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ARTICLE 2

STATE GOVERNMENT POLICY

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Section 1. Minnesota Statutes 2020, section 3.303, subdivision 6, is amended to read:

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

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

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ARTICLE 5

STATE GOVERNMENT OPERATIONS

Section 1. **[1.1466] STATE FOSSIL.**

Subdivision 1. **Designation.** Castoroides ohioensis, commonly known as the giant beaver, is designated as the official state fossil of the state of Minnesota.

Subd. 2. **Photograph.** A photograph of the giant beaver, approved by the commissioner of natural resources, shall be preserved and may be displayed in the Office of the Secretary of State.

Sec. 2. Minnesota Statutes 2020, section 3.303, subdivision 6, is amended to read:

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

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

Sec. 3. Minnesota Statutes 2020, section 3.8853, subdivision 4, is amended to read:

Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative Budget Office, the head or chief administrative officer of each department or agency of state government, including the supreme court, must promptly supply data ~~that are used to~~ used by the agency to prepare or necessary for the Legislative Budget Office to review or prepare a fiscal note, including data that are not public data under section 13.64 or other applicable law, unless there are federal laws or regulations that prohibit the provision of the not public data for this purpose. Not public data supplied under this subdivision may only be used by the Legislative Budget Office to review a department or agency's work in preparing a fiscal note and may not be used or disseminated for any other purpose, including use by or dissemination to a legislator or to any officer, department, agency, or committee within the legislative branch. Violation of this subdivision by the director or other staff of the Legislative Budget Office is cause for removal, suspension without pay, or immediate dismissal at the direction of the oversight commission.

39.1 Sec. 4. Minnesota Statutes 2020, section 3.8853, is amended by adding a subdivision to
39.2 read:

39.3 Subd. 4a. **Access to employees.** Upon request of the director of the Legislative Budget
39.4 Office, the head or chief administrative officer of each department or agency of state
39.5 government, including the supreme court, must permit reasonable access to employees with
39.6 subject matter expertise to assist the Legislative Budget Office prepare and review fiscal
39.7 notes or enacted legislation.

39.8 Sec. 5. Minnesota Statutes 2020, section 3.98, subdivision 1, is amended to read:

39.9 Subdivision 1. **Preparation; duties.** (a) The head or chief administrative officer of each
39.10 department or agency of the state government, including the supreme court, shall prepare
39.11 a fiscal note consistent with the standards and procedures adopted under section 3.8853, at
39.12 the request of the chair of the standing committee to which a bill has been referred, or the
39.13 chair of the house of representatives Ways and Means Committee, or the chair of the senate
39.14 Committee on Finance, and as assigned by the director of the Legislative Budget Office.
39.15 The Legislative Budget Office may prepare a fiscal note if an agency does not comply with
39.16 this subdivision.

39.17 (b) For purposes of this subdivision, "supreme court" includes all agencies, committees,
39.18 and commissions supervised or appointed by the state supreme court or the state court
39.19 administrator.

39.20 Sec. 6. **[8.011] PERFORMANCE OF LEGAL SERVICES.**

39.21 (a) Except as otherwise provided by law, all legal services of the Office of the Attorney
39.22 General shall be performed exclusively by:

39.23 (1) an employee of the office;

39.24 (2) an employee of another Minnesota governmental entity as may be provided by law;

39.25 or

39.26 (3) an employee of a federal governmental entity pursuant to an agreement between the
39.27 attorney general and the federal governmental entity.

39.28 Except as otherwise provided under this section, the sole source of compensation paid to
39.29 employees of the Office of the Attorney General for performing legal services on behalf of
39.30 the state shall be from the appropriations provided under this chapter or from an appropriation
39.31 by law. In a case in which the attorney general is authorized under law to contract with,
39.32 hire, or engage a person other than a person described in clauses (1), (2), or (3) to perform
40.1 legal services on behalf of the state, the sole consideration for the legal services shall be a
40.2 monetary amount bargained for in an arm's length transaction with the person and the
40.3 attorney general or another Minnesota governmental entity, and must state under what
40.4 authority the attorney general enters the contract.

13.23 Sec. 2. Minnesota Statutes 2020, section 9.031, subdivision 3, is amended to read:

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

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

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

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

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

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

14.7 (3) general obligation securities of any state other than the state and its agencies or local
14.8 government with taxing powers that is rated "A" or better by a national bond rating service,
14.9 or revenue obligation securities of any state other than the state and its agencies or local
14.10 government with taxing powers which is rated "AA" or better by a national bond rating
14.11 service;

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

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

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

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

40.5 (b) Only persons described in paragraph (a), clause (1), (2), or (3), shall perform legal
40.6 services on premises leased by the attorney general.

40.7 (c) Nothing in this section prohibits the attorney general from entering into a settlement
40.8 agreement with a defendant arising from a case litigated or prosecuted by a federal
40.9 governmental entity, local governmental entity, or an attorney general's office in another
40.10 state or a United States territory. Nothing in this section prohibits the attorney general from
40.11 employing and providing office space to an unpaid intern assisting in performing legal
40.12 services, provided that the intern does not possess a current license to practice law in
40.13 Minnesota, any other state or commonwealth, or any United States territory.

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

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

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

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

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

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

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

15.9 Sec. 3. Minnesota Statutes 2020, section 10.55, is amended to read:

15.10 **10.55 JUNETEENTH.**

15.11 (a) ~~The third Saturday in~~ June 19 of each year is designated Juneteenth in recognition
15.12 of the historical pronouncement of the abolition of slavery on June 19, 1865, when the
15.13 Emancipation Proclamation was said to have been first publicly read in Texas by Union
15.14 soldiers led by General Granger. The announcement came 2-1/2 years after President
15.15 Abraham Lincoln's Emancipation Proclamation and two months after General Lee's surrender
15.16 in April 1865. Juneteenth and emancipation celebrations have been commonplace in
15.17 Minnesota since 1889 as a result of community-based grassroots efforts.

15.18 (b) Each year the governor shall issue a proclamation honoring this observance and
15.19 recognizing the important contributions African-Americans have made to Minnesota's
15.20 communities, culture, and economy. The governor may also take any additional action
15.21 necessary to promote and encourage the observance of Juneteenth and public schools may
15.22 offer instruction and programs on the occasion.

15.23 Sec. 4. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to
15.24 read:

15.25 Subd. 5e. **Information and telecommunications technology systems and**
15.26 **services.** "Information and telecommunications technology systems and services" has the
15.27 meaning given in section 16E.03, subdivision 1, paragraph (b).

15.28 Sec. 5. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to
15.29 read:

15.30 Subd. 5f. **Local government.** "Local government" has the meaning given in Code of
15.31 Federal Regulations, title 44, section 206.2 (2012).

16.1 Sec. 6. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to
16.2 read:

16.3 Subd. 5g. **Cyber attack.** "Cyber attack" means the use of unauthorized or malicious
16.4 code on an information system, or the use of another digital mechanism such as a denial of
16.5 service or ransomware attack, to interrupt or disrupt the operations of an information system
16.6 or compromise the confidentiality, availability, or integrity of electronic data stored on,
16.7 processed by, or transiting an information system.

16.8 Sec. 7. Minnesota Statutes 2020, section 12.21, subdivision 2, is amended to read:

16.9 Subd. 2. **Cooperation.** In performing duties under this chapter, the governor may
16.10 cooperate with the federal government, with other states, with Canadian provinces, and with
16.11 private agencies, in all matters pertaining to the emergency management of this state and
16.12 of the nation, including but not limited to a physical or electronic attack on the state's
16.13 information and telecommunications technology infrastructure, systems, or services.

16.14 Sec. 8. Minnesota Statutes 2020, section 12.31, subdivision 2, is amended to read:

16.15 Subd. 2. **Declaration of peacetime emergency.** (a) The governor may declare a
16.16 peacetime emergency. A peacetime declaration of emergency may be declared only when
16.17 any of the following endangers life and property and local government resources are
16.18 inadequate to handle the situation:

16.19 (1) an act of nature;

16.20 (2) a technological failure or malfunction;

16.21 (3) a terrorist incident;

16.22 (4) a cyber attack, including a physical or electronic attack on the state's information
16.23 and telecommunications technology infrastructure, systems, or services;

16.24 (5) an industrial accident;

16.25 (6) a hazardous materials accident; or

16.26 ~~(7) a civil disturbance endangers life and property and local government resources are~~
16.27 ~~inadequate to handle the situation.~~

16.28 If the peacetime emergency occurs on Indian lands, the governor or state director of
16.29 emergency management shall consult with tribal authorities before the governor makes such
16.30 a declaration. Nothing in this section shall be construed to limit the governor's authority to
16.31 act without such consultation when the situation calls for prompt and timely action. When
17.1 the governor declares a peacetime emergency, the governor must immediately notify the
17.2 majority and minority leaders of the senate and the speaker and majority and minority leaders
17.3 of the house of representatives. A peacetime emergency must not be continued for more
17.4 than five days unless extended by resolution of the Executive Council up to 30 days. An
17.5 order, or proclamation declaring, continuing, or terminating an emergency must be given
17.6 prompt and general publicity and filed with the secretary of state.

17.7 (b) By majority vote of each house of the legislature, the legislature may terminate a
17.8 peacetime emergency extending beyond 30 days. If the governor determines a need to extend
17.9 the peacetime emergency declaration beyond 30 days and the legislature is not sitting in
17.10 session, the governor must issue a call immediately convening both houses of the legislature.
17.11 Nothing in this section limits the governor's authority over or command of the National
17.12 Guard as described in the Military Code, chapters 190 to 192A, and required by the
17.13 Minnesota Constitution, article V, section 3.

17.14 Sec. 9. Minnesota Statutes 2020, section 12.35, subdivision 4, is amended to read:

17.15 Subd. 4. **Reimbursement of other state.** When emergency management personnel of
17.16 another state render aid in Minnesota, including but not limited to aid provided from outside
17.17 Minnesota to assist with the response to a physical or electronic attack on the state's
17.18 information and telecommunications technology infrastructure, systems, or services, pursuant
17.19 to the orders of the governor of its home state, and upon the request of the governor of
17.20 Minnesota, this state shall reimburse the other state for (1) the compensation paid and actual
17.21 and necessary travel, subsistence, and maintenance expenses of the personnel of the other
17.22 state while rendering aid as emergency management personnel, (2) all payments for death,
17.23 disability, or injury of those personnel incurred in the course of rendering that aid, and (3)
17.24 all losses of or damage to supplies and equipment of the other state, or a governmental
17.25 subdivision of the other state, resulting from the rendering of aid; provided, that the laws
17.26 of the other state contain provisions substantially similar to this section.

17.27 Sec. 10. Minnesota Statutes 2020, section 12.36, is amended to read:

17.28 **12.36 GOVERNOR'S POWERS TO FAST PROVIDE EMERGENCY AID.**

17.29 (a) The governor, during an emergency or disaster and notwithstanding any other law,
17.30 may:

17.31 (1) enter into contracts and incur obligations necessary to combat the disaster by
17.32 protecting the health and safety of persons ~~and~~ the safety of property, and the safety of the

- 18.1 state's information and telecommunications technology infrastructure, systems, or services
18.2 and by providing emergency assistance to the victims of the disaster; and
- 18.3 (2) exercise the powers vested by this subdivision in the light of the exigencies of the
18.4 disaster without compliance with time-consuming procedures and formalities prescribed
18.5 by law pertaining to:
- 18.6 (i) the performance of public work;
18.7 (ii) entering into contract;
18.8 (iii) incurring of obligations;
18.9 (iv) employment of temporary workers;
18.10 (v) rental of equipment;
18.11 (vi) purchase of supplies and materials, for example, but not limited to, publication of
18.12 calls for bids;
18.13 (vii) provisions of the Civil Service Act and rules;
18.14 (viii) provisions relating to low bids; and
18.15 (ix) requirements for the budgeting and allotment of funds.
- 18.16 (b) All contracts must be in writing, executed on behalf of the state by the governor or
18.17 a person delegated by the governor in writing so to do, and must be promptly filed with the
18.18 commissioner of management and budget, who shall forthwith encumber funds appropriated
18.19 for the purposes of the contract for the full contract liability and certify thereon that the
18.20 encumbrance has been made.
- 18.21 Sec. 11. Minnesota Statutes 2020, section 13.04, subdivision 4, is amended to read:
- 18.22 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject
18.23 of the data may contest the accuracy or completeness of public or private data about
18.24 themselves.
- 18.25 (b) To exercise this right, an individual shall notify in writing the responsible authority
18.26 of the government entity that maintains the data, describing the nature of the disagreement.
- 18.27 (c) Upon receiving the notification from the data subject, the responsible authority shall
18.28 within 30 days either:
- 19.1 (1) correct the data found to be inaccurate or incomplete and attempt to notify past
19.2 recipients of inaccurate or incomplete data, including recipients named by the individual;
19.3 or
- 19.4 (2) notify the individual that the authority believes the data to be correct. If the challenged
19.5 data are determined to be accurate or complete, the responsible authority shall inform the
19.6 individual of the right to appeal the determination under this section within 60 days to the

19.7 commissioner. Data in dispute shall be disclosed only if the individual's statement of
19.8 disagreement is included with the disclosed data.

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

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

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

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

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

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

19.27 (g) After completing, correcting, or destroying successfully challenged data, a government
19.28 entity may retain a copy of the commissioner of administration's order issued under chapter
19.29 14 or, if no order were issued, a summary of the dispute between the parties that does not
19.30 contain any particulars of the successfully challenged data.

20.1 Sec. 12. Minnesota Statutes 2020, section 13.072, subdivision 1, is amended to read:

20.2 Subdivision 1. **Opinion; when required.** (a) Upon request of a government entity, the
20.3 commissioner may give a written opinion on any question relating to public access to
20.4 government data, rights of subjects of data, or classification of data under this chapter or
20.5 other Minnesota statutes governing government data practices. Upon request of any person
20.6 who disagrees with a determination regarding data practices made by a government entity,
20.7 the commissioner may give a written opinion regarding the person's rights as a subject of
20.8 government data or right to have access to government data.

20.9 (b) Upon request of a body subject to chapter 13D, the commissioner may give a written
20.10 opinion on any question relating to the body's duties under chapter 13D. Upon request of a
20.11 person who disagrees with the manner in which members of a governing body perform their
20.12 duties under chapter 13D, the commissioner may give a written opinion on compliance with
20.13 chapter 13D. ~~A governing body or person requesting an opinion under this paragraph must~~

20.14 ~~pay the commissioner a fee of \$200. Money received by the commissioner under this~~
20.15 ~~paragraph is appropriated to the commissioner for the purposes of this section.~~

20.16 (c) If the commissioner determines that no opinion will be issued, the commissioner
20.17 shall give the government entity or body subject to chapter 13D or person requesting the
20.18 opinion notice of the decision not to issue the opinion within five business days of receipt
20.19 of the request. Notice must be in writing. For notice by mail, the decision not to issue an
20.20 opinion is effective when placed with the United States Postal Service or with the central
20.21 mail system of the state. If this notice is not given, the commissioner shall issue an opinion
20.22 within ~~20~~ 50 days of receipt of the request.

20.23 (d) ~~For good cause and upon written notice to the person requesting the opinion, the~~
20.24 ~~commissioner may extend this deadline for one additional 30-day period. The notice must~~
20.25 ~~state the reason for extending the deadline.~~ The government entity or the members of a body
20.26 subject to chapter 13D must be provided a reasonable opportunity to explain the reasons
20.27 for its decision regarding the data or how they perform their duties under chapter 13D. The
20.28 commissioner or the government entity or body subject to chapter 13D may choose to give
20.29 notice to the subject of the data concerning the dispute regarding the data or compliance
20.30 with chapter 13D.

20.31 (e) This section does not apply to a determination made by the commissioner of health
20.32 under section 13.3805, subdivision 1, paragraph (b), or 144.6581.

20.33 (f) A written, numbered, and published opinion issued by the attorney general shall take
20.34 precedence over an opinion issued by the commissioner under this section.

40.14 Sec. 7. Minnesota Statutes 2020, section 13.64, subdivision 3, is amended to read:

40.15 Subd. 3. **Unofficial fiscal note.** (a) For purposes of this subdivision, "unofficial fiscal
40.16 note" means a fiscal note requested by or on behalf of a member of the legislature on draft
40.17 language for a bill that has not been introduced. Unofficial fiscal notes are public data unless
40.18 a classification under paragraph (b) applies.

40.19 (b) This paragraph applies if a request for an unofficial fiscal note is accompanied by a
40.20 directive from the requester that the data be classified under this ~~paragraph~~ subdivision.
40.21 Government data on the request, the bill draft, and the unofficial fiscal note are private data
40.22 on individuals or nonpublic data, ~~provided~~ except that the data are accessible to, and may
40.23 be disclosed by, the requester. If the proposed bill draft used to develop the unofficial fiscal
40.24 note or an updated version is subsequently used for an introduced bill, or any legislation,
40.25 including an amendment or a proposed bill, that any member of the legislature offers for
40.26 consideration by a legislative committee introduced as a bill, included in an introduced bill,
40.27 offered as an amendment, or otherwise distributed by the requester at a public meeting or
40.28 event, or if an unofficial fiscal note is distributed by the requester at a public meeting or
40.29 event, the fiscal note becomes public data.

40.30 (c) An agency must not share data that is classified under this subdivision as nonpublic
40.31 data or private data on individuals with another agency without authorization from the bill
40.32 author, as obtained from the director of the Legislative Budget Office. This paragraph
40.33 supersedes any authorization to share data with the commissioner of management and budget
40.34 under section 15.08 or 16A.06, subdivision 7, or other applicable law.

