

House Language H1830-3		State Government	May 02, 2023 04:47 PM	Senate Language UEH1830-1	
24.5	ARTICLE 2			26.17	ARTICLE 3
24.6	STATE AND LOCAL GOVERNMENT POLICY			26.18	MISCELLANEOUS POLICY
24.7	Section 1. <u>Minnesota Statutes 2022, section 1.135, subdivision 2, is amended to read:</u>				
24.8	Subd. 2. Official seal. <u>The seal described in subdivision 3 3a is the "Great Seal of the</u>				
24.9	<u>State of Minnesota." When the seal, the impression of the seal, the scene within the seal,</u>				
24.10	<u>or its likeness is reproduced at state expense, it must conform to subdivision 3 and section</u>				
24.11	<u>4.04. A seal, impression, scene, or likeness which does not conform to these provisions is</u>				
24.12	<u>not official.</u>				
24.13	EFFECTIVE DATE. <u>This section is effective May 11, 2024.</u>				
24.14	Sec. 2. <u>Minnesota Statutes 2022, section 1.135, is amended by adding a subdivision to</u>				
24.15	<u>read:</u>				
24.16	Subd. 3a. Official seal; May 11, 2024, and thereafter. <u>The Great Seal of the State of</u>				
24.17	<u>Minnesota is the design as certified in the report of the State Emblems Redesign Commission,</u>				
24.18	<u>as established by this act.</u>				
24.19	EFFECTIVE DATE. <u>This section is effective May 11, 2024.</u>				
24.20	Sec. 3. <u>Minnesota Statutes 2022, section 1.135, subdivision 4, is amended to read:</u>				
24.21	Subd. 4. Additional effects; size. <u>Every effort shall be made to reproduce the seal with</u>				
24.22	<u>justification to the 12 o'clock position and with attention to the authenticity of the illustrations</u>				
24.23	<u>used to create the scene within the seal. The description of the scene in this section does</u>				
24.24	<u>not preclude the graphic inclusion of the effects of movement, sunlight, or falling water</u>				
24.25	<u>when the seal is reproduced. Nor does.</u> <u>This section does not prohibit the enlargement,</u>				
24.26	<u>proportioned reduction, or embossment of the seal for its use in unofficial acts.</u>				
24.27	EFFECTIVE DATE. <u>This section is effective May 11, 2024.</u>				
24.28	Sec. 4. <u>Minnesota Statutes 2022, section 1.135, subdivision 6, is amended to read:</u>				
24.29	Subd. 6. State's duties. <u>State agencies and departments using the seal, its impression,</u>				
24.30	<u>the scene within the seal or its likeness shall make every effort to bring any seal, impression,</u>				
25.1	<u>scene, or likeness currently fixed to a permanent object into accordance with this section</u>				
25.2	<u>and section 4.04. Expendable material to which the seal in effect prior to May 11, 2024, or</u>				
25.3	<u>any impression, scene, or likeness of that seal is currently affixed may be used until the</u>				
25.4	<u>supply is exhausted or until January 1, 2025, whichever occurs first. All unused dies and</u>				
25.5	<u>engravings of the Great Seal shall be given to the Minnesota Historical Society, along with</u>				
25.6	<u>all historical information available about the seal, to be retained in the society's permanent</u>				
25.7	<u>collection.</u>				
25.8	EFFECTIVE DATE. <u>This section is effective May 11, 2024.</u>				

25.9 Sec. 5. Minnesota Statutes 2022, section 1.141, subdivision 1, is amended to read:

25.10 Subdivision 1. **Adoption.** The design of the state flag proposed by the Legislative Interim

25.11 Commission acting under Laws 1955, chapter 632, as certified in the report of the State

25.12 Emblems Redesign Commission, as established by this act, is adopted as the official state

25.13 flag.

25.14 **EFFECTIVE DATE.** This section is effective May 11, 2024.

25.15 Sec. 6. Minnesota Statutes 2022, section 3.099, subdivision 3, is amended to read:

25.16 Subd. 3. **Leaders.** The senate Committee on Rules and Administration for the senate

25.17 and the house of representatives Committee on Rules and Legislative Administration for

25.18 the house of representatives may each designate for their respective body up to three five

25.19 leadership positions to receive up to 140 percent of the compensation of other members.

25.20 At the commencement of each biennial legislative session, each house of the legislature

25.21 shall adopt a resolution designating its majority and minority leader.

25.22 The majority leader is the person elected by the caucus of members in each house which

25.23 is its largest political affiliation. The minority leader is the person elected by the caucus

25.24 which is its second largest political affiliation.

25.25 Sec. 7. **[3.1985] LEGISLATIVE FUNDING; APPROPRIATION.**

25.26 Subdivision 1. **Definition.** As used in this section, "sums sufficient to operate" means

25.27 funds necessary to support the functions of the respective entity receiving the appropriation.

25.28 These sums may include but are not limited to those necessary for member and employee

26.19 Section 1. Minnesota Statutes 2022, section 3.07, is amended to read:

26.20 **3.07 ADDITIONAL EMPLOYEES.**

26.21 Each house, after its organization, may appoint and at pleasure remove the employees

26.22 provided for by its permanent rules or recommended by its Committee on Rules, subject to

26.23 terms and conditions of employment under applicable collective bargaining agreements.

26.24 All officers and employees shall receive the compensation provided by the permanent rules

26.25 of the electing or appointing body or recommended by its Committee on Rules. Unless

26.26 otherwise expressly provided by law, no officer or employee shall receive any other

26.27 compensation for services.

27.1 Sec. 2. Minnesota Statutes 2022, section 3.09, is amended to read:

27.2 **3.09 COMPENSATION OF EMPLOYEES.**

27.3 The compensation of officers and employees shall be at the rates fixed by the permanent

27.4 rules of the electing or appointing body or recommended by its Committee on Rules, subject

27.5 to terms and conditions of employment under applicable collective bargaining agreements.

25.29 compensation and expenses, supplies and facilities management, safety and security,
25.30 payments required under lease agreements for real property, and other expenses associated
26.1 with legislative sessions, interim activities, public hearings, public outreach, and related
26.2 activities.

26.3 Subd. 2. **House of representatives.** (a) Sums sufficient to operate the house of
26.4 representatives are appropriated from the general fund or other funds, as appropriate, to the
26.5 house of representatives.

26.6 (b) No later than June 30 of each odd-numbered year, the controller of the house of
26.7 representatives must certify to the commissioner of management and budget the amounts
26.8 to be appropriated under this section for the fiscal year beginning July 1 of the same
26.9 odd-numbered year.

26.10 (c) No later than October 15 and January 15 of each year, the controller of the house of
26.11 representatives must certify to the commissioner of management and budget any changes
26.12 to the current biennium's appropriations. Certifications provided by October 15 of an
26.13 even-numbered year and January 15 of an odd-numbered year must include estimated
26.14 amounts to be appropriated for the fiscal biennium beginning the next July 1.

26.15 (d) Amounts certified under paragraphs (b) and (c) must be the amounts determined by
26.16 a majority vote conducted during a public meeting of the house of representatives Committee
26.17 on Rules and Legislative Administration. The committee must accept public comment on
26.18 the proposed amounts.

26.19 (e) At any time between the date funds are certified under this subdivision and the last
26.20 date for adjusting the certified amount, the Legislative Advisory Commission may convene
26.21 a meeting to review and provide advice on the certified amount. At its discretion, the
26.22 Committee on Rules and Legislative Administration may incorporate the advice of the
26.23 commission when making an adjustment to the certified amount.

26.24 Subd. 3. **Senate.** (a) Sums sufficient to operate the senate are appropriated from the
26.25 general fund or other funds, as appropriate, to the senate.

26.26 (b) No later than June 30 of each odd-numbered year, the secretary of the senate must
26.27 certify to the commissioner of management and budget the amounts to be appropriated
26.28 under this section for the fiscal year beginning July 1 of the same odd-numbered year.

26.29 (c) No later than October 15 and January 15 of each year, the secretary of the senate
26.30 must certify to the commissioner of management and budget any changes to the current
26.31 biennium's appropriations. Certifications provided by October 15 of an even-numbered year
26.32 and January 15 of an odd-numbered year must include estimated amounts to be appropriated
26.33 for the fiscal biennium beginning the next July 1.

27.1 (d) Amounts certified under paragraphs (b) and (c) must be the amounts determined by
27.2 a majority vote conducted during a public meeting of the senate Committee on Rules and
27.3 Administration. The committee must accept public comment on the proposed amounts.

27.4 (e) At any time between the date funds are certified under this subdivision and the last
27.5 date for adjusting the certified amount, the Legislative Advisory Commission may convene
27.6 a meeting to review and provide advice on the certified amount. At its discretion, the senate
27.7 Committee on Rules and Administration may incorporate the advice of the commission
27.8 when making an adjustment to the certified amount.

27.9 Subd. 4. **Legislative Coordinating Commission.** (a) Sums sufficient to operate the
27.10 Legislative Coordinating Commission are appropriated from the general fund or other funds,
27.11 as appropriate, to the Legislative Coordinating Commission.

27.12 (b) No later than June 30 of each odd-numbered year, the executive director of the
27.13 Legislative Coordinating Commission must certify to the commissioner of management
27.14 and budget the amounts to be appropriated under this section for the fiscal biennium
27.15 beginning July 1 of the same odd-numbered year.

27.16 (c) No later than October 15 and January 15 of each year, the executive director must
27.17 certify to the commissioner of management and budget any changes to the current biennium's
27.18 appropriations. Certifications provided by October 15 of an even-numbered year and January
27.19 15 of an odd-numbered year must include estimated amounts to be appropriated for the
27.20 fiscal biennium beginning the next July 1.

27.21 (d) The amounts certified under paragraphs (b) and (c) must be the amounts recommended
27.22 by the Legislative Coordinating Commission by majority vote in a public meeting, and
27.23 approved by majority votes of both the house Committee on Rules and Legislative
27.24 Administration and the senate Committee on Rules and Administration in public meetings.
27.25 The commission and committees must accept public comment on the proposed amounts in
27.26 the meetings where the amounts are recommended or approved. The total amount certified
27.27 must identify specific amounts appropriated for each of the following joint legislative offices:

27.28 (1) the Legislative Budget Office;

27.29 (2) the Legislative Coordinating Commission;

27.30 (3) the Legislative Reference Library;

27.31 (4) the Office of the Legislative Auditor; and

27.32 (5) the Office of the Revisor of Statutes.

28.1 Subd. 5. **Other appropriations.** Nothing in this section precludes the house of
28.2 representatives, the senate, or a joint legislative office or commission of the Legislative
28.3 Coordinating Commission from receiving a direct appropriation by law or another statutory
28.4 appropriation for a specific purpose provided in the direct or statutory appropriation. If the
28.5 house of representatives, the senate, or a joint legislative office or commission receives a

28.6 direct or statutory appropriation, the amount appropriated is distinct from and must not be
28.7 considered during the biennial appropriation certification process under subdivision 2, 3,
28.8 or 4.

28.9 **EFFECTIVE DATE; APPLICABILITY.** This section is effective July 1, 2025, and
28.10 applies to appropriations for fiscal years 2026 and thereafter.

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

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

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

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

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

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

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

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

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

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

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5.1 Sec. 6. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to
5.2 read:

5.3 Subd. 1a. **Definition.** (a) For purposes of this section, the following term has the meaning
5.4 given.

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

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

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

5.13 Sec. 7. Minnesota Statutes 2022, section 3.888, subdivision 5, is amended to read:

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

5.21 Sec. 8. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to
5.22 read:

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

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

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

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

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

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

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

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

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28.11 Sec. 8. Minnesota Statutes 2022, section 3.97, subdivision 2, is amended to read:

28.12 Subd. 2. **Membership; terms; meetings; compensation; powers.** The Legislative Audit
28.13 Commission consists of:

28.14 (1) three members of the senate appointed by the ~~Subcommittee on Committees of the~~
28.15 ~~Committee on Rules and Administration of the senate~~ majority leader;

28.16 (2) three members of the senate appointed by the senate minority leader;

28.17 (3) three members of the house of representatives appointed by the speaker of the house;
28.18 and

28.19 (4) three members of the house of representatives appointed by the house of
28.20 representatives minority leader.

28.21 Members shall serve until replaced, or until they are not members of the legislative body
28.22 from which they were appointed. Appointing authorities shall fill vacancies on the
28.23 commission within 30 days of a vacancy being created.

28.24 The commission shall meet in January of each odd-numbered year to elect its chair and
28.25 vice-chair. They shall serve until successors are elected. The chair and vice-chair shall
28.26 alternate biennially between the senate and the house of representatives, and shall be of
28.27 different political parties. The commission shall meet at the call of the chair. The members

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

6.1 (3) a requirement that votes shall not be taken during a closed meeting or a closed portion
6.2 of a meeting pursuant to this section;

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

6.5 (5) guidance for the Legislative Coordinating Commission for the public release of
6.6 security records following the eight-year record requirement in subdivision 5. The meetings
6.7 of the Legislative Coordinating Commission under this subdivision are exempt from section
6.8 3.055 when necessary to safeguard the confidentiality of security records.

6.9 Sec. 9. Minnesota Statutes 2022, section 3.888, is amended by adding a subdivision to
6.10 read:

6.11 Subd. 5b. **Alleged member closed meeting confidentiality violations.** Notwithstanding
6.12 any law to the contrary, if a complaint alleging a member violated the confidentiality of a
6.13 closed meeting is brought to a legislative committee with jurisdiction over ethical conduct,
6.14 the committee with jurisdiction over ethical conduct must preserve the confidentiality of
6.15 the closed meeting at issue.

6.16 Sec. 10. Minnesota Statutes 2022, section 3.97, subdivision 2, is amended to read:

6.17 Subd. 2. **Membership; terms; meetings; compensation; powers.** The Legislative Audit
6.18 Commission consists of:

6.19 (1) three members of the senate appointed by the ~~Subcommittee on Committees of the~~
6.20 ~~Committee on Rules and Administration of the senate~~ majority leader;

6.21 (2) three members of the senate appointed by the senate minority leader;

6.22 (3) three members of the house of representatives appointed by the speaker of the house;
6.23 and

6.24 (4) three members of the house of representatives appointed by the house of
6.25 representatives minority leader.

6.26 Members shall serve until replaced, or until they are not members of the legislative body
6.27 from which they were appointed. Appointing authorities shall fill vacancies on the
6.28 commission within 30 days of a vacancy being created.

6.29 The commission shall meet in January of each odd-numbered year to elect its chair and
6.30 vice-chair. They shall serve until successors are elected. The chair and vice-chair shall
6.31 alternate biennially between the senate and the house of representatives, and shall be of
7.1 different political parties. The commission shall meet at the call of the chair. The members

28.28 shall serve without compensation but be reimbursed for their reasonable expenses as members
28.29 of the legislature. The commission may exercise the powers prescribed by section 3.153.

29.1 Sec. 9. Minnesota Statutes 2022, section 3.972, subdivision 3, is amended to read:

29.2 Subd. 3. **Audit contracts.** ~~Notwithstanding any other law, A state department, board,~~
29.3 ~~commission, or other state agency shall not negotiate a contract~~ contracting with a public
29.4 accountant for an audit, except a contract negotiated by the state auditor for an audit of a
29.5 local government, ~~unless the contract has been reviewed by the legislative auditor. The~~
29.6 ~~legislative auditor shall not participate in the selection of the public accountant but shall~~
29.7 ~~review and submit written comments on the proposed contract within seven days of its~~
29.8 ~~receipt. Upon completion of the audit, the legislative auditor shall be given must provide~~
29.9 ~~the legislative auditor with a copy of the final report of the audit upon completion of the~~
29.10 ~~audit.~~

29.11 Sec. 10. Minnesota Statutes 2022, section 3.978, subdivision 2, is amended to read:

29.12 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
29.13 officials and their deputies and employees, and all corporations, firms, and individuals
29.14 having business involving the receipt, disbursement, or custody of public funds shall at all
29.15 times: (1) afford reasonable facilities for examinations by the legislative auditor; ~~make;~~ (2)
29.16 provide returns and reports required by the legislative auditor; (3) attend and answer under
29.17 oath the legislative auditor's lawful inquiries; (4) produce and exhibit all books, accounts,
29.18 documents, data of any classification, and property that the legislative auditor requests to
29.19 inspect; and (5) in all things cooperate with the legislative auditor.

29.20 Sec. 11. Minnesota Statutes 2022, section 3.979, subdivision 2, is amended to read:

29.21 Subd. 2. **Access to data by commission members.** Members of the commission have
29.22 access to ~~not~~ public data that is collected or used by the legislative auditor ~~and classified as~~
29.23 ~~not public or as private or confidential~~ only as authorized by resolution of the commission.
29.24 The commission may not authorize its members to have access to private or confidential
29.25 data on individuals collected or used in connection with the collection of any tax.

29.26 Sec. 12. Minnesota Statutes 2022, section 3.979, subdivision 3, is amended to read:

29.27 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
29.28 program evaluation, special review, ~~or~~ investigation, or assessment of an allegation or report
29.29 submitted to the legislative auditor. ~~Notwithstanding any other law, data relating to an audit~~
29.30 ~~are not public or with respect to data on individuals are confidential or protected nonpublic~~
29.31 until the final report of the audit has been released by the legislative auditor or the audit is
29.32 no longer being actively pursued. Upon release of a final audit report by the legislative
30.1 auditor, data relating to an audit are public except data otherwise classified as not public.
30.2 Unless the data is subject to a more restrictive classification by another law, upon the
30.3 legislative auditor's decision to no longer actively pursue an audit without the release of a
30.4 final audit report, data relating to an audit are private or nonpublic.

7.2 shall serve without compensation but be reimbursed for their reasonable expenses as members
7.3 of the legislature. The commission may exercise the powers prescribed by section 3.153.

7.4 Sec. 11. Minnesota Statutes 2022, section 3.972, subdivision 3, is amended to read:

7.5 Subd. 3. **Audit contracts.** ~~Notwithstanding any other law, A state department, board,~~
7.6 ~~commission, or other state agency shall not negotiate a contract~~ contracting with a public
7.7 accountant for an audit, except a contract negotiated by the state auditor for an audit of a
7.8 local government, ~~unless the contract has been reviewed by the legislative auditor. The~~
7.9 ~~legislative auditor shall not participate in the selection of the public accountant but shall~~
7.10 ~~review and submit written comments on the proposed contract within seven days of its~~
7.11 ~~receipt. Upon completion of the audit, the legislative auditor shall be given must provide~~
7.12 ~~the legislative auditor with a copy of the final report of the audit upon completion of the~~
7.13 ~~audit.~~

7.14 Sec. 12. Minnesota Statutes 2022, section 3.978, subdivision 2, is amended to read:

7.15 Subd. 2. **Inquiry and inspection power; duty to aid legislative auditor.** All public
7.16 officials and their deputies and employees, and all corporations, firms, and individuals
7.17 having business involving the receipt, disbursement, or custody of public funds shall at all
7.18 times: (1) afford reasonable facilities for examinations by the legislative auditor; (2) ~~make~~
7.19 provide returns and reports required by the legislative auditor; (3) attend and answer under
7.20 oath the legislative auditor's lawful inquiries; (4) produce and exhibit all books, accounts,
7.21 documents, data of any classification, and property that the legislative auditor requests to
7.22 inspect; and (5) in all things cooperate with the legislative auditor.

7.23 Sec. 13. Minnesota Statutes 2022, section 3.979, subdivision 2, is amended to read:

7.24 Subd. 2. **Access to data by commission members.** Members of the commission have
7.25 access to ~~not~~ public data that is collected or used by the legislative auditor ~~and classified as~~
7.26 ~~not public or as private or confidential~~ only as authorized by resolution of the commission.
7.27 The commission may not authorize its members to have access to private or confidential
7.28 data on individuals collected or used in connection with the collection of any tax.

7.29 Sec. 14. Minnesota Statutes 2022, section 3.979, subdivision 3, is amended to read:

7.30 Subd. 3. **Audit data.** (a) "Audit" as used in this subdivision means a financial audit,
7.31 program evaluation, special review, ~~or~~ investigation, or assessment of an allegation or report
8.1 submitted to the legislative auditor. ~~Notwithstanding any other law, data relating to an audit~~
8.2 ~~are not public or with respect to data on individuals are confidential or protected nonpublic~~
8.3 until the final report of the audit has been released by the legislative auditor or the audit is
8.4 no longer being actively pursued. Upon release of a final audit report by the legislative
8.5 auditor, data relating to an audit are public except data otherwise classified as not public.
8.6 Unless the data are subject to a more restrictive classification by another law, upon the
8.7 legislative auditor's decision to no longer actively pursue an audit without the release of a
8.8 final audit report, data relating to an audit are private or nonpublic.

30.5 (b) Data related to an audit but not published in the audit report and that the legislative
30.6 auditor reasonably believes will be used in litigation ~~are not public and with respect to data~~
30.7 ~~on individuals~~ are confidential or protected nonpublic until the litigation has been completed
30.8 or is no longer being actively pursued.

30.9 (c) Data that could reasonably be used to determine the identity of an individual or entity
30.10 supplying data for an audit are private or nonpublic if the data supplied ~~by the individual~~
30.11 were needed for an audit and ~~the individual~~ would not have been provided ~~the data~~ to the
30.12 legislative auditor without an assurance that the ~~individual's~~ identity of the individual or
30.13 entity would remain private or nonpublic, or the legislative auditor reasonably believes that
30.14 the ~~subject data~~ would not have been provided ~~the data~~.

30.15 (d) ~~The definitions of terms provided in section 13.02 apply for purposes of this~~
30.16 ~~subdivision~~ Data related to an audit that were obtained from a nongovernmental entity have
30.17 the classification that the data would have if obtained from the government entity for which
30.18 the data were created, collected, or maintained by the nongovernmental entity.

30.19 (e) The legislative auditor may disseminate data of any classification to:

30.20 (1) a government entity, other than a law enforcement agency or prosecuting authority,
30.21 if the dissemination of the data aids a pending audit; or

30.22 (2) a law enforcement agency or prosecuting authority if there is reason to believe that
30.23 the data are evidence of criminal activity within the agency's or authority's jurisdiction.

30.24 Notwithstanding the classification of data as confidential or protected nonpublic, an individual
30.25 or entity who supplies information for an audit may authorize the legislative auditor to
30.26 release data that would identify the individual or entity for the purpose of conducting the
30.27 audit. Data disseminated pursuant to this paragraph are subject to section 13.03, subdivision
30.28 4, paragraph (c).

30.29 Sec. 13. Minnesota Statutes 2022, section 3.979, is amended by adding a subdivision to
30.30 read:

30.31 Subd. 6. **Definitions.** The definitions of terms provided in section 13.02 apply for
30.32 purposes of this section.

8.9 (b) Data related to an audit but not published in the audit report and that the legislative
8.10 auditor reasonably believes will be used in litigation ~~are not public and with respect to data~~
8.11 ~~on individuals~~ are confidential or protected nonpublic until the litigation has been completed
8.12 or is no longer being actively pursued.

8.13 (c) Data that could reasonably be used to determine the identity of an individual or entity
8.14 supplying data for an audit are private or nonpublic if the data supplied ~~by the individual~~
8.15 were needed for an audit and ~~the individual~~ would not have been provided ~~the data~~ to the
8.16 legislative auditor without an assurance that the ~~individual's~~ identity of the individual or
8.17 entity would remain private or nonpublic, or the legislative auditor reasonably believes that
8.18 the ~~subject data~~ would not have been provided ~~the data~~.

8.19 (d) ~~The definitions of terms provided in section 13.02 apply for purposes of this~~
8.20 ~~subdivision~~ Data related to an audit that were obtained from a nongovernmental entity have
8.21 the classification that the data would have if obtained from the government entity for which
8.22 the data were created, collected, or maintained by the nongovernmental entity.

8.23 (e) The legislative auditor may disseminate data of any classification to:

8.24 (1) a government entity, other than a law enforcement agency or prosecuting authority,
8.25 if the dissemination of the data aids a pending audit; or

8.26 (2) a law enforcement agency or prosecuting authority if there is reason to believe that
8.27 the data are evidence of criminal activity within the agency's or authority's jurisdiction.

8.28 Notwithstanding the classification of data as confidential or protected nonpublic, an individual
8.29 or entity who supplies information for an audit may authorize the legislative auditor to
8.30 release data that would identify the individual or entity for the purpose of conducting the
8.31 audit. Data disseminated pursuant to this paragraph are subject to section 13.03, subdivision
8.32 4, paragraph (c).

