ARTICLE 2

STATE GOVERNMENT POLICY

STATE GOVERNMENT OPERATIONS

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.

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

Subd. 4a. Access to employees. 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 permit reasonable access to employees with subject matter expertise to assist the Legislative Budget Office prepare and review fiscal notes or enacted legislation.

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

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

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

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

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

(1) an employee of the office;

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

or

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

Exempt as otherwise provided under this section, the sole source of compensation paid to employees of the Office of the Attorney General for performing legal services on behalf of the state shall be from the appropriations provided under this chapter or from an appropriation by law. In a case in which the attorney general is authorized under law to contract with, hire, or engage a person other than a person described in clauses (1), (2), or (3) to perform legal services on behalf of the state, the sole consideration for the legal services shall be a monetary amount bargained for in an arm's length transaction with the person and the attorney general or another Minnesota governmental entity, and must state under what authority the attorney general enters the contract.
Sec. 2. Minnesota Statutes 2020, section 9.031, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

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

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

(1) the depository will pay all the state funds deposited with it to the commissioner of management and budget, free of exchange or other charge, at any place in this state.
designated by the commissioner of management and budget; if the deposit is a time deposit it shall be paid, together with interest, only when due; and

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

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

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

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

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

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

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

10.55 JUNETEENTH.

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

(b) Each year the governor shall issue a proclamation honoring this observance and recognizing the important contributions African-Americans have made to Minnesota's communities, culture, and economy. The governor may also take any additional action necessary to promote and encourage the observance of Juneteenth and public schools may offer instruction and programs on the occasion.
Sec. 4. Minnesota Statutes 2020, section 12.03, is amended by adding a subdivision to read:

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

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

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

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

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

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

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

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

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

(1) an act of nature;
(2) a technological failure or malfunction;
(3) a terrorist incident;
(4) a cyber attack, including a physical or electronic attack on the state's information and telecommunications technology infrastructure, systems, or services;
(5) an industrial accident;
(6) a hazardous materials accident; or
(7) a civil disturbance endangers life and property and local government resources are inadequate to handle the situation.

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

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

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

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

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

12.36 GOVERNOR'S POWERS TO FAST PROVIDE EMERGENCY AID.

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

(1) enter into contracts and incur obligations necessary to combat the disaster by 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
commissioner. Data in dispute shall be disclosed only if the individual’s statement of
disagreement is included with the disclosed data.

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

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

(1) an appeal to the commissioner is not timely;
(2) an appeal concerns data previously admitted as evidence in a court proceeding in
which the data subject was a party; or
(3) an individual is not the subject of the data challenged as inaccurate or incomplete.

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

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

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

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

(b) Upon request of a body subject to chapter 13D, the commissioner may give a written
opinion on any question relating to the body’s duties under chapter 13D. Upon request of a
person who disagrees with the manner in which members of a governing body perform their
duties under chapter 13D, the commissioner may give a written opinion on compliance with
chapter 13D. A governing body or person requesting an opinion under this paragraph must
pay the commissioner a fee of $200. Money received by the commissioner under this paragraph is appropriated to the commissioner for the purposes of this section.

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

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

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

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

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

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

(b) This paragraph applies if a request for an unofficial fiscal note is accompanied by a directive from the requester that the data be classified under this paragraph subdivision. Government data on the request, the bill draft, and the unofficial fiscal note are private data on individuals or nonpublic data, provided except that the data are accessible to, and may be disclosed by, the requester. If the proposed bill draft used to develop the unofficial fiscal note or an updated version is subsequently used for an introduced bill, or any legislation, including an amendment or a proposed bill, that any member of the legislature offers for consideration by a legislative committee introduced as a bill, included in an introduced bill, offered as an amendment, or otherwise distributed by the requester at a public meeting or event, or if an unofficial fiscal note is distributed by the requester at a public meeting or event, the fiscal note becomes public data.
(c) An agency must not share data that is classified under this subdivision as nonpublic data or private data on individuals with another agency without authorization from the bill author, as obtained from the director of the Legislative Budget Office. This paragraph supersedes any authorization to share data with the commissioner of management and budget under section 15.08 or 16A.06, subdivision 7, or other applicable law.

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

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

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

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

Sec. 10. [15.0561] CONSUMER CHOICE OF FUEL: RESTRICTIONS PROHIBITED.

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

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

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

(b) For purposes of this section, "motorized equipment" means:
Sec. 13. Minnesota Statutes 2020, section 15A.0825, subdivision 1, is amended to read:

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

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

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

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

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

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

1. a current or former legislator, or the spouse of a current legislator;

2. a current or former lobbyist registered under Minnesota law;

3. a current employee of the legislature;

4. a current or former judge; or

5. a current or former governor, lieutenant governor, attorney general, secretary of state, or state auditor; or

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

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

Subd. 2. Initial appointment; convening authority; first meeting in odd-numbered year. Appointing authorities must make their initial appointments by January 2, 2017 after
the first Monday in January and before January 15 in each odd-numbered year. The governor shall designate one member to convene and chair the first meeting of the council. The first meeting must be before January 15, 2017 of that year. At its first meeting, the council must elect a chair from among its members. Members that reside in an even-numbered congressional district serve a first term ending January 15, 2019. Members residing in an odd-numbered congressional district serve a first term ending January 15, 2021.

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

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

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

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

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

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

EFFECTIVE DATE. This section is effective July 1, 2025.
Sec. 18. Minnesota Statutes 2020, section 16A.15, subdivision 3, is amended to read:

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

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

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

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

Subd. 1a. Onsite energy generation from renewable sources. A state agency that prepares a predesign for a new building must consider meeting at least two percent of the energy needs of the building from renewable sources located on the building site. For purposes of this subdivision, "renewable sources" are limited to wind and the sun. The predesign must include an explicit cost and price analysis of complying with the two percent requirement compared with the present and future costs of energy supplied by a publicly utility from a location away from the building site and the present and future costs of...
controlling carbon emissions. If the analysis concludes that the building should not meet at least two percent of its energy needs from renewable sources located on the building site, the analysis must provide explicit reasons why not. The building may not receive further state appropriations for design or construction unless at least two percent of its energy needs are designed to be met from renewable sources, unless the commissioner finds that the reasons given by the agency for not meeting the two-percent requirement were supported by evidence in the record.

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

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

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

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

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

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

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

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

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

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

(f) "Design-builder" means a person who proposes to design and construct a project in accordance with the requirements of section 16C.33.
(g) "Designer" means an architect or engineer, or a partnership, association, or corporation comprised primarily of architects or engineers or of both architects and engineers.

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

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

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

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

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

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

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

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

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

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

Subd. 3a. Higher education projects. (a) When the University of Minnesota or the
Minnesota State Colleges and Universities undertakes a project involving construction or
major remodeling, as defined in section 16B.335, subdivision 1, with an estimated cost
greater than $2,000,00(4,000,000) or a planning project with estimated fees greater than
$200,000 $400,000, the system shall submit a written request for a primary designer to the
commissioner, as provided in subdivision 3.

