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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2463

03/02/2023 Authored by Lillie, Klevorn, Howard, Long, Berg and others
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

1.1 A bill for an act
1.2 relating to state government; eliminating legislative review of contracts between
1.3 the state and exclusive representatives of public employees; amending Minnesota
1.4 Statutes 2022, sections 3.855, subdivisions 2, 3, 5; 179A.22, subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2022, section 3.855, subdivision 2, is amended to read:

1.7 Subd. 2. State employee negotiations. (a) The commissioner of management and budget
1.8 shall regularly advise the commission on the progress of collective bargaining activities
1.9 with state employees under the state Public Employment Labor Relations Act. During
1.10 negotiations, the commission may make recommendations to the commissioner as it deems
1.11 appropriate but no recommendation shall impose any obligation or grant any right or privilege
1.12 to the parties.

1.13 (b) (a) The commissioner shall submit to the chair of the commission any negotiated
1.14 collective bargaining agreements, arbitration awards, compensation plans, or salaries for
1.15 legislative approval or disapproval. Negotiated agreements shall be submitted within five
1.16 days of the date of approval by the commissioner or the date of approval by the affected
1.17 state employees, whichever occurs later. Arbitration awards shall be submitted within five
1.18 days of their receipt by the commissioner. If the commission disapproves a collective
1.19 bargaining agreement, award, compensation plan, or salary, the commission shall specify
1.20 in writing to the parties those portions with which it disagrees and its reasons. If the
1.21 commission approves a collective bargaining agreement, award, compensation plan, or
1.22 salary, it shall submit the matter to the legislature to be accepted or rejected under this
1.23 section.

2.1 ~~(e)~~ (b) When the legislature is not in session, the commission may give interim approval
 2.2 to a ~~negotiated collective bargaining agreement, salary, or compensation plan, or arbitration~~
 2.3 ~~award. When the legislature is not in session, failure of the commission to disapprove a~~
 2.4 ~~collective bargaining agreement or arbitration award within 30 days constitutes approval.~~
 2.5 The commission shall submit the ~~negotiated collective bargaining agreements, salaries, and~~
 2.6 ~~compensation plans, or arbitration awards~~ for which it has provided approval to the entire
 2.7 legislature for ratification at a special legislative session called to consider them or at its
 2.8 next regular legislative session as provided in this section. Approval or disapproval by the
 2.9 commission is not binding on the legislature.

2.10 ~~(d)~~ (c) When the legislature is not in session, the proposed ~~collective bargaining~~
 2.11 ~~agreement, arbitration decision, salary, or compensation plan~~ must be implemented upon
 2.12 its approval by the commission, and state employees covered by the ~~proposed agreement~~
 2.13 ~~or arbitration decision~~ plan or salary do not have the right to strike while the interim approval
 2.14 is in effect. ~~Wages and economic fringe benefit increases provided for in the agreement or~~
 2.15 ~~arbitration decision paid in accordance with the interim approval by the commission are~~
 2.16 ~~not affected, but the wages or benefit increases must cease to be paid or provided effective~~
 2.17 ~~upon the rejection of the agreement, arbitration decision, salary, or compensation plan, or~~
 2.18 ~~upon adjournment of the legislature without acting on it.~~

2.19 Sec. 2. Minnesota Statutes 2022, section 3.855, subdivision 3, is amended to read:

2.20 Subd. 3. **Other salaries and compensation plans.** The commission shall ~~also~~:

2.21 (1) review and approve, reject, or modify a plan for compensation and terms and
 2.22 conditions of employment prepared and submitted by the commissioner of management
 2.23 and budget under section 43A.18, subdivision 2, covering all state employees who are not
 2.24 represented by an exclusive bargaining representative and whose compensation is not
 2.25 provided for by chapter 43A or other law;

2.26 (2) review and approve, reject, or modify a plan for total compensation and terms and
 2.27 conditions of employment for employees in positions identified as being managerial under
 2.28 section 43A.18, subdivision 3, whose salaries and benefits are not otherwise provided for
 2.29 in law or other plans established under chapter 43A;

2.30 (3) review and approve, reject, or modify recommendations for salaries submitted by
 2.31 the governor or other appointing authority under section 15A.0815, subdivision 5, covering
 2.32 agency head positions listed in section 15A.0815;

3.1 (4) review and approve, reject, or modify recommendations for salary range of officials
3.2 of higher education systems under section 15A.081, subdivision 7c;

3.3 (5) review and approve, reject, or modify plans for compensation, terms, and conditions
3.4 of employment proposed under section 43A.18, subdivisions 3a, 3b, and 4; and

3.5 (6) review and approve, reject, or modify the plan for compensation, terms, and conditions
3.6 of employment of classified employees in the office of the legislative auditor under section
3.7 3.971, subdivision 2.

3.8 Sec. 3. Minnesota Statutes 2022, section 3.855, subdivision 5, is amended to read:

3.9 Subd. 5. **Information required.** The commissioner of management and budget must
3.10 submit to the Legislative Coordinating Commission the following information with the
3.11 submission of a ~~collective bargaining agreement or~~ compensation plan under ~~subdivisions~~
3.12 ~~2 and~~ subdivision 3:

3.13 (1) for each agency and for each proposed ~~agreement or~~ plan, a comparison of biennial
3.14 compensation costs under the current ~~agreement or~~ plan to the projected biennial
3.15 compensation costs under the proposed ~~agreement or~~ plan, paid with funds appropriated
3.16 from the general fund;

3.17 (2) for each agency and for each proposed ~~agreement or~~ plan, a comparison of biennial
3.18 compensation costs under the current ~~agreement or~~ plan to the projected biennial
3.19 compensation costs under the proposed ~~agreement or~~ plan, paid with funds appropriated
3.20 from each fund other than the general fund;

3.21 (3) for each agency and for each proposed ~~agreement or~~ plan, an identification of the
3.22 amount of the additional biennial compensation costs that are attributable to salary and
3.23 wages and to the cost of nonsalary and nonwage benefits; and

3.24 (4) for each agency, for clauses (1) to (3), the impact of the aggregate of all ~~agreements~~
3.25 ~~and~~ plans being submitted to the commission.

3.26 Sec. 4. Minnesota Statutes 2022, section 179A.22, subdivision 4, is amended to read:

3.27 Subd. 4. **Agreements.** The commissioner of management and budget is authorized to
3.28 enter into agreements with exclusive representatives. The negotiated agreements and
3.29 arbitration ~~decision~~ decisions must be ~~submitted to the legislature to be accepted or rejected~~
3.30 ~~in accordance with this section and section 3.855~~ implemented by the commissioner of
3.31 management and budget following the approval of the tentative agreement by exclusive
3.32 representatives.

- 4.1 **EFFECTIVE DATE.** This section is effective July 1, 2023, for negotiated agreements
- 4.2 and arbitration decisions effective after July 1, 2023.