

This Document can be made available  
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. **3431**

02/12/2024 Authored by Klevorn and Huot

The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

04/24/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to state government; specifying administrative courts and work product

1.3 data; modifying the Administrative Procedure Act; modifying certain salaries of

1.4 employees of the Office of Administrative Hearings; requiring certain grantees to

1.5 establish a capital project replacement fund; making technical changes to

1.6 Department of Administration, Department of Information Technology Services,

1.7 and state personnel management provisions; establishing a state building renewable

1.8 energy, storage, and electric vehicle account; changing a reporting date for report

1.9 of uncollectible debts; requiring reports of cybersecurity incidents; changing

1.10 provisions for campaign practices complaints, cemeteries, certain licensed

1.11 employment, Uniform Commercial Code, and notaries public; designating use of

1.12 certain State Capitol space; modifying provisions for Hennepin County and

1.13 Metropolitan Council; allowing Anoka County to build a jail and criminal justice

1.14 center; assessing penalties; requiring reports; transferring money from the general

1.15 fund to the healthy and sustainable food options account; canceling certain funds;

1.16 appropriating money; amending Minnesota Statutes 2022, sections 14.05,

1.17 subdivision 7; 14.08; 14.16, subdivision 3; 14.26, subdivision 3a; 14.386; 14.388,

1.18 subdivision 2; 14.3895, subdivisions 2, 6; 14.48, subdivision 2; 14.62, subdivision

1.19 2a; 15.994; 15A.083, subdivision 6a; 16B.055, subdivision 1; 16B.48, subdivision

1.20 4; 16B.54, subdivision 2; 16B.97, subdivision 1; 16B.98, subdivision 1; 16C.137,

1.21 subdivision 2; 16D.09, subdivision 1; 16E.01, subdivision 2; 16E.03, subdivisions

1.22 3, 4, 5, 7; 16E.04, subdivisions 2, 3; 16E.07; 43A.316, subdivision 5; 211B.33,

1.23 subdivision 2; 211B.34, subdivisions 1, 2; 211B.35, subdivisions 1, 3; 299E.01,

1.24 subdivision 2; 326.10, subdivision 8; 326A.04, subdivision 4; 336.1-110; 358.645,

1.25 subdivision 2; 358.71; 359.01, subdivision 5; 359.03, subdivision 3; 383B.145,

1.26 subdivision 5; Minnesota Statutes 2023 Supplement, sections 10.65, subdivision

1.27 2; 16E.01, subdivision 3; 16E.03, subdivision 2; 307.08, subdivision 3a; 473.145;

1.28 Laws 2023, chapter 62, article 1, section 11, subdivisions 2, 4; proposing coding

1.29 for new law in Minnesota Statutes, chapters 13; 14; 16B; 16E; repealing Minnesota

1.30 Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1, 2; 16E.055; 16E.20;

1.31 127A.095, subdivision 3; 211B.06; 471.9998; Laws 1979, chapter 189, sections

1.32 1; 2, as amended; 3.

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

2.2 **ARTICLE 1**

2.3 **STATE GOVERNMENT APPROPRIATIONS**

2.4 Section 1. Laws 2023, chapter 62, article 1, section 11, subdivision 2, is amended to read:

2.5 Subd. 2. **Government and Citizen Services** 39,928,000 19,943,000

2.6 The base for this appropriation is \$17,268,000  
 2.7 in fiscal year 2026 and \$17,280,000 in fiscal  
 2.8 year 2027.

2.9 **Council on Developmental Disabilities.**

2.10 \$222,000 each year is for the Council on  
 2.11 Developmental Disabilities.

2.12 **State Agency Accommodation**

2.13 **Reimbursement.** \$200,000 each year may be  
 2.14 transferred to the accommodation account  
 2.15 established in Minnesota Statutes, section  
 2.16 16B.4805.

2.17 **Disparity Study.** \$500,000 the first year and  
 2.18 \$1,000,000 the second year are to conduct a  
 2.19 study on disparities in state procurement. This  
 2.20 is a onetime appropriation.

2.21 **Grants Administration Oversight.**

2.22 \$2,411,000 the first year and \$1,782,000 the  
 2.23 second year are for grants administration  
 2.24 oversight. The base for this appropriation in  
 2.25 fiscal year 2026 and each year thereafter is  
 2.26 \$1,581,000.

2.27 Of this amount, \$735,000 the first year and  
 2.28 \$201,000 the second year are for a study to  
 2.29 develop a road map on the need for an  
 2.30 enterprise grants management system and to  
 2.31 implement the study's recommendation. This  
 2.32 is a onetime appropriation.

3.1 **Risk Management Fund Property**

3.2 **Self-Insurance.** \$12,500,000 the first year is  
3.3 for transfer to the risk management fund under  
3.4 Minnesota Statutes, section 16B.85. This is a  
3.5 onetime appropriation.

3.6 **Office of Enterprise Translations.**

3.7 \$1,306,000 the first year and \$1,159,000 the  
3.8 second year are to establish the Office of  
3.9 Enterprise Translations. \$250,000 each year  
3.10 may be transferred to the language access  
3.11 service account established in Minnesota  
3.12 Statutes, section 16B.373.

3.13 **Capitol Mall Design Framework**

3.14 **Implementation.** \$5,000,000 the first year is  
3.15 to implement the updated Capitol Mall Design  
3.16 Framework, prioritizing the framework plans  
3.17 identified in article 2, section 124. This  
3.18 appropriation is available until December 31,  
3.19 2024.

3.20 **Parking Fund.** \$3,255,000 the first year and  
3.21 \$1,085,000 the second year are for a transfer  
3.22 to the state parking account to maintain the  
3.23 operations of the parking and transit program  
3.24 on the Capitol complex. These are onetime  
3.25 transfers.

3.26 **Procurement; Environmental Analysis and**

3.27 **Task Force.** \$522,000 the first year and  
3.28 \$367,000 the second year are to implement  
3.29 the provisions of Minnesota Statutes, section  
3.30 16B.312.

3.31 **Center for Rural Policy and Development.**

3.32 \$100,000 the first year is for a grant to the  
3.33 Center for Rural Policy and Development.

3.34 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

4.1 Sec. 2. Laws 2023, chapter 62, article 1, section 11, subdivision 4, is amended to read:

4.2 **Subd. 4. Fiscal Agent** 31,121,000 23,833,000

4.3 The base for this appropriation is \$15,833,000  
 4.4 in fiscal year 2026 and each fiscal year  
 4.5 thereafter.

4.6 The appropriations under this section are to  
 4.7 the commissioner of administration for the  
 4.8 purposes specified.

4.9 **In-Lieu of Rent.** \$11,129,000 each year is for  
 4.10 space costs of the legislature and veterans  
 4.11 organizations, ceremonial space, and  
 4.12 statutorily free space.

4.13 **Public Television.** (a) \$1,550,000 each year  
 4.14 is for matching grants for public television.

4.15 (b) \$250,000 each year is for public television  
 4.16 equipment grants under Minnesota Statutes,  
 4.17 section 129D.13.

4.18 (c) \$500,000 each year is for block grants to  
 4.19 public television under Minnesota Statutes,  
 4.20 section 129D.13. Of this amount, up to three  
 4.21 percent is for the commissioner of  
 4.22 administration to administer the grants. ~~This~~  
 4.23 ~~is a onetime appropriation.~~

4.24 (d) The commissioner of administration must  
 4.25 consider the recommendations of the  
 4.26 Minnesota Public Television Association  
 4.27 before allocating the amounts appropriated in  
 4.28 paragraphs (a) and (b) for equipment or  
 4.29 matching grants.

4.30 **Public Radio.** (a) \$2,392,000 the first year  
 4.31 and \$1,242,000 the second year are for  
 4.32 community service grants to public  
 4.33 educational radio stations. This appropriation

5.1 may be used to disseminate emergency  
5.2 information in foreign languages. Any  
5.3 unencumbered balance does not cancel at the  
5.4 end of the first year and is available for the  
5.5 second year. The association of Minnesota  
5.6 Public Educational Radio Stations may use up  
5.7 to four percent of this appropriation to help  
5.8 the organization and its member stations to  
5.9 better serve Minnesota's communities.

5.10 (b) \$142,000 each year is for equipment grants  
5.11 to public educational radio stations. This  
5.12 appropriation may be used for the repair,  
5.13 rental, and purchase of equipment including  
5.14 equipment under \$500.

5.15 (c) \$850,000 the first year is for grants to the  
5.16 Association of Minnesota Public Educational  
5.17 Radio Stations for the purchase of emergency  
5.18 equipment and increased cybersecurity and  
5.19 broadcast technology. The Association of  
5.20 Minnesota Public Educational Radio Stations  
5.21 may use up to four percent of this  
5.22 appropriation ~~for costs that are directly related~~  
5.23 ~~to and necessary for the administration of these~~  
5.24 ~~grants~~ to help the organization and its member  
5.25 stations to enhance cybersecurity, broadcast  
5.26 technology, and emergency services.

5.27 (d) \$1,288,000 the first year is for a grant to  
5.28 the Association of Minnesota Public  
5.29 Educational Radio Stations to provide a  
5.30 diverse community radio news service. Of this  
5.31 amount, up to \$38,000 is for the commissioner  
5.32 of administration to administer this grant. This  
5.33 is a onetime appropriation and is available  
5.34 until June 30, 2027.

6.1 (e) \$1,020,000 each year is for equipment  
6.2 grants to Minnesota Public Radio, Inc.,  
6.3 including upgrades to Minnesota's Emergency  
6.4 Alert and AMBER Alert Systems.

6.5 (f) The appropriations in paragraphs (a) to (e)  
6.6 may not be used for indirect costs claimed by  
6.7 an institution or governing body.

6.8 (g) The commissioner of administration must  
6.9 consider the recommendations of the  
6.10 Association of Minnesota Public Educational  
6.11 Radio Stations before awarding grants under  
6.12 Minnesota Statutes, section 129D.14, using  
6.13 the appropriations in paragraphs (a) to (c). No  
6.14 grantee is eligible for a grant unless they are  
6.15 a member of the Association of Minnesota  
6.16 Public Educational Radio Stations on or before  
6.17 July 1, 2023.

6.18 (h) Any unencumbered balance remaining the  
6.19 first year for grants to public television or  
6.20 public radio stations does not cancel and is  
6.21 available for the second year.

6.22 **Real Estate and Construction Services.**  
6.23 \$12,000,000 the first year and \$8,000,000 the  
6.24 second year are to facilitate space  
6.25 consolidation and the transition to a hybrid  
6.26 work environment, including but not limited  
6.27 to the design, remodel, equipping, and  
6.28 furnishing of the space. This appropriation  
6.29 may also be used for relocation and rent loss.  
6.30 This is a onetime appropriation and is  
6.31 available until June 30, 2027.

6.32 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

7.1 **Sec. 3. CAPITOL AREA COMMUNITY VITALITY ACCOUNT.**

7.2 (a) Consistent with the program and oversight plan approved by the Capitol Area  
7.3 Architectural and Planning Board, the commissioner of administration must expend money  
7.4 from the Capitol Area community vitality account as follows:

7.5 (1) \$4,800,000 must be for a grant to the city of St. Paul, Department of Planning and  
7.6 Economic Development. The city must use this amount to make subgrants through the  
7.7 community vitality grant program, and to support the Community Voices Initiative. The  
7.8 city may retain amounts for grants administration and oversight, up to the maximum permitted  
7.9 to be retained by a state agency under Minnesota Statutes, section 16B.98, subdivision 14;  
7.10 and

7.11 (2) \$200,000 must be transferred to the Capitol Area Architectural and Planning Board  
7.12 for Community Navigators, and for startup and other costs to facilitate implementation of  
7.13 the community vitality grant program and the Community Voices Initiative.

7.14 (b) Minnesota Statutes, sections 16B.97 to 16B.991, do not apply to a grant required by  
7.15 this section.

7.16 (c) This section constitutes approval by law for the expenditure of funds from the Capitol  
7.17 Area community vitality account, as required by Laws 2023, chapter 53, article 17, section  
7.18 2.

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

7.20 **Sec. 4. APPROPRIATION; COMMISSIONER OF ADMINISTRATION; IN LIEU**  
7.21 **OF RENT.**

7.22 \$43,000 in fiscal year 2025 is appropriated from the general fund to the commissioner  
7.23 of administration for space costs incurred in fiscal years 2025, 2026, and 2027 by tenants  
7.24 that provide public-facing professional services on the Capitol complex. The commissioner  
7.25 of administration must designate one publicly accessible space on the complex for which  
7.26 this appropriation may be used. This is a onetime appropriation and is available until June  
7.27 30, 2027.

7.28 **Sec. 5. HEALTHY AND SUSTAINABLE FOOD OPTIONS ACCOUNT; TRANSFER.**

7.29 (a) A healthy and sustainable food options account is established as an account in the  
7.30 special revenue fund. Money in the account is appropriated to the commissioner of  
7.31 administration for the purpose of enhancing and sustaining access to healthy food alternatives  
7.32 on the State Capitol complex, in locations designated by the commissioner.

