final determination of the lane-mileage of each system and the money  
29.31 needs of each county shall be made by the commissioner.

29.32 ~~(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.~~

30.1 Sec. 23. Minnesota Statutes 2012, section 162.13, subdivision 3, is amended to read:

30.2 Subd. 3. **Screening board.** (a) On or before September 1 of each year, the engineer  
30.3 of each city having a population of 5,000 or more shall forward to the commissioner on  
30.4 forms prepared by the commissioner, all information relating to the money needs of the  
30.5 city that the commissioner deems necessary in order to apportion the municipal state-aid  
30.6 street fund in accordance with the apportionment formula heretofore set forth. Upon  
30.7 receipt of the information the commissioner shall appoint a board of city engineers. The  
30.8 board shall be composed of one engineer from each state highway construction district,  
30.9 and in addition thereto, one engineer from each city of the first class. The board shall  
30.10 investigate and review the information submitted by each city. On or before November  
30.11 1 of each year, the board shall submit its findings and recommendations in writing as to  
30.12 each city's money needs to the commissioner on a form prepared by the commissioner.  
30.13 Final determination of the money needs of each city shall be made by the commissioner.  
30.14 In the event that any city shall fail to submit the information provided for herein, the  
30.15 commissioner shall estimate the money needs of the city. The estimate shall be used in  
30.16 solving the apportionment formula. The commissioner may withhold payment of the  
30.17 amount apportioned to the city until the information is submitted.

30.18 ~~(b) Notwithstanding section 15.059, subdivision 5, the board does not expire.~~

30.19 Sec. 24. Minnesota Statutes 2012, section 174.52, subdivision 3, is amended to read:

30.20 Subd. 3. **Advisory committee.** (a) The commissioner shall establish an advisory  
30.21 committee consisting of five members, including:

30.22 (1) one county commissioner;

30.23 (2) one county engineer;

30.24 (3) one city engineer;

30.25 (4) one city council member or city administrator representing a city with a  
30.26 population over 5,000; and

30.27 (5) one city council member or city administrator representing a city with a  
30.28 population under 5,000. The advisory committee shall provide recommendations to the  
30.29 commissioner regarding expenditures from the trunk highway corridor projects account.

30.30 ~~(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.~~

30.31 Sec. 25. Minnesota Statutes 2012, section 175.007, subdivision 1, is amended to read:

30.32 Subdivision 1. **Creation; composition.** (a) There is created a permanent Council on  
30.33 Workers' Compensation consisting of 12 voting members as follows: the presidents of the  
30.34 largest statewide Minnesota business and organized labor organizations as measured by

the number of employees of its business members and in its affiliated labor organizations in Minnesota on July 1, 1992, and every five years thereafter; five additional members representing business, and five additional members representing organized labor. The commissioner of labor and industry shall serve as chair of the council and shall be a nonvoting member. ~~Notwithstanding section 15.059,~~ This council does not expire unless the council no longer fulfills the purpose for which the council was established, the council has not met in the last 18 months, or the council does not comply with the registration requirements of section 15.0599, subdivision 3.

(b) The governor, the majority leader of the senate, the speaker of the house, the minority leader of the senate, and the minority leader of the house of representatives shall each select a business and a labor representative. At least four of the labor representatives shall be chosen from the affiliated membership of the Minnesota AFL-CIO. At least two of the business representatives shall be representatives of small employers as defined in section 177.24, subdivision 1, paragraph (a), clause (2). None of the council members shall represent attorneys, health care providers, qualified rehabilitation consultants, or insurance companies. If the appointing officials cannot agree on a method of appointing the required number of Minnesota AFL-CIO and small business representatives by the second Monday in June of the year in which appointments are made, they shall notify the secretary of state. The distribution of appointments shall then be determined publicly by lot by the secretary of state or a designee in the presence of the appointing officials or their designees on the third Monday in June.

(c) Each council member shall appoint an alternate. Alternates shall serve in the absence of the member they replace.

(d) The ten appointed voting members shall serve for terms of five years and may be reappointed.

(e) The council shall designate liaisons to the council representing workers' compensation insurers; medical, hospital, and rehabilitation providers; and the legal profession. The speaker and minority leader of the house of representatives shall each appoint a caucus member as a liaison to the council. The majority and minority leaders of the senate shall each appoint a caucus member to serve as a liaison to the council.

(f) The compensation and removal of members shall be as provided in section 15.059.

Sec. 26. Minnesota Statutes 2012, section 182.656, subdivision 3, is amended to read:

Subd. 3. **Meetings.** A majority of the council members constitutes a quorum. The council shall meet at the call of its chair, or upon request of any six members. A tape recording of the meeting with the tape being retained for a one-year period will be

32.1 available upon the request and payment of costs to any interested party. The council shall  
32.2 expire and the terms, compensation, and removal of members shall be as provided in  
32.3 section 15.059, ~~except that the council shall not expire.~~

32.4 Sec. 27. Minnesota Statutes 2012, section 214.13, subdivision 4, is amended to read:

32.5 Subd. 4. **Delegation of regulation activities.** The commissioner of health shall  
32.6 wherever possible delegate the administration of regulation activities to a health-related  
32.7 licensing board with the concurrence of that board. If the commissioner of health delegates  
32.8 this function, the licensing board may regularly bill the commissioner of health for the  
32.9 cost of performing this function. The licensing board may directly set and charge fees  
32.10 in accordance with the provisions of section 214.06. The commissioner of health may  
32.11 establish an advisory council to advise the commissioner or the appropriate health-related  
32.12 licensing board on matters relating to the registration and regulation of an occupation.  
32.13 A council shall have seven members appointed by the commissioner of which five are  
32.14 members of the registered occupation or related registered or licensed occupations, and  
32.15 two are public members. ~~A council shall expire, and~~ The terms, compensation, and  
32.16 removal of members shall be as provided in section 15.059.

32.17 Sec. 28. Minnesota Statutes 2012, section 240.18, subdivision 4, is amended to read:

32.18 Subd. 4. **Rules; advisory committees.** The commission shall adopt rules governing  
32.19 the distribution of the fund. The commission may establish advisory committees to advise  
32.20 it on the distribution of money under this section, provided that the members of an  
32.21 advisory committee shall serve without compensation. ~~The expiration date provided in~~  
32.22 ~~section 15.059, subdivision 5, does not apply to this subdivision.~~

32.23 Sec. 29. Minnesota Statutes 2012, section 243.1606, subdivision 4, is amended to read:

32.24 Subd. 4. **Expiration; expenses.** The provisions of section 15.059 apply to the  
32.25 council ~~except that it does not expire.~~

32.26 Sec. 30. Minnesota Statutes 2012, section 256B.0625, subdivision 13i, is amended to  
32.27 read:

32.28 Subd. 13i. **Drug Utilization Review Board; report.** (a) A nine-member Drug  
32.29 Utilization Review Board is established. The board must be comprised of at least three  
32.30 but no more than four licensed physicians actively engaged in the practice of medicine  
32.31 in Minnesota; at least three licensed pharmacists actively engaged in the practice of  
32.32 pharmacy in Minnesota; and one consumer representative. The remainder must be made



33.1 up of health care professionals who are licensed in their field and have recognized  
33.2 knowledge in the clinically appropriate prescribing, dispensing, and monitoring of covered  
33.3 outpatient drugs. Members of the board must be appointed by the commissioner, shall  
33.4 serve three-year terms, and may be reappointed by the commissioner. The board shall  
33.5 annually elect a chair from among its members.

33.6 (b) The board must be staffed by an employee of the department who shall serve as  
33.7 an ex officio nonvoting member of the board.

