

The board of optometry shall report annually to the legislature the details of adverse reactions received regarding the prescription or administration of topical legend drugs under section 148.576, subdivision 2.

Sec. 10. Minnesota Statutes 1992, section 151.01, subdivision 23, is amended to read:

Subd. 23. **PRACTITIONER.** "Practitioner" means a licensed doctor of medicine, licensed doctor of osteopathy duly licensed to practice medicine, licensed doctor of dentistry, licensed doctor of optometry, licensed podiatrist, or licensed veterinarian.

Sec. 11. Minnesota Statutes 1992, section 151.37, is amended by adding a subdivision to read:

Subd. 11. COMPLAINT REPORTING. The board of pharmacy shall report on a quarterly basis to the board of optometry any complaints received regarding the prescription or administration of topical legend drugs under section 148.576.

Presented to the governor May 10, 1993

Signed by the governor May 11, 1993, 5:47 p.m.

CHAPTER 122—H.F.No. 1199

An act relating to state government; the legislative commission on employee relations; raising the top of a salary range for a judicial position; modifying provisions relating to certain plans; ratifying certain salaries and a bargaining agreement; amending Minnesota Statutes 1992, sections 15A.083, subdivision 4; 43A.18, subdivision 4; and 179A.04, subdivision 3; repealing Minnesota Statutes 1992, section 43A.24, subdivision 3.

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

Section 1. Minnesota Statutes 1992, section 15A.083, subdivision 4, is amended to read:

Subd. 4. **RANGES FOR OTHER JUDICIAL POSITIONS.** Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of any position for which a salary range has been provided shall fix the individual salary within the prescribed range, considering the qualifications and overall performance of the employee. The supreme court shall set the salary of the state court administrator and the salaries of district court administrators. The salary of the state court administrator or a district court administrator may not exceed the salary of a district court judge. If district court administrators die, the amounts of their unpaid salaries for the months in which their deaths occur must be paid to their estates. ~~The sal-~~

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aries of the district administrators of the second, fourth, and sixth judicial districts may be supplemented by the appropriate county board in an amount not to exceed \$10,000 per year. The salary supplement may be made effective only until January 1, 1988. The salary of the state public defender shall must be 95 percent of the salary of the attorney general.

	Salary or Range Effective July 1, 1992 <u>1994</u>
Board on judicial standards executive director	\$44,000- 60,000 <u>70,000</u>

Sec. 2. Minnesota Statutes 1992, section 43A.18, subdivision 4, is amended to read:

Subd. 4. **PLANS NOT ESTABLISHED BUT APPROVED BY COMMISSIONER.** Notwithstanding any other law to the contrary, total compensation for employees listed in this subdivision must be set by appointing authorities within the limits of compensation plans that have been approved by the commissioner before becoming effective. Compensation plans established under paragraphs (b), (c), ~~and (d)~~, and (e) must be approved by the legislature and the legislative commission on employee relations under subdivision 2 before becoming effective.

(a) Total compensation for employees who are not covered by a collective bargaining agreement in the offices of the governor, lieutenant governor, attorney general, secretary of state, state auditor, and state treasurer must be determined by the governor, lieutenant governor, attorney general, secretary of state, state auditor, and state treasurer, respectively.

(b) Total compensation for unclassified positions under section 43A.08, subdivision 1, clause (9), in the state universities and the community colleges not covered by a collective bargaining agreement must be determined by the state university board and the state board for community colleges, respectively.

(c) Total compensation for classified administrative law judges in the office of administrative hearings must be determined by the chief administrative law judge.

(d) Total compensation for unclassified positions not covered by a collective bargaining agreement in the higher education coordinating board and in the state board of technical colleges must be determined by the higher education coordinating board and the state board of technical colleges, respectively.

(e) Total compensation for unclassified positions not covered by a collective bargaining agreement in the higher education board must be determined by the higher education board.

Sec. 3. Minnesota Statutes 1992, section 179A.04, subdivision 3, is amended to read:

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Subd. 3. **OTHER DUTIES.** The commissioner shall:

(a) provide mediation services as requested by the parties until the parties reach agreement. The commissioner may continue to assist parties after they have submitted their final positions for interest arbitration;

(b) issue notices, subpoenas, and orders required by law to carry out duties under sections 179A.01 to 179A.25;

(c) maintain a list of arbitrators for referral to employers and exclusive representatives for the resolution of grievance or interest disputes;

(d) assist the parties in formulating petitions, notices, and other papers required to be filed with the commissioner;

(e) certify the final results of any election or other voting procedure conducted under sections 179A.01 to 179A.25;

(f) adopt rules relating to the administration of this chapter; and the conduct of hearings and elections;

(g) receive, catalogue, and file all decisions of arbitrators and panels authorized by sections 179A.01 to 179A.25, all grievance arbitration decisions, and the commissioner's orders and decisions. All decisions catalogued and filed shall be readily available to the public;

