

CHAPTER 271--H.F.No. 2948

An act relating to state government; repealing obsolete, redundant, and unnecessary laws administered by the Department of Employment and Economic Development, Metropolitan Council, and MN.IT; making conforming changes; amending Minnesota Statutes 2012, sections 15.991, subdivision 1; 16E.01, as amended; 16E.03, subdivision 2; 16E.035; 16E.05, subdivision 1; 116C.34, subdivision 3; 116D.04, subdivision 2a; 116L.02; 116L.05, subdivision 5; 116L.20, subdivision 2; 256J.49, subdivision 4; 256J.51, subdivision 2; 268.105, subdivision 7; 268.186; 473.123, subdivision 4; 473.125; 473.129, subdivisions 6, 12; 473.173, subdivision 2; 473.181, subdivision 2; 473.254, subdivisions 3a, 4, 5; 473.315, subdivision 1; 473.375, subdivision 11; 473.39, subdivision 1e; 473.391, subdivision 1; 473.405, subdivision 5; 473.42; 473.504, subdivisions 5, 11; 473.858, subdivision 1; 473.859, subdivision 6; 473.861, subdivision 2; 473.862, subdivision 2; Minnesota Statutes 2013 Supplement, sections 16E.04, subdivision 2; 16E.18, subdivision 8; repealing Minnesota Statutes 2012, sections 16E.02, subdivisions 2, 3; 16E.03, subdivision 8; 16E.0475; 116C.22; 116C.23; 116C.24; 116C.25; 116C.26; 116C.261; 116C.27; 116C.28; 116C.29; 116C.30; 116C.31; 116C.32; 116C.33; 116J.037; 116J.422; 116J.68, subdivision 5; 116J.74, subdivision 7a; 116J.874, subdivisions 1, 2, 3, 4, 5; 116J.885; 116J.987; 116J.988; 116J.989; 116J.990, subdivisions 1, 2, 3, 4, 5, 6; 116L.06; 116L.10; 116L.11; 116L.12, subdivisions 1, 3, 4, 5, 6; 116L.13; 116L.14; 116L.15; 116L.361, subdivision 2; 116L.363; 116L.871; 116L.872; 473.123, subdivision 7; 473.13, subdivision 1c; 473.23; 473.241; 473.243; 473.244; 473.254, subdivision 3; 473.315, subdivision 2; 473.326; 473.333; 473.375, subdivision 9; 473.382; 473.388, subdivision 8; 473.392; 473.516, subdivision 5; 473.523, subdivision 2; 473.535; 473.852, subdivision 11; Minnesota Statutes 2013 Supplement, sections 116J.6581; 116J.70, subdivision 2a; 473.517, subdivision 9.

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

ARTICLE 1**OBSOLETE AND REDUNDANT STATUTES**

Section 1. Minnesota Statutes 2012, section 268.105, subdivision 7, is amended to read:

Subd. 7. **Judicial review.** (a) The Minnesota Court of Appeals must, by writ of certiorari to the department, review the unemployment law judge's decision, provided a petition for the writ is filed with the court and a copy is served upon the unemployment law judge or the commissioner and any other involved party within 30 calendar days of the sending of the unemployment law judge's order under subdivision 2.

(b) Any employer petitioning for a writ of certiorari must pay to the court the required filing fee ~~and upon the service of the writ must furnish a cost bond to the department~~ in accordance with the Rules of Civil Appellate Procedure. If the employer requests a written transcript of the testimony received at the evidentiary hearing conducted under subdivision 1, the employer must pay to the department the cost of preparing the transcript. That money is credited to the administration account.

(c) Upon issuance by the Minnesota Court of Appeals of a writ of certiorari as a result of an applicant's petition, the department must furnish to the applicant at no cost a written transcript of any testimony received

at the evidentiary hearing conducted under subdivision 1, and, if requested, a copy of all exhibits entered into evidence. No filing fee or cost bond is required of an applicant petitioning the Minnesota Court of Appeals for a writ of certiorari.

(d) The Minnesota Court of Appeals may affirm the decision of the unemployment law judge or remand the case for further proceedings; or it may reverse or modify the decision if the substantial rights of the petitioner may have been prejudiced because the findings, inferences, conclusion, or decision are:

- (1) in violation of constitutional provisions;
- (2) in excess of the statutory authority or jurisdiction of the department;
- (3) made upon unlawful procedure;
- (4) affected by other error of law;
- (5) unsupported by substantial evidence in view of the entire record as submitted; or
- (6) arbitrary or capricious.

(e) The department is considered the primary responding party to any judicial action involving an unemployment law judge's decision. The department may be represented by an attorney licensed to practice law in Minnesota who is an employee of the department.

Sec. 2. Minnesota Statutes 2012, section 268.186, is amended to read:

268.186 RECORDS; AUDITS.

(a) Each employer must keep true and accurate records ~~for the periods of time and~~ on individuals performing services for the employer, containing the information the commissioner may require ~~by rule under Minnesota Rules, part 3315.1010.~~ The records must be kept for a period of not less than four years in addition to the current calendar year.

For the purpose of administering this chapter, the commissioner has the power to audit, examine, or cause to be supplied or copied, any books, correspondence, papers, records, or memoranda that are relevant, whether the books, correspondence, papers, records, or memoranda are the property of or in the possession of the employer or any other person at any reasonable time and as often as may be necessary.

(b) Any employer that refuses to allow an audit of its records by the department, or that fails to make all necessary records available for audit in Minnesota upon request of the commissioner, may be assessed an administrative penalty of \$500.

An employer that fails to provide a weekly breakdown of money earned by an applicant upon request of the commissioner, information necessary for the detection of applicant fraud under section 268.18, subdivision 2, may be assessed an administrative penalty of \$100. Any notice requesting a weekly breakdown must clearly state that a \$100 penalty may be assessed for failure to provide the information. The penalty collected is credited to the trust fund.

(c) The commissioner may make summaries, compilations, photographs, duplications, or reproductions of any records, or reports that the commissioner considers advisable for the preservation of the information

contained therein. Any summaries, compilations, photographs, duplications, or reproductions is admissible in any proceeding under this chapter. The commissioner may duplicate records, reports, summaries, compilations, instructions, determinations, or any other written or recorded matter pertaining to the administration of this chapter.