33.8 (c) The commissioner shall, with the advice of the board:

33.9 (1) implement a medical assistance retrospective and prospective drug utilization  
33.10 review program as required by United States Code, title 42, section 1396r-8, subsection  
33.11 (g), paragraph (3);

33.12 (2) develop and implement the predetermined criteria and practice parameters for  
33.13 appropriate prescribing to be used in retrospective and prospective drug utilization review;

33.14 (3) develop, select, implement, and assess interventions for physicians, pharmacists,  
33.15 and patients that are educational and not punitive in nature;

33.16 (4) establish a grievance and appeals process for physicians and pharmacists under  
33.17 this section;

33.18 (5) publish and disseminate educational information to physicians and pharmacists  
33.19 regarding the board and the review program;

33.20 (6) adopt and implement procedures designed to ensure the confidentiality of any  
33.21 information collected, stored, retrieved, assessed, or analyzed by the board, staff to  
33.22 the board, or contractors to the review program that identifies individual physicians,  
33.23 pharmacists, or recipients;

33.24 (7) establish and implement an ongoing process to:

33.25 (i) receive public comment regarding drug utilization review criteria and standards;  
33.26 and

33.27 (ii) consider the comments along with other scientific and clinical information in  
33.28 order to revise criteria and standards on a timely basis; and

33.29 (8) adopt any rules necessary to carry out this section.

33.30 (d) The board may establish advisory committees. The commissioner may contract  
33.31 with appropriate organizations to assist the board in carrying out the board's duties.  
33.32 The commissioner may enter into contracts for services to develop and implement a  
33.33 retrospective and prospective review program.

33.34 (e) The board shall report to the commissioner annually on the date the drug  
33.35 utilization review annual report is due to the Centers for Medicare and Medicaid Services.  
33.36 This report must cover the preceding federal fiscal year. The commissioner shall make the

report available to the public upon request. The report must include information on the activities of the board and the program; the effectiveness of implemented interventions; administrative costs; and any fiscal impact resulting from the program. An honorarium of \$100 per meeting and reimbursement for mileage must be paid to each board member in attendance.

(f) This subdivision is exempt from the provisions of section 15.059.

~~Notwithstanding section 15.059, subdivision 5, the board is permanent and does not expire.~~

Sec. 31. Minnesota Statutes 2012, section 256C.28, subdivision 1, is amended to read:

Subdivision 1. **Membership.** The Commission of Deaf, DeafBlind and Hard-of-Hearing Minnesotans consists of seven members appointed at large and one member from each advisory committee established under section 256C.24, subdivision 3. At least 50 percent of the members must be deaf or deafblind or hard of hearing. Members shall include persons who are deaf, deafblind, and hard of hearing, parents of children who are deaf, deafblind, and hard of hearing, and representatives of county and regional human services, including representatives of private service providers. Commission members are appointed by the governor for a three-year term and shall serve no more than two consecutive terms. The commission shall select one member as chair. ~~Notwithstanding section 15.059, the commission does not expire.~~

Sec. 32. Minnesota Statutes 2012, section 270C.12, subdivision 5, is amended to read:

Subd. 5. **Duration.** Notwithstanding the provisions of any statutes to the contrary, ~~including section 15.059,~~ the coordinating committee as established by this section to oversee and coordinate preparation of the microdata samples of income tax returns and other information shall not expire.

Sec. 33. Minnesota Statutes 2012, section 298.2213, subdivision 5, is amended to read:

Subd. 5. **Advisory committees.** Before submission to the board of a proposal for a project for expenditure of money appropriated under this section, the commissioner of Iron Range resources and rehabilitation shall appoint a technical advisory committee consisting of at least seven persons who are knowledgeable in areas related to the objectives of the proposal. If the project involves investment in a scientific research proposal, at least four of the committee members must be knowledgeable in the specific scientific research area relating to the project. Members of the committees must be compensated as provided in section 15.059, subdivision 3. The board shall not act on a proposal until it

35.1 has received the evaluation and recommendations of the technical advisory committee.

35.2 ~~Notwithstanding section 15.059, the committees do not expire.~~

35.3 Sec. 34. Minnesota Statutes 2012, section 298.2214, subdivision 1, is amended to read:

35.4 Subdivision 1. **Creation of committee; purpose.** A committee is created to  
35.5 advise the commissioner of Iron Range resources and rehabilitation on providing higher  
35.6 education programs in the taconite assistance area defined in section 273.1341. The  
35.7 committee is subject to section 15.059 ~~but does not expire.~~

35.8 Sec. 35. Minnesota Statutes 2012, section 298.297, is amended to read:

35.9 **298.297 ADVISORY COMMITTEES.**

35.10 Before submission of a project to the board, the commissioner of Iron Range  
35.11 resources and rehabilitation shall appoint a technical advisory committee consisting of  
35.12 one or more persons who are knowledgeable in areas related to the objectives of the  
35.13 proposal. Members of the committees shall be compensated as provided in section 15.059,  
35.14 subdivision 3. The board shall not act on a proposal until it has received the evaluation  
35.15 and recommendations of the technical advisory committee or until 15 days have elapsed  
35.16 since the proposal was transmitted to the advisory committee, whichever occurs first.  
35.17 ~~Notwithstanding section 15.059, the committees do not expire.~~

35.18 Sec. 36. Minnesota Statutes 2012, section 299E.04, subdivision 5, is amended to read:

35.19 Subd. 5. **Expiration.** ~~Notwithstanding section 15.059, subdivision 5,~~ The advisory  
35.20 committee on Capitol Area Security expires June 30, 2022.

35.21 Sec. 37. Minnesota Statutes 2012, section 326B.07, subdivision 1, is amended to read:

35.22 Subdivision 1. **Membership.** (a) The Construction Codes Advisory Council  
35.23 consists of the following members:

35.24 (1) the commissioner or the commissioner's designee representing the department's  
35.25 Construction Codes and Licensing Division;

35.26 (2) the commissioner of public safety or the commissioner of public safety's  
35.27 designee representing the Department of Public Safety's State Fire Marshal Division;

35.28 (3) one member, appointed by the commissioner, engaged in each of the following  
35.29 occupations or industries:

35.30 (i) certified building officials;

35.31 (ii) fire chiefs or fire marshals;

35.32 (iii) licensed architects;

- 36.1 (iv) licensed professional engineers;
- 36.2 (v) commercial building owners and managers;
- 36.3 (vi) the licensed residential building industry;
- 36.4 (vii) the commercial building industry;
- 36.5 (viii) the heating and ventilation industry;
- 36.6 (ix) a member of the Plumbing Board;
- 36.7 (x) a member of the Board of Electricity;
- 36.8 (xi) a member of the Board of High Pressure Piping Systems;
- 36.9 (xii) the boiler industry;
- 36.10 (xiii) the manufactured housing industry;
- 36.11 (xiv) public utility suppliers;
- 36.12 (xv) the Minnesota Building and Construction Trades Council; and
- 36.13 (xvi) local units of government.

36.14 (b) The commissioner or the commissioner's designee representing the department's  
 36.15 Construction Codes and Licensing Division shall serve as chair of the advisory council.  
 36.16 For members who are not state officials or employees, compensation and removal of  
 36.17 members of the advisory council are governed by section 15.059. The terms of the  
 36.18 members of the advisory council shall be four years. The terms of eight of the appointed  
 36.19 members shall be coterminous with the governor and the terms of the remaining nine  
 36.20 appointed members shall end on the first Monday in January one year after the terms of  
 36.21 the other appointed members expire. An appointed member may be reappointed. Each  
 36.22 council member shall appoint an alternate to serve in their absence. ~~The committee is not~~  
 36.23 ~~subject to the expiration provision of section 15.059, subdivision 5.~~

36.24 Sec. 38. **REVISOR'S INSTRUCTION.**

36.25 The revisor of statutes shall: (1) remove cross-references to the sections repealed  
 36.26 in articles 1 to 8 wherever they appear in Minnesota Statutes and Minnesota Rules; and  
 36.27 (2) make changes necessary to correct the punctuation, grammar, or structure of the  
 36.28 remaining text and preserve its meaning.

