

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 1826

02/15/2023 Authored by Klevorn
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy

03/30/2023 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

04/18/2023 Calendar for the Day, Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to state government; designating the state fire museum; making provisions

1.3 for legislative day, legislative reports, legislative provisions, Executive Council,

1.4 data practices, state civil service, ADA coordinators, and notary; defining

1.5 appointing authority; providing changes covering state agencies, legislative salary

1.6 council, and MMB accounting system; clarifying capital asset preservation;

1.7 establishing the Office of Collaboration and Dispute Resolution and the Office of

1.8 Enterprise Sustainability; changing certain state procurement provisions; making

1.9 changes to state personnel management; requiring provisions for disability

1.10 recruitment, hiring, and advancement; requiring accessibility standards; changing

1.11 Board of Regents provisions; changing provisions for civil marriages, holidays,

1.12 Mississippi River Parkway Commission, certain closed meetings proceedings, and

1.13 service worker standards; changing certain information technology and

1.14 cybersecurity provisions; making local government provision changes; establishing

1.15 the Ramsey County and Anoka County Library Advisory Boards; establishing the

1.16 construction manager at risk method of project delivery; allowing managed natural

1.17 landscapes; allowing municipal hotel licensing; requiring reporting of buildings

1.18 that do not have sprinkler systems; implementing the Municipal Building

1.19 Commission dissolution; requiring reports; amending Minnesota Statutes 2022,

1.20 sections 3.011; 3.012; 3.195, subdivision 1; 3.303, subdivision 6; 3.855,

1.21 subdivisions 2, 3, 5; 3.888, subdivision 5, by adding subdivisions; 9.031,

1.22 subdivision 3; 13.04, subdivision 4; 13D.02, subdivision 1; 15.0597, subdivisions

1.23 1, 4, 5, 6; 15.066, by adding a subdivision; 15A.0825, subdivisions 1, 2, 3, 4;

1.24 16A.055, by adding a subdivision; 16A.15, subdivision 3; 16A.632, subdivision

1.25 2; 16B.307, subdivision 1; 16B.33, subdivisions 1, 3, 3a, by adding a subdivision;

1.26 16B.58, by adding a subdivision; 16C.10, subdivision 2; 16C.251; 16C.32,

1.27 subdivision 1; 16C.36; 16E.01, subdivisions 1a, 3, by adding a subdivision;

1.28 16E.016; 16E.03, subdivisions 2, 4a, by adding a subdivision; 43A.01, subdivision

1.29 2; 43A.02, by adding subdivisions; 43A.04, subdivisions 1a, 4, 7; 43A.06,

1.30 subdivision 1; 43A.09; 43A.10, subdivisions 2a, 7; 43A.14; 43A.15, subdivision

1.31 14, by adding a subdivision; 43A.17, by adding a subdivision; 43A.18, subdivisions

1.32 1, 9; 43A.19, subdivision 1; 43A.191; 43A.21, subdivisions 1, 2, 3, by adding a

1.33 subdivision; 43A.36, subdivision 1; 43A.421; 118A.09, subdivisions 1, 2, 3;

1.34 137.0245, subdivision 2, by adding a subdivision; 138.081, subdivision 3; 138.665,

1.35 subdivision 2; 161.1419, subdivision 2; 179A.22, subdivision 4; 351.01, subdivision

1.36 2; 357.17; 359.04; 364.021; 364.06, subdivision 1; 383B.145, by adding a

1.37 subdivision; 471.345, by adding a subdivision; 473.606, subdivision 5; 473.704,

1.38 subdivision 3; 507.0945; 517.04; 645.44, subdivision 5, as amended; proposing

2.1 coding for new law in Minnesota Statutes, chapters 1; 16B; 43A; 118A; 134; 359;
2.2 383B; 412; 471; repealing Minnesota Statutes 2022, sections 15.0395; 16B.24,
2.3 subdivision 13; 16E.0466, subdivision 2; 43A.17, subdivision 9; 136F.03; 179.90;
2.4 179.91; 383B.143, subdivisions 2, 3; 383B.75; 383B.751; 383B.752; 383B.753;
2.5 383B.754.

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

2.7 ARTICLE 1

2.8 STATE GOVERNMENT OPERATIONS

2.9 Section 1. **[1.1471] STATE FIRE MUSEUM.**

2.10 The Bill and Bonnie Daniels Firefighters Hall and Museum in the city of Minneapolis
2.11 is designated as the official state fire museum.

2.12 Sec. 2. Minnesota Statutes 2022, section 3.011, is amended to read:

2.13 **3.011 SESSIONS.**

2.14 The legislature shall meet at the seat of government on the first Tuesday after the ~~first~~
2.15 second Monday in January of each odd-numbered year. ~~When the first Monday in January~~
2.16 ~~falls on January 1, it shall meet on the first Wednesday after the first Monday.~~ It shall also
2.17 meet when called by the governor to meet in special session.

2.18 Sec. 3. Minnesota Statutes 2022, section 3.012, is amended to read:

2.19 **3.012 LEGISLATIVE DAY.**

2.20 For the purposes of the Minnesota Constitution, article IV, section 12, a legislative day
2.21 is a day when either house of the legislature is called to order gives any bill a third reading,
2.22 adopts a rule of procedure or organization, elects a university regent, confirms a gubernatorial
2.23 appointment, or votes to override a gubernatorial veto. A legislative day begins at seven
2.24 o'clock a.m. and continues until seven o'clock a.m. of the following calendar day.

2.25 **EFFECTIVE DATE.** This section is effective January 13, 2025, and applies to sessions
2.26 of the legislature convening on or after that date.

2.27 Sec. 4. Minnesota Statutes 2022, section 3.195, subdivision 1, is amended to read:

2.28 Subdivision 1. **Distribution of reports.** (a) Except as provided in subdivision 4, a report
2.29 to the legislature required of a department or agency shall be made, unless otherwise
2.30 specifically required by law, by filing ~~two copies~~ one copy with the Legislative Reference
2.31 Library, and by making the report available electronically to the Legislative Reference

3.1 Library. The same distribution procedure shall be followed for other reports and publications
3.2 unless otherwise requested by a legislator or the Legislative Reference Library.

3.3 (b) A public entity as defined in section 16C.073 shall not distribute a report or
3.4 publication to a member or employee of the legislature, except the Legislative Reference
3.5 Library, unless the entity has determined that the member or employee wants the reports
3.6 or publications published by that entity or the member or employee has requested the report
3.7 or publication. This prohibition applies to both mandatory and voluntary reports and
3.8 publications. A report or publication may be summarized in an executive summary and
3.9 distributed as the entity chooses. Distribution of a report to legislative committee or
3.10 commission members during a committee or commission hearing is not prohibited by this
3.11 section.

3.12 (c) A report or publication produced by a public entity may not be sent to both the home
3.13 address and the office address of a representative or senator unless mailing to both addresses
3.14 is requested by the representative or senator.

3.15 (d) Reports, publications, periodicals, and summaries under this subdivision must be
3.16 printed in a manner consistent with section 16C.073.

3.17 Sec. 5. Minnesota Statutes 2022, section 3.303, subdivision 6, is amended to read:

3.18 Subd. 6. **Grants; staff; space; equipment; contracts.** (a) The commission may make
3.19 grants, employ an executive director and other staff, and obtain office space, equipment,
3.20 and supplies necessary to perform its duties.

3.21 (b) The executive director may enter into contracts in compliance with section 3.225 to
3.22 provide necessary services and supplies for the house of representatives and the senate, and
3.23 for legislative commissions and joint legislative offices. A contract for professional or
3.24 technical services that is valued at more than \$50,000 may be made only after the executive
3.25 director has consulted with the chair and vice-chair of the commission.

3.26 Sec. 6. Minnesota Statutes 2022, section 3.855, subdivision 2, is amended to read:

3.27 Subd. 2. **Unrepresented state employee negotiations compensation.** ~~(a) The~~
3.28 ~~commissioner of management and budget shall regularly advise the commission on the~~
3.29 ~~progress of collective bargaining activities with state employees under the state Public~~
3.30 ~~Employment Labor Relations Act. During negotiations, the commission may make~~
3.31 ~~recommendations to the commissioner as it deems appropriate but no recommendation shall~~
3.32 ~~impose any obligation or grant any right or privilege to the parties.~~

4.1 ~~(b)~~ (a) The commissioner of management and budget shall submit to the chair of the
 4.2 commission any ~~negotiated collective bargaining agreements, arbitration awards,~~
 4.3 ~~compensation plans; or salaries for legislative approval or disapproval. Negotiated agreements~~
 4.4 ~~shall be submitted within five days of the date of approval by the commissioner or the date~~
 4.5 ~~of approval by the affected state employees, whichever occurs later. Arbitration awards~~
 4.6 ~~shall be submitted within five days of their receipt by the commissioner.~~ prepared under
 4.7 section 43A.18, subdivisions 2, 3, 3b, and 4. The chancellor of the Minnesota State Colleges
 4.8 and Universities shall submit any compensation plan under section 43A.18, subdivision 3a.
 4.9 If the commission disapproves a ~~collective bargaining agreement, award,~~ compensation
 4.10 plan; or salary, the commission shall specify in writing to the parties those portions with
 4.11 which it disagrees and its reasons. If the commission approves a ~~collective bargaining~~
 4.12 ~~agreement, award,~~ compensation plan; or salary, it shall submit the matter to the legislature
 4.13 to be accepted or rejected under this section.

4.14 ~~(e)~~ (b) When the legislature is not in session, the commission may give interim approval
 4.15 to a ~~negotiated collective bargaining agreement, salary, or~~ compensation plan, ~~or arbitration~~
 4.16 ~~award. When the legislature is not in session, failure of the commission to disapprove a~~
 4.17 ~~collective bargaining agreement or arbitration award within 30 days constitutes approval.~~
 4.18 The commission shall submit the ~~negotiated collective bargaining agreements, salaries, and~~
 4.19 ~~compensation plans, or arbitration awards~~ for which it has provided approval to the entire
 4.20 legislature for ratification at a special legislative session called to consider them or at its
 4.21 next regular legislative session as provided in this section. Approval or disapproval by the
 4.22 commission is not binding on the legislature.

4.23 ~~(d)~~ (c) When the legislature is not in session, the proposed ~~collective bargaining~~
 4.24 ~~agreement, arbitration decision,~~ salary; or compensation plan must be implemented upon
 4.25 its approval by the commission, and state employees covered by the proposed ~~agreement~~
 4.26 ~~or arbitration decision~~ plan or salary do not have the right to strike while the interim approval
 4.27 is in effect. ~~Wages and economic fringe benefit increases provided for in the agreement or~~
 4.28 ~~arbitration decision paid in accordance with the interim approval by the commission are~~
 4.29 ~~not affected, but the wages or benefit increases must cease to be paid or provided effective~~
 4.30 ~~upon the rejection of the agreement, arbitration decision, salary, or compensation plan, or~~
 4.31 ~~upon adjournment of the legislature without acting on it.~~

4.32 Sec. 7. Minnesota Statutes 2022, section 3.855, subdivision 3, is amended to read:

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

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

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

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

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

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

5.17 (6) review and approve, reject, or modify the plan for compensation, terms, and conditions
5.18 of employment of classified employees in the office of the legislative auditor under section
5.19 3.971, subdivision 2.

5.20 Sec. 8. Minnesota Statutes 2022, section 3.855, subdivision 5, is amended to read:

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

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

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

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

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

6.6 Sec. 9. Minnesota Statutes 2022, section 9.031, subdivision 3, is amended to read:

6.7 Subd. 3. **Collateral.** (a) In lieu of the corporate bond required in subdivision 2, a
 6.8 depository may deposit with the commissioner of management and budget collateral to
 6.9 secure state funds that are to be deposited with it. The Executive Council must approve the
 6.10 collateral.

6.11 (b) The Executive Council shall not approve any collateral except:

6.12 ~~(1) bonds and certificates of indebtedness, other than bonds secured by real estate, that~~
 6.13 ~~are legal investments for savings banks under any law of the state; and~~

6.14 ~~(2) bonds of any insular possession of the United States, of any state, or of any agency~~
 6.15 ~~of this state, the payment of the principal and interest of which is provided for by other than~~
 6.16 ~~direct taxation.~~

6.17 (1) United States government treasury bills, treasury notes, and treasury bonds;

6.18 (2) issues of United States government agencies and instrumentalities, as quoted by a
 6.19 recognized industry quotation service available to the state;

6.20 (3) general obligation securities of any state other than the state and its agencies or local
 6.21 government with taxing powers that is rated "A" or better by a national bond rating service,
 6.22 or revenue obligation securities of any state other than the state and its agencies or local
 6.23 government with taxing powers that is rated "AA" or better by a national bond rating service;

6.24 (4) irrevocable standby letters of credit issued by Federal Home Loan Banks to the state
 6.25 accompanied by written evidence that the bank's public debt is rated "AA" or better by
 6.26 Moody's Investors Service, Inc., or Standard & Poor's Corporation; and

6.27 (5) time deposits that are fully insured by any federal agency.

6.28 (c) The collateral deposited shall be accompanied by an assignment thereof to the state,
 6.29 which assignment shall recite that:

6.30 (1) the depository will pay all the state funds deposited with it to the commissioner of
 6.31 management and budget, free of exchange or other charge, at any place in this state

7.1 designated by the commissioner of management and budget; if the deposit is a time deposit
7.2 it shall be paid, together with interest, only when due; and

7.3 (2) in case of default by the depository the state may sell the collateral, or as much of it
7.4 as is necessary to realize the full amount due from the depository, and pay any surplus to
7.5 the depository or its assigns.

7.6 (d) Upon the direction of the Executive Council, the commissioner of management and
7.7 budget, on behalf of the state, may reassign in writing to the depository any registered
7.8 collateral pledged to the state by assignment thereon.

7.9 (e) A depository may deposit collateral of less value than the total designation and may,
7.10 at any time during the period of its designation, deposit additional collateral, withdraw
7.11 excess collateral, and substitute other collateral for all or part of that on deposit. Approval
7.12 of the Executive Council is not necessary for the withdrawal of excess collateral.

7.13 (f) If the depository is not in default the commissioner of management and budget shall
7.14 pay the interest collected on the deposited collateral to the depository.

7.15 (g) In lieu of depositing collateral with the commissioner of management and budget,
7.16 collateral may also be placed in safekeeping in a restricted account at a Federal Reserve
7.17 bank, or in an account at a trust department of a commercial bank or other financial institution
7.18 that is not owned or controlled by the financial institution furnishing the collateral. The
7.19 selection shall be approved by the commissioner.

7.20 Sec. 10. Minnesota Statutes 2022, section 13.04, subdivision 4, is amended to read:

7.21 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject
7.22 of the data may contest the accuracy or completeness of public or private data about
7.23 themselves.

7.24 (b) To exercise this right, an individual shall notify in writing the responsible authority
7.25 of the government entity that maintains the data, describing the nature of the disagreement.

7.26 (c) Upon receiving the notification from the data subject, the responsible authority shall
7.27 within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt
7.28 to notify past recipients of inaccurate or incomplete data, including recipients named by the
7.29 individual; or (2) notify the individual that the authority believes the data to be correct. If
7.30 the challenged data are determined to be accurate or complete, the responsible authority
7.31 shall inform the individual of the right to appeal the determination to the commissioner
7.32 under this section. Data in dispute shall be disclosed only if the individual's statement of
7.33 disagreement is included with the disclosed data.

8.1 (d) A data subject may appeal the determination of the responsible authority ~~may be~~
8.2 ~~appealed~~ pursuant to the provisions of the Administrative Procedure Act relating to contested
8.3 cases. An individual must submit an appeal to the commissioner within 60 days of the
8.4 responsible authority's notice of the right to appeal or as otherwise provided by the rules of
8.5 the commissioner. Upon receipt of an appeal by an individual, the commissioner shall,
8.6 before issuing the order and notice of a contested case hearing required by chapter 14, try
8.7 to resolve the dispute through education, conference, conciliation, or persuasion. If the
8.8 parties consent, the commissioner may refer the matter to mediation. Following these efforts,
8.9 the commissioner shall dismiss the appeal or issue the order and notice of hearing.

8.10 (e) The commissioner may dismiss an appeal without first attempting to resolve the
8.11 dispute or before issuing an order and notice of a contested case hearing if:

8.12 (1) an appeal to the commissioner is not timely;

8.13 (2) an appeal concerns data previously admitted as evidence in a court proceeding in
8.14 which the data subject was a party; or

8.15 (3) an individual is not the subject of the data challenged as inaccurate or incomplete.

8.16 ~~(b)~~ (f) Data on individuals that have been successfully challenged by an individual must
8.17 be completed, corrected, or destroyed by a government entity without regard to the
8.18 requirements of section 138.17.

8.19 (g) After completing, correcting, or destroying successfully challenged data, a government
8.20 entity may retain a copy of the commissioner of administration's order issued under chapter
8.21 14 or, if no order were issued, a summary of the dispute between the parties that does not
8.22 contain any particulars of the successfully challenged data.

8.23 Sec. 11. Minnesota Statutes 2022, section 15.0597, subdivision 1, is amended to read:

8.24 Subdivision 1. **Definitions.** (a) As used in this section, the following terms shall have
8.25 the meanings given them.

8.26 (b) "Agency" means (1) a state board, commission, council, committee, authority, task
8.27 force, including an advisory task force created under section 15.014 or 15.0593, a group
8.28 created by executive order of the governor, or other similar multimember agency created
8.29 by law and having statewide jurisdiction; and (2) the Metropolitan Council, metropolitan
8.30 agency, Capitol Area Architectural and Planning Board, and any agency with a regional
8.31 jurisdiction created in this state pursuant to an interstate compact.

9.1 (c) "Vacancy" or "vacant agency position" means (1) a vacancy in an existing agency,
9.2 or (2) a new, unfilled agency position. ~~Vacancy includes a position that is to be filled through~~
9.3 ~~appointment of a nonlegislator by a legislator or group of legislators;~~ Vacancy does not
9.4 mean (1) a vacant position on an agency composed exclusively of persons employed by a
9.5 political subdivision or another agency, ~~or~~ (2) a vacancy to be filled by a person required
9.6 to have a specific title or position, (3) a vacancy that is to be filled through appointment of
9.7 a legislator by a legislator or group of legislators, or (4) a position appointed by a private
9.8 entity or individual, in the manner specified in the document creating the agency, unless
9.9 otherwise provided.

9.10 (d) "Secretary" means the secretary of state.

9.11 (e) "Appointing authority" means the individual or entity with the specific authority to
9.12 appoint open or direct appointment positions. This includes but is not limited to the governor,
9.13 state agency commissioners, indigenous Tribal leaders, designated legislative leaders and
9.14 local agency heads, persons who have been specifically delegated the authority to make
9.15 those appointments, or private entities or persons as designated by the document creating
9.16 the agency. Appointments should be evidenced by a document signed by the appointing
9.17 authority's most senior official. Appointments that do not specify an appointing authority
9.18 shall be made in the manner provided in section 4.04.

9.19 (f) "Direct appointments" refers to: (1) the appointment of members to an agency,
9.20 pursuant to a process not subject to this section; and (2) those members of an agency
9.21 appointed through a process not subject to this section. Direct appointments must be provided
9.22 for specifically in the documents creating the agency, whether enabling law, executive order,
9.23 commissioner's order, or otherwise.

9.24 Sec. 12. Minnesota Statutes 2022, section 15.0597, subdivision 4, is amended to read:

9.25 Subd. 4. **Notice of vacancies.** The chair of an existing agency; shall notify the secretary
9.26 by electronic means of a vacancy scheduled to occur in the agency as a result of the expiration
9.27 of membership terms at least 45 days before the vacancy occurs. The chair of an existing
9.28 agency ~~shall give electronic notification to~~ must notify the secretary of each vacancy
9.29 occurring as a result of newly created agency positions and of every other vacancy occurring
9.30 for any reason other than the expiration of membership terms as soon as possible upon
9.31 learning of the vacancy and in any case within 15 days after the occurrence of the vacancy.
9.32 The chair may submit vacancy notices by posting seat openings on the secretary of state's
9.33 boards and commissions website.

10.1 (b) If a vacancy is to be appointed by the governor, the chair must first notify the governor
10.2 and receive permission to post the vacancy. Where a vacancy is created by resignation, the
10.3 vacancy may not be posted until receipt and acceptance of the resignation of the incumbent
10.4 as provided by section 351.01, subdivision 1, clause (2), is confirmed by the governor.

10.5 (c) The appointing authority for newly created agencies shall give electronic notification
10.6 to the secretary of all vacancies in the new agency within 15 days after the creation of the
10.7 agency. The secretary may require the submission of notices required by this subdivision
10.8 by electronic means.