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

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

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

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

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

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

1) assist state agencies; offices of the executive, legislative, and judicial branches; Tribal
governments; and units of local government in improving collaboration, dispute resolution;
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;
26.30 (3) support collaboration and dispute resolution in the public and private sector by
26.31 providing technical assistance and information on best practices and new developments in
26.32 dispute resolution options:
26.33 (4) promote the broad use of community mediation in the state;
26.34 (5) ensure that all areas of the state have access to services by providing grants to private
26.35 nonprofit entities certified by the state court administrator under chapter 494 that assist in
26.36 resolution of disputes; and
26.37 (6) educate the public and government entities on collaboration, dispute resolution
26.38 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 168.97 and 168.98 apply to grants under
27.25 this section. The exclusions in section 494.03 apply to grants under this section.
Subd. 6. Reporting. Grantees must report data required under chapter 494 to evaluate quality and outcomes.

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

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

1. provide translation services for written material for state agencies;
2. create and maintain language-specific landing web pages in Spanish, Hmong, and Somali with links to translated materials at state agency websites; and
3. serve as a resource to executive branch agencies in areas that include best practices and standards for the translation of written materials.

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

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

Subd. 1. Definitions. (a) As used in this section, the following terms have the meanings given.
(b) "Certified financial audit" means a review of an organization's financial statements, fiscal policies, and control procedures by an independent third party to determine if the statements fairly represent the organization's financial position and if organizational procedures are in accordance with generally accepted accounting principles.
(c) "Fiscal agent" means the commissioner or head of the state agency responsible for administering a grant.
(d) "Grant" means a grant or aid of state money from any source. This section does not apply to:
1. grants or aid to hospitals under chapter 144, nursing facilities under chapter 144A, or assisted living facilities under chapter 144G;
2. medical assistance and MinnesotaCare payments; or
3. grants of general obligation proceeds for capital projects subject to section 16A.695, and capital project grants to political subdivisions subject to section 16A.86.
(c) "Organization" means a nongovernmental organization that is tax exempt under the Internal Revenue Code and is not a hospital licensed under chapter 144.

Subd. 2. Requirements for eligibility. For an organization to be eligible to receive a grant, the organization that received more than 50 percent of revenue from state funds in
the fiscal year preceding the organization's grant application to be eligible to receive a grant
must meet the following criteria:

1. the organization must submit to the fiscal agent the relevant series Internal Revenue
   Service Form 990 in each of the two years preceding the execution of a grant agreement;
2. the organization must not have on its governing board a voting member who is an
   employee of a state agency;
3. the organization must submit to the fiscal agent certified financial audits of the most
   recent two fiscal years preceding the grant application;
4. officers and members of the governing board of the organization must not have been
   convicted of any offense involving theft, fraud, embezzlement, or other misuse or
   misappropriation of funds or property. The organization must submit to the agency results
   of completed background checks on officers and members of the governing body of the
   organization before an agency may enter into a grant agreement with the organization; and
5. the organization must not compensate an officer or employee in an amount greater
   than the governor's annual compensation in a 12-month period during the first fiscal year
   beginning, during, or after the 12-month period or in the following fiscal year. Compensation
   for purposes of this section includes salary, bonuses, the present value of stock options, the
   value of employment benefits, employer contributions to retirement or deferred compensation
   plans on behalf of the officer or employee, and any other compensation or benefit of value.

Subd. 3. Notice to legislature of ineligibility. If a grant has been awarded by law to a
specified organization that the commissioner determines is ineligible to receive the grant
under subdivision 2, the commissioner must promptly report that determination to the chair
of the committee on finance in the senate and the chair of the committee on ways and means
in the house of representatives.

Subd. 4. Grant application. (a) A fiscal agent administering a grant program must
require the following information as part of a grant application:
1. the purpose of the grant, including goals, priorities, and measurable outcomes;
2. eligibility requirements for individuals who will be served by the grant program;
3. the proposed geographic service areas for individuals served by the grant;
4. the reporting requirements; and
5. certification that the applicant is eligible under subdivisions 2 and 3 to receive a
   grant.

These requirements are in addition to any requirements under existing laws and policies.
(b) An organization that is specifically identified in law to receive a grant must provide
the information in paragraph (a) to the commissioner of the fiscal agent for the grant before
the commissioner may execute the grant agreement.

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

(1) a detailed accounting of the use of any grant proceeds;
(2) a description of program outcomes to date, including performance measured against
  indicators specified in the grant agreement, including but not limited to job creation,
  employment activity, wage information, business formation or expansion, and academic
  performance; and
(3) the portion of the grant, if any, spent on the recipient's operating expenses.

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

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

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

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

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

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

(1) that the books, records, documents, and accounting procedures and practices of the
grantee receiving a grant of more than $500,000 are subject to examination by the granting
agency and either the legislative auditor or the state auditor, as appropriate, for a period of
two years prior to the execution of the grant agreement for a grant and during the term of
the grant agreement; and

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

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

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

EFFECTIVE DATE. This section is effective the day following final enactment and
applies to grants appropriated by law after the effective date and to grant agreements executed
after the effective date.
Sec. 28. Minnesota Statutes 2020, section 16C.32, subdivision 1, is amended to read:
Subdivision 1. Definitions. As used in sections 16C.32 to 16C.35, the following terms have the meanings given them, unless the context clearly indicates otherwise:
(1) "acceptance" means a formal resolution of the commissioner authorizing the execution of a design-build, construction manager at risk, or job order contracting contract;
(2) "agency" means any state officer, employee, board, commission, authority, department, or other agency of the executive branch of state government. Unless specifically indicated otherwise, as used in sections 16C.32 to 16C.35, agency also includes the Minnesota State Colleges and Universities;
(3) "architect" means an architect or landscape architect registered to practice under sections 326.02 to 326.15;
(4) "board" means the state Designer Selection Board, unless the estimated cost of the project is less than $2,000,000, the amount specified in section 16B.33, subdivision 3, in which case the commissioner may act as the board;
(5) "Capitol Area Architectural and Planning Board" means the board established to govern the Capitol area under chapter 15B;
(6) "commissioner" means the commissioner of administration or the Board of Trustees of the Minnesota State Colleges and Universities, whichever controls a project;
(7) "construction manager at risk" means a person who is selected by the commissioner to act as a construction manager to manage the construction process, which includes, but is not limited to, responsibility for the price, schedule, and workmanship of the construction performed in accordance with the procedures of section 16C.34;
(8) "construction manager at risk contract" means a contract for construction of a project between a construction manager at risk and the commissioner, which contract shall include a guaranteed maximum price, construction schedule, and workmanship of the construction performed;
(9) "design-build contract" means a contract between the commissioner and a design-builder to furnish the architectural, engineering, and related design services as well as the labor, materials, supplies, equipment, and construction services for a project;
(10) "design and price-based proposal" means the proposal to be submitted by a design-builder in the design and price-based selection process, as described in section 16C.33, which proposal meets the requirements of section 16C.33, subdivision 7, paragraph (c), in such detail as required in the request for proposals;
(11) "design and price-based selection" means the selection of a design-builder as described in section 16C.33, subdivision 8;

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

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

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

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

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

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

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

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

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

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

(22) "request for proposals" means the document or publication soliciting proposals for a design-build or construction manager at risk contract as provided in sections 16C.33 and 16C.34; and
(23) "trade contract work" means the furnishing of labor, materials, or equipment by contractors or vendors that are incorporated into the completed project or are major components of the means of construction. Work performed by trade contractors involves specific portions of the project, but not the entire project.