36.29 Sec. 39. **REPEALER.**

36.30 Minnesota Statutes 2012, sections 15B.32, subdivision 7; 127A.70, subdivision 3;  
 36.31 136A.031, subdivision 5; 147E.35, subdivision 4; 241.021, subdivision 4c; and 245.97,  
 36.32 subdivision 7, are repealed.

APPENDIX  
Article locations in 14-3996

ARTICLE 1	STATE GOVERNMENT .....	Page.Ln 2.1
	ENVIRONMENT, NATURAL RESOURCES, AND	
ARTICLE 2	AGRICULTURE .....	Page.Ln 5.6
ARTICLE 3	EDUCATION .....	Page.Ln 6.15
ARTICLE 4	TRANSPORTATION .....	Page.Ln 7.12
ARTICLE 5	COMMERCE AND ECONOMIC DEVELOPMENT .....	Page.Ln 8.3
ARTICLE 6	PUBLIC SAFETY .....	Page.Ln 10.28
ARTICLE 7	HEALTH AND HUMAN SERVICES .....	Page.Ln 14.10
ARTICLE 8	CONFORMING CHANGES .....	Page.Ln 18.10

**6.81 COLLABORATIVE GOVERNANCE COUNCIL.**

Subdivision 1. **Establishment; purpose; membership.** (a) A collaborative governance council is established and shall include major statewide governmental entities and nongovernmental statewide organizations as provided in this subdivision. The council has nine members, including the state auditor and one member appointed by and serving at the pleasure of each of the following:

- (1) League of Minnesota Cities;
- (2) Minnesota Association of Townships;
- (3) Association of Minnesota Counties;
- (4) Minnesota School Board Association;
- (5) American Federation of State, County, and Municipal Employees Council 5;
- (6) Education Minnesota;
- (7) Service Employees International Union; and
- (8) the Minnesota Chamber of Commerce.

The appointing authorities under this section shall complete their initial appointments no later than July 1, 2010.

(b) The council shall seek input from nonmember organizations whose expertise can help inform the council's work.

(c) In conjunction with the state auditor's duties to recommend best practices for delivery of local government services, the state auditor shall serve as chair of the council and shall convene the first meeting by July 31, 2010. The council must meet at least quarterly and must provide notice of its meetings to the public and to the members of the legislative committees and divisions with jurisdiction over state and local government, education policy and finance, and early childhood through grade 12 education policy and finance. Meetings of the council shall be open to the public.

(d) Members do not receive compensation or reimbursement of expenses from the council for service on the council.

Subd. 2. **Powers and duties; report.** (a) The council shall develop recommendations to the governor and the legislature designed to increase collaboration in government. These recommendations may include, but are not limited to, strategies, policies, or other actions focused on the following:

- (1) the review of statutes, laws, and rules that slow or prevent collaboration efforts;
- (2) the use of collaboration to improve the delivery of governmental services;
- (3) the use of technology to connect entities and share information, including broadband access;
- (4) the modernization of financial transactions and their oversight by facilitating credit and debit card transactions, electronic funds, transfers, and electronic data interchange; and
- (5) the creation of model forms for joint power agreements.

(b) By February 1 of each year, the council shall submit its recommendations, including any draft legislation necessary to implement its recommendations, to the governor and to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over state and local government policy and finance and early childhood through grade 12 education policy and finance.

Subd. 3. **Expiration.** This section expires June 30, 2015.

**15.059 ADVISORY COUNCILS AND COMMITTEES.**

Subd. 5. **Expiration date.** (a) Unless a different date is specified by law, the existence of each advisory council and committee expires on the date specified in the law establishing the group or on June 30, 2009, whichever is sooner. This subdivision applies whether or not the law establishing the group provides that the group is governed by this section. The secretary of state must notify the primary appointing authority or chair of an advisory council or committee of its scheduled expiration before the start of the annual legislative session immediately preceding the group's scheduled expiration.

- (b) An advisory council or committee does not expire in accordance with paragraph (a) if it:
- (1) is an occupational licensure advisory group to a licensing board or agency;
  - (2) administers and awards grants; or
  - (3) is required by federal law or regulation.

## APPENDIX

Repealed Minnesota Statutes: 14-3996

Subd. 5b. **Continuation dependent on federal law.** Notwithstanding this section, the following councils and committees do not expire unless federal law no longer requires the existence of the council or committee:

- (1) Rehabilitation Council for the Blind, created in section 248.10;
- (2) Juvenile Justice Advisory Committee, created in section 299A.72;
- (3) Governor's Workforce Development Council, created in section 116L.665;
- (4) local workforce councils, created in section 116L.666, subdivision 2;
- (5) Rehabilitation Council, created in section 268A.02, subdivision 2;
- (6) Statewide Independent Living Council, created in section 268A.02, subdivision 2; and
- (7) Interagency Coordinating Council, created in section 125A.28.

### **15B.32 STATE CAPITOL PRESERVATION COMMISSION.**

Subd. 7. **Expiration.** Notwithstanding section 15.059, subdivision 5, the State Capitol Preservation Commission does not expire.

### **16E.0475 ADVISORY COMMITTEE FOR TECHNOLOGY STANDARDS FOR ACCESSIBILITY AND USABILITY.**

Subdivision 1. **Membership.** (a) The Advisory Committee for Technology Standards for Accessibility and Usability consists of ten members, appointed as follows:

- (1) the state chief information officer, or the state chief information officer's designee;
  - (2) a representative from State Services for the Blind, appointed by the commissioner of employment and economic development;
  - (3) the commissioner of administration, or the commissioner's designee;
  - (4) a representative selected by the Minnesota system of technology to achieve results program;
  - (5) a representative selected by the Commission of Deaf, DeafBlind, and Hard-of-Hearing Minnesotans;
  - (6) the commissioner of education, or the commissioner's designee;
  - (7) the commissioner of health, or the commissioner's designee;
  - (8) the commissioner of human services, or the commissioner's designee;
  - (9) one representative from the Minnesota judicial system designated by the chief justice;
- and
- (10) one staff member from the legislature, appointed by the chair of the Legislative Coordinating Commission.

(b) The appointing authorities under this subdivision must use their best efforts to ensure that the membership of the advisory committee includes at least one representative who is deaf, hard-of-hearing, or deafblind and at least one representative who is blind.

(c) The advisory committee shall elect a chair from its membership.

Subd. 2. **Duties.** (a) The advisory committee shall:

- (1) review processes to be used for the evaluation or certification of accessibility of technology against accessibility standards;
- (2) review the exception process and thresholds for any deviation from the accessibility standards;
- (3) identify, in consultation with state agencies serving Minnesotans with disabilities, resources for training and technical assistance for state agency staff, including instruction regarding compliance with accessibility standards;
- (4) convene customer groups composed of individuals with disabilities to assist in implementation of accessibility standards;
- (5) review customer comments about accessibility and usability issues collected by State Services for the Blind;
- (6) develop proposals for funding captioning of live videoconferencing, live Webcasts, Web streaming, podcasts, and other emerging technologies;
- (7) provide advice and recommendations regarding the technology accessibility program operation and objectives;
- (8) review and make recommendations regarding individual agency accessibility plans;
- (9) review and make recommendations regarding new or amended accessibility standards and policies;
- (10) review and make recommendations regarding assessments of progress in implementing accessibility standards; and

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(11) consult with the chief information officer, if the chief information officer determines that any accessibility standard poses an undue burden to the state.

(b) The advisory committee shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over state technology systems by January 15 each year regarding the findings, progress, and recommendations made by the advisory committee under this subdivision. The report shall include any draft legislation necessary to implement the committee's recommendations.