10.9 (d) The secretary shall publish monthly on the website of the secretary of state a list of
10.10 all vacancies of which the secretary has been so notified. Only one notice of a vacancy shall
10.11 be so published, unless the appointing authority rejects all applicants and requests the
10.12 secretary to republish the notice of vacancy. One copy of the listing shall be made available
10.13 at the office of the secretary to any interested person. The secretary shall distribute by mail
10.14 or electronic means copies of the listings to requesting persons.

10.15 (e) The listing for all vacancies scheduled to occur in the month of January shall be
10.16 published on the website of the secretary of state together with the compilation of agency
10.17 data required to be published pursuant to subdivision 3.

10.18 (f) If a vacancy occurs within three months after an appointment is made to fill a regularly
10.19 scheduled vacancy, the appointing authority may, upon notification by electronic means to
10.20 the secretary, fill the vacancy by appointment from the list of persons submitting applications
10.21 to fill the regularly scheduled vacancy.

10.22 Sec. 13. Minnesota Statutes 2022, section 15.0597, subdivision 5, is amended to read:

10.23 Subd. 5. **Nominations for vacancies.** Any person may make a self-nomination for
10.24 appointment to an agency vacancy by completing an application on a form prepared and
10.25 distributed by the secretary. The secretary may provide for the submission of the application
10.26 by electronic means. Any person or group of persons may, on the prescribed application
10.27 form, nominate another person to be appointed to a vacancy so long as the person so
10.28 nominated consents on the application form to the nomination. The application form shall
10.29 specify the nominee's name, mailing address, electronic mail address, telephone number,
10.30 preferred agency position sought, a statement that the nominee satisfies any legally prescribed
10.31 qualifications, ~~a statement whether the applicant has ever been convicted of a felony,~~ and
10.32 any other information the nominating person feels would be helpful to the appointing
10.33 authority. The nominating person has the option of indicating the nominee's sex, political
10.34 party preference or lack thereof, status with regard to disability, race, veteran status, and

11.1 national origin on the application form. The application form shall make the option known.
11.2 If a person submits an application at the suggestion of an appointing authority, the person
11.3 shall so indicate on the application form. Twenty-one days after publication of a vacancy
11.4 on the website of the secretary of state pursuant to subdivision 4, the secretary shall submit
11.5 electronic copies of all applications received for a position to the appointing authority
11.6 charged with filling the vacancy. ~~If no applications have been received by the secretary for~~
11.7 ~~the vacant position by the date when electronic copies must be submitted to the appointing~~
11.8 ~~authority, the secretary shall so inform the appointing authority.~~ Applications received by
11.9 the secretary shall be deemed to have expired one year after receipt of the application. An
11.10 application for a particular agency position shall be deemed to be an application for all
11.11 vacancies in that agency occurring prior to the expiration of the application and shall be
11.12 public information.

11.13 Sec. 14. Minnesota Statutes 2022, section 15.0597, subdivision 6, is amended to read:

11.14 Subd. 6. **Appointments.** (a) In making an appointment to a vacant agency position, the
11.15 appointing authority shall consider applications for positions in that agency supplied by the
11.16 secretary. No appointing authority may appoint someone to a vacant agency position until
11.17 ~~(1) ten~~ five days after receipt of the applications for positions in that agency from the
11.18 secretary ~~or (2) receipt of notice from the secretary that no applications have been received~~
11.19 ~~for vacant positions in that agency as provided in subdivision 5.~~ At least five days before
11.20 the date of appointment, the appointing authority shall issue a public announcement and
11.21 inform the secretary by electronic means of the name of the person the appointing authority
11.22 ~~intends to appoint~~ has appointed to fill the agency vacancy and the expiration date of that
11.23 person's term.

11.24 (b) No person may serve in a position until the appointing authority has submitted either
11.25 (1) a signed notice of appointment, or (2) the documents required by paragraph (e) to the
11.26 secretary of state, and the term of the appointee may not commence on a date preceding the
11.27 date of the signature on the notice of appointment or the paragraph (e) submission.

11.28 (c) An oath of office for each appointee to an agency must be submitted to the secretary
11.29 of state under section 358.05.

11.30 (d) If the appointing authority intends to appoint a person other than one for whom an
11.31 application was submitted pursuant to this section, the appointing authority shall complete
11.32 an application form on behalf of the appointee and submit it to the secretary indicating on
11.33 the application that it is submitted by the appointing authority.

12.1 (e) An appointing authority making a direct appointment must submit a letter to the
12.2 secretary of state stating the name of the person appointed, the agency and the specific seat
12.3 to which they are appointed, contact information, the date on which the term begins, and
12.4 length of the term.

12.5 (f) No person may simultaneously occupy more than one position on the same agency
12.6 board. Appointment or designation of a member as chair of an agency does not constitute
12.7 a violation of this paragraph.

12.8 Sec. 15. Minnesota Statutes 2022, section 15.066, is amended by adding a subdivision to
12.9 read:

12.10 Subd. 3. **Advice and consent time limit.** If the senate does not reject an appointment
12.11 within 60 legislative days of the day of receipt of the letter of appointment by the president
12.12 of the senate, the senate has consented to the appointment. No person shall serve as a
12.13 permanent commissioner or acting commissioner for an agency after the senate has voted
12.14 to refuse to consent to the person's appointment as permanent commissioner of that agency
12.15 during the same senate term in which the senate refused its consent.

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

12.17 Sec. 16. Minnesota Statutes 2022, section 15A.0825, subdivision 1, is amended to read:

12.18 Subdivision 1. **Membership.** (a) The Legislative Salary Council consists of the following
12.19 members:

12.20 (1) one person, who is not a judge, from each congressional district, appointed by the
12.21 chief justice of the supreme court; and

12.22 (2) one person from each congressional district, appointed by the governor.

12.23 (b) If Minnesota has an odd number of congressional districts, the governor and the chief
12.24 justice must each appoint an at-large member, in addition to a member from each
12.25 congressional district.

12.26 (c) One-half of the members appointed by the governor and one-half of the members
12.27 appointed by the chief justice must belong to the political party that has the most members
12.28 in the legislature. One-half of the members appointed by the governor and one-half of the
12.29 members appointed by the chief justice must belong to the political party that has the second
12.30 most members in the legislature.

12.31 (d) None of the members of the council may be:

- 13.1 (1) a current or former legislator, or the spouse of a current legislator;
- 13.2 (2) a current or former lobbyist registered under Minnesota law;
- 13.3 (3) a current employee of the legislature;
- 13.4 (4) a current or former judge; ~~or~~
- 13.5 (5) a current or former governor, lieutenant governor, attorney general, secretary of state,
- 13.6 or state auditor; or
- 13.7 (6) a current employee of an entity in the executive or judicial branch.

13.8 Sec. 17. Minnesota Statutes 2022, section 15A.0825, subdivision 2, is amended to read:

13.9 Subd. 2. ~~Initial appointment~~ **Appointments; convening authority; first meeting in**
 13.10 **odd-numbered year.** Appointing authorities must make their ~~initial~~ appointments by ~~January~~
 13.11 ~~2, 2017~~ after the first Monday in January and before January 15 in each odd-numbered year.
 13.12 Appointing authorities who determine that a vacancy exists under subdivision 3, paragraph
 13.13 (b), must make an appointment to fill that vacancy by January 15 in each odd-numbered
 13.14 year. The governor shall designate one member to convene and chair the first meeting of
 13.15 the council, that must occur by February 15 of each odd-numbered year. ~~The first meeting~~
 13.16 ~~must be before January 15, 2017.~~ At its first meeting, the council must elect a chair from
 13.17 among its members. ~~Members that reside in an even-numbered congressional district serve~~
 13.18 ~~a first term ending January 15, 2019. Members residing in an odd-numbered congressional~~
 13.19 ~~district serve a first term ending January 15, 2021.~~

13.20 Sec. 18. Minnesota Statutes 2022, section 15A.0825, subdivision 3, is amended to read:

13.21 Subd. 3. **Terms.** (a) ~~Except for initial terms and~~ for the first term following redistricting,
 13.22 a term is four years or until new appointments are made after congressional redistricting as
 13.23 provided in subdivision 4. Members may serve no more than two full terms or portions of
 13.24 two consecutive terms.

13.25 (b) If a member ceases to reside in the congressional district that the member resided in
 13.26 at the time of appointment as a result of moving or redistricting, the appointing authority
 13.27 who appointed the member must appoint a replacement who resides in the congressional
 13.28 district to serve the unexpired term.

13.29 Sec. 19. Minnesota Statutes 2022, section 15A.0825, subdivision 4, is amended to read:

13.30 Subd. 4. **Appointments following redistricting.** Appointing authorities shall make
 13.31 appointments ~~within three months~~ after a congressional redistricting plan is adopted.

14.1 Appointing authorities shall make appointments in accordance with the timing requirements
14.2 in subdivision 2. Members that reside in an even-numbered district shall be appointed to a
14.3 term of two years following redistricting. Members that reside in an odd-numbered district
14.4 shall be appointed to a term of four years following redistricting.

14.5 Sec. 20. Minnesota Statutes 2022, section 16A.055, is amended by adding a subdivision
14.6 to read:

14.7 Subd. 7. **Grant acceptance.** The commissioner may apply for and receive grants from
14.8 any source for the purpose of fulfilling any of the duties of the department. All funds received
14.9 under this subdivision are appropriated to the commissioner for the purposes for which the
14.10 funds are received.

14.11 Sec. 21. Minnesota Statutes 2022, section 16A.15, subdivision 3, is amended to read:

14.12 **Subd. 3. Allotment and encumbrance.** (a) A payment may not be made without prior
14.13 obligation. An obligation may not be incurred against any fund, allotment, or appropriation
14.14 unless the commissioner has certified a sufficient unencumbered balance or the accounting
14.15 system shows sufficient allotment or encumbrance balance in the fund, allotment, or
14.16 appropriation to meet it. The commissioner shall determine when the accounting system
14.17 may be used to incur obligations without the commissioner's certification of a sufficient
14.18 unencumbered balance. An expenditure or obligation authorized or incurred in violation of
14.19 this chapter is invalid and ineligible for payment until made valid. A payment made in
14.20 violation of this chapter is illegal. An employee authorizing or making the payment, or
14.21 taking part in it, and a person receiving any part of the payment, are jointly and severally
14.22 liable to the state for the amount paid or received. If an employee knowingly incurs an
14.23 obligation or authorizes or makes an expenditure in violation of this chapter or takes part
14.24 in the violation, the violation is just cause for the employee's removal by the appointing
14.25 authority or by the governor if an appointing authority other than the governor fails to do
14.26 so. In the latter case, the governor shall give notice of the violation and an opportunity to
14.27 be heard on it to the employee and to the appointing authority. A claim presented against
14.28 an appropriation without prior allotment or encumbrance may be made valid on investigation,
14.29 review, and approval by the agency head in accordance with the commissioner's policy, if
14.30 the services, materials, or supplies to be paid for were actually furnished in good faith
14.31 without collusion and without intent to defraud. The commissioner may then pay the claim
14.32 just as properly allotted and encumbered claims are paid.

15.1 (b) The commissioner may approve payment for materials and supplies in excess of the
15.2 obligation amount when increases are authorized by section 16C.03, subdivision 3.

15.3 (c) To minimize potential construction delay claims, an agency with a project funded
15.4 by a building appropriation may allow a consultant or contractor to proceed with
15.5 supplemental work within the limits of the appropriation before money is encumbered.
15.6 Under this circumstance, the agency may requisition funds and allow consultants or
15.7 contractors to expeditiously proceed with services or a construction sequence. While the
15.8 consultant or contractor is proceeding, the agency shall immediately act to encumber the
15.9 required funds.

15.10 Sec. 22. Minnesota Statutes 2022, section 16A.632, subdivision 2, is amended to read:

15.11 Subd. 2. **Standards.** (a) Article XI, section 5, clause (a), of the constitution states general
15.12 obligation bonds may be issued to finance only the acquisition or betterment of state land,
15.13 buildings, and improvements of a capital nature. In interpreting this and applying it to the
15.14 purposes of the program contemplated in this section, the following standards are adopted
15.15 for the disbursement of money from the capital asset preservation and replacement account:

15.16 (b) ~~No~~ An appropriation under this section may not be used to acquire new land, or
15.17 buildings, or major new improvements will be acquired. These projects, including all capital
15.18 expenditures required to permit their effective use for the intended purpose on completion,
15.19 will be estimated and provided for individually through a direct appropriation for each
15.20 project or to construct new buildings or additions.

15.21 (c) An expenditure will be made from the account only when it is a capital expenditure
15.22 on a capital asset previously owned by the state, within the meaning of accepted accounting
15.23 principles as applied to public expenditures. The commissioner of administration will consult
15.24 with the commissioner of management and budget to the extent necessary to ensure this
15.25 and will furnish the commissioner of management and budget a list of projects to be financed
15.26 from the account in order of their priority. The commissioner shall also furnish each revision
15.27 of the list. The legislature assumes that many provisions for preservation and replacement
15.28 of portions of existing capital assets will constitute betterments and capital improvements
15.29 within the meaning of the constitution and capital expenditures under correct accounting
15.30 principles, and will be financed more efficiently and economically under the program than
15.31 by direct appropriations for specific projects. However, the purpose of the program is to
15.32 accumulate data showing how additional costs may be saved by appropriating money from
15.33 the general fund for preservation measures, the necessity of which is predictable over short
15.34 periods.

16.1 (d) The commissioner of administration will furnish instructions to agencies to apply
 16.2 for funding of capital expenditures for preservation and replacement from the account, will
 16.3 review applications, will make initial allocations among types of eligible projects enumerated
 16.4 below, will determine priorities, and will allocate money in priority order until the available
 16.5 appropriation has been committed. An appropriation under this section may not be used to
 16.6 make minor emergency repairs.

16.7 (e) Categories of projects considered likely to be most needed and appropriate for
 16.8 financing are the following:

16.9 (1) ~~unanticipated emergencies of all kinds, for which a relatively small amount should~~
 16.10 ~~be initially reserved, replaced from money allocated to low-priority projects, if possible, as~~
 16.11 ~~emergencies occur, and used for stabilization rather than replacement if the cost would~~
 16.12 ~~exhaust the account and should be specially appropriated~~ involving impacts to state-owned
 16.13 property;

16.14 (2) major projects to remove address life safety hazards, like for existing buildings and
 16.15 sites, including but not limited to security, replacement of mechanical and other building
 16.16 systems, building code violations, or structural defects, at costs not large enough to require
 16.17 major capital requests to the legislature;

16.18 (3) ~~elimination~~ removal or containment of hazardous substances like asbestos or PCBs;

16.19 (4) ~~moderate cost replacement~~ major projects to replace and repair of roofs, windows,
 16.20 tuckpointing, and structural members necessary to preserve the exterior and interior of
 16.21 existing buildings; and

16.22 (5) up to ten percent of an appropriation awarded under this section may be used for
 16.23 design costs for projects eligible to be funded from this account in anticipation of future
 16.24 funding from the account.

16.25 Sec. 23. Minnesota Statutes 2022, section 16B.307, subdivision 1, is amended to read:

16.26 Subdivision 1. **Standards.** (a) Article XI, section 5, clause (a), of the constitution requires
 16.27 that state general obligation bonds be issued to finance only the acquisition or betterment
 16.28 of public land, buildings, and other public improvements of a capital nature. Money
 16.29 appropriated for asset preservation, whether from state bond proceeds or from other revenue,
 16.30 is subject to the following additional limitations:

16.31 (b) An appropriation for asset preservation may not be used to acquire new land nor to
 16.32 acquire or construct new buildings, or additions to buildings, ~~or major new improvements.~~

17.1 (c) An appropriation for asset preservation may be used only for a capital expenditure
 17.2 on a capital asset previously owned by the state, within the meaning of generally accepted
 17.3 accounting principles as applied to public expenditures. The commissioner of administration
 17.4 will consult with the commissioner of management and budget to the extent necessary to
 17.5 ensure this and will furnish the commissioner of management and budget a list of projects
 17.6 to be financed from the account in order of their priority. The legislature assumes that many
 17.7 projects for preservation and replacement of portions of existing capital assets will constitute
 17.8 betterments and capital improvements within the meaning of the constitution and capital
 17.9 expenditures under generally accepted accounting principles, and will be financed more
 17.10 efficiently and economically under this section than by direct appropriations for specific
 17.11 projects.

17.12 (d) Categories of projects considered likely to be most needed and appropriate for asset
 17.13 preservation appropriations are the following:

17.14 (1) major projects to ~~remove~~ address life safety hazards, like for existing buildings and
 17.15 sites, including but not limited to security, building code violations, or structural defects.

17.16 Notwithstanding paragraph (b), a project in this category may include an addition to an
 17.17 existing building if it is a required component of the hazard ~~removal~~ abatement project;

17.18 (2) projects to eliminate or contain hazardous substances like asbestos or lead paint;

17.19 (3) major projects to address accessibility and building code violations; replace or repair
 17.20 roofs, windows, tuckpointing, mechanical ~~or~~ electrical, plumbing or other building systems,
 17.21 utility infrastructure, and tunnels; make site renovations improvements necessary to support
 17.22 building use; and repair structural components necessary to preserve the exterior and interior
 17.23 of existing buildings; and

17.24 (4) major projects to ~~renovate~~ repair parking structures facilities and surface lots.

17.25 (e) Up to ten percent of an appropriation subject to this section may be used for design
 17.26 costs for projects eligible to be funded under this section in anticipation of future asset
 17.27 preservation appropriations.

17.28 Sec. 24. Minnesota Statutes 2022, section 16B.33, subdivision 1, is amended to read:

17.29 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
 17.30 meanings given them:

17.31 (b) "Agency" has the meaning given in section 16B.01.

18.1 (c) "Architect" means an architect or landscape architect registered to practice under
18.2 sections 326.02 to 326.15.

18.3 (d) "Board" means the state Designer Selection Board.

18.4 (e) "Design-build" means the process of entering into and managing a single contract
18.5 between the commissioner and the design-builder in which the design-builder agrees to
18.6 both design and construct a project as specified in the contract at a guaranteed maximum
18.7 or a fixed price.

18.8 (f) "Design-builder" means a person who proposes to design and construct a project in
18.9 accordance with the requirements of section 16C.33.

18.10 (g) "Designer" means an architect or engineer, or a partnership, association, or corporation
18.11 comprised primarily of architects or engineers or of both architects and engineers.

18.12 (h) "Engineer" means an engineer registered to practice under sections 326.02 to 326.15.

18.13 (i) "Person" includes an individual, corporation, partnership, association, or any other
18.14 legal entity.

18.15 (j) "Primary designer" means the designer who is to have primary design responsibility
18.16 for a project, and does not include designers who are merely consulted by the user agency
18.17 and do not have substantial design responsibility, or designers who will or may be employed
18.18 or consulted by the primary designer.

18.19 (k) "Project" means an undertaking to construct, erect, or remodel a building by or for
18.20 the state or an agency. Capital projects exempt from the requirements of this section include
18.21 demolition or decommissioning of state assets; hazardous materials abatement; repair and
18.22 replacement of utility infrastructure, parking lots, and parking structures; security upgrades;
18.23 building systems replacement or repair, including alterations to building interiors needed
18.24 to accommodate the systems; and other asset preservation work not involving remodeling
18.25 of occupied space.

18.26 (l) "User agency" means the agency undertaking a specific project. For projects
18.27 undertaken by the state of Minnesota, "user agency" means the Department of Administration
18.28 or a state agency with an appropriate delegation to act on behalf of the Department of
18.29 Administration.

18.30 Sec. 25. Minnesota Statutes 2022, section 16B.33, subdivision 3, is amended to read:

18.31 Subd. 3. **Agencies must request designer.** (a) **Application.** Upon undertaking a project
18.32 with an estimated cost greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with

19.1 estimated fees greater than ~~\$200,000~~ \$400,000, every user agency, except the Capitol Area
19.2 Architectural and Planning Board, shall submit a written request for a primary designer for
19.3 its project to the commissioner, who shall forward the request to the board. The University
19.4 of Minnesota and the Minnesota State Colleges and Universities shall follow the process
19.5 in subdivision 3a to select designers for their projects. The written request must include a
19.6 description of the project, the estimated cost of completing the project, a description of any
19.7 special requirements or unique features of the proposed project, and other information which
19.8 will assist the board in carrying out its duties and responsibilities set forth in this section.

19.9 (b) **Reactivated project.** If a project for which a designer has been selected by the board
19.10 becomes inactive, lapses, or changes as a result of project phasing, insufficient appropriations,
19.11 or other reasons, the commissioner, the Minnesota State Colleges and Universities, or the
19.12 University of Minnesota may, if the project is reactivated, retain the same designer to
19.13 complete the project.