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

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

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

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

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

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

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

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

Subd. 1a. Accommodation fund. "Accommodation fund" means the fund created under section 16B.4805 for reimbursing state agencies for eligible expenses incurred in providing reasonable accommodations to state employees with disabilities.
Sec. 32. Minnesota Statutes 2020, section 43A.02, is amended by adding a subdivision to read:

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

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

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

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

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

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

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

1. prevent the waste or unnecessary spending of public money;
2. use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;
3. coordinate the department's activities wherever appropriate with the activities of other governmental agencies;
4. use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;
5. ensure that all technology utilized is accessible to employees and provided in a timely manner as described in sections 363A.42 and 363A.43 and the accessibility standards under section 16E.03, subdivisions 2, clause (3), and 9;
6. utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;
report to the legislature on the performance of agency operations and the
accomplishment of agency goals in the agency’s biennial budget according to section 16A.10,
subdivision 1; and
recommend to the legislature appropriate changes in law necessary to carry out
the mission and improve the performance of the department; and
endeavor to use equitable and inclusive practices to attract and recruit protected class
employees; actively eliminate discrimination against protected group employees; and ensure
equitable access to development and training, advancement, and promotional opportunities.
Sec. 36. Minnesota Statutes 2020, section 43A.04, subdivision 4, is amended to read:
Subd. 4. Administrative procedures. The commissioner shall develop administrative
procedures, which are not subject to the rulemaking provisions of the Administrative
Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights
of or processes available to the general public. The commissioner may also adopt
administrative procedures, not subject to the Administrative Procedure Act, which concern
topics affecting the general public if those procedures concern only the internal management
of the department or other agencies and if those elements of the topics which affect the
general public are the subject of department rules.
Administrative procedures shall be reproduced and made available for comment in
accessible digital formats under section 16E.03 to agencies, employees, and appropriate
exclusive representatives certified pursuant to sections 179A.01 to 179A.25, for at least 15
days prior to implementation and shall include but are not limited to:
(1) maintenance and administration of a plan of classification for all positions in the
classified service and for comparisons of unclassified positions with positions in the classified
service;
(2) procedures for administration of collective bargaining agreements and plans
established pursuant to section 43A.18 concerning total compensation and the terms and
conditions of employment for employees;
(3) procedures for effecting all personnel actions internal to the state service such as
processes and requirements for agencies to publicize job openings and consider applicants
who are referred or nominate themselves, conduct of selection procedures limited to
employees, noncompetitive and qualifying appointments of employees and leaves of absence;
(4) maintenance and administration of employee performance appraisal, training and
other programs; and
(5) procedures for pilots of the reengineered employee selection process. Employment
provisions of this chapter, associated personnel rules adopted under subdivision 3, and
administrative procedures established under clauses (1) and (3) may be waived for the
purposes of these pilots. The pilots may affect the rights of and processes available to
members of the general public seeking employment in the classified service. The
commissioner will provide public notice of any pilot directly affecting the rights of and
processes available to the general public and make the administrative procedures available
for comment to the general public, agencies, employees, and appropriate exclusive
representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior
to implementation. The public notice must be provided in an accessible digital format under
section 16E.03. The process for providing comment shall include multiple formats to ensure
equal access, including via telephone, digital content, and e-mail.

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

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

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

43A.09 RECRUITMENT.
The commissioner in cooperation with appointing authorities of all state agencies shall
maintain an active recruiting program publicly conducted and designed to attract sufficient
numbers of well-qualified people to meet the needs of the civil service, and to enhance the
image and public esteem of state service employment. Special emphasis shall be given to
recruitment of veterans and protected group members, including qualified individuals with
disabilities, to assist state agencies in meeting affirmative action goals to achieve a balanced
work force. All technology and digital content related to recruiting and hiring shall be
accessible to people with disabilities.

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

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

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

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

(3) the 700-hour on-the-job demonstration experience is considered an alternative,
noncompetitive hiring process for classified positions for qualified individuals who express
interest directly to the appointing authority with disabilities; and
(4) hiring managers and others involved in the selection process are aware of the
accommodation fund under section 16B.4805 to ensure that people with disabilities obtain
timely and appropriate accommodations within the hiring process and the state agency can
request reimbursement.

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

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

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

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

43A.14 APPOINTMENTS.

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

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

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

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

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

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

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

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

(1) the number of certifications submitted, granted, and rejected;
(2) the number of applicants interviewed, appointed, and converted to probationary status;
(3) the number of employees retained after one year in state employment;
(4) the number of employees with terminated appointments and the reason for termination;
(5) the average length of time in an on-the-job demonstration appointment;
(6) the number and category of entity certifications; and
(7) by department or agency, the number of appointments and hires and the number of managers and supervisors trained.

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

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

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

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

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

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

EFFECTIVE DATE; APPLICATION. This section is effective the day following final enactment and expires January 1, 2032. This section applies to contracts entered into on or after the effective date but before January 1, 2032.
Sec. 44. Minnesota Statutes 2020, section 43A.183, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

(c) "Eligible member" means:

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

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

(d) "State employee" means an employee of the executive, judicial, or legislative branch of state government or an employee of the Minnesota State Retirement System, the Public Employee Retirement Association, or the Teachers Retirement Association.
"Active service" has the meaning given in section 190.05, subdivision 5, for military members, and includes substantially comparable service for reserve members of other nonmilitary components of the uniformed services of the United States, but excludes service performed exclusively for purposes of:

1. basic training, advanced individual training, annual training, and periodic inactive duty training;
2. special training periodically made available to reserve members;
3. service performed in accordance with section 190.08, subdivision 3; and
4. service performed as part of the active guard/reserve program pursuant to United States Code, title 32, section 502(f), or other applicable authority, as well as substantially comparable service by members of other nonmilitary components of the uniformed services of the United States.

**EFFECTIVE DATE.** This section is effective the day following final enactment.
(1) the percentage of members of each protected class in the recruiting area population who have the necessary skills; and

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

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

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

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

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

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

(e) The commissioner shall designate a statewide ADA and disability employment director who may be delegated the preparation, revision, implementation, evaluation, and administration of the program. The commissioner of management and budget may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

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

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

43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.

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

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

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

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

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

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

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

(3) provisions for funding reasonable accommodations; and

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

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

(d) The agency plan must identify any positions in the agency that can be used for supported employment as defined in section 268A.01, subdivision 13, of persons with severe disabilities. The agency shall report this information to the commissioner. An agency that hires more than one supported worker in the identified positions must receive recognition for each supported worker toward meeting the agency's affirmative action goals and objectives.
(e) An agency affirmative action plan may not be implemented without the commissioner's approval.

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

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

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

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

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

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

2. processing requests for reasonable accommodations needed by job applicants during the application and placement process and ensuring that the agency provides such accommodations when required.
(3) accepting applications for a position under hiring authorities that take disability into account;

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

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

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

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

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

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

(2) implement a coordinated retention plan; and

(3) have an established complaint resolution procedure.

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

(e) An agency is encouraged to develop other innovative ways to promote awareness, acceptance, and appreciation for diversity and affirmative action. These innovations will be considered when evaluating an agency's compliance with this section.
An agency not in compliance with affirmative action requirements of this section must identify methods and programs to improve performance, to reallocate resources internally in order to increase support for affirmative action programs, and to submit program and resource reallocation proposals to the commissioner for approval. An agency must submit these proposals within 120 days of being notified by the commissioner that it is out of compliance with affirmative action requirements. The commissioner shall monitor quarterly the affirmative action programs of an agency found to be out of compliance.

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

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

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

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

1. promote individual, group and agency efficiency and effectiveness;
2. build employee capacity to deliver accessible and inclusive services to the public, including people with disabilities; and
3. support an inclusive work environment for employees with disabilities and employees of other protected classes.