8.1 (b) \$500,000 in fiscal year 2025 is transferred from the general fund to the healthy and  
8.2 sustainable food options account. This is a onetime transfer.

8.3 **Sec. 6. GREEN SPACE; CAPITOL PARKING LOT C.**

8.4 \$445,000 in fiscal year 2025 is appropriated from the general fund to the commissioner  
8.5 of administration to design, construct, and equip additional green space, along with work  
8.6 needed to facilitate circulation and to add accessible parking stalls, on the site of Parking  
8.7 Lot C on the State Capitol complex. In addition to this amount, the commissioner may  
8.8 utilize for this purpose any funds remaining from the appropriation made by Laws 2023,  
8.9 chapter 71, section 6, subdivision 3, after the project authorized by that subdivision is  
8.10 complete.

8.11 **Sec. 7. APPROPRIATION; HUBERT H. HUMPHREY STATUE.**

8.12 \$300,000 in fiscal year 2025 is appropriated from the general fund to the commissioner  
8.13 of administration to replace the statue of Henry Mower Rice in the Statuary Hall in the  
8.14 United States Capitol with a statue of Hubert H. Humphrey. This appropriation includes  
8.15 money for the removal and transportation of the Henry Mower Rice statue to the Minnesota  
8.16 State Historical Society, to contract with the Koh-Varilla Guild, Inc., to replicate, with any  
8.17 modifications needed to meet requirements for placement, the Hubert H. Humphrey statue  
8.18 that currently stands on the mall of the Minnesota State Capitol, and the erection of the new  
8.19 Hubert H. Humphrey statue in the Statuary Hall in the United States Capitol, including the  
8.20 necessary base. This is a onetime appropriation and is available until December 31, 2026.

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

8.22 **Sec. 8. CANCELLATION; APPROPRIATION; CAPITOL MALL DESIGN**  
8.23 **FRAMEWORK.**

8.24 Subdivision 1. **Cancellation.** \$4,950,000 of the general fund appropriation in Laws  
8.25 2023, chapter 62, article 1, section 11, subdivision 2, for implementation of the Capitol Mall  
8.26 Design Framework is canceled to the general fund by June 30, 2024.

8.27 Subd. 2. **Appropriation.** (a) \$6,162,000 in fiscal year 2025 is appropriated from the  
8.28 general fund to the commissioner of administration to design, construct, install, and equip  
8.29 the elements outlined in the authorizing legislation for the Capitol Mall Design Framework,  
8.30 as follows:

8.31 (1) landscaping, trees, benches, lighting, security, and irrigation on the upper mall, the  
8.32 northern border of the lower mall with Martin Luther King, Jr. Boulevard, and in the medians

9.1 of John Ireland Boulevard between the intersection of Rice Street and Martin Luther King,  
 9.2 Jr. Boulevard, and Cedar Street between the intersection of 12th Street and Martin Luther  
 9.3 King Jr., Boulevard; and

9.4 (2) visual markers and welcome information for the Capitol campus, appropriately spaced  
 9.5 for wayfinding of the major streets on the Capitol campus, anchoring a pathway to the State  
 9.6 Capitol Building and Capitol Mall that features interpretive markers honoring the importance  
 9.7 and stature of the Capitol campus as both a historic site and as a modern, active public  
 9.8 gathering place for all visitors.

9.9 (b) Upon completion of the work identified in paragraph (a), clauses (1) and (2), any  
 9.10 remaining balance of funds may be utilized to paint the Administration Building parking  
 9.11 ramp and install new grates.

9.12 (c) This is a onetime appropriation and is available until December 31, 2029.

## 9.13 ARTICLE 2

### 9.14 STATE GOVERNMENT POLICY

9.15 Section 1. Minnesota Statutes 2023 Supplement, section 10.65, subdivision 2, is amended  
 9.16 to read:

9.17 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings  
 9.18 given:

9.19 (1) "agency" means the Department of Administration; Department of Agriculture;  
 9.20 Department of Children, Youth, and Families; Department of Commerce; Department of  
 9.21 Corrections; Department of Education; Department of Employment and Economic  
 9.22 Development; Department of Health; Office of Higher Education; Housing Finance Agency;  
 9.23 Department of Human Rights; Department of Human Services; Department of Information  
 9.24 Technology Services; Department of Iron Range Resources and Rehabilitation; Department  
 9.25 of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;  
 9.26 Department of Military Affairs; Metropolitan Council; Department of Natural Resources;  
 9.27 Pollution Control Agency; Department of Public Safety; Department of Revenue; Department  
 9.28 of Transportation; Department of Veterans Affairs; Gambling Control Board; Racing  
 9.29 Commission; the Minnesota Lottery; the Animal Health Board; the Minnesota Board on  
 9.30 Aging; the Public Utilities Commission; and the Board of Water and Soil Resources;

9.31 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal  
 9.32 governments in the development of policy on matters that have Tribal implications.  
 9.33 Consultation is the proactive, affirmative process of identifying and seeking input from

10.1 appropriate Tribal governments and considering their interest as a necessary and integral  
10.2 part of the decision-making process. This definition adds to statutorily mandated notification  
10.3 procedures. During a consultation, the burden is on the agency to show that it has made a  
10.4 good faith effort to elicit feedback. Consultation is a formal engagement between agency  
10.5 officials and the governing body or bodies of an individual Minnesota Tribal government  
10.6 that the agency or an individual Tribal government may initiate. Formal meetings or  
10.7 communication between top agency officials and the governing body of a Minnesota Tribal  
10.8 government is a necessary element of consultation;

10.9 (3) "matters that have Tribal implications" means rules, legislative proposals, policy  
10.10 statements, or other actions that have substantial direct effects on one or more Minnesota  
10.11 Tribal governments, or on the distribution of power and responsibilities between the state  
10.12 and Minnesota Tribal governments;

10.13 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located  
10.14 in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech  
10.15 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian  
10.16 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;  
10.17 and Upper Sioux Community; and

10.18 (5) "timely and meaningful" means done or occurring at a favorable or useful time that  
10.19 allows the result of consultation to be included in the agency's decision-making process for  
10.20 a matter that has Tribal implications.

10.21 **EFFECTIVE DATE.** This section is effective August 1, 2024.

10.22 **Sec. 2. [13.95] ADMINISTRATIVE COURTS.**

10.23 **Subdivision 1. Definitions.** (a) For purposes of this section, the terms have the meanings  
10.24 given.

10.25 (b) "Administrative courts" means the Office of Administrative Hearings, Tax Court,  
10.26 and Workers' Compensation Court of Appeals.

10.27 (c) "Court services" include hearings, settlement conferences, mediation, and the writing  
10.28 of decisions and orders.

10.29 (d) "Health-related documents and data" means records, reports, or affidavits created  
10.30 by medical, health care, or scientific professionals that relate to the past, present, or future  
10.31 physical or mental health or condition of an individual, including but not limited to medical  
10.32 history, examinations, diagnoses and treatment, prepetition screening reports, or  
10.33 court-appointed examiner reports.

11.1 Subd. 2. **Judicial work product.** All notes and memoranda or drafts thereof prepared  
11.2 by a judge or employee of an administrative court and used in providing a court service are  
11.3 confidential or protected nonpublic data.

11.4 Subd. 3. **Health-related documents and data.** Health-related documents and data  
11.5 included in a court file are private data on individuals.

11.6 Sec. 3. Minnesota Statutes 2022, section 14.05, subdivision 7, is amended to read:

11.7 Subd. 7. **Electronic documents permitted.** An agency ~~may~~ must file rule-related  
11.8 documents with the Office of Administrative Hearings by electronic transmission in the  
11.9 manner approved by that office ~~and~~. An agency may file rule-related documents with the  
11.10 Office of the Revisor of Statutes by electronic transmission in the manner approved by that  
11.11 office.

11.12 Sec. 4. Minnesota Statutes 2022, section 14.08, is amended to read:

11.13 **14.08 APPROVAL OF RULE AND RULE FORM; COSTS.**

11.14 (a) One copy of a rule adopted under section 14.26 must be submitted by the agency to  
11.15 the chief administrative law judge. The chief administrative law judge shall request from  
11.16 the revisor certified copies of the rule when it is submitted by the agency under section  
11.17 14.26. Within five working days after the request for certification of the rule is received by  
11.18 the revisor, ~~excluding weekends and holidays~~, the revisor shall either return the rule with  
11.19 a certificate of approval of the form of the rule to the chief administrative law judge or  
11.20 notify the chief administrative law judge and the agency that the form of the rule will not  
11.21 be approved.

11.22 If the chief administrative law judge disapproves a rule, the agency may modify it and  
11.23 the agency shall submit one copy of the modified rule, approved as to form by the revisor,  
11.24 to the chief administrative law judge.

11.25 (b) One copy of a rule adopted after a public hearing must be submitted by the agency  
11.26 to the chief administrative law judge. The chief administrative law judge shall request from  
11.27 the revisor certified copies of the rule when it is submitted by the agency. Within five  
11.28 working days after receipt of the request, the revisor shall either return the rule with a  
11.29 certificate of approval to the chief administrative law judge or notify the chief administrative  
11.30 law judge and the agency that the form of the rule will not be approved.

11.31 (c) If the revisor refuses to approve the form of the rule, the revisor's notice must revise  
11.32 the rule so it is in the correct form.

12.1 (d) After the agency has notified the chief administrative law judge that it has adopted  
12.2 the rule, the chief administrative law judge shall promptly file ~~four paper copies~~ or an  
12.3 electronic copy of the adopted rule in the Office of the Secretary of State. The secretary of  
12.4 state shall forward one copy of each rule filed to the agency, to the revisor of statutes, and  
12.5 to the governor.

12.6 (e) The chief administrative law judge shall assess an agency for the actual cost of  
12.7 processing rules under this section. Each agency shall include in its budget money to pay  
12.8 the assessments. Receipts from the assessment must be deposited in the administrative  
12.9 hearings account established in section 14.54.

12.10 Sec. 5. Minnesota Statutes 2022, section 14.16, subdivision 3, is amended to read:

12.11 Subd. 3. **Filing.** After the agency has provided the chief administrative law judge with  
12.12 a signed order adopting the rule, the chief administrative law judge shall promptly file ~~four~~  
12.13 ~~paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary of State.  
12.14 The secretary of state shall forward one copy of each rule filed to the agency, to the revisor  
12.15 of statutes, and to the governor.

12.16 Sec. 6. Minnesota Statutes 2022, section 14.26, subdivision 3a, is amended to read:

12.17 Subd. 3a. **Filing.** If the rule is approved, the administrative law judge shall promptly  
12.18 file ~~four paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary  
12.19 of State. The secretary of state shall forward one copy of each rule to the revisor of statutes,  
12.20 to the agency, and to the governor.

12.21 Sec. 7. Minnesota Statutes 2022, section 14.386, is amended to read:

12.22 **14.386 PROCEDURE FOR ADOPTING EXEMPT RULES; DURATION.**

12.23 (a) A rule adopted, amended, or repealed by an agency, under a statute enacted after  
12.24 January 1, 1997, authorizing or requiring rules to be adopted but excluded from the  
12.25 rulemaking provisions of chapter 14 or from the definition of a rule, has the force and effect  
12.26 of law only if:

12.27 (1) the revisor of statutes approves the form of the rule by certificate;

12.28 (2) the person authorized to adopt the rule on behalf of the agency signs an order adopting  
12.29 the rule;

12.30 (3) the Office of Administrative Hearings approves the rule as to its legality within 14  
12.31 days after the agency submits it for approval and files ~~four paper copies~~ or an electronic

13.1 copy of the adopted rule with the revisor's certificate in the Office of the Secretary of State;  
13.2 and

13.3 (4) a copy is published by the agency in the State Register.

13.4 The secretary of state shall forward one copy of the rule to the governor.

13.5 A statute enacted after January 1, 1997, authorizing or requiring rules to be adopted but  
13.6 excluded from the rulemaking provisions of chapter 14 or from the definition of a rule does  
13.7 not excuse compliance with this section unless it makes specific reference to this section.

13.8 (b) A rule adopted under this section is effective for a period of two years from the date  
13.9 of publication of the rule in the State Register. The authority for the rule expires at the end  
13.10 of this two-year period.

13.11 (c) The chief administrative law judge shall adopt rules relating to the rule approval  
13.12 duties imposed by this section and section 14.388, including rules establishing standards  
13.13 for review.

13.14 (d) This section does not apply to:

13.15 (1) any group or rule listed in section 14.03, subdivisions 1 and 3, except as otherwise  
13.16 provided by law;

13.17 (2) game and fish rules of the commissioner of natural resources adopted under section  
13.18 84.027, subdivision 13, or sections 97A.0451 to 97A.0459;

13.19 (3) experimental and special management waters designated by the commissioner of  
13.20 natural resources under sections 97C.001 and 97C.005;

13.21 (4) game refuges designated by the commissioner of natural resources under section  
13.22 97A.085; or

13.23 (5) transaction fees established by the commissioner of natural resources for electronic  
13.24 or telephone sales of licenses, stamps, permits, registrations, or transfers under section  
13.25 84.027, subdivision 15, paragraph (a), clause (3).