(d) Regardless of any law to the contrary, the commissioner may provide for the destruction of any records, reports, or reproductions, or other papers that are no longer necessary for the administration of this chapter, including any required audit. In addition, the commissioner may provide for the destruction or disposition of any record, report, or other paper from which the information has been electronically captured and stored, or that has been photographed, duplicated, or reproduced.

Sec. 3. **REPEALER.**

Subdivision 1. Environmental Coordination Procedures Act.

Minnesota Statutes 2012, sections 116C.22; 116C.23; 116C.24; 116C.25; 116C.26; 116C.261; 116C.27; 116C.28; 116C.29; 116C.30; 116C.31; 116C.32; and 116C.33, are repealed.

Subd. 2. E-Commerce ready designations.

Minnesota Statutes 2012, section 116J.037, is repealed.

Subd. 3. Rural policy and development center fund.

Minnesota Statutes 2012, section 116J.422, is repealed.

Subd. 4. Minnesota Entrepreneur Resource Virtual Network (MERNV).

Minnesota Statutes 2013 Supplement, section 116J.6581, is repealed.

Subd. 5. Small Business Development Center Advisory Board meetings.

Minnesota Statutes 2012, section 116J.68, subdivision 5, is repealed.

Subd. 6. Business license assistance exceptions.

Minnesota Statutes 2013 Supplement, section 116J.70, subdivision 2a, is repealed.

Subd. 7. Affirmative enterprise program.

Minnesota Statutes 2012, section 116J.874, subdivisions 1, 2, 3, 4, and 5, are repealed.

Subd. 8. Biomedical Innovation and Commercialization Initiative.

Minnesota Statutes 2012, section 116J.885, is repealed.

Subd. 9. Board of Invention.

Minnesota Statutes 2012, sections 116J.987; 116J.988; 116J.989; and 116J.990, subdivisions 1, 2, 3, 4, 5, and 6, are repealed.

Subd. 10. HIRE education loan program.

Minnesota Statutes 2012, section 116L.06, is repealed.

Subd. 11. Healthcare and human services worker program.

Minnesota Statutes 2012, sections 116L.10; 116L.11; 116L.12, subdivisions 1, 3, 4, 5, and 6; 116L.13; 116L.14; and 116L.15, are repealed.

Subd. 12. Youthbuild advisory committee.

Minnesota Statutes 2012, section 116L.363, is repealed.

Subd. 13. Local service unit delivery.

Minnesota Statutes 2012, sections 116L.871; and 116L.872, are repealed.

ARTICLE 2

CONFORMING CHANGES

Section 1. Minnesota Statutes 2012, section 15.991, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of this section and section 15.992:

(1) "business license" or "license" has the meaning given it in section 116J.70, subdivision 2, ~~and also includes licenses and other forms of approval listed in section 116J.70, subdivision 2a, clauses (7) and (8); but does not include those listed in subdivision 2a, clauses (1) to (6);~~

(2) "customer" means an individual; a small business as defined in section 645.445, but also including a nonprofit corporation that otherwise meets the criteria in that section; a family farm, family farm corporation, or family farm partnership as defined in section 500.24, subdivision 2; or a political subdivision as defined in section 103G.005, subdivision 14a;

(3) "initial agency" means the state agency to which a customer submits an application for a license or inquires about submitting an application; and

(4) "responsible agency" means the initial agency or another state agency that agrees to be designated the responsible agency.

Sec. 2. Minnesota Statutes 2012, section 116C.34, subdivision 3, is amended to read:

Subd. 3. **County responsibility.** The auditor of each county shall post in a conspicuous place in the auditor's office the telephone numbers of the Bureau of Business Licenses and the permit information center in the office of the applicable regional development commission; ~~copies of any master applications or permit applications forwarded to the auditor pursuant to section 116C.27, subdivision 1;~~ and copies of any information published by the bureau or an information center pursuant to subdivision 1.

Sec. 3. Minnesota Statutes 2012, section 116D.04, subdivision 2a, is amended to read:

Subd. 2a. **When prepared.** Where there is potential for significant environmental effects resulting from any major governmental action, the action shall be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement shall be an analytical rather than an encyclopedic document which describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement shall also analyze those economic, employment, and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision-making process, the environmental impact statement shall be prepared as early as practical in the formulation of an action.

(a) The board shall by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets shall be prepared as well as categories of actions for which no environmental review is required under this section. A mandatory environmental assessment worksheet shall not be required for the expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol facility as defined in section 41A.105, subdivision 1a, based on the capacity of the expanded or converted facility to produce alcohol fuel, but must be required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other categories of actions for which environmental assessment worksheets must be prepared. The responsible governmental unit for an ethanol plant or biobutanol facility project for which an environmental assessment worksheet is prepared shall be the state agency with the greatest responsibility for supervising or approving the project as a whole.

A mandatory environmental impact statement shall not be required for a facility or plant located outside the seven-county metropolitan area that produces less than 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually, if the facility or plant is: an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.105, subdivision 1a, clause (1); or a cellulosic biofuel facility, as defined in section 41A.10, subdivision 1, paragraph (d).

(b) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet by publishing the notice in at least one newspaper of general circulation in the geographic area where the project is proposed, by posting the notice on a Web site that has been designated as the official publication site for publication of proceedings, public notices, and summaries of a political subdivision in which the project is proposed, or in any other manner determined by the board and shall provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30-day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit's decision on the need for an environmental impact statement shall be based on the environmental assessment worksheet and the comments received during the comment period, and shall be made within 15 days after the close of the comment period. The board's chair may extend the 15-day period by not more than 15 additional days upon the request of the responsible governmental unit.

(c) An environmental assessment worksheet shall also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 100 individuals who reside or own property in the state, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment

worksheet shall be submitted to the board. The chair of the board shall determine the appropriate responsible governmental unit and forward the petition to it. A decision on the need for an environmental assessment worksheet shall be made by the responsible governmental unit within 15 days after the petition is received by the responsible governmental unit. The board's chair may extend the 15-day period by not more than 15 additional days upon request of the responsible governmental unit.