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

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

1. Title II of the Americans with Disabilities Act;
2. the state's affirmative action policy;
(3) equal opportunity employment; and

(4) digital accessibility standards.

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

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

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

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

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

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

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

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

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

(b) The commissioner, in conjunction with appointing authorities, shall analyze and assess current and future human resource requirements of the civil service and coordinate personnel actions throughout the civil service to meet the requirements. The commissioner shall provide recruiting assistance and make the applicant database available to appointing authorities to use in making appointments to positions in the unclassified service.
(c) The head of each agency in the executive branch shall designate an agency personnel officer. The agency personnel officer shall be accountable to the agency head for all personnel functions prescribed by laws, rules, collective bargaining agreements, the commissioner and the agency head. Except when otherwise prescribed by the agency head in a specific instance, the personnel officer shall be assumed to be the authority accountable to the agency head over any other officer or employee in the agency for personnel functions.

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

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

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

43A.421 SUPPORTED WORK PROGRAM.

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

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

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

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

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

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

(1) the recruitment, selection, development, and retention of people with disabilities;
(2) workforce data analysis;
(3) disability employment laws and regulations; and
(4) strategy development for universal and inclusive workplaces.

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

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

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

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

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

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

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

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

(c) The financial institution must promptly notify the commissioner if a draft drawn on the account is dishonored. A draft is not dishonored if a stop payment order is requested by an issuer who has a good faith defense to payment on the draft.
Sec. 19. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

Subd. 2. Adopting standards.

(a) The Pollution Control Agency shall improve air quality by promoting, in the most practicable way possible, the use of energy sources and waste disposal methods which produce or emit the least air contaminants consistent with the agency's overall goal of reducing all forms of pollution. The agency shall also adopt standards of air quality, not including maximum allowable standards of emission of air contaminants from motor vehicles, recognizing that due to variable factors, no single standard of purity of air is applicable to all areas of the state. In adopting standards the Pollution Control Agency shall give due recognition to the fact that the quantity or characteristics of air contaminants or the duration of their presence in the atmosphere, which may cause air pollution in one area of the state, may cause less or not cause any air pollution in another area of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, zoning classifications, topography, prevailing wind directions and velocities, and the fact that a standard of air quality which may be proper as to an essentially residential area of the state, may not be proper as to a highly developed industrial area of the state. Such standards of air quality shall be premised upon scientific knowledge of causes as well as effects based on technically substantiated criteria and commonly accepted practices. No local government unit shall set standards of air quality which are more stringent than those set by the Pollution Control Agency.

(b) The Pollution Control Agency shall promote solid waste disposal control by encouraging the updating of collection systems, elimination of open dumps, and improvements in incinerator practices. The agency shall also adopt standards for the control of the collection, transportation, storage, processing, and disposal of solid waste and sewage sludge for the prevention and abatement of water, air, and land pollution, recognizing that due to variable factors, no single standard of control is applicable to all areas of the state. In adopting standards, the Pollution Control Agency shall give due recognition to the fact that elements of control which may be reasonable and proper in densely populated areas of the state may be unreasonable and improper in sparsely populated or remote areas of the state, and it shall take into consideration in this connection such factors, including others which it may deem proper, as existing physical conditions, topography, soils and geology, climate, transportation, and land use. Such standards of control shall be premised on technical criteria and commonly accepted practices.

(c) The Pollution Control Agency shall also adopt standards describing the maximum levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere, recognizing that due to variable factors no single standard of sound pressure is applicable to all areas of the state. Such standards shall give due consideration to such factors as the intensity of noises, the types of noises, the frequency with which noises occur, the time period for which noises continue, the times of day during which noises occur, and such...
other factors as could affect the extent to which noises may be injurious to human health
or welfare, animal or plant life, or property, or could interfere unreasonably with the
enjoyment of life or property. In adopting standards, the Pollution Control Agency shall
give due recognition to the fact that the quantity or characteristics of noise or the duration
of its presence in the outdoor atmosphere, which may cause noise pollution in one area of
the state, may cause less or not cause any noise pollution in another area of the state, and
it shall take into consideration in this connection such factors, including others which it
may deem proper, as existing physical conditions, zoning classifications, topography,
meteorological conditions and the fact that a standard which may be proper in an essentially
residential area of the state, may not be proper as to a highly developed industrial area of
the state. Such noise standards shall be premised upon scientific knowledge as well as effects
based on technically substantiated criteria and commonly accepted practices. No local
governing unit shall set standards describing the maximum levels of sound pressure which
are more stringent than those set by the Pollution Control Agency.

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

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

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

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

Nothing in this paragraph exempts the generator from the agency's rules relating to on-site
accumulation or outdoor storage. A political subdivision or other local unit of government
may not adopt management requirements that are more restrictive than this paragraph.
In any rulemaking proceeding under chapter 14 to adopt standards for air quality, solid waste, or hazardous waste under this chapter, or standards for water quality under chapter 115, the statement of need and reasonableness must include:

1. an assessment of any differences between the proposed rule and:
   1. existing federal standards adopted under the Clean Air Act, United States Code, title 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a) and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title 42, section 6921(b)(1);
   2. similar standards in states bordering Minnesota; and
   3. similar standards in states within the Environmental Protection Agency Region 5; and
2. a specific analysis of the need and reasonableness of each difference.

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

Subd. 13. Unadopted rules. The commissioner of the Pollution Control Agency must not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive statement, policy plan, or similar pronouncement has not been adopted according to the rulemaking process provided under chapter 14. If an unadopted rule is challenged under section 14.381, the commissioner must cease enforcement of the unadopted rule and overcome a presumption that the unadopted rule must be adopted according to the rulemaking process provided under chapter 14.

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

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

1. a county or statutory or home rule charter city with a population of more than 100,000;
2. a county or statutory or home rule charter city which had its most recently issued general obligation bonds rated in the highest category by a national bond rating agency whose most recent long-term, senior, general obligation rating by one or more national rating organizations in the prior 18-month period is AA or higher; or
3. a self-insurance pool listed in section 471.982, subdivision 3.

A county or statutory or home rule charter city with a population of 100,000 or less that is a qualifying government, but is subsequently rated less than the highest category by a national bond rating agency, on a general obligation bond issue does not meet the threshold under clause (2), may not invest additional funds under this section but may continue to manage funds previously invested under subdivision 2.
Sec. 57. Minnesota Statutes 2020, section 118A.09, subdivision 2, is amended to read:

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

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

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

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

Subdivision 1. Definition. For the purposes of this section, "qualifying government" means a self-insurance pool formed under section 471.982.


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

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

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

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

Subdivision 1. Membership. (a) The board consists of 15 members appointed by the governor, including three members who are students who have attended an institution for at least one year and are enrolled at the time of appointment at least half time in a degree, diploma, or certificate program in an institution governed by the board. The student members shall include one member from a community college, one member from a state university, and one member from a technical college. One member representing labor must be appointed after considering the recommendations made under section 136F.045. The governor is not bound by the recommendations. Appointments to the board are with the advice and consent of the senate. At least one member of the board must be a resident of each congressional district.

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

Subdivision 1. Definition. For the purposes of this section, "qualifying government" means a self-insurance pool formed under section 471.982.