Subd. 3. **Terms, compensation, and removal.** The terms, compensation, and removal of members are governed by section 15.059.

Subd. 4. **Expiration.** This section expires June 30, 2013.

### **43A.316 PUBLIC EMPLOYEES INSURANCE PROGRAM.**

Subd. 4. **Labor-Management Committee.** The Labor-Management Committee consists of ten members appointed by the commissioner. The Labor-Management Committee must comprise five members who represent employees, including at least one retired employee, and five members who represent eligible employers. Committee members are eligible for expense reimbursement in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. The commissioner shall consult with the labor-management committee in major decisions that affect the program. The committee shall study issues relating to the insurance program including, but not limited to, flexible benefits, utilization review, quality assessment, and cost efficiency. The committee continues to exist while the program remains in operation.

### **43A.317 MINNESOTA EMPLOYEES INSURANCE PROGRAM.**

Subd. 4. **Advisory committee.** After the commissioner consults as required in subdivision 3 and then determines to make the program available, the commissioner shall establish a ten-member advisory committee that includes five members who represent eligible employers and five members who represent eligible individuals. The committee shall advise the commissioner on issues related to administration of the program. The committee is governed by sections 15.014 and 15.059, and continues to exist while the program remains in operation.

### **62U.09 HEALTH CARE REFORM REVIEW COUNCIL.**

Subdivision 1. **Establishment.** The Health Care Reform Review Council is established for the purpose of periodically reviewing the progress of implementation of this chapter and sections 256B.0751 to 256B.0754.

Subd. 2. **Members.** (a) The Health Care Reform Review Council shall consist of 16 members who are appointed as follows:

- (1) two members appointed by the Minnesota Medical Association, at least one of whom must represent rural physicians;
- (2) one member appointed by the Minnesota Nurses Association;
- (3) two members appointed by the Minnesota Hospital Association, at least one of whom must be a rural hospital administrator;
- (4) one member appointed by the Minnesota Academy of Physician Assistants;
- (5) one member appointed by the Minnesota Business Partnership;
- (6) one member appointed by the Minnesota Chamber of Commerce;
- (7) one member appointed by the SEIU Minnesota State Council;
- (8) one member appointed by the AFL-CIO;
- (9) one member appointed by the Minnesota Council of Health Plans;
- (10) one member appointed by the Smart Buy Alliance;
- (11) one member appointed by the Minnesota Medical Group Management Association;
- (12) one consumer member appointed by AARP Minnesota;
- (13) one member appointed by the Minnesota Psychological Association; and
- (14) one member appointed by the Minnesota Chiropractic Association.

(b) If a member is no longer able or eligible to participate, a new member shall be appointed by the entity that appointed the outgoing member.

Subd. 3. **Operations of council.** (a) The commissioner of health shall convene the first meeting of the council on or before January 15, 2009, following the initial appointment of the members and the advisory council must meet at least quarterly thereafter.



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(b) The council is governed by section 15.059, except that members shall not receive per diems and the council does not expire.

### **82B.021 DEFINITIONS.**

Subd. 10. **Board.** "Board" means the Real Estate Appraisal Advisory Board established under section 82B.05.

### **82B.05 REAL ESTATE APPRAISER ADVISORY BOARD.**

Subdivision 1. **Members.** The Real Estate Appraiser Advisory Board consists of nine members appointed by the commissioner of commerce. Three of the members must be consumers of appraisal services, of whom one member must be employed in the financial lending industry, and six must be real estate appraisers who are currently licensed in good standing, of whom three members must be certified residential real property appraisers and three members must be certified general real property appraisers. At least one member of the board must be certified by the Appraisal Qualification Board of the Appraisal Foundation to teach the Uniform Standards of Professional Appraisal Practice. Each of the three categories of members must include at least one member who lives or works outside of the seven-county metropolitan area. The board is governed by section 15.0575.

Subd. 3. **Terms.** The term of office for members is three years.

Upon expiration of their terms, members of the board shall continue to hold office until the appointment and qualification of their successors. No person may serve as a member of the board for more than two consecutive terms. The commissioner may remove a member for cause.

Subd. 5. **Conduct of meetings.** Places of regular board meetings must be decided by the vote of members. Written notice must be given to each member of the time and place of each meeting of the board at least ten days before the scheduled date of regular board meetings. The board shall establish procedures for emergency board meetings and other operational procedures, subject to the approval of the commissioner.

The members of the board shall elect a chair to preside at board meetings, a vice-chair, and a secretary from among the members.

A quorum of the board is five members.

The board shall meet at least once every three months as determined by a majority vote of the members or a call of the commissioner.

Subd. 6. **Compensation.** Each member of the board is entitled to a per diem allowance of \$35 for each meeting of the board at which the member is present and for each day or substantial part of a day actually spent in the conduct of the business of the board, plus all appropriate expenses unless a greater amount is authorized by section 15.0575.

Subd. 7. **Enforcement data.** The commissioner shall, on a regular basis, provide the board with the commissioner's public enforcement data.

### **82B.06 POWERS OF THE BOARD.**

The board shall make recommendations to the commissioner as the commissioner requests or at the board's own initiative on:

(1) rules with respect to each category of licensed real estate appraiser, the type of educational experience, appraisal experience, and equivalent experience that will meet the requirements of this chapter;

(2) examination specifications for each category of licensed real estate appraiser, to assist in providing or obtaining appropriate examination questions and answers, and procedures for grading examinations;

(3) rules with respect to each category of licensed real estate appraiser, the continuing education requirements for the renewal of licensing that will meet the requirements provided in this chapter;

(4) periodic review of the standards for the development and communication of real estate appraisals provided in this chapter and rules explaining and interpreting the standards; and

(5) other matters necessary in carrying out the provisions of this chapter.

### **84.964 INTERAGENCY NATIVE VEGETATION TASK FORCE.**

(a) An interagency task force on native plant conservation is established composed of the commissioners or their designees of the Departments of Agriculture, Natural Resources, Transportation, and the Pollution Control Agency and the executive director or designee of the

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Board of Water and Soil Resources. The commissioner of natural resources or the commissioner's designee shall chair the task force.

(b) The purpose of the task force is to identify priority conservation needs for native plants and their habitats in the ecological regions of the state, and to coordinate implementation of interagency programs to address those needs. The task force shall also ensure, to the greatest extent practicable, that native plant species and communities are maintained, enhanced, restored, or established on public lands, and are promoted on private lands.

#### **103F.518 REINVEST IN MINNESOTA CLEAN ENERGY PROGRAM.**

Subd. 11. **Technical committee.** To ensure that public benefits, including water quality, soil health, reduction of chemical inputs, soil carbon storage, biodiversity, and wildlife habitat are secured along with bioenergy crop production, the Board of Water and Soil Resources shall appoint a technical committee consisting of one representative from the Departments of Agriculture, Natural Resources, and Commerce and the Pollution Control Agency; two farm organizations; one sustainable agriculture farmer organization; three rural economic development organizations; three environmental organizations; and three conservation or wildlife organizations. The board and technical committee shall consult with private sector organizations and University of Minnesota researchers involved in biomass establishment and bioenergy or biofuel conversion. The technical committee is to develop program guidelines and standards, as appropriate to ensure that reinvest in Minnesota clean energy program contracts provide public benefits commensurate with the public investment. The technical committee shall review and make recommendations on the guidelines and standards every five years.

#### **116C.711 NUCLEAR WASTE COUNCIL.**

Subdivision 1. **Establishment.** The governor's Nuclear Waste Council is established.