(d) Except in an environmentally sensitive location where Minnesota Rules, part 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental review under this chapter and rules of the board, if:

(1) the proposed action is:

(i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

(ii) an expansion of an existing animal feedlot facility with a total cumulative capacity of less than 1,000 animal units;

(2) the application for the animal feedlot facility includes a written commitment by the proposer to design, construct, and operate the facility in full compliance with Pollution Control Agency feedlot rules; and

(3) the county board holds a public meeting for citizen input at least ten business days prior to the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot facility unless another public meeting for citizen input has been held with regard to the feedlot facility to be permitted. The exemption in this paragraph is in addition to other exemptions provided under other law and rules of the board.

(e) The board may, prior to final approval of a proposed project, require preparation of an environmental assessment worksheet by a responsible governmental unit selected by the board for any action where environmental review under this section has not been specifically provided for by rule or otherwise initiated.

(f) An early and open process shall be utilized to limit the scope of the environmental impact statement to a discussion of those impacts, which, because of the nature or location of the project, have the potential for significant environmental effects. The same process shall be utilized to determine the form, content and level of detail of the statement as well as the alternatives which are appropriate for consideration in the statement. In addition, the permits which will be required for the proposed action shall be identified during the scoping process. Further, the process shall identify those permits for which information will be developed concurrently with the environmental impact statement. The board shall provide in its rules for the expeditious completion of the scoping process. The determinations reached in the process shall be incorporated into the order requiring the preparation of an environmental impact statement.

(g) The responsible governmental unit shall, to the extent practicable, avoid duplication and ensure coordination between state and federal environmental review and between environmental review and environmental permitting. Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project shall be developed in conjunction with the preparation of an environmental impact statement. When an environmental impact statement is prepared for a project requiring multiple permits for which two or more agencies' decision processes include either mandatory or discretionary hearings before a hearing officer prior to the agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the contrary, conduct the hearings in a single consolidated hearing process if requested by the proposer. All agencies having jurisdiction over a permit that

is included in the consolidated hearing shall participate. The responsible governmental unit shall establish appropriate procedures for the consolidated hearing process, including procedures to ensure that the consolidated hearing process is consistent with the applicable requirements for each permit regarding the rights and duties of parties to the hearing, and shall utilize the earliest applicable hearing procedure to initiate the hearing. ~~The procedures of section 116C.28, subdivision 2, apply to the consolidated hearing.~~

(h) An environmental impact statement shall be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit shall have 60 days to prepare an adequate environmental impact statement.

(i) The proposer of a specific action may include in the information submitted to the responsible governmental unit a preliminary draft environmental impact statement under this section on that action for review, modification, and determination of completeness and adequacy by the responsible governmental unit. A preliminary draft environmental impact statement prepared by the project proposer and submitted to the responsible governmental unit shall identify or include as an appendix all studies and other sources of information used to substantiate the analysis contained in the preliminary draft environmental impact statement. The responsible governmental unit shall require additional studies, if needed, and obtain from the project proposer all additional studies and information necessary for the responsible governmental unit to perform its responsibility to review, modify, and determine the completeness and adequacy of the environmental impact statement.

Sec. 4. Minnesota Statutes 2012, section 116L.02, is amended to read:

116L.02 JOB SKILLS PARTNERSHIP PROGRAM.

(a) The Minnesota Job Skills Partnership program is created to act as a catalyst to bring together employers with specific training needs with educational or other nonprofit institutions which can design programs to fill those needs. The partnership shall work closely with employers to prepare, train and place prospective or incumbent workers in identifiable positions as well as assisting educational or other nonprofit institutions in developing training programs that coincide with current and future employer requirements. The partnership shall provide grants to educational or other nonprofit institutions for the purpose of training workers. A participating business must match the grant-in-aid made by the Minnesota Job Skills Partnership. The match may be in the form of funding, equipment, or faculty.

~~(b) The partnership program shall administer the health care and human services worker training and retention program under sections 116L.10 to 116L.15.~~

~~(e)~~ (b) The partnership program is authorized to use funds to pay for training for individuals who have incomes at or below 200 percent of the federal poverty line. The board may grant funds to eligible recipients to pay for board-certified training. Eligible recipients of grants may include public, private, or nonprofit entities that provide employment services to low-income individuals.

Sec. 5. Minnesota Statutes 2012, section 116L.05, subdivision 5, is amended to read:

Subd. 5. **Use of workforce development funds.** After March 1 of any fiscal year, the board may use workforce development funds for the purposes outlined in sections 116L.02; and 116L.04; ~~and 116L.10 to~~

~~116L.14~~, or to provide incumbent worker training services under section 116L.18 if the following conditions have been met:

(1) the board examines relevant economic indicators, including the projected number of layoffs for the remainder of the fiscal year and the next fiscal year, evidence of declining and expanding industries, the number of initial applications for and the number of exhaustions of unemployment benefits, job vacancy data, and any additional relevant information brought to the board's attention;

(2) the board accounts for all allocations made in section 116L.17, subdivision 2;

(3) based on the past expenditures and projected revenue, the board estimates future funding needs for services under section 116L.17 for the remainder of the current fiscal year and the next fiscal year;

(4) the board determines there will be unspent funds after meeting the needs of dislocated workers in the current fiscal year and there will be sufficient revenue to meet the needs of dislocated workers in the next fiscal year; and

(5) the board reports its findings in clauses (1) to (4) to the chairs of legislative committees with jurisdiction over the workforce development fund, to the commissioners of revenue and management and budget, and to the public.

Sec. 6. Minnesota Statutes 2012, section 116L.20, subdivision 2, is amended to read:

Subd. 2. Disbursement of special assessment funds. (a) The money collected under this section shall be deposited in the state treasury and credited to the workforce development fund to provide for employment and training programs. The workforce development fund is created as a special account in the state treasury.

(b) All money in the fund not otherwise appropriated or transferred is appropriated to the Job Skills Partnership Board for the purposes of section 116L.17 and as provided for in paragraph (d). The board must act as the fiscal agent for the money and must disburse that money for the purposes of section 116L.17, not allowing the money to be used for any other obligation of the state. All money in the workforce development fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as are provided by law for the other special accounts in the state treasury, except that all interest or net income resulting from the investment or deposit of money in the fund shall accrue to the fund for the purposes of the fund.

(c) Reimbursement for costs related to collection of the special assessment shall be in an amount negotiated between the commissioner and the United States Department of Labor.

(d) If the board determines that the conditions of section 116L.05, subdivision 5, have been met, the board may use funds for the purposes outlined in sections section 116L.04 and ~~116L.10 to 116L.14~~, or to provide incumbent worker training services under section 116L.18.