41.1 Sec. 8. Minnesota Statutes 2020, section 13.64, subdivision 4, is amended to read:

41.2 Subd. 4. **Fiscal note data must be shared with Legislative Budget Office.** A head or
41.3 chief administrative officer of a department or agency of the state government, including
41.4 the supreme court, must provide data that are used to prepare a fiscal note or for the
41.5 Legislative Budget Office to review the accuracy of fiscal notes on enacted legislation,
41.6 including data that are not public data under this section to the director of the Legislative
41.7 Budget Office upon the director's request and consistent with section 3.8853, subdivision
41.8 4, unless there are federal laws or regulations that prohibit the provision of the not public
41.9 data for this purpose. The data must be supplied according to any standards and procedures
41.10 adopted under section 3.8853, subdivision 3, including any standards and procedures
41.11 governing timeliness. Notwithstanding section 13.05, subdivision 9, a responsible authority
41.12 may not require the Legislative Budget Office to pay a cost for supplying data requested
41.13 under this subdivision.

41.14 Sec. 9. **[14.1271] LEGISLATIVE APPROVAL OF RULES BY REFERENCE TO**
41.15 **ANOTHER STATE.**

41.16 A proposed rule that includes or incorporates by reference a statute or rule of another
41.17 state must be submitted to the standing committee of the house of representatives and
41.18 standing committee of the senate with jurisdiction over the subject matter of the rule at least
41.19 90 days prior to the publication of the notice of intent to adopt the rule under section 14.22,
41.20 subdivision 1a; 14.389, subdivision 2; or 14.3895, subdivision 3; publication of a dual notice
41.21 under section 14.22, subdivision 2; or publication of a notice of hearing on a proposed rule
41.22 under section 14.14. The proposed rule may not be adopted until the rule is approved by a
41.23 law enacted during the legislative session that began after or is meeting when the proposed
41.24 rule is received.

41.25 Sec. 10. **[15.0561] CONSUMER CHOICE OF FUEL; RESTRICTIONS**
41.26 **PROHIBITED.**

41.27 (a) A state agency may not adopt rules that:

41.28 (1) restrict consumer choice in purchasing motorized equipment based on the equipment's
41.29 fuel source; or

41.30 (2) mandate retailer inventory of motorized equipment based on the equipment's fuel
41.31 source.

41.32 (b) For purposes of this section, "motorized equipment" means:

21.1 Sec. 13. Minnesota Statutes 2020, section 15A.0825, subdivision 1, is amended to read:

21.2 Subdivision 1. **Membership.** (a) The Legislative Salary Council consists of the following

21.3 members:

21.4 (1) one person, who is not a judge, from each congressional district, appointed by the

21.5 chief justice of the supreme court; and

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

21.7 (b) If Minnesota has an odd number of congressional districts, the governor and the chief

21.8 justice must each appoint an at-large member, in addition to a member from each

21.9 congressional district.

21.10 (c) One-half of the members appointed by the governor and one-half of the members

21.11 appointed by the chief justice must belong to the political party that has the most members

21.12 in the legislature. One-half of the members appointed by the governor and one-half of the

21.13 members appointed by the chief justice must belong to the political party that has the second

21.14 most members in the legislature.

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

21.16 (1) a current or former legislator, or the spouse of a current legislator;

21.17 (2) a current or former lobbyist registered under Minnesota law;

21.18 (3) a current employee of the legislature;

21.19 (4) a current or former judge; ~~or~~

21.20 (5) a current or former governor, lieutenant governor, attorney general, secretary of state,

21.21 or state auditor; or

21.22 (6) a current employee of an entity in the executive or judicial branch.

21.23 Sec. 14. Minnesota Statutes 2020, section 15A.0825, subdivision 2, is amended to read:

21.24 Subd. 2. **Initial appointment; convening authority; first meeting in odd-numbered**

21.25 **year.** Appointing authorities must make their ~~initial~~ appointments by January 2, 2017 after

42.1 (1) tools, including but not limited to generators, lawn mowers, pressure washers, chain

42.2 saws, leaf blowers, and weed trimmers;

42.3 (2) recreational vehicles, including but not limited to golf carts, motorcycles, off-highway

42.4 vehicles, snowmobiles, and watercraft;

42.5 (3) new or used passenger automobiles;

42.6 (4) farm equipment, as defined in section 325E.061; and

42.7 (5) medium and heavy duty trucks.

42.8 Sec. 11. Minnesota Statutes 2020, section 15A.0825, subdivision 1, is amended to read:

42.9 Subdivision 1. **Membership.** (a) The Legislative Salary Council consists of the following

42.10 members:

42.11 (1) one person, who is not a judge, from each congressional district, appointed by the

42.12 chief justice of the supreme court; and

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

42.14 (b) If Minnesota has an odd number of congressional districts, the governor and the chief

42.15 justice must each appoint an at-large member, in addition to a member from each

42.16 congressional district.

42.17 (c) One-half of the members appointed by the governor and one-half of the members

42.18 appointed by the chief justice must belong to the political party that has the most members

42.19 in the legislature. One-half of the members appointed by the governor and one-half of the

42.20 members appointed by the chief justice must belong to the political party that has the second

42.21 most members in the legislature.

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

42.23 (1) a current or former legislator, or the spouse of a current legislator;

42.24 (2) a current or former lobbyist registered under Minnesota law;

42.25 (3) a current employee of the legislature;

42.26 (4) a current or former judge; ~~or~~

42.27 (5) a current or former governor, lieutenant governor, attorney general, secretary of state,

42.28 or state auditor; or

42.29 (6) a current employee of an entity in the executive or judicial branch.

43.1 Sec. 12. Minnesota Statutes 2020, section 15A.0825, subdivision 2, is amended to read:

43.2 Subd. 2. **Initial appointment; convening authority; first meeting in odd-numbered**

43.3 **year.** Appointing authorities must make their ~~initial~~ appointments by January 2, 2017 after

21.26 ~~the first Monday in January and before January 15 in each odd-numbered year. The governor~~
 21.27 ~~shall designate one member to convene and chair the first meeting of the council. The first~~
 21.28 ~~meeting must be before January 15, 2017 25 of that year. At its first meeting, the council~~
 21.29 ~~must elect a chair from among its members. Members that reside in an even-numbered~~
 21.30 ~~congressional district serve a first term ending January 15, 2019. Members residing in an~~
 21.31 ~~odd-numbered congressional district serve a first term ending January 15, 2021.~~

22.1 Sec. 15. Minnesota Statutes 2020, section 15A.0825, subdivision 3, is amended to read:

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

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

22.10 **EFFECTIVE DATE.** This section is effective January 1, 2023.

22.11 Sec. 16. Minnesota Statutes 2020, section 16A.126, subdivision 1, is amended to read:

22.12 Subdivision 1. **Set rates.** The commissioner shall approve the rates an agency must pay
 22.13 to a revolving fund for services. Funds subject to this subdivision include, but are not limited
 22.14 to, the revolving funds established in sections 14.46; 14.53; 16B.2975, subdivision 4; 16B.48;
 22.15 16B.54; 16B.58; 16B.85; 16E.14; 43A.55; and 176.591; ~~and~~ the fund established in section
 22.16 43A.30; and the account established in section 16A.1286.

22.17 **EFFECTIVE DATE.** This section is effective July 1, 2024.

22.18 Sec. 17. Minnesota Statutes 2020, section 16A.1286, subdivision 2, is amended to read:

22.19 Subd. 2. **Billing procedures.** The commissioner may bill ~~up to \$10,000,000 in each~~
 22.20 ~~fiscal year for statewide systems services provided to state agencies, judicial branch agencies~~
 22.21 ~~in the executive, judicial, and legislative branches, the University of Minnesota, the~~
 22.22 ~~Minnesota State Colleges and Universities, and other entities. Each agency shall transfer~~
 22.23 ~~from agency operating appropriations to the statewide systems account the amount billed~~
 22.24 ~~by the commissioner. Billing policies and procedures related to statewide systems services~~
 22.25 ~~must be developed by the commissioner in consultation with the commissioners of~~
 22.26 ~~management and budget and administration, the University of Minnesota, and the Minnesota~~
 22.27 ~~State Colleges and Universities. The commissioner shall develop billing policies and~~
 22.28 ~~procedures.~~

22.29 **EFFECTIVE DATE.** This section is effective July 1, 2025.

43.4 ~~the first Monday in January and before January 15 in each odd-numbered year. The governor~~
 43.5 ~~shall designate one member to convene and chair the first meeting of the council. The first~~
 43.6 ~~meeting must be before January 15, 2017 25 of that year. At its first meeting, the council~~
 43.7 ~~must elect a chair from among its members. Members that reside in an even-numbered~~
 43.8 ~~congressional district serve a first term ending January 15, 2019. Members residing in an~~
 43.9 ~~odd-numbered congressional district serve a first term ending January 15, 2021.~~

43.10 Sec. 13. Minnesota Statutes 2020, section 15A.0825, subdivision 3, is amended to read:

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

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

43.19 **EFFECTIVE DATE.** This section is effective January 1, 2023.

23.1 Sec. 18. Minnesota Statutes 2020, section 16A.15, subdivision 3, is amended to read:

23.2 Subd. 3. **Allotment and encumbrance.** (a) A payment may not be made without prior

23.3 obligation. An obligation may not be incurred against any fund, allotment, or appropriation

23.4 unless the commissioner has certified a sufficient unencumbered balance or the accounting

23.5 system shows sufficient allotment or encumbrance balance in the fund, allotment, or

23.6 appropriation to meet it. The commissioner shall determine when the accounting system

23.7 may be used to incur obligations without the commissioner's certification of a sufficient

23.8 unencumbered balance. An expenditure or obligation authorized or incurred in violation of

23.9 this chapter is invalid and ineligible for payment until made valid. A payment made in

23.10 violation of this chapter is illegal. An employee authorizing or making the payment, or

23.11 taking part in it, and a person receiving any part of the payment, are jointly and severally

23.12 liable to the state for the amount paid or received. If an employee knowingly incurs an

23.13 obligation or authorizes or makes an expenditure in violation of this chapter or takes part

23.14 in the violation, the violation is just cause for the employee's removal by the appointing

23.15 authority or by the governor if an appointing authority other than the governor fails to do

23.16 so. In the latter case, the governor shall give notice of the violation and an opportunity to

23.17 be heard on it to the employee and to the appointing authority. A claim presented against

23.18 an appropriation without prior allotment or encumbrance may be made valid on investigation,

23.19 review, and approval by the agency head in accordance with the commissioner's policy, if

23.20 the services, materials, or supplies to be paid for were actually furnished in good faith

23.21 without collusion and without intent to defraud. The commissioner may then pay the claim

23.22 just as properly allotted and encumbered claims are paid.

23.23 (b) The commissioner may approve payment for materials and supplies in excess of the

23.24 obligation amount when increases are authorized by section 16C.03, subdivision 3.

23.25 (c) To minimize potential construction delay claims, an agency with a project funded

23.26 by a building appropriation may allow a consultant or contractor to proceed with

23.27 supplemental work within the limits of the appropriation before money is encumbered.

23.28 Under this circumstance, the agency may requisition funds and allow consultants or

23.29 contractors to expeditiously proceed with services or a construction sequence. While the

23.30 consultant or contractor is proceeding, the agency shall immediately act to encumber the

23.31 required funds.

43.20 Sec. 14. Minnesota Statutes 2020, section 16B.32, subdivision 1a, is amended to read:

43.21 Subd. 1a. **Onsite energy generation from renewable sources.** A state agency that

43.22 prepares a predesign for a new building must consider meeting at least two percent of the

43.23 energy needs of the building from renewable sources ~~located on the building site.~~ For

43.24 purposes of this subdivision, "renewable sources" are limited to wind and the sun. ~~The~~

43.25 ~~predesign must include an explicit cost and price analysis of complying with the two-percent~~

43.26 ~~requirement compared with the present and future costs of energy supplied by a public~~

43.27 ~~utility from a location away from the building site and the present and future costs of~~

23.32 Sec. 19. Minnesota Statutes 2020, section 16B.33, subdivision 1, is amended to read:

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

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

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

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

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

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

43.28 ~~controlling carbon emissions. If the analysis concludes that the building should not meet at~~
43.29 ~~least two percent of its energy needs from renewable sources located on the building site,~~
43.30 ~~the analysis must provide explicit reasons why not.~~ The building may not receive further
43.31 state appropriations for design or construction unless at least two percent of its energy needs
43.32 are designed to be met from renewable sources, unless the commissioner finds that the
44.1 reasons given by the agency for not meeting the two-percent requirement were supported
44.2 by evidence in the record.

44.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
44.4 applies to any new building project for which the predesign work is completed after the day
44.5 of enactment.

44.6 Sec. 15. Minnesota Statutes 2020, section 16B.325, subdivision 1, is amended to read:

44.7 Subdivision 1. **Development of sustainable building guidelines.** The Department of
44.8 Administration and the Department of Commerce, with the assistance of other agencies,
44.9 shall develop sustainable building design guidelines for all new state buildings by January
44.10 15, 2003, and for all major renovations of state buildings by February 1, 2009. The primary
44.11 objectives of these guidelines are to ensure that all new state buildings, and major renovations
44.12 of state buildings, initially exceed the state energy code, as established in Minnesota Rules,
44.13 chapter 7676, by at least 30 percent. The guidelines shall not require that renewable energy
44.14 sources be located on the building site.

44.15 **EFFECTIVE DATE.** This section is effective the day following final enactment and
44.16 applies to any new building project for which the predesign work is completed after the day
44.17 of enactment.

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

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

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

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

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

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

25.1 Sec. 20. Minnesota Statutes 2020, section 16B.33, subdivision 3, is amended to read:

25.2 Subd. 3. **Agencies must request designer.** (a) **Application.** Upon undertaking a project
25.3 with an estimated cost greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with
25.4 estimated fees greater than ~~\$200,000~~ \$400,000, every user agency, except the Capitol Area
25.5 Architectural and Planning Board, shall submit a written request for a primary designer for
25.6 its project to the commissioner, who shall forward the request to the board. The University
25.7 of Minnesota and the Minnesota State Colleges and Universities shall follow the process
25.8 in subdivision 3a to select designers for their projects. The written request must include a
25.9 description of the project, the estimated cost of completing the project, a description of any
25.10 special requirements or unique features of the proposed project, and other information which
25.11 will assist the board in carrying out its duties and responsibilities set forth in this section.

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

25.17 (c) **Fee limit reached after designer selected.** If a project initially estimated to be below
25.18 the cost and planning fee limits of this subdivision has its cost or planning fees revised so

25.19 that the limits are exceeded, the project must be referred to the board for designer selection
25.20 even if a primary designer has already been selected. In this event, the board may, without
25.21 conducting interviews, elect to retain the previously selected designer if it determines that
25.22 the interests of the state are best served by that decision and shall notify the commissioner
25.23 of its determination.

25.24 Sec. 21. Minnesota Statutes 2020, section 16B.33, subdivision 3a, is amended to read:

25.25 Subd. 3a. **Higher education projects.** (a) When the University of Minnesota or the
25.26 Minnesota State Colleges and Universities undertakes a project involving construction or
25.27 major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost
25.28 greater than ~~\$2,000,000~~ \$4,000,000 or a planning project with estimated fees greater than
25.29 ~~\$200,000~~ \$400,000, the system shall submit a written request for a primary designer to the
25.30 commissioner, as provided in subdivision 3.

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

26.1 (c) For projects at the University of Minnesota or the State Colleges and Universities,
26.2 the board shall select at least two primary designers under subdivision 4 for recommendation
26.3 to the Board of Regents or the Board of Trustees. Meeting records or written evaluations
26.4 that document the final selection are public records. The Board of Regents or the Board of
26.5 Trustees shall notify the commissioner of the designer selected from the recommendations.

26.6 Sec. 22. Minnesota Statutes 2020, section 16B.33, is amended by adding a subdivision to
26.7 read:

26.8 Subd. 6. **Rate of inflation.** No later than December 31 of every fifth year starting in
26.9 2025, the commissioner shall determine the percentage increase in the rate of inflation, as
26.10 measured by the means quarterly construction cost index, during the four-year period
26.11 preceding that year. The thresholds in subdivisions 3, paragraph (a), and 3a, paragraph (a),
26.12 shall be increased by the percentage calculated by the commissioner to the nearest
26.13 ten-thousandth dollar.

26.14 Sec. 23. [16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

26.15 Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain
26.16 the Office of Collaboration and Dispute Resolution, formerly codified in sections 179.90
26.17 and 179.91 within the Department of Administration. The office must:

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

- 26.21 (2) promote and utilize collaborative dispute resolution models and processes based on
26.22 documented best practices, including but not limited to:
- 26.23 (i) establishing criteria and procedures for identifying and assessing collaborative dispute
26.24 resolution projects;
- 26.25 (ii) designing collaborative dispute resolution processes to foster trust, relationships,
26.26 mutual understanding, and consensus-based solutions;
- 26.27 (iii) preparing and training participants; and
- 26.28 (iv) utilizing collaborative techniques, processes, and standards through facilitated
26.29 meetings to develop wise and durable solutions;
- 27.1 (3) support collaboration and dispute resolution in the public and private sector by
27.2 providing technical assistance and information on best practices and new developments in
27.3 dispute resolution options;
- 27.4 (4) promote the broad use of community mediation in the state;
- 27.5 (5) ensure that all areas of the state have access to services by providing grants to private
27.6 nonprofit entities certified by the state court administrator under chapter 494 that assist in
27.7 resolution of disputes; and
- 27.8 (6) educate the public and government entities on collaboration, dispute resolution
27.9 options, and public engagement.
- 27.10 Subd. 2. **Grant applications; appropriation.** The commissioner may apply for and
27.11 receive money made available from federal, state, or other sources for the purposes of
27.12 carrying out the mission of the Office of Collaboration and Dispute Resolution. Funds
27.13 received under this subdivision are appropriated to the commissioner for their intended
27.14 purpose.
- 27.15 Subd. 3. **Grant awards.** The commissioner shall to the extent funds are appropriated
27.16 for this purpose make grants to private nonprofit community mediation entities certified by
27.17 the state court administrator under chapter 494 that assist in resolution of disputes. The
27.18 commissioner shall establish a grant review committee to assist in the review of grant
27.19 applications and the allocation of grants under this section.
- 27.20 Subd. 4. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization
27.21 must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).
- 27.22 Subd. 5. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to
27.23 comply with guidelines adopted by the state court administrator under section 494.015,
27.24 subdivision 1. Policies adopted under sections 16B.97 and 16B.98 apply to grants under
27.25 this section. The exclusions in section 494.03 apply to grants under this section.

