

legislature having jurisdiction over kindergarten through grade 12 education policy and budget issues by February 1, 2004, that:

(1) identify the cut-scores on high school reading and mathematics assessments indicating that remedial instruction in the state's two-year higher education institutions is unneeded;

(2) recommend alternative assessments, including student portfolios;

(3) recommend whether students must pass state end-of-course examinations as a requirement for high school graduation;

(4) evaluate the feasibility of including state percentile rankings and a national comparison; and

(5) establish a method for using the grade 8 language arts and math tests to satisfy basic skills requirements.

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

Sec. 3. RULES FOR SUPPLEMENTAL SERVICE PROVIDERS.

The commissioner of children, families, and learning may adopt rules under Minnesota Statutes, section 14.388, establishing criteria for identifying, annually reviewing, and formally listing eligible supplemental education service providers throughout Minnesota, consistent with applicable federal requirements and Minnesota's application for supplemental education service providers under Title 1, Part A, of the No Child Left Behind Act.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to supplemental education service providers delivering supplemental English or math services to eligible students in the 2003-2004 school year and later.

Presented to the governor May 20, 2003

Signed by the governor May 21, 2003, 2:50 p.m.

CHAPTER 130—S.F.No. 296

An act relating to education; renaming the department of children, families, and learning to department of education; making conforming changes to reflect the department name change; amending Minnesota Statutes 2002, sections 15.01; 119A.01, subdivision 2; 119A.02, subdivisions 2, 3; 119B.011, subdivisions 8, 10; 120A.02; 120A.05, subdivisions 4, 7; 127A.05, subdivisions 1, 3; repealing Minnesota Statutes 2002, section 119A.01, subdivision 1.

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

Section 1. Minnesota Statutes 2002, section 15.01, is amended to read:

15.01 DEPARTMENTS OF THE STATE.

New language is indicated by underline, deletions by strikeout.

The following agencies are designated as the departments of the state government: the department of administration; the department of agriculture; the department of commerce; the department of corrections; the department of ~~children, families, and learning~~ education; the department of economic security; the department of trade and economic development; the department of finance; the department of health; the department of human rights; the department of labor and industry; the department of military affairs; the department of natural resources; the department of employee relations; the department of public safety; the department of human services; the department of revenue; the department of transportation; the department of veterans affairs; and their successor departments.

Sec. 2. Minnesota Statutes 2002, section 119A.01, subdivision 2, is amended to read:

Subd. 2. **ESTABLISHMENT.** The department of ~~children, families, and learning~~ education is established.

Sec. 3. Minnesota Statutes 2002, section 119A.02, subdivision 2, is amended to read:

Subd. 2. **COMMISSIONER.** "Commissioner" means the commissioner of ~~children, families, and learning~~ education.

Sec. 4. Minnesota Statutes 2002, section 119A.02, subdivision 3, is amended to read:

Subd. 3. **DEPARTMENT.** "Department" means the department of ~~children, families, and learning~~ education.

Sec. 5. Minnesota Statutes 2002, section 119B.011, subdivision 8, is amended to read:

Subd. 8. **COMMISSIONER.** "Commissioner" means the commissioner of ~~children, families, and learning~~ education.

Sec. 6. Minnesota Statutes 2002, section 119B.011, subdivision 10, is amended to read:

Subd. 10. **DEPARTMENT.** "Department" means the department of ~~children, families, and learning~~ education.

Sec. 7. Minnesota Statutes 2002, section 120A.02, is amended to read:

120A.02 DEPARTMENT OF CHILDREN, FAMILIES, AND LEARNING EDUCATION.

The department of ~~children, families, and learning~~ education shall carry out the provisions of chapters 120A to 129C and other related education provisions under law.

Sec. 8. Minnesota Statutes 2002, section 120A.05, subdivision 4, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 4. **COMMISSIONER.** “Commissioner” means the commissioner of ~~children, families, and learning~~ education.

Sec. 9. Minnesota Statutes 2002, section 120A.05, subdivision 7, is amended to read:

Subd. 7. **DEPARTMENT.** “Department” means the department of ~~children, families, and learning~~ education.