Subd. 2. **Membership.** The council shall have at least nine members, consisting of:

- (1) the commissioners of health, transportation, and natural resources, and the commissioner of the Pollution Control Agency;
- (2) four citizen members appointed by the governor;
- (3) the director of the Minnesota Geological Survey;
- (4) one additional citizen from each potentially impacted area may be appointed by the governor if potentially impacted areas are designated in Minnesota; and
- (5) one Indian who is an enrolled member of a federally recognized Minnesota Indian tribe or band may be appointed by the governor if potentially impacted areas are designated in Minnesota and if those areas include Indian country as defined in United States Code, title 18, section 11.54.

At least two members of the council must have expertise in the earth sciences.

Subd. 3. **Chair.** A chair shall be appointed by the governor from the members of the council.

Subd. 4. **Advisory task force.** The council may create advisory task forces under section 15.014, as are necessary to carry out its responsibilities under this chapter.

Subd. 5. **Membership regulation.** Section 15.059 governs terms, compensation, removal, and filling of vacancies of members appointed by the governor. Section 15.059, subdivision 5, does not govern the expiration date of the council.

#### **116L.361 DEFINITIONS.**

Subd. 2. **Advisory committee.** "Advisory committee" means the committee established in section 116L.363.

#### **116L.363 ADVISORY COMMITTEE.**

A 12-member advisory committee is established as provided under section 15.059 to assist the commissioner in selecting eligible organizations to receive program grants and evaluating the final reports of each organization. Members of the committee may be reimbursed for expenses but may not receive any other compensation for service on the committee. The advisory committee consists of representatives of the commissioners of education, human services, and employment and economic development; a representative of the chancellor of the Minnesota State Colleges and Universities; a representative of the commissioner of the Housing Finance Agency; and seven public members appointed by the governor. Each of the following groups must be represented by a public member experienced in working with targeted youth: labor organizations, local educators, community groups, consumers, local housing developers, youth

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between the ages of 16 and 24 who have a period of homelessness, and other homeless persons. At least three of the public members must be from outside of the metropolitan area as defined in section 473.121, subdivision 2. The commissioner may provide staff to the advisory committee to assist it in carrying out its purpose.

### **124D.94 MINNESOTA ACADEMIC EXCELLENCE FOUNDATION.**

Subdivision 1. **Citation.** This section may be cited as the "Minnesota Academic Excellence Act."

Subd. 2. **Creation of foundation.** There is created the Minnesota Academic Excellence Foundation. The purpose of the foundation shall be to promote academic excellence in Minnesota public and nonpublic schools and communities through public-private partnerships. The foundation shall be a nonprofit organization. The board of directors of the foundation and foundation activities are under the direction of the commissioner of education.

Subd. 3. **Board of directors.** The board of directors of the foundation shall consist of the commissioner of education and 20 members to be appointed by the governor. Of the 20 members appointed by the governor, eight shall represent a variety of education groups and 12 shall represent a variety of business groups. The members of the board of directors shall select one member to serve as chair. The commissioner of education shall serve as secretary for the board of directors and provide administrative support to the foundation. An executive committee of the foundation board composed of the board officers and chairs of board committees, may only advise and make recommendations to the foundation board.

Subd. 4. **Foundation programs.** The foundation may develop programs that advance the concept of educational excellence. These may include, but are not limited to:

- (a) recognition programs and awards for students demonstrating academic excellence;
- (b) summer institute programs for students with special talents;
- (c) recognition programs for teachers, administrators, and others who contribute to academic excellence;

- (d) summer mentorship programs with business and industry for students with special career interests and high academic achievements;

- (e) governor's awards ceremonies and special campaigns to promote awareness and expectation for academic achievement;

- (f) an academic league to provide organized challenges requiring cooperation and competition for public and nonpublic pupils in elementary and secondary schools;

- (g) systemic transformation initiatives and assistance and training to community teams to increase school performance in the state's education institutions through strategic quality planning for continuous improvement, empowerment of multiple stakeholders, validation of results via customer-supplier relationships, and a total system approach based on best practices in key process areas; and

- (h) activities to measure customer satisfaction for delivery of services to education institutions in order to plan for and implement continuous improvement.

To the extent possible, the foundation shall make these programs available to students in all parts of the state.

Subd. 5. **Powers and duties.** The foundation may:

- (1) establish and collect membership fees;
- (2) publish brochures or booklets relating to the purposes of the foundation and collect reasonable fees for the publications;
- (3) receive money, grants, and in-kind goods or services from nonstate sources for the purposes of the foundation, without complying with section 16A.013, subdivision 1;
- (4) contract with consultants;
- (5) expend money for awards and other forms of recognition and appreciation; and
- (6) determine procedures and expenditures for awards and recognitions to teachers, students, donors, and other people who are not employees of the executive branch.

Subd. 6. **Contracts.** The foundation board shall review and approve each contract of the board. Each contract of the foundation board shall be subject to the same review and approval procedures as a contract of the Department of Education.

Subd. 7. **Foundation staff.** (a) The foundation board with review by the commissioner shall appoint the executive director and other staff who shall perform duties and have responsibilities solely related to the foundation.

(b) As part of the annual plan of work, the foundation, with review by the commissioner, may appoint up to three employees. The employees appointed under this paragraph are not state employees under chapter 43A, but are covered under section 3.736. At the foundation

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board's discretion, the employees may participate in the state health and state insurance plans for employees in unclassified service. The employees shall be supervised by the executive director.

Subd. 8. **Private funding.** The foundation shall seek private resources to supplement the available public money. Individuals, businesses, and other organizations may contribute to the foundation in any manner specified by the board of directors. All money received shall be administered by the board of directors.

Subd. 9. **Report.** The board of directors of the foundation shall submit an annual report to the commissioner of education on the progress of its activities. The annual report shall contain a financial report for the preceding year, including all receipts and expenditures of the foundation.

Subd. 10. **Appropriation.** There is annually appropriated to the Academic Excellence Foundation all amounts received by the foundation pursuant to this section.

### **127A.70 MINNESOTA P-20 EDUCATION PARTNERSHIP.**

Subd. 3. **Expiration.** Notwithstanding section 15.059, subdivision 5, the partnership is permanent and does not expire.

### **136A.031 ADVISORY GROUPS.**

Subd. 5. **Expiration.** Notwithstanding section 15.059, subdivision 5, the advisory groups established in this section do not expire.

### **144.011 DEPARTMENT OF HEALTH.**

Subd. 2. **State Health Advisory Task Force.** The commissioner of health may appoint a State Health Advisory Task Force. If appointed, members of the task force shall be broadly representative of the licensed health professions and shall also include public members as defined by section 214.02. The task force shall expire, and the terms, compensation, and removal of members shall be as provided in section 15.059.

### **145.98 COUNCIL ON HEALTH PROMOTION AND WELLNESS.**

Subdivision 1. **Creation; membership.** The commissioner of health may appoint an Advisory Task Force on Health Promotion and Wellness. Members of the task force shall be experienced or interested in health promotion and wellness. There shall be at least one member from each congressional district. The task force shall expire, and the terms, compensation, and removal of members shall be governed by section 15.059.

Subd. 3. **Powers.** The task force may solicit, receive, and disburse funds made available for health promotion and wellness.

### **147E.35 REGISTERED NATUROPATHIC DOCTOR ADVISORY COUNCIL.**

Subd. 4. **Expiration.** Notwithstanding section 15.059, the advisory council is permanent and does not expire.

### **162.02 COUNTY STATE-AID HIGHWAY SYSTEM.**

Subd. 2. **Rules; advisory committee.** (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee selected by the several county boards acting through the officers of the statewide association of county commissioners. The committee shall be composed of nine members so selected that each member shall be from a different state highway construction district. Not more than five of the nine members of the committee shall be county commissioners. The remaining members shall be county highway engineers. In the event that agreement cannot be reached on any rule, the commissioner's determination shall be final. The rules shall be printed and copies forwarded to the county engineers of the several counties.

