

CHAPTER 381—S.F.No. 535

An act relating to the metropolitan council; providing for service improvement and employee compensation for demonstrable reduction in the cost of service; establishing a pilot project for greater efficiency in the provision of metropolitan council services; modifying the scope of the council's review of metropolitan airports commission capital projects; amending Minnesota Statutes 1996, section 473.621, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 473.

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

Section 1. [473.1295] METROPOLITAN COUNCIL SERVICE IMPROVEMENT.

(a) The council may select an area of council service currently provided by its employees and may utilize the process in this section for service improvement. Service improvement for the purposes of this section means changes or improvements in the methods or means by which employees of the council provide the selected service which results in a demonstrable reduction in the cost of the service or reduces the projected increases in the cost of such service, while maintaining the quality of the service.

(b) For the selected service, the council, in cooperation with those employees of the agency who provide the service, may develop a service improvement plan. The plan must establish objective performance and cost measurements to be used to determine the success of the plan and must provide for annual audits of both the performance and the cost measurements. The plan may provide compensation to the employees for any demonstrable reduction in the cost of service. The total compensation for a plan paid to one or more employees must not exceed the actual reduction in the cost of service for a period of one year. The compensation must be negotiated with the exclusive representative of the employees under chapter 179A.

(c) To be implemented, the service improvement plan must be approved by the governing board of the council. An approved plan may be terminated at any time by the governing body of the council. However, a negotiated agreement for compensation with the exclusive representative of the employees, entered into in connection with the plan, may provide for payment of agreed-upon employee compensation, in whole or in part, if the plan is terminated pursuant to this paragraph.

(d) This section does not require the council to carry out service improvement under this section or to develop a service improvement plan or to guarantee employment to employees while such a plan is being developed or implemented. This section does not affect matters of inherent managerial policy or diminish any rights in collective bargaining agreements under chapter 179A.

Sec. 2. METROPOLITAN COUNCIL SERVICE EFFICIENCY PILOT PROJECT.

Subdivision 1. SUNSET OF PROVISION. This section expires on June 30, 2002.

Subd. 2. DECLARATION OF POLICY. The state of Minnesota recognizes that the provision of the best possible services to the public may be attained through governmental entities maximizing the efficiency of their operations. Such efficiency may be im-

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proved through a pilot project by the metropolitan council that allows for the sale of council service capacity to other governmental entities or the private sector in order to maximize the efficient use of existing public resources.

Subd. 3. EXTERNAL USE OF EXISTING SERVICE CAPACITY. For purposes of this subdivision, "service capacity" means an existing service or operation carried out by the council as authorized by law, or existing council real or personal property, for which the council on a temporary basis has capacity available for use outside the council. Notwithstanding other law, the council may enter into arrangements to provide service capacity to other governmental entities or the private sector on the terms and conditions it considers appropriate. In providing service capacity, the council: (1) may not commit to providing the service capacity for a period in excess of two years; and (2) must receive compensation for providing the service capacity in at least an amount sufficient to recover the actual costs of providing the service capacity including, but not limited to, the costs of materials and supplies, employee salaries and benefits, and administrative overhead. The council must annually evaluate whether any temporary service capacity should be eliminated in place of selling that service capacity to other governmental entities or the private sector.

Subd. 4. REPORT TO LEGISLATURE. The council must evaluate the external use of council service capacity and report the results of the council's evaluation to the legislature by January 15, 2002. The report must include information on estimated cost savings and efficiencies recognized through the efficient use of existing public resources.

Sec. 3. Minnesota Statutes 1996, section 473.621, subdivision 6, is amended to read:

Subd. 6. CAPITAL PROJECTS; REVIEW. All Minneapolis-St. Paul International Airport capital projects of the commission requiring the expenditure of more than \$5,000,000 shall be submitted to the metropolitan council for review. All other capital projects of the commission requiring the expenditure of more than \$2,000,000 shall be submitted to the metropolitan council for review. No such project which that has a significant effect on the orderly and economic development of the metropolitan area may be commenced without the approval of the metropolitan council. In addition to any other criteria applied by the metropolitan council in reviewing a proposed project, the council shall not approve a proposed project unless the council finds that the commission has completed a process intended to provide affected municipalities the opportunity for discussion and public participation in the commission's decision making process. An "affected municipality" is any municipality that (1) is adjacent to a commission airport, (2) is within the noise zone of a commission airport, as defined in the metropolitan development guide, or (3) has notified the commission's secretary that it considers itself an "affected municipality." The council must at a minimum determine that the commission:

(a) provided adequate and timely notice of the proposed project to each affected municipality;

(b) provided to each affected municipality a complete description of the proposed project;

(c) provided to each affected municipality notices, agendas, and meeting minutes of all commission meetings, including advisory committee meetings, at which the proposed project was to be discussed or voted on in order to provide the municipalities the opportu-

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nity to solicit public comment and participate in the project development on an ongoing basis; and

(d) considered the comments of each affected municipality.

Sec. 4. APPLICATION.

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 5. EFFECTIVE DATE.

This act is effective on the day following its final enactment.

Presented to the governor April 10, 1998

Signed by the governor April 20, 1998, 11:25 a.m.

CHAPTER 382—S.F.No. 2276

An act relating to children; modifying certain parentage and child support enforcement provisions; changing terminology; amending Minnesota Statutes 1996, sections 257.64, subdivision 3; 518.54, subdivision 8, and by adding a subdivision; 518.55, by adding a subdivision; 518.551, subdivisions 1, 5, 9, and by adding a subdivision; 518.615, subdivision 2; 550.136, subdivision 2; and 571.921; Minnesota Statutes 1997 Supplement, sections 13.99, subdivision 76b; 256.741, subdivision 1; 257.352, subdivision 3a; 259.49, subdivision 1; 259.52, subdivisions 1, 2, 4, 6, 8, 9, 10, 11, 12, 14, and by adding a subdivision; 260.221, subdivisions 1 and 1a; 357.021, subdivision 2; 518.54, subdivision 6; 518.551, subdivision 5b; 518.5511, subdivision 2; 518.5512, subdivision 6; 518.6111, subdivisions 8, 9, and 14; 518.615, subdivision 1; 518.6195; 518.64, subdivision 2; 552.04, subdivision 4; Laws 1995, chapter 257, article 1, section 34; Laws 1997, chapter 203, article 6, section 90; proposing coding for new law in Minnesota Statutes, chapter 518.

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

ARTICLE 1

CHILD SUPPORT

Section 1. Minnesota Statutes 1997 Supplement, section 256.741, subdivision 1, is amended to read:

Subdivision 1. **PUBLIC ASSISTANCE.** (a) The term "public assistance" as used in this chapter and chapters 257, 518, and 518C, includes any form of assistance provided under AFDC, MFIP, and MFIP-R under chapter 256, MFIP-S under chapter 256J, and work first under chapter 256K; child care assistance provided through the child care fund according to chapter 119B; any form of medical assistance under chapter 256B; MinnesotaCare under chapter ~~256~~ 256L; and foster care as provided under title IV-E of the Social Security Act.

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