

S.F. No. 282, as introduced - 87th Legislative Session (2011-2012) [11-1355]

2.1 (2) a list of all complaints filed with the league and all lawsuits filed against the
2.2 league and the disposition of those complaints and lawsuits;

2.3 (3) an explanation of the executive director's performance review;

2.4 (4) information about the extent to which the league has implemented its affirmative
2.5 action policy, ~~its comparable worth plan,~~ and its sexual harassment and violence policy
2.6 and rules; and

2.7 (5) an evaluation of any proposed changes in league policy.

2.8 The commissioner may examine any league activities or league-related issues when
2.9 the commissioner believes this review is warranted.

2.10 Sec. 3. Minnesota Statutes 2010, section 383B.914, subdivision 1, is amended to read:

2.11 Subdivision 1. **Health system human resources system.** Persons employed at the
2.12 corporation created shall be subject to a human resources system that is designed to offer
2.13 appropriate benefits to workers employed in a health care setting. This human resources
2.14 system shall replace the general county human resources system prescribed in sections
2.15 383B.26 to 383B.42, and any rules related to it. The corporation shall have the authority
2.16 to establish all personnel policies and practices, negotiate applicable labor agreements,
2.17 and set all levels of compensation and benefits which are considered appropriate by the
2.18 board except as limited in this section. The human resources system is subject to the
2.19 following human resources requirements:

2.20 (1) ~~determine compensation according to the pay equity requirements under sections~~
2.21 ~~471.991 to 471.999;~~

2.22 ~~(2)~~ provide preferences for veterans according to the Veterans Preference Act under
2.23 sections 197.455, 197.46, and 375.63; and

2.24 ~~(3)~~ (2) provide an appeals process for an individual who is discharged, demoted,
2.25 or suspended.

2.26 Sec. 4. Minnesota Statutes 2010, section 465.719, subdivision 9, is amended to read:

2.27 Subd. 9. **Application of other laws.** A corporation created by a political subdivision
2.28 under this section must comply with every law that applies to the political subdivision,
2.29 as if the corporation is a part of the political subdivision, unless the resolution ratifying
2.30 creation of the corporation specifically exempts the corporation from part or all of a law.
2.31 If the resolution exempts the corporation from part or all of a law, the resolution must
2.32 make a detailed and specific finding as to why the corporation cannot fulfill its purpose if
2.33 the corporation is subject to that law. A corporation may not be exempted from chapter
2.34 13D, the Minnesota Open Meeting Law, sections 138.163 to 138.25, governing records

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3.1 management, or chapter 13, the Minnesota Government Data Practices Act. Any affected
3.2 or interested person may bring an action in district court to void the resolution on the
3.3 grounds that the findings are not sufficiently detailed and specific, or that the corporation
3.4 can fulfill its purpose if it is subject to the law from which the resolution exempts the
3.5 corporation. Laws that apply to a political subdivision that also apply to a corporation
3.6 created by a political subdivision under this subdivision include, but are not limited to:

- 3.7 (1) chapter 13D, the Minnesota Open Meeting Law;
- 3.8 (2) chapter 13, the Minnesota Government Data Practices Act;
- 3.9 (3) section 471.345, the Uniform Municipal Contracting Law;
- 3.10 (4) sections 43A.17, limiting the compensation of employees based on the governor's
3.11 salary; ~~471.991 to 471.999, providing for equitable pay,~~ and 465.72 and 465.722,
3.12 governing severance pay;
- 3.13 (5) if the corporation issues debt, its debt is included in the political subdivision's
3.14 debt limit if it would be included if issued by the political subdivision, and issuance of the
3.15 debt is subject to the election and other requirements of chapter 475 and section 471.69;
- 3.16 (6) section 471.895, prohibiting acceptance of gifts from interested parties, and
3.17 sections 471.87 to 471.89, relating to interests in contracts;
- 3.18 (7) chapter 466, relating to municipal tort liability;
- 3.19 (8) chapter 118A, requiring deposit insurance or bond or pledged collateral for
3.20 deposits;
- 3.21 (9) chapter 118A, restricting investments;
- 3.22 (10) section 471.346, requiring ownership of vehicles to be identified;
- 3.23 (11) sections 471.38 to 471.41, requiring claims to be in writing, itemized, and
3.24 approved by the governing board before payment can be made; and
- 3.25 (12) the corporation cannot make advances of pay, make or guarantee loans to
3.26 employees, or provide in-kind benefits unless authorized by law.

3.27 **Sec. 5. REPEALER.**

3.28 Minnesota Statutes 2010, sections 43A.04, subdivision 10; 128C.15, subdivision
3.29 3; 471.991; 471.992; 471.993; 471.994; 471.995; 471.9966; 471.997; 471.9981; and
3.30 471.999, are repealed.

3.31 Minnesota Rules adopted under the authority of sections and subdivisions repealed
3.32 in this section are also repealed.