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

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

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

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

Subdivision 1. Membership. The board consists of 15 members appointed by the governor, including three members who are students who have attended an institution for at least one year and are enrolled at the time of appointment at least half time in a degree, diploma, or certificate program in an institution governed by the board. The student members shall include one member from a community college, one member from a state university, and one member from a technical college. One member representing labor must be appointed after considering the recommendations made under section 136F.045. The governor is not bound by the recommendations. Appointments to the board are with the advice and consent of the senate. At least one member of the board must be a resident of each congressional district.
district. All other members must be appointed to represent the state at large. In selecting appointees, the governor must consider the needs of the board and the balance of the board membership with respect to labor and business representation and racial, gender, geographic, and ethnic composition; and occupation and experience. In selecting appointees, the governor must consider the needs of the board for skills relevant to the governance of the Minnesota State Colleges and Universities and the candidate's ability to discharge the responsibilities of the board.

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

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

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

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

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

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

Subd. 2. Members. (a) The commission shall be composed of 15 members of whom: (1) one shall be appointed by the commissioner of transportation;
(2) one shall be appointed by the commissioner of natural resources;
(3) one shall be appointed by the director of Explore Minnesota Tourism;
(4) one shall be appointed by the commissioner of agriculture;
(5) one shall be appointed by the director of the Minnesota Historical Society;
(6) two shall be members of the senate to be appointed by the Committee on Committees;
(7) two shall be members of the house of representatives to be appointed by the speaker;
(8) one shall be the secretary appointed pursuant to subdivision 3; and
(9) five shall be citizen members appointed to staggered four-year terms by the commissioner after receiving recommendations from five citizen committees established by the members appointed under clauses (1) to (8), with each citizen committee established within and representing each of the following geographic segments along the Mississippi River:
(i) Lake Itasca to but not including the city of Grand Rapids;
(ii) Grand Rapids to but not including the city of Brainerd;
(iii) Brainerd to but not including the city of Elk River;
(iv) Elk River to but not including the city of Hastings; and
(v) Hastings to the Iowa border.

Each citizen committee member shall be a resident of the geographic segment that the committee member represents.
(b) The members of the commission appointed in paragraph (a), clauses (1) to (8), shall serve for a term expiring at the close of each regular session of the legislature and until their successors are appointed.
(c) Successor members shall be appointed by the same appointing authorities. Members may be reappointed. Any vacancy shall be filled by the appointing authority. The commissioner of transportation, the commissioner of natural resources, and the director of the Minnesota Historical Society shall be ex officio members, and shall be in addition to the 15 members heretofore provided for. Immediately upon making the appointments to the commission the appointing authorities shall so notify the Mississippi River Parkway Commission, hereinafter called the National Commission, giving the names and addresses of the members so appointed.

Successor members shall be appointed by the same appointing authorities. Members may be reappointed. Any vacancy shall be filled by the appointing authority. The commissioner of transportation, the commissioner of natural resources, and the director of the Minnesota Historical Society shall be ex officio members, and shall be in addition to the 15 members heretofore provided for. Immediately upon making the appointments to the commission the appointing authorities shall so notify the Mississippi River Parkway Commission, hereinafter called the National Commission, giving the names and addresses of the members so appointed.
Sec. 50. Minnesota Statutes 2021 Supplement, section 240.131, subdivision 7, is amended to read:

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

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

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

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

Subd. 5. Expiration. The advisory committee on Capitol Area Security expires June 30, 2036.

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

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

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

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

EFFECTIVE DATE. This section is effective the day following final enactment.
Subd. 2. Felony; gross misdemeanor. (a) A person who intentionally, willfully, and knowingly does any of the following is guilty of a felony:

1. destroys, mutilates, or injures human burials or human burial grounds; or
2. without the consent of the appropriate authority, disturbs human burial grounds or removes human remains.

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

1. removes any tombstone, monument, or structure placed in any public or private cemetery or authenticated human burial ground; or
2. removes any fence, railing, or other work erected for protection or ornament, or any tree, shrub, or plant or grave goods and artifacts within the limits of a public or private cemetery or authenticated human burial ground; or
3. discharges any firearms upon or over the grounds of any public or private cemetery or authenticated burial ground.

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

Subd. 3a. Authentication. The state archaeologist shall authenticate all burial grounds for purposes of this section. The state archaeologist may retain the services of a qualified professional archaeologist, a qualified physical anthropologist, or other appropriate experts for the purpose of gathering information that the state archaeologist can use to authenticate or identify burial grounds. If probable American Indian burial grounds are to be disturbed or probable Indian remains analyzed, investigated, or disturbed, the Indian Affairs Council must approve the professional archaeologist, qualified anthropologist, or other appropriate expert. Authentication is at the discretion of the state archaeologist based on the needs identified in this section or upon request by an agency, a landowner, or other appropriate authority. The state archaeologist shall implement and maintain a system of records.
identifying the location of known, recorded, or suspected cemeteries. The state archaeologist
shall provide access to the records as provided in subdivision 11.

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

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

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

(c) If such burials are American Indian, as determined by the state archaeologist and
Indian Affairs Council, efforts shall be made by the state archaeologist and the Indian Affairs
Council to ascertain their tribal identity to follow procedures as defined in 25 United States
Code 3001 et seq. and its implementing regulations, 43 Code of Federal Regulations, part
10. If their probable tribal identity can be determined and the remains have been removed
from their original context, such remains shall be turned over to contemporary tribal leaders
for disposition. If tribal identity cannot be determined, the Indian remains must be dealt
with in accordance with provisions established by the state archaeologist and the Indian
Affairs Council if they are from public land. If removed Indian remains are from private
land they shall be dealt with in accordance with provisions established by the Indian Affairs
Council. If it is deemed desirable by the state archaeologist or the Indian Affairs Council,
removed remains shall be studied in a timely and respectful manner by a qualified
professional archaeologist or a qualified physical anthropologist before being delivered to
tribal leaders or before being rebury. Application by a landowner for permission to develop
or disturb nonburial areas within authenticated or recorded burial grounds shall be made to
the state archaeologist and other appropriate authority in the case of non-Indian burials and
to the Indian Affairs Council and other appropriate authority in the case of Indian burials.

Landowners with authenticated or suspected human burial grounds on their property are
obligated to inform prospective buyers of the burial ground.
Subd. 7a. Landowner responsibilities. (a) Application by a landowner for permission to develop or disturb nonburial areas within authenticated or recorded burial grounds shall be made to:

1. the state archaeologist and other appropriate authority in the case of non-American Indian burials; and

2. the Indian Affairs Council and other appropriate authority in the case of American Indian burials.

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

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

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

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

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

Subd. 11. Burial sites data. (a) Burial sites locational and related data maintained by the Office of the State Archaeologist and accessible through the "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs Council are security information for purposes of section 13.37. Persons who gain access to
the this data maintained on the site are subject to liability under section 13.08 and the penalty established by section 13.09 if they improperly use or further disseminate the data.

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

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

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

(b) "Appropriate authority" means:

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

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

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

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

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

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

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

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

(g) "Cemetery" means a discrete location that is known to contain or intended to be used for the interment of human remains.
(h) "Disturb" means any activity that significantly harms the physical integrity or setting of a human burial or human burial ground.

(i) "Grave goods" means objects or artifacts directly associated with human burials or human burial grounds that were placed as part of a mortuary ritual at the time of interment.

(j) "Human remains" means the calcified portion of the human body of a deceased person in whole or in part, regardless of the state of decomposition, not including isolated teeth, or cremated remains deposited in a container or discrete feature.