27.26 Subd. 6. **Reporting.** Grantees must report data required under chapter 494 to evaluate
27.27 quality and outcomes.

27.28 Sec. 24. **[16B.372] OFFICE OF ENTERPRISE TRANSLATIONS.**

27.29 The commissioner shall establish an Office of Enterprise Translations. The office must:

27.30 (1) provide translation services for written material for state agencies;

27.31 (2) create and maintain language-specific landing web pages in Spanish, Hmong, and
27.32 Somali with links to translated materials at state agency websites; and

28.1 (3) serve as a resource to executive branch agencies in areas that include best practices
28.2 and standards for the translation of written materials.

28.3 Sec. 25. **[16B.3721] LANGUAGE ACCESS SERVICE ACCOUNT ESTABLISHED.**

28.4 The language access service account is created in the special revenue fund for reimbursing
28.5 state agencies for expenses incurred in providing language translation services.

44.18 Sec. 16. **[16B.971] GRANTS TO NONPROFIT ORGANIZATIONS.**

44.19 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the
44.20 meanings given.

44.21 (b) "Certified financial audit" means a review of an organization's financial statements,
44.22 fiscal policies, and control procedures by an independent third party to determine if the
44.23 statements fairly represent the organization's financial position and if organizational
44.24 procedures are in accordance with generally accepted accounting principles.

44.25 (c) "Fiscal agent" means the commissioner or head of the state agency responsible for
44.26 administering a grant.

44.27 (d) "Grant" means a grant or aid of state money from any source. This section does not
44.28 apply to:

44.29 (1) grants or aid to hospitals under chapter 144, nursing facilities under chapter 144A,
44.30 or assisted living facilities under chapter 144G;

44.31 (2) medical assistance and MinnesotaCare payments; or

45.1 (3) grants of general obligation proceeds for capital projects subject to section 16A.695,
45.2 and capital project grants to political subdivisions subject to section 16A.86.

45.3 (e) "Organization" means a nongovernmental organization that is tax exempt under the
45.4 Internal Revenue Code and is not a hospital licensed under chapter 144.

45.5 Subd. 2. **Requirements for eligibility.** For an organization to be eligible to receive a
45.6 grant, the organization that received more than 50 percent of revenue from state funds in

- 45.7 the fiscal year preceding the organization's grant application to be eligible to receive a grant
45.8 must meet the following criteria:
- 45.9 (1) the organization must submit to the fiscal agent the relevant series Internal Revenue
45.10 Service Form 990 in each of the two years preceding the execution of a grant agreement;
- 45.11 (2) the organization must not have on its governing board a voting member who is an
45.12 employee of a state agency;
- 45.13 (3) the organization must submit to the fiscal agent certified financial audits of the most
45.14 recent two fiscal years preceding the grant application;
- 45.15 (4) officers and members of the governing board of the organization must not have been
45.16 convicted of any offense involving theft, fraud, embezzlement, or other misuse or
45.17 misappropriation of funds or property. The organization must submit to the agency results
45.18 of completed background checks on officers and members of the governing body of the
45.19 organization before an agency may enter into a grant agreement with the organization; and
- 45.20 (5) the organization must not compensate an officer or employee in an amount greater
45.21 than the governor's annual compensation in a 12-month period during the first fiscal year
45.22 beginning, during, or after the 12-month period or in the following fiscal year. Compensation
45.23 for purposes of this section includes salary, bonuses, the present value of stock options, the
45.24 value of employment benefits, employer contributions to retirement or deferred compensation
45.25 plans on behalf of the officer or employee, and any other compensation or benefit of value.
- 45.26 Subd. 3. **Notice to legislature of ineligibility.** If a grant has been awarded by law to a
45.27 specified organization that the commissioner determines is ineligible to receive the grant
45.28 under subdivision 2, the commissioner must promptly report that determination to the chair
45.29 of the committee on finance in the senate and the chair of the committee on ways and means
45.30 in the house of representatives.
- 45.31 Subd. 4. **Grant application.** (a) A fiscal agent administering a grant program must
45.32 require the following information as part of a grant application:
- 45.33 (1) the purpose of the grant, including goals, priorities, and measurable outcomes;
- 46.1 (2) eligibility requirements for individuals who will be served by the grant program;
- 46.2 (3) the proposed geographic service areas for individuals served by the grant;
- 46.3 (4) the reporting requirements; and
- 46.4 (5) certification that the applicant is eligible under subdivisions 2 and 3 to receive a
46.5 grant.
- 46.6 These requirements are in addition to any requirements under existing laws and policies.

46.7 (b) An organization that is specifically identified in law to receive a grant must provide
46.8 the information in paragraph (a) to the commissioner of the fiscal agent for the grant before
46.9 the commissioner may execute the grant agreement.

46.10 Subd. 5. **Reporting on use of funds.** (a) Organizations must provide the following
46.11 information to the fiscal agent:

46.12 (1) a detailed accounting of the use of any grant proceeds;

46.13 (2) a description of program outcomes to date, including performance measured against
46.14 indicators specified in the grant agreement, including but not limited to job creation,
46.15 employment activity, wage information, business formation or expansion, and academic
46.16 performance; and

46.17 (3) the portion of the grant, if any, spent on the recipient's operating expenses.

46.18 Grant recipients must report the information required under this paragraph to the fiscal agent
46.19 within one year after receiving any portion of the grant, and annually thereafter, and within
46.20 30 days following the use of all funds provided under the grant.

46.21 (b) The fiscal agent for a grant to an organization must submit a report containing the
46.22 information provided by the grant recipients to the chairs and ranking minority members
46.23 of the legislative committees and budget divisions with jurisdiction over the agency serving
46.24 as fiscal agent for the grant. The report submitted under this section must also include the
46.25 commissioner's summary of the use of grant proceeds and an analysis of the grant recipients'
46.26 success in meeting the goals, priorities, and measurable outcomes specified for the grant.
46.27 An updated version of this report must be submitted on January 15 of each succeeding year
46.28 until January 15 in the year following the date when all of the grant funds have been spent.

46.29 Subd. 6. **Notice to legislature of fraud or abuse claims.** If the fiscal agent receives a
46.30 comment or concern about fraud or waste for a grant made by law to a specified organization,
46.31 the commissioner must promptly report the comment or concern to the chair of the committee
47.1 on finance in the senate and the chair of the committee on ways and means in the house of
47.2 representatives.

47.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
47.4 applies to grants appropriated by law after the effective date and to grant agreements executed
47.5 after the effective date.

47.6 Sec. 17. Minnesota Statutes 2020, section 16B.98, subdivision 8, is amended to read:

47.7 Subd. 8. **Audit.** (a) A grant agreement made by an executive agency must include an
47.8 audit clause that provides:

47.9 (1) that the books, records, documents, and accounting procedures and practices of the
47.10 grantee receiving a grant of more than \$500,000 are subject to examination by the granting
47.11 agency and either the legislative auditor or the state auditor, as appropriate, for a period of

28.6 Sec. 26. Minnesota Statutes 2020, section 16B.98, is amended by adding a subdivision to
28.7 read:

28.8 Subd. 12. **Grants administration.** It is the policy of the legislature to ensure that grant
28.9 activities and outcomes of programs and services funded by legislative appropriations are
28.10 administered by state agencies in accordance with this section and section 16B.97. Unless
28.11 amounts are otherwise appropriated for administrative costs, a state agency may retain up
28.12 to five percent of the amount appropriated to the agency for grants enacted by the legislature
28.13 and formula grants and up to ten percent for competitively awarded grants. This subdivision
28.14 applies to appropriations made for new grant programs enacted after the effective date of
28.15 this subdivision.

28.16 Sec. 27. Minnesota Statutes 2020, section 16C.10, subdivision 2, is amended to read:

28.17 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and
28.18 chapter 16B is not required in emergencies. In emergencies, the commissioner may make
28.19 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and
28.20 improvement of a state-owned publicly owned structure or may make or authorize an agency
28.21 to do so and may purchase, or may authorize an agency to purchase, any goods, services,

47.12 two years prior to the execution of the grant agreement for a grant and during the term of
47.13 the grant agreement; and

47.14 (2) that the books, records, documents, and accounting procedures and practices of the
47.15 grantee or other party that are relevant to the grant or transaction are subject to examination
47.16 by the granting agency and either the legislative auditor or the state auditor, as appropriate,
47.17 for a minimum of six years from the grant agreement end date, receipt and approval of all
47.18 final reports, or the required period of time to satisfy all state and program retention
47.19 requirements, whichever is later. If a grant agreement does not include an express audit
47.20 clause, the audit authority under this subdivision is implied.

47.21 (b) If a grant agreement does not include an express audit clause, the audit authority
47.22 under this subdivision is implied.

47.23 ~~(b)~~ (c) If the granting agency is a local unit of government, and the governing body of
47.24 the local unit of government requests that the state auditor examine the books, records,
47.25 documents, and accounting procedures and practices of the grantee or other party according
47.26 to this subdivision, the granting agency shall be liable for the cost of the examination. If
47.27 the granting agency is a local unit of government, and the grantee or other party requests
47.28 that the state auditor examine all books, records, documents, and accounting procedures
47.29 and practices related to the grant, the grantee or other party that requested the examination
47.30 shall be liable for the cost of the examination.

47.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and
47.32 applies to grants appropriated by law after the effective date and to grant agreements executed
47.33 after the effective date.

28.22 or utility services directly for immediate use. This provision applies to projects conducted
28.23 by Minnesota State Colleges and Universities.

28.24 Sec. 28. Minnesota Statutes 2020, section 16C.32, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

29.16 (8) "construction manager at risk contract" means a contract for construction of a project
29.17 between a construction manager at risk and the commissioner, which contract shall include
29.18 a guaranteed maximum price, construction schedule, and workmanship of the construction
29.19 performed;

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

29.23 (10) "design and price-based proposal" means the proposal to be submitted by a
29.24 design-builder in the design and price-based selection process, as described in section
29.25 16C.33, which proposal meets the requirements of section 16C.33, subdivision 7, paragraph
29.26 (c), in such detail as required in the request for proposals;

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

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

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

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

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

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

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

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

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

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

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

30.28 (22) "request for proposals" means the document or publication soliciting proposals for
30.29 a design-build or construction manager at risk contract as provided in sections 16C.33 and
30.30 16C.34; and

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

31.3 Sec. 29. **[16E.35] COUNTY AND LOCAL CYBERSECURITY GRANTS.**

31.4 Subdivision 1. **Cybersecurity grant program established.** Minnesota IT Services may
31.5 make grants to political subdivisions to support addressing cybersecurity risks and
31.6 cybersecurity threats to information systems owned or operated by, or on behalf of, state,
31.7 local, or Tribal governments, as provided in section 70612 of Public Law 117-58.

31.8 Subd. 2. **Match requirement.** The political subdivision receiving a grant must provide
31.9 for the remainder of the costs of the project.

31.10 Subd. 3. **Criteria.** The department may set criteria for program priorities and standards
31.11 of review.

31.12 Sec. 30. Minnesota Statutes 2020, section 43A.01, subdivision 2, is amended to read:

31.13 Subd. 2. **Precedence of merit principles and nondiscrimination.** It is the policy of
31.14 this state to provide for equal employment opportunity consistent with chapter 363A by
31.15 ensuring that all personnel actions be based on the ability to perform the duties and
31.16 responsibilities assigned to the position without regard to age, race, creed or religion, color,
31.17 disability, sex, national origin, marital status, status with regard to public assistance, or
31.18 political affiliation. It is the policy of this state to take affirmative action to eliminate the
31.19 underutilization of qualified members of protected groups in the civil service, where such
31.20 action is not in conflict with other provisions of this chapter or chapter 179, in order to
31.21 correct imbalances and eliminate the ~~present~~ effects of ~~past~~ discrimination and support full
31.22 and equal participation in the social and economic life in the state. Managers and supervisors
31.23 that are responsible for hiring must be made aware of bias that can be present in the hiring
31.24 process.

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

31.28 Sec. 31. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
31.29 read:

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

32.1 Sec. 32. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
32.2 read:

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

32.6 Sec. 33. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
32.7 read:

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

32.14 Sec. 34. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to
32.15 read:

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

32.18 Sec. 35. Minnesota Statutes 2020, section 43A.04, subdivision 1a, is amended to read:

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

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

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

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

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

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

33.1 ~~(5)~~ (6) utilize constructive and cooperative labor-management practices to the extent
33.2 otherwise required by chapters 43A and 179A;

33.3 ~~(6)~~ (7) report to the legislature on the performance of agency operations and the
33.4 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
33.5 subdivision 1; ~~and~~

33.6 ~~(7)~~ (8) recommend to the legislature appropriate changes in law necessary to carry out
33.7 the mission and improve the performance of the department; and

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

33.11 Sec. 36. Minnesota Statutes 2020, section 43A.04, subdivision 4, is amended to read:

33.12 Subd. 4. **Administrative procedures.** The commissioner shall develop administrative
33.13 procedures, which are not subject to the rulemaking provisions of the Administrative
33.14 Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights
33.15 of or processes available to the general public. The commissioner may also adopt
33.16 administrative procedures, not subject to the Administrative Procedure Act, which concern
33.17 topics affecting the general public if those procedures concern only the internal management
33.18 of the department or other agencies and if those elements of the topics which affect the
33.19 general public are the subject of department rules.

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

33.24 (1) maintenance and administration of a plan of classification for all positions in the
33.25 classified service and for comparisons of unclassified positions with positions in the classified
33.26 service;

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

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

34.1 (4) maintenance and administration of employee performance appraisal, training and
34.2 other programs; and

34.3 (5) procedures for pilots of the reengineered employee selection process. Employment
34.4 provisions of this chapter, associated personnel rules adopted under subdivision 3, and
34.5 administrative procedures established under clauses (1) and (3) may be waived for the
34.6 purposes of these pilots. The pilots may affect the rights of and processes available to
34.7 members of the general public seeking employment in the classified service. The

34.8 commissioner will provide public notice of any pilot directly affecting the rights of and
34.9 processes available to the general public and make the administrative procedures available
34.10 for comment to the general public, agencies, employees, and appropriate exclusive
34.11 representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior
34.12 to implementation. The public notice must be provided in an accessible digital format under
34.13 section 16E.03. The process for providing comment shall include multiple formats to ensure
34.14 equal access, including via telephone, digital content, and e-mail.

34.15 Sec. 37. Minnesota Statutes 2020, section 43A.04, subdivision 7, is amended to read:

34.16 Subd. 7. **Reporting.** The commissioner shall issue a written report by February 1 and
34.17 August 1 of each year to the chair of the Legislative Coordinating Commission. The report
34.18 must list the number of appointments made under each of the categories in section 43A.15,
34.19 the number made to the classified service other than under section 43A.15, and the number
34.20 made under section 43A.08, subdivision 2a, during the six-month periods ending June 30
34.21 and December 31, respectively. The report must be posted online and must be accessible
34.22 under section 16E.03. The commissioner shall advertise these reports in multiple formats
34.23 to ensure broad dissemination.

34.24 Sec. 38. Minnesota Statutes 2020, section 43A.09, is amended to read:

34.25 **43A.09 RECRUITMENT.**

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

35.1 Sec. 39. Minnesota Statutes 2020, section 43A.10, subdivision 2a, is amended to read:

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

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

35.7 (2) the appointing authority shall enforce enforces the established minimum requirements
35.8 for application;

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

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

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

35.19 Sec. 40. Minnesota Statutes 2020, section 43A.10, subdivision 7, is amended to read:

35.20 Subd. 7. **Selection process accommodations.** Upon request, the commissioner or
35.21 appointing authority shall provide ~~selection process~~ reasonable accommodations to an
35.22 applicant with a disability that does not prevent performance of the duties of the position.
35.23 The accommodations must provide an opportunity to fairly assess the ability of the applicant
35.24 to perform the duties of the position notwithstanding the disability but must preserve, to the
35.25 extent feasible, the validity of the selection process and equitable comparison of results
35.26 with the results of competitors without qualified applicants with disabilities; to ensure full
35.27 participation in the selection process, including use of the accommodation fund under section
35.28 16B.4805 during the selection process. The commissioner must ensure that agencies are
35.29 made aware of the accommodation fund and its critical function of removing cost
35.30 considerations from interview selection decisions.