19.14 (c) **Fee limit reached after designer selected.** If a project initially estimated to be below
19.15 the cost and planning fee limits of this subdivision has its cost or planning fees revised so
19.16 that the limits are exceeded, the project must be referred to the board for designer selection
19.17 even if a primary designer has already been selected. In this event, the board may, without
19.18 conducting interviews, elect to retain the previously selected designer if it determines that
19.19 the interests of the state are best served by that decision and shall notify the commissioner
19.20 of its determination.

19.21 Sec. 26. Minnesota Statutes 2022, section 16B.33, subdivision 3a, is amended to read:

19.22 Subd. 3a. **Higher education projects.** (a) When the University of Minnesota or the
19.23 Minnesota State Colleges and Universities undertakes a project involving construction or
19.24 major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost
19.25 greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with estimated fees greater than
19.26 ~~\$200,000~~ \$400,000, the system shall submit a written request for a primary designer to the
19.27 commissioner, as provided in subdivision 3.

19.28 (b) When the University of Minnesota or the Minnesota State Colleges and Universities
19.29 undertakes a project involving renovation, repair, replacement, or rehabilitation, the system
19.30 office may submit a written request for a primary designer to the commissioner as provided
19.31 in subdivision 3.

19.32 (c) For projects at the University of Minnesota or the State Colleges and Universities,
19.33 the board shall select at least two primary designers under subdivision 4 for recommendation
19.34 to the Board of Regents or the Board of Trustees. Meeting records or written evaluations

20.1 that document the final selection are public records. The Board of Regents or the Board of
20.2 Trustees shall notify the commissioner of the designer selected from the recommendations.

20.3 Sec. 27. Minnesota Statutes 2022, section 16B.33, is amended by adding a subdivision to
20.4 read:

20.5 Subd. 6. **Rate of inflation.** No later than December 31 of every fifth year starting in
20.6 2025, the commissioner shall determine the percentage increase in the rate of inflation, as
20.7 measured by the Means Quarterly Construction Cost Index, during the four-year period
20.8 preceding that year. The thresholds in subdivisions 3, paragraph (a); and 3a, paragraph (a),
20.9 shall be increased by the percentage calculated by the commissioner to the nearest
20.10 ten-thousandth dollar.

20.11 Sec. 28. [16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

20.12 Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain
20.13 the Office of Collaboration and Dispute Resolution within the Department of Administration.
20.14 The office must:

20.15 (1) assist state agencies; offices of the executive, legislative, and judicial branches; Tribal
20.16 governments; and units of local government in improving collaboration, dispute resolution,
20.17 and public engagement;

20.18 (2) promote and utilize collaborative dispute resolution models and processes based on
20.19 documented best practices to foster trust, relationships, mutual understanding,
20.20 consensus-based resolutions, and wise and durable solutions, including but not limited to:

20.21 (i) using established criteria and procedures for identifying and assessing collaborative
20.22 dispute resolution projects;

20.23 (ii) designing collaborative dispute resolution processes;

20.24 (iii) preparing and training participants; and

20.25 (iv) facilitating meetings and group processes using collaborative techniques and
20.26 approaches;

20.27 (3) support collaboration and dispute resolution in the public and private sectors by
20.28 providing technical assistance and information on best practices and new developments in
20.29 dispute resolution fields;

20.30 (4) build capacity and educate the public and government entities on collaboration,
20.31 dispute resolution approaches, and public engagement;

21.1 (5) promote the broad use of community mediation in the state; and

21.2 (6) ensure that all areas of the state have access to services by providing grants to private
21.3 nonprofit entities certified by the state court administrator under chapter 494 that assist in
21.4 resolution of disputes.

21.5 Subd. 2. **Awarding grants to assist in resolution of disputes.** (a) The commissioner
21.6 shall, to the extent funds are appropriated for this purpose, make grants to private nonprofit
21.7 community mediation entities certified by the state court administrator under chapter 494
21.8 that assist in resolution of disputes under subdivision 1, clause (6). The commissioner shall
21.9 establish a grant review committee to assist in the review of grant applications and the
21.10 allocation of grants under this section.

21.11 (b) To be eligible for a grant under this section, a nonprofit organization must meet the
21.12 requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

21.13 (c) A nonprofit entity receiving a grant must agree to comply with guidelines adopted
21.14 by the state court administrator under section 494.015, subdivision 1. Policies adopted under
21.15 sections 16B.97 and 16B.98 apply to grants under this section. The exclusions in section
21.16 494.03 apply to grants under this section.

21.17 (d) Grantees must report data required under chapter 494 to evaluate quality and
21.18 outcomes.

21.19 Subd. 3. **Accepting funds.** The commissioner may apply for and receive money made
21.20 available from federal, state, or other sources for the purposes of carrying out the mission
21.21 of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision
21.22 are appropriated to the commissioner for their intended purpose.

21.23 Sec. 29. **[16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT**
21.24 **OPERATIONS; OFFICE CREATED.**

21.25 Subdivision 1. **Enterprise sustainability.** (a) The Office of Enterprise Sustainability is
21.26 established to assist all state agencies in making measurable progress toward improving the
21.27 sustainability of government operations by reducing the impact on the environment,
21.28 controlling unnecessary waste of natural resources and public funds, and spurring innovation.
21.29 The office shall create new tools and share best practices, assist state agencies to plan for
21.30 and implement improvements, and monitor progress toward achieving intended outcomes.
21.31 Specific duties include but are not limited to:

21.32 (1) managing a sustainability metrics and reporting system, including a public dashboard
21.33 that allows Minnesotans to track progress and is updated annually;

22.1 (2) assisting agencies in developing and executing sustainability plans; and

22.2 (3) implementing the state building energy conservation improvement revolving loan
22.3 in Minnesota Statutes, sections 16B.86 and 16B.87.

22.4 Subd. 2. **State agency responsibilities.** Each cabinet-level agency is required to
22.5 participate in the sustainability effort by developing a sustainability plan and by making
22.6 measurable progress toward improving associated sustainability outcomes. State agencies
22.7 and boards that are not members of the cabinet shall take steps toward improving
22.8 sustainability outcomes; however, they are not required to participate at the level of
22.9 cabinet-level agencies.

22.10 Subd. 3. **Local governments.** The Office of Enterprise Sustainability shall make
22.11 reasonable attempts to share tools and best practices with local governments.

22.12 Sec. 30. Minnesota Statutes 2022, section 16B.58, is amended by adding a subdivision to
22.13 read:

22.14 Subd. 9. **Electric vehicle charging.** The commissioner shall require that a user of a
22.15 charging station located on the State Capitol complex used to charge an electric vehicle pay
22.16 an electric service fee as determined by the commissioner.

22.17 Sec. 31. Minnesota Statutes 2022, section 16C.10, subdivision 2, is amended to read:

22.18 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and
22.19 chapter 16B is not required in emergencies. In emergencies, the commissioner may make
22.20 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and
22.21 improvement of a ~~state-owned~~ publicly owned structure or may make or authorize an agency
22.22 to do so and may purchase, or may authorize an agency to purchase, any goods, services,
22.23 or utility services directly for immediate use. This provision applies to projects conducted
22.24 by Minnesota State Colleges and Universities.

22.25 Sec. 32. Minnesota Statutes 2022, section 16C.251, is amended to read:

22.26 **16C.251 BEST AND FINAL OFFER.**

22.27 A "best and final offer" solicitation process may not be used for building and construction
22.28 contracts awarded based on competitive bids.

23.1 Sec. 33. Minnesota Statutes 2022, section 16C.32, subdivision 1, is amended to read:

23.2 Subdivision 1. **Definitions.** As used in sections 16C.32 to 16C.35, the following terms
23.3 have the meanings given them, unless the context clearly indicates otherwise:

23.4 (1) "acceptance" means a formal resolution of the commissioner authorizing the execution
23.5 of a design-build, construction manager at risk, or job order contracting contract;

23.6 (2) "agency" means any state officer, employee, board, commission, authority,
23.7 department, or other agency of the executive branch of state government. Unless specifically
23.8 indicated otherwise, as used in sections 16C.32 to 16C.35, agency also includes the Minnesota
23.9 State Colleges and Universities;

23.10 (3) "architect" means an architect or landscape architect registered to practice under
23.11 sections 326.02 to 326.15;

23.12 (4) "board" means the state Designer Selection Board, unless the estimated cost of the
23.13 project is less than ~~\$2,000,000~~ the amount specified in section 16B.33, subdivision 3, in
23.14 which case the commissioner may act as the board;

23.15 (5) "Capitol Area Architectural and Planning Board" means the board established to
23.16 govern the Capitol Area under chapter 15B;

23.17 (6) "commissioner" means the commissioner of administration or the Board of Trustees
23.18 of the Minnesota State Colleges and Universities, whichever controls a project;

23.19 (7) "construction manager at risk" means a person who is selected by the commissioner
23.20 to act as a construction manager to manage the construction process, which includes, but
23.21 is not limited to, responsibility for the price, schedule, and workmanship of the construction
23.22 performed in accordance with the procedures of section 16C.34;

23.23 (8) "construction manager at risk contract" means a contract for construction of a project
23.24 between a construction manager at risk and the commissioner, which contract shall include
23.25 a guaranteed maximum price, construction schedule, and workmanship of the construction
23.26 performed;

23.27 (9) "design-build contract" means a contract between the commissioner and a
23.28 design-builder to furnish the architectural, engineering, and related design services as well
23.29 as the labor, materials, supplies, equipment, and construction services for a project;

23.30 (10) "design and price-based proposal" means the proposal to be submitted by a
23.31 design-builder in the design and price-based selection process, as described in section

24.1 16C.33, which proposal meets the requirements of section 16C.33, subdivision 7, paragraph
24.2 (c), in such detail as required in the request for proposals;

24.3 (11) "design and price-based selection" means the selection of a design-builder as
24.4 described in section 16C.33, subdivision 8;

24.5 (12) "design criteria package" means performance criteria prepared by a design criteria
24.6 professional who shall be either an employee of the commissioner or shall be selected in
24.7 compliance with section 16B.33, 16C.08, or 16C.087;

24.8 (13) "design criteria professional" means a person licensed under chapter 326, or a person
24.9 who employs an individual or individuals licensed under chapter 326, required to design a
24.10 project, and who is employed by or under contract to the commissioner to provide
24.11 professional, architectural, or engineering services in connection with the preparation of
24.12 the design criteria package;

24.13 (14) "guaranteed maximum price" means the maximum amount that a design-builder,
24.14 construction manager at risk, or subcontractor will be paid pursuant to a contract to perform
24.15 a defined scope of work;

24.16 (15) "guaranteed maximum price contract" means a contract under which a design-builder,
24.17 construction manager, or subcontractor is paid on the basis of their actual cost to perform
24.18 the work specified in the contract plus an amount for overhead and profit, the sum of which
24.19 must not exceed the guaranteed maximum price set forth in the contract;

24.20 (16) "job order contracting" means a project delivery method that requests a limited
24.21 number of bids from a list of qualified contractors, selected from a registry of qualified
24.22 contractors who have been prescreened and who have entered into master contracts with
24.23 the commissioner, as provided in section 16C.35;

24.24 (17) "past performance" or "experience" does not include the exercise or assertion of a
24.25 person's legal rights;

24.26 (18) "person" includes an individual, corporation, partnership, association, or any other
24.27 legal entity;

24.28 (19) "project" means an undertaking to construct, alter, or enlarge a building, structure,
24.29 or other improvements, except highways and bridges, by or for the state or an agency;

24.30 (20) "qualifications-based selection" means the selection of a design-builder as provided
24.31 in section 16C.33;

25.1 (21) "request for qualifications" means the document or publication soliciting
25.2 qualifications for a design-build, construction manager at risk, or job order contracting
25.3 contract as provided in sections 16C.33 to 16C.35;

25.4 (22) "request for proposals" means the document or publication soliciting proposals for
25.5 a design-build or construction manager at risk contract as provided in sections 16C.33 and
25.6 16C.34; and

25.7 (23) "trade contract work" means the furnishing of labor, materials, or equipment by
25.8 contractors or vendors that are incorporated into the completed project or are major
25.9 components of the means of construction. Work performed by trade contractors involves
25.10 specific portions of the project, but not the entire project.

25.11 Sec. 34. Minnesota Statutes 2022, section 16C.36, is amended to read:

25.12 **16C.36 REORGANIZATION SERVICES UNDER MASTER CONTRACT.**

25.13 The commissioner of administration must make available under a master contract program
25.14 a list of eligible contractors who can assist state agencies in using data analytics to:

25.15 (1) accomplish agency reorganization along service rather than functional lines in order
25.16 to provide more efficient and effective service; and

25.17 (2) bring about internal reorganization of management functions in order to flatten the
25.18 organizational structure by requiring that decisions are made closer to the service needed,
25.19 eliminating redundancies, and optimizing the span of control ratios to public and private
25.20 sector industry benchmarks.

25.21 ~~The commissioner of administration must report to the legislature by January 15, 2013,~~
25.22 ~~and January 15, 2014, on state agency use of eligible contractors under this section, and on~~
25.23 ~~improvements in efficiency and effectiveness, including the contract oversight process, of~~
25.24 ~~state services as a result of services provided by contractors.~~

25.25 Sec. 35. Minnesota Statutes 2022, section 43A.01, subdivision 2, is amended to read:

25.26 Subd. 2. **Precedence of merit principles and nondiscrimination.** It is the policy of
25.27 this state to provide for equal employment opportunity consistent with chapter 363A by
25.28 ensuring that all personnel actions be based on the ability to perform the duties and
25.29 responsibilities assigned to the position without regard to age, race, creed or religion, color,
25.30 disability, sex, national origin, marital status, status with regard to public assistance, or
25.31 political affiliation. It is the policy of this state to take affirmative action to eliminate the
25.32 underutilization of qualified members of protected groups in the civil service, where such

26.1 action is not in conflict with other provisions of this chapter or chapter 179, in order to
26.2 correct imbalances and eliminate the ~~present~~ effects of ~~past~~ discrimination and support full
26.3 and equal participation in the social and economic life in the state. Managers and supervisors
26.4 that are responsible for hiring must be made aware of bias that can be present in the hiring
26.5 process.

26.6 No contract executed pursuant to chapter 179A shall modify, waive or abridge this
26.7 section and sections 43A.07 to 43A.121, 43A.15, and 43A.17 to 43A.21, except to the extent
26.8 expressly permitted in those sections.

26.9 Sec. 36. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
26.10 read:

26.11 Subd. 1a. **Accommodation fund.** "Accommodation fund" means the fund created under
26.12 section 16B.4805 for reimbursing state agencies for eligible expenses incurred in providing
26.13 reasonable accommodations to state employees with disabilities.

26.14 Sec. 37. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
26.15 read:

26.16 Subd. 3a. **Americans with Disabilities Act.** "Americans With Disabilities Act" or
26.17 "ADA" means the Americans with Disabilities Act of 1990, as amended, United States
26.18 Code, title 42, sections 12101 to 12117.

26.19 Sec. 38. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
26.20 read:

26.21 Subd. 18a. **Digital accessibility.** "Digital accessibility" means information and
26.22 communication technology, including products, devices, services, and content that are
26.23 designed and built so people with disabilities can use or participate in them, as defined by
26.24 the accessibility standard adopted under section 16E.03, subdivision 9. Any statutory
26.25 reference to accessible or accessibility in the context of information and communication
26.26 technology includes digital accessibility.

26.27 Sec. 39. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
26.28 read:

26.29 Subd. 35a. **Reasonable accommodation.** "Reasonable accommodation" has the meaning
26.30 given under section 363A.08, subdivision 6.

27.1 Sec. 40. Minnesota Statutes 2022, section 43A.04, subdivision 1a, is amended to read:

27.2 Subd. 1a. **Mission; efficiency.** It is part of the department's mission that within the
27.3 department's resources the commissioner shall endeavor to:

27.4 (1) prevent the waste or unnecessary spending of public money;

27.5 (2) use innovative fiscal and human resource practices to manage the state's resources
27.6 and operate the department as efficiently as possible;

27.7 (3) coordinate the department's activities wherever appropriate with the activities of
27.8 other governmental agencies;

27.9 (4) use technology where appropriate to increase agency productivity, improve customer
27.10 service, increase public access to information about government, and increase public
27.11 participation in the business of government;

27.12 (5) ensure that all technology utilized is accessible to employees and provided in a timely
27.13 manner as described in sections 363A.42 and 363A.43 and the accessibility standards under
27.14 section 16E.03, subdivisions 2, clause (3), and 9;

27.15 ~~(5)~~ (6) utilize constructive and cooperative labor-management practices to the extent
27.16 otherwise required by chapters 43A and 179A;

27.17 ~~(6)~~ (7) report to the legislature on the performance of agency operations and the
27.18 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
27.19 subdivision 1; ~~and~~

27.20 ~~(7)~~ (8) recommend to the legislature appropriate changes in law necessary to carry out
27.21 the mission and improve the performance of the department; and

27.22 (9) use equitable and inclusive practices to attract and recruit protected class employees;
27.23 actively eliminate discrimination against protected group employees; and ensure equitable
27.24 access to development and training, advancement, and promotional opportunities.

27.25 Sec. 41. Minnesota Statutes 2022, section 43A.04, subdivision 4, is amended to read:

27.26 Subd. 4. **Administrative procedures.** The commissioner shall develop administrative
27.27 procedures, which are not subject to the rulemaking provisions of the Administrative
27.28 Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights
27.29 of or processes available to the general public. The commissioner may also adopt
27.30 administrative procedures, not subject to the Administrative Procedure Act, which concern
27.31 topics affecting the general public if those procedures concern only the internal management

28.1 of the department or other agencies and if those elements of the topics which affect the
28.2 general public are the subject of department rules.

28.3 Administrative procedures shall be reproduced and made available for comment in
28.4 accessible digital formats under section 16E.03 to agencies, employees, and appropriate
28.5 exclusive representatives certified pursuant to sections 179A.01 to 179A.25, for at least 15
28.6 days prior to implementation and shall include but are not limited to:

28.7 (1) maintenance and administration of a plan of classification for all positions in the
28.8 classified service and for comparisons of unclassified positions with positions in the classified
28.9 service;

28.10 (2) procedures for administration of collective bargaining agreements and plans
28.11 established pursuant to section 43A.18 concerning total compensation and the terms and
28.12 conditions of employment for employees;

28.13 (3) procedures for effecting all personnel actions internal to the state service such as
28.14 processes and requirements for agencies to publicize job openings and consider applicants
28.15 who are referred or nominate themselves, conduct of selection procedures limited to
28.16 employees, noncompetitive and qualifying appointments of employees and leaves of absence;

28.17 (4) maintenance and administration of employee performance appraisal, training and
28.18 other programs; and

28.19 (5) procedures for pilots of the reengineered employee selection process. Employment
28.20 provisions of this chapter, associated personnel rules adopted under subdivision 3, and
28.21 administrative procedures established under clauses (1) and (3) may be waived for the
28.22 purposes of these pilots. The pilots may affect the rights of and processes available to
28.23 members of the general public seeking employment in the classified service. The
28.24 commissioner will provide public notice of any pilot directly affecting the rights of and
28.25 processes available to the general public and make the administrative procedures available
28.26 for comment to the general public, agencies, employees, and appropriate exclusive
28.27 representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior
28.28 to implementation. The public notice must be provided in an accessible digital format under
28.29 section 16E.03. The process for providing comment shall include multiple formats to ensure
28.30 equal access, including via telephone, digital content, and email.

28.31 Sec. 42. Minnesota Statutes 2022, section 43A.04, subdivision 7, is amended to read:

28.32 Subd. 7. **Reporting.** The commissioner shall issue a written report by February 1 and
28.33 August 1 of each year to the chair of the Legislative Coordinating Commission. The report

29.1 must list the number of appointments made under each of the categories in section 43A.15,
29.2 the number made to the classified service other than under section 43A.15, and the number
29.3 made under section 43A.08, subdivision 2a, during the six-month periods ending June 30
29.4 and December 31, respectively. The report must be posted online and must be accessible
29.5 under section 16E.03. The commissioner shall advertise these reports in multiple formats
29.6 to ensure broad dissemination.

29.7 Sec. 43. Minnesota Statutes 2022, section 43A.06, subdivision 1, is amended to read:

29.8 Subdivision 1. **General.** (a) The commissioner shall perform the duties assigned to the
29.9 commissioner by this section and sections 3.855, and 179A.01 to 179A.25 ~~and this section.~~

29.10 (b) The commissioner shall be the state labor negotiator for purposes of negotiating and
29.11 administering agreements with exclusive representatives of employees and shall perform
29.12 any other duties delegated by the commissioner subject to the limitations in paragraph (c).