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Subd. 3. **Rules have force of law.** The rules have the force and effect of law as provided in chapter 14.

### **162.09 MUNICIPAL STATE-AID STREET SYSTEM.**

Subd. 2. **Rules; advisory committee.** (a) The rules shall be made and promulgated by the commissioner acting with the advice of a committee selected by the governing bodies of such cities, acting through the officers of the statewide association of municipal officials. The

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committee shall be composed of 12 members, so selected that there shall be one member from each state highway construction district and in addition one member from each city of the first class. Not more than six members of the committee shall be elected officials of the cities. The remaining members of the committee shall be city engineers. In the event that agreement cannot be reached on any rule the commissioner's determination shall be final. The rules shall be printed and copies forwarded to the clerks and engineers of the cities.

(b) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

Subd. 3. **Rules have force of law.** The rules have the force and effect of law as provided in chapter 14.

### **174.86 COMMUTER RAIL PLAN; REVIEW.**

Subd. 5. **Commuter Rail Corridor Coordinating Committee.** (a) A Commuter Rail Corridor Coordinating Committee is established to advise the commissioner on issues relating to the alternatives analysis, environmental review, advanced corridor planning, preliminary engineering, final design, implementation method, construction of commuter rail, public involvement, land use, service, and safety. The Commuter Rail Corridor Coordinating Committee shall consist of:

(1) one member representing each significant funding partner in whose jurisdiction the line or lines are located;

(2) one member appointed by each county in which the corridors are located;

(3) one member appointed by each city in which advanced corridor plans indicate that a station may be located;

(4) two members appointed by the commissioner, one of whom shall be designated by the commissioner as the chair of the committee;

(5) one member appointed by each metropolitan planning organization through which the commuter rail line may pass;

(6) one member appointed by the president of the University of Minnesota, if a designated corridor provides direct service to the university; and

(7) two ex-officio members who are members of labor organizations operating in, and with authority for, trains or rail yards or stations junctioning with freight and commuter rail lines on corridors, with one member appointed by the speaker of the house and the other member appointed by the senate Rules and Administration Subcommittee on Committees.

(b) A joint powers board existing on April 1, 1999, consisting of local governments along a commuter rail corridor, shall perform the functions set forth in paragraph (a) in place of the committee.

(c) Notwithstanding section 15.059, subdivision 5, the committee does not expire.

### **196.30 VETERANS HEALTH CARE ADVISORY COUNCIL.**

Subdivision 1. **Creation.** The Veterans Health Care Advisory Council is established to provide the Department of Veterans Affairs with advice and recommendations on providing veterans with quality long-term care and the anticipated future needs of Minnesota veterans.

Subd. 2. **Membership.** (a) The council consists of nine public members appointed by the governor. The council members are:

(1) seven members with extensive expertise in health care delivery, long-term care, and veterans services;

(2) one licensed clinician who may be either a physician, physician's assistant, or a nurse practitioner; and

(3) one additional member.

(b) The governor shall designate a member to serve as the chair.

(c) The commissioner of veterans affairs, or the commissioner's designee, is an ex officio, nonvoting member of the council and shall provide necessary and appropriate administrative and technical support to the council.

(d) Membership terms, removal of members, and the filling of vacancies are as provided in section 15.059, subdivisions 2 and 4. Members shall not receive compensation or per diem payments, but may receive reimbursement for expenses pursuant to section 15.059, subdivision 3.

Subd. 3. **Duties.** The council is an advisory group with the responsibility of providing the commissioner of veterans affairs with information and professional expertise on the delivery of quality long-term care to veterans. The council's duties include:

(1) developing a new vision and strategic plan for the veterans homes that complements the Department of Veterans Affairs overall veterans service programs;

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(2) providing recommendations and advice on matters including clinical performance, systemwide quality improvement efforts, culture and working environment of the veterans homes, and other operational and organizational functions of the veterans homes;

(3) studying and reviewing current issues and trends in the long-term care industry and the veterans community;

(4) providing recommendations to the commissioner on alternative options for the delivery of long-term care to veterans so that veterans and their families can determine appropriate services under models similar to those available in the community;

(5) establishing, as appropriate, subcommittees or ad hoc task forces of council members, stakeholders, and other individuals with expertise or experience to address specific issues; and

(6) reviewing and providing advice on any other matter at the request of the commissioner.

Subd. 4. **Expiration.** Notwithstanding section 15.059, subdivision 4, the council expires June 30, 2013.

### **197.585 HIGHER EDUCATION VETERANS ASSISTANCE PROGRAM.**

Subd. 2. **Steering committee.** The commissioner of veterans affairs shall chair a higher education veterans assistance program steering committee composed of:

(1) the adjutant general or the adjutant general's designee;

(2) a representative of Minnesota State Colleges and Universities, designated by the chancellor;

(3) a representative of the University of Minnesota, appointed by the president of the university;

(4) a representative of private colleges and universities in Minnesota, appointed by the governor;

(5) a representative of the Office of Higher Education, appointed by the commissioner of that department;

(6) a representative of county veterans service offices, appointed by the commissioner of veterans affairs; and

(7) a representative of the Department of Employment and Economic Development, appointed by the commissioner of that department.

The steering committee shall advise the commissioner of veterans affairs regarding the allocation of appropriations for the purposes of this section and shall develop a long-range plan to serve the needs of students at higher education institutions in Minnesota who are veterans.

Subd. 4. **Report.** Beginning January 15, 2007, and each year thereafter, the steering committee established in subdivision 2 shall report to the chairs of the legislative committees with jurisdiction over veterans affairs policy and finance and higher education policy and finance regarding the implementation and effectiveness of the program established in this section.

### **216C.265 EMERGENCY ENERGY ASSISTANCE; FUEL FUNDS.**

Subd. 4. **Emergency Energy Assistance Advisory Council.** The commissioner must appoint an advisory council to advise the commissioner on implementation of this section. At least one-third of the advisory council must be composed of persons from households that are eligible for emergency energy assistance under the federal Low-Income Home Energy Assistance Program. The remaining two-thirds of the advisory council must be composed of persons representing energy providers, customers, local energy assistance providers, existing fuel fund delivery agencies, and community action agencies. Members of the advisory council may receive expenses, but no other compensation, as provided in section 15.059, subdivision 3. Appointment and removal of members is governed by section 15.059.

### **241.021 LICENSING AND SUPERVISION OF FACILITIES.**

Subd. 4c. **Duration of peer review committee.** The peer review committee under subdivision 4b does not expire and the expiration date provided in section 15.059, subdivision 5, does not apply to this section.

### **243.93 CORRECTIONAL FACILITY SITE SELECTION COMMITTEE.**

Subdivision 1. **Creation; membership.** (a) An advisory task force is created to coordinate the site selection process for state correctional facilities. The task force shall convene when the legislature authorizes the planning of a new correctional facility. The task force, to be known as the site selection committee, consists of the:

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(1) commissioner of corrections or the commissioner's designee;  
(2) deputy commissioner of corrections who has supervision and control over correctional facilities;

(3) commissioner of transportation or the commissioner's designee;

(4) commissioner of administration or the commissioner's designee;

(5) chairs of the senate Crime Prevention Committee and Crime Prevention Finance Division and the ranking members of that committee and division from the minority political caucus, or the chairs' and ranking members' designees; and

(6) chairs of the house of representatives Judiciary Committee and Judiciary Finance Division and the ranking members of that committee and division from the minority political caucus or the chairs' and ranking members' designees.

(b) The chairs of the senate Crime Prevention Finance Division and house of representatives Judiciary Finance Division, or the chairs' designees, shall chair the committee.

**Subd. 2. Site selection process.** The committee shall develop a correctional site selection process that most effectively and efficiently utilizes state financial resources for construction of correctional facilities. The committee may include such other factors as the committee considers relevant as criteria for the site selection process.