9.1 Sec. 15. Minnesota Statutes 2022, section 3.979, is amended by adding a subdivision to
9.2 read:

9.3 Subd. 6. **Definitions.** The definitions of terms provided in section 13.02 apply for
9.4 purposes of this section.

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27.6 Sec. 3. Minnesota Statutes 2022, section 3.98, subdivision 2, is amended to read:

27.7 Subd. 2. **Contents.** (a) The fiscal note, where possible, shall:

27.8 (1) cite the effect in dollar amounts;

27.9 (2) cite the statutory provisions affected;

27.10 (3) estimate the increase or decrease in revenues or expenditures;

27.11 (4) include the costs which may be absorbed without additional funds;

31.1 Sec. 14. Minnesota Statutes 2022, section 4.045, is amended to read:

31.2 **4.045 CHILDREN'S CABINET.**

31.3 The Children's Cabinet shall consist of the commissioners of education, human services,

31.4 employment and economic development, public safety, corrections, management and budget,

31.5 health, administration, Housing Finance Agency, and transportation, ~~and the director of the~~

31.6 ~~Office of Strategic and Long-Range Planning~~. The governor shall designate one member

31.7 to serve as cabinet chair. The chair is responsible for ensuring that the duties of the Children's

31.8 Cabinet are performed.

31.9 Sec. 15. Minnesota Statutes 2022, section 10.44, is amended to read:

31.10 **~~10.44 HOUSE, SENATE, COURT, ELECTED OFFICE BUDGETS; HOW~~**

31.11 **~~TREATED.~~**

31.12 The budgets of the ~~house of representatives, senate,~~ constitutional officers, district courts,

31.13 court of appeals, and supreme court must be submitted to and considered by the appropriate

31.14 committees of the legislature in the same manner as the budgets of executive agencies.

31.15 **EFFECTIVE DATE.** This section is effective and applies to budgets proposed for fiscal

31.16 years 2026 and thereafter.

31.17 Sec. 16. Minnesota Statutes 2022, section 10.45, is amended to read:

31.18 **10.45 BUDGETS; INFORMATION.**

31.19 The budgets of the house of representatives, the senate, the Legislative Coordinating

31.20 Commission, each constitutional officer, the district courts, court of appeals, and supreme

31.21 court shall be public information and shall be divided into expense categories. The categories

31.22 shall include, among others, travel and telephone expenses.

31.23 **EFFECTIVE DATE.** This section is effective and applies to budgets adopted for fiscal

31.24 years 2026 and thereafter.

27.12 (5) include the assumptions used in determining the cost estimates; and

27.13 (6) specify any long-range implication.

27.14 (b) The fiscal note may comment on technical or mechanical defects in the bill but shall

27.15 express no opinions concerning the merits of the proposal.

27.16 (c) The fiscal note must assume the legal validity of the bill, but may comment on

27.17 potential litigation that may result from passage of the bill.

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

27.19 Sec. 4. Minnesota Statutes 2022, section 4.045, is amended to read:

27.20 **4.045 CHILDREN'S CABINET.**

27.21 The Children's Cabinet shall consist of the commissioners of education, human services,

27.22 employment and economic development, public safety, corrections, management and budget,

27.23 health, administration, Housing Finance Agency, and transportation, ~~and the director of the~~

27.24 ~~Office of Strategic and Long-Range Planning~~. The governor shall designate one member

27.25 to serve as cabinet chair. The chair is responsible for ensuring that the duties of the Children's

27.26 Cabinet are performed.

27.27 Sec. 5. **[15.0146] MINNESOTA YOUTH ADVISORY COUNCIL.**

27.28 Subdivision 1. **Membership.** (a) The membership of the council is as described in this
27.29 subdivision.

28.1 (b) The governor must appoint three members to represent each of the state's
28.2 congressional districts. Of these, two members from each congressional district must be in
28.3 grades 8 through 12 at the time of appointment, and one member must be between the ages
28.4 of 19 and 23 at the time of appointment. The governor may only appoint an individual under
28.5 the age of 18 to the council with the consent of the individual's parent or guardian. The
28.6 governor must ensure that the demographic composition of the council accurately reflects
28.7 the demographic composition of Minnesota's youth community as determined by the state
28.8 demographer.

28.9 (c) Four legislators are voting members of the council. The speaker of the house and the
28.10 house minority leader must each appoint one member to the council. The majority leader
28.11 of the senate must appoint one member of the majority caucus and the minority leader of
28.12 the senate must appoint one member of the minority caucus to the council.

28.13 (d) The governor may appoint a commissioner of a state agency or a designee of that
28.14 commissioner to serve as an ex officio, nonvoting member of the council.

28.15 Subd. 2. **Appointments; terms; removal.** (a) The council's executive director and the
28.16 legislative members may offer advice to the governor on applicants seeking appointment
28.17 to the council.

28.18 (b) Terms, compensation, and filling of vacancies for members appointed by the governor
28.19 are as provided in section 15.059, except that the term of a member is two years. Removal
28.20 of members appointed by the governor is governed by section 15.059, except that: (1) a
28.21 member who missed more than half of the council meetings convened during a 12-month
28.22 period automatically is removed from the council; and (2) a member appointed by the
28.23 governor may be removed by a vote of three of the four legislative members of the council.
28.24 The chair of the council must inform the governor of the need for the governor to fill a
28.25 vacancy on the council. Legislative members serve at the pleasure of their appointing
28.26 authority.

28.27 (c) An appointee of the governor may serve one term on the council. A legislator may
28.28 serve no more than eight consecutive years or 12 nonconsecutive years on this council.

28.29 Subd. 3. **Training; chair; executive committee; meetings; support.** (a) A member
28.30 appointed by the governor must attend orientation training within the first six months of
28.31 service for the member's term. The commissioner of administration must arrange for the
28.32 training to include but not be limited to the legislative process and the duties and
28.33 responsibilities associated with membership on a state advisory council. The governor must
28.34 remove a member who does not complete the training.

- 29.1 (b) The council must annually elect from among the members appointed by the governor
29.2 a chair and other officers the council deems necessary. The elected officers and one legislative
29.3 member selected by the council must serve as the executive committee of the council.
- 29.4 (c) Forty percent of voting members of the council constitutes a quorum. A quorum is
29.5 required to conduct council business. A council member may not vote on any action if the
29.6 member has a conflict of interest under section 10A.07.
- 29.7 (d) The council must receive administrative support from the commissioner of
29.8 administration under section 16B.371. The council may contract in its own name but must
29.9 not accept or receive a loan or incur indebtedness except as otherwise provided by law.
29.10 Contracts must be approved by a majority of the members of the council who are over the
29.11 age of 21 years and executed by the executive director. The council may apply for, receive,
29.12 and expend in its own name grants and gifts of money consistent with the powers and duties
29.13 specified in this section.
- 29.14 (e) The attorney general must provide legal services to the council on behalf of the state
29.15 on all matters relating to the council, including matters relating to the state as the employer
29.16 of the executive director of the council and other council staff.
- 29.17 Subd. 4. **Executive director; staff.** (a) The commissioner of administration must appoint
29.18 an executive director for the council. The executive director must be experienced in
29.19 administrative activities and familiar with the challenges and needs of Minnesota's youth
29.20 community. The executive director serves in the unclassified service at the pleasure of the
29.21 commissioner of administration.
- 29.22 (b) The commissioner of administration must establish a process for recruiting and
29.23 selecting applicants for the executive director position. This process must include consultation
29.24 and collaboration with the council.
- 29.25 (c) The executive director and council members must work together in fulfilling council
29.26 duties. The executive director must consult with the commissioner of administration to
29.27 ensure appropriate financial, purchasing, human resources, and other services for operation
29.28 of the council.
- 29.29 (d) The council chair must report to the commissioner of administration regarding the
29.30 performance of the executive director, including any recommendations regarding disciplinary
29.31 actions. The executive director must appoint and supervise the work of other staff necessary
29.32 to carry out the duties of the council.
- 30.1 (e) The executive director must submit the council's biennial budget request to the
30.2 commissioner of management and budget as provided under chapter 16A.
- 30.3 Subd. 5. **Duties of council.** (a) The council must work for the implementation of
30.4 economic, social, legal, and political equality for the youth community. The council must

- 30.5 work with the legislature and governor to carry out this work by performing the duties in
30.6 this section. The council must:
- 30.7 (1) develop and approve a strategic plan to guide the council's work in implementing
30.8 the duties and goals required by this section;
- 30.9 (2) advise the governor and the legislature on issues confronting the youth community.
30.10 This may include but is not limited to presenting the results of surveys, studies, and
30.11 community forums to the appropriate executive departments and legislative committees;
- 30.12 (3) advise the governor and the legislature of administrative and legislative changes
30.13 needed to improve the economic and social condition of the youth community. This may
30.14 include but is not limited to working with legislators to develop legislation to address these
30.15 issues and to work for passage of the legislation;
- 30.16 (4) advise the governor and the legislature of the implications and effect of proposed
30.17 administrative and legislative changes on the youth community. This may include but is
30.18 not limited to tracking legislation, testifying as appropriate, and meeting with executive
30.19 departments and legislators;
- 30.20 (5) serve as a liaison between state government and organizations that serve the youth
30.21 community. This may include but is not limited to working with organizations that serve
30.22 youth to carry out the duties in this subdivision, and working with organizations that serve
30.23 youth to develop informational programs or publications to involve and empower youth
30.24 seeking to improve their economic and social conditions; and
- 30.25 (6) perform or contract for the performance of studies designed to suggest solutions to
30.26 identified problems in the areas of education, employment, human rights, health, housing,
30.27 social welfare, and other related areas.
- 30.28 (b) In carrying out duties under this subdivision, the council may act to advise on issues
30.29 that affect the shared constituencies of a council established in section 15.0145.
- 30.30 Subd. 6. **Duties of council members.** A council member must:
- 30.31 (1) attend and participate in scheduled meetings and be prepared by reviewing meeting
30.32 notes;
- 31.1 (2) maintain and build communication with the youth community;
- 31.2 (3) collaborate with the council and executive director in carrying out the council's duties;
31.3 and
- 31.4 (4) participate in activities the council or executive director deem appropriate and
31.5 necessary to facilitate the goals and duties of the council.
- 31.6 Subd. 7. **Reports.** The council must report on the measurable outcomes achieved in the
31.7 council's current strategic plan to meet its statutory duties, along with the specific objectives
31.8 and outcome measures proposed for the following year. The council must submit the report

- 31.9 by January 15 each year to the chairs and ranking minority members of the legislative
31.10 committees with primary jurisdiction over state government operations and other committees
31.11 as the council determines appropriate. Each report must cover the calendar year of the year
31.12 before the report is submitted. The specific objectives and outcome measures for the
31.13 following current year must focus on three or four achievable objectives, action steps, and
31.14 measurable outcomes for which the council must be held accountable. The strategic plan
31.15 may include other items that support the statutory purposes of the council but must not
31.16 distract from the primary statutory proposals presented. The biennial budget of the council
31.17 must be submitted to the commissioner of administration by February 1 in each
31.18 odd-numbered year.
- 31.19 Sec. 6. **[15.0147] COUNCIL ON LGBTQIA MINNESOTANS.**
- 31.20 Subdivision 1. **Council established; membership.** (a) The Council on LGBTQIA
31.21 Minnesotans is established. The council consists of 16 voting members.
- 31.22 (b) The governor shall appoint a total of 12 public voting members. The governor may
31.23 additionally appoint a commissioner of a state agency or a designee of the commissioner
31.24 to serve as an ex-officio, nonvoting member of the council.
- 31.25 (c) Four legislators shall be appointed to the council. The speaker of the house and the
31.26 minority leader of the house of representatives shall each appoint one member of the house
31.27 of representatives to the council. The senate Subcommittee on Committees of the Committee
31.28 on Rules and Administration shall appoint one member of the senate majority caucus and
31.29 one member of the senate minority caucus.
- 31.30 Subd. 2. **Appointments; terms; removal.** (a) In making appointments to the council,
31.31 the governor shall consider an appointee's proven dedication and commitment to Minnesota's
31.32 LGBTQIA community and any expertise possessed by the appointee that might be beneficial
31.33 to the council, such as experience in public policy, legal affairs, social work, business, or
32.1 management. The executive director and legislative members may offer advice to the
32.2 governor on applicants seeking appointment.
- 32.3 (b) Terms, compensation, and filling of vacancies for members appointed by the governor
32.4 are as provided in section 15.059. Removal of members appointed by the governor is
32.5 governed by section 15.059, except that: (1) a member who misses more than half of the
32.6 council meetings convened during a 12-month period is automatically removed from the
32.7 council; and (2) a member appointed by the governor may be removed by a vote of three
32.8 of the four legislative members of the council. The chair of the council shall inform the
32.9 governor of the need for the governor to fill a vacancy on the council. Legislative members
32.10 serve at the pleasure of their appointing authority.
- 32.11 (c) A member appointed by the governor may serve no more than a total of eight years
32.12 on the council. A legislator may serve no more than eight consecutive years or 12
32.13 nonconsecutive years on the council.

- 32.14 Subd. 3. **Training; executive committee; meetings; support.** (a) A member appointed
32.15 by the governor must attend orientation training within the first six months of service for
32.16 the member's initial term. The commissioner of administration must arrange for the training
32.17 to include but not be limited to the legislative process, government data practices, ethics,
32.18 conflicts of interest, Open Meeting Law, Robert's Rules of Order, fiscal management, and
32.19 human resources. The governor must remove a member who does not complete the training.
- 32.20 (b) The council shall annually elect from among the members appointed by the governor
32.21 a chair and other officers the council deems necessary. These officers and one legislative
32.22 member selected by the council shall serve as the executive committee of the council.
- 32.23 (c) Forty percent of voting members of the council constitutes a quorum. A quorum is
32.24 required to conduct council business. A council member may not vote on any action if the
32.25 member has a conflict of interest under section 10A.07.
- 32.26 (d) The council shall receive administrative support from the commissioner of
32.27 administration under section 16B.371. The council may contract in its own name but may
32.28 not accept or receive a loan or incur indebtedness except as otherwise provided by law.
32.29 Contracts must be approved by a majority of the members of the council and executed by
32.30 the chair and the executive director. The council may apply for, receive, and expend in its
32.31 own name grants and gifts of money consistent with the powers and duties specified in this
32.32 section.
- 33.1 (e) The attorney general shall provide legal services to the council on behalf of the state
33.2 on all matters relating to the council, including matters relating to the state as the employer
33.3 of the executive director of the council and other council staff.
- 33.4 Subd. 4. **Executive director; staff.** (a) The Legislative Coordinating Commission must
33.5 appoint an executive director for the council. The executive director must be experienced
33.6 in administrative activities and familiar with the challenges and needs of Minnesota's
33.7 LGBTQIA community. The executive director serves in the unclassified service at the
33.8 pleasure of the Legislative Coordinating Commission.
- 33.9 (b) The Legislative Coordinating Commission must establish a process for recruiting
33.10 and selecting applicants for the executive director position. This process must include
33.11 consultation and collaboration with the council.
- 33.12 (c) The executive director and council members must work together in fulfilling council
33.13 duties. The executive director must consult with the commissioner of administration to
33.14 ensure appropriate financial, purchasing, human resources, and other services for operation
33.15 of the council.
- 33.16 (d) Once appointed, the council is responsible for supervising the work of the executive
33.17 director. The council chair must report to the chair of the Legislative Coordinating
33.18 Commission regarding the performance of the executive director, including recommendations
33.19 regarding any disciplinary actions. The executive director must appoint and supervise the
33.20 work of other staff necessary to carry out the duties of the council. The executive director

- 33.21 must consult with the council chair prior to taking the following disciplinary actions with
33.22 council staff: written reprimand, suspension, demotion, or discharge. The executive director
33.23 and other council staff are executive branch employees.
- 33.24 (e) The executive director must submit the council's biennial budget request to the
33.25 commissioner of management and budget as provided under chapter 16A.
- 33.26 Subd. 5. **Duties of council.** (a) The council must work for the implementation of
33.27 economic, social, legal, and political equality for Minnesota's LGBTQIA community. The
33.28 council shall work with the legislature and governor to carry out this work by performing
33.29 the duties in this section.
- 33.30 (b) The council shall advise the governor and the legislature on issues confronting the
33.31 LGBTQIA community. This may include but is not limited to presenting the results of
33.32 surveys, studies, and community forums to the appropriate executive departments and
33.33 legislative committees.
- 34.1 (c) The council shall advise the governor and the legislature of administrative and
34.2 legislative changes needed to improve the economic and social condition of Minnesota's
34.3 LGBTQIA community. This may include but is not limited to working with legislators to
34.4 develop legislation to address issues and to work for passage of legislation. This may also
34.5 include making recommendations regarding the state's affirmative action program and the
34.6 state's targeted group small business program or working with state agencies and
34.7 organizations to develop business opportunities and promote economic development for
34.8 the LGBTQIA community.
- 34.9 (d) The council shall advise the governor and the legislature of the implications and
34.10 effect of proposed administrative and legislative changes on the constituency of the council.
34.11 This may include but is not limited to tracking legislation, testifying as appropriate, and
34.12 meeting with executive departments and legislators.
- 34.13 (e) The council shall serve as a liaison between state government and organizations that
34.14 serve Minnesota's LGBTQIA community. This may include but is not limited to working
34.15 with these organizations to carry out the duties in paragraphs (a) to (d) and working with
34.16 these organizations to develop informational programs or publications to involve and
34.17 empower the community in seeking improvement in their economic and social conditions.
- 34.18 (f) The council shall perform or contract for the performance of studies designed to
34.19 suggest solutions to the problems of Minnesota's LGBTQIA community in the areas of
34.20 education, employment, human rights, health, housing, social welfare, and other related
34.21 areas.
- 34.22 (g) In carrying out duties under this subdivision, the council may act to advise on issues
34.23 that affect the shared constituencies with the councils established in section 15.0145.
- 34.24 Subd. 6. **Duties of council members.** A council member shall:

- 34.25 (1) attend and participate in scheduled meetings and be prepared by reviewing meeting
- 34.26 notes;
- 34.27 (2) maintain and build communication with Minnesota's LGBTQIA community;
- 34.28 (3) collaborate with the council and executive director in carrying out the council's duties;
- 34.29 and
- 34.30 (4) participate in activities the council or executive director deem appropriate and
- 34.31 necessary to facilitate the goals and duties of the council.
- 34.32 Subd. 7. **Reports.** The council must report on the measurable outcomes achieved in the
- 34.33 council's current strategic plan to meet its statutory duties, along with the specific objectives
- 35.1 and outcome measures proposed for the following year. The council must submit the report
- 35.2 by January 15 each year to the chairs and ranking minority members of the legislative
- 35.3 committees with primary jurisdiction over state government operations. Each report must
- 35.4 cover the calendar year of the year before the report is submitted. The specific objectives
- 35.5 and outcome measures for the following current year must focus on three or four achievable
- 35.6 objectives, action steps, and measurable outcomes for which the council will be held
- 35.7 accountable. The strategic plan may include other items that support the statutory purposes
- 35.8 of the council but should not distract from the primary statutory proposals presented. The
- 35.9 biennial budget of the council must be submitted to the Legislative Coordinating Commission
- 35.10 by February 1 in each odd-numbered year.

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- 12.19 Sec. 19. Minnesota Statutes 2022, section 15.0395, is amended to read:
- 12.20 **15.0395 INTERAGENCY AGREEMENTS AND INTRA-AGENCY TRANSFERS.**
- 12.21 (a) By October 15, 2018, and annually thereafter, the head of each agency must provide
- 12.22 reports to the chairs and ranking minority members of the legislative committees with
- 12.23 jurisdiction over the department or agency's budget on:
- 12.24 (1) each interagency ~~agreements~~ agreement or service-level ~~agreements and agreement,~~
- 12.25 including any ~~renewals~~ renewal or ~~extensions~~ extension of an existing interagency or
- 12.26 service-level ~~agreements~~ agreement with another agency if the cumulative value of those
- 12.27 agreements between two agencies is more than \$100,000 in the previous fiscal year; and
- 12.28 (2) transfers of appropriations between accounts within or between agencies, if the
- 12.29 cumulative value of the transfers is more than \$100,000 in the previous fiscal year.
- 12.30 The report must include the statutory citation authorizing the agreement, transfer or dollar
- 12.31 amount, purpose, and the effective date of the agreement, and the duration of the agreement;
- 12.32 and a copy of the agreement. Interagency agreements and service-level agreements that

THIS IS REPEALED IN H1826-2 ARTICLE 1, SECTION 80

31.25 Sec. 17. Minnesota Statutes 2022, section 15A.0815, subdivision 1, is amended to read:

31.26 Subdivision 1. **Salary limits.** The ~~governor or other~~ appropriate appointing authority
31.27 shall set the salary rates for positions listed in this section ~~within the salary limits listed in~~
31.28 ~~subdivisions 2 to 4. The governor's or other appointing authority's action is subject to~~
31.29 ~~approval of the Legislative Coordinating Commission and the legislature as provided by~~
31.30 ~~subdivision 5 and section 3.855 based upon the salaries prescribed by the Compensation~~
31.31 ~~Council established under section 15A.082.~~

32.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
32.2 applies to salary rates adopted by the council for fiscal year 2024 and thereafter.

32.3 Sec. 18. Minnesota Statutes 2022, section 15A.0815, subdivision 2, is amended to read:

32.4 Subd. 2. ~~Group I salary limits~~ **Agency head salaries.** The salary for a position listed
32.5 in this subdivision shall ~~not exceed 133 percent of the salary of the governor. This limit~~
32.6 ~~must be adjusted annually on January 1. The new limit must equal the limit for the prior~~
32.7 ~~year increased by the percentage increase, if any, in the Consumer Price Index for all urban~~
32.8 ~~consumers from October of the second prior year to October of the immediately prior year~~
32.9 ~~be determined by the Compensation Council under section 15A.082. The commissioner of~~
32.10 ~~management and budget must publish the limit salaries on the department's website. This~~
32.11 ~~subdivision applies to the following positions:~~

32.12 Commissioner of administration;

32.13 Commissioner of agriculture;

32.14 Commissioner of education;

32.15 Commissioner of commerce;

32.16 Commissioner of corrections;

32.17 Commissioner of health;

32.18 Commissioner, Minnesota Office of Higher Education;

32.19 Commissioner, Minnesota IT Services;

32.20 Commissioner, Housing Finance Agency;

13.1 authorize enterprise central services and transfers specifically required by statute or session
13.2 law are not required to be reported under this section.

13.3 (b) As used in this section, "agency" includes the departments of the state listed in section
13.4 15.01, a multimember state agency in the executive branch described in section 15.012,
13.5 paragraph (a), the Department of Information Technology Services, and the Office of Higher
13.6 Education.

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70.5 Sec. 49. **SALARIES FOR CONSTITUTIONAL OFFICERS.**

70.6 The salaries of the governor, lieutenant governor, attorney general, secretary of state,
70.7 and state auditor shall be increased by nine percent effective July 1, 2023. The salaries of
70.8 the governor, lieutenant governor, attorney general, secretary of state, and state auditor shall
70.9 be increased by 7.5 percent effective July 1, 2024.

- 32.21 Commissioner of human rights;
- 32.22 Commissioner of human services;
- 32.23 Commissioner of labor and industry;
- 32.24 Commissioner of management and budget;
- 32.25 Commissioner of natural resources;
- 32.26 Commissioner, Pollution Control Agency;
- 32.27 Commissioner of public safety;
- 32.28 Commissioner of revenue;
- 32.29 Commissioner of employment and economic development;
- 33.1 Commissioner of transportation; and
- 33.2 Commissioner of veterans affairs;
- 33.3 Executive director of the Gambling Control Board;
- 33.4 Executive director of the Minnesota State Lottery;
- 33.5 Commissioner of Iron Range resources and rehabilitation;
- 33.6 Commissioner, Bureau of Mediation Services;
- 33.7 Ombudsman for mental health and developmental disabilities;
- 33.8 Ombudsperson for corrections;
- 33.9 Chair, Metropolitan Council;
- 33.10 Chair, Metropolitan Airports Commission;
- 33.11 School trust lands director;
- 33.12 Executive director of pari-mutuel racing; and
- 33.13 Commissioner, Public Utilities Commission.
- 33.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and
- 33.15 applies to salary rates adopted by the council for fiscal year 2024 and thereafter.
- 33.16 Sec. 19. Minnesota Statutes 2022, section 15A.082, subdivision 1, is amended to read:
- 33.17 Subdivision 1. **Creation.** A Compensation Council is created each odd-numbered year
- 33.18 to assist the legislature in establishing the compensation of constitutional officers
- 33.19 and the heads of state and metropolitan agencies identified in section 15A.0815, and to
- 33.20 assist the legislature in establishing the compensation of justices of the supreme court; and

33.21 judges of the court of appeals and district court, ~~and the heads of state and metropolitan~~
33.22 ~~agencies included in section 15A.0815.~~

33.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and
33.24 applies to salary rates adopted by the council for fiscal year 2024 and thereafter.

33.25 Sec. 20. Minnesota Statutes 2022, section 15A.082, subdivision 2, is amended to read:

33.26 Subd. 2. **Membership.** The Compensation Council consists of 16 members: eight
33.27 nonjudges appointed by the chief justice of the supreme court, of whom no more than four
33.28 may belong to the same political party; and one member from each congressional district
33.29 appointed by the governor, of whom no more than four may belong to the same political
34.1 party. Appointments must be made after the first Monday in January and before January 15.
34.2 31. The compensation and removal of members appointed by the governor or the chief
34.3 justice shall be as provided in section 15.059, subdivisions 3 and 4. The Legislative
34.4 Coordinating Commission shall provide the council with administrative and support services.