Sec. 10. Minnesota Statutes 2002, section 127A.05, subdivision 1, is amended to read:

Subdivision 1. **APPOINTMENT AND DUTIES.** The department shall be under the administrative control of the commissioner of ~~children, families, and learning~~ education which office is established. The governor shall appoint the commissioner under the provisions of section 15.06.

The commissioner shall be a person who possesses educational attainment and breadth of experience in the administration of public education and of the finances pertaining thereto commensurate with the spirit and intent of this code. Notwithstanding any other law to the contrary, the commissioner may appoint two deputy commissioners who shall serve in the unclassified service. The commissioner shall also appoint other employees as may be necessary for the organization of the department. The commissioner shall perform such duties as the law and rules may provide and be held responsible for the efficient administration and discipline of the department. The commissioner is charged with the execution of powers and duties to promote public education in the state and to safeguard the finances pertaining thereto.

Sec. 11. Minnesota Statutes 2002, section 127A.05, subdivision 3, is amended to read:

Subd. 3. **GENERAL SUPERVISION OVER PUBLIC SCHOOLS AND EDUCATIONAL AGENCIES.** The commissioner of ~~children, families, and learning~~ education shall adopt goals for and exercise general supervision over public schools and public educational agencies in the state, classify and standardize public elementary and secondary schools, and prepare for them outlines and suggested courses of study. The commissioner shall develop a plan to attain the adopted goals. The commissioner may recognize educational accrediting agencies for the sole purposes of sections 120A.22, 120A.24, and 120A.26.

Sec. 12. **REVISOR INSTRUCTION.**

(a) In Minnesota Statutes, the revisor shall renumber section 119A.02, subdivision 2, as 120A.02, paragraph (a), and section 120A.02 as 120A.02, paragraph (b).

(b) In Minnesota Statutes and Minnesota Rules, the revisor shall change the term “children, families, and learning” to “education.”

Sec. 13. **REPEALER.**

Minnesota Statutes 2002, section 119A.01, subdivision 1, is repealed.

New language is indicated by underline, deletions by ~~strikeout~~.

Presented to the governor May 24, 2003

Signed by the governor May 28, 2003, 12:55 p.m.

CHAPTER 131—S.F.No. 1099

An act relating to employment; repealing laws governing entertainment agencies; repealing Minnesota Statutes 2002, sections 184A.01; 184A.02; 184A.03; 184A.04; 184A.05; 184A.06; 184A.07; 184A.08; 184A.09; 184A.10; 184A.11; 184A.12; 184A.13; 184A.14; 184A.15; 184A.16; 184A.17; 184A.18; 184A.19; 184A.20.

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

Section 1. REPEALER.

Minnesota Statutes 2002, sections 184A.01; 184A.02; 184A.03; 184A.04; 184A.05; 184A.06; 184A.07; 184A.08; 184A.09; 184A.10; 184A.11; 184A.12; 184A.13; 184A.14; 184A.15; 184A.16; 184A.17; 184A.18; 184A.19; and 184A.20, are repealed.

Presented to the governor May 24, 2003

Signed by the governor May 28, 2003, 1:35 p.m.

CHAPTER 132—S.F.No. 1176

An act relating to civil law; clarifying that civil actions against the state may be brought in federal court under certain federal statutes; amending Minnesota Statutes 2002, section 1.05.

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

Section 1. Minnesota Statutes 2002, section 1.05, is amended to read:

1.05 WAIVER OF IMMUNITY FOR VIOLATIONS OF CERTAIN FEDERAL STATUTES.

Subdivision 1. AGE DISCRIMINATION IN EMPLOYMENT ACT. An employee, former employee, or prospective employee of the state who is aggrieved by the state's violation of the Age Discrimination in Employment Act of 1967, United States Code, title 29, section 621, et seq., as amended, may bring a civil action against the state in federal court or in any other court of competent jurisdiction for such legal or equitable relief as will effectuate the purposes of the act.

Subd. 2. FAIR LABOR STANDARDS ACT. An employee of the state who is aggrieved by the state's violation of the Fair Labor Standards Act of 1938, United

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