13.26 (e) If a statute provides that a rule is exempt from chapter 14, and section 14.386 does  
13.27 not apply to the rule, the rule has the force of law unless the context of the statute delegating  
13.28 the rulemaking authority makes clear that the rule does not have force of law.

13.29 Sec. 8. Minnesota Statutes 2022, section 14.388, subdivision 2, is amended to read:

13.30 Subd. 2. **Notice.** An agency proposing to adopt, amend, or repeal a rule under this section  
13.31 must give electronic notice of its intent in accordance with section 16E.07, subdivision 3,

14.1 and notice by United States mail or electronic mail to persons who have registered their  
14.2 names with the agency under section 14.14, subdivision 1a. The notice must be given no  
14.3 later than the date the agency submits the proposed rule to the Office of Administrative  
14.4 Hearings for review of its legality and must include:

14.5 (1) the proposed rule, amendment, or repeal;

14.6 (2) an explanation of why the rule meets the requirements of the good cause exemption  
14.7 under subdivision 1; and

14.8 (3) a statement that interested parties have five ~~business~~ working days after the date of  
14.9 the notice to submit comments to the Office of Administrative Hearings.

14.10 Sec. 9. Minnesota Statutes 2022, section 14.3895, subdivision 2, is amended to read:

14.11 Subd. 2. **Notice plan; prior approval.** The agency shall draft a notice plan under which  
14.12 the agency will make reasonable efforts to notify persons or classes of persons who may  
14.13 be significantly affected by the rule repeal by giving notice of its intention in newsletters,  
14.14 newspapers, or other publications, or through other means of communication. Before  
14.15 publishing the notice in the State Register and implementing the notice plan, the agency  
14.16 shall obtain prior approval of the notice plan by ~~the chief administrative law judge~~ an  
14.17 administrative law judge in the Office of Administrative Hearings.

14.18 Sec. 10. Minnesota Statutes 2022, section 14.3895, subdivision 6, is amended to read:

14.19 Subd. 6. **Legal review.** Before publication of the final rule in the State Register, the  
14.20 agency shall submit the rule to the ~~chief~~ administrative law judge in the Office of  
14.21 Administrative Hearings. The ~~chief~~ administrative law judge shall within 14 days approve  
14.22 or disapprove the rule as to its legality and its form to the extent the form relates to legality.

14.23 Sec. 11. Minnesota Statutes 2022, section 14.48, subdivision 2, is amended to read:

14.24 Subd. 2. **Chief administrative law judge.** (a) The office shall be under the direction of  
14.25 a chief administrative law judge who shall be learned in the law and appointed by the  
14.26 governor, with the advice and consent of the senate, for a term ending on June 30 of the  
14.27 sixth calendar year after appointment. Senate confirmation of the chief administrative law  
14.28 judge shall be as provided by section 15.066.

14.29 (b) The chief administrative law judge may hear cases and, in accordance with chapter  
14.30 43A, shall appoint a deputy chief judge and additional administrative law judges and

15.1 compensation judges to serve in the office as necessary to fulfill the duties of the Office of  
15.2 Administrative Hearings.

15.3 (c) The chief administrative law judge may delegate to a subordinate employee the  
15.4 exercise of a specified statutory power or duty as deemed advisable, subject to the control  
15.5 of the chief administrative law judge. Every delegation must be by written order filed with  
15.6 the secretary of state. The chief administrative law judge is subject to the provisions of the  
15.7 Minnesota Constitution, article VI, section 6, the jurisdiction of the Board on Judicial  
15.8 Standards, and the provisions of the Code of Judicial Conduct.

15.9 (d) If a vacancy in the position of chief administrative law judge occurs, an acting or  
15.10 temporary chief administrative law judge must be named as follows:

15.11 (1) at the end of the term of a chief administrative law judge, the incumbent chief  
15.12 administrative law judge may, at the discretion of the appointing authority, serve as acting  
15.13 chief administrative law judge until a successor is appointed; and

15.14 (2) if at the end of a term of a chief administrative law judge the incumbent chief  
15.15 administrative law judge is not designated as acting chief administrative law judge, or if a  
15.16 vacancy occurs in the position of chief administrative law judge, the deputy chief judge  
15.17 shall immediately become temporary chief administrative law judge without further official  
15.18 action.

15.19 (e) The appointing authority of the chief administrative law judge may appoint a person  
15.20 other than the deputy chief judge to serve as temporary chief administrative law judge and  
15.21 may replace any other acting or temporary chief administrative law judge designated pursuant  
15.22 to paragraph (d), clause (1) or (2).

15.23 **Sec. 12. [14.525] INTERPRETERS.**

15.24 The chief administrative law judge may enter contracts with interpreters identified by  
15.25 the Supreme Court through the Court Interpreter Program. Interpreters may be utilized as  
15.26 the chief administrative law judge directs. These contracts are not subject to the requirements  
15.27 of chapters 16B and 16C.

15.28 **Sec. 13. Minnesota Statutes 2022, section 14.62, subdivision 2a, is amended to read:**

15.29 **Subd. 2a. Administrative law judge decision final; exception.** Unless otherwise  
15.30 provided by law, the report or order of the administrative law judge constitutes the final  
15.31 decision in the case unless the agency modifies or rejects it under subdivision 1 within 90  
15.32 days after the record of the proceeding closes under section 14.61. When the agency fails

16.1 to act within 90 days on a licensing case, the agency must return the record of the proceeding  
16.2 to the administrative law judge for consideration of disciplinary action. In all contested  
16.3 cases where the report or order of the administrative law judge constitutes the final decision  
16.4 in the case, the administrative law judge shall issue findings of fact, conclusions, and an  
16.5 order within 90 days after the hearing record closes under section 14.61. Upon a showing  
16.6 of good cause by a party or the agency, the chief administrative law judge may order a  
16.7 reasonable extension of either of the two 90-day deadlines specified in this subdivision.  
16.8 The 90-day deadline will be tolled while the chief administrative law judge considers a  
16.9 request for reasonable extension so long as the request was filed and served within the  
16.10 applicable 90-day period.

16.11 Sec. 14. Minnesota Statutes 2022, section 15.994, is amended to read:

16.12 **15.994 INTERNET GRANT INFORMATION.**

16.13 A state agency with an Internet site must provide information on grants available through  
16.14 the agency and must provide a link to any grant application ~~under section 16E.20.~~

16.15 Sec. 15. Minnesota Statutes 2022, section 15A.083, subdivision 6a, is amended to read:

16.16 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative  
16.17 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the  
16.18 ~~assistant chief administrative law judge and administrative law judge supervisors~~ deputy  
16.19 chief judge and judge supervisors employed by the Office of Administrative Hearings are  
16.20 100 percent of the salary of a district court judge. The salary of an administrative law judge  
16.21 employed by the Office of Administrative Hearings is 98.52 percent of the salary of a district  
16.22 court judge as set under section 15A.082, subdivision 3.

16.23 Sec. 16. Minnesota Statutes 2022, section 16B.055, subdivision 1, is amended to read:

16.24 Subdivision 1. **Federal Assistive Technology Act.** (a) The Department of Administration  
16.25 is designated as the lead agency to carry out all the responsibilities under the 21st Century  
16.26 Assistive Technology Act of 1998, as provided by Public Law ~~108-364~~, as amended 117-81.  
16.27 The Minnesota Assistive Technology Advisory Council is established to fulfill the  
16.28 responsibilities required by the Assistive Technology Act, as provided by Public Law  
16.29 ~~108-364~~, as amended 117-81. Because the existence of this council is required by federal  
16.30 law, this council does not expire.

16.31 (b) Except as provided in paragraph (c), the governor shall appoint the membership of  
16.32 the council as required by the 21st Century Assistive Technology Act of 1998, as provided

17.1 by Public Law ~~108-364, as amended~~ 117-81. After the governor has completed the  
 17.2 appointments required by this subdivision, the commissioner of administration, or the  
 17.3 commissioner's designee, shall convene the first meeting of the council following the  
 17.4 appointments. Members shall serve two-year terms commencing July 1 of each odd-numbered  
 17.5 year, and receive the compensation specified by the 21st Century Assistive Technology Act  
 17.6 ~~of 1998~~, as provided by Public Law ~~108-364, as amended~~ 117-81. The members of the  
 17.7 council shall select their chair at the first meeting following their appointment.

17.8 (c) After consulting with the appropriate commissioner, the commissioner of  
 17.9 administration shall appoint a representative from:

- 17.10 (1) State Services for the Blind who has assistive technology expertise;  
 17.11 (2) vocational rehabilitation services who has assistive technology expertise;  
 17.12 (3) the Workforce Development Board; ~~and~~  
 17.13 (4) the Department of Education who has assistive technology expertise; and  
 17.14 (5) the Board on Aging.

17.15 Sec. 17. **[16B.336] CAPITAL PROJECT REPLACEMENT ACCOUNTS.**

17.16 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have  
 17.17 the meanings given.

17.18 (b) "Commissioner" means the commissioner of administration.

17.19 (c) "Preservation" means improvements and betterments of a capital nature consistent  
 17.20 with those described in section 16B.307, subdivision 1, paragraph (d).

17.21 Subd. 2. Replacement account establishment. (a) A grantee that receives a direct  
 17.22 appropriation or grant from an appropriation of state money for a capital project subject to  
 17.23 section 16A.642, 16A.695, or 16A.86 must establish a capital project replacement fund for  
 17.24 major rehabilitation, expansion, replacement, or preservation of the capital project once the  
 17.25 project has reached its useful life, or another use as permitted under this section. Money  
 17.26 must remain in the account for the useful life of the capital project, as determined by the  
 17.27 grant agreement with the granting state agency, unless use of the fund is approved in writing  
 17.28 by the granting state agency for major rehabilitation, expansion, replacement, or preservation  
 17.29 of the capital project funded with state money, or to address a capital project for a different  
 17.30 capital asset owned by the grantee.

17.31 (b) A grantee must adopt a capital project replacement policy that specifies the following  
 17.32 for the capital project replacement fund:

18.1 (1) the risks to be mitigated or managed by the fund;

18.2 (2) the intended use of the replacement fund, including but not limited to how the fund  
18.3 will be used for major rehabilitation, expansion, replacement, or preservation of the capital  
18.4 project; and

18.5 (3) criteria for the use of the fund to address other capital improvement needs of the  
18.6 grantee, including safety and security, maintenance and utility costs, availability of repair  
18.7 parts and materials, sustainability, and any other criteria the grantee deems relevant.

18.8 (c) For the purposes of this section, "grantee" does not include a state agency, state  
18.9 official, the Board of Regents of the University of Minnesota, or the Board of Trustees of  
18.10 the Minnesota State Colleges and Universities.

18.11 Subd. 3. **Minimum deposits; fund balance.** (a) The commissioner must determine the  
18.12 annual minimum deposit amounts into capital project replacement funds by capital project  
18.13 type. The commissioner must take into account depreciation, construction cost inflation,  
18.14 and other relevant factors when determining the minimum deposit amounts.

18.15 (b) A grantee must not be required to maintain a capital project replacement fund balance  
18.16 greater than the amount of the direct appropriation or grant from an appropriation of state  
18.17 money for the capital project.

18.18 Subd. 4. **Account auditing.** The state auditor may audit capital project replacement  
18.19 accounts as part of the regular audits of local governments.

18.20 Subd. 5. **Exceptions.** Capital projects that already require a replacement fund under  
18.21 section 446A.072, subdivision 12, or any other law, rule, or ordinance, are exempt from the  
18.22 requirements under this section, so long as the deposits into the replacement fund are at  
18.23 least as large as the minimum deposits established by the commissioner under subdivision  
18.24 3.

18.25 Subd. 6. **Penalty.** Failure of a grantee to comply with the requirements of this section  
18.26 shall result in the granting state agency assessing a penalty fee to the grantee equal to one  
18.27 percent of the appropriation of state money for the capital project for each year of  
18.28 noncompliance. Penalty fees shall be remitted by the granting state agency to the  
18.29 commissioner of management and budget for deposit into the general fund.

18.30 **EFFECTIVE DATE.** This section is effective for capital projects funded through state  
18.31 capital project grant agreements entered into on or after July 1, 2024.

19.1 Sec. 18. Minnesota Statutes 2022, section 16B.48, subdivision 4, is amended to read:

19.2 Subd. 4. **Reimbursements.** (a) Except as specifically provided otherwise by law, each  
19.3 agency shall reimburse the general services revolving funds for the cost of all services,  
19.4 supplies, materials, labor, and depreciation of equipment, including reasonable overhead  
19.5 costs, which the commissioner is authorized and directed to furnish an agency. The cost of  
19.6 all publications or other materials produced by the commissioner and financed from the  
19.7 general services revolving fund must include reasonable overhead costs.

19.8 (b) The commissioner of administration shall report the rates to be charged for the general  
19.9 services revolving funds no later than ~~July 1~~ September 15 each year to the chair of the  
19.10 committee or division in the senate and house of representatives with primary jurisdiction  
19.11 over the budget of the Department of Administration.