34.5 **EFFECTIVE DATE.** This section is effective the day following final enactment and
34.6 applies to salary rates adopted by the council for fiscal year 2024 and thereafter.

34.7 Sec. 21. Minnesota Statutes 2022, section 15A.082, subdivision 3, is amended to read:

34.8 Subd. 3. **Submission of recommendations and determinations.** (a) By April May 1
34.9 in each odd-numbered year, the Compensation Council shall submit to the speaker of the
34.10 house and the president of the senate salary recommendations for ~~constitutional officers,~~
34.11 justices of the supreme court, and judges of the court of appeals and district court. ~~The~~
34.12 ~~recommended salary for each other office must take effect on the first Monday in January~~
34.13 ~~of the next odd-numbered year, with no more than one adjustment, to take effect on January~~
34.14 ~~1 of the year after that.~~ The salary recommendations for judges and constitutional officers
34.15 take effect if an appropriation of money to pay the recommended salaries is enacted after
34.16 the recommendations are submitted and before their effective date. Recommendations may
34.17 be expressly modified or rejected.

34.18 ~~(b) The council shall also submit to the speaker of the house and the president of the~~
34.19 ~~senate recommendations for the salary ranges of the heads of state and metropolitan agencies,~~
34.20 ~~to be effective retroactively from January 1 of that year if enacted into law. The~~
34.21 ~~recommendations shall include the appropriate group in section 15A.0815 to which each~~
34.22 ~~agency head should be assigned and the appropriate limitation on the maximum range of~~
34.23 ~~the salaries of the agency heads in each group, expressed as a percentage of the salary of~~
34.24 ~~the governor.~~

34.25 (b) By May 1 in each odd-numbered year, the Compensation Council must prescribe
34.26 salaries for constitutional officers, and for the agency and metropolitan agency heads
34.27 identified in section 15A.0815. The prescribed salary for each office must take effect July
34.28 1 of that year and July 1 of the subsequent even-numbered year and at whatever interval
34.29 the council determines thereafter, unless the legislature by law provides otherwise.

34.30 **EFFECTIVE DATE.** This section is effective the day following final enactment and
34.31 applies to salary rates adopted by the council for fiscal year 2024 and thereafter.

35.1 Sec. 22. Minnesota Statutes 2022, section 15A.082, subdivision 4, is amended to read:

35.2 Subd. 4. **Criteria.** In making compensation recommendations and determinations, the
35.3 council shall consider the amount of compensation paid in government service and the
35.4 private sector to persons with similar qualifications, the amount of compensation needed
35.5 to attract and retain experienced and competent persons, and the ability of the state to pay
35.6 the recommended compensation.

35.7 **EFFECTIVE DATE.** This section is effective the day following final enactment and
35.8 applies to salary rates adopted by the council for fiscal year 2024 and thereafter.

35.9 Sec. 23. [16A.091] ACCOUNTABILITY AND PERFORMANCE MANAGEMENT.

35.10 (a) The commissioner of management and budget is responsible for the coordination,
35.11 development, assessment, and communication of information, performance measures,
35.12 planning, and policy concerning the state's future.

35.13 (b) The commissioner must develop a statewide system of economic, social, and
35.14 environmental performance measures. The commissioner must provide information to assist
35.15 public and elected officials with understanding the status of these performance measures.

95.10 Section 1. Minnesota Statutes 2022, section 16A.011, is amended by adding a subdivision
95.11 to read:

95.12 Subd. 15a. **Transfer.** A "transfer" means the authorization to move state money from
95.13 one fund, account, or agency to another fund, account, or agency within the state treasury.
95.14 When authorized by law, a transfer must reduce money in one fund, account, or agency and
95.15 increase the same amount to a separate fund, account, or agency.

36.9 Sec. 9. [16A.091] PLANNING, STRATEGY, AND PERFORMANCE
36.10 MANAGEMENT.

36.11 (a) The commissioner of management and budget is responsible for the coordination,
36.12 development, assessment, and communication of information, performance measures,
36.13 planning, and policy concerning the state's future.

36.14 (b) The commissioner must develop a statewide system of economic, social, and
36.15 environmental performance measures. The commissioner must provide information to assist
36.16 public and elected officials with understanding the status of these performance measures.

36.17 (c) The commissioner may appoint one deputy with principal responsibility for planning,
36.18 strategy, and performance management.

95.16 Sec. 2. Minnesota Statutes 2022, section 16A.103, subdivision 1, is amended to read:

95.17 Subdivision 1. **State revenue and expenditures.** In February and November each year,
95.18 the commissioner shall prepare a forecast of state revenue and expenditures. The November
95.19 forecast must be delivered to the legislature and governor no later than the end of the first
95.20 week of December 6. The February forecast must be delivered to the legislature and governor
95.21 by the end of February. Forecasts must be delivered to the legislature and governor on the
95.22 same day. If requested by the Legislative Commission on Planning and Fiscal Policy,
95.23 delivery to the legislature must include a presentation to the commission.

35.16 Sec. 24. Minnesota Statutes 2022, section 16A.122, subdivision 2, is amended to read:

35.17 Subd. 2. **Transfers from grants prohibited.** Unless otherwise provided by law or

35.18 section 16B.98, subdivision 14, an agency must not use grant or flow-through funds for

35.19 salaries or other operating purposes.

35.20 Sec. 25. Minnesota Statutes 2022, section 16A.126, subdivision 1, is amended to read:

35.21 Subdivision 1. **Set rates.** The commissioner shall approve the rates an agency must pay

35.22 to a revolving fund for services. Funds subject to this subdivision include, but are not limited

35.23 to, the revolving funds established in sections 14.46; 14.53; 16B.2975, subdivision 4; 16B.48;

35.24 16B.54; 16B.58; 16B.85; 16E.14; 43A.55; and 176.591; ~~and~~ the fund established in section

35.25 43A.30; and the account established in section 16A.1286.

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

95.24 Sec. 3. Minnesota Statutes 2022, section 16A.103, subdivision 1b, as amended by Laws

95.25 2023, chapter 10, section 2, is amended to read:

95.26 Subd. 1b. **Forecast variable.** In determining the rate of inflation, the application of

95.27 inflation, the amount of state bonding as it affects debt service, the calculation of investment

95.28 income, and the other variables to be included in the expenditure part of the forecast, the

95.29 commissioner must consult with the chairs and lead minority members of the senate ~~State~~

95.30 ~~Government~~ Finance Committee and the house of representatives Ways and Means

95.31 Committee, and legislative fiscal staff. This consultation must occur at least three weeks

95.32 before the forecast is to be released. No later than two weeks prior to the release of the

96.1 forecast, the commissioner must inform the chairs and lead minority members of the senate

96.2 ~~State Government~~ Finance Committee and the house of representatives Ways and Means

96.3 Committee, and legislative fiscal staff of any changes in these variables from the previous

96.4 forecast.

96.5 Sec. 4. Minnesota Statutes 2022, section 16A.103, is amended by adding a subdivision to

96.6 read:

96.7 Subd. 1i. **Budget close report.** By October 15 of each odd-numbered year, the

96.8 commissioner shall prepare a detailed fund balance analysis of the general fund for the

96.9 previous biennium. The analysis shall include a comparison to the most recent publicly

96.10 available fund balance analysis of the general fund. The commissioner shall provide this

96.11 analysis to the chairs and ranking minority members of the house of representatives Ways

96.12 and Means Committee and the senate Finance Committee, and shall post the analysis on

96.13 the agency's website.

97.26 Sec. 7. **REPEALER.**

97.27 Minnesota Statutes 2022, section 16A.98, is repealed.

36.19 Sec. 10. Minnesota Statutes 2022, section 16A.126, subdivision 1, is amended to read:

36.20 Subdivision 1. **Set rates.** The commissioner shall approve the rates an agency must pay

36.21 to a revolving fund for services. Funds subject to this subdivision include, but are not limited

36.22 to, the revolving funds established in sections 14.46; 14.53; 16B.2975, subdivision 4; 16B.48;

36.23 16B.54; 16B.58; 16B.85; 16E.14; 43A.55; and 176.591; ~~and~~ the fund established in section

36.24 43A.30; and the account established in section 16A.1286.

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

35.27 Sec. 26. Minnesota Statutes 2022, section 16A.1286, subdivision 2, is amended to read:

35.28 Subd. 2. **Billing procedures.** The commissioner may bill up to \$10,000,000 in each

35.29 fiscal year for statewide systems services provided to state agencies, ~~judicial branch agencies,~~

35.30 ~~the University of Minnesota~~ in the executive, legislative, and judicial branches, the Minnesota

36.1 State Colleges and Universities, and other entities. Each entity shall be billed based on that

36.2 entity's usage of the statewide systems. Each agency shall transfer from agency operating

36.3 appropriations to the statewide systems account the amount billed by the commissioner.

36.4 ~~Billing policies and procedures related to statewide systems services must be developed by~~

36.5 ~~the commissioner in consultation with the commissioners of management and budget and~~

36.6 ~~administration, the University of Minnesota, and the Minnesota State Colleges and~~

36.7 ~~Universities. The commissioner shall develop billing policies and procedures.~~

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

36.26 Sec. 11. Minnesota Statutes 2022, section 16A.1286, subdivision 2, is amended to read:

36.27 Subd. 2. **Billing procedures.** The commissioner may bill up to \$10,000,000 in each

36.28 fiscal year for statewide systems services provided to state agencies, ~~judicial branch agencies,~~

36.29 ~~the University of Minnesota~~ in the executive, judicial, and legislative branches, the Minnesota

36.30 State Colleges and Universities, and other entities. Each agency shall transfer from agency

37.1 operating appropriations to the statewide systems account the amount billed by the

37.2 commissioner. ~~Billing policies and procedures related to statewide systems services must~~

37.3 ~~be developed by the commissioner in consultation with the commissioners of management~~

37.4 ~~and budget and administration, the University of Minnesota, and the Minnesota State Colleges~~

37.5 ~~and Universities. The commissioner shall develop billing policies and procedures.~~

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

96.14 Sec. 5. Minnesota Statutes 2022, section 16A.152, subdivision 2, is amended to read:

96.15 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund

96.16 revenues and expenditures, the commissioner of management and budget determines that

96.17 there will be a positive unrestricted budgetary general fund balance at the close of the

96.18 biennium, the commissioner of management and budget must allocate money to the following

96.19 accounts and purposes in priority order:

96.20 (1) the cash flow account established in subdivision 1 until that account reaches

96.21 \$350,000,000;

96.22 (2) the budget reserve account established in subdivision 1a until that account reaches

96.23 ~~\$2,377,399,000~~ \$2,852,098,000;

96.24 (3) the amount necessary to increase the aid payment schedule for school district aids

96.25 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest

96.26 tenth of a percent without exceeding the amount available and with any remaining funds

96.27 deposited in the budget reserve; and

96.28 (4) the amount necessary to restore all or a portion of the net aid reductions under section

96.29 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,

96.30 subdivision 5, by the same amount;

96.31 (5) ~~the amount necessary to increase the Minnesota 21st century fund by not more than~~

96.32 ~~the difference between \$5,000,000 and the sum of the amounts credited and canceled to it~~

97.1 ~~in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the sum~~

97.2 ~~of all transfers under this section and all amounts credited or canceled under Laws 2020,~~

97.3 ~~chapter 71, article 1, section 11, equals \$20,000,000; and~~

97.4 (6) ~~for a forecast in November only, the amount remaining after the transfer under clause~~

97.5 ~~(5) must be used to reduce the percentage of accelerated June liability sales tax payments~~

97.6 ~~required under section 289A.20, subdivision 4, paragraph (b), until the percentage equals~~

97.7 ~~zero, rounded to the nearest tenth of a percent. By March 15 following the November~~

36.9 Sec. 27. Minnesota Statutes 2022, section 16A.152, subdivision 4, is amended to read:

36.10 Subd. 4. **Reduction.** (a) If the commissioner determines that probable receipts for the

36.11 general fund will be less than anticipated, and that the amount available for the remainder

36.12 of the biennium will be less than needed, the commissioner shall, with the approval of the

36.13 governor, and after consulting the Legislative Advisory Commission, reduce the amount in

36.14 the budget reserve account as needed to balance expenditures with revenue.

36.15 (b) An additional deficit shall, with the approval of the governor, and after consulting

36.16 the Legislative Advisory Commission, be made up by reducing unexpended allotments of

36.17 any prior appropriation or transfer. Notwithstanding any other law to the contrary, the

36.18 commissioner is empowered to defer or suspend prior statutorily created obligations which

36.19 would prevent effecting such reductions.

36.20 (c) If the commissioner determines that probable receipts for any other fund,

36.21 appropriation, or item will be less than anticipated, and that the amount available for the

36.22 remainder of the term of the appropriation or for any allotment period will be less than

36.23 needed, the commissioner shall notify the agency concerned and then reduce the amount

36.24 allotted or to be allotted so as to prevent a deficit.

36.25 (d) In reducing allotments, the commissioner may consider other sources of revenue

36.26 available to recipients of state appropriations and may apply allotment reductions based on

36.27 all sources of revenue available.

36.28 (e) In like manner, the commissioner shall reduce allotments to an agency by the amount

36.29 of any saving that can be made over previous spending plans through a reduction in prices

36.30 or other cause.

36.31 (f) The commissioner is prohibited from reducing an allotment or appropriation made

36.32 under section 3.1985.

97.8 ~~forecast, the commissioner must provide the commissioner of revenue with the percentage~~

97.9 ~~of accelerated June liability owed based on the reduction required by this clause. By April~~

97.10 ~~15 each year, the commissioner of revenue must certify the percentage of June liability~~

97.11 ~~owed by vendors based on the reduction required by this clause.~~

97.12 (b) The amounts necessary to meet the requirements of this section are appropriated

97.13 from the general fund within two weeks after the forecast is released or, in the case of

97.14 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations

97.15 schedules otherwise established in statute.

97.16 (c) The commissioner of management and budget shall certify the total dollar amount

97.17 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.

97.18 The commissioner of education shall increase the aid payment percentage and reduce the

97.19 property tax shift percentage by these amounts and apply those reductions to the current

97.20 fiscal year and thereafter.

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

97.21 Sec. 6. Minnesota Statutes 2022, section 16A.97, is amended to read:

97.22 **16A.97 TOBACCO BONDS.**

97.23 The commissioner may sell and issue debt under either or both of sections 16A.98 and

97.24 section 16A.99, but the net proceeds of bonds issued and sold under those sections together

97.25 that section must not exceed \$640,000,000 during fiscal years 2012 and 2013.

37.7 Sec. 12. **[16B.312] CONSTRUCTION MATERIALS; ENVIRONMENTAL**

37.8 **ANALYSIS.**

37.9 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the

37.10 meanings given.

37.11 (a) "Carbon steel" means steel in which the main alloying element is carbon and whose

37.12 properties are chiefly dependent on the percentage of carbon present.

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

37.14 (c) "Electric arc furnace" means a furnace that produces molten alloy metal and heats

37.15 the charge materials with electric arcs from carbon electrodes.

37.16 (d) "Eligible material" means:

37.17 (1) carbon steel rebar;

37.18 (2) structural steel;

37.19 (3) concrete; or

37.20 (4) asphalt paving mixtures.

37.21 (e) "Eligible project" means:

37.22 (1) new construction of a state building larger than 50,000 gross square feet of occupied

37.23 or conditioned space;

37.24 (2) renovation of more than 50,000 gross square feet of occupied or conditioned space

37.25 in a state building whose renovation cost exceeds 50 percent of the building's assessed value;

37.26 or

37.27 (3) new construction or reconstruction of two or more lane-miles of a trunk highway.

37.28 (f) "Environmental product declaration" means a supply chain specific type III

37.29 environmental product declaration that:

- 38.1 (1) contains a lifecycle assessment of the environmental impacts of manufacturing a
 38.2 specific product by a specific firm, including the impacts of extracting and producing the
 38.3 raw materials and components that compose the product;
- 38.4 (2) is verified by a third party; and
- 38.5 (3) meets the ISO 14025 standard developed and maintained by the International
 38.6 Organization for Standardization (ISO).
- 38.7 (g) "Global warming potential" has the meaning given in section 216H.10, subdivision
 38.8 6.
- 38.9 (h) "Greenhouse gas" has the meaning given to "statewide greenhouse gas emissions"
 38.10 in section 216H.01, subdivision 2.
- 38.11 (i) "Integrated steel manufacturing" means the production of iron and subsequently steel
 38.12 from primarily iron ore or iron ore pellets. An integrated steel manufacturing process can
 38.13 include a blast furnace, a basic oxygen furnace for refining molten iron into steel, but may
 38.14 also include furnaces that continuously feed direct-reduced iron ore pellets as the primary
 38.15 source of iron.
- 38.16 (j) "Lifecycle" means an analysis that includes the environmental impacts of all stages
 38.17 of a specific product's production, from mining and processing its raw materials to the
 38.18 process of manufacturing the product itself.
- 38.19 (k) "Rebar" means a steel reinforcing bar or rod encased in concrete.
- 38.20 (l) "Secondary steel manufacturing" means the production of steel where primarily
 38.21 ferrous scrap and other metallic inputs are recycled by melting and refining in electric arc
 38.22 furnaces.
- 38.23 (m) "State building" means a building that is owned by the state of Minnesota or a
 38.24 Minnesota state agency.
- 38.25 (n) "Structural steel" means steel that is classified by the shapes of its cross-sections,
 38.26 such as I, T, and C shapes.
- 38.27 (o) "Supply chain specific" means an environmental product declaration that includes
 38.28 specific data for the production processes of the materials and components composing a
 38.29 product that contribute at least 80 percent of the product's lifecycle global warming potential,
 38.30 as defined in International Organization for Standardization standard 21930.
- 38.31 Subd. 2. **Standard; maximum global warming potential.** (a) The commissioner must,
 38.32 based upon a recommendation from the Environmental Standards Procurement Task Force
 39.1 in subdivision 5, establish and publish a maximum acceptable global warming potential for
 39.2 each eligible material used in an eligible project, in accordance with the following schedule:
- 39.3 (1) for concrete used in buildings, no later than January 15, 2026; and

- 39.4 (2) for carbon steel rebar and structural steel and, after conferring with the commissioner
39.5 of transportation, for asphalt paving mixtures and concrete pavement, no later than January
39.6 15, 2028.
- 39.7 (b) The commissioner must, after considering nationally or internationally recognized
39.8 databases of environmental product declarations for an eligible material, establish the
39.9 maximum acceptable global warming potential for that eligible material.
- 39.10 (c) The commissioner may set different maximum global warming potentials for different
39.11 specific products and sub product categories that are examples of the same eligible material
39.12 based on distinctions between eligible material production and manufacturing processes
39.13 such as integrated versus secondary steel production.
- 39.14 (d) The commissioner must establish maximum global warming potentials that are
39.15 consistent with criteria in an environmental product declaration.
- 39.16 (e) Not later than three years after establishing the maximum global warming potential
39.17 for an eligible material under paragraph (a), and not longer than every three years thereafter,
39.18 the commissioner, after conferring with the commissioner of transportation with respect to
39.19 asphalt paving mixtures and concrete pavement, must review the maximum acceptable
39.20 global warming potential for each eligible material and for specific eligible material products.
39.21 The commissioner may adjust any of those values downward to reflect industry improvements
39.22 if, based on the process described in paragraph (b), the commissioner determines that the
39.23 industry average has declined.
- 39.24 Subd. 3. **Procurement process.** The commissioners of administration and transportation
39.25 must, based upon the recommendations of the Environmental Procurement Task Force,
39.26 establish processes for incorporating the maximum allowable global warming potential of
39.27 eligible materials into their bidding processes by the effective dates established in subdivision
39.28 2.
- 39.29 Subd. 4. **Pilot program.** (a) No later than July 1, 2024, the commissioner of
39.30 administration must establish a pilot program that seeks to obtain from vendors an estimate
39.31 of the lifecycle greenhouse gas emissions of products selected by the department from
39.32 among those procured. The pilot program must encourage, but may not require, a vendor
40.1 to submit the following data for each selected product that represents at least 90 percent of
40.2 the total cost of the materials or components composing the selected product:
- 40.3 (1) the quantity of the product purchased by the department;
- 40.4 (2) a current environmental product declaration for the product;
- 40.5 (3) the name and location of the product's manufacturer;
- 40.6 (4) a copy of the vendor's Supplier Code of Conduct, if any;
- 40.7 (5) the names and locations of the product's actual production facilities; and

- 40.8 (6) an assessment of employee working conditions at the product's production facilities.
- 40.9 (b) The commissioner must construct a publicly accessible or adopt an existing publicly
- 40.10 accessible database that must be posted on the department website and must contain the
- 40.11 data reported to the department under this subdivision. The data must be reported in a manner
- 40.12 that does not disclose, directly or in combination with other publicly available data, the
- 40.13 identification of the product manufacturer.
- 40.14 Subd. 5. **Environmental Standards Procurement Task Force.** (a) No later than October
- 40.15 1, 2023, the commissioners of administration and transportation must establish an
- 40.16 Environmental Standards Procurement Task Force to examine issues surrounding the
- 40.17 implementation of a program requiring vendors of certain construction materials purchased
- 40.18 by the state to:
- 40.19 (1) submit environmental product declarations that assess the lifecycle environmental
- 40.20 impacts of those materials to state officials as part of the procurement process; and
- 40.21 (2) meet standards established by the commissioner that limit greenhouse gas emission
- 40.22 impacts of those materials.
- 40.23 (b) The task force must examine, at a minimum, the following:
- 40.24 (1) which construction materials should be subject to the program requirements;
- 40.25 (2) what factors should be considered in establishing greenhouse gas emission standards
- 40.26 including distinctions between eligible material production and manufacturing processes
- 40.27 such as integrated versus secondary steel production;
- 40.28 (3) a schedule for the development of standards for specific materials and for
- 40.29 incorporating the standards into the purchasing process including distinctions between
- 40.30 eligible material production and manufacturing processes;
- 41.1 (4) the development and use of financial incentives to reward vendors for developing
- 41.2 products whose greenhouse gas emissions are below the standards;
- 41.3 (5) the provision of grants to defer a vendor's cost to obtain environmental product
- 41.4 declarations;
- 41.5 (6) how the issues in clauses (1) to (5) are addressed by existing programs in other states
- 41.6 and countries;
- 41.7 (7) how to coordinate with the federal Buy Clean Task Force established under Executive
- 41.8 Order 14057 and representatives of the United States Departments of Commerce, Energy,
- 41.9 Housing and Urban Development, Transportation; the Environmental Protection Agency;
- 41.10 the General Services Administration; the White House Office of Management and Budget;
- 41.11 and the White House Domestic Climate Policy Council; and
- 41.12 (8) any other issues the task force deems relevant.

- 41.13 (c) The task force must make recommendations to the commissioners of administration
41.14 and transportation regarding:
- 41.15 (1) how the agencies must implement requirements requiring maximum global warming
41.16 impacts for eligible materials are integrated into the bidding process for eligible projects;
- 41.17 (2) what incentive structures can be included in bidding processes to encourage the use
41.18 of materials below the maximum global warming potential;
- 41.19 (3) how a successful bidder for a contract will notify the commissioner of the specific
41.20 environmental product declaration for a material used on a project;
- 41.21 (4) a process for waiving the requirements to procure materials below the maximum
41.22 global warming potential in case of product supply problems, geographic impracticability,
41.23 or financial hardship;
- 41.24 (5) a system for awarding grants to manufacturers of eligible materials located in
41.25 Minnesota to offset the cost of obtaining environmental product declarations or otherwise
41.26 collect environmental product declaration data from manufacturers based in Minnesota;
- 41.27 (6) whether to use an industry average or a different method to set the maximum allowable
41.28 global warming potential, or whether that average could be used for some materials but not
41.29 others; and
- 41.30 (7) any other items it deems appropriate for the implementation of this section.
- 41.31 (d) Members of the task force must include, but may not be limited to, representatives
41.32 of:
- 42.1 (1) the Departments of Administration and Transportation;
- 42.2 (2) the Center for Sustainable Building Research at the University of Minnesota;
- 42.3 (3) the Aggregate and Ready Mix Association of Minnesota;
- 42.4 (4) the Concrete Paving Association of Minnesota;
- 42.5 (5) the Minnesota Asphalt Pavement Association;
- 42.6 (6) the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape
42.7 Architecture, Geoscience, and Interior Design;
- 42.8 (7) a representative of the Minnesota steel industry;
- 42.9 (8) building and transportation construction firms;
- 42.10 (9) suppliers of eligible materials;
- 42.11 (10) organized labor in the construction trades;

37.1 Sec. 28. **[16B.373] OFFICE OF ENTERPRISE TRANSLATIONS.**
37.2 Subdivision 1. **Office establishment.** (a) The commissioner shall establish an Office of
37.3 Enterprise Translations. The office must:
37.4 (1) provide translation services for written material for executive agencies;
37.5 (2) create and maintain language-specific landing webpages in Spanish, Hmong, and
37.6 Somali and other languages that may be determined by the commissioner, in consultation
37.7 with the state demographer, with links to translated materials at state agency websites; and
37.8 (3) serve as a resource to executive agencies in areas such as best practices and standards
37.9 for the translation of written materials.
37.10 (b) The commissioner shall determine the process and requirements for state agencies
37.11 to request translations of written materials.
37.12 Subd. 2. **Language access service account established.** The language access service
37.13 account is created in the special revenue fund for reimbursing state agencies for expenses
37.14 incurred in providing language translation services.