29.13 (c) The Board of Trustees of the Minnesota State Colleges and Universities may exercise
29.14 the powers under this section for employees included in the units provided in section
29.15 179A.10, subdivision 2, clauses (9), (10), and (11) ~~of section 179A.10, subdivision 2, except~~
29.16 with respect to sections 43A.22 to 43A.31, which shall continue to be the responsibility of
29.17 the commissioner. The commissioner shall have the right to review and comment to the
29.18 Minnesota State Colleges and Universities on the board's final proposals prior to exchange
29.19 of final positions with the designated bargaining units as well as any requests for interest
29.20 arbitration. The legislature encourages the Board of Trustees, in coordination with the
29.21 commissioner of management and budget and the Board of Regents of the University of
29.22 Minnesota, to endeavor in collective bargaining negotiations to seek fiscal balance
29.23 recognizing the ability of the employer to fund the agreements or awards. ~~When submitting~~
29.24 ~~a proposed collective bargaining agreement to the Legislative Coordinating Commission~~
29.25 ~~and the legislature under section 3.855, subdivision 2, the Board of Trustees must use~~
29.26 ~~procedures and assumptions consistent with those used by the commissioner in calculating~~
29.27 ~~the costs of the proposed contract. The Legislative Coordinating Commission must, when~~
29.28 ~~considering a collective bargaining agreement or arbitration award submitted by the Board~~
29.29 ~~of Trustees, evaluate market conditions affecting the employees in the bargaining unit,~~
29.30 ~~equity with other bargaining units in the executive branch, and the ability of the trustees~~
29.31 ~~and the state to fund the agreement or award.~~

30.1 Sec. 44. Minnesota Statutes 2022, section 43A.09, is amended to read:

30.2 **43A.09 RECRUITMENT.**

30.3 The commissioner in cooperation with appointing authorities of all state agencies shall
 30.4 maintain an active recruiting program publicly conducted and designed to attract sufficient
 30.5 numbers of well-qualified people to meet the needs of the civil service, and to enhance the
 30.6 image and public esteem of state service employment. Special emphasis shall be given to
 30.7 recruitment of veterans and protected group members, including qualified individuals with
 30.8 disabilities, to assist state agencies in meeting affirmative action goals to achieve a balanced
 30.9 work force. All technology and digital content related to recruiting and hiring shall be
 30.10 accessible to people with disabilities.

30.11 Sec. 45. Minnesota Statutes 2022, section 43A.10, subdivision 2a, is amended to read:

30.12 Subd. 2a. **Application requirements.** (a) The commissioner shall establish and maintain
 30.13 a database of applicants for state employment. The commissioner shall establish, publicize,
 30.14 and enforce minimum requirements for ~~application~~ applications, and shall ensure that:

30.15 (1) all postings shall be written so as to be relevant to the duties of the job and be
 30.16 nondiscriminatory;

30.17 (2) the appointing authority ~~shall enforce~~ enforces the established minimum requirements
 30.18 for application;

30.19 (3) the 700-hour on-the-job demonstration experience is considered an alternative,
 30.20 noncompetitive hiring process for classified positions for qualified individuals ~~who express~~
 30.21 interest directly to the appointing authority. with disabilities; and

30.22 (4) hiring managers and others involved in the selection process are aware of the
 30.23 accommodation fund under section 16B.4805 to ensure that people with disabilities obtain
 30.24 timely and appropriate accommodations within the hiring process and the state agency can
 30.25 request reimbursement.

30.26 (b) The commissioner shall ensure that all online application processes and all digital
 30.27 content relating to the database referenced in paragraph (a) shall be accessible for people
 30.28 with disabilities.

30.29 Sec. 46. Minnesota Statutes 2022, section 43A.10, subdivision 7, is amended to read:

30.30 Subd. 7. **Selection process accommodations.** Upon request, the commissioner or
 30.31 appointing authority shall provide ~~selection process~~ reasonable accommodations to an

31.1 applicant with a disability that does not prevent performance of the duties of the position.
 31.2 The accommodations must provide an opportunity to fairly assess the ability of the applicant
 31.3 to perform the duties of the position notwithstanding the disability but must preserve, to the
 31.4 extent feasible, the validity of the selection process and equitable comparison of results
 31.5 with the results of competitors without qualified applicants with disabilities; to ensure full
 31.6 participation in the selection process, including use of the accommodation fund under section
 31.7 16B.4805 during the selection process. The commissioner must ensure that agencies are
 31.8 made aware of the accommodation fund and the fund's critical function of removing cost
 31.9 considerations from interview selection decisions.

31.10 Sec. 47. Minnesota Statutes 2022, section 43A.14, is amended to read:

31.11 **43A.14 APPOINTMENTS.**

31.12 All appointments to the classified service shall be based upon merit and ability to perform
 31.13 the duties of the position and the needs of the employing agency, including the need to
 31.14 achieve and maintain a representative work force, including representation of people with
 31.15 disabilities. For employees in a bargaining unit as defined in section 179A.10 appointments
 31.16 shall be subject to applicable provisions of collective bargaining agreements.

31.17 Sec. 48. Minnesota Statutes 2022, section 43A.15, subdivision 14, is amended to read:

31.18 Subd. 14. ~~**700-hour on-the-job demonstration process and appointment**~~
 31.19 ~~**experience.**~~ (a) The commissioner shall ~~establish~~ consult with the Department of Employment
 31.20 and Economic Development's Vocational Rehabilitation Services and State Services for the
 31.21 Blind and other disability experts in establishing, reviewing, and modifying the qualifying
 31.22 procedures for applicants whose disabilities are of such a significant nature that the applicants
 31.23 are unable to demonstrate their abilities in the selection process. The qualifying procedures
 31.24 must consist of up to 700 hours of on-the-job ~~trial work~~ demonstration experience. ~~Up to~~
 31.25 ~~three persons with significant disabilities and their job coach may be allowed to demonstrate~~
 31.26 ~~their job competence as a unit through the on-the-job trial work experience selection~~
 31.27 ~~procedure. This~~ The 700-hour on-the-job demonstration process must be limited to applicants
 31.28 for whom there is no reasonable accommodation in the selection process experience is an
 31.29 alternative, noncompetitive hiring process for qualified applicants with disabilities. All
 31.30 permanent executive branch classified positions are eligible for a 700-hour on-the-job
 31.31 demonstration experience and all permanent classified job postings must provide information
 31.32 regarding the on-the-job demonstration overview and certification process.

32.1 (b) The commissioner may authorize the probationary appointment of an applicant based
32.2 on the request of the appointing authority that documents that the applicant has successfully
32.3 demonstrated qualifications for the position through completion of an on-the-job ~~trial work~~
32.4 demonstration experience. Qualified applicants should be converted to permanent,
32.5 probationary appointments at the point in the 700-hour on-the-job experience when they
32.6 have demonstrated the ability to perform the essential functions of the job with or without
32.7 reasonable accommodation. The implementation of this subdivision may not be deemed a
32.8 violation of chapter 43A or 363A.

32.9 (c) The commissioner and the ADA and disability employment director described in
32.10 section 43A.19, subdivision 1, paragraph (e), are responsible for the administration and
32.11 oversight of the 700-hour on-the-job demonstration experience, including the establishment
32.12 of policies and procedures, data collection and reporting requirements, and compliance.

32.13 (d) The commissioner or the commissioner's designee shall design and implement a
32.14 training curriculum for the 700-hour on-the-job demonstration experience. All executive
32.15 leaders, managers, supervisors, human resources professionals, affirmative action officers,
32.16 and ADA coordinators must receive annual training on the program.

32.17 (e) The commissioner or the commissioner's designee shall develop, administer, and
32.18 make public a formal grievance process for individuals in the 700-hour on-the-job
32.19 demonstration experience under this subdivision and the supported work program under
32.20 section 43A.421, subdivision 2.

32.21 (f) Appointing agencies shall ensure that reasonable accommodation requests, including
32.22 accessible technology or alternative formats, are provided in a timely manner during the
32.23 application and hiring process and throughout the 700-hour on-the-job demonstration
32.24 experience period pursuant to sections 363A.42 and 363A.43 and the accessibility standards
32.25 under section 16E.03, subdivisions 2, clause (3), and 9.

32.26 Sec. 49. Minnesota Statutes 2022, section 43A.15, is amended by adding a subdivision to
32.27 read:

32.28 Subd. 14a. **Report and survey.** (a) The commissioner shall annually collect
32.29 enterprise-wide statistics on the 700-hour on-the-job demonstration experience under
32.30 subdivision 14. The statistics collected and reported annually must include:

32.31 (1) the number of certifications submitted, granted, and rejected;

32.32 (2) the number of applicants interviewed, appointed, and converted to probationary
32.33 status;

33.1 (3) the number of employees retained after one year in state employment;
33.2 (4) the number of employees with terminated appointments and the reason for termination;
33.3 (5) the average length of time in an on-the-job demonstration appointment;
33.4 (6) the number and category of entity certifications; and
33.5 (7) by department or agency, the number of appointments and hires and the number of
33.6 managers and supervisors trained.

33.7 (b) The commissioner shall develop and administer an annual survey of participants in
33.8 the 700-hour on-the-job demonstration experience who are hired and those who are not
33.9 hired, as well as the managers of participants in the 700-hour on-the-job demonstration
33.10 experience.

33.11 (c) The commissioner must consult at least annually with the Department of Employment
33.12 and Economic Development's Vocational Rehabilitation Services and State Services for the
33.13 Blind and other disability experts to review the survey results, assess program satisfaction,
33.14 and recommend areas for continuous improvement.

33.15 (d) The commissioner shall annually develop and publish a report on the department
33.16 website that includes the data described in paragraph (a), survey results described in
33.17 paragraph (b), and recommendations for continuous improvement described in paragraph
33.18 (c).

33.19 Sec. 50. Minnesota Statutes 2022, section 43A.17, is amended by adding a subdivision to
33.20 read:

33.21 Subd. 13. **Compensation for law enforcement officers.** (a) For purposes of this
33.22 subdivision, the term "law enforcement officers" means Minnesota State Patrol troopers,
33.23 Bureau of Criminal Apprehension agents, special agents in the Gambling Enforcement
33.24 Division of the Department of Public Safety, conservation officers, Department of Corrections
33.25 fugitive specialists, and Department of Commerce insurance fraud specialists.

33.26 (b) When the commissioner of management and budget negotiates a collective bargaining
33.27 agreement establishing compensation for law enforcement officers, the commissioner must
33.28 use compensation based on compensation data from the most recent salary and benefits
33.29 survey conducted pursuant to section 299D.03, subdivision 2a. It is the legislature's intent
33.30 that the information in this study be used to compare salaries between the identified police
33.31 departments and the State Patrol and to make appropriate increases to patrol trooper salaries.

34.1 **EFFECTIVE DATE; APPLICATION.** This section is effective the day following
34.2 final enactment and expires January 1, 2032. This section applies to contracts entered into
34.3 on or after the effective date but before January 1, 2032.

34.4 Sec. 51. Minnesota Statutes 2022, section 43A.18, subdivision 1, is amended to read:

34.5 Subdivision 1. **Collective bargaining agreements.** Except as provided in section 43A.01
34.6 and to the extent they are covered by a collective bargaining agreement, the compensation,
34.7 terms and conditions of employment for all employees represented by an exclusive
34.8 representative certified pursuant to chapter 179A shall be governed solely by the collective
34.9 bargaining agreement executed by the parties ~~and approved by the legislature.~~

34.10 Sec. 52. Minnesota Statutes 2022, section 43A.18, subdivision 9, is amended to read:

34.11 Subd. 9. **Summary information on website.** Before the commissioner submits a
34.12 proposed ~~collective bargaining agreement, arbitration award, or compensation plan~~ to the
34.13 Legislative Coordinating Commission for review under section 3.855, the commissioner
34.14 must post on a state website a summary of the ~~proposed agreement, award, or plan~~. The
34.15 summary must include the amount of and nature of proposed changes in employee
34.16 compensation, the estimated cost to the state of proposed changes in employee compensation,
34.17 and a description of proposed significant changes in policy. After approval of ~~an agreement,~~
34.18 ~~award, or a plan~~ by the Legislative Coordinating Commission, the commissioner must
34.19 provide a link from the commissioner's summary to the full text of the ~~agreement, award,~~
34.20 ~~or plan~~. The summary must remain on the website at least until the full legislature has
34.21 approved the ~~agreement, award, or plan~~. This section also applies to ~~agreements, awards,~~
34.22 ~~and plans~~ covering employees of the Minnesota State Colleges and Universities and to
34.23 compensation plans that must be submitted to the Legislative Coordinating Commission by
34.24 other executive appointing authorities. The Minnesota State Colleges and Universities and
34.25 other executive appointing authorities must submit information to the commissioner, at a
34.26 time and in a manner specified by the commissioner, so the commissioner can post
34.27 information relating to these appointing authorities on the web as required by this section.

34.28 **EFFECTIVE DATE.** This section is effective July 1, 2023, for negotiated agreements
34.29 and arbitration decisions effective after July 1, 2023.

34.30 Sec. 53. Minnesota Statutes 2022, section 43A.19, subdivision 1, is amended to read:

34.31 Subdivision 1. **Statewide affirmative action program.** (a) To ~~assure~~ ensure that positions
34.32 in the executive branch of the civil service are equally accessible to all qualified persons,

35.1 and to eliminate the ~~underutilization of qualified members of protected groups~~ effects of
35.2 past and present discrimination, intended or unintended, on the basis of protected group
35.3 status, the commissioner shall adopt and periodically revise, if necessary, a statewide
35.4 affirmative action program. The statewide affirmative action program must consist of at
35.5 least the following:

35.6 (1) objectives, goals, and policies;

35.7 (2) procedures, standards, and assumptions to be used by agencies in the preparation of
35.8 agency affirmative action plans, including methods by which goals and timetables are
35.9 established;

35.10 (3) the analysis of separation patterns to determine the impact on protected group
35.11 members; and

35.12 (4) requirements for annual objectives and submission of affirmative action progress
35.13 reports from heads of agencies.

35.14 Agency heads must report the data in clause (3) to the state Director of Recruitment,
35.15 Retention, and Affirmative Action and the state ADA coordinator, in addition to being
35.16 available to anyone upon request. The commissioner of management and budget must
35.17 annually post the aggregate and agency-level reports under clause (4) on the agency website.

35.18 (b) The commissioner shall establish statewide affirmative action goals for each of the
35.19 federal Equal Employment Opportunity (EEO) occupational categories applicable to state
35.20 employment, using at least the following factors:

35.21 (1) the percentage of members of each protected class in the recruiting area population
35.22 who have the necessary skills; and

35.23 (2) the availability for promotion or transfer of current employees who are members of
35.24 protected classes.

35.25 (c) The commissioner may use any of the following factors in addition to the factors
35.26 required under paragraph (b):

35.27 (1) the extent of unemployment of members of protected classes in the recruiting area
35.28 population;

35.29 (2) the existence of training programs in needed skill areas offered by employing agencies
35.30 and other institutions; and

35.31 (3) the expected number of available positions to be filled.

36.1 (d) The commissioner shall designate a state director of diversity and equal employment
36.2 opportunity who may be delegated the preparation, revision, implementation, and
36.3 administration of the program. The commissioner of management and budget may place
36.4 the director's position in the unclassified service if the position meets the criteria established
36.5 in section 43A.08, subdivision 1a.

36.6 (e) The commissioner shall designate a statewide ADA and disability employment
36.7 director who may be delegated the preparation, revision, implementation, evaluation, and
36.8 administration of the program. This position must administer the 700-hour on-the-job
36.9 demonstration experience under the supported work program and disabled veteran's
36.10 employment programs. The ADA and disability employment director shall have education,
36.11 knowledge, and skills in disability policy, employment, and the ADA. The commissioner
36.12 may place the director's position in the unclassified service if the position meets the criteria
36.13 established in section 43A.08, subdivision 1a.

36.14 (f) Agency affirmative action plans, including reports and progress, must be posted on
36.15 the agency's public and internal websites within 30 days of being approved. The
36.16 commissioner of management and budget shall post a link to all executive branch
36.17 agency-approved affirmative action plans on the department public website. Accessible
36.18 copies of the affirmative action plan must be available to all employees and members of
36.19 the general public upon request.

36.20 Sec. 54. Minnesota Statutes 2022, section 43A.191, is amended to read:

36.21 **43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.**

36.22 Subdivision 1. **Affirmative action officers.** (a) Each agency with 1,000 employees or
36.23 more shall have at least one full-time affirmative action officer, who shall have primary
36.24 responsibility for developing and maintaining the agency's affirmative action plan. The
36.25 officer shall devote full time to affirmative action activities. The affirmative action officer
36.26 shall report administratively and on policy issues directly to the agency head. Pursuant to
36.27 section 43A.08, subdivision 1a, clause (4), the affirmative action officer must not be an
36.28 unclassified employee.

36.29 (b) The agency heads shall assign affirmative action officers or designees for agencies
36.30 with fewer than 1,000 employees. The designees shall report administratively and on policy
36.31 issues directly to the agency head.

36.32 (c) An agency may not use authority under section 43A.08, subdivision 1a, to place the
36.33 position of an agency affirmative action officer or designee in the unclassified service.

37.1 Subd. 2. **Agency affirmative action plans.** (a) The head of each agency in the executive
37.2 branch shall prepare and implement an agency affirmative action plan consistent with this
37.3 section and rules issued under section 43A.04, subdivision 3.

37.4 (b) The agency plan must include a plan for the provision of reasonable accommodation
37.5 in the hiring and promotion of qualified ~~disabled~~ persons with disabilities. The reasonable
37.6 accommodation plan must consist of at least the following:

37.7 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,
37.8 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United
37.9 States Code, title 29, section 794, as amended through December 31, 1984, which is section
37.10 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,
37.11 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501
37.12 to 514;

37.13 (2) methods and procedures for providing timely access to reasonable accommodation
37.14 ~~for disabled job applicants, current employees, and employees~~ accommodations during the
37.15 application process, throughout current employment, and when seeking promotion;

37.16 (3) provisions for funding reasonable accommodations; and

37.17 (4) the number of requests made, the number of requests approved, and the number of
37.18 requests reimbursed from the state accommodation account under section 16B.4805.

37.19 (c) The agency plan must be prepared by the agency head with the assistance of the
37.20 agency affirmative action officer and the director of diversity and equal employment
37.21 opportunity. The agency may consult with the Council on Disability, vocational rehabilitation
37.22 services, state services for the blind, and other disability experts to review and make
37.23 recommendations on recruitment and retention of people with disabilities.

37.24 (d) The agency plan must identify any positions in the agency that can be used for
37.25 supported employment as defined in section 268A.01, subdivision 13, of persons with ~~severe~~
37.26 significant disabilities. The agency shall report this information to the commissioner. An
37.27 agency that hires more than one supported worker in the identified positions must receive
37.28 recognition for each supported worker toward meeting the agency's affirmative action goals
37.29 and objectives.

37.30 (e) An agency affirmative action plan may not be implemented without the
37.31 commissioner's approval.

37.32 **Subd. 2a. Disability recruitment, hiring, and advancement.** (a) Each agency affirmative
37.33 action plan must include a section that provides sufficient assurances, procedures, and

38.1 commitments to provide adequate hiring, placement, and advancement opportunities for
38.2 individuals with disabilities at all levels of state employment. The criteria for this section
38.3 of the agency affirmative action plan must include a section on disability hiring and
38.4 advancement, including the provisions in this subdivision.

38.5 (b) The plan must describe specific actions to ensure that a broad range of individuals
38.6 with disabilities will be aware of and be encouraged to apply for job vacancies when eligible.
38.7 The actions must include, at a minimum:

38.8 (1) the use of programs and resources that identify job applicants with disabilities who
38.9 are eligible to be appointed under a hiring authority that takes disability into account,
38.10 consistent with the demonstration program under section 43A.15, subdivision 14. The
38.11 programs may include the Department of Employment and Economic Development's
38.12 Vocational Rehabilitation Services and State Services for the Blind that provide the
38.13 qualifications necessary for positions within the agency to individuals with disabilities.
38.14 Resources may include databases of individuals with disabilities who previously applied to
38.15 the agency but were not hired for the positions they applied for, and training and internship
38.16 programs that lead directly to employment for individuals with disabilities; and

38.17 (2) establishment and maintenance of contacts, which may include formal agreements,
38.18 with organizations that specialize in providing assistance to individuals with disabilities in
38.19 securing and maintaining employment, such as the Department of Employment and Economic
38.20 Development's Vocational Rehabilitation Services, State Services for the Blind, community
38.21 rehabilitation programs, day training and habilitation programs, and employment network
38.22 service providers.