19.12 (c) The commissioner of management and budget shall make appropriate transfers to  
19.13 the revolving funds described in this section when requested by the commissioner of  
19.14 administration. The commissioner of administration may make allotments, encumbrances,  
19.15 and, with the approval of the commissioner of management and budget, disbursements in  
19.16 anticipation of such transfers. In addition, the commissioner of administration, with the  
19.17 approval of the commissioner of management and budget, may require an agency to make  
19.18 advance payments to the revolving funds in this section sufficient to cover the agency's  
19.19 estimated obligation for a period of at least 60 days.

19.20 (d) All reimbursements and other money received by the commissioner of administration  
19.21 under this section must be deposited in the appropriate revolving fund. Any earnings  
19.22 remaining in the fund established to account for the documents service prescribed by section  
19.23 16B.51 at the end of each fiscal year not otherwise needed for present or future operations,  
19.24 as determined by the commissioners of administration and management and budget, must  
19.25 be transferred to the general fund.

19.26 Sec. 19. Minnesota Statutes 2022, section 16B.54, subdivision 2, is amended to read:

19.27 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a  
19.28 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the  
19.29 commissioner for use in the enterprise fleet. The commissioner shall reimburse an agency  
19.30 whose motor vehicles have been paid for with funds dedicated by the constitution for a  
19.31 special purpose and which are assigned to the enterprise fleet. The amount of reimbursement  
19.32 for a motor vehicle is its average wholesale price as determined from the midwest edition  
19.33 of the National Automobile Dealers Association official used car guide.

20.1 (b) To the extent that funds are available for the purpose, the commissioner may purchase  
20.2 or otherwise acquire additional passenger motor vehicles and trucks necessary for the  
20.3 enterprise fleet. The title to all motor vehicles assigned to or purchased or acquired for the  
20.4 enterprise fleet is in the name of the Department of Administration.

20.5 (c) On the request of an agency, the commissioner may transfer to the enterprise fleet  
20.6 any passenger motor vehicle or truck for the purpose of disposing of it. The department or  
20.7 agency transferring the vehicle or truck must be paid for it from the motor pool revolving  
20.8 account established by this section in an amount equal to two-thirds of the average wholesale  
20.9 price of the vehicle or truck as determined from the midwest edition of the National  
20.10 Automobile Dealers Association official used car guide.

20.11 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor  
20.12 vehicle colors must be selected from the regular color chart provided by the manufacturer  
20.13 each year. The commissioner may further provide for the use of motor vehicles without  
20.14 marking by:

20.15 (1) the governor;

20.16 (2) the lieutenant governor;

20.17 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling  
20.18 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of  
20.19 Public Safety;

20.20 (4) the Financial Institutions Division and investigative staff of the Department of  
20.21 Commerce;

20.22 (5) the Division of Disease Prevention and Control of the Department of Health;

20.23 (6) the State Lottery;

20.24 (7) criminal investigators of the Department of Revenue;

20.25 (8) state-owned community service facilities in the Department of Human Services;

20.26 (9) the Office of the Attorney General;

20.27 (10) the investigative staff of the Gambling Control Board; ~~and~~

20.28 (11) the Department of Corrections inmate community work crew program under section  
20.29 352.91, subdivision 3g; and

20.30 (12) the Office of Ombudsman for Long-Term Care staff.

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

21.1 Sec. 20. [16B.851] STATE BUILDING RENEWABLE ENERGY; STORAGE;  
21.2 ELECTRIC VEHICLE ACCOUNT.

21.3 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have  
21.4 the meanings given.

21.5 (b) "Energy storage" means the predesign, design, acquisition, construction, or installation  
21.6 of technology which stores and delivers electric or thermal energy.

21.7 (c) "EVSE" means electric vehicle service equipment, including charging equipment  
21.8 and associated infrastructure and site upgrades.

21.9 (d) "Renewable energy" has the meaning given in section 216B.2422, subdivision 1,  
21.10 paragraph (c), and the same sources in thermal energy.

21.11 (e) "Renewable energy improvement" means the predesign, design, acquisition,  
21.12 construction, or installation of a renewable energy production system or energy storage  
21.13 equipment or system, and associated infrastructure and facilities that are designed to result  
21.14 in a demand-side net reduction in energy use by the state building's electrical, heating,  
21.15 ventilating, air-conditioning, and hot water systems.

21.16 (f) "State agency" has the definition given in section 13.02, subdivision 17, or designated  
21.17 definition given in section 15.01 and includes the Office of Higher Education, Housing  
21.18 Finance Agency, Pollution Control Agency, Metropolitan Council, and Bureau of Mediation  
21.19 Services. State agency includes the agencies, boards, commissions, committees, councils,  
21.20 and authorities designated in section 15.012.

21.21 (g) "State building" means a building or facility owned by the state of Minnesota.

21.22 Subd. 2. Account established. A state building renewable energy, storage, and electric  
21.23 vehicle account is established in the special revenue fund to provide funds to state agencies  
21.24 to:

21.25 (1) design, construct, and equip renewable energy improvement and renewable energy  
21.26 storage projects at state buildings;

21.27 (2) purchase state fleet electric vehicles in accordance with section 16C.135;

21.28 (3) purchase and install EVSE and related infrastructure; and

21.29 (4) carry out management projects by the commissioner.

21.30 Subd. 3. Account management. The commissioner shall manage and administer the  
21.31 state building renewable energy, storage, and electric vehicle account.

22.1 Subd. 4. **Accepting funds.** (a) The commissioner shall make an application to the federal  
22.2 government on behalf of the state of Minnesota for all state projects eligible for elective  
22.3 payments under sections 6417 and 6418 of the Internal Revenue Code, as added by Public  
22.4 Law 117-169, 136 Statute 1818, the Inflation Reduction Act of 2022.

22.5 (b) The commissioner may apply for, receive, and expend money made available from  
22.6 federal, state, or other sources for the purposes of carrying out the duties in this section.

22.7 (c) Notwithstanding section 16A.72, all funds received under this subdivision are  
22.8 deposited into the state building renewable energy, storage, and electric vehicle account  
22.9 and appropriated to the commissioner for the purposes of subdivision 2 and as permitted  
22.10 under this section.

22.11 (d) Money in the state building renewable energy, storage, and electric vehicle account  
22.12 does not cancel and is available until expended.

22.13 Subd. 5. **Applications.** A state agency applying for state building renewable energy,  
22.14 storage, EVSE, and electric fleet vehicle funds must submit an application to the  
22.15 commissioner on a form, in the manner, and at the time prescribed by the commissioner.

22.16 Subd. 6. **Treatment of certain payments received from federal government.** (a)  
22.17 Federal payments received for eligible renewable energy improvement and storage projects  
22.18 and EVSE projects made with appropriations from general obligation bonds may be  
22.19 transferred to the state bond fund if consistent with federal treasury regulations.

22.20 (b) Federal payments received for eligible electric fleet vehicle purchases by the  
22.21 Department of Administration's fleet division must be transferred to the motor pool revolving  
22.22 account established in section 16B.54, subdivision 8.

22.23 (c) Federal payments received for eligible electric fleet vehicle purchases made directly  
22.24 by a state agency shall be transferred to the fund from which the purchase was made.

22.25 (d) When obligated to fulfill financing agreements, federal payments received for eligible  
22.26 renewable energy improvements shall be transferred to the appropriate agency.

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

22.28 Sec. 21. Minnesota Statutes 2022, section 16B.97, subdivision 1, is amended to read:

22.29 Subdivision 1. **Grant agreement.** (a) A grant agreement is a written instrument or  
22.30 electronic document defining a legal relationship between a granting agency and a grantee  
22.31 when the principal purpose of the relationship is to transfer cash or something of value to  
22.32 the recipient to support a public purpose authorized by law instead of acquiring by

23.1 professional or technical contract, purchase, lease, or barter property or services for the  
23.2 direct benefit or use of the granting agency.

23.3 (b) This section does not apply to general obligation grants as defined by section 16A.695  
23.4 ~~and~~, capital project grants to political subdivisions as defined by section 16A.86, or capital  
23.5 project grants otherwise subject to section 16A.642.

23.6 Sec. 22. Minnesota Statutes 2022, section 16B.98, subdivision 1, is amended to read:

23.7 Subdivision 1. **Limitation.** (a) As a condition of receiving a grant from an appropriation  
23.8 of state funds, the recipient of the grant must agree to minimize administrative costs. The  
23.9 granting agency is responsible for negotiating appropriate limits to these costs so that the  
23.10 state derives the optimum benefit for grant funding.

23.11 (b) This section does not apply to general obligation grants as defined by section 16A.695  
23.12 ~~and also~~, capital project grants to political subdivisions as defined by section 16A.86, or  
23.13 capital project grants otherwise subject to section 16A.642.

23.14 Sec. 23. Minnesota Statutes 2022, section 16C.137, subdivision 2, is amended to read:

23.15 Subd. 2. **Report.** (a) The commissioner of administration, in collaboration with the  
23.16 commissioners of the Pollution Control Agency, the Departments of Agriculture, Commerce,  
23.17 Natural Resources, and Transportation, and other state departments, must evaluate the goals  
23.18 and directives established in this section and ~~report~~ include their findings ~~to the governor~~  
23.19 ~~and the appropriate committees of the legislature by February 1 of each odd-numbered year~~  
23.20 in the public dashboard under section 16B.372. In the ~~report~~ public dashboard, the  
23.21 commissioner must make recommendations for new or adjusted goals, directives, or  
23.22 legislative initiatives, in light of the progress the state has made implementing this section  
23.23 and the availability of new or improved technologies.

23.24 (b) The Department of Administration shall implement a fleet reporting and information  
23.25 management system. Each department will use this management system to demonstrate its  
23.26 progress in complying with this section.

23.27 Sec. 24. Minnesota Statutes 2022, section 16D.09, subdivision 1, is amended to read:

23.28 Subdivision 1. **Generally.** (a) When a debt is determined by a state agency to be  
23.29 uncollectible, the debt may be written off by the state agency from the state agency's financial  
23.30 accounting records and no longer recognized as an account receivable for financial reporting  
23.31 purposes. A debt is considered to be uncollectible when (1) all reasonable collection efforts  
23.32 have been exhausted, (2) the cost of further collection action will exceed the amount

24.1 recoverable, (3) the debt is legally without merit or cannot be substantiated by evidence,  
24.2 (4) the debtor cannot be located, (5) the available assets or income, current or anticipated,  
24.3 that may be available for payment of the debt are insufficient, (6) the debt has been  
24.4 discharged in bankruptcy, (7) the applicable statute of limitations for collection of the debt  
24.5 has expired, or (8) it is not in the public interest to pursue collection of the debt.

24.6 (b) Uncollectible debt must be reported by the state agency as part of its quarterly reports  
24.7 to the commissioner of management and budget. The basis for the determination of the  
24.8 uncollectibility of the debt must be maintained by the state agency. If an uncollectible debt  
24.9 equals or exceeds \$100,000, the agency shall notify the chairs and ranking minority members  
24.10 of the legislative committees with jurisdiction over the state agency's budget at the time the  
24.11 debt is determined to be uncollectible. The information reported shall contain the entity  
24.12 associated with the uncollected debt, the amount of the debt, the revenue type, the reason  
24.13 the debt is considered uncollectible, and the duration the debt has been outstanding. The  
24.14 commissioner of management and budget shall report to the chairs and ranking minority  
24.15 members of the legislative committees with jurisdiction over Minnesota Management and  
24.16 Budget an annual summary of the number and dollar amount of debts determined to be  
24.17 uncollectible during the previous fiscal year by ~~October 31~~ November 30 of each year.  
24.18 Determining that the debt is uncollectible does not cancel the legal obligation of the debtor  
24.19 to pay the debt.

24.20 Sec. 25. Minnesota Statutes 2022, section 16E.01, subdivision 2, is amended to read:

24.21 Subd. 2. **Discretionary powers.** The department may:

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

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

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

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

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

24.32 (6) review the technology infrastructure of regions of the state and cooperate with and  
24.33 make recommendations to the governor, legislature, state agencies, local governments, local

25.1 technology development agencies, the federal government, private businesses, and individuals  
25.2 for the realization of information and communications technology infrastructure development  
25.3 potential;

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

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

25.9 Sec. 26. Minnesota Statutes 2023 Supplement, section 16E.01, subdivision 3, is amended  
25.10 to read:

25.11 Subd. 3. **Duties.** (a) The department shall:

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

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

25.20 (3) promote cooperation and collaboration among state and local governments in  
25.21 developing intergovernmental information and telecommunications technology systems  
25.22 and services;

25.23 (4) cooperate and collaborate with the legislative and judicial branches in the development  
25.24 of information and communications systems in those branches, as requested;

25.25 (5) ~~promote and coordinate public information access and network initiatives, consistent~~  
25.26 ~~with chapter 13, to connect Minnesota's citizens and communities to each other, to their~~  
25.27 ~~governments, and to the world~~ continue to collaborate on the development of MN.gov, the  
25.28 state's official comprehensive online service and information initiative;

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

26.1 (7) facilitate the cooperative development of and ensure compliance with standards and  
26.2 policies for information and telecommunications technology systems and services and  
26.3 electronic data practices and ~~privacy~~ security within the executive branch;

26.4 (8) eliminate unnecessary duplication of existing information and telecommunications  
26.5 technology systems and services provided by state agencies;

26.6 (9) identify, sponsor, develop, and execute shared information and telecommunications  
26.7 technology projects and initiatives, and ongoing operations;

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

26.10 (11) manage and direct compliance with accessibility standards for informational  
26.11 technology, including hardware, software, websites, online forms, and online surveys.