(h) adopt, subject to chapter 14, a grievance procedure to fulfill the purposes of section 179A.20, subdivision 4. The grievance procedure shall not provide for the services of the bureau of mediation services. The grievance procedure shall be available to any employee in a unit not covered by a contractual grievance procedure;

(i) conduct elections;

(j) maintain a schedule of state employee classifications or positions assigned to each unit established in section 179A.10, subdivision 2;

(k) collect such fees as are established by rule for empanelment of persons on the labor arbitrator roster maintained by the commissioner or in conjunction with fair share fee challenges;

(l) provide technical support and assistance to voluntary joint labor-management committees established for the purpose of improving relationships between exclusive representatives and employers, at the discretion of the commissioner;

(m) provide to the parties a list of arbitrators as required by section 179A.16, subdivision 4;

(n) adopt, subject to chapter 14, uniform baseline determination documents and uniform collective bargaining agreement settlement documents applicable to

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all negotiations between exclusive representatives of appropriate units of public employees and public employers other than townships and prescribe procedures and instructions for completion of the documents. The commissioner must, at a minimum, include these individual elements in the uniform baseline determination document: the costs of any increases to the wage schedule; the costs of employees moving through the wage schedule; costs of medical insurance; costs of dental insurance; costs of life insurance; lump sum payments; shift differentials; extracurricular activities; longevity; and contributions to a deferred compensation account. The calculation of the base year must be based on an annualization of the costs provided in the base year contract. A completed uniform collective bargaining agreement settlement document must be presented to the public employer at the time it ratifies a collective bargaining agreement and must be available afterward for inspection during normal business hours at the principal administrative offices of the public employer; and

(o) from the names provided by representative organizations, maintain a list of arbitrators to conduct teacher discharge or termination hearings according to section 125.12 or 125.17. The persons on the list shall meet at least one of the following requirements:

- (1) be a former or retired judge;
- (2) be a qualified arbitrator on the list maintained by the bureau;
- (3) be a present, former, or retired administrative law judge; or
- (4) be a neutral individual who is learned in the law and admitted to practice in Minnesota, who is qualified by experience to conduct these hearings, and who is without bias to either party.

Each year, the Minnesota education association shall provide a list of seven names, the Minnesota federation of teachers a list of seven names, and the Minnesota school boards association a list of 14 names of persons to be on the list. The commissioner may adopt rules about maintaining and updating the list.

Sec. 4. RATIFICATIONS.

Subdivision 1. CHANCELLOR, TECHNICAL COLLEGE SYSTEM. The salary of \$92,800 for the chancellor of the technical college system, approved by the legislative commission on employee relations on December 22, 1992, is ratified.

Subd. 2. DIRECTOR, HIGHER EDUCATION COORDINATING BOARD. The salary of \$93,350 for the director of the higher education coordinating board, approved by the legislative commission on employee relations on December 22, 1992, is ratified.

Subd. 3. CHANCELLOR, HIGHER EDUCATION BOARD. The salary of \$103,600 for the chancellor of the higher education board, approved by the legislative commission on employee relations on December 22, 1992, is ratified.

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Subd. 4. UNIT 1. The collective bargaining agreement between the state of Minnesota and state bargaining unit 1, represented by the Minnesota law enforcement association, approved by the legislative commission on employee relations on March 26, 1993, is ratified.

Sec. 5. SETTLEMENT DOCUMENTS.

The department of employee relations must complete the uniform collective bargaining agreement settlement documents prescribed under Minnesota Statutes, section 179A.04, subdivision 3, clause (n), for collective bargaining agreements effective after June 30, 1993.

Sec. 6. HAY EVALUATION.

The commissioner of employee relations shall conduct a Hay evaluation of the position of the director of the board of judicial standards and submit a report comparing this position with other comparable managerial positions to the legislative commission on employee relations by January 15, 1994.

Sec. 7. REPEALER.

Minnesota Statutes 1992, section 43A.24, subdivision 3, is repealed.

Sec. 8. EFFECTIVE DATE.

Section 1 is effective July 1, 1994. Sections 2 to 7 are effective the day following final enactment.

Presented to the governor May 10, 1993

Signed by the governor May 11, 1993, 5:48 p.m.

CHAPTER 123—H.F.No. 385

An act relating to agriculture; providing a time limit for certain actions related to right of first refusal; amending Minnesota Statutes 1992, section 500.24, subdivision 7, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1992, section 500.24, subdivision 7, is amended to read:

Subd. 7. **NOTICE OF OFFER.** (a) The state, a federal agency, limited partnership, or a corporation subject to subdivision 6 must provide a notice of an offer to sell or lease agricultural land substantially as follows, after inserting the appropriate terms within the parentheses:

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