38.23 (c) The plan must ensure that the agency has designated sufficient staff to handle any
38.24 disability-related issues that arise during the application and selection process, and shall
38.25 require the agency to provide staff with sufficient training, support, and other resources to
38.26 carry out the responsibilities under this section. Responsibilities include, at a minimum:

38.27 (1) ensuring that disability-related questions from members of the public regarding the
38.28 agency's application and selection processes are answered promptly and correctly, including
38.29 questions about reasonable accommodations needed by job applicants during the application
38.30 and selection process and questions about how individuals may apply for positions under
38.31 hiring authorities that take disability into account;

38.32 (2) processing requests for reasonable accommodations needed by job applicants during
38.33 the application and placement process and ensuring that the agency provides such
38.34 accommodations when required;

39.1 (3) accepting applications for a position under hiring authorities that take disability into
39.2 account;

39.3 (4) if an individual has applied for appointment to a particular position under a hiring
39.4 authority that takes disability into account, determining whether the individual is eligible
39.5 for appointment under such authority and, if so, forwarding the individual's application to
39.6 the relevant hiring officials with an explanation of how and when the individual may be
39.7 appointed, consistent with all applicable laws; and

39.8 (5) overseeing any other agency programs designed to increase hiring of individuals
39.9 with disabilities.

39.10 **Subd. 3. Audits; sanctions and incentives.** (a) The commissioner shall annually audit
39.11 the record of each agency to determine the rate of compliance with affirmative action
39.12 requirements. The department must report all audit findings to the governor's office if a
39.13 state agency fails to meet any of its affirmative action requirements for two consecutive
39.14 years.

39.15 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on
39.16 affirmative action progress of each agency and the state as a whole to the governor and to
39.17 the Finance Committee of the senate, the Ways and Means Committee of the house of
39.18 representatives, the Governmental Operations Committees of both houses of the legislature,
39.19 and the Legislative Coordinating Commission. The report must include noncompetitive
39.20 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,
39.21 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.
39.22 The report must be made available to the public on the department website.

39.23 (c) An agency that does not meet its hiring goals must justify its nonaffirmative action
39.24 hires in competitive appointments and noncompetitive appointments made under section
39.25 43A.08, subdivisions 1, clauses (9), (11), and (16), and 2a; and section 43A.15, subdivisions
39.26 3, 10, 12, and 13, according to criteria issued by the department of ~~Management and Budget~~.
39.27 In addition, an agency shall:

39.28 (1) demonstrate a good faith effort to recruit protected group members by following an
39.29 active recruitment plan;

39.30 (2) implement a coordinated retention plan; and

39.31 (3) have an established complaint resolution procedure.

39.32 (d) The commissioner shall develop reporting standards and procedures for measuring
39.33 compliance.

40.1 (e) An agency is encouraged to develop other innovative ways to promote awareness,
40.2 acceptance, and appreciation for diversity and affirmative action. These innovations will
40.3 be considered when evaluating an agency's compliance with this section.

40.4 (f) An agency not in compliance with affirmative action requirements of this section
40.5 must identify methods and programs to improve performance, to reallocate resources
40.6 internally in order to increase support for affirmative action programs, and to submit program
40.7 and resource reallocation proposals to the commissioner for approval. An agency must
40.8 submit these proposals within 120 days of being notified by the commissioner that it is out
40.9 of compliance with affirmative action requirements. The commissioner shall monitor
40.10 quarterly the affirmative action programs of an agency found to be out of compliance.

40.11 (g) The commissioner shall establish a program to recognize an agency that has made
40.12 significant and measurable progress in implementing an affirmative action plan.

40.13 (h) The commissioner must maintain and make available, on an annual basis, summary
40.14 data as defined in section 13.02, subdivision 19, on the percentage of members of each
40.15 protected group as defined in section 43A.02, subdivision 33, that were hired in the executive
40.16 branch in each of the federal Equal Employment Opportunity (EEO) occupational categories
40.17 applicable to state employment. Nothing in this provision, however, shall require any person
40.18 to disclose their protected group status, nor shall it require the commissioner or any
40.19 appointing authority to determine the protected group status of any person.

40.20 Sec. 55. Minnesota Statutes 2022, section 43A.21, subdivision 1, is amended to read:

40.21 Subdivision 1. **Authority; purpose.** The commissioner, in coordination with the statewide
40.22 ADA and disability employment director and chief inclusion officer, shall develop and
40.23 interpret policy and administer and, to the extent possible, conduct programs in training and
40.24 development for employees to, at a minimum:

40.25 (1) promote individual, group and agency efficiency and effectiveness;

40.26 (2) build employee capacity to deliver accessible and inclusive services to the public,
40.27 including people with disabilities; and

40.28 (3) support an inclusive work environment for employees with disabilities and employees
40.29 of other protected classes.

40.30 Sec. 56. Minnesota Statutes 2022, section 43A.21, subdivision 2, is amended to read:

40.31 Subd. 2. **Responsibilities.** (a) The commissioner is responsible for developing and
40.32 coordinating consistent training policy which shall be binding on all state agencies in the

41.1 executive branch. The policies shall include conditions under which employees may receive
41.2 or be assigned to training; internships and work-training programs; minimum and maximum
41.3 training standards for employee participation and agency reporting requirements. At a
41.4 minimum, state employees must receive annual training on statutes or policies related to:

41.5 (1) Title II of the Americans with Disabilities Act;

41.6 (2) the state's affirmative action policy;

41.7 (3) equal opportunity employment; and

41.8 (4) digital accessibility standards.

41.9 (b) Career development training is a permissive subject of collective bargaining. Each
41.10 appointing authority in the executive branch, including the Minnesota State Retirement
41.11 System and the Teachers Retirement Association, is primarily responsible for planning,
41.12 budgeting, conducting and evaluating training programs.

41.13 Sec. 57. Minnesota Statutes 2022, section 43A.21, subdivision 3, is amended to read:

41.14 Subd. 3. **Programs.** (a) The commissioner or the commissioner's designee shall design
41.15 and implement management training and development programs for the state service. The
41.16 programs shall include but not be limited to mandatory training and development
41.17 requirements for managers and supervisors. No person shall acquire permanent status in a
41.18 management or supervisory position in the classified service until training and development
41.19 requirements have been met.

41.20 (b) All managers and supervisors must receive training on inclusive work environments,
41.21 disability awareness, cultural competence, and other equity and diversity areas.

41.22 (c) Agencies shall conduct an annual Americans with Disabilities Act self-assessment
41.23 to ensure training programs meet the standards for universal design in learning.

41.24 Sec. 58. Minnesota Statutes 2022, section 43A.21, is amended by adding a subdivision to
41.25 read:

41.26 Subd. 6. **Accessibility.** The commissioner is responsible for ensuring that all training
41.27 content and platforms meet the accessibility standards under section 16E.03, subdivisions
41.28 2, clause (3), and 9. Reasonable accommodations must be implemented in a timely and
41.29 appropriate manner to ensure that all state employees can participate in state-offered trainings.
41.30 All state employees, including ADA coordinators and human resources staff, must have the
41.31 training and resources to implement an accessible and inclusive workplace.

42.1 Sec. 59. Minnesota Statutes 2022, section 43A.36, subdivision 1, is amended to read:

42.2 Subdivision 1. **Cooperation; state agencies.** (a) The commissioner may delegate
42.3 administrative functions associated with the duties of the commissioner to appointing
42.4 authorities who have the capability to perform such functions when the commissioner
42.5 determines that it is in the best interests of the state civil service. The commissioner shall
42.6 consult with agencies and agencies shall cooperate as appropriate in implementation of this
42.7 chapter.

42.8 (b) The commissioner, in conjunction with appointing authorities, shall analyze and
42.9 assess current and future human resource requirements of the civil service and coordinate
42.10 personnel actions throughout the civil service to meet the requirements. The commissioner
42.11 shall provide recruiting assistance and make the applicant database available to appointing
42.12 authorities to use in making appointments to positions in the unclassified service.

42.13 (c) The head of each agency in the executive branch shall designate an agency personnel
42.14 officer. The agency personnel officer shall be accountable to the agency head for all personnel
42.15 functions prescribed by laws, rules, collective bargaining agreements, the commissioner
42.16 and the agency head. Except when otherwise prescribed by the agency head in a specific
42.17 instance, the personnel officer shall be assumed to be the authority accountable to the agency
42.18 head over any other officer or employee in the agency for personnel functions.

42.19 (d) The head of each agency in the executive branch shall designate an affirmative action
42.20 officer who shall have primary responsibility for the administration of the agency's
42.21 affirmative action plan. The officer shall report directly to the head of the agency on
42.22 affirmative action matters.

42.23 (e) Pursuant to section 43A.431, the head of each agency in the executive branch shall
42.24 designate an ADA coordinator who shall have primary responsibility for the administration
42.25 of ADA policies, procedures, trainings, requests, and arbitration. The coordinator shall
42.26 report directly to the commissioner.

42.27 Sec. 60. Minnesota Statutes 2022, section 43A.421, is amended to read:

42.28 **43A.421 SUPPORTED WORK PROGRAM.**

42.29 Subdivision 1. Program established. ~~A total of 50 full-time~~ Active positions within
42.30 agencies of state government may be selected for inclusion for a supported work program
42.31 for persons with ~~severe~~ significant disabilities. A full-time position may be shared by up to
42.32 three persons with ~~severe~~ significant disabilities and their job coach. The job coach is not
42.33 a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision

43.1 14, unless the job coach holds another position within the scope of section 43A.02,
43.2 subdivision 21, or 179A.03, subdivision 14. All classified supported work job postings need
43.3 to link to the overview and application process for the supported work program.

43.4 Subd. 2. Responsibilities. (a) The commissioner is responsible for the administration
43.5 and oversight of the supported work program, including the establishment of policies and
43.6 procedures, data collection and reporting requirements, and compliance.

43.7 (b) The commissioner or the commissioner's designee shall design and implement a
43.8 training curriculum for the supported work program. All executive leaders, managers,
43.9 supervisors, human resources professionals, affirmative action officers, and Americans with
43.10 Disabilities Act coordinators must receive annual training regarding the program.

43.11 (c) The commissioner or the commissioner's designee shall develop, administer, and
43.12 make public a formal grievance process for individuals in the program.

43.13 Sec. 61. **[43A.431] AMERICANS WITH DISABILITIES ACT COORDINATORS.**

43.14 (a) Each state agency shall designate at least one ADA coordinator who is responsible
43.15 for implementation of Title I of the ADA to advance the prohibition on discrimination
43.16 against qualified individuals with disabilities in job application procedures, hiring, firing,
43.17 advancement, compensation, job training and other terms, conditions, and privileges of
43.18 employment. The ADA coordinator must have demonstrated knowledge and experience in:

43.19 (1) the recruitment, selection, development, and retention of people with disabilities;

43.20 (2) workforce data analysis;

43.21 (3) disability employment laws and regulations; and

43.22 (4) strategy development for universal and inclusive workplaces.

43.23 (b) The ADA coordinator is responsible for overseeing the development, implementation,
43.24 monitoring, and evaluation of effective strategies to attract, engage, and advance people
43.25 with disabilities. This includes assisting employees with identifying, acquiring, and
43.26 maintaining effective accommodations and submitting reimbursement requests to the
43.27 statewide accommodation fund under section 16B.4805.

43.28 (c) The ADA coordinator is responsible for collecting data and preparing reports to
43.29 ensure transparency and accountability and must serve as a key liaison for disability
43.30 employment and training initiatives.

44.1 Sec. 62. Minnesota Statutes 2022, section 137.0245, subdivision 2, is amended to read:

44.2 Subd. 2. **Membership.** The Regent Candidate Advisory Council shall consist of 24
44.3 members. Twelve members shall be appointed by the ~~Subcommittee on Committees of the~~
44.4 ~~Committee on Rules and Administration~~ majority leader of the senate. Twelve members
44.5 shall be appointed by the speaker of the house. Each appointing authority must appoint one
44.6 member who is a student enrolled in a degree program at the University of Minnesota at
44.7 the time of appointment. No more than one-third of the members appointed by each
44.8 appointing authority may be current or former legislators. No more than two-thirds of the
44.9 members appointed by each appointing authority may belong to the same political party;
44.10 however, political activity or affiliation is not required for the appointment of any member.
44.11 Geographical representation must be taken into consideration when making appointments.
44.12 Section 15.0575 shall govern the advisory council, except that:

44.13 (1) the members shall be appointed to six-year terms with one-third appointed each
44.14 even-numbered year; and

44.15 (2) student members are appointed to two-year terms with two students appointed each
44.16 even-numbered year.

44.17 A member may not serve more than two full terms.

44.18 Sec. 63. Minnesota Statutes 2022, section 137.0245, is amended by adding a subdivision
44.19 to read:

44.20 Subd. 6. **Public meetings.** Meetings of the council or subcommittees of the council must
44.21 be open to the public and are subject to section 3.055.

44.22 Sec. 64. Minnesota Statutes 2022, section 138.081, subdivision 3, is amended to read:

44.23 Subd. 3. **Administration of federal act.** The ~~Department of Administration~~ Minnesota
44.24 Historical Society is designated as the state agency to administer the provisions of the federal
44.25 act providing for the preservation of historical and archaeological data, United States Code,
44.26 title 16 54, sections 469 to 469C section 312501, as amended, insofar as the provisions of
44.27 the act provide for implementation by the state.

44.28 Sec. 65. Minnesota Statutes 2022, section 138.665, subdivision 2, is amended to read:

44.29 Subd. 2. **Mediation Consultation.** The state, state departments, agencies, and political
44.30 subdivisions, including the Board of Regents of the University of Minnesota, have a
44.31 responsibility to protect the physical features and historic character of properties designated

45.1 in sections 138.662 and 138.664 or listed on the National Register of Historic Places created
45.2 by Public Law 89-665. Before carrying out any undertaking that will affect designated or
45.3 listed properties, or funding or licensing an undertaking by other parties, the state department
45.4 or agency shall consult with the State Historic Preservation Office pursuant to ~~the society's~~
45.5 the State Historic Preservation Office's established procedures to determine appropriate
45.6 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
45.7 listed properties. If the state department or agency and the State Historic Preservation Office
45.8 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
45.9 agree, any one of the parties may request that the governor appoint and convene a mediation
45.10 task force consisting of five members, two appointed by the governor, the chair of the State
45.11 Review Board of the State Historic Preservation Office, the commissioner of administration
45.12 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
45.13 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
45.14 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
45.15 training or experience in one or more of the following disciplines: (1) history; (2)
45.16 archaeology; and (3) architectural history. The mediation task force is not subject to the
45.17 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
45.18 24, and section 138.664, subdivisions 8 and 111.

45.19 Sec. 66. Minnesota Statutes 2022, section 161.1419, subdivision 2, is amended to read:

45.20 Subd. 2. **Members.** (a) The commission shall be composed of 15 members of whom:

45.21 (1) one shall be appointed by the commissioner of transportation;

45.22 (2) one shall be appointed by the commissioner of natural resources;

45.23 (3) one shall be appointed by the director of Explore Minnesota Tourism;

45.24 (4) one shall be appointed by the commissioner of agriculture;

45.25 (5) one shall be appointed by the director of the Minnesota Historical Society;

45.26 (6) two shall be members of the senate to be appointed by the Committee on Committees;

45.27 (7) two shall be members of the house of representatives to be appointed by the speaker;

45.28 (8) one shall be the secretary appointed pursuant to subdivision 3; and

45.29 (9) five shall be citizen members appointed to staggered four-year terms by the

45.30 commission after receiving recommendations from five citizen committees established by

45.31 the members appointed under clauses (1) to (8), with each citizen committee established

46.1 within and representing each of the following geographic segments along the Mississippi
46.2 River:

46.3 (i) Lake Itasca to but not including the city of Grand Rapids;

46.4 (ii) Grand Rapids to but not including the city of Brainerd;

46.5 (iii) Brainerd to but not including the city of Elk River;

46.6 (iv) Elk River to but not including the city of Hastings; and

46.7 (v) Hastings to the Iowa border.

46.8 Each citizen ~~committee~~ member shall be a resident of the geographic segment that the
46.9 ~~committee~~ and member represents.

46.10 (b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall
46.11 serve for a term expiring at the close of each regular session of the legislature and until their
46.12 successors are appointed.

46.13 (c) Successor members shall be appointed by the same appointing authorities. Members
46.14 may be reappointed. Any vacancy shall be filled by the appointing authority. The
46.15 commissioner of transportation, the commissioner of natural resources, and the director of
46.16 the Minnesota Historical Society shall be ex officio members, and shall be in addition to
46.17 the 15 members heretofore provided for. Immediately upon making the appointments to the
46.18 commission the appointing authorities shall so notify the Mississippi River Parkway
46.19 Commission, hereinafter called the National Commission, giving the names and addresses
46.20 of the members so appointed.

46.21 Sec. 67. Minnesota Statutes 2022, section 179A.22, subdivision 4, is amended to read:

46.22 Subd. 4. **Agreements.** The commissioner of management and budget is authorized to
46.23 enter into agreements with exclusive representatives as provided in section 43A.06,
46.24 subdivisions 1, paragraph (b), and 3. The Board of Trustees of the Minnesota State Colleges
46.25 and Universities is authorized to enter into agreements with exclusive representatives as
46.26 provided in section 43A.06, subdivision 1, paragraph (c). The negotiated agreements and
46.27 any related arbitration ~~decision~~ decisions must be ~~submitted to the legislature to be accepted~~
46.28 ~~or rejected in accordance with this section and section 3.855~~ implemented by the
46.29 commissioner of management and budget or the Board of Trustees of the Minnesota State
46.30 Colleges and Universities respectively, following the approval of the tentative agreement
46.31 by exclusive representatives.

47.1 Sec. 68. Minnesota Statutes 2022, section 351.01, subdivision 2, is amended to read:

47.2 Subd. 2. **When effective.** Except as provided by subdivision 3 or other express provision
47.3 of law or charter to the contrary, a resignation is effective when it is received by the officer,
47.4 body, or board authorized to receive it. In the case of a position appointed by the governor
47.5 under section 15.0597, the resignation must be submitted to the governor.

47.6 Sec. 69. Minnesota Statutes 2022, section 357.17, is amended to read:

47.7 **357.17 NOTARIES PUBLIC.**

47.8 (a) The maximum fees to be charged and collected by a notary public shall be as follows:

47.9 (1) for protest of nonpayment of note or bill of exchange or of nonacceptance of such
47.10 bill; where protest is legally necessary, and copy thereof, \$5;

47.11 (2) for every other protest and copy, \$5;

47.12 (3) for making and serving every notice of nonpayment of note or nonacceptance of bill
47.13 and copy thereof, \$5;

47.14 (4) for any affidavit or paper for which provision is not made herein, \$5 per folio, and
47.15 \$1 per folio for copies;

47.16 (5) for each oath administered, \$5;

47.17 (6) for acknowledgments of deeds and for other services authorized by law, the legal
47.18 fees allowed other officers for like services;

47.19 (7) for recording each instrument required by law to be recorded by the notary, \$5 per
47.20 folio.

47.21 (b) A notary public may charge a fee for performing a marriage in excess of the fees in
47.22 paragraph (a) if the notary is a member, director, or partner of an entity organized under
47.23 the laws of this state.

47.24 Sec. 70. Minnesota Statutes 2022, section 359.04, is amended to read:

47.25 **359.04 POWERS.**

47.26 Every notary public so appointed, commissioned, and qualified shall have power
47.27 throughout this state to administer all oaths required or authorized to be administered in
47.28 this state; to take and certify all depositions to be used in any of the courts of this state; to
47.29 take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and
47.30 other instruments in writing or electronic records; to receive, make out, and record notarial

48.1 protests; to perform civil marriages consistent with this chapter and chapter 517; and to
48.2 perform online remote notarial acts in compliance with the requirements of sections 358.645
48.3 and 358.646.

48.4 Sec. 71. **[359.115] CIVIL MARRIAGE OFFICIANT.**

48.5 (a) A notary public shall have the power to solemnize civil marriages throughout the
48.6 state if the notary public has filed a copy of the notary public's notary credentials with the
48.7 local registrar of a county in this state. When a local registrar records notary credentials for
48.8 a notary public, the local registrar shall provide a certificate of filing to the notary whose
48.9 credentials are recorded. A notary public shall endorse and record the county where the
48.10 notary public's credentials are recorded upon each certificate of civil marriage granted by
48.11 the notary.