(k) "Identification" means to analyze organic materials to attempt to determine if they represent human remains and to attempt to establish the ethnic, cultural, or religious affiliations of such remains.

(l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker in place or a legible sign identifying an area as a burial ground or cemetery.

(m) "Qualified physical anthropologist" means a specialist in identifying human remains who holds an advanced degree in anthropology or a closely related field.

(n) "Qualified professional archaeologist" means an archaeologist who meets the United States Secretary of the Interior's professional qualification standards in Code of Federal Regulations, title 36, part 61, appendix A, or subsequent revisions.

(o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county recorder's office.

(p) "State" or "the state" means the state of Minnesota or an agency or official of the state acting in an official capacity.

(q) "Trustees" means the recognized representatives of the original incorporators, board of directors, or cemetery association.

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

326A.09 REINSTATEMENT.

The board may reinstate a suspended, revoked, expired, or surrendered certificate, registration, or permit or suspended, revoked, expired, or surrendered practice privileges upon petition of the person or firm holding or formerly holding the registration, permit, or certificate, or practice privileges. The board may, in its sole discretion, require that the person or firm submit to the board evidence of having obtained up to 120 hours of continuing professional education credits that would have been required had the person or firm held a registration, certificate, permit, or practice privileges continuously. The board may, in its sole discretion, place any other conditions upon reinstatement of a suspended, revoked, expired, or surrendered certificate, permit, registration, or of practice privileges that it finds appropriate and necessary to ensure that the purposes of this chapter are met. No suspended
Sec. 64. Minnesota Statutes 2020, section 327C.095, subdivision 12, is amended to read:

Subd. 12. Payment to the Minnesota manufactured home relocation trust fund. (a) If a manufactured home owner is required to move due to the conversion of all or a portion of a manufactured home park to another use, the closure of a park, or cessation of use of the land as a manufactured home park, the manufactured park owner shall, upon the change in use, pay to the commissioner of management and budget Minnesota Housing Finance Agency for deposit in the Minnesota manufactured home relocation trust fund under section 462A.35, the lesser amount of the actual costs of moving or purchasing the manufactured home approved by the neutral third party and paid by the Minnesota Housing Finance Agency for deposit in the Minnesota manufactured home relocation trust fund under section 462A.35, or $3,250 for each single section manufactured home, and $6,000 for each multisection manufactured home, for which a manufactured home owner has made application for payment of relocation costs under subdivision 13, paragraph (a) or (e), or 60 days of receipt of invoice from the neutral third party.

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

1. The manufactured home park owner relocates the manufactured home owner to another space in the manufactured home park or to another manufactured home park at the park owner's expense;
2. The manufactured home owner is vacating the premises and has informed the manufactured home park owner or manager of this prior to the mailing date of the closure statement under subdivision 1;
3. The manufactured home owner has abandoned the manufactured home, or the manufactured home owner is not current on the monthly lot rental, personal property taxes;
4. The manufactured home owner has a pending eviction action for nonpayment of lot rental amount under section 327C.09, which was filed against the manufactured home owner prior to the mailing date of the closure statement under subdivision 1, and the writ of recovery has been ordered by the district court;
5. The conversion of all or a portion of a manufactured home park to another use, the closure of a park, or cessation of use of the land as a manufactured home park is the result of a taking or exercise of the power of eminent domain by a governmental entity or public utility; or

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
dark, 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;
61.33 (4) a statement certifying that none of the exceptions to receipt of compensation under
61.34 subdivision 12, paragraph (b), apply to the manufactured home owner;
61.35 (5) a statement from the manufactured park owner that the lot rental is current and that
61.36 the annual $15 payment to the Minnesota manufactured home relocation trust fund has been
61.37 paid when due; and
61.38 (6) a statement from the county where the manufactured home is located certifying that
61.39 personal property taxes for the manufactured home are paid through the end of that year.
61.40 (d) The neutral third party shall promptly process all payments for completed applications
61.41 within 14 days. If the neutral third party has acted reasonably and does not approve or deny
61.42 payment within 45 days after receipt of the information set forth in paragraph (c), the
61.43 payment is deemed approved. Upon approval and request by the neutral third party, the
Minnesota Housing Finance Agency shall issue two checks in equal amount for 50 percent
of the contract price payable to the mover and towing contractor for relocating the
manufactured home in the amount of the actual relocation cost, plus a check to the home
owner for additional certified costs associated with third-party vendors, that were necessary
in relocating the manufactured home. The moving or towing contractor shall receive 50
percent upon execution of the contract and 50 percent upon completion of the relocation
and approval by the manufactured home owner. The moving or towing contractor may not
apply the funds to any other purpose other than relocation of the manufactured home as
provided in the contract. A copy of the approval must be forwarded by the neutral third
party to the park owner with an invoice for payment of the amount specified in subdivision
12, paragraph (a).

(e) In lieu of collecting a relocation payment from the Minnesota manufactured home
relocation trust fund under paragraph (a), the manufactured home owner may collect an
amount from the fund after reasonable efforts to relocate the manufactured home have failed
due to the age or condition of the manufactured home, or because there are no manufactured
home parks willing or able to accept the manufactured home within a 25-mile radius. A
manufactured home owner may tender title of the manufactured home in the manufactured
home park to the manufactured home park owner, and collect an amount to be determined
by an independent appraisal. The appraiser must be agreed to by both the manufactured
home park owner and the manufactured home owner. If the appraised market value cannot
be determined, the tax market value, averaged over a period of five years, can be used as a
substitute. The maximum amount that may be reimbursed under the fund is $8,000 for a
single-section and $14,500 for a multisection manufactured home. The minimum amount
that may be reimbursed under the fund is $2,000 for a single section and $4,000 for a
multisection manufactured home. The manufactured home owner shall deliver to the
manufactured home park owner the current certificate of title to the manufactured home
duly endorsed by the owner of record, and valid releases of all liens shown on the certificate
title, and a statement from the county where the manufactured home is located evidencing
that the personal property taxes have been paid. The manufactured home owner's application
for funds under this paragraph must include a document certifying that the manufactured
home cannot be relocated, that the lot rental is current, that the annual $15 payments to the
Minnesota manufactured home relocation trust fund have been paid when due, that the
manufactured home owner has chosen to tender title under this section, and that the park
owner agrees to make a payment to the commissioner of management and budget of
Minnesota Housing Finance Agency in the amount established in subdivision 12, paragraph (a), less
any documented costs submitted to the neutral third party, required for demolition and
removal of the home, and any debris or refuse left on the lot, not to exceed $1,500. The
manufactured home owner must also provide a copy of the certificate of title endorsed by
the owner of record, and certify to the neutral third party, with a copy to the park owner,
that none of the exceptions to receipt of compensation under subdivision 12, paragraph (b),
clauses (1) to (6), apply to the manufactured home owner, and that the home owner will
vacate the home within 60 days after receipt of payment or the date of park closure,
whichever is earlier, provided that the monthly lot rent is kept current.
(f) Notwithstanding paragraph (a), the manufactured home owner’s compensation for relocation costs from the fund under section 462A.35, is the greater of the amount provided under this subdivision, or the amount under the local ordinance in effect on May 26, 2007, that is applicable to the manufactured home owner. Nothing in this paragraph is intended to increase the liability of the park owner.