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

26.22 (c) A state agency that has an information and telecommunications technology project  
26.23 or initiative, whether funded as part of the biennial budget or by any other means, shall  
26.24 register with the department by submitting basic project or initiative startup documentation  
26.25 as specified by the chief information officer in both format and content. State agency business  
26.26 and technology project leaders, in accordance with policies and standards set forth by the  
26.27 chief information officer, must demonstrate that the project or initiative will be properly  
26.28 managed, ensure alignment with enterprise technology strategic direction, provide updates  
26.29 to the project or initiative documentation as changes are proposed, and regularly report on  
26.30 the current status of the project or initiative on a schedule agreed to with the chief information  
26.31 officer. The chief information officer has the authority to define a project or initiative for  
26.32 the purposes of this chapter.

26.33 (d) The chief information officer shall monitor progress on ~~any~~ active information and  
26.34 telecommunications technology ~~project with a total expected project cost of more than~~

27.1 ~~\$5,000,000~~ projects and initiatives and report on the performance of the ~~project~~ projects or  
 27.2 initiatives in comparison with ~~the plans for the project~~ in terms of time, scope, and budget.  
 27.3 The chief information officer may conduct an independent ~~project~~ audit of the project or  
 27.4 initiative. If an independent audit is conducted, the audit analysis and evaluation of the  
 27.5 ~~projects subject to paragraph (e)~~ project or initiative must be presented to agency executive  
 27.6 sponsors, the project governance bodies, and the chief information officer. All reports and  
 27.7 responses must become part of the project or initiative record.

27.8 (e) For any active information and telecommunications technology project or initiative,  
 27.9 with a total expected ~~project~~ cost of more than \$10,000,000, ~~the state agency must perform~~  
 27.10 an annual independent audit that conforms to published ~~project~~ audit principles adopted by  
 27.11 the department must be conducted.

27.12 (f) The chief information officer shall report by January 15 of each year to the chairs  
 27.13 and ranking minority members of the legislative committees and divisions with jurisdiction  
 27.14 over the department ~~regarding projects the department has reviewed under paragraph (a),~~  
 27.15 ~~clause (10)~~ on the status of the state's comprehensive project and initiatives portfolio. The  
 27.16 report must include: descriptions of each project and its current status, information technology  
 27.17 costs associated with the project, and estimated date on when the information technology  
 27.18 project is expected to be completed.

27.19 ~~(1) each project in the IT portfolio whose status is either active or on hold;~~  
 27.20 ~~(2) each project presented to the office for consultation in the time since the last report;~~  
 27.21 ~~(3) the information technology cost associated with the project;~~  
 27.22 ~~(4) the current status of the information technology project;~~  
 27.23 ~~(5) the date the information technology project is expected to be completed; and~~  
 27.24 ~~(6) the projected costs for ongoing support and maintenance after the project is complete.~~

27.25 Sec. 27. Minnesota Statutes 2023 Supplement, section 16E.03, subdivision 2, is amended  
 27.26 to read:

27.27 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

27.28 (1) design a strategic plan for information and telecommunications technology systems  
 27.29 and services in the state and shall report on the plan to the governor and legislature at the  
 27.30 beginning of each regular session;

28.1 (2) ~~coordinate, review, and approve all information and telecommunications technology~~  
 28.2 ~~projects~~ develop and implement processes for review, approval, and monitoring and oversee  
 28.3 the state's information and telecommunications technology systems and services;

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

28.8 (4) maintain a library of systems and programs developed by the state for use by agencies  
 28.9 of government;

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

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

28.15 Sec. 28. Minnesota Statutes 2022, section 16E.03, subdivision 3, is amended to read:

28.16 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information  
 28.17 and telecommunications technology project or initiative until it has been evaluated according  
 28.18 to the procedures developed under subdivision 4. The chief information officer or delegate  
 28.19 shall ~~give written approval of the proposed project~~ record project approval as a part of the  
 28.20 project.

28.21 Sec. 29. Minnesota Statutes 2022, section 16E.03, subdivision 4, is amended to read:

28.22 Subd. 4. **Evaluation procedure.** The chief information officer shall establish and, as  
 28.23 necessary, update and modify procedures to evaluate information and communications  
 28.24 projects or initiatives proposed by state agencies. The evaluation procedure must assess the  
 28.25 necessity, design and plan for development, ability to meet user requirements, accessibility,  
 28.26 feasibility, ~~and flexibility of the proposed data processing device or system, its relationship~~  
 28.27 ~~to other state data processing devices or systems, and its costs and benefits when considered~~  
 28.28 ~~by itself and when compared with other options~~ cost, and benefits of the project or initiative.

28.29 Sec. 30. Minnesota Statutes 2022, section 16E.03, subdivision 5, is amended to read:

28.30 Subd. 5. **Report to legislature.** The chief information officer shall submit to the  
 28.31 legislature, at the same time as the governor's budget required by section 16A.11, a concise

29.1 narrative explanation of any information and communication technology project or initiative  
29.2 being proposed as part of the governor's budget that involves collaboration between state  
29.3 agencies and an explanation of how the budget requests of the several agencies collaborating  
29.4 on the project or initiative relate to each other.

29.5 Sec. 31. Minnesota Statutes 2022, section 16E.03, subdivision 7, is amended to read:

29.6 Subd. 7. **Cyber security systems.** (a) In consultation with the attorney general and  
29.7 appropriate agency heads, the chief information officer shall develop cyber security policies,  
29.8 guidelines, and standards, and shall ~~install~~ advise, implement, and administer state data  
29.9 security systems solutions and practices on the state's ~~computer facilities~~ information  
29.10 technology services, systems, and applications consistent with these policies, guidelines,  
29.11 standards, and state law to ensure the integrity, confidentiality, and availability of  
29.12 ~~computer-based and other~~ information technology systems and services, and data and to  
29.13 ensure applicable limitations on access to data, consistent with the public's right to know  
29.14 as defined in chapter 13. The chief information officer is responsible for overall security of  
29.15 state agency networks connected to the Internet. Each department or agency head is  
29.16 responsible for the security of the department's or agency's data within the guidelines of  
29.17 established enterprise policy.

29.18 (b) The state chief information officer, or state chief information security officer, may  
29.19 advise and consult on security strategy and programs for state entities and political  
29.20 subdivisions not subject to section 16E.016.

29.21 Sec. 32. Minnesota Statutes 2022, section 16E.04, subdivision 2, is amended to read:

29.22 Subd. 2. **Responsibilities.** (a) The office ~~shall~~ may develop and establish a state  
29.23 information architecture to ensure:

29.24 (1) that state agency information and communications systems, equipment, and services  
29.25 do not needlessly duplicate or conflict with the systems of other agencies; and

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

29.28 When state agencies have need for the same or similar public data, the chief information  
29.29 officer, in coordination with the affected agencies, shall manage the most efficient and  
29.30 cost-effective method of producing and storing data for or sharing data between those  
29.31 agencies. The development of this information architecture must include the establishment

30.1 of standards and guidelines to be followed by state agencies. The office shall ensure  
30.2 compliance with the architecture.

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

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

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

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

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

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

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

30.22 Sec. 33. Minnesota Statutes 2022, section 16E.04, subdivision 3, is amended to read:

30.23 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation  
30.24 plan are required for all information systems development projects or initiatives undertaken  
30.25 by a state agency in the executive or judicial branch or by a constitutional officer. The chief  
30.26 information officer must contract with an entity outside of state government to conduct the  
30.27 initial assessment and prepare the mitigation plan for a project or initiative estimated to cost  
30.28 more than ~~\$5,000,000~~ \$10,000,000. The outside entity conducting the risk assessment and  
30.29 preparing the mitigation plan must not have any other direct or indirect financial interest in  
30.30 the project or initiative. The risk assessment and risk mitigation plan must provide for  
30.31 periodic monitoring by the commissioner until the project or initiative is completed.

31.1 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated  
31.2 for the information and telecommunications technology project or initiative.

31.3 Sec. 34. Minnesota Statutes 2022, section 16E.07, is amended to read:

31.4 **16E.07 NORTH STAR ONLINE GOVERNMENT INFORMATION SERVICES.**

31.5 Subdivision 1. **Definitions** Definition. (a) The ~~definitions~~ definition in this subdivision  
31.6 ~~apply~~ applies to this section.

31.7 ~~(b) "Core services" means accessible information system applications required to provide~~  
31.8 ~~secure information services and online applications and content to the public from~~  
31.9 ~~government units. Online applications may include, but are not limited to:~~

31.10 ~~(1) standardized public directory services and standardized content services;~~

31.11 ~~(2) online search systems;~~

31.12 ~~(3) general technical services to support government unit online services;~~

31.13 ~~(4) electronic conferencing and communication services;~~

31.14 ~~(5) secure electronic transaction services;~~

31.15 ~~(6) digital audio, video, and multimedia services; and~~

31.16 ~~(7) government intranet content and service development.~~

31.17 ~~(e)~~ (b) "Government unit" means a state department, agency, commission, council, board,  
31.18 task force, or committee; a constitutional office; a court entity; the Minnesota State Colleges  
31.19 and Universities; a county, statutory or home rule charter city, or town; a school district; a  
31.20 special district; or any other board, commission, district, or authority created under law,  
31.21 local ordinance, or charter provision.

31.22 Subd. 2. **Established.** The ~~office~~ department shall establish "North Star" ~~as the state's~~  
31.23 ~~comprehensive government online information service. North Star is the state's governmental~~  
31.24 ~~framework for coordinating and collaborating in providing online government information~~  
31.25 ~~and services. Government agencies that provide electronic access to government information~~  
31.26 ~~are requested to make available to North Star their most frequently requested public data~~  
31.27 collaborate with state agencies to maintain MN.gov and associated websites that provide  
31.28 online government information services.

31.29 Subd. 3. **Access to data.** The legislature determines that the greatest possible access to  
31.30 certain government information and data is essential to allow citizens to participate fully in  
31.31 a democratic system of government. Certain information and data, including, but not limited

32.1 to the following, must be provided free of charge or for a nominal cost associated with  
32.2 reproducing the information or data:

32.3 (1) directories of government services and institutions, ~~including an electronic version~~  
32.4 ~~of the guidebook to state agency services published by the commissioner of administration;~~

32.5 (2) legislative and rulemaking information, including an electronic version of the State  
32.6 Register, public information newsletters, bill text and summaries, bill status information,  
32.7 rule status information, meeting schedules, and the text of statutes and rules;

32.8 (3) supreme court and court of appeals opinions and general judicial information;

32.9 (4) opinions of the attorney general;

32.10 (5) Campaign Finance and Public Disclosure Board and election information;

32.11 (6) public budget information;

32.12 (7) local government documents, such as codes, ordinances, minutes, meeting schedules,  
32.13 and other notices in the public interest;

32.14 (8) official documents, releases, speeches, and other public information issued by  
32.15 government agencies; and

32.16 (9) the text of other government documents and publications that government agencies  
32.17 determine are important to public understanding of government activities.

32.18 ~~Subd. 4. Staff. The chief information officer shall appoint the manager of the North Star~~  
32.19 ~~online information service and hire staff to carry out the responsibilities of the service.~~

32.20 ~~Subd. 5. Participation; consultation; guidelines. The North Star staff shall consult~~  
32.21 ~~with governmental and nongovernmental organizations to establish rules for participation~~  
32.22 ~~in the North Star service. Government units planning, developing, or providing publicly~~  
32.23 ~~accessible online services shall provide access through and collaborate with North Star and~~  
32.24 ~~formally register with the office. The University of Minnesota is requested to establish~~  
32.25 ~~online connections and collaborate with North Star. Units of the legislature shall make their~~  
32.26 ~~services available through North Star. Government units may be required to submit~~  
32.27 ~~standardized directory and general content for core services but are not required to purchase~~  
32.28 ~~core services from North Star. North Star shall promote broad public access to the sources~~  
32.29 ~~of online information or services through multiple technologies.~~

32.30 Subd. 6. Fees. The office shall may establish fees for technical and transaction services  
32.31 for government units through North Star. ~~Fees must be credited to the North Star account.~~

33.1 The office may not charge a fee for viewing or inspecting data made available through ~~North~~  
33.2 ~~Star~~ MN.gov or linked facilities, unless specifically authorized by law.

33.3 Subd. 7. ~~North Star~~ **Online government information service account.** The ~~North Star~~  
33.4 online government information service account is created in the special revenue fund. The  
33.5 account consists of:

- 33.6 (1) grants received from nonstate entities;
- 33.7 (2) fees and charges collected by the office;
- 33.8 (3) gifts, donations, and bequests made to the office; and
- 33.9 (4) other money credited to the account by law.