42.12 (11) organized labor in the manufacturing or industrial sectors;
42.13 (12) environmental advocacy organizations; and
42.14 (13) environmental justice organizations.
42.15 (e) The Department of Administration must provide meeting space and serve as staff to
42.16 the task force.
42.17 (f) The commissioner, or the commissioner's designee, must serve as chair of the task
42.18 force. The task force must meet at least four times annually, and must convene additional
42.19 meetings at the call of the chair.
42.20 (g) The commissioner must summarize the findings and recommendations of the task
42.21 force in a report submitted to the chairs and ranking minority members of the senate and
42.22 house of representatives committees with primary jurisdiction for state government,
42.23 transportation, and energy no later than December 1, 2025, and annually thereafter until the
42.24 task force expires.
42.25 (h) The task force is subject to section 15.059, subdivision 6.
42.26 (i) The task force must sunset on January 1, 2029.
42.27 **EFFECTIVE DATE.** This section is effective the day following final enactment.
43.23 Sec. 14. **[16B.373] OFFICE OF ENTERPRISE TRANSLATIONS.**
43.24 Subdivision 1. **Office establishment.** (a) The commissioner shall establish an Office of
43.25 Enterprise Translations. The office must:
43.26 (1) provide translation services for written material for executive agencies;
43.27 (2) create and maintain language-specific landing webpages in Spanish, Hmong, and
43.28 Somali with links to translated materials at state agency websites; and
43.29 (3) serve as a resource to executive agencies in areas such as best practices and standards
43.30 for the translation of written materials.
43.31 (b) The commissioner shall determine the process and requirements for state agencies
43.32 to request translations of written materials.
44.1 Subd. 2. **Language access service account established.** The language access service
44.2 account is created in the special revenue fund for reimbursing state agencies for expenses
44.3 incurred in providing language translation services.
44.4 Sec. 15. Minnesota Statutes 2022, section 16B.4805, subdivision 1, is amended to read:
44.5 Subdivision 1. **Definitions.** "Reasonable accommodation" as used in this section has
44.6 the meaning given in section 363A.08. "State agency" as used in this section has the meaning

37.15 Sec. 29. Minnesota Statutes 2022, section 16B.97, subdivision 2, is amended to read:

37.16 Subd. 2. **Grants governance.** The commissioner shall provide leadership and direction

37.17 for policy related to grants management in Minnesota in order to foster more consistent,

37.18 streamlined interaction between executive agencies, funders, and grantees that will enhance

37.19 access to grant opportunities and information and lead to greater program accountability

37.20 and transparency. The commissioner has the duties and powers stated in this section. ~~An~~

37.21 Executive ~~agency~~ agencies shall fully cooperate with the commissioner in the creation,

37.22 management, and oversight of state grants and must do what the commissioner requires

37.23 under this section. The commissioner may adopt rules to carry out grants governance,

37.24 oversight, and management.

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

37.26 Sec. 30. Minnesota Statutes 2022, section 16B.97, subdivision 3, is amended to read:

37.27 Subd. 3. **Discretionary powers.** The commissioner has the authority to:

37.28 (1) review grants management practices and ~~propose~~ establish and enforce policy and

37.29 procedure improvements to the governor, legislature, executive agencies, and the federal

37.30 government;

38.1 (2) sponsor, support, and facilitate innovative and collaborative grants management

38.2 projects with public and private organizations;

38.3 (3) review, recommend, and implement alternative strategies for grants management;

38.4 (4) collect and disseminate information, issue reports relating to grants management,

38.5 and sponsor and conduct conferences and studies; ~~and~~

38.6 (5) participate in conferences and other appropriate activities related to grants

38.7 management issues;;

38.8 (6) suspend or debar grantees from eligibility to receive state-issued grants for up to

38.9 three years for reasons specified in Minnesota Rules, part 1230.1150, subpart 2. A grantee

38.10 may obtain an administrative hearing pursuant to sections 14.57 to 14.62 before a suspension

44.7 given in section 16A.011, subdivision 12. "Reasonable accommodations eligible for

44.8 reimbursement" means:

44.9 (1) reasonable accommodations provided to applicants for employment;

44.10 (2) reasonable accommodations for employees for services that will need to be provided

44.11 on a periodic or ongoing basis; or

44.12 (3) reasonable accommodations that involve onetime expenses that total more than

44.13 \$1,000 \$500 for an employee in a fiscal year.

44.14 Sec. 16. Minnesota Statutes 2022, section 16B.97, subdivision 2, is amended to read:

44.15 Subd. 2. **Grants governance.** The commissioner shall provide leadership and direction

44.16 for policy related to grants management in Minnesota in order to foster more consistent,

44.17 streamlined interaction between executive agencies, funders, and grantees that will enhance

44.18 access to grant opportunities and information and lead to greater program accountability

44.19 and transparency. The commissioner has the duties and powers stated in this section. ~~An~~

44.20 executive ~~agency~~ Executive agencies shall fully cooperate with the commissioner in the

44.21 creation, management, and oversight of state grants and must do what the commissioner

44.22 requires under this section. The commissioner may adopt rules to carry out grants governance,

44.23 oversight, and management.

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

44.25 Sec. 17. Minnesota Statutes 2022, section 16B.97, subdivision 3, is amended to read:

44.26 Subd. 3. **Discretionary powers.** The commissioner has the authority to:

44.27 (1) review grants management practices and ~~propose~~ establish and enforce policy and

44.28 procedure improvements to the governor, legislature, executive agencies, and the federal

44.29 government;

44.30 (2) sponsor, support, and facilitate innovative and collaborative grants management

44.31 projects with public and private organizations;

45.1 (3) review, recommend, and implement alternative strategies for grants management;

45.2 (4) collect and disseminate information, issue reports relating to grants management,

45.3 and sponsor and conduct conferences and studies; ~~and~~

45.4 (5) participate in conferences and other appropriate activities related to grants

45.5 management issues;;

45.6 (6) suspend or debar grantees from eligibility to receive state-issued grants for up to

45.7 three years for reasons specified in Minnesota Rules, part 1230.1150, subpart 2. A grantee

45.8 may obtain an administrative hearing pursuant to sections 14.57 to 14.62 before a suspension

38.11 or debarment is effective by filing a written request for hearing within 20 days of notification
38.12 of suspension or debarment;

38.13 (7) establish offices for the purpose of carrying out grants governance, oversight, and
38.14 management; and

38.15 (8) require granting agencies to submit grant solicitation documents for review prior to
38.16 issuance at dollar levels determined by the commissioner.

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

38.18 Sec. 31. Minnesota Statutes 2022, section 16B.97, subdivision 4, is amended to read:

38.19 Subd. 4. **Duties.** (a) The commissioner shall:

38.20 (1) create general grants management policies and procedures that are applicable to all
38.21 executive agencies. The commissioner may approve exceptions to these policies and
38.22 procedures for particular grant programs. Exceptions shall expire or be renewed after five
38.23 years. Executive agencies shall retain management of individual grants programs;

38.24 (2) provide a central point of contact concerning statewide grants management policies
38.25 and procedures;

38.26 (3) serve as a resource to executive agencies in such areas as training, evaluation,
38.27 collaboration, and best practices in grants management;

38.28 (4) ensure grants management needs are considered in the development, upgrade, and
38.29 use of statewide administrative systems and leverage existing technology wherever possible;

39.1 (5) oversee and approve future professional and technical service contracts and other
39.2 information technology spending related to executive agency grants management systems
39.3 and activities;

39.4 (6) provide a central point of contact for comments about executive agencies violating
39.5 statewide grants governance policies and about fraud and waste in grants processes;

39.6 (7) forward received comments to the appropriate agency for further action, and may
39.7 follow up as necessary;

39.8 (8) provide a single listing of all available executive agency competitive grant
39.9 opportunities and resulting grant recipients;

39.10 (9) selectively review development and implementation of executive agency grants,
39.11 policies, and practices; and

39.12 (10) selectively review executive agency compliance with best practices.

39.13 (b) The commissioner may determine that it is cost-effective for agencies to develop
39.14 and use shared grants management technology systems. This system would be governed
39.15 under section 16E.01, subdivision 3, paragraph (b).

45.9 or debarment is effective by filing a written request for hearing within 20 days of notification
45.10 of suspension or debarment;

45.11 (7) establish offices for the purpose of carrying out grants governance, oversight, and
45.12 management; and

45.13 (8) require granting agencies to submit grant solicitation documents for review prior to
45.14 issuance at dollar levels determined by the commissioner.

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

45.16 Sec. 18. Minnesota Statutes 2022, section 16B.97, subdivision 4, is amended to read:

45.17 Subd. 4. **Duties.** (a) The commissioner shall:

45.18 (1) create general grants management policies and procedures that are applicable to all
45.19 executive agencies. The commissioner may approve exceptions to these policies and
45.20 procedures for particular grant programs. Exceptions shall expire or be renewed after five
45.21 years. Executive agencies shall retain management of individual grants programs;

45.22 (2) provide a central point of contact concerning statewide grants management policies
45.23 and procedures;

45.24 (3) serve as a resource to executive agencies in such areas as training, evaluation,
45.25 collaboration, and best practices in grants management;

45.26 (4) ensure grants management needs are considered in the development, upgrade, and
45.27 use of statewide administrative systems and leverage existing technology wherever possible;

45.28 (5) oversee and approve future professional and technical service contracts and other
45.29 information technology spending related to executive agency grants management systems
45.30 and activities;

46.1 (6) provide a central point of contact for comments about executive agencies violating
46.2 statewide grants governance policies and about fraud and waste in grants processes;

46.3 (7) forward received comments to the appropriate agency for further action, and may
46.4 follow up as necessary;

46.5 (8) provide a single listing of all available executive agency competitive grant
46.6 opportunities and resulting grant recipients;

46.7 (9) selectively review development and implementation of executive agency grants,
46.8 policies, and practices; and

46.9 (10) selectively review executive agency compliance with best practices.

46.10 (b) The commissioner may determine that it is cost-effective for agencies to develop
46.11 and use shared grants management technology systems. This system would be governed
46.12 under section 16E.01, subdivision 3, paragraph (b).

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

39.17 Sec. 32. Minnesota Statutes 2022, section 16B.98, subdivision 5, is amended to read:

39.18 Subd. 5. **Creation and validity of grant agreements.** (a) A grant agreement ~~is and~~

39.19 ~~amendments are not valid and the state is not bound by the grant them~~ unless:

39.20 (1) ~~the grant has they~~ have been executed by the head of the agency or a delegate who

39.21 is party to the grant;

39.22 (2) ~~they~~ have been approved by the commissioner;

39.23 (3) the accounting system shows an encumbrance for the amount of the grant in

39.24 accordance with policy approved by the commissioner except as provided in subdivision

39.25 11; and

39.26 ~~(3)~~ (4) the grant agreement includes an effective date that references either section

39.27 16C.05, subdivision 2, or 16B.98, subdivisions 5 and 7, as determined by the granting

39.28 agency.

39.29 (b) The combined grant agreement and amendments must not exceed five years without

39.30 specific, written approval by the commissioner according to established policy, procedures,

40.1 and standards, or unless the commissioner determines that a longer duration is in the best

40.2 interest of the state.

40.3 (c) A fully executed copy of the grant agreement with all amendments and other required

40.4 records relating to the grant must be kept on file at the granting agency for a time equal to

40.5 that required of grantees in subdivision 8.

40.6 (d) Grant agreements must comply with policies established by the commissioner for

40.7 minimum grant agreement standards and practices.

40.8 (e) The attorney general may periodically review and evaluate a sample of state agency

40.9 grants to ensure compliance with applicable laws.

40.10 **EFFECTIVE DATE.** This section is effective April 1, 2024, and applies to grants issued

40.11 on or after that date.

40.12 Sec. 33. Minnesota Statutes 2022, section 16B.98, subdivision 6, is amended to read:

40.13 Subd. 6. **Grant administration.** A granting agency shall diligently administer and

40.14 monitor any grant it has entered into. The commissioner may require an agency to report

40.15 to the commissioner at any time on the status of any grant to which the agency is a party.

40.16 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants

40.17 issued on or after that date.

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

46.14 Sec. 19. Minnesota Statutes 2022, section 16B.98, subdivision 5, is amended to read:

46.15 Subd. 5. **Creation and validity of grant agreements.** (a) A grant agreement ~~is and~~

46.16 ~~amendments are not valid and the state is not bound by the grant~~ do not bind unless:

46.17 (1) ~~the grant has the grant agreement and amendments~~ have been executed by the head

46.18 of the agency or a delegate who is party to the grant;

46.19 (2) ~~the grant agreement and amendments~~ have been approved by the commissioner;

46.20 ~~(2)~~ (3) the accounting system shows an encumbrance for the amount of the grant in

46.21 accordance with policy approved by the commissioner except as provided in subdivision

46.22 11; and

46.23 ~~(3)~~ (4) the grant agreement includes an effective date that references either section

46.24 16C.05, subdivision 2, or 16B.98, subdivisions 5 and 7, as determined by the granting

46.25 agency.

46.26 (b) The combined grant agreement and amendments must not exceed five years without

46.27 specific, written approval by the commissioner according to established policy, procedures,

46.28 and standards, or unless the commissioner determines that a longer duration is in the best

46.29 interest of the state.

47.1 (c) A fully executed copy of the grant agreement with all amendments and other required

47.2 records relating to the grant must be kept on file at the granting agency for a time equal to

47.3 that required of grantees in subdivision 8.

47.4 (d) Grant agreements must comply with policies established by the commissioner for

47.5 minimum grant agreement standards and practices.

47.6 (e) The attorney general may periodically review and evaluate a sample of state agency

47.7 grants to ensure compliance with applicable laws.

47.8 **EFFECTIVE DATE.** This section is effective April 1, 2024, and applies to grants issued

47.9 on or after that date.

47.10 Sec. 20. Minnesota Statutes 2022, section 16B.98, subdivision 6, is amended to read:

47.11 Subd. 6. **Grant administration.** A granting agency shall diligently administer and

47.12 monitor any grant it has entered into. A granting agency must report to the commissioner

47.13 at any time at the commissioner's request on the status of any grant to which the agency is

47.14 a party.

47.15 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants

47.16 issued on or after that date.

40.18 Sec. 34. Minnesota Statutes 2022, section 16B.98, subdivision 8, is amended to read:

40.19 Subd. 8. **Audit.** (a) A grant agreement made by an executive agency must include an

40.20 audit clause that provides that the books, records, documents, and accounting procedures

40.21 and practices of the grantee or other party that are relevant to the grant or transaction are

40.22 subject to examination by the commissioner, the granting agency, and either the legislative

40.23 auditor or the state auditor, as appropriate, for a minimum of six years from the grant

40.24 agreement end date, receipt and approval of all final reports, or the required period of time

40.25 to satisfy all state and program retention requirements, whichever is later. If a grant agreement

40.26 does not include an express audit clause, the audit authority under this subdivision is implied.

40.27 (b) If the granting agency is a local unit of government, and the governing body of the

40.28 local unit of government requests that the state auditor examine the books, records,

40.29 documents, and accounting procedures and practices of the grantee or other party according

40.30 to this subdivision, the granting agency shall be liable for the cost of the examination. If

40.31 the granting agency is a local unit of government, and the grantee or other party requests

40.32 that the state auditor examine all books, records, documents, and accounting procedures

41.1 and practices related to the grant, the grantee or other party that requested the examination

41.2 shall be liable for the cost of the examination.

41.3 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants

41.4 issued on or after that date.

41.5 Sec. 35. Minnesota Statutes 2022, section 16B.98, is amended by adding a subdivision to

41.6 read:

41.7 Subd. 12. **Grantee evaluations.** (a) The head of the agency or delegate entering into a

41.8 grant agreement in excess of \$25,000 must submit a report to the commissioner who must

41.9 make the report publicly available online.

41.10 (b) The report must:

41.11 (1) summarize the purpose of the grant;

41.12 (2) state the amount provided to the grantee; and

41.13 (3) include a written performance evaluation of the work done under the grant. The

41.14 evaluation must include an appraisal of the grantee's timeliness, quality, and overall

41.15 performance in meeting the terms and objectives of the grant. Grantees may request copies

41.16 of evaluations prepared under this subdivision and may respond in writing. Grantee responses

41.17 must be maintained with the grant file.

41.18 **EFFECTIVE DATE.** This section is effective April 1, 2024, and applies to grants issued

41.19 on or after that date.

47.17 Sec. 21. Minnesota Statutes 2022, section 16B.98, subdivision 8, is amended to read:

47.18 Subd. 8. **Audit.** (a) A grant agreement made by an executive agency must include an

47.19 audit clause that provides that the books, records, documents, and accounting procedures

47.20 and practices of the grantee or other party that are relevant to the grant or transaction are

47.21 subject to examination by the commissioner, the granting agency and either the legislative

47.22 auditor or the state auditor, as appropriate, for a minimum of six years from the grant

47.23 agreement end date, receipt and approval of all final reports, or the required period of time

47.24 to satisfy all state and program retention requirements, whichever is later. If a grant agreement

47.25 does not include an express audit clause, the audit authority under this subdivision is implied.

47.26 (b) If the granting agency is a local unit of government, and the governing body of the

47.27 local unit of government requests that the state auditor examine the books, records,

47.28 documents, and accounting procedures and practices of the grantee or other party according

47.29 to this subdivision, the granting agency shall be liable for the cost of the examination. If

47.30 the granting agency is a local unit of government, and the grantee or other party requests

47.31 that the state auditor examine all books, records, documents, and accounting procedures

48.1 and practices related to the grant, the grantee or other party that requested the examination

48.2 shall be liable for the cost of the examination.

48.3 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants

48.4 issued on or after that date.

48.5 Sec. 22. Minnesota Statutes 2022, section 16B.98, is amended by adding a subdivision to

48.6 read:

48.7 Subd. 12. **Grantee evaluations.** (a) The head of the agency or delegate entering into a

48.8 grant agreement in excess of \$25,000 must submit a report to the commissioner who must

48.9 make the report publicly available online.

48.10 (b) The report must:

48.11 (1) summarize the purpose of the grant;

48.12 (2) state the amount provided to the grantee; and

48.13 (3) include a written performance evaluation of the work done under the grant. The

48.14 evaluation must include an appraisal of the grantee's timeliness, quality, and overall

48.15 performance in meeting the terms and objectives of the grant. Grantees may request copies

48.16 of evaluations prepared under this subdivision and may respond in writing. Grantee responses

48.17 must be maintained with the grant file.

48.18 **EFFECTIVE DATE.** This section is effective April 1, 2024, and applies to grants issued

48.19 on or after that date.

41.20 Sec. 36. Minnesota Statutes 2022, section 16B.98, is amended by adding a subdivision to
41.21 read:

41.22 Subd. 13. **Limitations on actions.** No action may be maintained by a grantee against
41.23 an employee or agency who discloses information about a current or former grantee under
41.24 subdivision 12, unless the grantee demonstrates by clear and convincing evidence that:

41.25 (1) the information was false and defamatory;

41.26 (2) the employee or agency knew or should have known the information was false and
41.27 acted with malicious intent to injure the current or former grantee; and

41.28 (3) the information was acted upon in a manner that caused harm to the current or former
41.29 grantee.

42.1 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants
42.2 issued on or after that date.

42.3 Sec. 37. Minnesota Statutes 2022, section 16B.98, is amended by adding a subdivision to
42.4 read:

42.5 Subd. 14. **Administrative costs.** Unless amounts are otherwise appropriated for
42.6 administrative costs, a state agency may retain up to five percent of the amount appropriated
42.7 to the agency for grants enacted by the legislature and formula grants and up to ten percent
42.8 for competitively awarded grants. This subdivision applies to appropriations made for new
42.9 grant programs enacted after the effective date of this subdivision.

42.10 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants
42.11 issued on or after that date.

42.12 Sec. 38. Minnesota Statutes 2022, section 16B.991, is amended to read:

42.13 **16B.991 TERMINATION OF GRANT.**

42.14 Subdivision 1. **Criminal conviction.** Each grant agreement subject to sections 16B.97
42.15 and 16B.98 must provide that the agreement will immediately be terminated if the recipient
42.16 is convicted of a criminal offense relating to a state grant agreement.

42.17 Subd. 2. **Authority.** A grant agreement must by its terms permit the commissioner to
42.18 unilaterally terminate the grant agreement prior to completion if the commissioner determines
42.19 that further performance under the grant agreement would not serve agency purposes or is
42.20 not in the best interests of the state.

44.3 Sec. 43. Minnesota Statutes 2022, section 43A.08, subdivision 1, is amended to read:

44.4 Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees
44.5 who are:

44.6 (1) chosen by election or appointed to fill an elective office;

48.20 Sec. 23. Minnesota Statutes 2022, section 16B.991, is amended to read:

48.21 **16B.991 TERMINATION OF GRANT.**

48.22 Subdivision 1. **Criminal conviction.** Each grant agreement subject to sections 16B.97
48.23 and 16B.98 must provide that the agreement will immediately be terminated if the recipient
48.24 is convicted of a criminal offense relating to a state grant agreement.

48.25 Subd. 2. **Authority.** A grant agreement must by its terms permit the commissioner to
48.26 unilaterally terminate the grant agreement prior to completion if the commissioner determines
48.27 that further performance under the grant agreement would not serve agency purposes or is
48.28 not in the best interests of the state.

49.1 Sec. 24. Minnesota Statutes 2022, section 43A.08, subdivision 1, is amended to read:

49.2 Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees
49.3 who are:

49.4 (1) chosen by election or appointed to fill an elective office;

44.7 (2) heads of agencies required by law to be appointed by the governor or other elective
 44.8 officers, and the executive or administrative heads of departments, bureaus, divisions, and
 44.9 institutions specifically established by law in the unclassified service;

44.10 (3) deputy and assistant agency heads and one confidential secretary in the agencies
 44.11 listed in subdivision 1a ~~and in the Office of Strategic and Long-Range Planning;~~

44.12 (4) the confidential secretary to each of the elective officers of this state and, for the
 44.13 secretary of state and state auditor, an additional deputy, clerk, or employee;

44.14 (5) intermittent help employed by the commissioner of public safety to assist in the
 44.15 issuance of vehicle licenses;

44.16 (6) employees in the offices of the governor and of the lieutenant governor and one
 44.17 confidential employee for the governor in the Office of the Adjutant General;

44.18 (7) employees of the Washington, D.C., office of the state of Minnesota;

44.19 (8) employees of the legislature and of legislative committees or commissions; provided
 44.20 that employees of the Legislative Audit Commission, except for the legislative auditor, the
 44.21 deputy legislative auditors, and their confidential secretaries, shall be employees in the
 44.22 classified service;

44.23 (9) presidents, vice-presidents, deans, other managers and professionals in academic
 44.24 and academic support programs, administrative or service faculty, teachers, research
 44.25 assistants, and student employees eligible under terms of the federal Economic Opportunity
 44.26 Act work study program in the Perpich Center for Arts Education and the Minnesota State
 44.27 Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any
 44.28 professional or managerial employee performing duties in connection with the business
 44.29 administration of these institutions;

44.30 (10) officers and enlisted persons in the National Guard;

45.1 (11) attorneys, legal assistants, and three confidential employees appointed by the attorney
 45.2 general or employed with the attorney general's authorization;

45.3 (12) judges and all employees of the judicial branch, referees, receivers, jurors, and
 45.4 notaries public, except referees and adjusters employed by the Department of Labor and
 45.5 Industry;

45.6 (13) members of the State Patrol; provided that selection and appointment of State Patrol
 45.7 troopers must be made in accordance with applicable laws governing the classified service;

45.8 (14) examination monitors and intermittent training instructors employed by the
 45.9 Departments of Management and Budget and Commerce and by professional examining
 45.10 boards and intermittent staff employed by the technical colleges for the administration of
 45.11 practical skills tests and for the staging of instructional demonstrations;

45.12 (15) student workers;

49.5 (2) heads of agencies required by law to be appointed by the governor or other elective
 49.6 officers, and the executive or administrative heads of departments, bureaus, divisions, and
 49.7 institutions specifically established by law in the unclassified service;

49.8 (3) deputy and assistant agency heads and one confidential secretary in the agencies
 49.9 listed in subdivision 1a ~~and in the Office of Strategic and Long-Range Planning;~~

49.10 (4) the confidential secretary to each of the elective officers of this state and, for the
 49.11 secretary of state and state auditor, an additional deputy, clerk, or employee;

49.12 (5) intermittent help employed by the commissioner of public safety to assist in the
 49.13 issuance of vehicle licenses;

49.14 (6) employees in the offices of the governor and of the lieutenant governor and one
 49.15 confidential employee for the governor in the Office of the Adjutant General;

49.16 (7) employees of the Washington, D.C., office of the state of Minnesota;

49.17 (8) employees of the legislature and of legislative committees or commissions; provided
 49.18 that employees of the Legislative Audit Commission, except for the legislative auditor, the
 49.19 deputy legislative auditors, and their confidential secretaries, shall be employees in the
 49.20 classified service;

49.21 (9) presidents, vice-presidents, deans, other managers and professionals in academic
 49.22 and academic support programs, administrative or service faculty, teachers, research
 49.23 assistants, and student employees eligible under terms of the federal Economic Opportunity
 49.24 Act work study program in the Perpich Center for Arts Education and the Minnesota State
 49.25 Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any
 49.26 professional or managerial employee performing duties in connection with the business
 49.27 administration of these institutions;

49.28 (10) officers and enlisted persons in the National Guard;

49.29 (11) attorneys, legal assistants, and three confidential employees appointed by the attorney
 49.30 general or employed with the attorney general's authorization;

50.1 (12) judges and all employees of the judicial branch, referees, receivers, jurors, and
 50.2 notaries public, except referees and adjusters employed by the Department of Labor and
 50.3 Industry;

50.4 (13) members of the State Patrol; provided that selection and appointment of State Patrol
 50.5 troopers must be made in accordance with applicable laws governing the classified service;

50.6 (14) examination monitors and intermittent training instructors employed by the
 50.7 Departments of Management and Budget and Commerce and by professional examining
 50.8 boards and intermittent staff employed by the technical colleges for the administration of
 50.9 practical skills tests and for the staging of instructional demonstrations;

50.10 (15) student workers;

45.13 (16) executive directors or executive secretaries appointed by and reporting to any
45.14 policy-making board or commission established by statute;

45.15 (17) employees unclassified pursuant to other statutory authority;

45.16 (18) intermittent help employed by the commissioner of agriculture to perform duties
45.17 relating to pesticides, fertilizer, and seed regulation;

45.18 (19) the administrators and the deputy administrators at the State Academies for the
45.19 Deaf and the Blind; and

45.20 (20) chief executive officers in the Department of Human Services.