Sec. 7. Minnesota Statutes 2012, section 256J.49, subdivision 4, is amended to read:

Subd. 4. Employment and training service provider. "Employment and training service provider" means:

(1) a public, private, or nonprofit agency with which a county has contracted to provide employment and training services and which is included in the county's service agreement submitted under section 256J.626, subdivision 4;

(2) a county agency, if the county has opted to provide employment and training services and the county has indicated that fact in the service agreement submitted under section 256J.626, subdivision 4; or

(3) a local public health department under section 145A.17, subdivision 4a, that a county has designated to provide employment and training services and is included in the county's service agreement submitted under section 256J.626, subdivision 4.

~~Notwithstanding section 116L.871, An employment and training services provider meeting this definition may deliver employment and training services under this chapter.~~

Sec. 8. Minnesota Statutes 2012, section 256J.51, subdivision 2, is amended to read:

Subd. 2. **Appeal; alternate approval.** (a) An employment and training service provider that is not included by a county agency in the service agreement under section 256J.626, subdivision 4, and that meets the criteria in paragraph (b), may appeal its exclusion to the commissioner of employment and economic development, and may request alternative approval by the commissioner of employment and economic development to provide services in the county.

~~(b) An employment and training services provider that is requesting alternative approval must demonstrate to the commissioner that the provider meets the standards specified in section 116L.871, subdivision 1, paragraph (b), except that the provider's past experience may be in services and programs similar to those specified in section 116L.871, subdivision 1, paragraph (b).~~

Sec. 9. **REPEALER.**

Subdivision 1. Reference to Minnesota Statutes, section 116J.70, subdivision 2a.

Minnesota Statutes 2012, section 116J.74, subdivision 7a, is repealed.

Subd. 2. Reference to Minnesota Statutes, section 116L.363.

Minnesota Statutes 2012, section 116L.361, subdivision 2, is repealed.

ARTICLE 3

METROPOLITAN COUNCIL

Section 1. Minnesota Statutes 2012, section 473.123, subdivision 4, is amended to read:

Subd. 4. **Chair; appointment, officers, selection; duties and compensation.** (a) The chair of the Metropolitan Council shall be appointed by the governor as the 17th voting member thereof by and with the advice and consent of the senate to serve at the pleasure of the governor to represent the metropolitan area at large. Senate confirmation shall be as provided by section 15.066.

The chair of the Metropolitan Council shall, if present, preside at meetings of the council, have the primary responsibility for meeting with local elected officials, serve as the principal legislative liaison, present to the governor and the legislature, after council approval, the council's plans for regional governance

and operations, serve as the principal spokesperson of the council, and perform other duties assigned by the council or by law.

(b) The Metropolitan Council shall elect other officers as it deems necessary for the conduct of its affairs for a one-year term. A secretary and treasurer need not be members of the Metropolitan Council. Meeting times and places shall be fixed by the Metropolitan Council and special meetings may be called by a majority of the members of the Metropolitan Council or by the chair. The chair and each Metropolitan Council member shall be reimbursed for actual and necessary expenses. ~~The annual budget of the council shall provide as a separate account anticipated expenditures for compensation, travel, and associated expenses for the chair and members, and compensation or reimbursement shall be made to the chair and members only when budgeted.~~

(c) Each member of the council shall attend and participate in council meetings and meet regularly with local elected officials and legislative members from the council member's district. Each council member shall serve on at least one division committee for transportation, environment, or community development.

(d) In the performance of its duties the Metropolitan Council may adopt policies and procedures governing its operation, establish committees, and, when specifically authorized by law, make appointments to other governmental agencies and districts.

Sec. 2. Minnesota Statutes 2012, section 473.125, is amended to read:

473.125 REGIONAL ADMINISTRATOR.

The Metropolitan Council shall appoint a regional administrator to serve at the council's pleasure as the principal administrative officer for the Metropolitan Council. The regional administrator shall organize the work of the council staff. The regional administrator shall appoint on the basis of merit and fitness, and discipline and discharge all employees in accordance with the council's personnel policy, except ~~(1) the performance and budget analysts provided for in section 473.123, subdivision 7, (2) the general counsel, as provided in section 473.123, subdivision 8, (3) employees of the offices of wastewater services and transit operations, who are appointed, disciplined, and discharged in accordance with council personnel policies by their respective operations managers, and (4) metropolitan transit police officers.~~ The regional administrator must ensure that all policy decisions of the council are carried out. The regional administrator shall attend meetings of the council and may take part in discussions but may not vote. The regional administrator shall recommend to the council for adoption measures deemed necessary for efficient administration of the council, keep the council fully apprised of the financial condition of the council, and prepare and submit an annual budget to the council for approval. The regional administrator shall prepare and submit for approval by the council an administrative code organizing and codifying the policies of the council, and perform other duties as prescribed by the council. The regional administrator may be chosen from among the citizens of the nation at large, and shall be selected on the basis of training and experience in public administration.

Sec. 3. Minnesota Statutes 2012, section 473.129, subdivision 6, is amended to read:

Subd. 6. **On metro agencies.** ~~(a)~~ The Metropolitan Council shall appoint from its membership a member to serve with each metropolitan agency. Each member of the Metropolitan Council so appointed on each of such agencies shall serve without a vote.

~~(b) The Metropolitan Council shall also appoint individuals to the governing body of the cable communications metropolitan interconnected regional channel entity under section 238.43, subdivision 5.~~

Sec. 4. Minnesota Statutes 2012, section 473.129, subdivision 12, is amended to read:

Subd. 12. **Best value procurement alternative.** (a) Notwithstanding the provisions of section 471.345, the council may award a contract for the purchase of transit vehicles to the vendor or contractor offering the best value under a request for proposals. For the purposes of this subdivision, "transit vehicles" means buses and coaches, commuter rail locomotives and coach cars, light rail vehicles, and paratransit vehicles that are used to provide transit and special transportation service pursuant to sections 473.371 to 473.449.

(b) For the purposes of this subdivision, "best value" describes a result intended in the acquisition of goods and services described in paragraph (a). Price must be one of the evaluation criteria ~~when acquiring such goods and services~~. Other evaluation criteria may include, but are not limited to, environmental considerations, quality, and vendor or contractor performance. ~~A best value determination must be based on~~ The evaluation criteria detailed must be included in the solicitation document. ~~If criteria other than price are used, the solicitation document must state as well as~~ the relative importance of price and other factors.