33.10 Money in the account is appropriated to the office to be used to continue the development  
33.11 of ~~the North Star project~~ online government information services.

33.12 Subd. 8. **Secure transaction system.** The office shall plan and develop a secure  
33.13 transaction ~~system~~ systems to support delivery of government services electronically. A  
33.14 state agency that implements electronic government services for fees, licenses, sales, or  
33.15 other purposes ~~must use the~~ may be required to use secure transaction ~~system~~ systems  
33.16 developed in accordance with this section.

33.17 Subd. 9. **Aggregation of service demand.** The office ~~shall~~ may identify opportunities  
33.18 to aggregate demand for technical services required by government units for online activities  
33.19 and may contract with governmental or nongovernmental entities to provide services. These  
33.20 contracts are not subject to the requirements of chapters 16B and 16C, except sections  
33.21 16C.04, 16C.08, and 16C.09.

33.22 Subd. 10. **Outreach.** The office may promote the availability of government online  
33.23 information and services through public outreach and education. ~~Public network expansion~~  
33.24 ~~in communities through libraries, schools, colleges, local government, and other community~~  
33.25 ~~access points must include access to North Star. North Star may make materials available~~  
33.26 ~~to those public sites to promote awareness of the service.~~

33.27 Subd. 11. **Advanced development collaboration.** The office shall identify information  
33.28 ~~technology services with broad public impact and advanced development requirements.~~  
33.29 ~~Those services shall assist in the development of and utilization of core services to the~~  
33.30 ~~greatest extent possible where appropriate, cost-effective, and technically feasible. This~~  
33.31 ~~includes, but is not limited to, higher education, statewide online library, economic and~~  
33.32 ~~community development, and K-12 educational technology services. North Star shall~~  
33.33 ~~participate in electronic commerce research and development initiatives with the University~~

34.1 ~~of Minnesota and other partners. The statewide online library service shall consult,~~  
34.2 ~~collaborate, and work with North Star to ensure development of proposals for advanced~~  
34.3 ~~government information locator and electronic depository and archive systems.~~

34.4 Subd. 12. **Private entity services; fee authority.** (a) The department may enter into a  
34.5 contract with a private entity to manage, maintain, support, and expand ~~North Star and~~  
34.6 online government information services to citizens and businesses.

34.7 (b) A contract established under paragraph (a) may provide for compensation of the  
34.8 private entity through a fee established under paragraph (c).

34.9 (c) The department, subject to the approval of the agency or department responsible for  
34.10 the data or services involved in the transaction, may charge and may authorize a private  
34.11 entity that enters into a contract under paragraph (a) to charge a convenience fee for users  
34.12 of ~~North Star and~~ online government information services up to a total of \$2 per transaction,  
34.13 provided that no fee shall be charged for viewing or inspecting data. A fee established under  
34.14 this paragraph is in addition to any fees or surcharges authorized under other law.

34.15 (d) Receipts from the convenience fee shall be deposited in the ~~North Star~~ online  
34.16 government information service account established in subdivision 7. Notwithstanding  
34.17 section 16A.1285, subdivision 2, receipts credited to the account are appropriated to the  
34.18 department for payment to the contracted private entity under paragraph (a). In lieu of  
34.19 depositing the receipts in the ~~North Star~~ online government information service account,  
34.20 the department can directly transfer the receipts to the private entity or allow the private  
34.21 entity to retain the receipts pursuant to a contract established under this subdivision.

34.22 (e) ~~The department shall report~~ Information regarding any convenience fee receipts  
34.23 collected under paragraph (d) must be reported to the chairs and ranking minority members  
34.24 of the house of representatives and senate committees with jurisdiction over state government  
34.25 finance by January 15 of each odd-numbered year ~~regarding the convenience fee receipts~~  
34.26 ~~and the status of North Star projects and online government information services developed~~  
34.27 ~~and supported by convenience fee receipts.~~

34.28 Sec. 35. **[16E.36] CYBERSECURITY INCIDENTS.**

34.29 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have  
34.30 the meanings given.

34.31 (b) "Bureau" means the Bureau of Criminal Apprehension.

35.1 (c) "Cybersecurity incident" means an action taken through the use of an information  
35.2 system or network that results in an actual or potentially adverse effect on an information  
35.3 system, network, or the information residing therein.

35.4 (d) "Cyber threat indicator" means information that is necessary to describe or identify:

35.5 (1) malicious reconnaissance, including but not limited to anomalous patterns of  
35.6 communication that appear to be transmitted for the purpose of gathering technical  
35.7 information related to a cybersecurity threat or vulnerability;

35.8 (2) a method of defeating a security control or exploitation of a security vulnerability;

35.9 (3) a security vulnerability, including but not limited to anomalous activity that appears  
35.10 to indicate the existence of a security vulnerability;

35.11 (4) a method of causing a user with legitimate access to an information system or  
35.12 information that is stored on, processed by, or transiting an information system to unwittingly  
35.13 enable the defeat of a security control or exploitation of a security vulnerability;

35.14 (5) malicious cyber command and control;

35.15 (6) the actual or potential harm caused by an incident, including but not limited to a  
35.16 description of the data exfiltrated as a result of a particular cyber threat; and

35.17 (7) any other attribute of a cyber threat, if disclosure of such attribute is not otherwise  
35.18 prohibited by law.

35.19 (e) "Defensive measure" means an action, device, procedure, signature, technique, or  
35.20 other measure applied to an information system or information that is stored on, processed  
35.21 by, or transiting an information system that detects, prevents, or mitigates a known or  
35.22 suspected cyber threat or security vulnerability, but does not include a measure that destroys,  
35.23 renders unusable, provides unauthorized access to, or substantially harms an information  
35.24 system or information stored on, processed by, or transiting an information system not  
35.25 owned by the entity operating the measure, or another entity that is authorized to provide  
35.26 consent and has provided consent to that private entity for operation of the measure.

35.27 (f) "Government contractor" means an individual or entity that performs work for or on  
35.28 behalf of a public agency on a contract basis with access to or hosting of the public agency's  
35.29 network, systems, applications, or information.

35.30 (g) "Information resource" means information and related resources, such as personnel,  
35.31 equipment, funds, and information technology.

36.1 (h) "Information system" means a discrete set of information resources organized for  
36.2 collecting, processing, maintaining, using, sharing, disseminating, or disposing of  
36.3 information.

36.4 (i) "Information technology" means any equipment or interconnected system or subsystem  
36.5 of equipment that is used in automatic acquisition, storage, manipulation, management,  
36.6 movement, control, display, switching, interchange, transmission, or reception of data or  
36.7 information used by a public agency or a government contractor under contract with a public  
36.8 agency which requires the use of the equipment or requires the use, to a significant extent,  
36.9 of the equipment in the performance of a service or the furnishing of a product. The term  
36.10 information technology also has the meaning given to information and telecommunications  
36.11 technology systems and services in section 16E.03, subdivision 1, paragraph (b).

36.12 (j) "Private entity" means any individual, corporation, company, partnership, firm,  
36.13 association, or other entity, but does not include a public agency, or a foreign government,  
36.14 or any component thereof.

36.15 (k) "Public agency" means any public agency of the state or any political subdivision;  
36.16 school districts; charter schools; intermediate districts; cooperative units under section  
36.17 123A.24, subdivision 2; and public postsecondary education institutions.

36.18 (l) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

36.19 Subd. 2. **Report on cybersecurity incidents.** (a) Beginning December 1, 2024, the head  
36.20 of or the decision-making body for a public agency must report a cybersecurity incident  
36.21 that impacts the public agency to the commissioner. A government contractor or vendor  
36.22 that provides goods or services to a public agency must report a cybersecurity incident to  
36.23 the public agency if the incident impacts the public agency.

36.24 (b) The report must be made within 72 hours of when the public agency or government  
36.25 contractor reasonably identifies or believes that a cybersecurity incident has occurred.

36.26 (c) The commissioner must coordinate with the superintendent to promptly share reported  
36.27 cybersecurity incidents.

36.28 (d) By September 30, 2024, the commissioner, in coordination with the superintendent,  
36.29 must establish a cyber incident reporting system having capabilities to facilitate submission  
36.30 of timely, secure, and confidential cybersecurity incident notifications from public agencies,  
36.31 government contractors, and private entities to the office.

36.32 (e) By September 30, 2024, the commissioner must develop, in coordination with the  
36.33 superintendent, and prominently post instructions for submitting cybersecurity incident

37.1 reports on the department and bureau websites. The instructions must include, at a minimum,  
37.2 the types of cybersecurity incidents to be reported and a list of other information to be  
37.3 included in a report made through the cyber incident reporting system.

37.4 (f) The cyber incident reporting system must permit the commissioner, in coordination  
37.5 with the superintendent, to:

37.6 (1) securely accept a cybersecurity incident notification from any individual or private  
37.7 entity, regardless of whether the entity is a public agency or government contractor;

37.8 (2) track and identify trends in cybersecurity incidents reported through the cyber incident  
37.9 reporting system; and

37.10 (3) produce reports on the types of incidents, cyber threat, indicators, defensive measures,  
37.11 and entities reported through the cyber incident reporting system.

37.12 (g) Any cybersecurity incident report submitted to the commissioner is security  
37.13 information pursuant to section 13.37, is not discoverable in a civil or criminal action absent  
37.14 a court order or a search warrant, and is not subject to subpoena.

37.15 (h) Notwithstanding the provisions of paragraph (g), the commissioner may anonymize  
37.16 and share cyber threat indicators and relevant defensive measures to help prevent attacks  
37.17 and share cybersecurity incident notifications with potentially impacted parties through  
37.18 cybersecurity threat bulletins or relevant law enforcement authorities.

37.19 (i) Information submitted to the commissioner through the cyber incident reporting  
37.20 system is subject to privacy and protection procedures developed and implemented by the  
37.21 office, which shall be based on the comparable privacy protection procedures developed  
37.22 for information received and shared pursuant to the federal Cybersecurity Information  
37.23 Sharing Act of 2015, United States Code, title 6, section 1501, et seq.

37.24 Subd. 3. **Annual report to the governor and legislature.** Beginning January 31, 2026,  
37.25 and annually thereafter, the commissioner, in coordination with the superintendent, must  
37.26 submit a report on its cyber security incident report collection and resolution activities to  
37.27 the governor and to the legislative commission on cybersecurity. The report must include,  
37.28 at a minimum:

37.29 (1) information on the number of notifications received and a description of the  
37.30 cybersecurity incident types during the one-year period preceding the publication of the  
37.31 report;

37.32 (2) the categories of reporting entities that submitted cybersecurity reports; and

38.1 (3) any other information required in the submission of a cybersecurity incident report,  
38.2 noting any changes from the report published in the previous year.

38.3 Sec. 36. Minnesota Statutes 2022, section 43A.316, subdivision 5, is amended to read:

38.4 Subd. 5. **Public employee participation.** (a) Participation in the program is subject to  
38.5 the conditions in this subdivision.

38.6 (b) Each exclusive representative for an eligible employer determines whether the  
38.7 employees it represents will participate in the program. The exclusive representative shall  
38.8 give the employer notice of intent to participate at least 30 days before the expiration date  
38.9 of the collective bargaining agreement preceding the collective bargaining agreement that  
38.10 covers the date of entry into the program. The exclusive representative and the eligible  
38.11 employer shall give notice to the commissioner of the determination to participate in the  
38.12 program at least 30 days before entry into the program. Entry into the program is governed  
38.13 by a schedule established by the commissioner.

38.14 (c) Employees not represented by exclusive representatives may become members of  
38.15 the program upon a determination of an eligible employer to include these employees in  
38.16 the program. Either all or none of the employer's unrepresented employees must participate.  
38.17 The eligible employer shall give at least 30 days' notice to the commissioner before entering  
38.18 the program. Entry into the program is governed by a schedule established by the  
38.19 commissioner.

38.20 (d) Participation in the program is for a ~~two-year~~ four-year term. Participation is  
38.21 automatically renewed for an additional ~~two-year~~ four-year term unless the exclusive  
38.22 representative, or the employer for unrepresented employees, gives the commissioner notice  
38.23 of withdrawal at least 30 days before expiration of the participation period. A group that  
38.24 withdraws must wait two years before rejoining. An exclusive representative, or employer  
38.25 for unrepresented employees, may also withdraw if premiums increase ~~50~~ 20 percent or  
38.26 more from one insurance year to the next.

38.27 (e) The exclusive representative shall give the employer notice of intent to withdraw to  
38.28 the commissioner at least 30 days before the expiration date of a collective bargaining  
38.29 agreement that includes the date on which the term of participation expires.

38.30 (f) Each participating eligible employer shall notify the commissioner of names of  
38.31 individuals who will be participating within two weeks of the commissioner receiving notice  
38.32 of the parties' intent to participate. The employer shall also submit other information as  
38.33 required by the commissioner for administration of the program.

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

39.2 Sec. 37. Minnesota Statutes 2022, section 211B.33, subdivision 2, is amended to read:

39.3 Subd. 2. **Recommendation.** (a) If the administrative law judge determines that the  
39.4 complaint does not set forth a prima facie violation of chapter 211A or 211B, the  
39.5 administrative law judge must dismiss the complaint.