45.21 Sec. 44. Minnesota Statutes 2022, section 138.912, subdivision 1, is amended to read:

45.22 Subdivision 1. **Establishment.** The healthy eating, here at home program is established
45.23 to provide incentives for low-income Minnesotans to use federal Supplemental Nutrition
45.24 Assistance Program (SNAP) benefits for healthy purchases at Minnesota-based farmers'
45.25 markets, mobile markets, and direct-farmer sales, including community-supported agriculture
45.26 shares.

45.27 Sec. 45. Minnesota Statutes 2022, section 138.912, subdivision 2, is amended to read:

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

46.1 (b) "Healthy eating, here at home" means a program administered by the Minnesota
46.2 Humanities Center to provide incentives for low-income Minnesotans to use SNAP benefits
46.3 for healthy purchases at Minnesota-based farmers' markets.

46.4 (c) "Healthy purchases" means SNAP-eligible foods.

46.5 (d) "Minnesota-based farmers' market" means a physical market as defined in section
46.6 28A.151, subdivision 1, paragraph (b), and also includes mobile markets and direct-farmer
46.7 sales, including through a community-supported agriculture model.

46.8 (e) "Voucher" means a physical or electronic credit.

46.9 (f) "Eligible household" means an individual or family that is determined to be a recipient
46.10 of SNAP.

46.11 Sec. 46. Minnesota Statutes 2022, section 145.951, is amended to read:

46.12 **145.951 IMPLEMENTATION PLAN; STATEWIDE PROGRAM FOR FAMILIES.**

46.13 The commissioner of health, in consultation with the commissioners of education;
46.14 corrections; public safety; and human services, and with the ~~directors~~ director of the Office
46.15 of Strategic and Long-Range Planning, the Council on Disability; and the councils and

50.11 (16) executive directors or executive secretaries appointed by and reporting to any
50.12 policy-making board or commission established by statute;

50.13 (17) employees unclassified pursuant to other statutory authority;

50.14 (18) intermittent help employed by the commissioner of agriculture to perform duties
50.15 relating to pesticides, fertilizer, and seed regulation;

50.16 (19) the administrators and the deputy administrators at the State Academies for the
50.17 Deaf and the Blind; and

50.18 (20) chief executive officers in the Department of Human Services.

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26.29 Sec. 43. Minnesota Statutes 2022, section 138.912, subdivision 1, is amended to read:

26.30 Subdivision 1. **Establishment.** The healthy eating, here at home program is established
26.31 to provide incentives for low-income Minnesotans to use federal Supplemental Nutrition
26.32 Assistance Program (SNAP) benefits for healthy purchases at Minnesota-based farmers'
27.1 markets, mobile markets, and direct-farmer sales, including community-supported agriculture
27.2 shares.

27.3 Sec. 44. Minnesota Statutes 2022, section 138.912, subdivision 2, is amended to read:

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

27.5 (b) "Healthy eating, here at home" means a program administered by the Minnesota
27.6 Humanities Center to provide incentives for low-income Minnesotans to use SNAP benefits
27.7 for healthy purchases at Minnesota-based farmers' markets.

27.8 (c) "Healthy purchases" means SNAP-eligible foods.

27.9 (d) "Minnesota-based farmers' market" means a physical market as defined in section
27.10 28A.151, subdivision 1, paragraph (b), and also includes mobile markets and direct-farmer
27.11 sales, including through a community-supported agriculture model.

27.12 (e) "Voucher" means a physical or electronic credit.

27.13 (f) "Eligible household" means an individual or family that is determined to be a recipient
27.14 of SNAP.

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51.1 Sec. 26. Minnesota Statutes 2022, section 145.951, is amended to read:

51.2 **145.951 IMPLEMENTATION PLAN; STATEWIDE PROGRAM FOR FAMILIES.**

51.3 The commissioner of health, in consultation with the commissioners of education;
51.4 corrections; public safety; and human services, and with the ~~directors~~ director of the Office
51.5 of Strategic and Long-Range Planning, the Council on Disability; and the councils and

46.16 commission under sections 3.922, 3.9221, and 15.0145, may develop an implementation
46.17 plan for the establishment of a statewide program to assist families in developing the full
46.18 potential of their children. The program must be designed to strengthen the family, to reduce
46.19 the risk of abuse to children, and to promote the long-term development of children in their
46.20 home environments. The program must also be designed to use volunteers to provide support
46.21 to parents, and to link parents with existing public health, education, and social services as
46.22 appropriate.

51.6 commission under sections 3.922, 3.9221, and 15.0145, may develop an implementation
51.7 plan for the establishment of a statewide program to assist families in developing the full
51.8 potential of their children. The program must be designed to strengthen the family, to reduce
51.9 the risk of abuse to children, and to promote the long-term development of children in their
51.10 home environments. The program must also be designed to use volunteers to provide support
51.11 to parents, and to link parents with existing public health, education, and social services as
51.12 appropriate.

51.13 Sec. 27. Minnesota Statutes 2022, section 155A.23, subdivision 8, is amended to read:

51.14 Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician,
51.15 advanced practice esthetician, hair technician, nail technician practitioner, or eyelash
51.16 technician practitioner, and who has a manager license and provides any services under that
51.17 license, as defined in subdivision 3.

51.18 Sec. 28. Minnesota Statutes 2022, section 155A.23, subdivision 18, is amended to read:

51.19 Subd. 18. **Practitioner.** A "practitioner" is any person licensed as an operator or manager
51.20 in the practice of cosmetology, esthiology, hair technology services, nail technology services,
51.21 or eyelash technology services.

51.22 Sec. 29. Minnesota Statutes 2022, section 155A.23, is amended by adding a subdivision
51.23 to read:

51.24 Subd. 21. **Hair technician.** A "hair technician" is any person who, for compensation,
51.25 performs personal services for the cosmetic care of the hair on the scalp. Hair technician
51.26 services include cutting the hair and the application of dyes, bleach, reactive chemicals,
51.27 keratin, or other preparations to color or alter the structure of the hair. A person who only
51.28 performs hairstyling as defined by subdivision 19, is not a hair technician.

51.29 **EFFECTIVE DATE.** This section is effective on or after July 1, 2024.

52.1 Sec. 30. Minnesota Statutes 2022, section 155A.27, subdivision 1, is amended to read:

52.2 Subdivision 1. **Licensing.** A person must hold an individual license to practice in the
52.3 state as a cosmetologist, esthetician, hair technician, nail technician, eyelash technician,
52.4 advanced practice esthetician, manager, or instructor.

52.5 Sec. 31. Minnesota Statutes 2022, section 155A.27, subdivision 5a, is amended to read:

52.6 Subd. 5a. **Temporary military license.** The board shall establish temporary licenses
52.7 for a cosmetologist, hair technician, nail technician, and esthetician in accordance with
52.8 section 197.4552.

52.9 Sec. 32. Minnesota Statutes 2022, section 155A.27, subdivision 10, is amended to read:

52.10 Subd. 10. **Nonresident licenses.** (a) A nonresident cosmetologist, hair technician, nail
52.11 technician, or esthetician may be licensed in Minnesota if the individual has completed
52.12 cosmetology school in a state or country with the same or greater school hour requirements,

52.13 has an active license in that state or country, and has passed a board-approved theory and
52.14 practice-based examination, the Minnesota-specific written operator examination for
52.15 cosmetologist, hair technician, nail technician, ~~or~~ esthetician. If a test is used to verify the
52.16 qualifications of trained cosmetologists, the test should be translated into the nonresident's
52.17 native language within the limits of available resources. Licenses shall not be issued under
52.18 this subdivision for managers or instructors.

52.19 (b) If an individual has less than the required number of school hours, the individual
52.20 must have had a current active license in another state or country for at least three years and
52.21 have passed a board-approved theory and practice-based examination, and the
52.22 Minnesota-specific written operator examination for cosmetologist, hair technician, nail
52.23 technician, ~~or~~ esthetician. If a test is used to verify the qualifications of trained
52.24 cosmetologists, the test should be translated into the nonresident's native language within
52.25 the limits of available resources. Licenses must not be issued under this subdivision for
52.26 managers or instructors.

52.27 (c) Applicants claiming training and experience in a foreign country shall supply official
52.28 English-language translations of all required documents from a board-approved source.

52.29 Sec. 33. **[155A.2705] HAIR TECHNICIAN REQUIREMENTS AND TRAINING.**

52.30 Subdivision 1. **Age requirement.** An applicant for a hair technician license must be at
52.31 least 17 years of age.

53.1 Subd. 2. **Application.** A complete application for a hair technician license must include
53.2 the following:

53.3 (1) a completed application form;

53.4 (2) payment of the fees required by section 155A.25;

53.5 (3) passing test results achieved no more than one year before the submission of the
53.6 application of the following board-approved tests for the license for a hair technician:

53.7 (i) the general theory test;

53.8 (ii) the written practical test; and

53.9 (iii) the test on Minnesota Laws and Rules related to providing hair technician services;

53.10 and

53.11 (4) proof of completion of training in the form of the original course completion certificate
53.12 with the notarized signatures of the school manager or owner documenting the successful
53.13 completion of the required training under subdivision 3. If the completed training is more
53.14 than five years old, a skills course certificate no more than one year old must also be
53.15 submitted.

- 53.16 Subd. 3. **Training.** Hair technician training must be completed at a Minnesota-licensed
53.17 cosmetology school. The training must consist of 800 hours of coursework and planned
53.18 clinical instruction and experience that includes:
- 53.19 (1) the first 300 hours of the hair technology course that includes:
- 53.20 (i) student orientation;
- 53.21 (ii) preclinical instruction in the theory of sciences, including:
- 53.22 (A) muscle and bone structure and function;
- 53.23 (B) properties of the hair and scalp;
- 53.24 (C) disorders and diseases of the hair and scalp;
- 53.25 (D) chemistry as related to hair technology; and
- 53.26 (E) electricity and light related to the practice of hair technology;
- 53.27 (iii) theory and preclinical instruction on client and service safety prior to students
53.28 offering services;
- 54.1 (iv) introductory service skills that are limited to the observation of an instructor
54.2 demonstration, student use of mannequins, or student-to-student application of basic services
54.3 related to hair technology;
- 54.4 (v) Minnesota statutes and rules pertaining to the regulation of hair technology;
- 54.5 (vi) health and safety instruction that includes:
- 54.6 (A) chemical safety;
- 54.7 (B) safety data sheets;
- 54.8 (C) personal protective equipment (PPE);
- 54.9 (D) hazardous substances; and
- 54.10 (E) laws and regulations related to health and public safety; and
- 54.11 (vii) infection control to protect the health and safety of the public and technician that
54.12 includes:
- 54.13 (A) disinfectants;
- 54.14 (B) disinfectant procedures;
- 54.15 (C) cleaning and disinfection;
- 54.16 (D) single use items;

- 54.17 (E) storage of tools, implements, and linens; and
- 54.18 (F) other implements and equipment used in salons and schools;
- 54.19 (2) 200 hours in hair cutting and styling that includes hair and scalp analysis, cleaning,
- 54.20 scalp and hair conditioning, hair design and shaping, drying, arranging, curling, dressing,
- 54.21 waving, and nonchemical straightening; and
- 54.22 (3) 300 hours in chemical hair services that includes hair and scalp analysis, dying,
- 54.23 bleaching, reactive chemicals, keratin, hair coloring, permanent straightening, permanent
- 54.24 waving, predisposition and strand tests, safety precautions, chemical mixing, color
- 54.25 formulation, and the use of dye removers.
- 54.26 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 54.27 Sec. 34. Minnesota Statutes 2022, section 155A.271, subdivision 1, is amended to read:
- 54.28 Subdivision 1. **Continuing education requirements.** (a) To qualify for license renewal
- 54.29 under this chapter as an individual cosmetologist, hair technician, nail technician, esthetician,
- 55.1 advanced practice esthetician, eyelash technician, or salon manager, the applicant must
- 55.2 complete four hours of continuing education credits from a board-approved continuing
- 55.3 education provider during the three years prior to the applicant's renewal date. One credit
- 55.4 hour of the requirement must include instruction pertaining to state laws and rules governing
- 55.5 the practice of cosmetology. Three credit hours must include instruction pertaining to health,
- 55.6 safety, and infection control matters consistent with the United States Department of Labor's
- 55.7 Occupational Safety and Health Administration standards applicable to the practice of
- 55.8 cosmetology, or other applicable federal health, infection control, and safety standards, and
- 55.9 must be regularly updated so as to incorporate newly developed standards and accepted
- 55.10 professional best practices. Credit hours earned are valid for three years and may be applied
- 55.11 simultaneously to all individual licenses held by a licensee under this chapter.
- 55.12 (b) ~~Effective August 1, 2017,~~ In addition to the hours of continuing education credits
- 55.13 required under paragraph (a), to qualify for license renewal under this chapter as an individual
- 55.14 cosmetologist, hair technician, nail technician, esthetician, advanced practice esthetician,
- 55.15 or salon manager, the applicant must also complete a four credit hour continuing education
- 55.16 course from a board-approved continuing education provider based on any of the following
- 55.17 within the licensee's scope of practice:
- 55.18 (1) product chemistry and chemical interaction;
- 55.19 (2) proper use and maintenance of machines and instruments;
- 55.20 (3) business management, professional ethics, and human relations; or
- 55.21 (4) techniques relevant to the type of license held.
- 55.22 Credits are valid for three years and must be completed with a board-approved provider of
- 55.23 continuing education during the three years prior to the applicant's renewal date and may

55.24 be applied simultaneously to other individual licenses held as applicable, except that credits
55.25 completed under this paragraph must not duplicate credits completed under paragraph (a).

55.26 (c) Paragraphs (a) and (b) do not apply to an instructor license, a school manager license,
55.27 or an inactive license.

55.28 Sec. 35. Minnesota Statutes 2022, section 155A.29, subdivision 1, is amended to read:

55.29 Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation
55.30 unless the services are provided by a licensee in a licensed salon or as otherwise provided
55.31 in this section. ~~Each salon must be licensed as a cosmetology salon, a nail salon, esthetician~~
55.32 ~~salon, advanced practice esthetician salon, or eyelash extension salon. A salon may hold~~
55.33 ~~more than one type of salon license.~~

56.1 Sec. 36. Minnesota Statutes 2022, section 179A.01, is amended to read:

56.2 **179A.01 PUBLIC POLICY.**

56.3 (a) It is the public policy of this state and the purpose of sections 179A.01 to 179A.25
56.4 to promote orderly and constructive relationships between all public employers and their
56.5 employees. This policy is subject to the paramount right of the citizens of this state to keep
56.6 inviolate the guarantees for their health, education, safety, and welfare.

56.7 (b) The relationships between the public, public employees, and employer governing
56.8 bodies involve responsibilities to the public and a need for cooperation and employment
56.9 protection which are different from those found in the private sector. The importance or
56.10 necessity of some services to the public can create imbalances in the relative bargaining
56.11 power between public employees and employers. As a result, unique approaches to
56.12 negotiations and resolutions of disputes between public employees and employers are
56.13 necessary.

56.14 (c) Unresolved disputes between the public employer and its employees are injurious
56.15 to the public as well as to the parties. Adequate means must be established for minimizing
56.16 them and providing for their resolution. Within these limitations and considerations, the
56.17 legislature has determined that overall policy is best accomplished by:

56.18 (1) granting public employees certain rights to organize and choose freely their
56.19 representatives;

56.20 (2) requiring public employers to meet and negotiate with public employees in an
56.21 appropriate bargaining unit and providing that the result of bargaining be in written
56.22 agreements; and

56.23 (3) establishing special rights, responsibilities, procedures, and limitations regarding
56.24 public employment relationships which will provide for the protection of the rights of the
56.25 public employee, the public employer, and the public at large.

56.26 ~~(d) Nothing in sections 179A.01 to 179A.25 impairs, modifies, or alters the authority~~
56.27 ~~of the legislature to establish rates of pay, or retirement or other benefits for its employees.~~

56.28 Sec. 37. Minnesota Statutes 2022, section 179A.03, subdivision 15, is amended to read:

56.29 Subd. 15. **Public employer or employer.** (a) "Public employer" or "employer" means:

56.30 (1) the state of Minnesota for employees of the state not otherwise provided for in this
56.31 subdivision or section 179A.10 for executive branch employees;

56.32 (2) the Board of Regents of the University of Minnesota for its employees;

57.1 (3) the state court administrator for court employees;

57.2 (4) the secretary of the senate for senate employees, the chief clerk of the house of
57.3 representatives for employees of the house of representatives, and the executive director of
57.4 the Legislative Coordinating Commission for employees of the joint offices and commissions;

57.5 (5) the state Board of Public Defense for its employees;

57.6 ~~(5)~~ (6) Hennepin Healthcare System, Inc.; and

57.7 ~~(6)~~ (7) notwithstanding any other law to the contrary, the governing body of a political
57.8 subdivision or its agency or instrumentality which has final budgetary approval authority
57.9 for its employees. However, the views of elected appointing authorities who have standing
57.10 to initiate interest arbitration, and who are responsible for the selection, direction, discipline,
57.11 and discharge of individual employees shall be considered by the employer in the course
57.12 of the discharge of rights and duties under sections 179A.01 to 179A.25.

57.13 (b) When two or more units of government subject to sections 179A.01 to 179A.25
57.14 undertake a project or form a new agency under law authorizing common or joint action,
57.15 the employer is the governing person or board of the created agency. The governing official
57.16 or body of the cooperating governmental units shall be bound by an agreement entered into
57.17 by the created agency according to sections 179A.01 to 179A.25.

57.18 (c) "Public employer" or "employer" does not include a "charitable hospital" as defined
57.19 in section 179.35, subdivision 2, except that a charitable hospital as defined by section
57.20 179.35, subdivision 2, is a public employer for purposes of sections 179A.051, 179A.052,
57.21 and 179A.13.

57.22 (d) Nothing in this subdivision diminishes the authority granted pursuant to law to an
57.23 appointing authority with respect to the selection, direction, discipline, or discharge of an
57.24 individual employee if this action is consistent with general procedures and standards relating
57.25 to selection, direction, discipline, or discharge which are the subject of an agreement entered
57.26 into under sections 179A.01 to 179A.25.

46.23 Sec. 47. Minnesota Statutes 2022, section 307.08, is amended to read:

46.24 **307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;**
46.25 **BURIALS; CEMETERIES; PENALTY; ~~AUTHENTICATION~~ ASSESSMENT.**

46.26 Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative
46.27 intent that all human burials, human remains, and human burial grounds shall be accorded
46.28 equal treatment and respect for human dignity without reference to their ethnic origins,
46.29 cultural backgrounds, or religious affiliations. The provisions of this section shall apply to
46.30 all human burials, human remains, or human burial grounds found on or in all public or
46.31 private lands or waters in Minnesota. Within the boundaries of Tribal Nation reservations,
46.32 nothing in this section should be interpreted to conflict with federal law, including the Native
47.1 American Graves Protection and Repatriation Act (NAGPRA), United States Code, title
47.2 25, section 3001 et seq., and its implementing regulations, Code of Federal Regulations,
47.3 title 43, part 10.

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

47.6 (1) destroys, mutilates, or injures human burials or human burial grounds, or associated
47.7 grave goods; or

47.8 (2) without the consent of the appropriate authority, disturbs human burial grounds or
47.9 removes human remains or associated grave goods.

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

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

47.15 (2) removes any fence, railing, natural stone, or other work erected for protection or
47.16 ornament, or any tree, shrub, or plant or grave goods and artifacts within the limits of a
47.17 public or private cemetery or authenticated assessed human burial ground; or

47.18 (3) discharges any firearms upon or over the grounds of any public or private cemetery
47.19 or authenticated assessed burial ground.

47.20 (c) A person who intentionally, willfully, or knowingly fails to comply with any other
47.21 provision of this section is guilty of a misdemeanor.

47.22 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the
47.23 landowner, an authenticated or recorded human burial ground may be posted for protective
47.24 purposes every 75 feet around its perimeter with signs listing the activities prohibited by
47.25 subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian
47.26 affairs council in the case of American Indian burials or at the discretion of the state
47.27 archaeologist in the case of ~~non-Indian~~ non-American Indian burials. This subdivision does

57.27 Sec. 38. Minnesota Statutes 2022, section 307.08, is amended to read:

57.28 **307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;**
57.29 **BURIALS; CEMETERIES; PENALTY; ~~AUTHENTICATION~~ ASSESSMENT.**

57.30 Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative
57.31 intent that all human burials, human remains, and human burial grounds shall be accorded
57.32 equal treatment and respect for human dignity without reference to their ethnic origins,
58.1 cultural backgrounds, or religious affiliations. The provisions of this section shall apply to
58.2 all human burials, human remains, or human burial grounds found on or in all public or
58.3 private lands or waters in Minnesota. Within the boundaries of Tribal Nation reservations,
58.4 nothing in this section should be interpreted to conflict with federal law, including the Native
58.5 American Graves Protection and Repatriation Act (NAGPRA), United States Code, title
58.6 25, section 3001 et seq., and its implementing regulations, Code of Federal Regulations,
58.7 title 43, part 10.

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

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

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

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

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

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

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

58.23 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the
58.24 landowner, an authenticated or recorded human burial ground may be posted for protective
58.25 purposes every 75 feet around its perimeter with signs listing the activities prohibited by
58.26 subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian
58.27 affairs council in the case of American Indian burials or at the discretion of the state
58.28 archaeologist in the case of ~~non-Indian~~ non-American Indian burials. This subdivision does

47.28 not require posting of a burial ground. The size, description, location, and information on
 47.29 the signs used for protective posting must be approved by the appropriate authority and the
 47.30 landowner.

47.31 Subd. 3a. ~~Authentication Cemeteries; records and condition assessments. The state~~
 47.32 ~~archaeologist shall authenticate all burial grounds for purposes of this section. The state~~
 47.33 ~~archaeologist may retain the services of a qualified professional archaeologist, a qualified~~
 48.1 ~~physical anthropologist, or other appropriate experts for the purpose of gathering information~~
 48.2 ~~that the state archaeologist can use to authenticate or identify burial grounds. If probable~~
 48.3 ~~Indian burial grounds are to be disturbed or probable Indian remains analyzed, the Indian~~
 48.4 ~~Affairs Council must approve the professional archaeologist, qualified anthropologist, or~~
 48.5 ~~other appropriate expert. Authentication is at the discretion of the state archaeologist based~~
 48.6 ~~on the needs identified in this section or upon request by an agency, a landowner, or other~~
 48.7 ~~appropriate authority. (a) Cemeteries shall be assessed according to this subdivision.~~

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

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

48.14 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion
 48.15 of the Indian Affairs Council based on the needs identified in this section or upon request
 48.16 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has
 48.17 possession or takes custody of remains they may follow United States Code, title 25, sections
 48.18 3001 to 3013.

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

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

48.27 (g) The state archaeologist and the Indian Affairs Council may retain the services of a
 48.28 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate
 48.29 experts for the purpose of gathering information that the state archaeologist or the Indian
 48.30 Affairs Council can use to assess or identify cemeteries.

48.31 Subd. 5. ~~Cost; use of data.~~ The cost of ~~authentication~~ condition assessment, recording,
 48.32 surveying, and marking burial grounds and the cost of identification, analysis, rescue, and
 48.33 reburial of human remains on public lands or waters shall be the responsibility of the state

58.29 not require posting of a burial ground. The size, description, location, and information on
 58.30 the signs used for protective posting must be approved by the appropriate authority and the
 58.31 landowner.