Sec. 5. Minnesota Statutes 2012, section 473.173, subdivision 2, is amended to read:

Subd. 2. **Rules.** ~~By September 1, 1976,~~ The council shall adopt and put into effect rules establishing standards, guidelines and procedures for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of and final determination on such matters in accordance with the powers and requirements set forth in this section. The purpose of these rules shall be to promote the orderly and economic economical development, public and private, of the metropolitan area.

Sec. 6. Minnesota Statutes 2012, section 473.181, subdivision 2, is amended to read:

Subd. 2. **Parks.** The council shall review local government park master plans pursuant to section 473.313. ~~The Metropolitan Council shall approve the use of moneys made available for land acquisition to local units of government from the land and conservation fund, the open space program of HUD, the natural resources account in the state treasury, if the use thereof conforms with the system of priorities established by law as part of a comprehensive plan for the development of parks; otherwise it shall disapprove of the use thereof.~~

Sec. 7. Minnesota Statutes 2012, section 473.254, subdivision 3a, is amended to read:

Subd. 3a. **Affordable, life-cycle housing opportunities amount after 2002.** ~~(1) Notwithstanding any other provisions of this section, commencing for calendar year 2003 and each succeeding calendar year,~~ (a) Each municipality's "affordable and life-cycle housing opportunities amount" for that year must be determined annually by the council using the method in this subdivision. The affordable and life-cycle housing opportunities amount must be determined for each calendar year for all municipalities in the metropolitan area.

~~(2)~~ (b) The council must allocate to each municipality its portion of the \$1,000,000 of the revenue generated by the levy authorized in section 473.249 which is credited to the local housing incentives account pursuant to subdivision 5, paragraph (b). The allocation must be made by determining the amount levied for and payable in each municipality in the previous calendar year pursuant to the council levy in section 473.249 divided by the total amount levied for and payable in the metropolitan area in the previous calendar year pursuant to such levy and multiplying that result by \$1,000,000.

~~(3)~~ (c) The council must also determine the amount levied for and payable in each municipality in the previous calendar year pursuant to the council levy in section 473.253, subdivision 1.

~~(4) (d)~~ A municipality's affordable and life-cycle housing opportunities amount for the calendar year is the sum of the amounts determined under ~~clauses (2) and (3) paragraphs (b) and (c).~~

~~(5) Within 90 days after the effective date of this act, the council must notify each municipality of its affordable and life-cycle housing opportunities amount for calendar years 2003 and 2004 as determined by the method in this subdivision. These amounts replace the affordable and life-cycle housing opportunities amount for each municipality for calendar years 2003 and 2004 as previously determined by the method in subdivision 3.~~

~~(6) (e)~~ By August 1, 2004, and by August 1 of each succeeding year, the council must notify each municipality of its affordable and life-cycle housing opportunities amount for the following calendar year determined by the method in this subdivision.

Sec. 8. Minnesota Statutes 2012, section 473.254, subdivision 4, is amended to read:

Subd. 4. **Affordable and life-cycle housing requirement.** ~~In 1998, and thereafter, (a)~~ A municipality that does not spend 85 percent of its affordable and life-cycle housing opportunities amount to create affordable and life-cycle housing opportunities in the previous calendar year must do one of the following with the affordable and life-cycle housing opportunities amount for the previous year as determined under subdivision 3 or 3a, as applicable:

(1) distribute it to the local housing incentives account; or

(2) distribute it to the housing and redevelopment authority of the city or county in which the municipality is located to create affordable and life-cycle housing opportunities in the municipality.

~~(b)~~ A municipality may enter into agreements with adjacent municipalities to cooperatively provide affordable and life-cycle housing. The housing may be provided in any of the cooperating municipalities, but must meet the combined housing goals of each participating municipality.

Sec. 9. Minnesota Statutes 2012, section 473.254, subdivision 5, is amended to read:

Subd. 5. **Sources of funds.** (a) The council shall credit to the local housing incentives account any revenues derived from municipalities under subdivision 4, paragraph ~~(b)~~ (a), clause (1).

~~(b) The council shall credit \$1,000,000 of the proceeds of solid waste bonds issued by the council under Minnesota Statutes, section 473.831, before its repeal, to the local housing incentives account in the metropolitan livable communities fund. In 1998 and each year thereafter, The council shall annually credit \$1,000,000 of the revenues generated by the levy authorized in section 473.249 to the local housing incentives account.~~

~~(c) In 1997, and each year thereafter, The council shall annually transfer \$500,000 from the livable communities demonstration account to the local housing incentives account.~~

Sec. 10. Minnesota Statutes 2012, section 473.315, subdivision 1, is amended to read:

Subdivision 1. **To metro local governments.** The Metropolitan Council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any ~~municipality, park district or county located wholly or partially within the metropolitan area~~ implementing agency, as defined in section 473.351, to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies may enter into

contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56.

Sec. 11. Minnesota Statutes 2012, section 473.375, subdivision 11, is amended to read:

Subd. 11. **Ride sharing.** The council shall administer a ride-sharing program in the metropolitan area, except for the statewide vanpool leasing program conducted by the commissioner of transportation and shall cooperate with the commissioner in the conduct of ride-sharing activities in areas where the commissioner's programs and the council's program overlap. ~~The council shall establish a rideshare advisory committee to advise it in carrying out the program.~~ The council may contract for services in operating the program.

Sec. 12. Minnesota Statutes 2012, section 473.39, subdivision 1e, is amended to read:

Subd. 1e. **Obligations; additional authority.** In addition to the authority in subdivisions 1a, 1b, 1c, and 1d, the council may issue certificates of indebtedness, bonds, or other obligations under this section in an amount not exceeding \$32,500,000, which may be used for capital expenditures as prescribed in the council's transit capital improvement program and for related costs, including the costs of issuance and sale of the obligations.