36.1 Sec. 41. Minnesota Statutes 2020, section 43A.14, is amended to read:

36.2 **43A.14 APPOINTMENTS.**

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

36.8 Sec. 42. Minnesota Statutes 2020, section 43A.15, subdivision 14, is amended to read:

36.9 Subd. 14. **700-hour on-the-job demonstration process and appointment**
36.10 **experience.** (a) The commissioner shall ~~establish~~ consult with the Department of Employment
36.11 and Economic Development's Vocational Rehabilitation Services and State Services for the
36.12 Blind and other disability experts in establishing, reviewing, and modifying the qualifying
36.13 procedures for applicants whose disabilities are of such a significant nature that the applicants
36.14 are unable to demonstrate their abilities in the selection process. The qualifying procedures
36.15 must consist of up to 700 hours on-the-job ~~trial work~~ demonstration experience. ~~Up to three~~
36.16 ~~persons with significant disabilities and their job coach may be allowed to demonstrate their~~
36.17 ~~job competence as a unit through the on-the-job trial work experience selection procedure.~~
36.18 ~~This~~ The 700-hour on-the-job demonstration process must be limited to applicants for whom
36.19 there is no reasonable accommodation in the selection process experience is an alternative,
36.20 noncompetitive hiring process for qualified applicants with disabilities. All permanent

36.21 executive branch classified positions are eligible for a 700-hour on-the-job demonstration
36.22 experience, and all permanent classified job postings must provide information regarding
36.23 the on-the-job demonstration overview and certification process.

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

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

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

37.7 (e) The commissioner or the commissioner's designee shall develop, administer, and
37.8 make public a formal grievance process for individuals in the 700-hour on-the-job
37.9 demonstration experience under this subdivision and supported work program under section
37.10 43A.421, subdivision 2.

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

37.16 Sec. 43. Minnesota Statutes 2020, section 43A.15, is amended by adding a subdivision to
37.17 read:

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

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

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

37.24 (3) the number of employees retained after one year in state employment;

37.25 (4) the number of employees with terminated appointments and the reason for termination;
37.26 (5) the average length of time in an on-the-job demonstration appointment;
37.27 (6) the number and category of entity certifications; and
37.28 (7) by department or agency, the number of appointments and hires and the number of
37.29 managers and supervisors trained.

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

38.3 (c) The commissioner must consult at least annually with the Department of Employment
38.4 and Economic Development's Vocational Rehabilitation Services and State Services for the
38.5 Blind, the Disability Agency Forum, and other disability experts to review the survey results,
38.6 assess program satisfaction, and recommend areas for continuous improvement.

38.7 (d) The commissioner shall annually develop and publish a report on the department's
38.8 website that includes the data described in paragraph (a), survey results described in
38.9 paragraph (b), and recommendations for continuous improvement described in paragraph
38.10 (c).

48.1 Sec. 18. Minnesota Statutes 2020, section 43A.17, is amended by adding a subdivision to
48.2 read:

48.3 Subd. 13. **Compensation for law enforcement officers.** (a) For purposes of this
48.4 subdivision, the term "law enforcement officers" means Minnesota State Patrol troopers,
48.5 Bureau of Criminal Apprehension agents, special agents in the gambling enforcement
48.6 division of the Department of Public Safety, conservation officers, Department of Corrections
48.7 fugitive specialists, and Department of Commerce insurance fraud specialists.

48.8 (b) When the commissioner of management and budget negotiates a collective bargaining
48.9 agreement establishing compensation for law enforcement officers, the commissioner must
48.10 consider compensation based on compensation data from the most recent salary and benefits
48.11 survey conducted pursuant to section 299D.03, subdivision 2a. Use of pattern bargaining
48.12 or suggesting compensation based on internal equity data constitutes bad faith in negotiations.

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

38.11 Sec. 44. Minnesota Statutes 2020, section 43A.183, subdivision 1, is amended to read:

38.12 Subdivision 1. **Payment required.** Each agency head shall pay to each eligible member
38.13 an amount equal to the person's salary differential for each month or portion of month that
38.14 the person is ordered to serve in active service.

38.15 This payment may be made only to a person for whom the amount in subdivision 2,
38.16 paragraph (b), clause (1), is greater than the amount in subdivision 2, paragraph (b), clause
38.17 (2). Payments must be made at the intervals at which the member received pay as a state
38.18 employee, except that any back pay due under this section may be paid as a lump sum.
38.19 Payment under this section must not extend beyond four years from the date the employee
38.20 reported for active service, plus any additional time the employee may be legally required
38.21 to serve. An eligible member may apply for the salary differential benefits authorized under
38.22 this section ~~prior to, during, or following the person's active service on or after May 29,~~
38.23 ~~2003~~ no later than two years after completion of active service. A copy of military orders
38.24 showing active service must be provided prior to payment.

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

38.26 Sec. 45. Minnesota Statutes 2020, section 43A.183, subdivision 2, is amended to read:

38.27 Subd. 2. **Definitions.** (a) The definitions in this subdivision apply to this section.

38.28 (b) "Salary differential" means the difference between:

38.29 (1) the person's monthly total gross earnings as an active state employee, ~~excluding any~~
38.30 ~~overtime pay received but including all other earnings,~~ averaged over the last three full
38.31 calendar months of the person's active state employment prior to reporting to active service,
38.32 and including any additional salary or earnings adjustments that the person would have
39.1 received at any time during the person's authorized leave from state employment had the
39.2 person been serving as an active state employee during that time; and

39.3 (2) the person's monthly base pay in active service.

39.4 (c) "Eligible member" means:

39.5 (1) any member of the National Guard or other reserve component of the United States
39.6 armed forces who was an employee of the state of Minnesota at the time the member took
39.7 military leave under section 192.261 to report for active military service; and

39.8 (2) any member of any other nonmilitary reserve component of the uniformed services
39.9 of the United States who was an employee of Minnesota at the time the member took properly
39.10 authorized leave from state employment under substantially comparable federal or state
39.11 authority ordering the person to report for federal or state active service.

39.12 (d) "State employee" means an employee of the executive, judicial, or legislative branch
39.13 of state government or an employee of the Minnesota State Retirement System, the Public
39.14 Employee Retirement Association, or the Teachers Retirement Association.

39.15 (e) "Active service" has the meaning given in section 190.05, subdivision 5, for military
39.16 members, and includes substantially comparable service for reserve members of other
39.17 nonmilitary components of the uniformed services of the United States, but excludes service
39.18 performed exclusively for purposes of:

39.19 (1) basic training, advanced individual training, annual training, and periodic inactive
39.20 duty training;

39.21 (2) special training periodically made available to reserve members;

39.22 (3) service performed in accordance with section 190.08, subdivision 3; and

39.23 (4) service performed as part of the active guard/reserve program pursuant to United
39.24 States Code, title 32, section 502(f), or other applicable authority, as well as substantially
39.25 comparable service by members of other nonmilitary components of the uniformed services
39.26 of the United States.

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

39.28 Sec. 46. Minnesota Statutes 2020, section 43A.19, subdivision 1, is amended to read:

39.29 Subdivision 1. **Statewide affirmative action program.** (a) To assure that positions in
39.30 the executive branch of the civil service are equally accessible to all qualified persons, and
39.31 to eliminate the ~~underutilization of qualified members of protected groups~~ effects of past
40.1 ~~and present discrimination, intended or unintended, on the basis of protected group status,~~
40.2 the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative
40.3 action program. The statewide affirmative action program must consist of at least the
40.4 following:

40.5 (1) objectives, goals, and policies;

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

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

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

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

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

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

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

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

40.26 (1) the extent of unemployment of members of protected classes in the recruiting area
40.27 population;

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

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

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

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

41.12 (f) Agency affirmative action plans, including reports and progress, must be posted on
41.13 the agency's public and internal websites within 30 days of being approved. The
41.14 commissioner of management and budget shall post a link to all executive branch
41.15 agency-approved affirmative action plans on its public website. Accessible copies of the
41.16 affirmative action plan must be available to all employees and members of the general public
41.17 upon request.

41.18 Sec. 47. Minnesota Statutes 2020, section 43A.191, is amended to read:

41.19 **43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.**

41.20 Subdivision 1. **Affirmative action officers.** (a) Each agency with 1,000 employees or
41.21 more shall have at least one full-time affirmative action officer, who shall have primary
41.22 responsibility for developing and maintaining the agency's affirmative action plan. The
41.23 officer shall devote full time to affirmative action activities. The affirmative action officer
41.24 shall report administratively and on policy issues directly to the agency head. Pursuant to

41.25 section 43A.08, subdivision 1a, clause (4), the affirmative action officer must not be an
41.26 unclassified employee.

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

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

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

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

42.7 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,
42.8 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United
42.9 States Code, title 29, section 794, as amended through December 31, 1984, which is section
42.10 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,
42.11 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501
42.12 to 514;

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

42.16 (3) provisions for funding reasonable accommodations; and

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

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

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

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

42.32 Subd. 2a. **Disability recruitment, hiring, and advancement.** (a) Each agency affirmative
42.33 action plan must include a section that provides sufficient assurances, procedures, and
43.1 commitments to provide adequate hiring, placement, and advancement opportunities for
43.2 individuals with disabilities at all levels of state employment. The criteria for this section
43.3 of the agency affirmative action plan must include a section on disability hiring and
43.4 advancement, including the provisions in this subdivision.

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

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

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

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

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

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

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

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

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

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

44.15 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on
44.16 affirmative action progress of each agency and the state as a whole to the governor and to
44.17 the Finance Committee of the senate, the Ways and Means Committee of the house of
44.18 representatives, the Governmental Operations Committees of both houses of the legislature,
44.19 and the Legislative Coordinating Commission. The report must include noncompetitive
44.20 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,
44.21 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.
44.22 The report must be made available to the public on the department's website.

44.23 (c) An agency that does not meet its hiring goals must justify its nonaffirmative action
44.24 hires in competitive appointments and noncompetitive appointments made under section
44.25 43A.08, subdivisions 1, clauses (9), (11), and (16), and 2a; and section 43A.15, subdivisions
44.26 3, 10, 12, and 13, according to criteria issued by the department of Management and Budget.
44.27 In addition, an agency shall:

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

44.30 (2) implement a coordinated retention plan; and

44.31 (3) have an established complaint resolution procedure.

44.32 (d) The commissioner shall develop reporting standards and procedures for measuring
44.33 compliance.

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

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

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

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

45.20 Sec. 48. Minnesota Statutes 2020, section 43A.21, subdivision 1, is amended to read:

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

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

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

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

45.30 Sec. 49. Minnesota Statutes 2020, section 43A.21, subdivision 2, is amended to read:

45.31 Subd. 2. **Responsibilities.** (a) The commissioner is responsible for developing and
45.32 coordinating consistent training policy which shall be binding on all state agencies in the
46.1 executive branch. The policies shall include conditions under which employees may receive
46.2 or be assigned to training; internships and work-training programs; minimum and maximum
46.3 training standards for employee participation and agency reporting requirements. At a
46.4 minimum, state employees must receive annual training on statutes or policies related to:

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

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

46.7 (3) equal opportunity employment; and

46.8 (4) digital accessibility standards.

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

46.13 Sec. 50. Minnesota Statutes 2020, section 43A.21, subdivision 3, is amended to read:

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

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

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

46.24 Sec. 51. Minnesota Statutes 2020, section 43A.21, is amended by adding a subdivision to
46.25 read:

46.26 Subd. 6. **Accessibility.** The commissioner is responsible for ensuring that all training
46.27 content and platforms meet the accessibility standards under section 16E.03, subdivisions
46.28 2, clause (3), and 9. Reasonable accommodations must be implemented in a timely and
46.29 appropriate manner to ensure that all state employees can participate in state-offered trainings.
46.30 All state employees, including ADA coordinators and human resources staff, must have the
46.31 training and resources to implement an accessible and inclusive workplace.

47.1 Sec. 52. Minnesota Statutes 2020, section 43A.36, subdivision 1, is amended to read:

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

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

47.13 (c) The head of each agency in the executive branch shall designate an agency personnel
47.14 officer. The agency personnel officer shall be accountable to the agency head for all personnel
47.15 functions prescribed by laws, rules, collective bargaining agreements, the commissioner
47.16 and the agency head. Except when otherwise prescribed by the agency head in a specific
47.17 instance, the personnel officer shall be assumed to be the authority accountable to the agency
47.18 head over any other officer or employee in the agency for personnel functions.

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

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

47.27 Sec. 53. Minnesota Statutes 2020, section 43A.421, is amended to read:

47.28 **43A.421 SUPPORTED WORK PROGRAM.**

47.29 Subdivision 1. **Program established.** ~~A total of 50 full-time~~ Active positions within
47.30 agencies of state government may be selected for inclusion for a supported work program
47.31 for persons with ~~severe~~ significant disabilities. A full-time position may be shared by up to
47.32 three persons with ~~severe~~ significant disabilities and their job coach. The job coach is not
47.33 a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision
48.1 14, unless the job coach holds another position within the scope of section 43A.02,
48.2 subdivision 21, or 179A.03, subdivision 14. All classified supported work job postings need
48.3 to link to the overview and application process for the supported work program.

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

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

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

48.13 Sec. 54. **[43A.431] AMERICANS WITH DISABILITIES ACT COORDINATORS.**

48.14 (a) Each state agency shall designate at least one ADA coordinator who is responsible
48.15 for implementation of Title I of the ADA, to advance the prohibition on discrimination
48.16 against qualified individuals with disabilities in job application procedures, hiring, firing,

48.17 advancement, compensation, job training and other terms, conditions, and privileges of
48.18 employment. The ADA coordinator must have demonstrated knowledge and experience in:

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

48.20 (2) workforce data analysis;

48.21 (3) disability employment laws and regulations; and

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

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

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

49.1 Sec. 55. Minnesota Statutes 2020, section 82.75, subdivision 8, is amended to read:

49.2 Subd. 8. **Accrued interest.** (a) Each broker shall maintain a pooled interest-bearing trust
49.3 account for deposit of client funds. The interest accruing on the trust account, less reasonable
49.4 transaction costs, must be paid to the ~~commissioner of management and budget~~ Minnesota
49.5 Housing Finance Agency for deposit in the housing trust fund account created under section
49.6 462A.201 unless otherwise specified pursuant to an expressed written agreement between
49.7 the parties to a transaction.

49.8 (b) For an account created under paragraph (a), each broker shall direct the financial
49.9 institution to:

49.10 (1) pay the interest, less reasonable transaction costs, computed in accordance with the
49.11 financial institution's standard accounting practice, at least quarterly, to the ~~commissioner~~
49.12 ~~of management and budget~~ Minnesota Housing Finance Agency; and

49.13 (2) send a statement to the ~~commissioner of management and budget~~ Minnesota Housing
49.14 Finance Agency showing the name of the broker for whom the payment is made, the rate
49.15 of interest applied, the amount of service charges deducted, and the account balance for the
49.16 period in which the report is made.

49.17 The ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall
49.18 credit the amount collected under this subdivision to the housing trust fund account
49.19 established in section 462A.201.

49.20 (c) The financial institution must promptly notify the commissioner if a draft drawn on
49.21 the account is dishonored. A draft is not dishonored if a stop payment order is requested by
49.22 an issuer who has a good faith defense to payment on the draft.

49.23 **EFFECTIVE DATE.** This section is effective July 1, 2023.

48.16 Sec. 19. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

48.17 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air

48.18 quality by promoting, in the most practicable way possible, the use of energy sources and

48.19 waste disposal methods which produce or emit the least air contaminants consistent with

48.20 the agency's overall goal of reducing all forms of pollution. The agency shall also adopt

48.21 standards of air quality, not including maximum allowable standards of emission of air

48.22 contaminants from motor vehicles, recognizing that due to variable factors, no single standard

48.23 of purity of air is applicable to all areas of the state. In adopting standards the Pollution

48.24 Control Agency shall give due recognition to the fact that the quantity or characteristics of

48.25 air contaminants or the duration of their presence in the atmosphere, which may cause air

48.26 pollution in one area of the state, may cause less or not cause any air pollution in another

48.27 area of the state, and it shall take into consideration in this connection such factors, including

48.28 others which it may deem proper, as existing physical conditions, zoning classifications,

48.29 topography, prevailing wind directions and velocities, and the fact that a standard of air

48.30 quality which may be proper as to an essentially residential area of the state, may not be

48.31 proper as to a highly developed industrial area of the state. Such standards of air quality

48.32 shall be premised upon scientific knowledge of causes as well as effects based on technically

48.33 substantiated criteria and commonly accepted practices. No local government unit shall set

49.1 standards of air quality which are more stringent than those set by the Pollution Control

49.2 Agency.

49.3 (b) The Pollution Control Agency shall promote solid waste disposal control by

49.4 encouraging the updating of collection systems, elimination of open dumps, and

49.5 improvements in incinerator practices. The agency shall also adopt standards for the control

49.6 of the collection, transportation, storage, processing, and disposal of solid waste and sewage

49.7 sludge for the prevention and abatement of water, air, and land pollution, recognizing that

49.8 due to variable factors, no single standard of control is applicable to all areas of the state.

49.9 In adopting standards, the Pollution Control Agency shall give due recognition to the fact

49.10 that elements of control which may be reasonable and proper in densely populated areas of

49.11 the state may be unreasonable and improper in sparsely populated or remote areas of the

49.12 state, and it shall take into consideration in this connection such factors, including others

49.13 which it may deem proper, as existing physical conditions, topography, soils and geology,

49.14 climate, transportation, and land use. Such standards of control shall be premised on technical

49.15 criteria and commonly accepted practices.