39.6 ~~(b) If the administrative law judge determines that the complaint sets forth a prima facie~~  
39.7 ~~violation of section 211B.06 and was filed within 60 days before the primary or special~~  
39.8 ~~election or within 90 days before the general election to which the complaint relates, the~~  
39.9 ~~administrative law judge must conduct an expedited probable cause hearing under section~~  
39.10 ~~211B.34.~~

39.11 ~~(e)~~ (b) If the administrative law judge determines that the complaint sets forth a prima  
39.12 facie violation of a provision of chapter 211A or 211B, ~~other than section 211B.06,~~ and that  
39.13 the complaint was filed within 60 days before the primary or special election or within 90  
39.14 days before the general election to which the complaint relates, the administrative law judge,  
39.15 on request of any party, must conduct an expedited probable cause hearing under section  
39.16 211B.34.

39.17 ~~(d)~~ (c) If the administrative law judge determines that the complaint sets forth a prima  
39.18 facie violation of chapter 211A or 211B, and was ~~filed more than~~ not filed within 60 days  
39.19 before the primary or special election or ~~more than~~ 90 days before the general election to  
39.20 which the complaint relates, the administrative law judge must schedule an evidentiary  
39.21 hearing under section 211B.35.

39.22 Sec. 38. Minnesota Statutes 2022, section 211B.34, subdivision 1, is amended to read:

39.23 Subdivision 1. **Time for review.** The assigned administrative law judge must hold a  
39.24 probable cause hearing on the complaint no later than three business days after ~~receiving~~  
39.25 ~~the assignment if~~ determining the complaint sets forth a prima facie violation of chapter  
39.26 211A or 211B, an expedited hearing is required by section 211B.33, except that for good  
39.27 cause the administrative law judge may hold the hearing no later than seven days after  
39.28 ~~receiving the assignment~~ the prima facie determination. If an expedited hearing is not  
39.29 required by section 211B.33, because no party requested one under section 211B.33,  
39.30 subdivision 2, paragraph (b), the administrative law judge must hold the hearing not later  
39.31 than 30 days after ~~receiving the assignment~~ determining the complaint sets forth a prima  
39.32 facie violation of chapter 211A or 211B.

40.1 Sec. 39. Minnesota Statutes 2022, section 211B.34, subdivision 2, is amended to read:

40.2 Subd. 2. **Disposition.** ~~At~~ After the probable cause hearing, the administrative law judge  
40.3 must make one of the following determinations within three business days after the hearing  
40.4 record closes:

40.5 (a) The complaint is frivolous, or there is no probable cause to believe that the violation  
40.6 of law alleged in the complaint has occurred. If the administrative law judge makes either  
40.7 determination, the administrative law judge must dismiss the complaint.

40.8 (b) There is probable cause to believe that the violation of law alleged in the complaint  
40.9 has occurred. If the administrative law judge so determines, the chief administrative law  
40.10 judge must schedule the complaint for an evidentiary hearing under section 211B.35.

40.11 Sec. 40. Minnesota Statutes 2022, section 211B.35, subdivision 1, is amended to read:

40.12 Subdivision 1. **Deadline for hearing.** When required by section 211B.33, subdivision  
40.13 2, paragraph (c), or by section 211B.34, subdivision 2 or 3, the chief administrative law  
40.14 judge must assign the complaint to a panel of three administrative law judges for an  
40.15 evidentiary hearing. The hearing must be held within the following times:

40.16 (1) ten days after the complaint was assigned to the panel, if an expedited probable cause  
40.17 hearing was requested or required under section 211B.33;

40.18 (2) 30 days after the complaint was filed, if it was filed within 60 days before the primary  
40.19 or special election or within 90 days before the general election to which the complaint  
40.20 relates; or

40.21 (3) 90 days after the complaint was filed, if it was filed at any other time.

40.22 For good cause shown, the panel may extend the deadline set forth in clause (2) or (3)  
40.23 by 60 days.

40.24 Sec. 41. Minnesota Statutes 2022, section 211B.35, subdivision 3, is amended to read:

40.25 Subd. 3. **Time for disposition.** The panel must dispose of the complaint:

40.26 (1) within three business days after the hearing record closes, if an expedited probable  
40.27 cause hearing was required by section 211B.33; and

40.28 (2) within 14 days after the hearing record closes, if an expedited probable cause hearing  
40.29 was not required by section 211B.33.

41.1 Sec. 42. Minnesota Statutes 2022, section 299E.01, subdivision 2, is amended to read:

41.2 Subd. 2. **Responsibilities.** (a) The division shall be responsible and shall utilize state  
41.3 employees for security and public information services in state-owned buildings and state  
41.4 leased-to-own buildings in the Capitol Area, as described in section 15B.02. It shall provide  
41.5 personnel as are required by the circumstances to insure the orderly conduct of state business  
41.6 and the convenience of the public. It shall provide emergency assistance and security escorts  
41.7 at any location within the Capitol Area, as described in section 15B.02, when requested by  
41.8 a state constitutional officer.

41.9 (b) As part of the division permanent staff, the director must establish the position of  
41.10 emergency manager that includes, at a minimum, the following duties:

41.11 (1) oversight of the consolidation, development, and maintenance of plans and procedures  
41.12 that provide continuity of security operations;

41.13 (2) the development and implementation of tenant training that addresses threats and  
41.14 emergency procedures; and

41.15 (3) the development and implementation of threat and emergency exercises.

41.16 (c) The director must provide a minimum of one state trooper assigned to the Capitol  
41.17 complex at all times.

41.18 (d) The director, in consultation with the advisory committee under section 299E.04,  
41.19 shall, at least annually, hold a meeting or meetings to discuss, among other issues, Capitol  
41.20 complex security, emergency planning, public safety, and public access to the Capitol  
41.21 complex. The meetings must include, at a minimum:

41.22 (1) Capitol complex tenants and state employees;

41.23 (2) nongovernmental entities, such as lobbyists, vendors, and the media; and

41.24 (3) the public and public advocacy groups.

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

41.26 Sec. 43. Minnesota Statutes 2023 Supplement, section 307.08, subdivision 3a, is amended  
41.27 to read:

41.28 Subd. 3a. **Cemeteries; records and condition assessments.** (a) Cemeteries shall be  
41.29 assessed according to this subdivision.

42.1 (b) The state archaeologist shall implement and maintain a system of records identifying  
42.2 the location of known, recorded, or suspected cemeteries. The state archaeologist shall  
42.3 provide access to the records as provided in subdivision 11.

42.4 (c) The cemetery condition assessment of non-American Indian cemeteries is at the  
42.5 discretion of the state archaeologist based on the needs identified in this section or upon  
42.6 request by an agency, a landowner, or other appropriate authority.

42.7 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion  
42.8 of the Indian Affairs Council based on the needs identified in this section or upon request  
42.9 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has  
42.10 possession or takes custody of remains they may follow United States Code, title 25, sections  
42.11 3001 to 3013.

42.12 (e) The cemetery condition assessment of cemeteries that include American Indian and  
42.13 non-American Indian remains or include remains whose ancestry cannot be determined  
42.14 shall be assessed at the discretion of the state archaeologist in collaboration with the Indian  
42.15 Affairs Council based on the needs identified in this section or upon request by an agency,  
42.16 a landowner, or other appropriate authority.

42.17 (f) The state archaeologist and the Indian Affairs Council shall have 90 days from the  
42.18 date a request is received to begin a cemetery condition assessment or provide notice to the  
42.19 requester whether or not a condition assessment of a cemetery is needed.

42.20 (g) The state archaeologist and the Indian Affairs Council may retain the services of a  
42.21 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate  
42.22 experts for the purpose of gathering information that the state archaeologist or the Indian  
42.23 Affairs Council can use to assess or identify cemeteries. If probable American Indian  
42.24 cemeteries are to be disturbed or probable American Indian remains analyzed, the Indian  
42.25 Affairs Council must approve the professional archaeologist, qualified anthropologist, or  
42.26 other appropriate expert.

42.27 Sec. 44. Minnesota Statutes 2022, section 326.10, subdivision 8, is amended to read:

42.28 Subd. 8. **Expiration and renewal.** (a) All licenses and certificates, other than in-training  
42.29 certificates, issued by the board expire at midnight on June 30 of each even-numbered  
42.30 calendar year if not renewed. A holder of a license or certificate issued by the board may  
42.31 renew it by completing and filing with the board an application for renewal consisting of a  
42.32 fully completed form provided by the board and the fee specified in section 326.105. Both  
42.33 the fee and the application must be submitted at the same time and by June 30 of each

43.1 even-numbered calendar year. The form must be signed by the applicant, contain all of the  
43.2 information requested, and clearly show that the licensee or certificate holder has completed  
43.3 the minimum number of required professional development hours or has been granted an  
43.4 exemption under section 326.107, subdivision 4. An application for renewal that does not  
43.5 comply with the requirements of this subdivision is an incomplete application and must not  
43.6 be accepted by the board.

43.7 (b) No later than 30 days before the expiration of a license or certificate, the board must  
43.8 send the holder of the license or certificate a notice by email that the license or certificate  
43.9 is about to expire. The notice must include information on the process and requirements for  
43.10 renewal. The application form for a new or renewed license or certificate issued by the  
43.11 board must request that the applicant provide an email address for the purpose of providing  
43.12 this notice. If the board does not have a record of a license or certificate holder's email  
43.13 address, the board must send the notice to the holder by standard mail.

43.14 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to licenses  
43.15 and renewals scheduled to expire on or after that date.

43.16 Sec. 45. Minnesota Statutes 2022, section 326A.04, subdivision 4, is amended to read:

43.17 Subd. 4. **Program of learning.** Each licensee shall participate in a program of learning  
43.18 designed to maintain professional competency. The program of learning must comply with  
43.19 rules adopted by the board. The board may by rule create an exception to this requirement  
43.20 for licensees who do not perform or offer to perform for the public one or more kinds of  
43.21 services involving the use of auditing skills, including issuance of reports on: attest or  
43.22 compilation engagements, management advisory services, financial advisory services, or  
43.23 consulting services. A licensee granted such an exception by the board must place the word  
43.24 "inactive" or "retired," if applicable, adjacent to the CPA title on any business card, letterhead,  
43.25 or any other document or device, with the exception of the licensee's certificate on which  
43.26 the CPA title appears. The board must not conduct an audit of a licensee's compliance with  
43.27 these requirements during the 60 days prior to the deadline for filing an individual income  
43.28 tax return under section 289A.18, subdivision 1.

43.29 Sec. 46. Minnesota Statutes 2022, section 336.1-110, is amended to read:

43.30 **336.1-110 UNIFORM COMMERCIAL CODE ACCOUNT.**

43.31 The Uniform Commercial Code account is established as an account in the state treasury.  
43.32 Fees that are not expressly set by statute but are charged by the secretary of state to offset

44.1 the costs of providing a service under this chapter must be deposited in the state treasury  
44.2 and credited to the Uniform Commercial Code account.

44.3 Fees that are not expressly set by statute but are charged by the secretary of state to  
44.4 offset the costs of providing information contained in the computerized records maintained  
44.5 by the secretary of state must be deposited in the state treasury and credited to the Uniform  
44.6 Commercial Code account.

44.7 Money in the Uniform Commercial Code account is continuously appropriated to the  
44.8 secretary of state to implement and maintain the central filing system under this chapter, to  
44.9 provide, improve, and expand other online or remote lien and business entity filing, retrieval,  
44.10 and payment method services provided by the secretary of state, and to provide electronic  
44.11 access and to support, maintain, and expand all other computerized records and systems  
44.12 maintained by the secretary of state.

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

44.14 Sec. 47. Minnesota Statutes 2022, section 358.645, subdivision 2, is amended to read:

44.15 Subd. 2. **Qualifications; registration required.** (a) A remote online notary public:

44.16 (1) is a notary public for purposes of chapter 359 and is subject to and must be appointed  
44.17 and commissioned under that chapter;

44.18 (2) may perform notarial acts as provided by this chapter and chapter 359 in addition to  
44.19 performing remote online notarizations; and

44.20 (3) may perform remote online notarizations authorized under this section.

44.21 (b) A notary public commissioned in this state may apply for remote online notarization  
44.22 registration according to this section. Before a notary performs a remote online notarization,  
44.23 the notary must register the capability to perform notarial acts pursuant to section 358.645  
44.24 ~~with the secretary of state according to section 359.01, subdivision 5,~~ and must certify that  
44.25 the notary intends to use communication technology that conforms to this section.

44.26 (c) Unless terminated under this section, the term of registration to perform remote online  
44.27 notarial acts begins on the registration starting date set by the secretary of state and continues  
44.28 as long as the notary public's current commission to perform notarial acts remains valid.

44.29 (d) Upon the applicant's fulfillment of the requirements for remote online notarization  
44.30 registration under this section, the secretary of state shall record the registration under the  
44.31 applicant's notary public commission number.

45.1 (e) The secretary of state may reject a registration application if the applicant fails to  
 45.2 comply with paragraphs (a) to (d). The commissioner of commerce may revoke a registration  
 45.3 if the applicant fails to comply with subdivisions 2 to 6.