~~The Metropolitan Council, the city of St. Paul, and the Minnesota Department of Transportation shall jointly assess the feasibility of locating a bus storage facility near Mississippi and Cayuga Street and I-35E in St. Paul. If the metropolitan council determines feasibility, the first priority for siting must be at that location.~~

Sec. 13. Minnesota Statutes 2012, section 473.391, subdivision 1, is amended to read:

Subdivision 1. **Contracts.** The council may contract with other operators or local governments for route planning and scheduling services in any configuration of new or reconfiguration of existing transit services and routes, ~~including route planning and scheduling necessary for the test marketing program, the service bidding program, and the interstate highway described generally as Legislative Routes Nos. 10 and 107 between I-494 and the Hawthorne interchange in the city of Minneapolis, commonly known as I-394.~~

Sec. 14. Minnesota Statutes 2012, section 473.405, subdivision 5, is amended to read:

Subd. 5. **Acquisition of transit systems.** The council may acquire by purchase, lease, gift, or condemnation proceedings any existing public transit system or any part thereof, including all or any part of the plant, equipment, shares of stock, property, real, personal, or mixed, rights in property, reserve funds, special funds, franchises, licenses, patents, permits and papers, documents and records belonging to any operator of a public transit system within the metropolitan area, and may in connection therewith assume any or all liabilities of any operator of a public transit system. The council may take control of and operate a system immediately following the filing and approval of the initial petition for condemnation, if the council, in its discretion, determines this to be necessary, and may take possession of all right, title and other powers of ownership in all properties and facilities described in the petition. Control must be taken by resolution which is effective upon service of a copy on the condemnee and the filing of the resolution in the condemnation action. In the determination of the fair value of the existing public transit system, there must not be included any value attributable to expenditures for improvements made by the former Metropolitan Transit Commission or council.

~~The council may continue or terminate within three months of acquisition any advertising contract in existence by and between any advertiser and a transit system that the council has acquired. If the council de-~~

~~termines to terminate the advertising contract, it shall acquire all of the advertiser's rights under the contract by purchase or eminent domain proceedings as provided by law.~~

Sec. 15. Minnesota Statutes 2012, section 473.42, is amended to read:

473.42 EMPLOYER CONTRIBUTIONS FOR CERTAIN EMPLOYEES.

Notwithstanding any contrary provisions of section 352.029, the council shall make the employer contributions required pursuant to section 352.04, subdivision 3, for any employee who was on authorized leave of absence from the transit operating division of the former Metropolitan Transit Commission who is employed by the labor organization which is the exclusive bargaining agent representing Metro Transit Division employees of the Office of Transit Operations council and who is covered by the Minnesota State Retirement System in addition to all other employer contributions the council is required to make.

Sec. 16. Minnesota Statutes 2012, section 473.504, subdivision 5, is amended to read:

Subd. 5. **Gifts, grants, loans.** The council may accept gifts, may apply for and accept grants or loans of money or other property from the United States, the state, or any person for any of its purposes, ~~including any grant available under the federal Water Pollution Act amendments of 1972,~~ whether for construction, research, or pilot project implementation, may enter into any agreement required in connection therewith, and may hold, use, and dispose of such money or property in accordance with the terms of the gift, grant, loan, or agreement relating thereto. ~~The council has all powers necessary to comply with the federal Water Pollution Control Act amendments of 1972 and any grant offered to it thereunder including, but not limited to, the power to enter into such contracts with, or to impose such charges upon, persons using the metropolitan disposal system as it shall determine to be necessary for the recovery of treatment works and intercepter costs paid with federal grant funds. Insofar as possible these costs shall be recovered by local government units on behalf of the council.~~

Sec. 17. Minnesota Statutes 2012, section 473.504, subdivision 11, is amended to read:

Subd. 11. **Surplus property.** The council may sell or otherwise dispose of any real or personal property acquired by it which is no longer required for accomplishment of its purposes. ~~Such property may be sold in the manner provided by section 469.065, insofar as practical. The council may give such notice of sale as it shall deem appropriate. When the council determines that any property or any intercepter or treatment works or any part thereof which has been acquired from a local government unit without compensation is no longer required, but is required as a local facility by the government unit from which it was acquired, the council may by resolution transfer it to such government unit.~~

Sec. 18. Minnesota Statutes 2012, section 473.858, subdivision 1, is amended to read:

Subdivision 1. **No conflicting zoning, fiscal device, official control.** Within nine months following the receipt of a metropolitan system statement for an amendment to a metropolitan system plan and within three years following the receipt of a metropolitan system statement issued in conjunction with the decennial review required under section 473.864, subdivision 2, every local governmental unit shall have reviewed and, if necessary, amended its comprehensive plan in accordance with sections 462.355, 473.175, and 473.851 to 473.871 and the applicable planning statute and shall have submitted the plan to the Metropolitan Council for review pursuant to section 473.175. The provisions of sections 462.355, 473.175, and 473.851 to 473.871 shall supersede the provisions of the applicable planning statute wherever a conflict may exist. If the comprehensive municipal plan is in conflict with the zoning ordinance, the zoning ordinance shall

be brought into conformance with the plan by local government units in conjunction with the review and, if necessary, amendment of its comprehensive plan required under section 473.864, subdivision 2. ~~After August 1, 1995,~~ A local government unit shall not adopt any fiscal device or official control which is in conflict with its comprehensive plan, including any amendments to the plan, or which permits activity in conflict with metropolitan system plans, as defined by section 473.852, subdivision 8. The comprehensive plan shall provide guidelines for the timing and sequence of the adoption of official controls to ensure planned, orderly, and staged development and redevelopment consistent with the comprehensive plan. For purposes of this section, a fiscal device or official control shall not be considered to be in conflict with a local government unit's comprehensive plan or to permit an activity in conflict with metropolitan system plans if such fiscal device or official control is adopted to ensure the planned, orderly, and staged development of urbanization or redevelopment areas designated in the comprehensive plan pursuant to section 473.859, subdivision 5.

Sec. 19. Minnesota Statutes 2012, section 473.859, subdivision 6, is amended to read:

Subd. 6. **Plan review.** The council shall, ~~by January 1, 1994,~~ prepare guidelines for the preparation of the water supply plans required in subdivision 3, clause (4). The plans must be submitted to the council ~~by January 1, 1996~~ as part of the decennial review required under section 473.864, subdivision 2. The council shall review the plans under section 473.175, subdivision 1, after submitting them to affected counties that have adopted groundwater plans under section 103B.255 for their review and comment.