49.16 (c) The Pollution Control Agency shall also adopt standards describing the maximum

49.17 levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere,

49.18 recognizing that due to variable factors no single standard of sound pressure is applicable

49.19 to all areas of the state. Such standards shall give due consideration to such factors as the

49.20 intensity of noises, the types of noises, the frequency with which noises recur, the time

49.21 period for which noises continue, the times of day during which noises occur, and such

49.22 other factors as could affect the extent to which noises may be injurious to human health
49.23 or welfare, animal or plant life, or property, or could interfere unreasonably with the
49.24 enjoyment of life or property. In adopting standards, the Pollution Control Agency shall
49.25 give due recognition to the fact that the quantity or characteristics of noise or the duration
49.26 of its presence in the outdoor atmosphere, which may cause noise pollution in one area of
49.27 the state, may cause less or not cause any noise pollution in another area of the state, and
49.28 it shall take into consideration in this connection such factors, including others which it
49.29 may deem proper, as existing physical conditions, zoning classifications, topography,
49.30 meteorological conditions and the fact that a standard which may be proper in an essentially
49.31 residential area of the state, may not be proper as to a highly developed industrial area of
49.32 the state. Such noise standards shall be premised upon scientific knowledge as well as effects
49.33 based on technically substantiated criteria and commonly accepted practices. No local
49.34 governing unit shall set standards describing the maximum levels of sound pressure which
49.35 are more stringent than those set by the Pollution Control Agency.

50.1 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous
50.2 waste and for the management, identification, labeling, classification, storage, collection,
50.3 transportation, processing, and disposal of hazardous waste, recognizing that due to variable
50.4 factors, a single standard of hazardous waste control may not be applicable to all areas of
50.5 the state. In adopting standards, the Pollution Control Agency shall recognize that elements
50.6 of control which may be reasonable and proper in densely populated areas of the state may
50.7 be unreasonable and improper in sparsely populated or remote areas of the state. The agency
50.8 shall consider existing physical conditions, topography, soils, and geology, climate,
50.9 transportation and land use. Standards of hazardous waste control shall be premised on
50.10 technical knowledge, and commonly accepted practices. Hazardous waste generator licenses
50.11 may be issued for a term not to exceed five years. No local government unit shall set
50.12 standards of hazardous waste control which are in conflict or inconsistent with those set by
50.13 the Pollution Control Agency.

50.14 (e) A person who generates less than 100 kilograms of hazardous waste per month is
50.15 exempt from the following agency hazardous waste rules:

50.16 (1) rules relating to transportation, manifesting, storage, and labeling for photographic
50.17 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

50.18 (2) any rule requiring the generator to send to the agency or commissioner a copy of
50.19 each manifest for the transportation of hazardous waste for off-site treatment, storage, or
50.20 disposal, except that counties within the metropolitan area may require generators to provide
50.21 manifests.

50.22 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site
50.23 accumulation or outdoor storage. A political subdivision or other local unit of government
50.24 may not adopt management requirements that are more restrictive than this paragraph.

49.24 Sec. 56. Minnesota Statutes 2020, section 118A.09, subdivision 1, is amended to read:

49.25 Subdivision 1. **Definition; qualifying government.** "Qualifying government" means:

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

49.27 (2) a county or statutory or home rule charter city ~~which had its most recently issued~~

49.28 ~~general obligation bonds rated in the highest category by a national bond rating agency,~~

49.29 whose most recent long-term, senior, general obligation rating by one or more national

49.30 rating organizations in the prior 18-month period is AA or higher; or

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

50.1 A county or statutory or home rule charter city with a population of 100,000 or less that is

50.2 a qualifying government, but ~~is subsequently rated less than the highest category by a~~

50.3 ~~national bond rating agency on a general obligation bond issue~~ does not meet the threshold

50.4 under clause (2), may not invest additional funds under this section but may continue to

50.5 manage funds previously invested under subdivision 2.

50.25 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,

50.26 solid waste, or hazardous waste under this chapter, or standards for water quality under

50.27 chapter 115, the statement of need and reasonableness must include:

50.28 (1) an assessment of any differences between the proposed rule and:

50.29 (i) existing federal standards adopted under the Clean Air Act, United States Code, title

50.30 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)

50.31 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title

50.32 42, section 6921(b)(1);

50.33 (ii) similar standards in states bordering Minnesota; and

51.1 (iii) similar standards in states within the Environmental Protection Agency Region 5;

51.2 and

51.3 (2) a specific analysis of the need and reasonableness of each difference.

51.4 Sec. 20. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to

51.5 read:

51.6 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must

51.7 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,

51.8 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive

51.9 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual

51.10 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted

51.11 according to the rulemaking process provided under chapter 14. If an unadopted rule is

51.12 challenged under section 14.381, the commissioner must cease enforcement of the unadopted

51.13 rule and overcome a presumption that the unadopted rule must be adopted according to the

51.14 rulemaking process provided under chapter 14.

51.15 Sec. 21. Minnesota Statutes 2020, section 118A.09, subdivision 1, is amended to read:

51.16 Subdivision 1. **Definition; qualifying government.** "Qualifying government" means:

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

51.18 (2) a county or statutory or home rule charter city ~~which had its most recently issued~~

51.19 ~~general obligation bonds rated in the highest category by a national bond rating agency,~~

51.20 whose most recent long-term, senior, general obligation rating by one or more national

51.21 rating organizations in the prior 18-month period is AA or higher; or

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

51.23 A county or statutory or home rule charter city with a population of 100,000 or less that is

51.24 a qualifying government, but ~~is subsequently rated less than the highest category by a~~

51.25 ~~national bond rating agency on a general obligation bond issue~~ does not meet the threshold

51.26 under clause (2), may not invest additional funds under this section but may continue to

51.27 manage funds previously invested under subdivision 2.

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

50.7 Sec. 57. Minnesota Statutes 2020, section 118A.09, subdivision 2, is amended to read:

50.8 Subd. 2. **Additional investment authority.** Qualifying governments may invest the

50.9 amount described in subdivision 3:

50.10 (1) in index mutual funds based in the United States and indexed to a broad market

50.11 United States equity index, on the condition that index mutual fund investments must be

50.12 made directly with the main sales office of the fund; or

50.13 (2) with the Minnesota State Board of Investment subject to such terms and minimum

50.14 amounts as may be adopted by the board. ~~Index mutual fund investments must be made~~

50.15 ~~directly with the main sales office of the fund.~~

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

50.17 Sec. 58. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT**

50.18 **AUTHORITY.**

50.19 Subdivision 1. **Definition.** For the purposes of this section, "qualifying government"

50.20 means a self-insurance pool formed under section 471.982.

50.21 Subd. 2. **Additional investment authority.** A qualifying government may invest in the

50.22 securities specified in section 11A.24.

50.23 Subd. 3. **Approval.** Before investing pursuant to this section, the governing body of a

50.24 qualifying government must adopt an investment policy pursuant to a resolution that includes

50.25 both of the following statements:

50.26 (1) the governing body understands that investments under this section have a risk of

50.27 loss; and

50.28 (2) the governing body understands the type of funds that are being invested and the

50.29 specific investment itself.

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

51.1 Sec. 59. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:

51.2 Subdivision 1. **Membership.** (a) The board consists of 15 members appointed by the

51.3 governor, including three members who are students who have attended an institution for

51.4 at least one year and are enrolled at the time of appointment at least half time in a degree,

51.5 diploma, or certificate program in an institution governed by the board. The student members

51.6 shall include one member from a community college, one member from a state university,

51.7 and one member from a technical college. One member representing labor must be appointed

51.8 after considering the recommendations made under section 136F.045. The governor is not

51.9 bound by the recommendations. Appointments to the board are with the advice and consent

51.10 of the senate. At least one member of the board must be a resident of each congressional

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

51.29 Sec. 22. Minnesota Statutes 2020, section 118A.09, subdivision 2, is amended to read:

51.30 Subd. 2. **Additional investment authority.** Qualifying governments may invest the

51.31 amount described in subdivision 3:

52.1 (1) in index mutual funds based in the United States and indexed to a broad market

52.2 United States equity index, on the condition that index mutual fund investments must be

52.3 made directly with the main sales office of the fund; or

52.4 (2) with the Minnesota State Board of Investment subject to such terms and minimum

52.5 amounts as may be adopted by the board. ~~Index mutual fund investments must be made~~

52.6 ~~directly with the main sales office of the fund.~~

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

52.8 Sec. 23. **[118A.10] SELF-INSURANCE POOLS; ADDITIONAL INVESTMENT**

52.9 **AUTHORITY.**

52.10 Subdivision 1. **Definition.** For the purposes of this section, "qualifying government"

52.11 means a self-insurance pool formed under section 471.982.

52.12 Subd. 2. **Additional investment authority.** A qualifying government may invest in the

52.13 securities specified in section 11A.24.

52.14 Subd. 3. **Approval.** Before investing pursuant to this section, the governing body of a

52.15 qualifying government must adopt an investment policy pursuant to a resolution that includes

52.16 both of the following statements:

52.17 (1) the governing body understands that investments under this section have a risk of

52.18 loss; and

52.19 (2) the governing body understands the type of funds that are being invested and the

52.20 specific investment itself.

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

52.22 Sec. 24. Minnesota Statutes 2020, section 136F.02, subdivision 1, is amended to read:

52.23 Subdivision 1. **Membership.** The board consists of 15 members appointed by the

52.24 governor, including three members who are students who have attended an institution for

52.25 at least one year and are enrolled at the time of appointment at least half time in a degree,

52.26 diploma, or certificate program in an institution governed by the board. The student members

52.27 shall include one member from a community college, one member from a state university,

52.28 and one member from a technical college. One member representing labor must be appointed

52.29 after considering the recommendations made under section 136F.045. The governor is not

52.30 bound by the recommendations. Appointments to the board are with the advice and consent

52.31 of the senate. At least one member of the board must be a resident of each congressional

51.11 district. All other members must be appointed to represent the state at large. In selecting
 51.12 appointees, the governor must consider the needs of the board and the balance of the board
 51.13 membership with respect to labor and business representation ~~and~~; racial, gender, geographic,
 51.14 and ethnic composition; and occupation and experience. In selecting appointees, the governor
 51.15 must consider the needs of the board for skills relevant to the governance of the Minnesota
 51.16 State Colleges and Universities and the candidate's ability to discharge the responsibilities
 51.17 of the board.

51.18 (b) A commissioner of a state agency may not serve as a member of the board.

51.19 Sec. 60. Minnesota Statutes 2020, section 138.081, subdivision 3, is amended to read:

51.20 Subd. 3. **Administration of federal act.** The ~~Department of Administration~~ Minnesota
 51.21 Historical Society is designated as the state agency to administer the provisions of the federal
 51.22 act providing for the preservation of historical and archaeological data, United States Code,
 51.23 title 46 54, ~~sections 469 to 469C~~ section 312501, as amended, insofar as the provisions of
 51.24 the act provide for implementation by the state.

51.25 Sec. 61. Minnesota Statutes 2020, section 138.665, subdivision 2, is amended to read:

51.26 Subd. 2. **Mediation; consultation.** The state, state departments, agencies, and political
 51.27 subdivisions, including the Board of Regents of the University of Minnesota, have a
 51.28 responsibility to protect the physical features and historic character of properties designated
 51.29 in sections 138.662 and 138.664 or listed on the National Register of Historic Places created
 51.30 by Public Law 89-665. Before carrying out any undertaking that will affect designated or
 51.31 listed properties, or funding or licensing an undertaking by other parties, the state department
 51.32 or agency shall consult with the State Historic Preservation Office pursuant to the ~~society's~~
 51.33 State Historic Preservation Office's established procedures to determine appropriate
 52.1 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
 52.2 listed properties. If the state department or agency and the State Historic Preservation Office
 52.3 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
 52.4 agree, any one of the parties may request that the governor appoint and convene a mediation
 52.5 task force consisting of five members, two appointed by the governor, the chair of the State
 52.6 Review Board of the State Historic Preservation Office, the commissioner of administration
 52.7 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
 52.8 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
 52.9 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
 52.10 training or experience in one or more of the following disciplines: (1) history; (2)
 52.11 archaeology; and (3) architectural history. The mediation task force is not subject to the
 52.12 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
 52.13 24, and section 138.664, subdivisions 8 and 111.

52.14 Sec. 62. Minnesota Statutes 2020, section 161.1419, subdivision 2, is amended to read:

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

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

53.1 district. All other members must be appointed to represent the state at large. In selecting
 53.2 appointees, the governor must consider the needs of the board and the balance of the board
 53.3 membership with respect to labor and business representation ~~and~~; racial, gender, geographic,
 53.4 and ethnic composition; and occupation and experience. In selecting appointees, the governor
 53.5 must consider the needs of the board for skills relevant to the governance of the Minnesota
 53.6 State Colleges and Universities and the candidate's ability to discharge the responsibilities
 53.7 of the board.

53.8 A commissioner of a state agency may not serve as a member of the board.

64.1 Sec. 49. Minnesota Statutes 2020, section 161.1419, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

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

52.25 commission after receiving recommendations from five citizen committees established by

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

52.27 within and representing each of the following geographic segments along the Mississippi

52.28 River:

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

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

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

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

53.2 (v) Hastings to the Iowa border.

53.3 Each citizen ~~committee~~ member shall be a resident of the geographic segment that the

53.4 ~~committee and~~ member represents.

53.5 (b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall

53.6 serve for a term expiring at the close of each regular session of the legislature and until their

53.7 successors are appointed.

53.8 (c) Successor members shall be appointed by the same appointing authorities. Members

53.9 may be reappointed. Any vacancy shall be filled by the appointing authority. The

53.10 commissioner of transportation, the commissioner of natural resources, and the director of

53.11 the Minnesota Historical Society shall be ex officio members, and shall be in addition to

53.12 the 15 members heretofore provided for. Immediately upon making the appointments to the

53.13 commission the appointing authorities shall so notify the Mississippi River Parkway

53.14 Commission, hereinafter called the National Commission, giving the names and addresses

53.15 of the members so appointed.

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

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

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

64.7 (5) one shall be appointed by the director of the Minnesota ~~Historical Society~~ State

64.8 Historic Preservation Office;

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

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

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

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

64.13 appointed under clauses (1) to (8) after receiving recommendations from five citizen

64.14 committees established by the members appointed under clauses (1) to (8), with each citizen

64.15 committee established within and representing each of the following geographic segments

64.16 along the Mississippi River:

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

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

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

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

64.21 (v) Hastings to the Iowa border.

64.22 Each citizen ~~committee~~ member shall be a resident of the geographic segment that the

64.23 ~~committee and~~ member represents.

64.24 (b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall

64.25 serve for a term expiring at the close of each regular session of the legislature and until their

64.26 successors are appointed.

64.27 (c) Successor members shall be appointed by the same appointing authorities. Members

64.28 may be reappointed. Any vacancy shall be filled by the appointing authority. The

64.29 commissioner of transportation, the commissioner of natural resources, and the director of

64.30 the Minnesota Historical Society shall be ex officio members, and shall be in addition to

65.1 the 15 members heretofore provided for. Immediately upon making the appointments to the

65.2 commission the appointing authorities shall so notify the Mississippi River Parkway

65.3 Commission, hereinafter called the National Commission, giving the names and addresses

65.4 of the members so appointed.

53.16 Sec. 63. Minnesota Statutes 2020, section 307.08, as amended by Laws 2021, chapter 31,
53.17 article 2, section 16, is amended to read:

53.18 **307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;**
53.19 **BURIALS; CEMETERIES; PENALTY; AUTHENTICATION.**

53.20 Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative
53.21 intent that all human burials, human remains, and human burial grounds shall be accorded
53.22 equal treatment and respect for human dignity without reference to their ethnic origins,
53.23 cultural backgrounds, or religious affiliations. The provisions of this section shall apply to
53.24 all human burials, human remains, or human burial grounds found on or in all public or
53.25 private lands or waters in Minnesota. Nothing in this section should be interpreted to conflict
53.26 with federal law, including the Native American Graves Protection and Repatriation Act

65.5 Sec. 50. Minnesota Statutes 2021 Supplement, section 240.131, subdivision 7, is amended
65.6 to read:

65.7 Subd. 7. **Payments to state.** (a) A regulatory fee is imposed at the rate of one percent
65.8 of all amounts wagered by Minnesota residents with an authorized advance deposit wagering
65.9 provider. The fee shall be declared on a form prescribed by the commission. The ADW
65.10 provider must pay the fee to the commission no more than 15 days after the end of the month
65.11 in which the wager was made. Fees collected under this paragraph must be deposited in the
65.12 state treasury and credited to a racing and card-playing regulation account in the special
65.13 revenue fund and are appropriated to the commission to offset the costs incurred by the
65.14 commission as described in section 240.30, subdivision 9, or the costs associated with
65.15 regulating horse racing and pari-mutuel wagering in Minnesota.

65.16 (b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all
65.17 amounts wagered by Minnesota residents with an authorized advance deposit wagering
65.18 provider. The fee shall be declared on a form prescribed by the commission. The ADW
65.19 provider must pay the fee to the commission no more than 15 days after the end of the month
65.20 in which the wager was made. Fees collected under this paragraph must be deposited in the
65.21 state treasury and credited to a racing and card-playing regulation account in the special
65.22 revenue fund and are appropriated to the commission to offset the cost of administering the
65.23 breeders fund, to support racehorse adoption, retirement, and repurposing, and promote
65.24 horse breeding in Minnesota.

65.25 **EFFECTIVE DATE.** This section is effective July 1, 2022.

65.26 Sec. 51. Minnesota Statutes 2020, section 299E.04, subdivision 5, is amended to read:

65.27 Subd. 5. **Expiration.** The advisory committee on Capitol Area Security expires June
65.28 30, ~~2022~~ 2036.

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

53.27 (NAGPRA), 25 United States Code 3001 et seq. and its implementing regulations, 43 Code
53.28 of Federal Regulations, part 10.

53.29 Subd. 2. **Felony; gross misdemeanor.** (a) A person who intentionally, willfully, and
53.30 knowingly does any of the following is guilty of a felony:

53.31 (1) destroys, mutilates, or injures human burials or human burial grounds; or

54.1 (2) without the consent of the appropriate authority, disturbs human burial grounds or
54.2 removes human remains.