48.12 (b) A past or current Minnesota elected official shall have the power to solemnize a civil
48.13 marriage throughout the state if the elected official has filed a copy of the elected official's
48.14 certificate of election with the local registrar of a county in this state. When a local registrar
48.15 records an elected official's credentials, the local registrar shall provide a certificate of filing
48.16 that the elected official's credentials are recorded, and the elected official shall endorse and
48.17 record the county where the elected official's credentials are recorded upon each certificate
48.18 of civil marriage granted by the elected official.

48.19 Sec. 72. Minnesota Statutes 2022, section 364.021, is amended to read:

48.20 **364.021 PUBLIC AND PRIVATE EMPLOYMENT; CONSIDERATION OF**
48.21 **CRIMINAL RECORDS.**

48.22 (a) A public or private employer may not inquire into or consider or require disclosure
48.23 of the criminal record or criminal history of an applicant for employment until the applicant
48.24 has been selected for an interview by the employer or, if there is not an interview, before a
48.25 conditional offer of employment is made to the applicant.

48.26 (b) This section does not apply to the Department of Corrections or to employers who
48.27 have a statutory duty to conduct a criminal history background check or otherwise take into
48.28 consideration a potential employee's criminal history during the hiring process.

48.29 (c) This section does not prohibit an employer from notifying applicants that law or the
48.30 employer's policy will disqualify an individual with a particular criminal history background
48.31 from employment in particular positions.

49.1 (d) An appointing authority may not inquire into or consider or require disclosure of the
49.2 criminal record or criminal history of an applicant for appointment to multimember agencies,
49.3 including boards, commissions, agencies, committees, councils, authorities, advisory task
49.4 forces, and advisory councils, on an application form until the applicant has been selected
49.5 for an interview by the appointing authority or is otherwise selected as a final candidate for
49.6 appointment.

49.7 **EFFECTIVE DATE.** This section is effective August 1, 2023.

49.8 Sec. 73. Minnesota Statutes 2022, section 364.06, subdivision 1, is amended to read:

49.9 Subdivision 1. **Public employers.** Any complaints or grievances concerning violations
49.10 of sections 364.01 to 364.10 by public employers or violations of section 364.021 by public
49.11 appointing authorities shall be processed and adjudicated in accordance with the procedures
49.12 set forth in chapter 14, the Administrative Procedure Act.

49.13 Sec. 74. Minnesota Statutes 2022, section 507.0945, is amended to read:

49.14 **507.0945 ADMINISTRATION.**

49.15 (a) An Electronic Real Estate Recording Commission ~~administered by the Legislative~~
49.16 ~~Coordinating Commission~~ is created to evaluate and ~~must~~ then may adopt standards to
49.17 implement sections 507.0941 to 507.0948.

49.18 (b) The Electronic Real Estate Recording Commission shall consist of the following:

49.19 (1) three members appointed by the Minnesota Association of County Officials who are
49.20 county employees, including one from within the seven-county metropolitan area, one from
49.21 outside the seven-county metropolitan area, and at least one of whom is a county recorder
49.22 and at least one of whom is a registrar of titles;

49.23 (2) one member appointed by the Minnesota Land Title Association;

49.24 (3) one member who represents the Minnesota Bankers Association;

49.25 (4) one member who represents the Section of Real Property Law of the Minnesota State
49.26 Bar Association;

49.27 (5) one nonvoting member who is appointed by the other members of the commission
49.28 and an expert in the technological aspects of electronic real estate recording; and

49.29 (6) one member who is the state archivist appointed pursuant to section 138.17.

50.1 (c) Members of the Electronic Real Estate Recording Commission shall serve four-year
50.2 terms, except that (1) the initial appointments of county employees shall be for two years
50.3 and (2) the expert in the technological aspects of electronic real estate recording shall serve
50.4 at the pleasure of a majority of the other members of the commission. All initial terms shall
50.5 commence on July 1, 2008. Members shall serve until their successors are appointed. Any
50.6 member may be reappointed for successive terms.

50.7 (d) The state archivist shall call the first meeting of the Electronic Real Estate Recording
50.8 Commission. At the first meeting and biennially thereafter, the commission shall elect from
50.9 its membership a chair and vice-chair to serve two-year terms. Meetings may be called by
50.10 the chair or the vice-chair ~~or the director of the Legislative Coordinating Commission.~~
50.11 Meetings shall be held as often as necessary, but at least once a year.

50.12 (e) A majority of the voting members of the Electronic Real Estate Recording
50.13 Commission constitutes a quorum to do business, and a majority of a quorum may act in
50.14 any matter within the jurisdiction of the commission.

50.15 (f) As soon as practicable and as needed thereafter, the Electronic Real Estate Recording
50.16 Commission shall identify the information technology and any other expertise it requires
50.17 and report its needs to the ~~Legislative Coordinating Commission. The Electronic Real Estate~~
50.18 ~~Recording Commission also shall report any other expertise it needs to fulfill its~~
50.19 ~~responsibilities. The Legislative Coordinating Commission shall provide support services,~~
50.20 ~~including meeting space, as needed for the Electronic Real Estate Recording Commission~~
50.21 ~~to carry out its duties in an effective manner~~ committees of the house of representatives and
50.22 the senate that have jurisdiction.

50.23 Sec. 75. Minnesota Statutes 2022, section 517.04, is amended to read:

50.24 **517.04 PERSONS AUTHORIZED TO PERFORM CIVIL MARRIAGES.**

50.25 Civil marriages may be solemnized throughout the state by an individual who has attained
50.26 the age of 21 years and is a judge of a court of record, a retired judge of a court of record,
50.27 a court administrator, a retired court administrator with the approval of the chief judge of
50.28 the judicial district, a former court commissioner who is employed by the court system or
50.29 is acting pursuant to an order of the chief judge of the commissioner's judicial district, a
50.30 notary authorized by the Office of the Secretary of State, a past or current Minnesota elected
50.31 official authorized by section 359.115, the residential school superintendent of the Minnesota
50.32 State Academy for the Deaf and the Minnesota State Academy for the Blind, a licensed or
50.33 ordained minister of any religious denomination, or by any mode recognized in section

51.1 517.18. For purposes of this section, a court of record includes the Office of Administrative
51.2 Hearings under section 14.48.

51.3 Sec. 76. Minnesota Statutes 2022, section 645.44, subdivision 5, as amended by Laws
51.4 2023, chapter 5, section 2, is amended to read:

51.5 Subd. 5. **Holiday.** (a) "Holiday" includes New Year's Day, January 1; Martin Luther
51.6 King's Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the
51.7 third Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19;
51.8 Independence Day, July 4; Labor Day, the first Monday in September; ~~Christopher Columbus~~
51.9 Indigenous Peoples Day, the second Monday in October; Veterans Day, November 11;
51.10 Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25;
51.11 provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day,
51.12 July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Sunday,
51.13 the following day shall be a holiday and, provided, when New Year's Day, January 1; or
51.14 Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or
51.15 Christmas Day, December 25; falls on Saturday, the preceding day shall be a holiday. No
51.16 public business shall be transacted on any holiday, except in cases of necessity and except
51.17 in cases of public business transacted by the legislature, nor shall any civil process be served
51.18 thereon. However, for the executive branch of the state of Minnesota, "holiday" also includes
51.19 the Friday after Thanksgiving but does not include ~~Christopher Columbus~~ Indigenous
51.20 Peoples Day. Other branches of state government and political subdivisions shall have the
51.21 option of determining whether ~~Christopher Columbus~~ Indigenous Peoples Day and the
51.22 Friday after Thanksgiving shall be holidays. Where it is determined that ~~Columbus Day~~
51.23 Indigenous Peoples Day or the Friday after Thanksgiving is not a holiday, public business
51.24 may be conducted thereon.

51.25 (b) Any agreement between a public employer and an employee organization citing
51.26 Veterans Day as the fourth Monday in October shall be amended to cite Veterans Day as
51.27 November 11.

51.28 (c) Any agreement between a public employer and an employee organization citing
51.29 "Christopher Columbus Day" or "Columbus Day" shall be amended to cite "Indigenous
51.30 Peoples Day."

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

52.1 **Sec. 77. MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

52.2 Citizens currently appointed to the Mississippi River Parkway Commission under
52.3 Minnesota Statutes, section 161.1419, subdivision 2, for areas following the geographic
52.4 segments along the Mississippi River, serve terms as follows:

52.5 (1) citizen member representing Lake Itasca, to but not including the city of Grand
52.6 Rapids, for a term ending December 31, 2025;

52.7 (2) citizen member representing Grand Rapids, to but not including the city of Brainerd,
52.8 for a term ending December 31, 2025;

52.9 (3) citizen member representing Brainerd, to but not including the city of Elk River, for
52.10 a term ending December 31, 2025;

52.11 (4) citizen member representing Elk River, to but not including the city of Hastings, for
52.12 a term ending December 31, 2027; and

52.13 (5) citizen member representing Hastings, to the Iowa border, for a term ending December
52.14 31, 2027.

52.15 **Sec. 78. ADVISORY COMMITTEE ON SERVICE WORKER STANDARDS.**

52.16 The commissioner of management and budget shall convene an advisory committee to
52.17 review and make recommendations regarding updates and clarifications to the service worker
52.18 class specifications under Minnesota Statutes, section 43A.071. By January 15, 2023, the
52.19 commissioner shall report to the legislative committees with jurisdiction over state
52.20 government employees on recommendations for changes to Minnesota Statutes, section
52.21 43A.071.

52.22 **Sec. 79. REVISOR INSTRUCTION.**

52.23 In the next edition of Minnesota Statutes and Minnesota Rules and the online publication
52.24 of Minnesota Statutes and Minnesota Rules, the revisor of statutes shall change references
52.25 to "Christopher Columbus Day" or "Columbus Day" to "Indigenous Peoples Day" wherever
52.26 the phrases appear in Minnesota Statutes and Minnesota Rules.

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

52.28 **Sec. 80. REPEALER.**

52.29 Subdivision 1. **Interagency transfer reports.** Minnesota Statutes 2022, section 15.0395,
52.30 is repealed.

53.1 Subd. 2. Office of Collaboration and Dispute Resolution. Minnesota Statutes 2022,
 53.2 sections 16B.24, subdivision 13; 179.90; and 179.91, are repealed.

53.3 Subd. 3. Trustee Candidate Advisory Council. Minnesota Statutes 2022, section
 53.4 136F.03, is repealed.

53.5 Sec. 81. EFFECTIVE DATE; JUNETEENTH.

53.6 Notwithstanding Minnesota Statutes, section 645.02, Laws 2023, chapter 5, sections 1
 53.7 and 2, are effective June 19, 2023.

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

53.9 **ARTICLE 2**
 53.10 **INFORMATION TECHNOLOGY AND CYBERSECURITY**

53.11 Section 1. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision
 53.12 to read:

53.13 Subd. 1a. Definition. (a) For purposes of this section, the following term has the meaning
 53.14 given.

53.15 (b) "Security records" means data, documents, recordings, or similar items that:

53.16 (1) were originally collected, created, received, maintained, or disseminated by a member
 53.17 of the commission during a closed meeting, or a closed portion of a meeting; and

53.18 (2) are security information as defined by section 13.37, subdivision 1, or otherwise
 53.19 pertain to cybersecurity briefings and reports, issues related to cybersecurity systems,
 53.20 deficiencies in or recommendations regarding cybersecurity services, infrastructure, or
 53.21 facilities, if disclosure of the records would pose a danger to or compromise cybersecurity
 53.22 infrastructure, facilities, procedures, or responses.

53.23 Sec. 2. Minnesota Statutes 2022, section 3.888, subdivision 5, is amended to read:

53.24 Subd. 5. **Meetings.** The commission must meet at least three times per calendar year.
 53.25 The meetings of the commission are subject to section 3.055, except that the commission
 53.26 may close a meeting when necessary to safeguard the state's cybersecurity. ~~The minutes,~~
 53.27 ~~recordings, and documents from a closed meeting under this subdivision~~ Security records
 53.28 shall be maintained by the Legislative Coordinating Commission and shall not be made
 53.29 available to the public until at least eight years but no more than 20 years after the date of
 53.30 the closed meeting.

54.1 Sec. 3. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to
54.2 read:

54.3 Subd. 5a. **Closed meetings procedures.** The commission must adopt procedures for
54.4 conducting closed meetings before the commission's first closed meeting. At a minimum,
54.5 the procedures must include:

54.6 (1) a requirement to provide notice to the public, when practicable, before each closed
54.7 meeting of the commission's intent and authority to hold a closed meeting, or to hold a
54.8 closed session during an otherwise open meeting;

54.9 (2) a requirement that the commission minimize the number of people present at a closed
54.10 meeting to those necessary to conduct the meeting;

54.11 (3) a requirement that votes shall not be taken during a meeting, or a portion of a meeting,
54.12 of the commission closed pursuant to this section;

54.13 (4) steps the commission must take if a commission member is alleged to have violated
54.14 the confidentiality of a closed meeting; and

54.15 (5) guidance for the Legislative Coordinating Commission for the public release of
54.16 security records following the eight-year record requirement in subdivision 5. The meetings
54.17 of the Legislative Coordinating Commission under this subdivision are exempt from section
54.18 3.055 when necessary to safeguard the confidentiality of security records.

54.19 Sec. 4. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to
54.20 read:

54.21 Subd. 5b. **Alleged member closed meeting confidentiality violations.** Notwithstanding
54.22 any law to the contrary, if a complaint alleging a member violated the confidentiality of a
54.23 closed meeting is brought to a legislative committee with jurisdiction over ethical conduct,
54.24 the committee with jurisdiction over ethical conduct must preserve the confidentiality of
54.25 the closed meeting at issue.

54.26 Sec. 5. Minnesota Statutes 2022, section 16E.01, subdivision 1a, is amended to read:

54.27 Subd. 1a. **Responsibilities.** The department shall provide oversight, leadership, and
54.28 direction for information and telecommunications technology policy and the management,
54.29 delivery, accessibility, and security of executive branch information and telecommunications
54.30 technology systems and services in Minnesota. The department shall partner with executive
54.31 branch state agencies to manage strategic investments in information and telecommunications
54.32 technology systems and services to ensure sufficient access to and efficient delivery of

55.1 accessible government services and to maximize benefits for the state government as an
55.2 enterprise.

55.3 Sec. 6. Minnesota Statutes 2022, section 16E.01, is amended by adding a subdivision to
55.4 read:

55.5 Subd. 1b. **Deputy; appointments.** The commissioner may appoint a deputy, assistant
55.6 commissioners, and a confidential secretary. Each serves at the commissioner's pleasure in
55.7 the unclassified service.

55.8 Sec. 7. Minnesota Statutes 2022, section 16E.01, subdivision 3, is amended to read:

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

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

55.13 (2) approve state agency and intergovernmental information and telecommunications
55.14 technology systems and services development efforts involving state or intergovernmental
55.15 funding, including federal funding, provide information to the legislature regarding projects
55.16 reviewed, and recommend projects for inclusion in the governor's budget under section
55.17 16A.11;

55.18 (3) promote cooperation and collaboration among state and local governments in
55.19 developing intergovernmental information and telecommunications technology systems
55.20 and services;

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

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

55.25 ~~(6)~~ (5) promote and coordinate public information access and network initiatives,
55.26 consistent with chapter 13, to connect Minnesota's citizens and communities to each other,
55.27 to their governments, and to the world;

55.28 ~~(7)~~ (6) manage and promote the regular and periodic reinvestment in the information
55.29 and telecommunications technology systems and services infrastructure so that state and
55.30 local government agencies can effectively and efficiently serve their customers;

56.1 ~~(8)~~ (7) facilitate the cooperative development of and ensure compliance with standards
56.2 and policies for information and telecommunications technology systems and services and
56.3 electronic data practices and privacy within the executive branch;

56.4 ~~(9)~~ (8) eliminate unnecessary duplication of existing information and telecommunications
56.5 technology systems and services provided by state agencies;

56.6 ~~(10)~~ (9) identify, sponsor, develop, and execute shared information and
56.7 telecommunications technology projects and ongoing operations;

56.8 ~~(11)~~ (10) ensure overall security of the state's information and technology systems and
56.9 services; and

56.10 ~~(12)~~ (11) manage and direct compliance with accessibility standards for informational
56.11 technology, including hardware, software, websites, online forms, and online surveys.

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

56.22 (c) A state agency that has an information and telecommunications technology project,
56.23 whether funded as part of the biennial budget or by any other means, shall register with the
56.24 department by submitting basic project startup documentation as specified by the chief
56.25 information officer in both format and content. State agency project leaders, in accordance
56.26 with policies and standards set forth by the chief information officer, must demonstrate that
56.27 the project will be properly managed, provide updates to the project documentation as
56.28 changes are proposed, and regularly report on the current status of the project on a schedule
56.29 agreed to with the chief information officer. The chief information officer has the authority
56.30 to define a project for the purposes of this chapter.

56.31 (d) The chief information officer shall monitor progress on any active information and
56.32 telecommunications technology project with a total expected project cost of more than
56.33 \$5,000,000 and report on the performance of the project in comparison with the plans for
56.34 the project in terms of time, scope, and budget. The chief information officer may conduct

57.1 an independent project audit of the project. The audit analysis and evaluation of the projects
 57.2 subject to paragraph (c) must be presented to agency executive sponsors, the project
 57.3 governance bodies, and the chief information officer. All reports and responses must become
 57.4 part of the project record.

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

57.9 (f) The chief information officer shall report by January 15 of each year to the chairs
 57.10 and ranking minority members of the legislative committees and divisions with jurisdiction
 57.11 over the department regarding projects the department has reviewed under paragraph (a),
 57.12 clause (10). The report must include ~~the reasons for the determinations made in the review~~
 57.13 ~~of each project and a description of its current status.:~~

57.14 (1) each project in the IT portfolio whose status is either active or on hold;

57.15 (2) each project presented to the office for consultation in the time since the last report;

57.16 (3) the information technology cost associated with the project;

57.17 (4) the current status of the information technology project;

57.18 (5) the date the information technology project is expected to be completed; and

57.19 (6) the projected costs for ongoing support and maintenance after the project is complete.

57.20 Sec. 8. Minnesota Statutes 2022, section 16E.016, is amended to read:

57.21 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**
 57.22 **AND EQUIPMENT.**

57.23 (a) The chief information officer is responsible for providing or entering into managed
 57.24 services contracts for the provision, improvement, ~~and development,~~ and lifecycle
 57.25 management of the following information technology systems and services to state agencies:

57.26 (1) state data centers;

57.27 (2) mainframes including system software;

57.28 (3) servers including system software;

57.29 (4) desktops including system software;

57.30 (5) laptop computers including system software;

- 58.1 (6) a data network including system software;
- 58.2 (7) database, electronic mail, office systems, reporting, and other standard software
58.3 tools;
- 58.4 (8) business application software and related technical support services;
- 58.5 (9) help desk for the components listed in clauses (1) to (8);
- 58.6 (10) maintenance, problem resolution, and break-fix for the components listed in clauses
58.7 (1) to (8);
- 58.8 (11) regular upgrades ~~and~~, replacement, and lifecycle management for the components
58.9 listed in clauses (1) to (8); and
- 58.10 (12) network-connected output devices.

58.11 (b) All state agency employees whose work primarily involves functions specified in
58.12 paragraph (a) are employees of the Department of Information Technology Services. This
58.13 includes employees who directly perform the functions in paragraph (a), as well as employees
58.14 whose work primarily involves managing, supervising, or providing administrative services
58.15 or support services to employees who directly perform these functions. The chief information
58.16 officer may assign employees of the department to perform work exclusively for another
58.17 state agency.

58.18 (c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a
58.19 state agency to obtain services specified in paragraph (a) through a contract with an outside
58.20 vendor when the chief information officer and the agency head agree that a contract would
58.21 provide best value, as defined in section 16C.02, under the service-level agreement. The
58.22 chief information officer must require that agency contracts with outside vendors ensure
58.23 that systems and services are compatible with standards established by the Department of
58.24 Information Technology Services.

58.25 (d) The Minnesota State Retirement System, the Public Employees Retirement
58.26 Association, the Teachers Retirement Association, the State Board of Investment, the
58.27 Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio
58.28 Board are not state agencies for purposes of this section.

58.29 Sec. 9. Minnesota Statutes 2022, section 16E.03, subdivision 2, is amended to read:

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

59.1 (1) design a ~~master~~ strategic plan for information and telecommunications technology
59.2 systems and services in the state and shall report on the plan to the governor and legislature
59.3 at the beginning of each regular session;

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

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

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

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

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

59.18 Sec. 10. Minnesota Statutes 2022, section 16E.03, subdivision 4a, is amended to read:

59.19 Subd. 4a. **Cloud computing services.** The project evaluation procedure required by
59.20 subdivision 4 must include a review of cloud computing service options, including any
59.21 security benefits and cost savings associated with purchasing those service options from a
59.22 cloud computing service provider. When projects involve cloud computing services, the
59.23 state chief information officer shall, in consultation with the Technology Advisory Council,
59.24 establish metrics to assess the progress of any cloud computing project for each state agency.