Sec. 20. Minnesota Statutes 2012, section 473.861, subdivision 2, is amended to read:

Subd. 2. **By 1976 Plan preparation.** ~~By December 31, 1976,~~ Each town within the counties of Anoka, Carver, Dakota, Scott and Washington, authorized to plan under sections 462.351 to 462.364, or under special law, shall by resolution determine whether it will prepare the comprehensive plan for its jurisdiction. Each such town also shall specify, pursuant to agreement with the county within which it is situated, any parts of its plan and official controls, if any, the preparation of which it delegates to the county.

Sec. 21. Minnesota Statutes 2012, section 473.862, subdivision 2, is amended to read:

Subd. 2. **~~Towns with no plan by 1976~~ Town planning.** Each county other than Hennepin, Ramsey, Anoka, and Dakota shall prepare, with the participation and assistance of the town, the comprehensive plan for any town within the county which ~~fails by December 31, 1976, to take~~ has not taken action by resolution pursuant to section 473.861, subdivision 2 and shall prepare all or part of any plan delegated to it pursuant to section 473.861, subdivision 2.

Sec. 22. **REPEALER.**

Minnesota Statutes 2012, sections 473.123, subdivision 7; 473.13, subdivision 1c; 473.23; 473.241; 473.243; 473.244; 473.254, subdivision 3; 473.315, subdivision 2; 473.326; 473.333; 473.375, subdivision 9; 473.382; 473.388, subdivision 8; 473.392; 473.516, subdivision 5; 473.523, subdivision 2; 473.535; and 473.852, subdivision 11, and Minnesota Statutes 2013 Supplement, section 473.517, subdivision 9, are repealed.

Sec. 23. **APPLICATION.**

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

ARTICLE 4

INFORMATION TECHNOLOGY

Section 1. Minnesota Statutes 2012, section 16E.01, as amended by Laws 2013, chapter 134, section 21, is amended to read:

16E.01 OFFICE OF MN.IT SERVICES.

Subdivision 1. **Creation; chief information officer.** The Office of MN.IT Services, referred to in this chapter as the "office," is an agency in the executive branch headed by a commissioner, who also is the state chief information officer. The appointment of the commissioner is subject to the advice and consent of the senate under section 15.066.

Subd. 1a. **Responsibilities.** The office shall provide oversight, leadership, and direction for information and telecommunications technology policy and the management, delivery, accessibility, and security of information and telecommunications technology systems and services in Minnesota. The office shall manage strategic investments in information and telecommunications technology systems and services to encourage the development of a technically literate society, to ensure sufficient access to and efficient delivery of accessible government services, and to maximize benefits for the state government as an enterprise.

Subd. 2. **Discretionary powers.** The office may:

(1) enter into contracts for goods or services with public or private organizations and charge fees for services it provides;

(2) apply for, receive, and expend money from public agencies;

(3) apply for, accept, and disburse grants and other aids from the federal government and other public or private sources;

(4) enter into contracts with agencies of the federal government, local governmental units, the University of Minnesota and other educational institutions, and private persons and other nongovernmental organizations as necessary to perform its statutory duties;

~~(5) appoint committees and task forces of not more than two years' duration to assist the office in carrying out its duties;~~

~~(6)~~ (5) sponsor and conduct conferences and studies, collect and disseminate information, and issue reports relating to information and communications technology issues;

~~(7) participate in the activities of standards bodies and other appropriate conferences related to information and communications technology issues;~~

~~(8)~~ (6) review the technology infrastructure of regions of the state and cooperate with and make recommendations to the governor, legislature, state agencies, local governments, local technology development agencies, the federal government, private businesses, and individuals for the realization of information and communications technology infrastructure development potential;

~~(9)~~ (7) sponsor, support, and facilitate innovative and collaborative economic and community development and government services projects, including technology initiatives related to culture and the arts, with public and private organizations; and

(10) (8) review and recommend alternative sourcing strategies for state information and communications systems.

Subd. 3. **Duties.** (a) The office shall:

(1) manage the efficient and effective use of available federal, state, local, and public-private resources to develop statewide information and telecommunications technology systems and services and its infrastructure;

(2) approve state agency and intergovernmental information and telecommunications technology systems and services development efforts involving state or intergovernmental funding, including federal funding, provide information to the legislature regarding projects reviewed, and recommend projects for inclusion in the governor's budget under section 16A.11;

(3) ensure cooperation and collaboration among state and local governments in developing intergovernmental information and telecommunications technology systems and services, and define the structure and responsibilities of a representative governance structure;

(4) cooperate and collaborate with the legislative and judicial branches in the development of information and communications systems in those branches;

(5) continue the development of North Star, the state's official comprehensive online service and information initiative;

(6) promote and collaborate with the state's agencies in the state's transition to an effectively competitive telecommunications market;

(7) collaborate with entities carrying out education and lifelong learning initiatives to assist Minnesotans in developing technical literacy and obtaining access to ongoing learning resources;

(8) promote and coordinate public information access and network initiatives, consistent with chapter 13, to connect Minnesota's citizens and communities to each other, to their governments, and to the world;

(9) promote and coordinate electronic commerce initiatives to ensure that Minnesota businesses and citizens can successfully compete in the global economy;

(10) manage and promote the regular and periodic reinvestment in the information and telecommunications technology systems and services infrastructure so that state and local government agencies can effectively and efficiently serve their customers;

(11) facilitate the cooperative development of and ensure compliance with standards and policies for information and telecommunications technology systems and services, electronic data practices and privacy, and electronic commerce among international, national, state, and local public and private organizations;

(12) eliminate unnecessary duplication of existing information and telecommunications technology systems and services provided by ~~other public and private organizations while building on the existing governmental, educational, business, health care, and economic development infrastructures~~ state agencies;

(13) identify, sponsor, develop, and execute shared information and telecommunications technology projects and ongoing operations;

(14) ensure overall security of the state's information and technology systems and services; and

(15) manage and direct compliance with accessibility standards for informational technology, including hardware, software, Web sites, online forms, and online surveys.

(b) The chief information officer, in consultation with the commissioner of management and budget, must determine when it is cost-effective for agencies to develop and use shared information and telecommunications technology systems and services for the delivery of electronic government services. The chief information officer may require agencies to use shared information and telecommunications technology systems and services. The chief information officer shall establish reimbursement rates in cooperation with the commissioner of management and budget to be billed to agencies and other governmental entities sufficient to cover the actual development, operating, maintenance, and administrative costs of the shared systems. The methodology for billing may include the use of interagency agreements, or other means as allowed by law.