54.3 (b) A person who, without the consent of the appropriate authority and the landowner,
54.4 intentionally, willfully, and knowingly does any of the following is guilty of a gross
54.5 misdemeanor:

54.6 (1) removes any tombstone, monument, or structure placed in any public or private
54.7 cemetery or authenticated human burial ground; or

54.8 (2) removes any fence, railing, or other work erected for protection or ornament, or any
54.9 tree, shrub, or plant or grave goods and artifacts within the limits of a public or private
54.10 cemetery or authenticated human burial ground; or

54.11 (3) discharges any firearms upon or over the grounds of any public or private cemetery
54.12 or authenticated burial ground.

54.13 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the
54.14 landowner, an authenticated or recorded human burial ground may be posted for protective
54.15 purposes every 75 feet around its perimeter with signs listing the activities prohibited by
54.16 subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian
54.17 affairs council in the case of American Indian burials or at the discretion of the state
54.18 archaeologist in the case of ~~non-Indian~~ non-American Indian burials. This subdivision does
54.19 not require posting of a burial ground. The size, description, location, and information on
54.20 the signs used for protective posting must be approved by the appropriate authority and the
54.21 landowner.

54.22 Subd. 3a. **Authentication.** The state archaeologist shall authenticate all burial grounds
54.23 for purposes of this section. The state archaeologist may retain the services of a qualified
54.24 professional archaeologist, a qualified physical anthropologist, or other appropriate experts
54.25 for the purpose of gathering information that the state archaeologist can use to authenticate
54.26 or identify burial grounds. If probable American Indian burial grounds are to be ~~disturbed~~
54.27 ~~or probable Indian remains~~ analyzed, investigated, or disturbed, the Indian Affairs Council
54.28 must approve the professional archaeologist, qualified anthropologist, or other appropriate
54.29 expert. Authentication is at the discretion of the state archaeologist based on the needs
54.30 identified in this section or upon request by an agency, a landowner, or other appropriate
54.31 authority. The state archaeologist shall implement and maintain a system of records

54.32 identifying the location of known, recorded, or suspected cemeteries. The state archaeologist
54.33 shall provide access to the records as provided in subdivision 11.

55.1 Subd. 5. ~~**Cost; use of data.**~~ The cost of authentication, recording, surveying, and marking
55.2 burial grounds and the cost of identification, analysis, rescue, and reburial of human remains
55.3 on public lands or waters shall be the responsibility of the state or political subdivision
55.4 controlling the lands or waters. On private lands or waters these costs shall be borne by the
55.5 state, but may be borne by the landowner upon mutual agreement with the state. ~~The state~~
55.6 ~~archaeologist must make the data collected for this activity available using standards adopted~~
55.7 ~~by the Department of Information Technology Services and geospatial technology standards~~
55.8 ~~and guidelines published by the Minnesota Geospatial Information Office. Costs associated~~
55.9 ~~with this data delivery must be borne by the state.~~

55.10 Subd. 7. **Remains found outside of recorded cemeteries.** (a) All unidentified human
55.11 remains or burials found outside of recorded cemeteries or unplatted graves or burials found
55.12 within recorded cemeteries and in contexts which indicate antiquity greater than 50 years
55.13 shall be treated with the utmost respect for all human dignity and dealt with according to
55.14 the provisions of this section.

55.15 (b) If such burials are not American Indian or their ethnic identity cannot be ascertained,
55.16 as determined by the state archaeologist, they shall be dealt with in accordance with
55.17 provisions established by the state archaeologist and other appropriate authority.

55.18 (c) If such burials are American Indian, as determined by the state archaeologist and
55.19 Indian Affairs Council, efforts shall be made ~~by the state archaeologist and the Indian Affairs~~
55.20 ~~Council to ascertain their tribal identity to follow procedures as defined in 25 United States~~
55.21 ~~Code 3001 et seq. and its implementing regulations, 43 Code of Federal Regulations, part~~
55.22 ~~10. If their probable tribal identity can be determined and the remains have been removed~~
55.23 ~~from their original context, such remains shall be turned over to contemporary tribal leaders~~
55.24 ~~for disposition. If tribal identity cannot be determined, the Indian remains must be dealt~~
55.25 ~~with in accordance with provisions established by the state archaeologist and the Indian~~
55.26 ~~Affairs Council if they are from public land. If removed Indian remains are from private~~
55.27 ~~land they shall be dealt with in accordance with provisions established by the Indian Affairs~~
55.28 ~~Council. If it is deemed desirable by the state archaeologist or the Indian Affairs Council,~~
55.29 ~~removed remains shall be studied in a timely and respectful manner by a qualified~~
55.30 ~~professional archaeologist or a qualified physical anthropologist before being delivered to~~
55.31 ~~tribal leaders or before being reburied. Application by a landowner for permission to develop~~
55.32 ~~or disturb nonburial areas within authenticated or recorded burial grounds shall be made to~~
55.33 ~~the state archaeologist and other appropriate authority in the case of non-Indian burials and~~
55.34 ~~to the Indian Affairs Council and other appropriate authority in the case of Indian burials.~~
56.1 Landowners with authenticated or suspected human burial grounds on their property are
56.2 obligated to inform prospective buyers of the burial ground.

56.3 Subd. 7a. **Landowner responsibilities.** (a) Application by a landowner for permission
56.4 to develop or disturb nonburial areas within authenticated or recorded burial grounds shall
56.5 be made to:

56.6 (1) the state archaeologist and other appropriate authority in the case of non-American
56.7 Indian burials; and

56.8 (2) the Indian Affairs Council and other appropriate authority in the case of American
56.9 Indian burials.

56.10 (b) Landowners with authenticated or suspected human burial grounds on their property
56.11 are obligated to inform prospective buyers of the burial ground.

56.12 Subd. 8. **Burial ground relocation.** No ~~non-Indian~~ non-American Indian burial ground
56.13 may be relocated without the consent of the appropriate authority. No American Indian
56.14 burial ground may be relocated unless the request to relocate is approved by the Indian
56.15 Affairs Council. When a burial ground is located on public lands or waters, any burial
56.16 relocations must be duly licensed under section 138.36 and the cost of removal is the
56.17 responsibility of and shall be paid by the state or political subdivision controlling the lands
56.18 or waters. If burial grounds are authenticated on private lands, efforts may be made by the
56.19 state to purchase and protect them instead of removing them to another location.

56.20 Subd. 9. **Interagency cooperation.** (a) The state archaeologist and the Indian Affairs
56.21 Council shall enter into a memorandum of understanding to coordinate their responsibilities
56.22 under this section.

56.23 (b) The Department of Natural Resources, the Department of Transportation, and all
56.24 other state agencies and local governmental units whose activities may be affected, shall
56.25 cooperate with the state archaeologist and the Indian Affairs Council to carry out the
56.26 provisions of this section.

56.27 Subd. 10. **Construction and development plan review.** When human burials are known
56.28 or suspected to exist, on public lands or waters, the state or political subdivision controlling
56.29 the lands or waters or, in the case of private lands, the landowner or developer, shall submit
56.30 construction and development plans to the state archaeologist for review prior to the time
56.31 ~~bids are advertised~~ development is proposed and prior to any disturbance within the burial
56.32 area. If the known or suspected burials are thought to be American Indian, plans shall also
56.33 be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs
57.1 Council shall review the plans within ~~30~~ 45 days of receipt and make recommendations for
57.2 the preservation in place or removal of the human burials or remains, which may be
57.3 endangered by construction or development activities.

57.4 Subd. 11. **Burial sites data.** (a) Burial sites ~~locational and related data maintained by~~
57.5 under the authority of the Office of the State Archaeologist and accessible through the
57.6 office's "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs
57.7 Council are security information for purposes of section 13.37. Persons who gain access to

57.8 ~~the~~ this data ~~maintained on the site~~ are subject to liability under section 13.08 and the penalty
57.9 established by section 13.09 if they improperly use or further disseminate the data.

57.10 Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for
57.11 the purpose of authenticating burial sites. The Indian Affairs Council or a designated
57.12 representative of the Indian Affairs Council may enter on property for the purpose of
57.13 assessing, identifying, or authenticating American Indian cemeteries. Only after obtaining
57.14 permission from the property owner or lessee, descendants of persons buried in burial
57.15 grounds covered by this section may enter the burial grounds for the purpose of conducting
57.16 religious or commemorative ceremonies. This right of entry must not unreasonably burden
57.17 property owners or unnecessarily restrict their use of the property.

57.18 Subd. 13. **Definitions.** As used in this section, the following terms have the meanings
57.19 given.

57.20 (a) "Abandoned cemetery" means a cemetery where the cemetery association has
57.21 disbanded or the cemetery is neglected and contains marked graves older than 50 years.

57.22 (b) "Appropriate authority" means:

57.23 (1) the trustees when the trustees have been legally defined to administer burial grounds;

57.24 (2) the Indian Affairs Council in the case of American Indian burial grounds lacking
57.25 trustees;

57.26 (3) the county board in the case of abandoned cemeteries under section 306.243; and

57.27 (4) the state archaeologist in the case of ~~non-Indian~~ non-American Indian burial grounds
57.28 lacking trustees or not officially defined as abandoned.

57.29 (c) "Artifacts" means natural or artificial articles, objects, implements, or other items of
57.30 archaeological interest.

57.31 (d) "Authenticate" means to establish the presence of or high potential of human burials
57.32 or human skeletal remains being located in a discrete area, delimit the boundaries of human
58.1 burial grounds or graves, and attempt to determine the ethnic, cultural, or religious affiliation
58.2 of individuals interred.

58.3 (e) "Burial" means the organic remnants of the human body that were intentionally
58.4 interred as part of a mortuary process.

58.5 (f) "Burial ground" means a discrete location that is known to contain or has high potential
58.6 to contain human remains based on physical evidence, historical records, or reliable informant
58.7 accounts.

58.8 (g) "Cemetery" means a discrete location that is known to contain or intended to be used
58.9 for the interment of human remains.

- 58.10 (h) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or setting
58.11 of a human burial or human burial ground.
- 58.12 (i) "Grave goods" means objects or artifacts directly associated with human burials or
58.13 human burial grounds that were placed as part of a mortuary ritual at the time of interment.
- 58.14 (j) "Human remains" means the ~~calcified portion of the human~~ body of a deceased person
58.15 ~~in whole or in part, regardless of the state of decomposition, not including isolated teeth;~~
58.16 ~~or cremated remains deposited in a container or discrete feature.~~
- 58.17 (k) "Identification" means to analyze organic materials to attempt to determine if they
58.18 represent human remains and to attempt to establish the ethnic, cultural, or religious
58.19 affiliations of such remains.
- 58.20 (l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker
58.21 in place or a legible sign identifying an area as a burial ground or cemetery.
- 58.22 (m) "Qualified physical anthropologist" means a specialist in identifying human remains
58.23 who holds an advanced degree in anthropology or a closely related field.
- 58.24 (n) "Qualified professional archaeologist" means an archaeologist who meets the United
58.25 States Secretary of the Interior's professional qualification standards in Code of Federal
58.26 Regulations, title 36, part 61, appendix A, or subsequent revisions.
- 58.27 (o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county
58.28 recorder's office.
- 58.29 (p) "State" or "the state" means the state of Minnesota or an agency or official of the
58.30 state acting in an official capacity.
- 58.31 (q) "Trustees" means the recognized representatives of the original incorporators, board
58.32 of directors, or cemetery association.

66.1 Sec. 52. Minnesota Statutes 2020, section 326A.09, is amended to read:

66.2 **326A.09 REINSTATEMENT.**

66.3 The board may reinstate a suspended, revoked, expired, or surrendered certificate,
66.4 registration, or permit or suspended, revoked, expired, or surrendered practice privileges
66.5 upon petition of the person or firm holding or formerly holding the registration, permit, or
66.6 certificate, or practice privileges. The board may, in its sole discretion, require that the
66.7 person or firm submit to the board evidence of having obtained up to 120 hours of continuing
66.8 professional education credits that would have been required had the person or firm held a
66.9 registration, certificate, permit, or practice privileges continuously. The board may, in its
66.10 sole discretion, place any other conditions upon reinstatement of a suspended, revoked,
66.11 expired, or surrendered certificate, permit, registration, or of practice privileges that it finds
66.12 appropriate and necessary to ensure that the purposes of this chapter are met. No suspended

59.1 Sec. 64. Minnesota Statutes 2020, section 327C.095, subdivision 12, is amended to read:

59.2 Subd. 12. **Payment to the Minnesota manufactured home relocation trust fund.** (a)
59.3 If a manufactured home owner is required to move due to the conversion of all or a portion
59.4 of a manufactured home park to another use, the closure of a park, or cessation of use of
59.5 the land as a manufactured home park, the manufactured park owner shall, upon the change
59.6 in use, pay to the ~~commissioner of management and budget~~ Minnesota Housing Finance
59.7 Agency for deposit in the Minnesota manufactured home relocation trust fund under section
59.8 462A.35, the lesser amount of the actual costs of moving or purchasing the manufactured
59.9 home approved by the neutral third party and paid by the Minnesota Housing Finance
59.10 Agency under subdivision 13, paragraph (a) or (e), or \$3,250 for each single section
59.11 manufactured home, and \$6,000 for each multisection manufactured home, for which a
59.12 manufactured home owner has made application for payment of relocation costs under
59.13 subdivision 13, paragraph (c). The manufactured home park owner shall make payments
59.14 required under this section to the Minnesota manufactured home relocation trust fund within
59.15 60 days of receipt of invoice from the neutral third party.

59.16 (b) A manufactured home park owner is not required to make the payment prescribed
59.17 under paragraph (a), nor is a manufactured home owner entitled to compensation under
59.18 subdivision 13, paragraph (a) or (e), if:

59.19 (1) the manufactured home park owner relocates the manufactured home owner to
59.20 another space in the manufactured home park or to another manufactured home park at the
59.21 park owner's expense;

59.22 (2) the manufactured home owner is vacating the premises and has informed the
59.23 manufactured home park owner or manager of this prior to the mailing date of the closure
59.24 statement under subdivision 1;

59.25 (3) a manufactured home owner has abandoned the manufactured home, or the
59.26 manufactured home owner is not current on the monthly lot rental, personal property taxes;

59.27 (4) the manufactured home owner has a pending eviction action for nonpayment of lot
59.28 rental amount under section 327C.09, which was filed against the manufactured home owner
59.29 prior to the mailing date of the closure statement under subdivision 1, and the writ of recovery
59.30 has been ordered by the district court;

59.31 (5) the conversion of all or a portion of a manufactured home park to another use, the
59.32 closure of a park, or cessation of use of the land as a manufactured home park is the result
59.33 of a taking or exercise of the power of eminent domain by a governmental entity or public
59.34 utility; or

66.13 certificate, registration, permit, or practice privileges may be reinstated until the former
66.14 holder, or person with practice privileges has completed one-half of the suspension.

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

(6) the owner of the manufactured home is not a resident of the manufactured home park, as defined in section 327C.01, subdivision 9; the owner of the manufactured home is a resident, but came to reside in the manufactured home park after the mailing date of the closure statement under subdivision 1; or the owner of the manufactured home has not paid the \$15 assessment when due under paragraph (c).

(c) If the unencumbered fund balance in the manufactured home relocation trust fund is less than \$2,000,000 as of June 30 of each year, the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall assess each manufactured home park owner by mail the total amount of \$15 for each licensed lot in their park, payable on or before December 15 of that year. Failure to notify and timely assess the manufactured home park owner by July 31 of any year shall waive the assessment and payment obligations of the manufactured home park owner for that year. Together with said assessment notice, each year the ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall prepare and distribute to park owners a letter explaining whether funds are being collected for that year, information about the collection, an invoice for all licensed lots, a notice for distribution to the residents, and a sample form for the park owners to collect information on which park residents and lots have been accounted for. In a font no smaller than 14-point, the notice provided by ~~management and budget~~ the Minnesota Housing Finance Agency for distribution to residents by the park owner will include the payment deadline of October 31 and the following language: "THIS IS NOT AN OPTIONAL FEE. IF YOU OWN A MANUFACTURED HOME ON A LOT YOU RENT IN A MANUFACTURED HOME PARK, AND YOU RESIDE IN THAT HOME, YOU MUST PAY WHEN PROVIDED NOTICE." If assessed under this paragraph, the park owner may recoup the cost of the \$15 assessment as a lump sum or as a monthly fee of no more than \$1.25 collected from park residents together with monthly lot rent as provided in section 327C.03, subdivision 6. If, by September 15, a park owner provides the notice to residents for the \$15 lump sum, a park owner may adjust payment for lots in their park that are vacant or otherwise not eligible for contribution to the trust fund under section 327C.095, subdivision 12, paragraph (b), and for park residents who have not paid the \$15 assessment when due to the park owner by October 31, and deduct from the assessment accordingly. The ~~commissioner of management and budget~~ Minnesota Housing Finance Agency shall deposit any payments in the Minnesota manufactured home relocation trust fund and ~~provide to the Minnesota Housing Finance Agency by December 31, a~~ maintain an annual record for each manufactured home park of the amount received for that park and the number of deductions made for each of the following reasons: vacant lots, ineligible lots, and uncollected fees.

(d) This subdivision and subdivision 13, paragraph (c), clause (5), are enforceable by the neutral third party, on behalf of the Minnesota Housing Finance Agency, or by action in a court of appropriate jurisdiction. The court may award a prevailing party reasonable attorney fees, court costs, and disbursements.

EFFECTIVE DATE. This section is effective July 1, 2023.