58.32 Subd. 3a. ~~Authentication Cemeteries; records and condition assessments. The state~~
 58.33 ~~archaeologist shall authenticate all burial grounds for purposes of this section. The state~~
 59.1 ~~archaeologist may retain the services of a qualified professional archaeologist, a qualified~~
 59.2 ~~physical anthropologist, or other appropriate experts for the purpose of gathering information~~
 59.3 ~~that the state archaeologist can use to authenticate or identify burial grounds. If probable~~
 59.4 ~~Indian burial grounds are to be disturbed or probable Indian remains analyzed, the Indian~~
 59.5 ~~Affairs Council must approve the professional archaeologist, qualified anthropologist, or~~
 59.6 ~~other appropriate expert. Authentication is at the discretion of the state archaeologist based~~
 59.7 ~~on the needs identified in this section or upon request by an agency, a landowner, or other~~
 59.8 ~~appropriate authority. (a) Cemeteries shall be assessed according to this subdivision.~~

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

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

59.15 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion
 59.16 of the Indian Affairs Council based on the needs identified in this section or upon request
 59.17 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has
 59.18 possession or takes custody of remains they may follow United States Code, title 25, sections
 59.19 3001 to 3013.

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

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

59.28 (g) The state archaeologist and the Indian Affairs Council may retain the services of a
 59.29 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate
 59.30 experts for the purpose of gathering information that the state archaeologist or the Indian
 59.31 Affairs Council can use to assess or identify cemeteries.

59.32 Subd. 5. ~~Cost; use of data.~~ The cost of ~~authentication~~ condition assessment, recording,
 59.33 surveying, and marking burial grounds and the cost of identification, analysis, rescue, and
 59.34 reburial of human remains on public lands or waters shall be the responsibility of the state

48.34 or political subdivision controlling the lands or waters. On private lands or waters these
49.1 costs ~~shall~~ may be borne by the state, ~~but may be borne by or~~ the landowner upon mutual
49.2 agreement with the state. ~~The state archaeologist must make the data collected for this~~
49.3 ~~activity available using standards adopted by the Department of Information Technology~~
49.4 ~~Services and geospatial technology standards and guidelines published by the Minnesota~~
49.5 ~~Geospatial Information Office. Costs associated with this data delivery must be borne by~~
49.6 ~~the state.~~

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

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

49.15 (c) If such burials are American Indian, as determined by the state archaeologist and
49.16 Indian Affairs Council, efforts shall be made ~~by the state archaeologist and the Indian Affairs~~
49.17 ~~Council to ascertain their tribal identity. If their probable tribal identity can be determined~~
49.18 ~~and the remains have been removed from their original context, such remains shall be turned~~
49.19 ~~over to contemporary tribal leaders for disposition. If tribal identity cannot be determined,~~
49.20 ~~the Indian remains must be dealt with in accordance with provisions established by the state~~
49.21 ~~archaeologist and the Indian Affairs Council if they are from public land. If removed Indian~~
49.22 ~~remains are from private land they shall be dealt with in accordance with provisions~~
49.23 ~~established by the Indian Affairs Council. If it is deemed desirable by the state archaeologist~~
49.24 ~~or the Indian Affairs Council, removed remains shall be studied in a timely and respectful~~
49.25 ~~manner by a qualified professional archaeologist or a qualified physical anthropologist~~
49.26 ~~before being delivered to tribal leaders or before being reburied to follow procedures as~~
49.27 ~~defined in United States Code, title 25, section 3001 et seq., and its implementing regulations,~~
49.28 Code of Federal Regulations, title 43, part 10, within reservation boundaries. For burials
49.29 outside of reservation boundaries, the procedures defined in United States Code, title 25,
49.30 section 3001 et seq., and its implementing regulations, Code of Federal Regulations, title
49.31 43, part 10, are at the discretion of the Indian Affairs Council.

49.32 Subd. 7a. **Landowner responsibilities.** Application by a landowner for permission to
49.33 develop or disturb nonburial areas within ~~authenticated~~ assessed or recorded burial grounds
49.34 shall be made to:

50.1 (1) the state archaeologist and other appropriate authority in the case of ~~non-Indian~~
50.2 non-American Indian burials; and ~~to~~

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

60.1 or political subdivision controlling the lands or waters. On private lands or waters these
60.2 costs ~~shall~~ may be borne by the state, ~~but may be borne by or~~ the landowner upon mutual
60.3 agreement with the state. ~~The state archaeologist must make the data collected for this~~
60.4 ~~activity available using standards adopted by the Department of Information Technology~~
60.5 ~~Services and geospatial technology standards and guidelines published by the Minnesota~~
60.6 ~~Geospatial Information Office. Costs associated with this data delivery must be borne by~~
60.7 ~~the state.~~

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

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

60.16 (c) If such burials are American Indian, as determined by the state archaeologist and
60.17 Indian Affairs Council, efforts shall be made ~~by the state archaeologist and the Indian Affairs~~
60.18 ~~Council to ascertain their tribal identity. If their probable tribal identity can be determined~~
60.19 ~~and the remains have been removed from their original context, such remains shall be turned~~
60.20 ~~over to contemporary tribal leaders for disposition. If tribal identity cannot be determined,~~
60.21 ~~the Indian remains must be dealt with in accordance with provisions established by the state~~
60.22 ~~archaeologist and the Indian Affairs Council if they are from public land. If removed Indian~~
60.23 ~~remains are from private land they shall be dealt with in accordance with provisions~~
60.24 ~~established by the Indian Affairs Council. If it is deemed desirable by the state archaeologist~~
60.25 ~~or the Indian Affairs Council, removed remains shall be studied in a timely and respectful~~
60.26 ~~manner by a qualified professional archaeologist or a qualified physical anthropologist~~
60.27 ~~before being delivered to tribal leaders or before being reburied to follow procedures as~~
60.28 ~~defined in United States Code, title 25, section 3001 et seq., and its implementing regulations,~~
60.29 Code of Federal Regulations, title 43, part 10, within reservation boundaries. For burials
60.30 outside of reservation boundaries, the procedures defined in United States Code, title 25,
60.31 section 3001 et seq., and its implementing regulations, Code of Federal Regulations, title
60.32 43, part 10, are at the discretion of the Indian Affairs Council.

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60.34 develop or disturb nonburial areas within ~~authenticated~~ assessed or recorded burial grounds
60.35 shall be made to:

61.1 (1) the state archaeologist and other appropriate authority in the case of ~~non-Indian~~
61.2 non-American Indian burials; and ~~to~~

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

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

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

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

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

50.22 Subd. 10. **Construction and development plan review.** When human burials are known
50.23 or suspected to exist, on public lands or waters, the state or political subdivision controlling
50.24 the lands or waters or, in the case of private lands, the landowner or developer, shall submit
50.25 construction and development plans to the state archaeologist for review ~~prior to the time~~
50.26 ~~bids are advertised before plans are finalized~~ and prior to any disturbance within the burial
50.27 area. If the known or suspected burials are thought to be American Indian, plans shall also
50.28 be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs
50.29 Council shall review the plans within ~~30~~ 45 days of receipt and make recommendations for
50.30 the preservation in place or removal of the human burials or remains, which may be
50.31 endangered by construction or development activities.

50.32 Subd. 11. **Burial sites data.** (a) Burial sites locational and related data maintained by
50.33 data under the authority of the Office of the State Archaeologist and accessible through the
50.34 office's "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs
51.1 Council are security information for purposes of section 13.37. Persons who gain access to
51.2 ~~the data maintained on the site~~ this data are subject to liability under section 13.08 and the
51.3 penalty established by section 13.09 if they improperly use or further disseminate the data.
51.4 Use of this information must be approved by the appropriate authority.

51.5 Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for
51.6 the purpose of ~~authenticating~~ assessing burial sites. The Indian Affairs Council or a
51.7 designated representative of the Indian Affairs Council may enter on property for the purpose
51.8 of assessing or identifying American Indian cemeteries. Only after obtaining permission
51.9 from the property owner or lessee, descendants of persons buried in burial grounds covered
51.10 by this section may enter the burial grounds for the purpose of conducting religious or

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

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

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61.16 Council shall enter into a memorandum of understanding to coordinate their responsibilities
61.17 under this section.

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

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61.23 or suspected to exist, on public lands or waters, the state or political subdivision controlling
61.24 the lands or waters or, in the case of private lands, the landowner or developer, shall submit
61.25 construction and development plans to the state archaeologist for review ~~prior to the time~~
61.26 ~~bids are advertised before plans are finalized~~ and prior to any disturbance within the burial
61.27 area. If the known or suspected burials are thought to be American Indian, plans shall also
61.28 be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs
61.29 Council shall review the plans within ~~30~~ 45 days of receipt and make recommendations for
61.30 the preservation in place or removal of the human burials or remains, which may be
61.31 endangered by construction or development activities.

61.32 Subd. 11. **Burial sites data.** (a) Burial sites locational and related data maintained by
61.33 data under the authority of the Office of the State Archaeologist and accessible through the
61.34 office's "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs
62.1 Council are security information for purposes of section 13.37. Persons who gain access to
62.2 ~~the data maintained on the site~~ this data are subject to liability under section 13.08 and the
62.3 penalty established by section 13.09 if they improperly use or further disseminate the data.
62.4 Use of this information must be approved by the appropriate authority.

62.5 Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for
62.6 the purpose of ~~authenticating~~ assessing burial sites. The Indian Affairs Council or a
62.7 designated representative of the Indian Affairs Council may enter on property for the purpose
62.8 of assessing or identifying American Indian cemeteries. Only after obtaining permission
62.9 from the property owner or lessee, descendants of persons buried in burial grounds covered
62.10 by this section may enter the burial grounds for the purpose of conducting religious or

51.11 commemorative ceremonies. This right of entry must not unreasonably burden property
51.12 owners or unnecessarily restrict their use of the property.

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

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

51.17 (b) "Appropriate authority" means:

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

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

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

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

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

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

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

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

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

52.6 (h) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or setting
52.7 of a human burial or human burial ground.

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

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

62.11 commemorative ceremonies. This right of entry must not unreasonably burden property
62.12 owners or unnecessarily restrict their use of the property.

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

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

62.17 (b) "Appropriate authority" means:

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

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

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

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

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

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

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

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

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

63.6 (h) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or setting
63.7 of a human burial or human burial ground.

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

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

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

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

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

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

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

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

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

52.29 (r) "Person" means a natural person or a business and includes both if the natural person
52.30 is engaged in a business.

53.1 (s) "Business" means a contractor, subcontractor, supplier, consultant, or provider of
53.2 technical, administrative, or physical services organized as a sole proprietorship, partnership,
53.3 association, corporation, or other entity formed for the purpose of doing business for profit.

53.4 Sec. 48. Minnesota Statutes 2022, section 349A.02, subdivision 1, is amended to read:

53.5 Subdivision 1. **Director.** A State Lottery is established under the supervision and control
53.6 of a director. The director of the State Lottery shall be appointed by the governor with the
53.7 advice and consent of the senate. The director serves in the unclassified service at the
53.8 pleasure of the governor. The annual salary rate authorized for the director is equal to 95
53.9 percent of the salary rate prescribed for the governor established through the process
53.10 described under section 15A.0815.

53.11 **EFFECTIVE DATE.** This section is effective the day following final enactment. Any
53.12 recommendations made by the Compensation Council in 2023 determine salaries for fiscal
53.13 years 2024 and 2025.

53.14 Sec. 49. Minnesota Statutes 2022, section 381.12, subdivision 2, is amended to read:

53.15 Subd. 2. **Expense, tax levy.** The county board of any county may levy a tax upon all
53.16 the taxable property in the county for the purpose of defraying the expense incurred, or to
53.17 be incurred, less any amount received from the public system monument grant program
53.18 under section 381.125, for:

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

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

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

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

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

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

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

63.29 (r) "Person" means a natural person or a business and includes both if the natural person
63.30 is engaged in a business.

64.1 (s) "Business" means a contractor, subcontractor, supplier, consultant, or provider of
64.2 technical, administrative, or physical services organized as a sole proprietorship, partnership,
64.3 association, corporation, or other entity formed for the purpose of doing business for profit.

64.4 Sec. 39. Minnesota Statutes 2022, section 381.12, subdivision 2, is amended to read:

64.5 Subd. 2. **Expense, tax levy.** The county board of any county may levy a tax upon all
64.6 the taxable property in the county for the purpose of defraying the expense incurred, or to
64.7 be incurred, less any amount received from the public system monument grant program
64.8 under section 381.125, for:

53.19 (1) the preservation and restoration of monuments under this section;

53.20 (2) the preservation or establishment of control monuments for mapping activities;

53.21 (3) the modernization of county land records through the use of parcel-based land

53.22 management systems; or

53.23 (4) the establishment of geographic (GIS), land (LIS), management (MIS) information

53.24 systems.

53.25 Sec. 50. **[381.125] PUBLIC LAND SURVEY SYSTEM MONUMENT GRANT**

53.26 **PROGRAM.**

53.27 Subdivision 1. **Grant program.** The chief geospatial information officer, through the

53.28 Geospatial Advisory Council established under section 16E.30, subdivision 8, shall work

53.29 with the stakeholders licensed as land surveyors under section 326.02, to develop a process

53.30 for accepting applications from counties for funding for the perpetuation of monuments

53.31 established by the United States in the public lands survey to mark public land survey

54.1 corners, as provided in section 381.12, subdivision 2, clause (1). Grants may also be used

54.2 to update records and data regarding monuments. The chief geospatial information officer

54.3 must establish criteria for prioritizing applicants when resources available for grants are not

54.4 sufficient to award grants to all applicants. The criteria must favor providing grants to

54.5 counties that demonstrate financial need for assistance.

54.6 Subd. 2. **Report.** By October 1, in each odd-numbered year, the chief geospatial

54.7 information officer must submit a report to the chairs and ranking minority members of the

54.8 committees in the senate and the house of representatives with jurisdiction over state

54.9 government and local government. The report must include the following:

54.10 (1) a summary of the chief geospatial information officer activities regarding

54.11 administration of this grant program for the previous fiscal year, including the amount of

54.12 money requested and disbursed by county;

54.13 (2) an assessment of the progress toward completion of necessary monument restoration

54.14 and certification by county; and

54.15 (3) a forecast of the amount needed to complete monument recertification in all counties.

54.16 Subd. 3. **Nonstate match.** No nonstate match is required for grants made under this

54.17 program.

54.18 Sec. 51. Minnesota Statutes 2022, section 462A.22, subdivision 10, is amended to read:

54.19 Subd. 10. **Audits.** All of the books and records of the agency shall be subject to audit

54.20 by the legislative auditor in the manner prescribed for other agencies of state government.

54.21 The agency is authorized also to employ and to contract in its resolutions and indentures

54.22 for the employment of public accountants for the audit of books and records pertaining to

64.9 (1) the preservation and restoration of monuments under this section;

64.10 (2) the preservation or establishment of control monuments for mapping activities;

64.11 (3) the modernization of county land records through the use of parcel-based land

64.12 management systems; or

64.13 (4) the establishment of geographic (GIS), land (LIS), management (MIS) information

64.14 systems.

64.15 Sec. 40. **[381.125] PUBLIC LAND SURVEY SYSTEM MONUMENT GRANT**

64.16 **PROGRAM.**

64.17 Subdivision 1. **Grant program.** The chief geospatial information officer, through the

64.18 Geospatial Advisory Council established under section 16E.30, subdivision 8, shall work

64.19 with the stakeholders licensed as land surveyors under section 326.02, to develop a process

64.20 for accepting applications from counties for funding for the perpetuation of monuments

64.21 established by the United States in the public lands survey to mark public land survey

64.22 corners, as provided in section 381.12, subdivision 2, clause (1). Grants may also be used

64.23 to update records and data regarding monuments. The chief geospatial information officer

64.24 must establish criteria for prioritizing applicants when resources available for grants are not

64.25 sufficient to award grants to all applicants. The criteria must favor providing grants to

64.26 counties that demonstrate financial need for assistance.

64.27 Subd. 2. **Report.** By October 1, in each odd-numbered year, the chief information officer

64.28 must submit a report to the chairs and ranking minority members of the committees in the

64.29 senate and the house of representatives with jurisdiction over state government and local

64.30 government. The report must include the following:

65.1 (1) a summary of the chief information officer activities regarding administration of this

65.2 grant program for the previous fiscal year, including the amount of money requested and

65.3 disbursed by county;

65.4 (2) an assessment of the progress toward completion of necessary monument restoration

65.5 and certification by county; and

65.6 (3) a forecast of the amount needed to complete monument recertification in all counties.

65.7 Subd. 3. **Nonstate match.** No nonstate match is required for grants made under this

65.8 program.

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30.1 Sec. 48. Minnesota Statutes 2022, section 462A.22, subdivision 10, is amended to read:

30.2 Subd. 10. **Audits.** All of the books and records of the agency shall be subject to audit

30.3 by the legislative auditor in the manner prescribed for other agencies of state government.

30.4 The agency is authorized also to employ and to contract in its resolutions and indentures

30.5 for the employment of public accountants for the audit of books and records pertaining to

54.23 any fund or funds. ~~The legislative auditor shall review contracts with public accountants as~~
54.24 ~~provided in section 3.972.~~

54.25 Sec. 52. **STATE EMBLEMS REDESIGN COMMISSION.**

54.26 Subdivision 1. **Establishment.** The State Emblems Redesign Commission is established.
54.27 The purpose of the commission is to develop and adopt a new design for the official state
54.28 flag and the official state seal no later than January 1, 2024.

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

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

54.31 (2) one member appointed by the Council for Minnesotans of African Heritage;

55.1 (3) one member appointed by the Minnesota Council on Latino Affairs;

55.2 (4) one member appointed by the Council on Asian-Pacific Minnesotans;

55.3 (5) one member representing the Dakota community and one member representing the
55.4 Ojibwe community, appointed by the executive board of the Indian Affairs Council;

55.5 (6) the secretary of state or the secretary's designee;

55.6 (7) the executive director of the Minnesota Historical Society or the director's designee;

55.7 (8) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;

55.8 (9) the chair of the Minnesota Arts Board or the chair's designee; and

55.9 (10) the executive director of Explore Minnesota Tourism or the director's designee.

55.10 (b) The following serve as ex officio, nonvoting members of the commission: (1) two
55.11 members of the house of representatives, one each appointed by the speaker of the house
55.12 and the minority leader of the house; and (2) two members of the senate, one representing
55.13 the majority caucus appointed by the senate majority leader and one representing the minority
55.14 caucus appointed by the senate minority leader.

55.15 (c) Appointments to the commission must be made no later than August 1, 2023. The
55.16 voting members of the commission shall elect a chair and vice-chair. An appointee designated
55.17 by the governor shall convene the commission's first meeting. Decisions of the commission
55.18 must be made by majority vote. The Minnesota Historical Society must provide office space
55.19 and administrative support to the commission.

55.20 Subd. 3. **Meetings.** Meetings of the commission are subject to Minnesota Statutes,
55.21 chapter 13D.

55.22 Subd. 4. **Duties; form and style of recommended state emblems.** The commission
55.23 shall develop and adopt a new design for the official state seal and a new design for the

30.6 any fund or funds. ~~The legislative auditor shall review contracts with public accountants as~~
30.7 ~~provided in section 3.972.~~

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65.15 Sec. 43. **STATE EMBLEMS REDESIGN COMMISSION.**

65.16 Subdivision 1. **Establishment.** The State Emblems Redesign Commission is established.
65.17 The purpose of the commission is to develop and adopt a new design for the official state
65.18 flag and the official state seal no later than January 1, 2024.

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

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

65.21 (2) one member appointed by the Council for Minnesotans of African Heritage;

65.22 (3) one member appointed by the Minnesota Council on Latino Affairs;

65.23 (4) one member appointed by the Council on Asian-Pacific Minnesotans;

65.24 (5) one member representing the Dakota community and one member representing the
65.25 Ojibwe community, appointed by the executive board of the Indian Affairs Council;

65.26 (6) the secretary of state or the secretary's designee;

65.27 (7) the executive director of the Minnesota Historical Society or the director's designee;

65.28 (8) the chair of the Capitol Area Architectural and Planning Board or the chair's designee;

66.1 (9) the chair of the Minnesota Arts Board or the chair's designee; and

66.2 (10) the executive director of Explore Minnesota Tourism or the director's designee.

66.3 (b) The following serve as ex officio, nonvoting members of the commission: (1) two
66.4 members of the house of representatives, one each appointed by the speaker of the house
66.5 and the minority leader of the house; and (2) two members of the senate, one representing
66.6 the majority caucus appointed by the senate majority leader and one representing the minority
66.7 caucus appointed by the senate minority leader.

66.8 (c) Appointments to the commission must be made no later than August 1, 2023. The
66.9 voting members of the commission shall elect a chair and vice-chair. An appointee designated
66.10 by the governor shall convene the commission's first meeting. Decisions of the commission
66.11 must be made by majority vote. The Minnesota Historical Society must provide office space
66.12 and administrative support to the commission.

66.13 Subd. 3. **Meetings.** Meetings of the commission are subject to Minnesota Statutes,
66.14 chapter 13D.

66.15 Subd. 4. **Duties; form and style of recommended state emblems.** The commission
66.16 shall develop and adopt a new design for the official state seal and a new design for the

55.24 official state flag. The designs must accurately and respectfully reflect Minnesota's shared
55.25 history, resources, and diverse cultural communities. Symbols, emblems, or likenesses that
55.26 represent only a single community or person, regardless of whether real or stylized, may
55.27 not be included in a design. The commission may solicit and secure the voluntary service
55.28 and aid of vexillologists and other persons who have either technical or artistic skill in flag
55.29 construction and design, or the design of official seals, to assist in the work. The commission
55.30 must also solicit public feedback and suggestions to inform its work.

55.31 Subd. 5. **Report.** The commission shall certify its adopted designs in a report to the
55.32 legislature and governor no later than January 1, 2024. The commission's report must
56.1 describe the symbols and other meanings incorporated in the design. The commission expires
56.2 upon submission of its report.

56.3 Sec. 53. **LEGISLATIVE TASK FORCE ON AGING.**

56.4 Subdivision 1. **Establishment.** A legislative task force is established to:

56.5 (1) review and develop state resources for an aging demographic;

56.6 (2) identify and prioritize necessary support for an aging population through statewide
56.7 and local endeavors for people to remain in their communities; and

56.8 (3) ensure all aging-related state policies are inclusive of race, gender, ethnicity, culture,
56.9 sexual orientation, abilities, and other characteristics that reflect the full population of the
56.10 state.

56.11 Subd. 2. **Duties.** The task force shall review:

56.12 (1) all current aging-related governmental functions, programs, and services across all
56.13 state departments;

56.14 (2) the current plans to improve health and support services workforce demographics;

56.15 (3) current public and private strategies to:

56.16 (i) support family caregivers for older adults;

56.17 (ii) define and support quality of care and life improvements in long-term care and home
56.18 care; and

56.19 (iii) sustain neighborhoods and communities for an aging population;

56.20 (4) the necessity for planning and investment in aging in Minnesota to address:

56.21 (i) the longevity economy and the impact it has on the workforce, advancing technology,
56.22 and innovations;

56.23 (ii) housing options, land use, transportation, social services, and the health systems;

66.17 official state flag. The designs must accurately and respectfully reflect Minnesota's shared
66.18 history, resources, and diverse cultural communities. Symbols, emblems, or likenesses that
66.19 represent only a single community or person, regardless of whether real or stylized, may
66.20 not be included in a design. The commission may solicit and secure the voluntary service
66.21 and aid of vexillologists and other persons who have either technical or artistic skill in flag
66.22 construction and design, or the design of official seals, to assist in the work. The commission
66.23 must also solicit public feedback and suggestions to inform its work.

66.24 Subd. 5. **Report.** The commission shall certify its adopted designs in a report to the
66.25 legislature and governor no later than January 1, 2024. The commission's report must
66.26 describe the symbols and other meanings incorporated in the design.

66.27 Subd. 6. **Expiration.** The commission expires upon submission of its report.

66.28 Sec. 44. **LEGISLATIVE TASK FORCE ON AGING.**

66.29 Subdivision 1. **Establishment.** A legislative task force is established to:

66.30 (1) review and develop state resources for an aging demographic;

66.31 (2) identify and prioritize necessary support for an aging population through statewide
66.32 and local endeavors for people to remain in their communities; and

67.1 (3) ensure all aging-related state policies are inclusive of race, gender, ethnicity, culture,
67.2 sexual orientation, abilities, and other characteristics that reflect the full population of the
67.3 state.