59.25 Sec. 11. Minnesota Statutes 2022, section 16E.03, is amended by adding a subdivision to
59.26 read:

59.27 Subd. 5a. **Cloud computing progress report.** (a) No later than January 15, 2024, and
59.28 annually thereafter, the state chief information officer shall, in consultation with the
59.29 Technology Advisory Council, report on the progress of executive branch cloud adoption
59.30 to the chairs and ranking members of the legislative committees with jurisdiction over
59.31 executive branch information technology policy. The report shall include, but not be limited
59.32 to, the following:

60.1 (1) an accounting of each state agency's expenditures for cloud computing initiatives
60.2 and software as service solutions;

60.3 (2) cost projections, timelines, and the names of any cloud provider selected for current
60.4 computing projects that incorporate cloud computing solutions, and percentage of total
60.5 cloud use; and

60.6 (3) projected future expenditures by cloud service provider.

60.7 (b) This subdivision expires December 31, 2027.

60.8 Sec. 12. **REPEALER.**

60.9 Minnesota Statutes 2022, section 16E.0466, subdivision 2, is repealed.

60.10

ARTICLE 3

60.11

LOCAL GOVERNMENT POLICY

60.12 Section 1. Minnesota Statutes 2022, section 13D.02, subdivision 1, is amended to read:

60.13 Subdivision 1. **Conditions.** (a) A meeting governed by section 13D.01, subdivisions 1,
60.14 2, 4, and 5, and this section may be conducted by interactive technology so long as:

60.15 (1) all members of the body participating in the meeting, wherever their physical location,
60.16 can hear and see one another and can hear and see all discussion and testimony presented
60.17 at any location at which at least one member is present;

60.18 (2) members of the public present at the regular meeting location of the body can hear
60.19 and see all discussion and testimony and all votes of members of the body;

60.20 (3) at least one member of the body is physically present at the regular meeting location;

60.21 (4) all votes are conducted by roll call so each member's vote on each issue can be
60.22 identified and recorded; and

60.23 (5) each location at which a member of the body is present is open and accessible to the
60.24 public.

60.25 (b) A meeting satisfies the requirements of paragraph (a), although a member of the
60.26 public body participates from a location that is not open or accessible to the public, if the
60.27 member has not participated more than three times in a calendar year from a location that
60.28 is not open or accessible to the public, and:

60.29 (1) the member is serving in the military and is at a required drill, deployed, or on active
60.30 duty; or

61.1 (2) the member has been advised by a health care professional against being in a public
61.2 place for personal or family medical reasons. ~~This clause only applies when a state of~~
61.3 ~~emergency has been declared under section 12.31, and expires 60 days after the removal of~~
61.4 ~~the state of emergency.~~

61.5 Sec. 2. Minnesota Statutes 2022, section 118A.09, subdivision 1, is amended to read:

61.6 Subdivision 1. **Definition; qualifying government.** (a) "Qualifying government" means:

61.7 (1) a county or statutory or home rule charter city with a population of more than 100,000;
61.8 or

61.9 (2) a county or statutory or home rule charter city ~~which had its most recently issued~~
61.10 ~~general obligation bonds rated in the highest category by a national bond rating agency; or~~
61.11 whose most recent long-term, senior, general obligation rating by one or more national
61.12 rating organizations in the prior 18-month period is AA or higher.

61.13 ~~(3) a self-insurance pool listed in section 471.982, subdivision 3.~~

61.14 (b) A county or statutory or home rule charter city with a population of 100,000 or less
61.15 that is a qualifying government, but is subsequently ~~rated less than the highest category by~~
61.16 ~~a national bond rating agency on a general obligation bond issue~~ does not meet the threshold
61.17 under paragraph (a), clause (2), may not invest additional funds under this section during
61.18 any time period when it does not meet the threshold, but may continue to manage funds
61.19 previously invested under subdivision 2.

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

61.21 Sec. 3. Minnesota Statutes 2022, section 118A.09, subdivision 2, is amended to read:

61.22 Subd. 2. **Additional investment authority.** Qualifying governments may invest the
61.23 amount described in subdivision 3:

61.24 (1) in index mutual funds based in the United States and indexed to a broad market
61.25 United States equity index, on the condition that index mutual fund investments must be
61.26 made directly with the main sales office of the fund; or

61.27 (2) with the Minnesota State Board of Investment subject to such terms and minimum
61.28 amounts as may be adopted by the board. ~~Index mutual fund investments must be made~~
61.29 ~~directly with the main sales office of the fund.~~

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

62.1 Sec. 4. Minnesota Statutes 2022, section 118A.09, subdivision 3, is amended to read:

62.2 Subd. 3. **Funds.** (a) Qualifying governments may only invest under subdivision 2
 62.3 according to the limitations in this subdivision. A qualifying government under subdivision
 62.4 1, clause (1) or (2), may only invest its funds that are held for long-term capital plans
 62.5 authorized by the city council or county board, or long-term obligations of the qualifying
 62.6 government. Long-term obligations of the qualifying government include long-term capital
 62.7 plan reserves, funds held to offset long-term environmental exposure, other postemployment
 62.8 benefit liabilities, compensated absences, and other long-term obligations established by
 62.9 applicable accounting standards.

62.10 (b) Qualifying governments under subdivision 1, clause (1) or (2), may invest up to 15
 62.11 percent of the sum of:

62.12 (1) unassigned cash;

62.13 (2) cash equivalents;

62.14 (3) deposits; and

62.15 (4) investments.

62.16 ~~This (c) The calculation in paragraph (b) must be based on the qualifying government's~~
 62.17 ~~most recent audited statement of net position, which must be compliant and audited pursuant~~
 62.18 ~~to governmental accounting and auditing standards. Once the amount invested reaches 15~~
 62.19 ~~percent of the sum of unassigned cash, cash equivalents, deposits, and investments, no~~
 62.20 ~~further funds may be invested under this section; however, a qualifying government may~~
 62.21 ~~continue to manage the funds previously invested under this section even if the total amount~~
 62.22 ~~subsequently exceeds 15 percent of the sum of unassigned cash, cash equivalents, deposits,~~
 62.23 ~~and investments.~~

62.24 ~~(e) A qualified government under subdivision 1, clause (3), may invest up to the lesser~~
 62.25 ~~of:~~

62.26 ~~(1) 15 percent of the sum of its cash, cash equivalents, deposits, and investments; or~~

62.27 ~~(2) 25 percent of its net assets as reported on the pool's most recent audited statement~~
 62.28 ~~of net position, which must be compliant and audited pursuant to governmental accounting~~
 62.29 ~~and auditing standards.~~

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

63.1 Sec. 5. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT**
63.2 **AUTHORITY.**

63.3 Subdivision 1. **Definition.** For the purposes of this section, "qualifying government"
63.4 means a self-insurance pool listed in section 471.982, subdivision 3.

63.5 Subd. 2. **Additional investment authority.** (a) A qualifying government may invest in
63.6 the securities specified in section 11A.24, with the exception of specific investments
63.7 authorized under section 11A.24, subdivision 6, paragraph (a), clauses (1) to (5).

63.8 (b) Investments authorized under this section are subject to the limitations under section
63.9 11A.24.

63.10 (c) A qualifying government may invest with the State Board of Investment subject to
63.11 the terms and minimum amounts adopted by the State Board of Investment.

63.12 Subd. 3. **Approval.** Before investing pursuant to this section, the governing body of a
63.13 qualifying government must adopt an investment policy pursuant to a resolution that includes
63.14 both of the following statements:

63.15 (1) the governing body understands that investments under this section have a risk of
63.16 loss; and

63.17 (2) the governing body understands the type of funds that are being invested and the
63.18 specific investment itself.

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

63.20 Sec. 6. **[134.114] RAMSEY COUNTY LIBRARY ADVISORY BOARD.**

63.21 Subdivision 1. **Appointment.** The Ramsey County Board of Commissioners shall direct,
63.22 operate, and manage the suburban Ramsey County library system. The county board shall
63.23 appoint seven members to a suburban Ramsey County Library Advisory Board. All members
63.24 must reside in the suburban county library service area. The Ramsey County Library Advisory
63.25 Board shall replace the existing Ramsey County Library Board upon the effective date of
63.26 this section.

63.27 Subd. 2. **Powers and duties.** The Ramsey County Library Advisory Board shall provide
63.28 advice and make recommendations on matters pertaining to county library services. The
63.29 Ramsey County Library Advisory Board shall provide recommendations regarding integrated
63.30 county service delivery that impacts or is enhanced by library services. The county board
63.31 may delegate additional powers and duties to the Ramsey County Library Advisory Board.

64.1 **EFFECTIVE DATE.** This section is effective the day after the governing body of
64.2 Ramsey County and its chief clerical officer comply with Minnesota Statutes, section
64.3 645.021, subdivisions 2 and 3.

64.4 Sec. 7. **[134.115] ANOKA COUNTY LIBRARY ADVISORY BOARD.**

64.5 Subdivision 1. **Appointment.** The Anoka County Board of Commissioners shall direct,
64.6 operate, and manage the suburban Anoka County library system. The county board shall
64.7 appoint seven members to a suburban Anoka County Library Advisory Board. All members
64.8 must reside in the suburban county library service area. The Anoka County Library Advisory
64.9 Board shall replace the existing Anoka County Library Board upon the effective date of
64.10 this section.

64.11 Subd. 2. **Powers and duties.** The Anoka County Library Advisory Board shall provide
64.12 advice and make recommendations on matters pertaining to county library services. The
64.13 Anoka County Library Advisory Board shall provide recommendations regarding integrated
64.14 county service delivery that impacts or is enhanced by library services. The county board
64.15 may delegate additional powers and duties to the Anoka County Library Advisory Board.

64.16 **EFFECTIVE DATE.** This section is effective the day after the governing body of
64.17 Anoka County and its chief clerical officer comply with Minnesota Statutes, section 645.021,
64.18 subdivisions 2 and 3.

64.19 Sec. 8. Minnesota Statutes 2022, section 383B.145, is amended by adding a subdivision
64.20 to read:

64.21 Subd. 11. **Solicitations to small business enterprises or veteran-owned small**
64.22 **businesses.** Notwithstanding the contract threshold of section 471.345, subdivision 4, a
64.23 contract, as defined in section 471.345, subdivision 2, estimated not to exceed \$500,000
64.24 may be made pursuant to the provisions of section 471.345, subdivision 4, provided that a
64.25 business that is directly solicited is certified as either: (1) a small business enterprise; or (2)
64.26 a small business that is majority-owned and operated by a veteran or a service-disabled
64.27 veteran.

64.28 Sec. 9. **[383B.1587] CONSTRUCTION MANAGER AT RISK.**

64.29 Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in this
64.30 subdivision have the meanings given them.

64.31 (b) "Construction manager at risk" means a person who is selected by the county to act
64.32 as a construction manager to manage the construction process, including but not limited to

65.1 responsibility for the price, schedule, and workmanship of the construction performed
65.2 according to the procedures in this section.

65.3 (c) "Construction manager at risk contract" means a contract for construction of a project
65.4 between a construction manager at risk and the county, which shall include a guaranteed
65.5 maximum price, construction schedule, and workmanship of the construction performed.

65.6 (d) "Guaranteed maximum price" means the maximum amount that a construction
65.7 manager at risk is paid pursuant to a contract to perform a defined scope of work.

65.8 (e) "Guaranteed maximum price contract" means a contract under which a construction
65.9 manager or subcontractor is paid on the basis of the actual cost to perform the work specified
65.10 in the contract plus an amount for overhead and profit, the sum of which must not exceed
65.11 the guaranteed maximum price in the contract.

65.12 (f) "Past performance" or "experience" does not include the exercise or assertion of a
65.13 person's legal rights.

65.14 (g) "Person" means an individual, corporation, partnership, association, or other legal
65.15 entity.

65.16 (h) "Project" means an undertaking to construct, alter, or enlarge a building, structure,
65.17 or other improvement, except a highway or bridge, by or for the county.

65.18 (i) "Request for proposals" means the document or publication soliciting proposals for
65.19 a construction manager at risk contract as provided in this section.

65.20 (j) "Request for qualifications" means the document or publication soliciting qualifications
65.21 for a construction manager at risk contract as provided in this section.

65.22 (k) "Trade contract work" means labor, materials, or equipment furnished by contractors
65.23 or vendors that are incorporated into the completed project or are major components of the
65.24 means of construction. Work performed by trade contractors involves specific portions of
65.25 the project, but not the entire project.

65.26 Subd. 2. **Authority.** Notwithstanding any other law to the contrary, the county may use
65.27 a construction manager at risk method of project delivery and award a construction manager
65.28 at risk contract based on the selection criteria described in this section.

65.29 Subd. 3. **Solicitation of qualifications.** (a) A request for qualifications must be prepared
65.30 for each construction manager at risk contract as provided in this section. The request for
65.31 qualifications must contain, at a minimum, the following elements:

66.1 (1) procedures for submitting qualifications, the criteria and subcriteria for evaluating
66.2 the qualifications and the relative weight for each criteria and subcriteria, and the procedures
66.3 for making awards in an open, competitive, and objective manner, applying a scoring or
66.4 trade-off evaluation method, including a reference to the requirements of this section;

66.5 (2) the proposed terms and conditions for the contract;

66.6 (3) the desired qualifications of the construction manager at risk;

66.7 (4) the schedule for commencement and completion of the project;

66.8 (5) any applicable budget limits for the project;

66.9 (6) the requirements for insurance and statutorily required performance and payment
66.10 bonds; and

66.11 (7) the identification and location of any other information in the possession or control
66.12 of the county that the county determines is material, including surveys, soils reports, drawings
66.13 or models of existing structures, environmental studies, photographs, or references to public
66.14 records.

66.15 (b) The request for qualifications criteria must not impose unnecessary conditions beyond
66.16 reasonable requirements to ensure maximum participation of construction managers at risk.
66.17 The criteria must not consider the collective bargaining status of the construction manager
66.18 at risk.

66.19 (c) The request for qualifications criteria may include a requirement that the proposer
66.20 include the cost for the proposer's services.

66.21 (d) Notice of requests for qualifications must be advertised in a manner designated by
66.22 the county.

66.23 **Subd. 4. Construction manager at risk selection process.** (a) In a construction manager
66.24 at risk selection process, the following applies:

66.25 (1) upon determining to utilize a construction manager at risk for a project, the county
66.26 shall create a selection committee composed of a minimum of three persons, at least one of
66.27 whom has construction industry expertise; and

66.28 (2) the county shall establish procedures for determining the appropriate content of a
66.29 request for qualifications, as provided in subdivision 3.

66.30 (b) In accordance with the criteria and procedures set forth in the request for
66.31 qualifications, the selection committee shall evaluate the experience of a proposer as a
66.32 construction manager at risk, including but not limited to capacity of key personnel, technical

67.1 competence, capability to perform, past performance of the firm and its employees, safety
67.2 record and compliance with state and federal law, availability to and familiarity with the
67.3 project locale, and other appropriate facts submitted by the proposer in response to the
67.4 request for qualifications.

67.5 (c) If the county receives fewer than three proposals from construction managers, the
67.6 county may:

67.7 (1) proceed as described in paragraph (d);

67.8 (2) solicit new proposals;

67.9 (3) revise the request for qualifications and then solicit new proposals using the revised
67.10 request for qualifications;

67.11 (4) select another allowed procurement method;

67.12 (5) proceed with a sole proposer if the county determines the construction manager at
67.13 risk marketplace is limited and the benefit of issuing a new solicitation is not practicable;
67.14 or

67.15 (6) reject all proposals.

67.16 (d) The selection committee shall review the qualification of each proposer. If there is
67.17 more than one proposer, the selection committee shall create a short list of two to five
67.18 proposers.

67.19 (e) The county shall issue a request for proposals requiring cost and other information
67.20 as desired from the short-listed proposers.

67.21 (f) The selection committee may conduct formal interviews with the short-listed proposers
67.22 but shall not disclose any proprietary or confidential information contained in one proposal
67.23 to another proposer, and shall rank the proposers by applying a scoring or trade-off evaluation
67.24 method. The scoring or trade-off evaluation method must be described in the request for
67.25 proposals.

67.26 Subd. 5. **Construction manager at risk contract.** (a) The county shall conduct contract
67.27 negotiations with the highest ranked proposer to reach agreement on the cost and terms of
67.28 the contract. If an agreement cannot be reached with the highest ranked proposer, the county
67.29 may begin negotiations with the next highest ranked proposer. The negotiation process
67.30 continues until an agreement is reached with a proposer or the county rejects all proposals.

67.31 (b) The construction manager at risk shall competitively bid all trade contract work for
67.32 the project from a list of qualified firms. The list of qualified firms may be limited to qualified

68.1 Small Business Enterprise and/or Disadvantaged Business Enterprise (SBE/DBE) firms,
68.2 subject to availability of such qualified SBE/DBE firms for the specific work. The list of
68.3 qualified firms must be based on an open, competitive, and objective prequalification process
68.4 in which the selection criteria, approved by the county, may include but is not limited to
68.5 the firm's experience as a constructor, including capacity of key personnel, technical
68.6 competence, capability to perform, past performance of the firm and its employees, safety
68.7 record and compliance with state and federal law, availability to and familiarity with the
68.8 project locale, SBE/DBE certification, and other considerations as defined by the construction
68.9 manager at risk and the county. The construction manager at risk and the county shall jointly
68.10 determine the composition of the list of qualified firms. With the county's approval, upon
68.11 request, the construction manager at risk may also submit bids for trade contract work if
68.12 the construction manager at risk does not participate in the county's review of the bids or
68.13 selection decision.

68.14 (c) The construction manager at risk and the county shall enter into a guaranteed
68.15 maximum price contract for the project.

68.16 **Sec. 10. [412.925] NATIVE LANDSCAPES.**

68.17 (a) A statutory city or home rule charter city shall allow an owner, authorized agent, or
68.18 authorized occupant of any privately owned lands or premises to install and maintain a
68.19 managed natural landscape. For purposes of this section, the following terms have the
68.20 meanings given:

68.21 (1) "managed natural landscape" means a planned, intentional, and maintained planting
68.22 of native or nonnative grasses, wildflowers, forbs, ferns, shrubs, or trees, including but not
68.23 limited to rain gardens, meadow vegetation, and ornamental plants. Managed natural
68.24 landscapes does not include turf-grass lawns left unattended for the purpose of returning to
68.25 a natural state;

68.26 (2) "meadow vegetation" means grasses and flowering broad-leaf plants that are native
68.27 to, or adapted to, the state of Minnesota, and that are commonly found in meadow and
68.28 prairie plant communities, not including noxious weeds. "Noxious weed" has the meaning
68.29 given in section 18.77, subdivision 8;

68.30 (3) "ornamental plants" means grasses, perennials, annuals, and groundcovers purposely
68.31 planted for aesthetic reasons;

69.1 (4) "rain garden" means a native plant garden that is designed not only to aesthetically
69.2 improve properties, but also to reduce the amount of stormwater and accompanying pollutants
69.3 from entering streams, lakes, and rivers; and

69.4 (5) "turf-grass lawn" means a lawn composed mostly of grasses commonly used in
69.5 regularly cut lawns or play areas, including but not limited to bluegrass, fescue, and ryegrass
69.6 blends, intended to be maintained at a height of no more than eight inches.

69.7 (b) Managed natural landscapes may include plants and grasses that are in excess of
69.8 eight inches in height and have gone to seed, but may not include any noxious weeds and
69.9 must be maintained.

69.10 (c) Except as part of a managed natural landscape as defined in this section, any weeds
69.11 or grasses growing upon any lot or parcel of land in a city to a greater height than eight
69.12 inches or that have gone or are about to go to seed are prohibited.

69.13 Sec. 11. Minnesota Statutes 2022, section 471.345, is amended by adding a subdivision
69.14 to read:

69.15 Subd. 3b. **Contracts over \$175,000; construction manager at risk alternative.** As an
69.16 alternative to the procurement methods described in subdivisions 3 and 3a, municipalities
69.17 may award a contract for construction, alteration, repair, or maintenance work to a
69.18 construction manager at risk as provided in section 471.463.

69.19 Sec. 12. **[471.463] CONSTRUCTION MANAGER AT RISK.**

69.20 Subdivision 1. **Definitions.** (a) For purposes of this section, the definitions in this
69.21 subdivision have the meanings given unless the context indicates otherwise.