45.4 Sec. 48. Minnesota Statutes 2022, section 358.71, is amended to read:

45.5 **358.71 DATABASE OF NOTARIES PUBLIC.**

45.6 The secretary of state shall maintain an electronic database of notaries public:

45.7 ~~(1)~~ through which a person may verify the authority of a notary public to perform notarial  
 45.8 acts, including notarial acts pursuant to section 358.645~~;~~ and to perform notarial acts on  
 45.9 electronic records.

45.10 ~~(2) which indicates whether a notary public has applied to the commissioning officer or~~  
 45.11 ~~agency to perform notarial acts on electronic records or to perform notarial acts pursuant~~  
 45.12 ~~to section 358.645.~~

45.13 Sec. 49. Minnesota Statutes 2022, section 359.01, subdivision 5, is amended to read:

45.14 Subd. 5. **Registration to perform electronic notarizations.** Before performing electronic  
 45.15 notarial acts, a notary public shall register the capability to notarize electronically with the  
 45.16 secretary of state. ~~Before performing electronic notarial acts after recommissioning, a notary~~  
 45.17 ~~public shall reregister with the secretary of state.~~ Unless terminated for any reason, the term  
 45.18 of registration to perform electronic notarial acts begins on the registration starting date set  
 45.19 by the secretary of state and continues as long as the notary public has a valid commission  
 45.20 to perform notarial acts. The requirements of this chapter relating to electronic notarial acts  
 45.21 do not apply to notarial acts performed under sections 358.15, paragraph (a), clause (4),  
 45.22 and 358.60, subdivision 1, clause (2).

45.23 Sec. 50. Minnesota Statutes 2022, section 359.03, subdivision 3, is amended to read:

45.24 Subd. 3. **Specifications.** (a) The official notarial stamp consists of the seal of the state  
 45.25 of Minnesota, the name of the notary as it appears on the commission or the name of the  
 45.26 ex officio notary, the words "Notary Public," or "Notarial Officer" in the case of an ex  
 45.27 officio notary, and the words "My commission expires ..... (or where applicable) My  
 45.28 term is indeterminate," with the expiration date shown on it and must be able to be reproduced  
 45.29 in any legibly reproducible manner. The official notarial stamp shall be a rectangular form  
 45.30 of not more than three-fourths of an inch vertically by 2-1/2 inches horizontally, with a  
 45.31 serrated or milled edge border, and shall contain the information required by this subdivision.

46.1 (b) A notarial stamp that complied with these requirements at the time of issuance may  
 46.2 continue to be used during the remainder of the current term of the notary even if changes  
 46.3 to any of these requirements subsequently become effective.

46.4 Sec. 51. **STATE CAPITOL; MANAGEMENT OF SPACE.**

46.5 Notwithstanding any law or space use agreements to the contrary, the commissioner of  
 46.6 administration must allocate the first floor, North corridor adjoining rooms 107 and 112 of  
 46.7 the State Capitol building to the use and management of the house of representatives during  
 46.8 any period in which the legislature is convened in regular or special session. During these  
 46.9 periods, public use of the space must not interfere with the conduct of legislative business  
 46.10 or the security of legislators or legislative staff, and events and other programs scheduled  
 46.11 within the space must only be permitted if approved by the speaker of the house.

46.12 Sec. 52. **REPEALER; FALSE POLITICAL AND CAMPAIGN MATERIAL.**

46.13 Minnesota Statutes 2022, section 211B.06, is repealed.

46.14 Sec. 53. **REPEALER; FEDERAL EDUCATION LAW IMPLEMENTATION**  
 46.15 **REPORT.**

46.16 Minnesota Statutes 2022, section 127A.095, subdivision 3, is repealed.

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

46.18 Sec. 54. **REPEALER; DEPARTMENT OF INFORMATION TECHNOLOGY**  
 46.19 **SERVICES PROVISIONS.**

46.20 Minnesota Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1 and 2; 16E.055;  
 46.21 and 16E.20, are repealed.

## 46.22 **ARTICLE 3**

### 46.23 **LOCAL GOVERNMENT POLICY**

46.24 Section 1. Minnesota Statutes 2022, section 383B.145, subdivision 5, is amended to read:

46.25 Subd. 5. **Set-aside contracts.** (a) Notwithstanding any other law to the contrary, the  
 46.26 board may set aside an amount, for each fiscal year, for awarding contracts to businesses  
 46.27 and social services organizations ~~which have a majority of employees that employ persons~~  
 46.28 who would be eligible for public assistance or who would require rehabilitative services in  
 46.29 the absence of their employment. The set-aside amount may not exceed two percent of the

47.1 amount appropriated by the board in the budget for the preceding fiscal year. Failure by the  
47.2 board to designate particular procurements for the set-aside program shall not prevent  
47.3 vendors from seeking the procurement award through the normal solicitation and bidding  
47.4 processes pursuant to the provisions of the Uniform Municipal Contracting Act, section  
47.5 471.345.

47.6 (b) The board may elect to use a negotiated price or bid contract procedure in the awarding  
47.7 of a procurement contract under the set-aside program. The amount of the award shall not  
47.8 exceed by more than five percent the estimated price for the goods or services, if they were  
47.9 to be purchased on the open market and not under the set-aside program.

47.10 (c) Before contracting with a business or social service organization under the set-aside  
47.11 program, the board or authorized person shall conduct an investigation of the business or  
47.12 social service organization with whom it seeks to contract and shall make findings, to be  
47.13 contained in the provisions of the contract, that:

47.14 (1) the vendor either:

47.15 (i) has in its employ at least 50 percent of its employees who would be eligible to receive  
47.16 some form of public assistance or other rehabilitative services in the absence of the award  
47.17 of a contract to the vendor; or

47.18 (ii) if the vendor is a business providing construction services, has in its employ to deliver  
47.19 the set-aside contract as many employees who would be eligible to receive some form of  
47.20 public assistance or other rehabilitative services in the absence of the award of a contract  
47.21 to the vendor as is practicable in consideration of industry safety standards, established  
47.22 supervisory ratios for apprentices, and requirements for licensed persons to perform certain  
47.23 work;

47.24 (2) the vendor has elected to apply to the board for a contract under the set-aside  
47.25 provisions; and

47.26 (3) the vendor is able to perform the set-aside contract.

47.27 (d) The board shall publicize the provisions of the set-aside program, attempt to locate  
47.28 vendors able to perform set-aside procurement contracts and otherwise encourage  
47.29 participation therein.

48.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 473.145, is amended to read:

48.2 **473.145 DEVELOPMENT GUIDE.**

48.3 (a) The Metropolitan Council must prepare and adopt, after appropriate study and such  
48.4 public hearings as may be necessary, a comprehensive development guide for the  
48.5 metropolitan area. It must consist of a compilation of policy statements, goals, standards,  
48.6 programs, and maps prescribing guides for the orderly and economical development, public  
48.7 and private, of the metropolitan area. The comprehensive development guide must recognize  
48.8 and encompass physical, social, or economic needs of the metropolitan area and those future  
48.9 developments which will have an impact on the entire area including but not limited to such  
48.10 matters as land use, climate mitigation and adaptation, parks and open space land needs,  
48.11 the necessity for and location of airports, highways, transit facilities, public hospitals,  
48.12 libraries, schools, and other public buildings.

48.13 (b) For the purposes of this section, "climate mitigation and adaptation" includes  
48.14 mitigation goals and strategies that meet or exceed the greenhouse gas emissions-reduction  
48.15 goals established by the state under section 216H.02, subdivision 1, and transportation  
48.16 targets established by the commissioner of transportation, including vehicle miles traveled  
48.17 reduction targets established in the statewide multimodal transportation plan under section  
48.18 174.03, subdivision 1a, as well as plans and policies to address climate adaptation in the  
48.19 region. The commissioner of transportation must consult with the Metropolitan Council on  
48.20 transportation targets prior to establishing the targets.

48.21 (c) The adoption or amendment of a comprehensive plan, fiscal device, or official control  
48.22 that is consistent with or approved in connection with sections 473.858 to 473.865 shall not  
48.23 constitute conduct that causes or is likely to cause pollution, impairment, or destruction, as  
48.24 defined under section 116B.02, subdivision 5. Nothing in this paragraph prevents a challenge  
48.25 under chapter 116B to an individual project, as defined under Minnesota Rules, part  
48.26 4410.0200, subpart 65.

48.27 Sec. 3. **ANOKA COUNTY; JAIL AND CRIMINAL JUSTICE CENTER.**

48.28 Subdivision 1. **Jail and criminal justice center.** Notwithstanding Minnesota Statutes,  
48.29 section 373.05, Anoka County may build a jail and criminal justice center in any city located  
48.30 within the county to replace the current jail located in the city of Anoka.

48.31 Subd. 2. **Sheriff's office.** Notwithstanding Minnesota Statutes, section 382.04, the sheriff  
48.32 of Anoka County may keep the sheriff's office in the jail and criminal justice center  
48.33 authorized under subdivision 1 instead of in the county seat.

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

49.2 Sec. 4. **REPEALER.**

49.3 (a) Minnesota Statutes 2022, section 471.9998, is repealed.

49.4 (b) Laws 1979, chapter 189, sections 1; 2, as amended by Laws 1984, chapter 548,  
49.5 section 8; and 3, are repealed.

49.6 **EFFECTIVE DATE.** Paragraph (a) is effective the day following final enactment.

49.7 Paragraph (b) is effective the day after the governing body of the city of St. Paul and its  
49.8 chief clerical officer timely complete their compliance with Minnesota Statutes, section  
49.9 645.021, subdivisions 2 and 3.

**16E.035 TECHNOLOGY INVENTORY.**

The chief information officer must prepare a financial inventory of technology owned or leased by the Department of Information Technology 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.

**16E.0465 TECHNOLOGY APPROVAL.**

Subdivision 1. **Application.** This section applies to an appropriation of more than \$1,000,000 of state or federal funds to a state agency for any information and telecommunications technology project or for any phase of such a project, device, or system. For purposes of this section, an appropriation of state or federal funds to a state agency includes an appropriation:

- (1) to a constitutional officer;
- (2) for a project that includes both a state agency and units of local government; and
- (3) to a state agency for grants to be made to other entities.

Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation for an information and telecommunications technology project subject to this section must divide the project into phases.

(b) An encumbrance or expenditure may not be made for any phase of a state agency information and telecommunications technology project subject to this section unless the Department of Information Technology Services has reviewed each phase of the project and based on this review, the chief information officer has determined for each phase that:

- (1) the project is compatible with the state information architecture and other policies and standards established by the chief information officer;
- (2) the agency is able to accomplish the goals of the phase of the project with the funds appropriated; and
- (3) the project supports the enterprise information technology strategy.

**16E.055 ELECTRONIC GOVERNMENT SERVICES.**

A state agency that implements electronic government services for fees, licenses, sales, or other purposes must use the single entry site created by the chief information officer for all agencies to use for electronic government services.

**16E.20 ELECTRONIC CONDUCT OF STATE BUSINESS.**

The chief information officer shall develop and implement a system under which:

- (1) state business can be conducted and permits or licenses obtained through electronic communication with the appropriate state agencies; and
- (2) applications for grants can be made electronically to state agencies when feasible.

**127A.095 IMPLEMENTATION OF ELEMENTARY AND SECONDARY EDUCATION ACT.**

Subd. 3. **Department of Management and Budget certification.** The commissioner of management and budget shall certify and report to the legislature annually beginning January 1, 2008, the amount of federal revenue, if any, that the federal government may withhold as a result of a potential state decision to discontinue implementation of the Elementary and Secondary Education Act. The report shall also specify the intended purpose of the federal revenue and the amount of revenue that the federal government may withhold from the state, each school district, and each charter school in each fiscal year.

**211B.06 FALSE POLITICAL AND CAMPAIGN MATERIAL.**

Subdivision 1. **Gross misdemeanor.** (a) A person is guilty of a gross misdemeanor who intentionally participates in the preparation, dissemination, or broadcast of paid political advertising or campaign material with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat a candidate for nomination or election to a public office or to promote or defeat a ballot

APPENDIX  
Repealed Minnesota Statutes: H3431-1

question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

(b) A person is guilty of a misdemeanor who intentionally participates in the drafting of a letter to the editor with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat any candidate for nomination or election to a public office or to promote or defeat a ballot question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

Subd. 2. **Exception.** Subdivision 1 does not apply to any person or organization whose sole act is, in the normal course of their business, the printing, manufacturing, or dissemination of the false information.

**471.9998 MERCHANT BAGS.**

Subdivision 1. **Merchant option.** All merchants, itinerant vendors, and peddlers doing business in this state shall have the option to provide customers a paper, plastic, or reusable bag for the packaging of any item or good purchased, provided such purchase is of a size and manner commensurate with the use of paper, plastic, or reusable bags.

Subd. 2. **Prohibition; bag ban.** Notwithstanding any other provision of law, no political subdivision shall impose any ban upon the use of paper, plastic, or reusable bags for packaging of any item or good purchased from a merchant, itinerant vendor, or peddler.