67.4 Subd. 2. **Duties.** The task force shall review:

67.5 (1) all current aging-related governmental functions, programs, and services across all
67.6 state departments;

67.7 (2) the current plans to improve health and support services workforce demographics;

67.8 (3) current public and private strategies to:

67.9 (i) support family caregivers for older adults;

67.10 (ii) define and support quality of care and life improvements in long-term care and home
67.11 care; and

67.12 (iii) sustain neighborhoods and communities for an aging population;

67.13 (4) the necessity for planning and investment in aging in Minnesota to address:

67.14 (i) the longevity economy and the impact it has on the workforce, advancing technology,
67.15 and innovations;

67.16 (ii) housing options, land use, transportation, social services, and the health systems;

56.24 (iii) availability of safe, affordable rental housing for aging tenants; and

56.25 (iv) coordination between health services and housing supports;

56.26 (5) coordination across all state agencies, Tribal Nations, cities, and counties to encourage
 56.27 resolution of aging related concerns; and

56.28 (6) from this review, determine the governmental entity to plan, lead, and implement
 56.29 these recommended policies and funding for aging Minnesotans across the state.

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

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

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

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

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

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

57.10 (6) the director of the University of Minnesota Center for Healthy Aging and Innovation,
 57.11 or a University of Minnesota employee as designee.

57.12 (b) The speaker of the house and the senate majority leader shall appoint a chair and a
 57.13 vice-chair for the membership of the task force. The chair and the vice-chair shall rotate
 57.14 after each meeting.

57.15 Subd. 4. **Meetings.** (a) The task force shall meet at least once per month. The meetings
 57.16 shall take place in person in the Capitol complex, provided that the chair may direct that a
 57.17 meeting be conducted electronically if doing so would facilitate public testimony or would
 57.18 protect the health or safety of members of the task force.

57.19 (b) The task force shall invite input from the public, the leadership of advocacy groups,
 57.20 and provider organizations.

57.21 (c) The chair designated by the speaker of the house shall convene the first meeting of
 57.22 the task force no later than August 1, 2023.

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

57.25 (1) the Board on Aging task force member who is a volunteer citizen member shall
 57.26 receive the per diem listed in Minnesota Statutes, section 15.059, subdivision 3;

57.27 (2) the Council on Disability task force member shall not receive a per diem;

67.17 (iii) availability of safe, affordable rental housing for aging tenants; and

67.18 (iv) coordination between health services and housing supports;

67.19 (5) coordination across all state agencies, Tribal Nations, cities, and counties to encourage
 67.20 resolution of aging related concerns; and

67.21 (6) from this review, determine the governmental entity to plan, lead, and implement
 67.22 these recommended policies and funding for aging Minnesotans across the state.

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

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

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

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

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

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

68.3 (6) the director of the University of Minnesota Center for Healthy Aging and Innovation,
 68.4 or a University of Minnesota employee as a designee.

68.5 (b) The speaker of the house and the senate majority leader shall appoint a chair and a
 68.6 vice-chair for the membership of the task force. The chair and the vice-chair shall rotate
 68.7 after each meeting.

68.8 Subd. 4. **Meetings.** (a) The task force shall meet at least once per month. The meetings
 68.9 shall take place in person in the Capitol complex, provided that the chair may direct that a
 68.10 meeting be conducted electronically if doing so would facilitate public testimony or would
 68.11 protect the health or safety of members of the task force.

68.12 (b) The task force shall invite input from the public, the leadership of advocacy groups,
 68.13 and provider organizations.

68.14 (c) The chair designated by the speaker of the house shall convene the first meeting of
 68.15 the task force no later than August 1, 2023.

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

68.18 (1) the Board on Aging task force member who is a volunteer citizen member shall
 68.19 receive the per diem listed in Minnesota Statutes, section 15.059, subdivision 3;

68.20 (2) the Council on Disability task force member shall not receive a per diem;

57.28 (3) the Indian Affairs Council task force member who is a citizen member shall receive
57.29 the per diem listed in Minnesota Statutes, section 15.059, subdivision 3;

57.30 (4) the University of Minnesota task force member shall not receive a per diem; and

57.31 (5) legislative members of the task force shall not receive a per diem.

58.1 Subd. 6. **Report.** The task force shall submit a report with recommendations to the chairs
58.2 and ranking minority members of the legislative committees with jurisdiction over health
58.3 and human services finance and policy and state government by January 15, 2025.

58.4 Subd. 7. **Expiration.** The task force expires January 31, 2025.

58.5 **EFFECTIVE DATE.** This section is effective July 1, 2023, or when the legislative
58.6 leaders required to make appointments to the task force name appointees beginning the day
58.7 after final enactment.

58.8 Sec. 54. **INFRASTRUCTURE RESILIENCE ADVISORY TASK FORCE.**

58.9 Subdivision 1. **Definition.** For purposes of this section, "task force" means the
58.10 Infrastructure Resilience Advisory Task Force established in this section.

58.11 Subd. 2. **Establishment.** The Infrastructure Resilience Advisory Task Force is established
58.12 to evaluate issues related to coordination, sustainability, resiliency, and federal funding on
58.13 state, local, and private infrastructure in the state.

58.14 Subd. 3. **Membership.** (a) The task force consists of the following members:

58.15 (1) two members of the senate, with one appointed by the senate majority leader and
58.16 one appointed by the senate minority leader;

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

58.19 (3) the commissioner of administration;

58.20 (4) the commissioner of agriculture;

58.21 (5) the commissioner of commerce;

58.22 (6) the commissioner of employment and economic development;

58.23 (7) the commissioner of health;

58.24 (8) the commissioner of management and budget;

58.25 (9) the commissioner of natural resources;

58.26 (10) the commissioner of the Pollution Control Agency;

58.27 (11) the commissioner of transportation;

68.21 (3) the Indian Affairs Council task force member who is a citizen member shall receive
68.22 the per diem listed in Minnesota Statutes, section 15.059, subdivision 3;

68.23 (4) the University of Minnesota task force member shall not receive a per diem; and

68.24 (5) legislative members of the task force shall not receive a per diem.

68.25 Subd. 6. **Report.** The task force shall submit a report with recommendations to the chairs
68.26 and ranking minority members of the legislative committees with jurisdiction over health
68.27 and human services finance and policy and state government by January 15, 2025.

68.28 Subd. 7. **Expiration.** The task force expires January 31, 2025.

68.29 **EFFECTIVE DATE.** This section is effective July 1, 2023, or when the legislative
68.30 leaders required to make appointments to the task force name appointees beginning the day
68.31 after final enactment.

- 58.28 (12) two members appointed by the governor;
- 59.1 (13) one representative from a federally recognized Tribal government, appointed by
- 59.2 the governor;
- 59.3 (14) one member appointed by the Association of Minnesota Counties;
- 59.4 (15) one member appointed by the League of Minnesota Cities;
- 59.5 (16) one member appointed by the Minnesota Association of Townships;
- 59.6 (17) one member appointed by the Minnesota chapter of the American Public Works
- 59.7 Association;
- 59.8 (18) one member appointed by the Associated General Contractors of Minnesota;
- 59.9 (19) one member appointed by each public utility that owns a nuclear-powered electric
- 59.10 generating plant in this state; and
- 59.11 (20) one member appointed by the Minnesota Municipal Utilities Association.
- 59.12 (b) At its first meeting, the task force must elect a chair or cochairs by a majority vote
- 59.13 of those members present and may elect a vice-chair as necessary.
- 59.14 Subd. 4. **Appointments.** (a) The appointing authorities under subdivision 3 must make
- 59.15 the appointments by July 31, 2023.
- 59.16 (b) A commissioner under subdivision 3 may appoint a designee who is an employee
- 59.17 of the respective agency.
- 59.18 (c) An appointing authority under subdivision 3, paragraph (a), clauses (12) to (20), may
- 59.19 only appoint an individual who has expertise and experience in asset management, financial
- 59.20 management and procurement, or state and local infrastructure, whether from the public or
- 59.21 private sector. Expertise and experience may include but is not limited to the following
- 59.22 areas:
- 59.23 (1) asset management planning, design, construction, management, and operations and
- 59.24 maintenance;
- 59.25 (2) infrastructure for agriculture, communications, drinking water, energy, health, natural
- 59.26 resources, public utilities, stormwater, transportation, or wastewater; and
- 59.27 (3) asset management planning across jurisdictions and infrastructure sectors.
- 59.28 Subd. 5. **Duties.** At a minimum, the task force must:
- 59.29 (1) develop objectives and strategies to:
- 60.1 (i) provide for effective and efficient management of state, local, and private
- 60.2 infrastructure;

- 60.3 (ii) enhance sustainability and resiliency of infrastructure throughout the state;
- 60.4 (iii) respond to and mitigate the effects of adverse weather events across the state,
- 60.5 including natural disasters, droughts, and floods; and
- 60.6 (iv) provide for equitable treatment in areas of persistent poverty and historically
- 60.7 disadvantaged communities;
- 60.8 (2) identify approaches to enhance infrastructure coordination across jurisdictions,
- 60.9 agencies, state and local government, and public and private sectors, including in planning,
- 60.10 design, engineering, construction, maintenance, and operations;
- 60.11 (3) identify methods to maximize federal formula and discretionary funds provided to
- 60.12 recipients in the state for infrastructure purposes;
- 60.13 (4) evaluate options for organizational design of state agencies to meet the purposes
- 60.14 under clauses (1) to (3), including consideration of:
- 60.15 (i) options for establishment of a board, council, office, or other agency; and
- 60.16 (ii) models in other states; and
- 60.17 (5) develop findings and recommendations related to the duties specified in this
- 60.18 subdivision.
- 60.19 Subd. 6. **Meetings.** (a) The commissioner of transportation must convene the first meeting
- 60.20 of the task force no later than October 1, 2023.
- 60.21 (b) The task force must establish a schedule for meetings and meet as necessary to
- 60.22 accomplish the duties under subdivision 5.
- 60.23 (c) The task force is subject to the Minnesota Open Meeting Law under Minnesota
- 60.24 Statutes, chapter 13D.
- 60.25 Subd. 7. **Administration.** (a) The Legislative Coordinating Commission must provide
- 60.26 administrative support to the task force and must assist in creation of the report under
- 60.27 subdivision 8.
- 60.28 (b) Upon request of the task force, a commissioner under subdivision 3 must provide
- 60.29 information and technical support.
- 60.30 (c) Members of the task force serve without compensation.
- 61.1 Subd. 8. **Report required.** By February 1, 2024, the task force must submit a report to
- 61.2 the governor and the legislative committees with jurisdiction over climate, economic
- 61.3 development, energy, infrastructure, natural resources, and transportation. At a minimum,
- 61.4 the report must:
- 61.5 (1) summarize the activities of the task force;

61.6 (2) provide findings and recommendations adopted by the task force; and

61.7 (3) include any draft legislation to implement the recommendations.

61.8 Subd. 9. **Expiration.** The task force expires June 30, 2024.

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

61.10 Sec. 55. **GRANTS ADMINISTRATION OVERSIGHT; FEASIBILITY STUDY.**

61.11 The commissioner of administration must assess the viability of implementing a single

61.12 grants management system for executive agencies. If the results of the study determine an

61.13 enterprise system is feasible, the study must further include:

61.14 (1) an analysis of available technology options;

61.15 (2) recommended changes to the state's organizational model, operational controls, and

61.16 processes;

61.17 (3) staffing and other resource needs;

61.18 (4) high level system requirements;

61.19 (5) estimated costs; and

61.20 (6) an implementation road map.

61.21 Sec. 56. **FORD BUILDING SITE REDEVELOPMENT; MIXED-USE**

61.22 **DEVELOPMENT REQUIRED.**

61.23 Notwithstanding any law to the contrary, the commissioner of administration may not

61.24 prepare or approve building construction plans for redevelopment of the Ford Building or

61.25 the Ford Building property site unless the plans are for mixed-use development and identify

61.26 ground-level space for locally owned businesses.

61.27 Sec. 57. **CAPITOL BARBER.**

61.28 The commissioner of administration must provide suitable space in the State Capitol

61.29 building for operations of the Capitol Barber.

62.1 Sec. 58. **CAPITOL MALL DESIGN FRAMEWORK.**

62.2 (a) The Capitol Area Architectural and Planning Board must update the Capitol Mall

62.3 Design Framework. The updated design framework must include:

62.4 (1) plans to integrate green space campus-wide, including but not limited to the addition

62.5 of green space on the following sites at the approximate sizes indicated:

62.6 (i) the southwest corner of Rice Street and University Avenue, with a minimum size of

62.7 20,700 square feet;

69.11 Sec. 47. **ENTERPRISE GRANTS MANAGEMENT SYSTEM FEASIBILITY STUDY.**

69.12 The commissioner of administration must assess the viability of implementing a single

69.13 grants management system for executive agencies. If the results of the study determine an

69.14 enterprise system is feasible, the study will further include:

69.15 (1) an analysis of available technology options;

69.16 (2) recommended changes to the state's organizational model, operational controls, and

69.17 processes;

69.18 (3) staffing and other resource needs;

69.19 (4) high-level system requirements;

69.20 (5) estimated costs; and

69.21 (6) an implementation roadmap.

35.11 Sec. 7. **[15B.18] CAPITOL CAMPUS DESIGN FRAMEWORK.**

35.12 (a) An update to the Capitol Campus Design Framework must include:

35.13 (1) plans to integrate green space campuswide, including but not limited to the addition

35.14 of green space on the following sites at the approximate sizes indicated:

35.15 (i) the southwest corner of Rice Street and University Avenue, with a minimum size of

35.16 20,700 square feet;

62.8 (ii) the northeast corner of Rice Street and University Avenue, with a minimum size of
62.9 32,000 square feet; and

62.10 (iii) the north side of the State Capitol building adjacent to University Avenue;

62.11 (2) plans for visual markers and welcome information for the Capitol campus at one or
62.12 more corners of Rice Street and University Avenue, anchoring a pathway to the State Capitol
62.13 building and Capitol Mall that features interpretive markers honoring the importance and
62.14 stature of the Capitol campus as both a historic site and as a modern, active public gathering
62.15 space for all Minnesotans; and

62.16 (3) plans to plant trees throughout the Capitol campus, prioritizing the creation of a
62.17 mature tree canopy to provide an area of shade for users of the Capitol Mall between or
62.18 adjacent to the State Capitol building and Martin Luther King, Jr. Boulevard.

62.19 (b) The board must contract with one or more professional design consultants with
62.20 expertise on horticulture, landscape architecture, civic space design, infrastructure assessment,
62.21 and operations and maintenance planning to develop the framework updates. The board
62.22 must additionally consult with the commissioners of administration and public safety and
62.23 the senate majority leader and the speaker of the house or their designees before any proposed
62.24 framework update is approved. The board must approve the updated design framework no
62.25 later than March 1, 2024.

62.26 (c) When fully implemented, the design framework in this section must not result in a
62.27 net loss of green space on the Capitol campus.

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

62.29 Sec. 59. **DEADLINE FOR CERTIFICATION OF APPROPRIATION AMOUNTS**
62.30 **FOR LEGISLATURE FOR FISCAL YEARS 2026 AND 2027.**

62.31 Notwithstanding the effective date of Minnesota Statutes, section 3.1985, the house of
62.32 representatives, senate, and Legislative Coordinating Commission must each certify to the
63.1 commissioner of management and budget the anticipated amount to be appropriated for
63.2 fiscal years 2026 and 2027 no later than October 15, 2024, and January 15, 2025, and must
63.3 certify the actual amount to be appropriated for fiscal years 2026 and 2027 no later than
63.4 June 30, 2025.

35.17 (ii) the northeast corner of Rice Street and University Avenue, with a minimum size of
35.18 32,000 square feet; and

35.19 (iii) the north side of the State Capitol building adjacent to University Avenue;

35.20 (2) plans for visual markers and welcome information for the Capitol campus at one or
35.21 more corners of Rice Street and University Avenue, anchoring a pathway to the State Capitol
35.22 building and Capitol Mall that features interpretive markers honoring the importance and
35.23 stature of the Capitol campus as both a historic site and as a modern, active public gathering
35.24 space for all Minnesotans; and

35.25 (3) plans to plant trees throughout the Capitol campus, prioritizing the creation of a
35.26 mature tree canopy to provide an area of shade for users of the Capitol Mall between or
35.27 adjacent to the State Capitol building and Martin Luther King, Jr. Boulevard.

35.28 (b) The Capitol Area Architectural and Planning Board must contract with one or more
35.29 professional design consultants with expertise on horticulture, landscape architecture, civic
35.30 space design, infrastructure assessment, and operations and maintenance planning to develop
35.31 the framework updates. The board must additionally consult with the commissioners of
35.32 administration and public safety and the senate majority leader and the speaker of the house
36.1 or their designees before any proposed framework update is approved. The board must
36.2 approve the updated design framework no later than December 31, 2023.

69.1 Sec. 45. **INITIAL APPOINTMENTS; YOUTH ADVISORY COUNCIL.**

69.2 The governor and legislature must make initial appointments to the Youth Advisory
69.3 Council under Minnesota Statutes, section 15.0146, no later than August 1, 2023. The
69.4 commissioner of administration must convene the first meeting of the council no later than
69.5 September 15, 2023.

63.5 Sec. 60. **OFFICE OF SMALL AGENCIES; STUDY.**

63.6 Subdivision 1. **Study; requirements.** The commissioner of administration must review
63.7 the unique issues faced by small agencies other than departments of the state as defined in
63.8 section 15.01. These include boards, commissions, councils, task forces, and authorities.
63.9 The study will assess whether the current support model provides adequate support for the
63.10 agencies as well as their volunteer board members. The study will also examine how other
63.11 states support their small agencies and provide recommendations on how to most effectively
63.12 support these small agencies in their delivery of important functions of government.

63.13 Subd. 2. **Report.** By February 1, 2024, the commissioner of administration must submit
63.14 the findings and recommendations of the study to the governor and the chairs and ranking
63.15 minority members of the legislative committees with primary jurisdiction over state
63.16 government.

63.17 Sec. 61. **REPEALER.**

63.18 Subdivision 1. **State emblems redesign.** Minnesota Statutes 2022, sections 1.135,
63.19 subdivisions 3 and 5; and 1.141, subdivisions 3, 4, and 6, are repealed, effective May 11,
63.20 2024.

63.21 Subd. 2. **Evergreen firehall polling place.** Minnesota Statutes 2022, section 383C.806,
63.22 is repealed.

63.23 Subd. 3. **Compensation council.** Minnesota Statutes 2022, section 15A.0815,
63.24 subdivisions 3, 4, and 5, are repealed effective the day following final enactment.

63.25 Subd. 4. **Parking garage debt service waiver.** Laws 2014, chapter 287, section 25, as
63.26 amended by Laws 2015, chapter 77, article 2, section 78, is repealed.

63.27 Subd. 5. **Strategic and long-range planning.** Minnesota Statutes 2022, sections 4A.01;
63.28 4A.04; 4A.06; 4A.07; 4A.11; and 124D.23, subdivision 9, are repealed.

69.6 Sec. 46. **INITIAL APPOINTMENTS; COUNCIL ON LGBTQIA MINNESOTANS.**

69.7 The governor and legislature must make initial appointments to the Council on LGBTQIA
69.8 Minnesotans under Minnesota Statutes, section 15.0147, no later than August 1, 2023. The
69.9 commissioner of administration must convene the first meeting of the council no later than
69.10 September 15, 2023.

69.22 Sec. 48. **OFFICE OF SMALL AGENCIES; STUDY.**

69.23 Subdivision 1. **Study; requirements.** The commissioner of administration must review
69.24 the unique issues faced by small agencies other than departments of the state as defined in
69.25 section 15.01. These include boards, commissions, councils, task forces, and authorities.
69.26 The study will assess whether the current support model provides adequate support for the
69.27 agencies as well as their volunteer board members. The study will also examine how other
69.28 states support their small agencies and provide recommendations on how to most effectively
69.29 support these small agencies in their delivery of important functions of government.

70.1 Subd. 2. **Report.** By February 1, 2024, the commissioner of administration must submit
70.2 the findings and recommendations of the study to the governor and the chairs and ranking
70.3 minority members of the legislative committees with primary jurisdiction over state
70.4 government.

72.9 Sec. 51. **REPEALER.**

72.10 (a) Minnesota Statutes 2022, section 124D.957, is repealed.

72.11 (b) Minnesota Statutes 2022, sections 4A.01; 4A.04; 4A.06; 4A.07; 4A.11; and 124D.23,
72.12 subdivision 9, are repealed.

72.13 (c) Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, article
72.14 2, section 78, is repealed.

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ARTICLE 1

STATE GOVERNMENT OPERATIONS

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

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

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

3.011 SESSIONS.

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

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

3.012 LEGISLATIVE DAY.

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

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

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

Subdivision 1. **Distribution of reports.** (a) Except as provided in subdivision 4, a report to the legislature required of a department or agency shall be made, unless otherwise specifically required by law, by filing ~~two copies~~ one copy with the Legislative Reference Library, and by making the report available electronically to the Legislative Reference Library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the Legislative Reference Library.

(b) A public entity as defined in section 16C.073 shall not distribute a report or publication to a member or employee of the legislature, except the Legislative Reference Library, unless the entity has determined that the member or employee wants the reports or publications published by that entity or the member or employee has requested the report or publication. This prohibition applies to both mandatory and voluntary reports and publications. A report or publication may be summarized in an executive summary and distributed as the entity chooses. Distribution of a report to legislative committee or

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ARTICLE 1

STATE GOVERNMENT

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

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

3.10 commission members during a committee or commission hearing is not prohibited by this
3.11 section.

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

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

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

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

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

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

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

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

4.14 ~~(e)~~ (b) When the legislature is not in session, the commission may give interim approval
4.15 to a negotiated collective bargaining agreement, salary, or compensation plan, or arbitration

2.7 Sec. 2. Minnesota Statutes 2022, section 3.303, subdivision 6, is amended to read:

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

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

2.16 Sec. 3. Minnesota Statutes 2022, section 3.855, subdivision 2, is amended to read:

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

2.23 ~~(b)~~ (a) The commissioner of management and budget shall submit to the chair of the
2.24 commission any negotiated collective bargaining agreements, arbitration awards,
2.25 compensation plans; or salaries for legislative approval or disapproval. Negotiated agreements
2.26 shall be submitted within five days of the date of approval by the commissioner or the date
2.27 of approval by the affected state employees, whichever occurs later. Arbitration awards
2.28 shall be submitted within five days of their receipt by the commissioner, prepared under
2.29 section 43A.18, subdivisions 2, 3, 3b, and 4. The chancellor of the Minnesota State Colleges
2.30 and Universities shall submit any compensation plan under section 43A.18, subdivision 3a.
2.31 If the commission disapproves a collective bargaining agreement, award, compensation
3.1 plan; or salary, the commission shall specify in writing to the parties those portions with
3.2 which it disagrees and its reasons. If the commission approves a collective bargaining
3.3 agreement, award, compensation plan; or salary, it shall submit the matter to the legislature
3.4 to be accepted or rejected under this section.

3.5 ~~(e)~~ (b) When the legislature is not in session, the commission may give interim approval
3.6 to a negotiated collective bargaining agreement, salary, or compensation plan, or arbitration

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

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

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

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

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

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

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

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

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

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

3.7 ~~award. When the legislature is not in session, failure of the commission to disapprove a~~
3.8 ~~collective bargaining agreement or arbitration award within 30 days constitutes approval.~~
3.9 ~~The commission shall submit the negotiated collective bargaining agreements, salaries, and~~
3.10 ~~compensation plans, or arbitration awards for which it has provided approval to the entire~~
3.11 ~~legislature for ratification at a special legislative session called to consider them or at its~~
3.12 ~~next regular legislative session as provided in this section. Approval or disapproval by the~~
3.13 ~~commission is not binding on the legislature.~~

3.14 ~~(d) (c) When the legislature is not in session, the proposed collective bargaining~~
3.15 ~~agreement, arbitration decision, salary, or compensation plan must be implemented upon~~
3.16 ~~its approval by the commission, and state employees covered by the proposed agreement~~
3.17 ~~or arbitration decision plan or salary do not have the right to strike while the interim approval~~
3.18 ~~is in effect. Wages and economic fringe benefit increases provided for in the agreement or~~
3.19 ~~arbitration decision paid in accordance with the interim approval by the commission are~~
3.20 ~~not affected, but the wages or benefit increases must cease to be paid or provided effective~~
3.21 ~~upon the rejection of the agreement, arbitration decision, salary, or compensation plan, or~~
3.22 ~~upon adjournment of the legislature without acting on it.~~

3.23 Sec. 4. Minnesota Statutes 2022, section 3.855, subdivision 3, is amended to read:

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

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

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

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

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

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

4.8 (6) review and approve, reject, or modify the plan for compensation, terms, and conditions
4.9 of employment of classified employees in the office of the legislative auditor under section
4.10 3.971, subdivision 2.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9.5 Sec. 16. Minnesota Statutes 2022, section 9.031, subdivision 3, is amended to read:

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

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

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

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

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

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

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

6.22 or revenue obligation securities of any state other than the state and its agencies or local
 6.23 government with taxing powers ~~that~~ is rated "AA" or better by a national bond rating service;

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

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

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

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

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

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

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

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

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

9.22 government with taxing powers ~~which~~ is rated "AA" or better by a national bond rating
 9.23 service;

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

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

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

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

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

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

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

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

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

10.20 Sec. 17. Minnesota Statutes 2022, section 10.5805, is amended to read:

10.21 **10.5805 HMONG SPECIAL GUERRILLA UNITS REMEMBRANCE DAY.**

10.22 (a) May 14 of each year is designated as Hmong Special Guerrilla Units Remembrance
 10.23 Day in honor of Southeast Asians, Americans, and their allies who served, suffered,
 10.24 sacrificed, or died in the Secret War in Laos during the Vietnam War in the years 1961 to
 10.25 1975 in support of the armed forces of the United States, and in recognition of the
 10.26 significance of May 14, 1975, the last day that the overall American-trained Hmong command

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

7.21 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject

7.22 of the data may contest the accuracy or completeness of public or private data about

7.23 themselves.