**Subd. 3. Recommendations.** Before recommendation of an individual site for a correctional facility, the committee shall require that all costs associated with the facility and the site be identified and reported, including but not limited to construction costs, site improvement, infrastructure upgrades, and operating costs for that site. The commissioners of administration and corrections and any other agencies involved with site construction or land acquisition shall cooperate with the committee in supplying information described in this subdivision and any other information required for project budgets under section 16B.335.

**Subd. 4. Report.** The committee shall report its recommendations for the siting of correctional facilities to the legislature.

**Subd. 5. Legislative authorization of site.** Each site for a new state of Minnesota correctional facility shall be chosen in the law authorizing and providing funding for the facility.

**Subd. 6. Staffing.** The committee may utilize employees from the legislative and executive branch entities with membership on the committee. The Department of Administration shall provide administrative support.

### **245.97 OMBUDSMAN COMMITTEE.**

**Subd. 7. Duration.** The committee does not expire and the expiration date provided in section 15.059, subdivision 5, does not apply to this section.

### **252.31 ADVISORY TASK FORCE.**

The commissioner of human services may appoint an advisory task force for services to persons with developmental disabilities or physical disabilities. The task force shall advise the commissioner relative to those laws which the commissioner is responsible to administer and enforce relating to developmental disabilities and physical disabilities. The commissioner also may request the task force for advice on implementing a comprehensive plan of services necessary to provide for the transition of persons with developmental disabilities from regional treatment centers services to community-based programs. The task force shall consist of persons who are providers or consumers of service for persons with developmental disabilities or physical disabilities, or who are interested citizens. The task force shall expire and the terms, compensation and removal of members shall be as provided in section 15.059.

### **270C.991 PROPERTY TAX SYSTEM BENCHMARKS AND CRITICAL INDICATORS.**

**Subd. 4. Property tax working group.** (a) A property tax working group is established as provided in this subdivision. The goals of the working group are:

(1) to investigate ways to simplify the property tax system and make advisory recommendations on ways to make the system more understandable;

(2) to reexamine the property tax calendar to determine what changes could be made to shorten the two-year cycle from assessment through property tax collection; and

(3) to determine the cost versus the benefits of the various property tax components, including property classifications, credits, aids, exclusions, exemptions, and abatements, and to suggest ways to achieve some of the goals in simpler and more cost-efficient ways.

(b) The 12-member working group shall consist of the following members:

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- (1) two state representatives, both appointed by the chair of the house of representatives Taxes Committee, one from the majority party and one from the largest minority party;
- (2) two senators appointed by the Subcommittee on Committees of the Senate Rules and Administration Committee, one from the majority party and one from the largest minority party;
- (3) one person appointed by the Association of Minnesota Counties;
- (4) one person appointed by the League of Minnesota Cities;
- (5) one person appointed by the Minnesota Association of Townships;
- (6) one person appointed by the Minnesota Chamber of Commerce;
- (7) one person appointed by the Minnesota Association of Assessing Officers;
- (8) two homeowners, one who is under 65 years of age, and one who is 65 years of age or older, both appointed by the commissioner of revenue; and
- (9) one person jointly appointed by the Minnesota Farm Bureau and the Minnesota Farmers Union.

The commissioner of revenue shall chair the initial meeting, and the working group shall elect a chair at that initial meeting. The working group will meet at the call of the chair. Members of the working group shall serve without compensation. The commissioner of revenue must provide administrative support to the working group. Chapter 13D does not apply to meetings of the working group. Meetings of the working group must be open to the public and the working group must provide notice of a meeting to potentially interested persons at least seven days before the meeting. A meeting of the working group occurs when a quorum is present.

(c) The working group shall make its advisory recommendations to the chairs of the house of representatives and senate Taxes Committees on or before February 1, 2013, at which time the working group shall be finished and this subdivision expires. The advisory recommendations should be reviewed by the Taxes Committees under subdivision 5.

#### **299C.156 FORENSIC LABORATORY ADVISORY BOARD.**

Subdivision 1. **Membership.** (a) The Forensic Laboratory Advisory Board consists of the following:

- (1) the superintendent of the Bureau of Criminal Apprehension or the superintendent's designee;
  - (2) the commissioner of public safety or the commissioner's designee;
  - (3) the commissioner of corrections or the commissioner's designee;
  - (4) an individual with expertise in the field of forensic science, selected by the governor;
  - (5) an individual with expertise in the field of forensic science, selected by the attorney general;
  - (6) a faculty member of the University of Minnesota, selected by the president of the university;
  - (7) the state public defender or a designee;
  - (8) a prosecutor, selected by the Minnesota County Attorneys Association;
  - (9) a sheriff, selected by the Minnesota Sheriffs Association;
  - (10) a police chief, selected by the Minnesota Chiefs of Police Association;
  - (11) a judge or court administrator, selected by the chief justice of the Supreme Court; and
  - (12) a criminal defense attorney, selected by the Minnesota State Bar Association.
- (b) The board shall select a chair from among its members.
- (c) Board members serve four-year terms and may be reappointed.
- (d) The board may employ staff necessary to carry out its duties.

Subd. 2. **Duties.** The board may:

- (1) develop and implement a reporting system through which laboratories, facilities, or entities that conduct forensic analyses report professional negligence or misconduct that substantially affects the integrity of the forensic results committed by employees or contractors;
- (2) encourage all laboratories, facilities, or entities that conduct forensic analyses to report professional negligence or misconduct that substantially affects the integrity of the forensic results committed by employees or contractors to the board;
- (3) investigate, in a timely manner, any allegation of professional negligence or misconduct that would substantially affect the integrity of the results of a forensic analysis conducted by a laboratory, facility, or entity; and
- (4) encourage laboratories, facilities, and entities that conduct forensic analyses to become accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or other appropriate accrediting body and develop and implement a process for those entities to report their accreditation status to the board.

Subd. 3. **Investigations.** (a) An investigation under subdivision 2, clause (3):



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(1) may include the preparation of a written report that identifies and describes the methods and procedures used to identify:

- (i) the alleged negligence or misconduct;
- (ii) whether negligence or misconduct occurred; and
- (iii) any corrective action required of the laboratory, facility, or entity; and

(2) may include one or more:

(i) retrospective reexaminations of other forensic analyses conducted by the laboratory, facility, or entity that may involve the same kind of negligence or misconduct; and

(ii) follow-up evaluations of the laboratory, facility, or entity to review:

(A) the implementation of any corrective action required under clause (1)(iii); or

(B) the conclusion of any retrospective reexamination under clause (2)(i).

(b) The costs of an investigation under this section must be borne by the laboratory, facility, or entity being investigated.

Subd. 4. **Delegation of duties.** The board by contract may delegate the duties described in subdivision 2, clauses (1) and (3), to any person or entity that the board determines to be qualified to assume those duties.

Subd. 5. **Reviews and reports are public.** The board shall make all investigation reports completed under subdivision 3, paragraph (a), clause (1), available to the public. A report completed under subdivision 3, paragraph (a), clause (1), in a subsequent civil or criminal proceeding is not prima facie evidence of the information or findings contained in the report.

Subd. 6. **Reports to legislature.** By January 15 of each year, the board shall submit any report prepared under subdivision 3, paragraph (a), clause (1), during the preceding calendar year to the governor and the legislature.

Subd. 7. **Forensic analysis processing time period guidelines.** (a) By July 1, 2007, the board shall recommend forensic analysis processing time period guidelines applicable to the Bureau of Criminal Apprehension and other laboratories, facilities, and entities that conduct forensic analyses. When adopting and recommending these guidelines and when making other related decisions, the board shall consider the goals and priorities identified by the presidential DNA initiative. The board shall consider the feasibility of the Bureau of Criminal Apprehension completing the processing of forensic evidence submitted to it by sheriffs, chiefs of police, or state or local corrections authorities.

