

Subd. 4. **LOW-INCOME AREA.** "Low-income area" means:

(1) Minneapolis, St. Paul; and;

(2) those cities in the metropolitan area as defined in section 473.121, subdivision 2, that have an average income that is below 80 percent of the median income for a four-person family as of the latest report by the United States Census Bureau; and

(3) those cities in the metropolitan area, which contain two or more contiguous census tracts in which the average family income is less than 80 percent of the median family income for the Twin Cities metropolitan area.

Presented to the governor May 31, 2005

Signed by the governor June 1, 2005, 3:19 p.m.

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#### CHAPTER 143—H.F.No. 2279

*An act relating to the city of Cologne; providing exemption to wetland replacement requirements.*

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

Section 1. **WETLAND REPLACEMENT REQUIREMENT EXEMPTION.**

Notwithstanding any law to the contrary, due to the construction of a trail in or near the city of Cologne on type I and type III wetlands in the area between the improved portion of marked State Highway 284 and Benton Lake, wetland replacement is eligible for replacement under Minnesota Statutes, section 103G.222, subdivision 1, paragraph (l).

Presented to the governor May 31, 2005

Signed by the governor June 2, 2005, 2:30 p.m.

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#### CHAPTER 144—H.F.No. 973

*An act relating to employee relations; modifying state employment provisions; amending Minnesota Statutes 2004, sections 43A.10, subdivision 6a; 43A.15, subdivision 3; 43A.31, by adding a subdivision.*

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

Section 1. Minnesota Statutes 2004, section 43A.10, subdivision 6a, is amended to read:

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

Subd. 6a. **LIMITED CONSIDERATION OF APPLICANTS.** The commissioner may limit consideration to only those applicants who have indicated availability for the geographic location, employment condition, travel status, and job grouping of the vacant position and who have indicated possession of the minimum qualifications for the vacant position. In addition, the commissioner may limit consideration to only those applicants who are:

(1) employees on a layoff list for the job class of the position. The appointing authority shall consider those names as provided in collective bargaining agreements and plans established under section 43A.18;

(2) current employees of the civil service, the Minnesota State Retirement System, the Public Employees Retirement Association, and the Teacher's Retirement Association, or employees of one or more agencies or organizational units under them;

(3) former permanent and probationary employees of the job class who separated from the class in good standing within the past four years and have indicated availability for reinstatement to the class; or

(4) current permanent and probationary employees who have indicated availability for transfer or demotion to the job class.

Sec. 2. Minnesota Statutes 2004, section 43A.15, subdivision 3, is amended to read:

Subd. 3. **TEMPORARY APPOINTMENTS.** The commissioner may authorize an appointing authority to make a temporary appointment of up to six months. The commissioner may, in the best interest of the state, grant an extension of a temporary appointment or approve a temporary appointment to fill a vacancy created by an approved leave of absence to a maximum period of one year. When practicable, the appointing authority may search the employment database for qualified applicants or, when necessary, the commissioner may certify any qualified eligible from an eligible list for the temporary appointment, but may authorize the appointment of any person deemed qualified by the appointing authority.

No person shall be employed on a temporary basis in any one agency for more than 12 months in any 24-month period.

Sec. 3. Minnesota Statutes 2004, section 43A.31, is amended by adding a subdivision to read:

Subd. 6. **DISSEMINATION OF INFORMATION.** The commissioner may electronically transmit to active employees all information necessary to administer sections 43A.22 to 43A.30, including, but not limited to, information necessary for open enrollment elections. The commissioner must provide notification that the information will be electronically transmitted.

Presented to the governor May 31, 2005

Signed by the governor June 1, 2005, 3:10 p.m.

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