61.6 Sec. 65. Minnesota Statutes 2020, section 327C.095, subdivision 13, is amended to read:

61.7 Subd. 13. **Change in use, relocation expenses; payments by park owner.** (a) If a
61.8 manufactured home owner is required to relocate due to the conversion of all or a portion
61.9 of a manufactured home park to another use, the closure of a manufactured home park, or
61.10 cessation of use of the land as a manufactured home park under subdivision 1, and the
61.11 manufactured home owner complies with the requirements of this section, the manufactured
61.12 home owner is entitled to payment from the Minnesota manufactured home relocation trust
61.13 fund equal to the manufactured home owner's actual relocation costs for relocating the
61.14 manufactured home to a new location within a 50-mile radius of the park that is being closed,
61.15 up to a maximum of \$7,000 for a single-section and \$12,500 for a multisection manufactured
61.16 home. The actual relocation costs must include the reasonable cost of taking down, moving,
61.17 and setting up the manufactured home, including equipment rental, utility connection and
61.18 disconnection charges, minor repairs, modifications necessary for transportation of the
61.19 home, necessary moving permits and insurance, moving costs for any appurtenances, which
61.20 meet applicable local, state, and federal building and construction codes.

61.21 (b) A manufactured home owner is not entitled to compensation under paragraph (a) if
61.22 the manufactured home park owner is not required to make a payment to the Minnesota
61.23 manufactured home relocation trust fund under subdivision 12, paragraph (b).

61.24 (c) Except as provided in paragraph (e), in order to obtain payment from the Minnesota
61.25 manufactured home relocation trust fund, the manufactured home owner shall submit to the
61.26 neutral third party and the Minnesota Housing Finance Agency, with a copy to the park
61.27 owner, an application for payment, which includes:

61.28 (1) a copy of the closure statement under subdivision 1;

61.29 (2) a copy of the contract with a moving or towing contractor, which includes the
61.30 relocation costs for relocating the manufactured home;

61.31 (3) a statement with supporting materials of any additional relocation costs as outlined
61.32 in subdivision 1;

62.1 (4) a statement certifying that none of the exceptions to receipt of compensation under
62.2 subdivision 12, paragraph (b), apply to the manufactured home owner;

62.3 (5) a statement from the manufactured park owner that the lot rental is current and that
62.4 the annual \$15 payment to the Minnesota manufactured home relocation trust fund has been
62.5 paid when due; and

62.6 (6) a statement from the county where the manufactured home is located certifying that
62.7 personal property taxes for the manufactured home are paid through the end of that year.

62.8 (d) The neutral third party shall promptly process all payments for completed applications
62.9 within 14 days. If the neutral third party has acted reasonably and does not approve or deny
62.10 payment within 45 days after receipt of the information set forth in paragraph (c), the
62.11 payment is deemed approved. Upon approval and request by the neutral third party, the

62.12 Minnesota Housing Finance Agency shall issue two checks in equal amount for 50 percent
62.13 of the contract price payable to the mover and towing contractor for relocating the
62.14 manufactured home in the amount of the actual relocation cost, plus a check to the home
62.15 owner for additional certified costs associated with third-party vendors, that were necessary
62.16 in relocating the manufactured home. The moving or towing contractor shall receive 50
62.17 percent upon execution of the contract and 50 percent upon completion of the relocation
62.18 and approval by the manufactured home owner. The moving or towing contractor may not
62.19 apply the funds to any other purpose other than relocation of the manufactured home as
62.20 provided in the contract. A copy of the approval must be forwarded by the neutral third
62.21 party to the park owner with an invoice for payment of the amount specified in subdivision
62.22 12, paragraph (a).

62.23 (e) In lieu of collecting a relocation payment from the Minnesota manufactured home
62.24 relocation trust fund under paragraph (a), the manufactured home owner may collect an
62.25 amount from the fund after reasonable efforts to relocate the manufactured home have failed
62.26 due to the age or condition of the manufactured home, or because there are no manufactured
62.27 home parks willing or able to accept the manufactured home within a 25-mile radius. A
62.28 manufactured home owner may tender title of the manufactured home in the manufactured
62.29 home park to the manufactured home park owner, and collect an amount to be determined
62.30 by an independent appraisal. The appraiser must be agreed to by both the manufactured
62.31 home park owner and the manufactured home owner. If the appraised market value cannot
62.32 be determined, the tax market value, averaged over a period of five years, can be used as a
62.33 substitute. The maximum amount that may be reimbursed under the fund is \$8,000 for a
62.34 single-section and \$14,500 for a multisection manufactured home. The minimum amount
62.35 that may be reimbursed under the fund is \$2,000 for a single section and \$4,000 for a
63.1 multisection manufactured home. The manufactured home owner shall deliver to the
63.2 manufactured home park owner the current certificate of title to the manufactured home
63.3 duly endorsed by the owner of record, and valid releases of all liens shown on the certificate
63.4 of title, and a statement from the county where the manufactured home is located evidencing
63.5 that the personal property taxes have been paid. The manufactured home owner's application
63.6 for funds under this paragraph must include a document certifying that the manufactured
63.7 home cannot be relocated, that the lot rental is current, that the annual \$15 payments to the
63.8 Minnesota manufactured home relocation trust fund have been paid when due, that the
63.9 manufactured home owner has chosen to tender title under this section, and that the park
63.10 owner agrees to make a payment to the ~~commissioner of management and budget~~ Minnesota
63.11 Housing Finance Agency in the amount established in subdivision 12, paragraph (a), less
63.12 any documented costs submitted to the neutral third party, required for demolition and
63.13 removal of the home, and any debris or refuse left on the lot, not to exceed \$1,500. The
63.14 manufactured home owner must also provide a copy of the certificate of title endorsed by
63.15 the owner of record, and certify to the neutral third party, with a copy to the park owner,
63.16 that none of the exceptions to receipt of compensation under subdivision 12, paragraph (b),
63.17 clauses (1) to (6), apply to the manufactured home owner, and that the home owner will
63.18 vacate the home within 60 days after receipt of payment or the date of park closure,
63.19 whichever is earlier, provided that the monthly lot rent is kept current.

63.20 (f) Notwithstanding paragraph (a), the manufactured home owner's compensation for
63.21 relocation costs from the fund under section 462A.35, is the greater of the amount provided
63.22 under this subdivision, or the amount under the local ordinance in effect on May 26, 2007,
63.23 that is applicable to the manufactured home owner. Nothing in this paragraph is intended
63.24 to increase the liability of the park owner.

63.25 (g) Neither the neutral third party nor the Minnesota Housing Finance Agency shall be
63.26 liable to any person for recovery if the funds in the Minnesota manufactured home relocation
63.27 trust fund are insufficient to pay the amounts claimed. The Minnesota Housing Finance
63.28 Agency shall keep a record of the time and date of its approval of payment to a claimant.

63.29 (h)(1) By October 15, 2019, the Minnesota Housing Finance Agency shall post on its
63.30 website and report to the chairs of the senate Finance Committee and house of representatives
63.31 Ways and Means Committee on the Minnesota manufactured home relocation trust fund,
63.32 including the account balance, payments to claimants, the amount of any advances to the
63.33 fund, the amount of any insufficiencies encountered during the previous calendar year, and
63.34 any itemized administrative charges or expenses deducted from the trust fund balance. If
64.1 sufficient funds become available, the Minnesota Housing Finance Agency shall pay the
64.2 manufactured home owner whose unpaid claim is the earliest by time and date of approval.

64.3 (2) Beginning in 2019, the Minnesota Housing Finance Agency shall post on its website
64.4 and report to the chairs of the senate Finance Committee and house of representatives Ways
64.5 and Means Committee by October 15 of each year on the Minnesota manufactured home
64.6 relocation trust fund, including the aggregate account balance, the aggregate assessment
64.7 payments received, summary information regarding each closed park including the total
64.8 payments to claimants and payments received from each closed park, the amount of any
64.9 advances to the fund, the amount of any insufficiencies encountered during the previous
64.10 fiscal year, reports of neutral third parties provided pursuant to subdivision 4, and any
64.11 itemized administrative charges or expenses deducted from the trust fund balance, all of
64.12 which should be reconciled to the previous year's trust fund balance. If sufficient funds
64.13 become available, the Minnesota Housing Finance Agency shall pay the manufactured home
64.14 owner whose unpaid claim is the earliest by time and date of approval.

64.15 **EFFECTIVE DATE.** This section is effective July 1, 2023.

64.16 Sec. 66. Minnesota Statutes 2020, section 327C.095, subdivision 16, is amended to read:

64.17 Subd. 16. **Reporting of licensed manufactured home parks.** The Department of Health
64.18 or, if applicable, local units of government that have entered into a delegation of authority
64.19 agreement with the Department of Health as provided in section 145A.07 shall provide, by
64.20 March 31 of each year, a list of names and addresses of the manufactured home parks
64.21 licensed in the previous year, and for each manufactured home park, the current licensed
64.22 owner, the owner's address, the number of licensed manufactured home lots, and other data
64.23 as they may request for the ~~Department of Management and Budget~~ Minnesota Housing
64.24 Finance Agency to invoice each licensed manufactured home park in Minnesota.

64.25 **EFFECTIVE DATE.** This section is effective July 1, 2023.

66.16 Sec. 53. Minnesota Statutes 2020, section 349.151, subdivision 4d, is amended to read:

66.17 Subd. 4d. **Electronic pull-tab devices and electronic pull-tab game system.** (a) The
66.18 board may adopt rules it deems necessary to ensure the integrity of electronic pull-tab
66.19 devices, the electronic pull-tab games played on the devices, and the electronic pull-tab
66.20 game system necessary to operate them.

66.21 (b) The board may not require an organization to use electronic pull-tab devices.

66.22 (c) Before authorizing the lease or sale of electronic pull-tab devices and the electronic
66.23 pull-tab game system, the board shall examine electronic pull-tab devices allowed under
66.24 section 349.12, subdivision 12b. The board may contract for the examination of the game
66.25 system and electronic pull-tab devices and may require a working model to be transported
66.26 to locations the board designates for testing, examination, and analysis. The manufacturer
66.27 must pay all costs of any testing, examination, analysis, and transportation of the model.
66.28 The system must be approved by the board before its use in the state and must have the
66.29 capability to permit the board to electronically monitor its operation and internal accounting
66.30 systems.

66.31 (d) The board may require a manufacturer to submit a certificate from an independent
66.32 testing laboratory approved by the board to perform testing services, stating that the
67.1 equipment has been tested, analyzed, and meets the standards required in this chapter and
67.2 any applicable board rules.

67.3 (e) The board, or the director if authorized by the board, may require the deactivation
67.4 of an electronic pull-tab device for violation of a law or rule and to implement any other
67.5 controls deemed necessary to ensure and maintain the integrity of electronic pull-tab devices
67.6 and the electronic pull-tab games played on the devices.

67.7 (f) The board may not deactivate or prohibit the use, lease, or sale of an authorized or
67.8 approved electronic pull-tab device, electronic pull-tab game, or electronic pull-tab game
67.9 system provided the electronic pull-tab device, electronic pull-tab game, or electronic pull-tab
67.10 game system continues to meet the standards required in this chapter and any applicable
67.11 board rules that were in effect at the time of approval or authorization unless a later enacted
67.12 law, passed by the legislature and signed by the governor, requires that an electronic pull-tab
67.13 device, electronic pull-tab game, or electronic pull-tab game system comply with rules
67.14 adopted after the date of approval or authorization.

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

67.16 Sec. 54. Minnesota Statutes 2020, section 349.1721, subdivision 1, is amended to read:

67.17 Subdivision 1. **Cumulative or carryover games.** The board shall by rule permit pull-tab
67.18 games with multiple seals. The board shall also adopt rules for pull-tab games with

64.26 Sec. 67. [412.925] NATIVE LANDSCAPES.

64.27 (a) A statutory city or home rule charter city shall allow an owner, authorized agent, or
64.28 authorized occupant of any privately owned lands or premises, to install and maintain a
64.29 managed natural landscape. For purposes of this section, the terms are defined as follows:

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

65.3 (2) "meadow vegetation" means grasses and flowering broad-leaf plants that are native
65.4 to, or adapted to, the state of Minnesota and that are commonly found in meadow and prairie
65.5 plant communities, not including noxious weeds. Noxious weed shall have the meaning in
65.6 section 18.77, subdivision 8;

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

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

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

67.19 cumulative or carryover prizes. The rules shall also apply to electronic pull-tab games.
67.20 Electronic pull-tab games are subject to the rules in effect at the time the electronic pull-tab
67.21 game was approved or authorized unless a later enacted law, passed by the legislature and
67.22 signed by the governor, requires that an electronic pull-tab game comply with rules adopted
67.23 after the date of approval or authorization.

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

67.25 Sec. 55. Minnesota Statutes 2020, section 349.1721, subdivision 2, is amended to read:

67.26 Subd. 2. **Event games.** The board shall by rule permit pull-tab games in which certain
67.27 winners are determined by the random selection of one or more bingo numbers or by another
67.28 method approved by the board. The rules shall also apply to electronic pull-tab games.
67.29 Electronic pull-tab games are subject to the rules in effect at the time the electronic pull-tab
67.30 game was approved or authorized unless a later enacted law, passed by the legislature and
67.31 signed by the governor, requires that an electronic pull-tab game comply with rules adopted
67.32 after the date of approval or authorization.

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

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

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

65.21 Sec. 68. **[471.585] MUNICIPAL HOTEL LICENSING.**

65.22 (a) A statutory or home rule charter city or a town may adopt an ordinance requiring
65.23 hotels operating within the boundaries of the city or town to have a valid license issued by
65.24 the city or town. A fee for a license under this section may not exceed \$100.

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

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

68.2 Sec. 56. **[415.20] MUNICIPAL IDS; LIMITATION.**

68.3 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
68.4 the meanings given.

68.5 (b) "Municipal ID" means a photographic identification card in physical or electronic
68.6 form created and provided by a municipality to a resident of the municipality that includes
68.7 the individual's name, date of birth, residential address, and any other identifying information
68.8 as required or authorized by the municipal ordinance.

68.9 (c) "Municipality" means a statutory or home rule charter city.

68.10 (d) "Resident" means a person who resides within the municipality's corporate boundaries
68.11 for a minimum of 30 continuous days immediately prior to application for a municipal ID
68.12 and who submits documentation demonstrating identity and residency as required in this
68.13 section.

68.14 Subd. 2. **Municipal ID; acceptance limited.** Notwithstanding any law or rule to the
68.15 contrary, a municipal ID does not qualify as proof of identification required for the receipt
68.16 of one or more services provided by the state or through a federal program administered by
68.17 the state or a political subdivision thereof.

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

66.1 Sec. 69. Minnesota Statutes 2020, section 645.44, subdivision 5, is amended to read:

66.2 Subd. 5. **Holiday.** "Holiday" includes New Year's Day, January 1; Martin Luther King's

66.3 Birthday, the third Monday in January; Washington's and Lincoln's Birthday, the third

66.4 Monday in February; Memorial Day, the last Monday in May; Juneteenth, June 19;

66.5 Independence Day, July 4; Labor Day, the first Monday in September; ~~Christopher Columbus~~

66.6 Indigenous Peoples' Day, the second Monday in October; Veterans Day, November 11;

66.7 Thanksgiving Day, the fourth Thursday in November; and Christmas Day, December 25;

66.8 provided, when New Year's Day, January 1; or Juneteenth, June 19; or Independence Day,

66.9 July 4; or Veterans Day, November 11; or Christmas Day, December 25; falls on Sunday,

66.10 the following day shall be a holiday and, provided, when New Year's Day, January 1; or

66.11 Juneteenth, June 19; or Independence Day, July 4; or Veterans Day, November 11; or

66.12 Christmas Day, December 25; falls on Saturday, the preceding day shall be a holiday. No

66.13 public business shall be transacted on any holiday, except in cases of necessity and except

66.14 in cases of public business transacted by the legislature, nor shall any civil process be served

66.15 thereon. However, for the executive branch of the state of Minnesota, "holiday" also includes

66.16 the Friday after Thanksgiving ~~but does not include Christopher Columbus Day.~~ Other

66.17 branches of state government and political subdivisions shall have the option of determining

66.18 whether ~~Christopher Columbus Day~~ and the Friday after Thanksgiving shall be ~~holidays~~ a

66.19 holiday. Where it is determined that ~~Columbus Day~~ or the Friday after Thanksgiving is not

66.20 a holiday, public business may be conducted thereon.

66.21 Any agreement between a public employer and an employee organization citing Veterans

66.22 Day as the fourth Monday in October shall be amended to cite Veterans Day as November

66.23 11.

66.24 Sec. 70. **CANCELLATION OF DEBT RELATED TO MILITARY SALARY**

66.25 **DIFFERENTIAL OVERPAYMENTS.**

66.26 Notwithstanding any other law to the contrary, any debt incurred prior to the effective

66.27 date of this section by a current or former state employee on account of overpayment of

66.28 military salary differential under Minnesota Statutes, section 43A.183, is canceled.

68.19 Sec. 57. **[645.0711] STANDARD OF TIME.**

68.20 Every mention of, or reference to, any hour or time in any law, during any period of the

68.21 year, is to be construed with reference to and in accordance with the standard time provided

68.22 by federal law. No department of the state government and no county, city, or town shall

68.23 employ, during any period of the year, any other time, or adopt any ordinance or order

68.24 providing for the use, during any period of the year, of any other time than the federal

68.25 standard time.

68.26 **EFFECTIVE DATE.** This section is effective January 2, 2030, if an amendment to

68.27 United States Code, title 15, section 260a, or other applicable law that authorizes states to

68.28 observe advance standard time year-round is not enacted before that date.

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

71.1 Sec. 60. **UNITED STATES AMATEUR SPORTS AND TRAINING CENTER IN**
71.2 **DAKOTA COUNTY; REPORT.**

71.3 Subdivision 1. **Study required.** (a) The Minnesota Amateur Sports Commission must
71.4 partner with the city of Eagan and the city of Inver Grove Heights to study the development
71.5 of the United States Amateur Sports and Training Center in Dakota County.