(b) The bureau shall provide information to the board in the time, form, and manner determined by the board and keep it informed of the most up-to-date data on the actual forensic analysis processing turnaround time periods. By January 15 of each year, the board shall report to the legislature on these issues, including the recommendations made by the board to improve turnaround times.

Subd. 8. **Forensic evidence processing deadline.** The board may recommend reasonable standards and deadlines for the Bureau of Criminal Apprehension to test and catalog forensic evidence samples relating to alleged crimes committed, including DNA analysis, in their control and possession.

Subd. 9. **Office space.** The commissioner of public safety may provide adequate office space and administrative services to the board.

Subd. 10. **Expenses.** Section 15.059 applies to the board.

Subd. 11. **Definition.** As used in this section, "forensic analysis" means a medical, chemical, toxicologic, ballistic, or other expert examination or test performed on physical evidence, including DNA evidence, for the purpose of determining the connection of the evidence to a criminal action.

### **299M.02 FIRE PROTECTION ADVISORY COUNCIL.**

Subdivision 1. **Creation.** The commissioner shall establish a Fire Protection Advisory Council.

Subd. 2. **Membership.** The council consists of the commissioner of public safety, or the commissioner's designee, and eight members appointed for a term of three years by the commissioner. Two members must be licensed fire protection contractors or full-time, managing employees actively engaged in a licensed fire protection contractor business. Two members must be journeyman sprinkler fitters certified as competent under this chapter. One member of the council must be an active member of the Minnesota State Fire Chiefs Association. One member must be an active member of the Fire Marshals Association of Minnesota. One member must be a building official certified by the Department of Administration, who is professionally competent in fire protection system inspection. One member must be a member of the general public. The commissioner or designee is a nonvoting member.

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Subd. 3. **Duties.** The council shall advise the commissioner of public safety on matters within the council's expertise or under the regulation of the commissioner.

### **402A.15 STEERING COMMITTEE ON PERFORMANCE AND OUTCOME REFORMS.**

Subdivision 1. **Duties.** (a) The Steering Committee on Performance and Outcome Reforms shall develop a uniform process to establish and review performance and outcome standards for all essential human services based on the current level of resources available, and shall develop appropriate reporting measures and a uniform accountability process for responding to a county's or service delivery authority's failure to make adequate progress on achieving performance measures. The accountability process shall focus on the performance measures rather than inflexible implementation requirements.

(b) The steering committee shall:

(1) by November 1, 2009, establish an agreed-upon list of essential services;

(2) by February 15, 2010, develop and recommend to the legislature a uniform, graduated process, in addition to the remedies identified in section 402A.18, for responding to a county's failure to make adequate progress on achieving performance measures; and

(3) by December 15, 2012, for each essential service, make recommendations to the legislature regarding (i) performance measures and goals based on those measures for each essential service, and (ii) a system for reporting on the performance measures and goals. By January 15 of each year starting January 15, 2011, the steering committee shall report its recommendations to the governor and legislative committees with jurisdiction over health and human services. As part of its report, the steering committee shall, as appropriate, recommend statutory provisions, rules and requirements, and reports that should be repealed or eliminated.

(c) As far as possible, the performance measures, reporting system, and funding shall be consistent across program areas. The development of performance measures shall consider the manner in which data will be collected and performance will be reported. The steering committee shall consider state and local administrative costs related to collecting data and reporting outcomes when developing performance measures. The steering committee shall also identify and incorporate federal performance measures in its recommendations for those program areas where federal funding is contingent on meeting federal performance standards. The steering committee shall take into consideration that the goal of implementing changes to program monitoring and reporting the progress toward achieving outcomes is to significantly minimize the cost of administrative requirements and to allow funds freed by reduced administrative expenditures to be used to provide additional services, allow flexibility in service design and management, and focus energies on achieving program and client outcomes.

(d) In making its recommendations, the steering committee shall consider input from the council established in section 402A.20.

(e) The steering committee shall form work groups that include persons who provide or receive essential services and representatives of organizations who advocate on behalf of those persons.

(f) By December 15, 2009, the steering committee shall establish a three-year schedule for completion of its work. The schedule shall be published on the Department of Human Services Web site and reported to the legislative committees with jurisdiction over health and human services. In addition, the commissioner shall post quarterly updates on the progress of the steering committee on the Department of Human Services Web site.

Subd. 2. **Composition.** (a) The steering committee shall include:

(1) the commissioner of human services, or designee, and two additional representatives of the department;

(2) two county commissioners, representative of rural and urban counties, selected by the Association of Minnesota Counties;

(3) two county directors of human services, representative of rural and urban counties, selected by the Minnesota Association of County Social Service Administrators; and

(4) three clients or client advocates representing different populations receiving services from the Department of Human Services, who are appointed by the commissioner.

(b) The commissioner, or designee, and a county commissioner shall serve as cochair of the committee. The committee shall be convened within 60 days of May 15, 2009.

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(c) State agency staff shall serve as informational resources and staff to the steering committee. Statewide county associations may assemble county program data as required.

### **611A.34 ADVISORY COUNCIL ON BATTERED WOMEN.**

Subdivision 1. **Generally.** The commissioner shall appoint a 12-member advisory council to advise the commissioner on the implementation and continued operation of sections 611A.31 to 611A.36. The Advisory Council on Battered Women and Domestic Abuse shall also serve as a liaison between the commissioner and organizations that provide services to battered women and domestic abuse victims. Section 15.059 governs the filling of vacancies and removal of members of the advisory council. The terms of the members of the advisory council shall be two years. No member may serve on the advisory council for more than two consecutive terms. Notwithstanding section 15.059, the council shall not expire. Council members shall not receive per diem, but shall receive expenses in the same manner and amount as state employees.

Subd. 2. **Membership.** Persons appointed shall be knowledgeable about and have experience or interest in issues concerning battered women and domestic abuse victims, including the need for effective advocacy services. The membership of the council shall broadly represent the interests of battered women and domestic abuse victims in Minnesota. No more than six of the members of the Advisory Council on Battered Women and Domestic Abuse may be representatives of community or governmental organizations that provide services to battered women and domestic abuse victims. One-half of the council's members shall reside in the metropolitan area, composed of Hennepin, Ramsey, Anoka, Dakota, Scott, Washington, and Carver Counties, and one-half of the members shall reside in the nonmetropolitan area. To the extent possible, nonmetropolitan members must be representative of all nonmetropolitan regions of the state.

Subd. 3. **Duties.** The advisory council shall:

(1) advise the commissioner on all planning, development, data collection, rulemaking, funding, and evaluation of programs and services for battered women and domestic abuse victims that are funded under section 611A.32, other than matters of a purely administrative nature;

(2) advise the commissioner on the adoption of rules under chapter 14 governing the award of grants to ensure that funded programs are consistent with section 611A.32, subdivision 1;

(3) recommend to the commissioner the names of five applicants for the position of domestic abuse program director;

(4) advise the commissioner on the rules adopted under chapter 14 pursuant to section 611A.33;

(5) review applications received by the commissioner for grants under section 611A.32 and make recommendations on the awarding of grants;

(6) advise the program director in the performance of duties in the administration and coordination of the programs funded under section 611A.32; and

(7) advise the director of domestic violence and sexual assault prevention in matters related to preventing these occurrences of these types of violence.

Subd. 4. **Conflicts of interest.** A member of the advisory council shall be excluded from participating in review and recommendations concerning a grant application if the member:

(1) serves or has served at any time during the past three years as an employee, volunteer, or governing board member of an organization whose application is being reviewed; or

(2) has a financial interest in the funding of the applicant organization.