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

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

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

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

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

Subd. 16. Reporting of licensed manufactured home parks. The Department of Health or, if applicable, local units of government that have entered into a delegation of authority with the Department of Health as provided in section 145A.07 shall provide, by March 31 of each year, a list of names and addresses of the manufactured homes licensed in the previous year, and for each manufactured home park, the current licensed owner, the owner's address, the number of licensed manufactured home lots, and other data as they may request for the Minnesota Housing Finance Agency to invoice each licensed manufactured home park in Minnesota.
Sec. 53. Minnesota Statutes 2020, section 349.151, subdivision 4d, is amended to read:

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

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

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

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

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

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

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

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

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

EFFECTIVE DATE. This section is effective July 1, 2023.
cumulative or carryover prizes. The rules shall also apply to electronic pull-tab games.

Electronic pull-tab games are subject to the rules in effect at the time the electronic pull-tab game was approved or authorized unless a later enacted law, passed by the legislature and signed by the governor, requires that an electronic pull-tab game comply with rules adopted after the date of approval or authorization.

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

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

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

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 in height and that have gone to seed, but may not include any noxious weeds and must be maintained.

65.17 (c) Except as part of a managed natural landscape as defined in this section, any weeds or grasses growing upon any lot or parcel of land in a city to a greater height than eight 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 hotels operating within the boundaries of the city or town to have a valid license issued by the city or town. A fee for a license under this section may not exceed $100.

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

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

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

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

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

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

68.18 EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 57. [645.0711] STANDARD OF TIME.

Every mention of, or reference to, any hour or time in any law, during any period of the year, is to be construed with reference to and in accordance with the standard time provided by federal law. No department of the state government and no county, city, or town shall employ, during any period of the year, any other time, or adopt any ordinance or order providing for the use, during any period of the year, of any other time than the federal standard time.

EFFECTIVE DATE. This section 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.

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

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

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

Sec. 70. CANCELLATION OF DEBT RELATED TO MILITARY SALARY DIFFERENTIAL OVERPAYMENTS.

Notwithstanding any other law to the contrary, any debt incurred prior to the effective date of this section by a current or former state employee on account of overpayment of military salary differential under Minnesota Statutes, section 43A.183, is canceled.
Sec. 60. UNITED STATES AMATEUR SPORTS AND TRAINING CENTER IN DAKOTA COUNTY; REPORT.

Subdivision 1. Study required. (a) The Minnesota Amateur Sports Commission must partner with the city of Eagan and the city of Inver Grove Heights to study the development of the United States Amateur Sports and Training Center in Dakota County.

(b) The study must:

(1) identify potential users of the training facility including youth and adult sport activities from diverse populations to be served by the training center;

(2) address possible sites of the training center and the proximity to other existing training facilities;

(3) address costs of construction for the training center based on needs identified in the study;

(4) address ongoing operational costs of the training center once completed;

(5) determine if the estimated training facility rental rates and user fees, and sponsorship fees are adequate to support the training center's ongoing operations; and

(6) evaluate the potential for local, nonstate resources to support the training facility operations to maintain the training facility, if necessary without regard to any debt service for capital improvements.

Subd. 2. Study requirements. (a) The commission's market analysis of user rental rates and user fees to determine potential revenues for the facility must consider the impacts on or duplication of existing private or government-sponsored facilities.

(b) The commission must analyze the state and local economic impacts of the proposed facility once fully operational including sales tax revenue increases and local venue and revenue impacts from sports tourism.

(c) The study must address the training center's ability to provide opportunities to underserved populations including culturally and economically diverse users and possible training center needs and uses for specific age and gender participants.

Subd. 3. Legislative report. The commission must submit a report describing its work and findings to the chairs and ranking minority members of the legislative committees responsible for capital investment and state government finance no later than January 15, 2023.
Sec. 61. DEPARTMENT OF IRON RANGE RESOURCES AND REHABILITATION; SEPARATION AND RETENTION INCENTIVE PROGRAM

AUTHORIZATION.

The commissioner of Iron Range resources and rehabilitation may provide separation and retention incentive programs for employees of the department that are consistent with the provisions of Laws 2009, chapter 78, article 3, section 2, as amended by Laws 2010, chapter 215, article 9, section 2, and Laws 2010, chapter 216, section 53. The cost of such incentives are payable solely by funds made available to the commissioner under Minnesota Statutes, chapter 298. Employees are not required to participate in the programs.

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

Sec. 72. OFFICE OF SMALL AGENCIES STUDY.

Subdivision 1. Study; requirements. The commissioner of administration must review the unique issues faced by small agencies other than the departments of the state government as designated in Minnesota Statutes, section 15.01. Small agencies include boards, commissions, councils, task forces, and authorities. The commissioner must assess whether the current support model provides adequate support for the small agencies as well as the volunteer board members. The study must examine how other states support their small agencies and provide recommendations on how to most effectively support small agencies in delivery of important functions of government.

Subd. 2. Report. By February 1, 2023, the commissioner of administration must submit the findings and recommendations of the study to the governor and the chairs and ranking minority members of the legislative committees with primary jurisdiction over state government.

Sec. 73. STATE EMBLEMS REDESIGN COMMISSION.

Subdivision 1. Establishment. The State Emblems Redesign Commission is established.

The purpose of the commission is to develop, design, and recommend to the legislature and governor new designs for the official state flag and the official state seal no later than January 1, 2023.

Subd. 2. Membership; meetings. (a) The commission consists of the following members:

(1) three members of the public, appointed by the governor;

(2) two members of the house of representatives, one each appointed by the speaker of the house and the minority leader of the house;

(3) two members of the senate, one representing the majority caucus and one representing the minority caucus, appointed by the Subcommittee on Committees of the Senate Committee on Rules and Administration;

The commissioner of Iron Range resources and rehabilitation may provide separation and retention incentive programs for employees of the department that are consistent with the provisions of Laws 2009, chapter 78, article 3, section 2, as amended by Laws 2010, chapter 215, article 9, section 2, and Laws 2010, chapter 216, section 53. The cost of such incentives are payable solely by funds made available to the commissioner under Minnesota Statutes, chapter 298. Employees are not required to participate in the programs.

EFFECTIVE DATE. This section is effective the day following final enactment.
(4) one member appointed by the Council for Minnesotans of African Heritage;
(5) one member appointed by the Minnesota Council on Latino Affairs;
(6) one member appointed by the Council on Asian-Pacific Minnesotans; and
(7) two members appointed by the Indian Affairs Council.
(b) The following serve as ex-officio, nonvoting members of the commission:
(1) the secretary of state or the secretary's designee;
(2) the executive director of the Minnesota Historical Society or the director's designee;
(3) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;
(4) the chair of the Minnesota Arts Board or the chair's designee; and
(5) the executive director of Explore Minnesota Tourism or the director's designee.
(c) Appointments to the commission must be made no later than August 1, 2022. The
voting members of the commission shall elect a chair and vice-chair. An appointee designated
by the governor shall convene the commission's first meeting. Decisions of the commission
must be made by majority vote. The Minnesota Historical Society must provide office space
and administrative support to the commission.

Subd. 3. Meetings. Meetings of the commission are subject to Minnesota Statutes,
chapter 13D.
Subd. 4. Duties; form and style of recommended state emblems. The commission
shall develop, design, and recommend to the legislature and governor a new design for the
official state seal and a new design for the official state flag. The designs must accurately
and respectfully reflect Minnesota's shared history, resources, and diverse cultural
communities. Symbols, emblems, or likenesses that represent only a single community or
person, regardless of whether real or stylized, may not be included in a design. The
commission may solicit and secure the voluntary service and aid of vexillologists and other
persons who have either technical or artistic skill in flag construction and design, or the
design of official seals, to assist in the work. The commission must also solicit public
feedback and suggestions to inform its work.