71.6 (b) The study must:

71.7 (1) identify potential users of the training facility including youth and adult sport activities
71.8 from diverse populations to be served by the training center;

71.9 (2) address possible sites of the training center and the proximity to other existing training
71.10 facilities;

71.11 (3) address costs of construction for the training center based on needs identified in the
71.12 study;

71.13 (4) address ongoing operational costs of the training center once completed;

71.14 (5) determine if the estimated training facility rental rates and user fees, and sponsorship
71.15 fees are adequate to support the training center's ongoing operations; and

71.16 (6) evaluate the potential for local, nonstate resources to support the training facility
71.17 operations to maintain the training facility, if necessary without regard to any debt service
71.18 for capital improvements.

71.19 Subd. 2. **Study requirements.** (a) The commission's market analysis of user rental rates
71.20 and user fees to determine potential revenues for the facility must consider the impacts on
71.21 or duplication of existing private or government-sponsored facilities.

71.22 (b) The commission must analyze the state and local economic impacts of the proposed
71.23 facility once fully operational including sales tax revenue increases and local venue and
71.24 revenue impacts from sports tourism.

71.25 (c) The study must address the training center's ability to provide opportunities to
71.26 underserved populations including culturally and economically diverse users and possible
71.27 training center needs and uses for specific age and gender participants.

71.28 Subd. 3. **Legislative report.** The commission must submit a report describing its work
71.29 and findings to the chairs and ranking minority members of the legislative committees
71.30 responsible for capital investment and state government finance no later than January 15,
71.31 2023.

67.1 Sec. 71. **DEPARTMENT OF IRON RANGE RESOURCES AND**
67.2 **REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM**
67.3 **AUTHORIZATION.**

67.4 The commissioner of Iron Range resources and rehabilitation may provide separation
67.5 and retention incentive programs for employees of the department that are consistent with
67.6 the provisions of Laws 2009, chapter 78, article 7, section 2, as amended by Laws 2010,
67.7 chapter 215, article 9, section 2, and Laws 2010, chapter 216, section 53. The cost of such
67.8 incentives are payable solely by funds made available to the commissioner under Minnesota
67.9 Statutes, chapter 298. Employees are not required to participate in the programs.

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

67.11 Sec. 72. **OFFICE OF SMALL AGENCIES STUDY.**

67.12 Subdivision 1. **Study; requirements.** The commissioner of administration must review
67.13 the unique issues faced by small agencies other than the departments of the state government
67.14 as designated in Minnesota Statutes, section 15.01. Small agencies include boards,
67.15 commissions, councils, task forces, and authorities. The commissioner must assess whether
67.16 the current support model provides adequate support for the small agencies as well as the
67.17 volunteer board members. The study must examine how other states support their small
67.18 agencies and provide recommendations on how to most effectively support small agencies
67.19 in delivery of important functions of government.

67.20 Subd. 2. **Report.** By February 1, 2023, the commissioner of administration must submit
67.21 the findings and recommendations of the study to the governor and the chairs and ranking
67.22 minority members of the legislative committees with primary jurisdiction over state
67.23 government.

67.24 Sec. 73. **STATE EMBLEMS REDESIGN COMMISSION.**

67.25 Subdivision 1. **Establishment.** The State Emblems Redesign Commission is established.
67.26 The purpose of the commission is to develop, design, and recommend to the legislature and
67.27 governor new designs for the official state flag and the official state seal no later than January
67.28 1, 2023.

67.29 Subd. 2. **Membership; meetings.** (a) The commission consists of the following members:

67.30 (1) three members of the public, appointed by the governor;

67.31 (2) two members of the house of representatives, one each appointed by the speaker of
67.32 the house and the minority leader of the house;

68.1 (3) two members of the senate, one representing the majority caucus and one representing
68.2 the minority caucus, appointed by the Subcommittee on Committees of the Senate Committee
68.3 on Rules and Administration;

72.1 Sec. 61. **DEPARTMENT OF IRON RANGE RESOURCES AND**
72.2 **REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM**
72.3 **AUTHORIZATION.**

72.4 The commissioner of Iron Range resources and rehabilitation may provide separation
72.5 and retention incentive programs for employees of the department that are consistent with
72.6 the provisions of Laws 2009, chapter 78, article 7, section 2, as amended by Laws 2010,
72.7 chapter 215, article 9, section 2, and Laws 2010, chapter 216, section 53. The cost of such
72.8 incentives are payable solely by funds made available to the commissioner under Minnesota
72.9 Statutes, chapter 298. Employees are not required to participate in the programs.

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

68.4 (4) one member appointed by the Council for Minnesotans of African Heritage;
68.5 (5) one member appointed by the Minnesota Council on Latino Affairs;
68.6 (6) one member appointed by the Council on Asian-Pacific Minnesotans; and
68.7 (7) two members appointed by the Indian Affairs Council.
68.8 (b) The following serve as ex-officio, nonvoting members of the commission:
68.9 (1) the secretary of state or the secretary's designee;
68.10 (2) the executive director of the Minnesota Historical Society or the director's designee;
68.11 (3) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;
68.12 (4) the chair of the Minnesota Arts Board or the chair's designee; and
68.13 (5) the executive director of Explore Minnesota Tourism or the director's designee.
68.14 (c) Appointments to the commission must be made no later than August 1, 2022. The
68.15 voting members of the commission shall elect a chair and vice-chair. An appointee designated
68.16 by the governor shall convene the commission's first meeting. Decisions of the commission
68.17 must be made by majority vote. The Minnesota Historical Society must provide office space
68.18 and administrative support to the commission.
68.19 Subd. 3. **Meetings.** Meetings of the commission are subject to Minnesota Statutes,
68.20 chapter 13D.
68.21 Subd. 4. **Duties; form and style of recommended state emblems.** The commission
68.22 shall develop, design, and recommend to the legislature and governor a new design for the
68.23 official state seal and a new design for the official state flag. The designs must accurately
68.24 and respectfully reflect Minnesota's shared history, resources, and diverse cultural
68.25 communities. Symbols, emblems, or likenesses that represent only a single community or
68.26 person, regardless of whether real or stylized, may not be included in a design. The
68.27 commission may solicit and secure the voluntary service and aid of vexillologists and other
68.28 persons who have either technical or artistic skill in flag construction and design, or the
68.29 design of official seals, to assist in the work. The commission must also solicit public
68.30 feedback and suggestions to inform its work.
69.1 Subd. 5. **Report.** The commission shall make its recommendation in a report to the
69.2 legislature and governor no later than January 1, 2023. In addition to the recommended
69.3 designs, the commission's report must describe the symbols and other meanings incorporated
69.4 in the design. The commission expires upon submission of its report.
69.5 Sec. 74. **LEGISLATIVE ACTION; RETIREMENT OF CURRENT OFFICIAL**
69.6 **SEAL AND FLAG.**
69.7 The legislature intends to hold necessary votes on adoption of the State Emblems
69.8 Redesign Commission's recommended designs during the 2023 regular session in an effort

69.9 to ensure that a new official state seal and a new official state flag may each be adopted and
69.10 become effective no later than May 11, 2023. The legislature is encouraged to adopt
69.11 procedures that allow for the current official state flag and official state seal to be retired
69.12 and replaced in a respectful manner, and its history preserved in an appropriate location on
69.13 the State Capitol complex.

69.14 Sec. 75. **LEGISLATIVE TASK FORCE ON AGING.**

69.15 Subdivision 1. **Establishment.** A legislative task force is established to examine whether
69.16 a state department on aging is necessary to:

69.17 (1) develop plans for the aging and workforce demographics;

69.18 (2) develop and guide restructuring of state and local policy, programs, and funding that
69.19 is aimed at healthy aging in the community;

69.20 (3) coordinate public, private, and independent sector endeavors for renovating
69.21 system-based solutions that cover all major areas of the aging life experience, such as health,
69.22 human services, housing, transportation, consumer affairs, employment and economic
69.23 security, and business development;

69.24 (4) focus state resources on aging visibility and developing priorities for an aging
69.25 demographic;

69.26 (5) develop measurable outcomes to address aging priorities while accounting for
69.27 infrastructure differences such as transportation, Internet, and cell phone service across
69.28 urban and rural localities;

69.29 (6) support an aging population through statewide and local endeavors for people to
69.30 remain in their communities; and

70.1 (7) ensure all aging-related policies are inclusive of race, ethnicity, culture, geography,
70.2 sexual orientation, abilities, and other characteristics that reflect the full population of the
70.3 state.

70.4 Subd. 2. **Duties.** The task force review shall include but is not limited to:

70.5 (1) all current aging-related governmental functions, programs, and services across all
70.6 state departments;

70.7 (2) the potential for public and private savings resulting from developing a state
70.8 department on aging that leads and implements aging policies across all state agencies and
70.9 departments;

70.10 (3) current public strategies to plan and execute policies and funding statewide including:

70.11 (i) redefining work and retirement;

70.12 (ii) supporting caregivers of all ages;

- 70.13 (iii) sustaining neighborhoods and communities;
- 70.14 (iv) improving delivery systems for health care and long-term care services; and
- 70.15 (v) integrating the Minnesota Age Friendly Council;
- 70.16 (4) the necessity for planning and economic development for aging in the state to address:
- 70.17 (i) recognition of longevity and the impact it has on economics, the workforce, advancing
- 70.18 technology and innovations, and perception of what it means to age;
- 70.19 (ii) creating and integrating housing, land-use, transportation, economic, social service,
- 70.20 and health systems that support a high quality of life for individuals of all ages and abilities;
- 70.21 (iii) a multigenerational plan to reduce statewide risk of social isolation, poverty, declining
- 70.22 health, and poor economic well-being;
- 70.23 (iv) long-term and sustainable systems change that will address transportation needs at
- 70.24 the scale needed for an aging population;
- 70.25 (v) developing markets for financial products that allow older adults to safely access the
- 70.26 equity in their homes;
- 70.27 (vi) increasing the availability of affordable rental housing;
- 70.28 (vii) increasing coordination between health services and housing supports; and
- 70.29 (viii) integrating aging in the community across the range of state and federal programs;
- 70.30 and
- 71.1 (5) coordinating the review of aging issues across all state agencies, Tribal nations, cities,
- 71.2 counties, businesses, and neighborhoods.
- 71.3 Subd. 3. **Membership.** (a) The task force shall include the following members:
- 71.4 (1) two members from the house of representatives, one appointed by the speaker of the
- 71.5 house and one appointed by the minority leader;
- 71.6 (2) two members from the senate, one appointed by the majority leader and one appointed
- 71.7 by the minority leader;
- 71.8 (3) the chair of the Minnesota Board on Aging, or a board member as designee;
- 71.9 (4) the chair of the Minnesota Council on Disabilities, or an agency employee as designee;
- 71.10 (5) the chair of the Minnesota Indian Affairs Council, or a council member, except the
- 71.11 legislative council member, as designee; and
- 71.12 (6) the director of the University of Minnesota Center for Healthy Aging and Innovation,
- 71.13 or a University of Minnesota employee as a designee.

71.14 (b) The speaker of the house and the senate majority leader shall appoint a chair and a
71.15 vice-chair for the membership of the task force. The chair and the vice-chair shall rotate
71.16 after each meeting.

71.17 (c) The task force shall expire June 1, 2026.

71.18 Subd. 4. **Meetings.** (a) The task force shall meet at least once per month. The meetings
71.19 shall take place in person in the Capitol Complex. If the Capitol Complex is closed to the
71.20 public, the meetings shall be held remotely by video conference, telephone, or other remote
71.21 means.

71.22 (b) The legislative member appointed as chair shall call the first monthly meeting no
71.23 later than September 28, 2022.

71.24 Subd. 5. **Expenses; per diem.** Members serving on the task force shall receive the
71.25 following per diem:

71.26 (1) the Board on Aging task force member who is a volunteer citizen member shall
71.27 receive the per diem in Minnesota Statutes, section 15.059, subdivision 3;

71.28 (2) the Council on Disability task force member shall not receive a per diem;

71.29 (3) the Indian Affairs Council task force member who is a citizen member shall receive
71.30 the per diem in Minnesota Statutes, section 15.059, subdivision 3;

71.31 (4) the University of Minnesota task force member shall not receive a per diem; and

72.1 (5) legislative members on the task force shall receive the standard per diem allowed
72.2 during the legislature's interim period.

72.3 Subd. 6. **Report.** The task force shall submit a report with recommendations to the chairs
72.4 and ranking minority members of the legislative committees with jurisdiction over health
72.5 and human services finance and policy and state government by May 30, 2026.

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

72.7 Sec. 76. **ADVISORY COMMITTEE ON SERVICE WORKER STANDARDS.**

72.8 The commissioner of management and budget shall convene an advisory committee to
72.9 review and make recommendations regarding updates and clarifications to the service worker
72.10 class specifications under Minnesota Statutes, section 43A.071. By January 15, 2023, the
72.11 commissioner shall report to the legislative committees with jurisdiction over state
72.12 government employees on recommendations for changes to Minnesota Statutes, section
72.13 43A.071.

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

72.15 Citizens currently appointed to the Mississippi River Parkway Commission under
72.16 Minnesota Statutes, section 161.1419, subdivision 2, serve terms as follows:

70.18 Sec. 59. **MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

70.19 Citizens currently appointed to the Mississippi River Parkway Commission under
70.20 Minnesota Statutes, section 161.1419, subdivision 2, serve terms as follows:

72.17 (1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December
72.18 31, 2025;

72.19 (2) Grand Rapids, to but not including the city of Brainerd, for a term ending December
72.20 31, 2025;

72.21 (3) Brainerd, to but not including the city of Elk River, for a term ending December 31,
72.22 2025;

72.23 (4) Elk River, to but not including the city of Hastings, for a term ending December 31,
72.24 2025; and

72.25 (5) Hastings, to the Iowa border, for a term ending December 31, 2025.

72.26 **Sec. 78. REVISOR INSTRUCTION.**

72.27 (a) The revisor of statutes in coordination with Senate Counsel, Research and Fiscal
72.28 Analysis and the House Research Department shall conduct a study of Minnesota Statutes
72.29 and Minnesota Rules to determine compliance with the provisions of the Equal Rights
73.1 Amendment to the United States Constitution, specifically focusing on a review of
73.2 sex-specific language and sex-specific treatments or requirements.

70.21 (1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December
70.22 31, 2026;

70.23 (2) Grand Rapids, to but not including the city of Brainerd, for a term ending December
70.24 31, 2026; and

70.25 (3) Brainerd, to but not including the city of Elk River, for a term ending December 31,
70.26 2026.

72.11 **Sec. 62. PUBLIC LAND SURVEY MONUMENT RESTORATION.**

72.12 The chief geospatial information officer, in consultation with the Geospatial Advisory
72.13 Council and Minnesota Association of County Surveyors, must submit a report by January
72.14 1, 2023, to the chairs and ranking minority members of the committees in the house of
72.15 representatives and the senate with jurisdiction over local government detailing the status
72.16 of the monuments that mark public land survey corners, the work needed by each county
72.17 to restore missing or mislocated monuments so that all public land survey corners are
72.18 documented and marked with monuments, and the estimated costs for each county to
72.19 complete the work. The report must describe the state's interest in the restoration of missing
72.20 or mislocated monuments; propose a schedule for state funding, if warranted, for grants to
72.21 counties to complete the work; whether the county has used or plans to use taxing authority
72.22 in Minnesota Statutes, section 381.12, subdivision 2, to defray the expenses for the work;
72.23 identify federal money that may be available for this work; or propose another manner of
72.24 funding the work.

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

72.26 **Sec. 63. CONSUMER CHOICE OF FUEL ACT.**

72.27 This section and sections 9, 10, and 19 are known as the Consumer Choice of Fuel Act.

73.3 **Sec. 65. REVISOR INSTRUCTION.**

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- (b) The revisor of statutes in coordination with Senate Counsel, Research and Fiscal Analysis and the House Research Department shall prepare a bill for the 2023 legislative session correcting any language in conflict with the Equal Rights Amendment.
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- Sec. 79. **REPEALER.**

Subdivision 1. **Critical IT Infrastructure.** Minnesota Statutes 2020, section 12.03, subdivision 5d, is repealed.

Subd. 2. **State emblems.** Minnesota Statutes 2020, sections 1.135; and 1.141, are repealed effective May 11, 2023.

Subd. 3. **Trustee Candidate Advisory Council.** Minnesota Statutes 2020, section 136F.03, is repealed.

Subd. 4. **Office of Collaboration and Dispute Resolution.** Minnesota Statutes 2020, sections 179.90; and 179.91, are repealed.
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- (b) The revisor is directed to change all cross-references to Minnesota Statutes, section 645.071, to cross-references to Minnesota Statutes, section 645.0711, throughout the statutes.
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- EFFECTIVE DATE.** Paragraph (b) is effective January 2, 2030, if an amendment to United States Code, title 15, section 260a, or other applicable law that authorizes states to observe advance standard time year-round is not enacted before that date.
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- Sec. 66. **REPEALER.**

(a) Minnesota Statutes 2020, sections 136F.03; and 326A.04, subdivision 11, are repealed.
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- (b) Minnesota Rules, parts 7023.0150; 7023.0200; 7023.0250; and 7023.0300, are repealed.

(c) Minnesota Statutes 2020, section 645.071, is repealed.
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- EFFECTIVE DATE.** Paragraph (c) is effective January 1, 2030, if an amendment to United States Code, title 15, section 260a, or other applicable law that authorizes states to observe advance standard time year-round is not enacted before that date. This section expires the day after an amendment to the United States Code, title 15, section 260a, or other applicable law is enacted that authorizes states to observe advance standard time year-round.