69.22 (b) "Construction manager at risk" means a person who is selected by a municipality to
69.23 act as a construction manager to manage the construction process, including but not limited
69.24 to responsibility for the price, schedule, and workmanship of the construction performed
69.25 according to the procedures in this section.

69.26 (c) "Construction manager at risk contract" means a contract for construction of a project
69.27 between a construction manager at risk and a municipality, which shall include a guaranteed
69.28 maximum price, construction schedule, and workmanship of the construction performed.

69.29 (d) "Municipality" has the meaning given under section 471.345, subdivision 1.

70.1 Subd. 2. Solicitation of qualifications. (a) A municipality may accept written requests
70.2 for proposals for a construction manager at risk for its project. The written request for
70.3 proposals must include:

70.4 (1) a description of the project;

70.5 (2) the estimated cost of completing the project;

70.6 (3) a description of any special requirements or unique features of the proposed project;
70.7 and

70.8 (4) other information which will assist the municipality in carrying out its duties and
70.9 responsibilities set forth in this section.

70.10 (b) A municipality may include in the request for qualifications criteria a requirement
70.11 that the proposer include the overhead and fee that the construction manager at risk proposes
70.12 to charge for its services.

70.13 (c) A municipality shall prepare a request for qualifications for each construction manager
70.14 at risk contract as provided in this section. The request for qualifications shall contain, at a
70.15 minimum, the information described in section 16C.34, subdivision 1, paragraph (c), clauses
70.16 (2) to (7) and (9), and any other information the municipality determines is material.

70.17 (d) Notice of requests for qualifications must be advertised in a manner designated by
70.18 the municipality.

70.19 Subd. 3. Construction manager at risk contract. A municipality shall comply with
70.20 the same procedures as the commissioner of administration under section 16C.34, subdivision
70.21 3, in construction manager at risk contracts.

70.22 Subd. 4. Exception. This section does not apply to contracts for construction, alteration,
70.23 repair, or maintenance work on any street, road, bridge, or highway.

70.24 EFFECTIVE DATE. This section is effective the day following final enactment and
70.25 applies to municipal construction manager at risk contracts solicited on or after that date.

70.26 Sec. 13. [471.585] MUNICIPAL HOTEL LICENSING.

70.27 (a) A statutory or home rule charter city or a town may adopt an ordinance requiring
70.28 hotels operating within the boundaries of the city or town to have a valid license issued by
70.29 the city or town. A fee for a license under this section may not exceed \$150.

71.1 (b) An ordinance adopted under this section is limited to requiring compliance with state
 71.2 and local laws as a condition of licensure. No other licensing conditions or requirements
 71.3 are permitted.

71.4 (c) A city or town that has adopted an ordinance under this section may refuse to issue
 71.5 a license, or may revoke an existing license, if the hotel fails to comply with the conditions
 71.6 of the license.

71.7 Sec. 14. Minnesota Statutes 2022, section 473.606, subdivision 5, is amended to read:

71.8 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation
 71.9 shall have the power to appoint engineers and other consultants, attorneys, and such other
 71.10 officers, agents, and employees as it may see fit, who shall perform such duties and receive
 71.11 such compensation as the corporation may determine ~~notwithstanding the provisions of~~
 71.12 ~~section 43A.17, subdivision 9,~~ and be removable at the pleasure of the corporation. The
 71.13 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate
 71.14 agency or office of the state for review and approval. The plan must include a yearly progress
 71.15 report to the agency or office. Whenever the corporation performs any work within the
 71.16 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled
 71.17 labor in the specifications or any contract for work within one of the cities, the rate of pay
 71.18 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that
 71.19 city.

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

71.21 Sec. 15. Minnesota Statutes 2022, section 473.704, subdivision 3, is amended to read:

71.22 Subd. 3. **Director; ~~to be entomologist.~~** It may employ and fix the duties and
 71.23 compensation of a director who shall develop the control programs of the district and shall
 71.24 supervise its execution; ~~such director shall be an entomologist.~~

71.25 Sec. 16. **REQUIRING CITIES TO REPORT BUILDINGS THAT DO NOT HAVE**
 71.26 **SPRINKLER SYSTEMS.**

71.27 (a) A city of the first or second class shall provide to the state fire marshal a list by June
 71.28 20, 2024, and an updated list by June 30, 2027, and June 30, 2032, of each residential
 71.29 building in the city that:

71.30 (1) has at least one story used for human occupancy that is 75 feet or more above the
 71.31 lowest level of fire department vehicle access;

72.1 (2) was not subject to a requirement to include a sprinkler system at the time the building
72.2 was constructed; and

72.3 (3) has not been retrofitted with a sprinkler system.

72.4 (b) The state fire marshal shall submit the lists within 60 days of the due dates under
72.5 paragraph (a) to the chairs and ranking minority members of the legislative committees with
72.6 jurisdiction over the State Building Code and the State Fire Code.

72.7 Sec. 17. **REPEALER.**

72.8 (a) Minnesota Statutes 2022, section 383B.143, subdivisions 2 and 3, are repealed.

72.9 (b) Minnesota Statutes 2022, section 43A.17, subdivision 9, is repealed.

72.10 **EFFECTIVE DATE.** Paragraph (b) is effective the day following final enactment.

72.11 **ARTICLE 4**

72.12 **MUNICIPAL BUILDING COMMISSION DISSOLUTION**

72.13 Section 1. **PREEMPTION.**

72.14 This article supersedes any other law, home rule charter provision, and city ordinance
72.15 to the contrary.

72.16 Sec. 2. **DEFINITIONS.**

72.17 (a) For the purposes of this article, the terms defined in this section have the meanings
72.18 given unless the context indicates otherwise.

72.19 (b) "City hall and courthouse" means the city hall building and courthouse owned by
72.20 the city of Minneapolis and Hennepin County and under the care and control of the Municipal
72.21 Building Commission pursuant to Minnesota Statutes, sections 383B.75 to 383B.754.

72.22 (c) "Dissolution date" means the day after the Municipal Building Commission, the city
72.23 of Minneapolis, and Hennepin County fully execute the transactional documents.

72.24 (d) "Municipal Building Commission" means the entity created by Minnesota Statutes,
72.25 section 383B.75.

72.26 (e) "Transactional documents" means the agreements and documents, including any real
72.27 estate ownership structure or joint powers agreement under Minnesota Statutes, section
72.28 471.59, needed to effectuate the efficient dissolution of the Municipal Building Commission
72.29 pursuant to this act.

73.1 Sec. 3. **TRANSFER OF ASSETS.**

73.2 Notwithstanding any other law to the contrary, the transaction documents shall provide
73.3 for the transfer of all assets of the Municipal Building Commission, including but not limited
73.4 to all furniture, fixtures, equipment, and other personal property of the Municipal Building
73.5 Commission to the city of Minneapolis or other legal entity as necessary and appropriate
73.6 for the use of the assets in the ongoing operation and management of the city hall and
73.7 courthouse.

73.8 Sec. 4. **MUNICIPAL BUILDING COMMISSION DISSOLUTION.**

73.9 (a) Notwithstanding any other law or home rule charter provision to the contrary, the
73.10 Municipal Building Commission and all its functions will be dissolved upon the dissolution
73.11 date.

73.12 (b) The transactional documents must include how the city of Minneapolis and Hennepin
73.13 County will manage the outstanding liabilities of the Municipal Building Commission that
73.14 exist as of the dissolution date.

73.15 Sec. 5. **TRANSACTIONAL DOCUMENTS; AGREEMENTS.**

73.16 (a) The Municipal Building Commission, city of Minneapolis, and Hennepin County
73.17 may execute transactional documents to effectuate the transfer of assets and dissolution
73.18 provided for in this article.

73.19 (b) The Municipal Building Commission, city of Minneapolis, and the representatives
73.20 of the Municipal Building Commission employees must reach an agreement addressing the
73.21 impact of a dissolution on employees before fully executing the transactional documents.

73.22 (c) The Municipal Building Commission, city of Minneapolis, and Hennepin County
73.23 must fully execute the transactional documents before the filing of a certificate of local
73.24 approval of this article.

73.25 Sec. 6. **REPEALER.**

73.26 Minnesota Statutes 2022, sections 383B.75; 383B.751; 383B.752; 383B.753; and
73.27 383B.754, are repealed.

74.1 **Sec. 7. EFFECTIVE DATE.**

74.2 This article is effective the day after the governing body of the city of Minneapolis and
74.3 its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2
74.4 and 3.

15.0395 INTERAGENCY AGREEMENTS AND INTRA-AGENCY TRANSFERS.

(a) By October 15, 2018, and annually thereafter, the head of each agency must provide reports to the chairs and ranking minority members of the legislative committees with jurisdiction over the department or agency's budget on:

(1) interagency agreements or service-level agreements and any renewals or extensions of existing interagency or service-level agreements with another agency if the cumulative value of those agreements is more than \$100,000 in the previous fiscal year; and

(2) transfers of appropriations between accounts within or between agencies, if the cumulative value of the transfers is more than \$100,000 in the previous fiscal year.

The report must include the statutory citation authorizing the agreement, transfer or dollar amount, purpose, and effective date of the agreement, the duration of the agreement, and a copy of the agreement.

(b) As used in this section, "agency" includes the departments of the state listed in section 15.01, a multimember state agency in the executive branch described in section 15.012, paragraph (a), the Department of Information Technology Services, and the Office of Higher Education.

16B.24 GENERAL AUTHORITY.

Subd. 13. **Electric vehicle charging.** The commissioner shall require that a user of a charging station located on the State Capitol complex used to charge a private electric vehicle pay an electric service fee. The commissioner shall set the electric service fee rate to cover the electricity costs for charging an electric vehicle and for the administrative costs associated with providing electric charging stations.

16E.0466 STATE AGENCY TECHNOLOGY PROJECTS.

Subd. 2. **Legislative report.** No later than October 1, 2017, and annually thereafter, the state chief information officer must submit a comprehensive project portfolio report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over state government finance on projects requiring consultation under subdivision 1. The report must itemize:

(1) each project presented to the office for consultation in the time since the last report;

(2) the information technology cost associated with the project, including the information technology cost as a percentage of the project's complete budget;

(3) the status of the information technology components of the project's development;

(4) the date the information technology components of the project are expected to be completed; and

(5) the projected costs for ongoing support and maintenance of the information technology components after the project is complete.

43A.17 SALARY LIMITS, RATES, RANGES AND EXCEPTIONS.

Subd. 9. **Political subdivision compensation limit.** (a) The salary and the value of all other forms of compensation of a person employed by a political subdivision of this state, excluding a school district, may not exceed 110 percent of the salary of the governor as set under section 15A.082, except as provided in this subdivision. For purposes of this subdivision, "political subdivision of this state" includes a statutory or home rule charter city, county, town, metropolitan or regional agency, or other political subdivision, but does not include a hospital, clinic, or health maintenance organization owned by such a governmental unit.

(b) Beginning in 2006, the limit in paragraph (a) must be adjusted annually in January. The limit must equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

(c) Deferred compensation and payroll allocations to purchase an individual annuity contract for an employee are included in determining the employee's salary. Other forms of compensation which must be included to determine an employee's total compensation are all other direct and indirect items of compensation which are not specifically excluded by this subdivision. Other forms of compensation which must not be included in a determination of an employee's total compensation for the purposes of this subdivision are:

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(1) employee benefits that are also provided for the majority of all other full-time employees of the political subdivision, vacation and sick leave allowances, health and dental insurance, disability insurance, term life insurance, and pension benefits or like benefits the cost of which is borne by the employee or which is not subject to tax as income under the Internal Revenue Code of 1986;

(2) dues paid to organizations that are of a civic, professional, educational, or governmental nature; and

(3) reimbursement for actual expenses incurred by the employee which the governing body determines to be directly related to the performance of job responsibilities, including any relocation expenses paid during the initial year of employment.

The value of other forms of compensation is the annual cost to the political subdivision for the provision of the compensation.

(d) The salary of a medical doctor or doctor of osteopathic medicine occupying a position that the governing body of the political subdivision has determined requires an M.D. or D.O. degree is excluded from the limitation in this subdivision.

(e) The commissioner may increase the limitation in this subdivision for a position that the commissioner has determined requires special expertise necessitating a higher salary to attract or retain a qualified person. The commissioner shall review each proposed increase giving due consideration to salary rates paid to other persons with similar responsibilities in the state and nation. The commissioner may not increase the limitation until the commissioner has presented the proposed increase to the Legislative Coordinating Commission and received the commission's recommendation on it. The recommendation is advisory only. If the commission does not give its recommendation on a proposed increase within 30 days from its receipt of the proposal, the commission is deemed to have made no recommendation. If the commissioner grants or granted an increase under this paragraph, the new limitation must be adjusted beginning in August 2005 and in each subsequent calendar year in January by the percentage increase equal to the percentage increase, if any, in the Consumer Price Index for all-urban consumers from October of the second prior year to October of the immediately prior year.

136F.03 CANDIDATE ADVISORY COUNCIL.

Subdivision 1. **Purpose.** A Candidate Advisory Council for the board shall assist the governor in determining criteria for, and identifying and recruiting qualified candidates for, nonstudent membership on the board.

Subd. 2. **Membership.** The advisory council consists of 24 members. Twelve members are appointed by the Subcommittee on Committees of the Committee on Rules and Administration of the senate. Twelve members are appointed by the speaker of the house. No more than one-third of the members appointed by each appointing authority may be current or former legislators. No more than two-thirds of the members appointed by each appointing authority may belong to the same political party; however, political activity or affiliation is not required for the appointment of a member. Geographical representation must be taken into consideration when making appointments. Section 15.0575 governs the advisory council, except that the members must be appointed to six-year terms.

Subd. 3. **Duties.** (a) The advisory council shall:

(1) develop a statement of the selection criteria to be applied and a description of the responsibilities and duties of a member of the board and shall distribute this to potential candidates; and

(2) for each position on the board, identify and recruit qualified candidates for the board, based on the background and experience of the candidates, and their potential for discharging the responsibilities of a member of the board.

(b) Selection criteria developed under this section must include the requirement that trustees represent diversity in geography, gender, race, occupation, and experience.

(c) Selection criteria developed under this section must also include the identification of the membership needs of the board for individual skills relevant to the governance of the Minnesota State Colleges and Universities and the needs for certain individual characteristics that include geographic location, gender, race, occupation, and experience.

Subd. 4. **Recommendations.** Except for seats filled under sections 136F.04 and 136F.045, the advisory council shall recommend at least two and not more than four candidates for each seat. By

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April 15 of each even-numbered year in which the governor makes appointments to the board, the advisory council shall submit its recommendations to the governor and to the chairs and ranking minority members of the legislative committees with primary jurisdiction over higher education policy and finance. The governor is not bound by these recommendations.

Subd. 5. **Support services.** The Legislative Coordinating Commission shall provide administrative and support services for the advisory council.

179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

(1) promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;

(2) assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;

(3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;

(4) educate the public and governmental entities on dispute resolution options; and

(5) promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:

(i) establishing criteria and procedures for identification and assessment of dispute resolution projects;

(ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;

(iii) forming multidisciplinary conflict resolution teams; and

(iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

179.91 GRANTS.

Subdivision 1. **Authority.** The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.

383B.143 CONTRACTS FOR PURCHASES.

Subd. 2. **Installment purchases.** The board may enter into agreements for installment purchases or lease purchases of equipment for periods not to exceed seven years. Authority therefor shall not be delegated. When the agreements have been entered into, the board shall make annual appropriations sufficient to pay the annual amount due under the agreements.

Subd. 3. **Agreement duration.** Agreements, other than installment purchase agreements or lease purchases, may be entered into by the board for a duration not to exceed seven years where performance thereunder so requires.

383B.75 MUNICIPAL BUILDING COMMISSION.

That from and after the first Monday in January, 1904, all of the completed portions of the Hennepin County and Minneapolis Courthouse and City Hall Building, erected pursuant to chapter 395 of the Special Laws of 1887, shall be under the exclusive care of a commission of four members, styled "the municipal building commission," which shall be constituted as follows: The chair of the Board of County Commissioners of Hennepin County, the mayor of the city of Minneapolis, a person appointed by the Board of County Commissioners of Hennepin County, who shall serve at its pleasure, and a person appointed by the city council of the city of Minneapolis, who shall serve at its pleasure. The chair of the Board of County Commissioners of Hennepin County shall be president of said commission, and the mayor of the city of Minneapolis, vice-president thereof. The person appointed by the Board of County Commissioners of Hennepin County shall be the secretary of said commission and as such shall keep the records and accounts thereof. The comptroller treasurer of the city of Minneapolis shall keep a correct account of the receipts and expenditures of the commission. The commission shall by resolution establish regular meeting dates.

383B.751 CARE AND CONTROL OF BUILDING.

The commission hereby created shall have the entire care and control of all of said courthouse and city hall building. It shall have power to assign unassigned rooms and space in any part of said building with entire control of any room or rooms in said building, and of all halls and corridors and of all boiler and machinery rooms. The commission in its discretion may reassign and reallocate occupied rooms or space therein provided that space already occupied may not be reassigned except after a hearing before said commission on written notice to the occupant or person in charge of such space; and the vote of three members of said commission shall govern as its final action after such hearing; provided further that any interested party may appeal from an adverse ruling of said commission to the district court, which court shall summarily decide the matter after a hearing thereon in the same manner as a civil case, and the determination of said matter by said court shall be final, provided that if the space in controversy is occupied or sought to be occupied by a district court judge or other district court official, that said final determination be made by a judge of the district court from a district other than that comprising Hennepin County, which other judge shall be selected by the governor upon request of the commission. When so determined and after being served with the court order the occupant or person in charge of such space or room shall remove therefrom in accordance with the terms of the order, and failing to do so, shall be deemed in contempt of court.

The commission shall also have the care and control of all engines, boilers, machinery, elevators and all mechanical and electrical appliances of every nature in said building. It shall cause all of the occupied portions of said building to be properly heated, lighted, cleaned and kept in repair for public use, with full authority to appoint any and all employees necessary to properly perform the duties hereby devolved upon such commission, with authority to fix the compensation of such employees. Persons employed by the municipal building commission on or before August 1, 1977, or thereafter, and having at least six months service, shall have tenure based on length of service. Promotions shall be filled from the eligible lists established and maintained by the Minneapolis civil service commission. No employee after six months continuous employment shall be removed or discharged except upon a majority vote of the members of the municipal building commission for cause, upon written charges and after an opportunity to be heard at a hearing conducted by the municipal building commission. The Minneapolis civil service rules relating to cause for removal shall govern. An employee removed for cause may appeal to district court, which decision shall be final.

Nothing herein contained shall be construed to interfere in any manner with the powers and duties of the courthouse and city hall commission engaged in completing and furnishing said building.

383B.752 EXPENSES; WARRANTS.

Said commission shall at the beginning of each calendar month render a detailed statement to the county auditor of Hennepin County and to the city controller of the city of Minneapolis, respectively, of all its expenses necessarily incurred for the purposes contemplated by sections 383B.75 to 383B.754 during the last preceding month in or with reference to portions of said building used or occupied by the county and by the city, respectively, including the proper portions of all expenses rendered for the common benefit of the county and city and properly chargeable to each of such municipalities; whereupon it shall become the duty of the proper officers of said county and of said city to forthwith draw warrants upon their respective treasurers, each for the amount of the account rendered against it by said commission, and it shall be the duty of the treasurer of said

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municipal building commission to forthwith pay to the parties properly entitled thereto the several amounts specified in said accounts rendered.

383B.753 EXCLUSIVE CONTROL.

From and after the first Monday in January, 1904, neither the Board of County Commissioners of Hennepin County, nor the city council of the city of Minneapolis shall have anything to do with the care of any portion of the courthouse and city hall building, nor shall they have anything to do with the control of any portions of said building not specifically assigned for official use.

383B.754 BUDGET DATE.

It shall be the duty of the municipal building commission to prepare a detailed statement of the estimated expenditures of such commission for the then ensuing year and transmit the same each year to the Board of County Commissioners of Hennepin County on the date specified by the board. The estimate shall specify what portion of the total expenditures of the commission shall be borne by the county and city, respectively, and it shall be the duty of the county commissioners to levy a tax at its proper meeting sufficient to meet the county share of the final statement of estimated expenditures. A like estimate shall be transmitted each year to the city council of the city of Minneapolis on the date specified by the council, and it shall be the duty of the city council to levy a tax at its proper meeting sufficient to meet the city's portion of the final statement of estimated expenditures. If the dates specified by the city and county are different, the commission shall transmit its budget estimate to both the city and the county on the earlier of the two dates. The commission shall submit a final statement of estimated expenditures ten days before the date Hennepin County and the city of Minneapolis are required to certify their tax levies.