(c) A state agency that has an information and telecommunications technology project with a total expected project cost of more than \$1,000,000, whether funded as part of the biennial budget or by any other means, shall register with the office by submitting basic project startup documentation, as specified by the chief information officer in both format and content, before any project funding is requested or committed and before the project commences. State agency project leaders must demonstrate that the project will be properly managed, provide updates to the project documentation as changes are proposed, and regularly report on the current status of the project on a schedule agreed to with the chief information officer.

(d) The chief information officer shall monitor progress on any active information and telecommunications technology project with a total expected project cost of more than \$5,000,000 and report on the performance of the project in comparison with the plans for the project in terms of time, scope, and budget. The chief information officer may conduct an independent project audit of the project. The audit analysis and evaluation of the projects subject to paragraph (c) must be presented to agency executive sponsors, the project governance bodies, and the chief information officer. All reports and responses must become part of the project record.

(e) For any active information and telecommunications technology project with a total expected project cost of more than \$10,000,000, the state agency must perform an annual independent audit that conforms to published project audit principles promulgated by the office.

(f) The chief information officer shall report by January 15 of each year to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over the office regarding projects the office has reviewed under paragraph (a), clause ~~(2)~~ (13). The report must include the reasons for the determinations made in the review of each project and a description of its current status.

Sec. 2. Minnesota Statutes 2012, section 16E.03, subdivision 2, is amended to read:

Subd. 2. **Chief information officer's responsibility.** ~~The chief information officer shall coordinate the state's information and telecommunications technology systems and services to serve the needs of the state government.~~ The chief information officer shall:

(1) design a master plan for information and telecommunications technology systems and services in the state and its political subdivisions and shall report on the plan to the governor and legislature at the beginning of each regular session;

(2) coordinate, review, and approve all information and telecommunications technology projects and oversee the state's information and telecommunications technology systems and services;

(3) establish and enforce compliance with standards for information and telecommunications technology systems and services that are cost-effective and support open systems environments and that are compatible with state, national, and international standards, including accessibility standards;

(4) maintain a library of systems and programs developed by the state and its political subdivisions for use by agencies of government;

(5) direct and manage the shared operations of the state's information and telecommunications technology systems and services; and

(6) establish and enforce standards and ensure acquisition of hardware and software necessary to protect data and systems in state agency networks connected to the Internet.

Sec. 3. Minnesota Statutes 2012, section 16E.035, is amended to read:

16E.035 TECHNOLOGY INVENTORY.

The chief information officer must prepare ~~an~~ a financial inventory of technology owned or leased by ~~state agencies~~ MN.IT Services. The inventory must include: (1) information on how the technology fits into the state's information technology architecture; and (2) a projected replacement schedule. The chief information officer must report the inventory to the legislative committees with primary jurisdiction over state technology issues by July 1 of each even-numbered year.

Sec. 4. Minnesota Statutes 2013 Supplement, section 16E.04, subdivision 2, is amended to read:

Subd. 2. **Responsibilities.** ~~(a) In addition to other activities prescribed by law, the office shall carry out the duties set out in this subdivision.~~

~~(b)~~ (a) The office shall develop and establish a state information architecture to ensure:

(1) that state agency ~~development and purchase of~~ information and communications systems, equipment, and services is designed to ensure that individual agency information systems complement and do not needlessly duplicate or conflict with the systems of other agencies; and

(2) enhanced public access to data can be provided consistent with standards developed under section 16E.05, subdivision 4.

When state agencies have need for the same or similar public data, the chief information officer, in coordination with the affected agencies, shall manage the most efficient and cost-effective method of producing and storing data for or sharing data between those agencies. The development of this information architecture must include the establishment of standards and guidelines to be followed by state agencies. The office shall ensure compliance with the architecture.

~~(c) The office shall, in cooperation with state agencies, plan and manage the development and improvement of information systems so that an individual information system reflects and supports the state agency's mission and the state's requirements and functions.~~

~~(d)~~ (b) The office shall review and approve agency requests for funding for the development or purchase of information systems equipment or software before the requests may be included in the governor's budget.

~~(e)~~ (c) The office shall review and approve agency requests for grant funding that have an information and technology component.

~~(f)~~ (d) The office shall review major purchases of information systems equipment to:

(1) ensure that the equipment follows the standards and guidelines of the state information architecture;

(2) ensure the agency's proposed purchase reflects a cost-effective policy regarding volume purchasing;
and

(3) ensure that the equipment is consistent with other systems in other state agencies so that data can be shared among agencies, unless the office determines that the agency purchasing the equipment has special needs justifying the inconsistency.

~~(g)~~ (e) The office shall review the operation of information systems by state agencies and ensure that these systems are operated efficiently and securely and continually meet the standards and guidelines established by the office. The standards and guidelines must emphasize uniformity that is cost-effective for the enterprise, that encourages information interchange, open systems environments, and portability of information whenever practicable and consistent with an agency's authority and chapter 13.

Sec. 5. Minnesota Statutes 2012, section 16E.05, subdivision 1, is amended to read:

Subdivision 1. **Duties.** The office, in consultation with interested persons, shall:

(1) coordinate statewide efforts by units of state and local government to plan for and develop a system for providing access to government services; and

~~(2) make recommendations to facilitate coordination and assistance of demonstration projects; and~~

~~(3)~~ (2) explore ways and means to improve citizen and business access to public services, including implementation of technological improvements.

Sec. 6. Minnesota Statutes 2013 Supplement, section 16E.18, subdivision 8, is amended to read:

Subd. 8. **Exemption.** The state information network is exempt from the five- and ten-year limitation on contracts set by sections ~~16C.03, subdivision 17~~; 16C.05, subdivision 2, paragraph (b); 16C.06, subdivision 3b; 16C.08, subdivision 3, clause (5); and 16C.09, clause (6). A contract compliance review must be performed by the office on a five-year basis for any contract that has a total term greater than five years. The review must detail any compliance or performance issues on the part of the contractor.

Sec. 7. **REPEALER.**

Minnesota Statutes 2012, sections 16E.02, subdivisions 2 and 3; 16E.03, subdivision 8; and 16E.0475, are repealed the day following final enactment.

Presented to the governor May 14, 2014

Signed by the governor May 16, 2014, 10:31 a.m.