Subd. 5. Report. The commission shall make its recommendation in a report to the
legislature and governor no later than January 1, 2023. In addition to the recommended
designs, the commission's report must describe the symbols and other meanings incorporated
in the design. The commission expires upon submission of its report.

Sec. 74. LEGISLATIVE ACTION; RETIREMENT OF CURRENT OFFICIAL
SEAL AND FLAG. The legislature intends to hold necessary votes on adoption of the State Emblems
Redesign Commission's recommended designs during the 2023 regular session in an effort
to ensure that a new official state seal and a new official state flag may each be adopted and
become effective no later than May 11, 2023. The legislature is encouraged to adopt
procedures that allow for the current official state flag and official state seal to be retired
and replaced in a respectful manner, and its history preserved in an appropriate location on
the State Capitol complex.

Sec. 75. LEGISLATIVE TASK FORCE ON AGING.

Subdivision 1. Establishment. A legislative task force is established to examine whether
a state department on aging is necessary to:

(1) develop plans for the aging and workforce demographics;
(2) develop and guide restructuring of state and local policy, programs, and funding that
is aimed at healthy aging in the community;
(3) coordinate public, private, and independent sector endeavors for renovating
system-based solutions that cover all major areas of the aging life experience, such as health,
human services, housing, transportation, consumer affairs, employment and economic
security, and business development;
(4) focus state resources on aging visibility and developing priorities for an aging
demographic;
(5) develop measurable outcomes to address aging priorities while accounting for
infrastructure differences such as transportation, Internet, and cell phone service across
urban and rural localities;
(6) support an aging population through statewide and local endeavors for people to
remain in their communities; and
(7) ensure all aging-related policies are inclusive of race, ethnicity, culture, geography,
sexual orientation, abilities, and other characteristics that reflect the full population of the
state.

Subd. 2. Duties. The task force review shall include but is not limited to:

(1) all current aging-related governmental functions, programs, and services across all
state departments;
(2) the potential for public and private savings resulting from developing a state
department on aging that leads and implements aging policies across all state agencies and
departments;
(3) current public strategies to plan and execute policies and funding statewide including:
   (i) redefining work and retirement;
   (ii) supporting caregivers of all ages;
(iii) sustaining neighborhoods and communities;

(iv) improving delivery systems for health care and long-term care services; and

(v) integrating the Minnesota Age Friendly Council;

(4) the necessity for planning and economic development for aging in the state to address:

(i) recognition of longevity and the impact it has on economics, the workforce, advancing
technology and innovations, and perception of what it means to age;

(ii) creating and integrating housing, land-use, transportation, economic, social service,
and health systems that support a high quality of life for individuals of all ages and abilities;

(iii) a multigenerational plan to reduce statewide risk of social isolation, poverty, declining
health, and poor economic well-being;

(iv) long-term and sustainable systems change that will address transportation needs at
the scale needed for an aging population;

(v) developing markets for financial products that allow older adults to safely access the
equity in their homes;

(vi) increasing the availability of affordable rental housing;

(vii) increasing coordination between health services and housing supports; and

(viii) integrating aging in the community across the range of state and federal programs;

and

(5) coordinating the review of aging issues across all state agencies, Tribal nations, cities,
counties, businesses, and neighborhoods;

Subd. 3. Membership. (a) The task force shall include the following members:

(1) two members from the house of representatives, one appointed by the speaker of the
house and one appointed by the minority leader;

(2) two members from the senate, one appointed by the majority leader and one appointed
by the minority leader;

(3) the chair of the Minnesota Board on Aging, or a board member as designee;

(4) the chair of the Minnesota Council on Disabilities, or an agency employee as designee;

(5) the chair of the Minnesota Indian Affairs Council, or a council member, except the
legislative council member, as designee; and

(6) the director of the University of Minnesota Center for Healthy Aging and Innovation,
or a University of Minnesota employee as a designee.
(b) The speaker of the house and the senate majority leader shall appoint a chair and a vice-chair for the membership of the task force. The chair and the vice-chair shall rotate after each meeting.

(c) The task force shall expire June 1, 2026.

Subd. 4. Meetings. (a) The task force shall meet at least once per month. The meetings shall take place in person in the Capitol Complex. If the Capitol Complex is closed to the public, the meetings shall be held remotely by video conference, telephone, or other remote means.

(b) The legislative member appointed as chair shall call the first monthly meeting no later than September 28, 2022.

Subd. 5. Expenses; per diem. Members serving on the task force shall receive the following per diem:

1. The Board on Aging task force member who is a volunteer citizen member shall receive the per diem in Minnesota Statutes, section 15.059, subdivision 3;
2. The Council on Disability task force member shall not receive a per diem;
3. The Indian Affairs Council task force member who is a citizen member shall receive the per diem in Minnesota Statutes, section 15.059, subdivision 3;
4. The University of Minnesota task force member shall not receive a per diem; and
5. Legislative members on the task force shall receive the standard per diem allowed during the legislature's interim period.

Subd. 6. Report. The task force shall submit a report with recommendations to the chairs and ranking minority members of the legislative committees with jurisdiction over health and human services finance and policy and state government by May 30, 2026.

EFFECTIVE DATE. This section is effective the day following final enactment.
(1) Lake Itasca, to but not including the city of Grand Rapids, for a term ending December 31, 2025; (2) Grand Rapids, to but not including the city of Brainerd, for a term ending December 31, 2025; (3) Brainerd, to but not including the city of Elk River, for a term ending December 31, 2025; (4) Elk River, to but not including the city of Hastings, for a term ending December 31, 2025; and (5) Hastings, to the Iowa border, for a term ending December 31, 2025.

Sec. 62. PUBLIC LAND SURVEY MONUMENT RESTORATION.

The chief geospatial information officer, in consultation with the Geospatial Advisory Council and Minnesota Association of County Surveyors, must submit a report by January 1, 2023, to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over local government detailing the status of the monuments that mark public land survey corners, the work needed by each county to restore missing or mislocated monuments so that all public land survey corners are documented and marked with monuments, and the estimated costs for each county to complete the work. The report must describe the state's interest in the restoration of missing or mislocated monuments; propose a schedule for state funding, if warranted, for grants to counties to complete the work; whether the county has used or plans to use taxing authority in Minnesota Statutes, section 381.12, subdivision 2, to defray the expenses for the work; identify federal money that may be available for this work; or propose another manner of funding the work.

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

Sec. 63. CONSUMER CHOICE OF FUEL ACT.

This section and sections 9, 10, and 19 are known as the Consumer Choice of Fuel Act.

Sec. 78. REVISOR INSTRUCTION.

(a) The revisor of statutes in coordination with Senate Counsel, Research and Fiscal Analysis and the House Research Department shall conduct a study of Minnesota Statutes and Minnesota Rules to determine compliance with the provisions of the Equal Rights Amendment to the United States Constitution, specifically focusing on a review of sex-specific language and sex-specific treatments or requirements.
(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.

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.

Sec. 66. REPEALER. Sec. 79. REPEALER. Sec. 79. REPEALER.

(a) Minnesota Statutes 2020, sections 136F.03; and 326A.04, subdivision 11, are repealed.


Subd. 3. Trustee Candidate Advisory Council. Minnesota Statutes 2020, sections 179.90; and 179.91, are repealed.

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.