7.24 (b) To exercise this right, an individual shall notify in writing the responsible authority

7.25 of the government entity that maintains the data, describing the nature of the disagreement.

7.26 (c) Upon receiving the notification from the data subject, the responsible authority shall

7.27 within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt

7.28 to notify past recipients of inaccurate or incomplete data, including recipients named by the

7.29 individual; or (2) notify the individual that the authority believes the data to be correct. If

7.30 the challenged data are determined to be accurate or complete, the responsible authority

7.31 shall inform the individual of the right to appeal the determination to the commissioner

7.32 under this section. Data in dispute shall be disclosed only if the individual's statement of

7.33 disagreement is included with the disclosed data.

8.1 (d) A data subject may appeal the determination of the responsible authority ~~may be~~

8.2 ~~appealed~~ pursuant to the provisions of the Administrative Procedure Act relating to contested

8.3 cases. An individual must submit an appeal to the commissioner within 60 days of the

10.27 structure over the Special Guerrilla Units in Laos was operational. At least 35,000 Hmong

10.28 Special Guerrilla soldiers lost their lives protecting trapped, lost, or captured American

10.29 soldiers and pilots in Laos and Vietnam. One-half of the Hmong population in Laos perished

10.30 as a result of the American Secret War in Laos. Ethnic Hmong men, women, and children

10.31 in Laos faced persecution and forced reeducation in seminar camps after their American

10.32 support ended. Despite the tremendous cost and sacrifices in the war, the Hmong remain

10.33 proud to stand by the values of freedom and justice that America symbolizes. Those who

11.1 survived escaped to western countries to start a new life. Each year, the governor shall issue

11.2 a proclamation honoring the observance.

11.3 (b) Schools are encouraged to offer instruction about Hmong history or read the passage

11.4 under paragraph (a) to students in honor of this day on May 14 or, if May 14 falls on a

11.5 Saturday or Sunday, on the Friday preceding May 14.

11.6 (c) Businesses may close in honor of this day and an employee may request the day off

11.7 in observance.

11.8 (d) The governor shall order the United States and the Minnesota flags flown on the

11.9 grounds of the Capitol Area to be flown at half-staff on May 14. Local governments, private

11.10 businesses, and public and private schools are encouraged to fly United States and Minnesota

11.11 flags at half-staff on May 14.

11.12 Sec. 18. Minnesota Statutes 2022, section 13.04, subdivision 4, is amended to read:

11.13 Subd. 4. **Procedure when data is not accurate or complete.** (a) An individual subject

11.14 of the data may contest the accuracy or completeness of public or private data about

11.15 themselves.

11.16 (b) To exercise this right, an individual shall notify in writing the responsible authority

11.17 of the government entity that maintains the data, describing the nature of the disagreement.

11.18 (c) Upon receiving notification from the data subject, the responsible authority shall

11.19 within 30 days either:

11.20 (1) correct the data found to be inaccurate or incomplete and attempt to notify past

11.21 recipients of inaccurate or incomplete data, including recipients named by the individual;

11.22 or

11.23 (2) notify the individual that the responsible authority believes has determined the data

11.24 to be correct. If the challenged data are determined to be accurate or complete, the responsible

11.25 authority shall inform the individual of the right to appeal the determination to the

11.26 commissioner as specified under paragraph (d). Data in dispute shall be disclosed only if

11.27 the individual's statement of disagreement is included with the disclosed data.

11.28 (d) A data subject may appeal the determination of the responsible authority ~~may be~~

11.29 ~~appealed~~ pursuant to the provisions of the Administrative Procedure Act relating to contested

11.30 cases. An individual must submit an appeal to the commissioner within 60 days of the

8.4 responsible authority's notice of the right to appeal or as otherwise provided by the rules of
 8.5 the commissioner. Upon receipt of an appeal by an individual, the commissioner shall,
 8.6 before issuing the order and notice of a contested case hearing required by chapter 14, try
 8.7 to resolve the dispute through education, conference, conciliation, or persuasion. If the
 8.8 parties consent, the commissioner may refer the matter to mediation. Following these efforts,
 8.9 the commissioner shall dismiss the appeal or issue the order and notice of hearing.

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

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

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

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

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

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

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

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

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

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

11.31 responsible authority's notice of the right to appeal or as otherwise provided by the rules of
 11.32 the commissioner. Upon receipt of an appeal by an individual, the commissioner shall,
 12.1 before issuing the order and notice of a contested case hearing required by chapter 14, try
 12.2 to resolve the dispute through education, conference, conciliation, or persuasion. If the
 12.3 parties consent, the commissioner may refer the matter to mediation. Following these efforts,
 12.4 the commissioner shall dismiss the appeal or issue the order and notice of hearing.

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

12.7 (1) the appeal to the commissioner is not timely;

12.8 (2) the appeal concerns data previously presented as evidence in a court proceeding in
 12.9 which the data subject was a party; or

12.10 (3) the individual making the appeal is not the subject of the data challenged as inaccurate
 12.11 or incomplete.

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

12.15 (g) After completing, correcting, or destroying successfully challenged data, a government
 12.16 entity may retain a copy of the commissioner of administration's order issued under chapter
 12.17 14 or, if no order were issued, a summary of the dispute between the parties that does not
 12.18 contain any particulars of the successfully challenged data.

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

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

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

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

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

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

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

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

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

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

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

10.23 Subd. 5. **Nominations for vacancies.** Any person may make a self-nomination for
10.24 appointment to an agency vacancy by completing an application on a form prepared and
10.25 distributed by the secretary. The secretary may provide for the submission of the application
10.26 by electronic means. Any person or group of persons may, on the prescribed application
10.27 form, nominate another person to be appointed to a vacancy so long as the person so
10.28 nominated consents on the application form to the nomination. The application form shall
10.29 specify the nominee's name, mailing address, electronic mail address, telephone number,
10.30 preferred agency position sought, a statement that the nominee satisfies any legally prescribed
10.31 qualifications, ~~a statement whether the applicant has ever been convicted of a felony,~~ and
10.32 any other information the nominating person feels would be helpful to the appointing
10.33 authority. The nominating person has the option of indicating the nominee's sex, political
10.34 party preference or lack thereof, status with regard to disability, race, veteran status, and
11.1 national origin on the application form. The application form shall make the option known.
11.2 If a person submits an application at the suggestion of an appointing authority, the person
11.3 shall so indicate on the application form. Twenty-one days after publication of a vacancy
11.4 on the website of the secretary of state pursuant to subdivision 4, the secretary shall submit
11.5 electronic copies of all applications received for a position to the appointing authority
11.6 charged with filling the vacancy. ~~If no applications have been received by the secretary for~~
11.7 ~~the vacant position by the date when electronic copies must be submitted to the appointing~~
11.8 ~~authority, the secretary shall so inform the appointing authority.~~ Applications received by
11.9 the secretary shall be deemed to have expired one year after receipt of the application. An
11.10 application for a particular agency position shall be deemed to be an application for all
11.11 vacancies in that agency occurring prior to the expiration of the application and shall be
11.12 public information.

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

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

11.22 ~~intends to appoint~~ has appointed to fill the agency vacancy and the expiration date of that
11.23 person's term.

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

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

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

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

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

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

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

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

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

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

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

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

13.7 Sec. 20. Minnesota Statutes 2022, section 15.066, is amended by adding a subdivision to
13.8 read:

13.9 Subd. 3. **Advice and consent time limit.** If the senate does not reject an appointment
13.10 within 60 legislative days of the day of receipt of the letter of appointment by the president
13.11 of the senate, the senate has consented to the appointment.

13.12 **EFFECTIVE DATE.** This section is effective January 1, 2027.

13.13 Sec. 21. Minnesota Statutes 2022, section 15A.0825, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

13.3 (3) a current employee of the legislature;

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

13.5 (5) a current or former governor, lieutenant governor, attorney general, secretary of state,
13.6 or state auditor; or

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

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

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

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

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

13.25 (b) If a member ceases to reside in the congressional district that the member resided in
13.26 at the time of appointment as a result of moving or redistricting, the appointing authority

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

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

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

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

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

13.30 (3) a current employee of the legislature;

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

14.2 (5) a current or former governor, lieutenant governor, attorney general, secretary of state,
14.3 or state auditor; or

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

14.5 Sec. 22. Minnesota Statutes 2022, section 15A.0825, subdivision 2, is amended to read:

14.6 Subd. 2. ~~Initial appointment~~ **Appointments; convening authority; first meeting in**
14.7 **odd-numbered year.** Appointing authorities must make their ~~initial~~ appointments ~~by January~~
14.8 ~~2, 2017~~ after the first Monday in January and before January 15 in each odd-numbered year.
14.9 Appointing authorities who determine that a vacancy exists under subdivision 3, paragraph
14.10 (b), must make an appointment to fill that vacancy by January 15 in each odd-numbered
14.11 year. The governor shall designate one member to convene and chair the first meeting of
14.12 the council, ~~that~~ which must occur by February 15 of each odd-numbered year. ~~The first meeting~~
14.13 ~~must be before January 15, 2017.~~ At its first meeting, the council must elect a chair from
14.14 among its members. ~~Members that reside in an even-numbered congressional district serve~~
14.15 ~~a first term ending January 15, 2019. Members residing in an odd-numbered congressional~~
14.16 ~~district serve a first term ending January 15, 2021.~~

14.17 Sec. 23. Minnesota Statutes 2022, section 15A.0825, subdivision 3, is amended to read:

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

14.22 (b) If a member ceases to reside in the congressional district that the member resided in
14.23 at the time of appointment as a result of moving or redistricting, the appointing authority

13.27 who appointed the member must appoint a replacement who resides in the congressional
13.28 district to serve the unexpired term.

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

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

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

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

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

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

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

14.24 who appointed the member must appoint a replacement who resides in the congressional
14.25 district to serve the unexpired term.

14.26 Sec. 24. Minnesota Statutes 2022, section 15A.0825, subdivision 4, is amended to read:

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

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

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36.3 Sec. 8. Minnesota Statutes 2022, section 16A.055, is amended by adding a subdivision to
36.4 read:

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

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

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

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

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

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

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

16.1 (d) The commissioner of administration will furnish instructions to agencies to apply
16.2 for funding of capital expenditures for preservation and replacement from the account, will
16.3 review applications, will make initial allocations among types of eligible projects enumerated
16.4 below, will determine priorities, and will allocate money in priority order until the available

16.5 appropriation has been committed. An appropriation under this section may not be used to
16.6 make minor emergency repairs.

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

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

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

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

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

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

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

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

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

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

17.10 efficiently and economically under this section than by direct appropriations for specific
17.11 projects.

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

17.14 (1) major projects to ~~remove~~ address life safety hazards, ~~like~~ for existing buildings and
17.15 sites, including but not limited to security, building code violations, or structural defects.
17.16 Notwithstanding paragraph (b), a project in this category may include an addition to an
17.17 existing building if it is a required component of the hazard ~~removal~~ abatement project;

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

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

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

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

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15.1 Sec. 25. Minnesota Statutes 2022, section 16B.32, subdivision 1, is amended to read:

15.2 Subdivision 1. **Alternative energy sources.** ~~Plans prepared by the commissioner for a~~
15.3 ~~new building or for a renovation of 50 percent or more of an existing building or its energy~~
15.4 ~~systems must include designs which use active and passive solar energy systems, earth~~
15.5 ~~sheltered construction, and other alternative energy sources where feasible. (a) If the~~
15.6 ~~incorporation of cost-effective energy efficiency measures into the design, materials, and~~
15.7 ~~operations of a building or major building renovation subject to section 16B.325 is not~~
15.8 ~~sufficient to meet Sustainable Building 2030 energy performance standards required under~~
15.9 ~~section 216B.241, subdivision 9, cost-effective renewable energy sources or solar thermal~~
15.10 ~~energy systems, or both, must be deployed to achieve those standards.~~

15.11 (b) The commissioners of administration and commerce shall review compliance of
15.12 building designs and plans subject to this section with Sustainable Building 2030 performance
15.13 standards developed under section 216B.241, subdivision 9, and shall make recommendations
15.14 to the legislature as necessary to ensure that those performance standards are met.

15.15 (c) For the purposes of this section:

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

17.29 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the

17.30 meanings given them:

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

18.1 (c) "Architect" means an architect or landscape architect registered to practice under

18.2 sections 326.02 to 326.15.

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

18.4 (e) "Design-build" means the process of entering into and managing a single contract

18.5 between the commissioner and the design-builder in which the design-builder agrees to

18.6 both design and construct a project as specified in the contract at a guaranteed maximum

18.7 or a fixed price.

18.8 (f) "Design-builder" means a person who proposes to design and construct a project in

18.9 accordance with the requirements of section 16C.33.

15.16 (1) "energy efficiency" has the meaning given in section 216B.2402, subdivision 7;

15.17 (2) "renewable energy" has the meaning given in section 216B.2422, subdivision 1,

15.18 paragraph (c), and includes hydrogen generated from wind, solar, or hydroelectric; and

15.19 (3) "solar thermal energy systems" has the meaning given to "qualifying solar thermal

15.20 project" in section 216B.2411, subdivision 2, paragraph (e).

15.21 Sec. 26. Minnesota Statutes 2022, section 16B.32, subdivision 1a, is amended to read:

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

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

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

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

15.26 predesign must include an explicit cost and price analysis of complying with the two percent

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

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

15.29 controlling carbon emissions. If the analysis concludes that the building should not meet at

15.30 least two percent of its energy needs from renewable sources located on the building site,

15.31 the analysis must provide explicit reasons why not. The building may not receive further

15.32 state appropriations for design or construction unless at least two percent of its energy needs

15.33 are designed to be met from renewable sources, unless the commissioner finds that the

16.1 reasons given by the agency for not meeting the two percent requirement were supported

16.2 by evidence in the record. The total aggregate nameplate capacity of all renewable energy

16.3 sources utilized to meet Sustainable Building 2030 standards in a state-owned building or

16.4 facility, including any subscription to a community solar garden under section 216B.1641,

16.5 may not exceed 120 percent of the average annual electric energy consumption of the

16.6 state-owned building or facility.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

16.7 Sec. 27. [16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

16.8 Subdivision 1. **Duties of the office.** The commissioner of administration shall maintain
16.9 the Office of Collaboration and Dispute Resolution within the Department of Administration.
16.10 The office must:

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

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

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

20.23 (ii) designing collaborative dispute resolution processes;

20.24 (iii) preparing and training participants; and

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

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

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

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

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

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

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

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

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

21.19 Subd. 3. **Accepting funds.** The commissioner may apply for and receive money made
21.20 available from federal, state, or other sources for the purposes of carrying out the mission

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

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

16.19 (ii) designing collaborative dispute resolution processes;

16.20 (iii) preparing and training participants; and

16.21 (iv) facilitating meetings and group processes using collaborative techniques and
16.22 approaches;

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

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

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

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

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

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

17.9 (c) A nonprofit entity receiving a grant must agree to comply with guidelines adopted
17.10 by the state court administrator under section 494.015, subdivision 1. Policies adopted under
17.11 sections 16B.97 and 16B.98 apply to grants under this section. The exclusions in section
17.12 494.03 apply to grants under this section.

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

17.15 Subd. 3. **Accepting funds.** The commissioner may apply for and receive money made
17.16 available from federal, state, or other sources to carry out the duties of the Office of

21.21 of the Office of Collaboration and Dispute Resolution. Funds received under this subdivision
21.22 are appropriated to the commissioner for their intended purpose.

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

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

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

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

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

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

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

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

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

17.17 Collaboration and Dispute Resolution. Funds received under this subdivision are appropriated
17.18 to the commissioner for their intended purpose.

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43.1 Sec. 13. **[16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT**
43.2 **OPERATIONS; OFFICE CREATED.**

43.3 Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is
43.4 established to assist all state agencies in making measurable progress toward improving the
43.5 sustainability of government operations by reducing the impact on the environment,
43.6 controlling unnecessary waste of natural resources and public funds, and spurring innovation.
43.7 The office shall create new tools and share best practices, assist state agencies to plan for
43.8 and implement improvements, and monitor progress toward achieving intended outcomes.
43.9 Specific duties include but are not limited to:

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

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

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

43.15 Subd. 2. **State agency responsibilities.** Each cabinet-level agency is required to
43.16 participate in the sustainability effort by developing a sustainability plan and by making
43.17 measurable progress toward improving associated sustainability outcomes. State agencies
43.18 and boards that are not members of the cabinet shall take steps toward improving
43.19 sustainability outcomes. However, they are not required to participate at the level of
43.20 cabinet-level agencies.

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

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17.19 Sec. 28. Minnesota Statutes 2022, section 16B.58, is amended by adding a subdivision to
17.20 read:

17.21 Subd. 9. **Electric vehicle charging.** The commissioner shall require that a user of a
17.22 charging station located on the State Capitol complex used to charge an electric vehicle pay
17.23 a service fee. The commissioner shall set the service fee to cover the electricity costs for
17.24 charging an electric vehicle and for the administrative costs associated with providing
17.25 electric charging stations.

- 17.26 Sec. 29. Minnesota Statutes 2022, section 16B.87, subdivision 2, is amended to read:
- 17.27 Subd. 2. **Award and terms of loans.** (a) An agency shall apply for a loan on a form
- 17.28 developed by the commissioner of administration that requires an applicant to submit the
- 17.29 following information:
- 17.30 (1) a description of the proposed project, including existing equipment, structural
- 17.31 elements, operating characteristics, and other conditions affecting energy use that the energy
- 17.32 conservation improvements financed by the loan modify or replace;
- 18.1 (2) the total estimated project cost and the loan amount sought;
- 18.2 (3) a detailed project budget;
- 18.3 (4) projections of the proposed project's expected energy and monetary savings;
- 18.4 (5) information demonstrating the agency's ability to repay the loan;
- 18.5 (6) a description of the energy conservation programs offered by the utility providing
- 18.6 service to the state building from which the applicant seeks additional funding for the project;
- 18.7 and
- 18.8 (7) any additional information requested by the commissioner.
- 18.9 (b) The committee shall review applications for loans and shall award a loan based upon
- 18.10 criteria adopted by the committee. A loan made under this section must:
- 18.11 (1) be at or below the market rate of interest, including a zero interest loan; and
- 18.12 (2) have a term no longer than ~~seven~~ ten years.
- 18.13 (c) In making awards, the committee shall give preference to:
- 18.14 (1) applicants that have sought funding for the project through energy conservation
- 18.15 projects offered by the utility serving the state building that is the subject of the application;
- 18.16 and
- 18.17 (2) to the extent feasible, applications for state buildings located within the electric retail
- 18.18 service area of the utility that is subject to section 116C.779.
- 18.19 Sec. 30. Minnesota Statutes 2022, section 16C.16, subdivision 6, is amended to read:
- 18.20 Subd. 6. **Purchasing methods.** (a) The commissioner may award up to a ~~six~~ 12 percent
- 18.21 preference for specified goods or services to small targeted group businesses.
- 18.22 (b) The commissioner may award a contract for goods, services, or construction directly
- 18.23 to a small business or small targeted group business without going through a competitive
- 18.24 solicitation process up to a total contract award value, including extension options, of
- 18.25 ~~\$25,000~~ \$100,000.

18.26 (c) The commissioner may designate a purchase of goods or services for award only to
18.27 small businesses or small targeted group businesses if the commissioner determines that at
18.28 least three small businesses or small targeted group businesses are likely to respond to a
18.29 solicitation.

19.1 (d) The commissioner, as a condition of awarding a construction contract or approving
19.2 a contract for professional or technical services, may set goals that require the prime
19.3 contractor to subcontract a portion of the contract to small businesses or small targeted
19.4 group businesses. The commissioner must establish a procedure for granting waivers from
19.5 the subcontracting requirement when qualified small businesses or small targeted group
19.6 businesses are not reasonably available. The commissioner may establish financial incentives
19.7 for prime contractors who exceed the goals for use of small business or small targeted group
19.8 business subcontractors and financial penalties for prime contractors who fail to meet goals
19.9 under this paragraph. The subcontracting requirements of this paragraph do not apply to
19.10 prime contractors who are small businesses or small targeted group businesses.

19.11 Sec. 31. Minnesota Statutes 2022, section 16C.16, subdivision 6a, is amended to read:

19.12 Subd. 6a. **Veteran-owned small businesses.** (a) Except when mandated by the federal
19.13 government as a condition of receiving federal funds, the commissioner shall award up to
19.14 a ~~six~~ 12 percent preference, but no less than the percentage awarded to any other group
19.15 under this section, on state procurement to certified small businesses that are majority-owned
19.16 and operated by veterans.

19.17 (b) The commissioner may award a contract for goods, services, or construction directly
19.18 to a veteran-owned small business without going through a competitive solicitation process
19.19 up to a total contract award value, including extension options, of ~~\$25,000~~ \$100,000.

19.20 (c) The commissioner may designate a purchase of goods or services for award only to
19.21 a veteran-owned small business if the commissioner determines that at least three
19.22 veteran-owned small businesses are likely to respond to a solicitation.

19.23 (d) The commissioner, as a condition of awarding a construction contract or approving
19.24 a contract for professional or technical services, may set goals that require the prime
19.25 contractor to subcontract a portion of the contract to a veteran-owned small business. The
19.26 commissioner must establish a procedure for granting waivers from the subcontracting
19.27 requirement when qualified veteran-owned small businesses are not reasonably available.
19.28 The commissioner may establish financial incentives for prime contractors who exceed the
19.29 goals for use of veteran-owned small business subcontractors and financial penalties for
19.30 prime contractors who fail to meet goals under this paragraph. The subcontracting
19.31 requirements of this paragraph do not apply to prime contractors who are veteran-owned
19.32 small businesses.

19.33 (e) The purpose of this designation is to facilitate the transition of veterans from military
19.34 to civilian life, and to help compensate veterans for their sacrifices, including but not limited

20.1 to their sacrifice of health and time, to the state and nation during their military service, as
20.2 well as to enhance economic development within Minnesota.

20.3 (f) Before the commissioner certifies that a small business is majority-owned and operated
20.4 by a veteran, the commissioner of veterans affairs must verify that the owner of the small
20.5 business is a veteran, as defined in section 197.447.

20.6 Sec. 32. Minnesota Statutes 2022, section 16C.16, subdivision 7, is amended to read:

20.7 Subd. 7. **Economically disadvantaged areas.** (a) The commissioner may award up to
20.8 a ~~six~~ 12 percent preference on state procurement to small businesses located in an
20.9 economically disadvantaged area.

20.10 (b) The commissioner may award a contract for goods, services, or construction directly
20.11 to a small business located in an economically disadvantaged area without going through
20.12 a competitive solicitation process up to a total contract award value, including extension
20.13 options, of ~~\$25,000~~ \$100,000.

20.14 (c) The commissioner may designate a purchase of goods or services for award only to
20.15 a small business located in an economically disadvantaged area if the commissioner
20.16 determines that at least three small businesses located in an economically disadvantaged
20.17 area are likely to respond to a solicitation.

20.18 (d) The commissioner, as a condition of awarding a construction contract or approving
20.19 a contract for professional or technical services, may set goals that require the prime
20.20 contractor to subcontract a portion of the contract to a small business located in an
20.21 economically disadvantaged area. The commissioner must establish a procedure for granting
20.22 waivers from the subcontracting requirement when qualified small businesses located in an
20.23 economically disadvantaged area are not reasonably available. The commissioner may
20.24 establish financial incentives for prime contractors who exceed the goals for use of
20.25 subcontractors that are small businesses located in an economically disadvantaged area and
20.26 financial penalties for prime contractors who fail to meet goals under this paragraph. The
20.27 subcontracting requirements of this paragraph do not apply to prime contractors who are
20.28 small businesses located in an economically disadvantaged area.

20.29 (e) A business is located in an economically disadvantaged area if:

20.30 (1) the owner resides in or the business is located in a county in which the median income
20.31 for married couples is less than 70 percent of the state median income for married couples;

20.32 (2) the owner resides in or the business is located in an area designated a labor surplus
20.33 area by the United States Department of Labor; or

21.1 (3) the business is a certified rehabilitation facility or extended employment provider as
21.2 described in chapter 268A.

21.3 (f) The commissioner may designate one or more areas designated as targeted
21.4 neighborhoods under section 469.202 or as border city enterprise zones under section

- 21.5 469.166 as economically disadvantaged areas for purposes of this subdivision if the
 21.6 commissioner determines that this designation would further the purposes of this section.
 21.7 If the owner of a small business resides or is employed in a designated area, the small
 21.8 business is eligible for any preference provided under this subdivision.
- 21.9 (g) The Department of Revenue shall gather data necessary to make the determinations
 21.10 required by paragraph (e), clause (1), and shall annually certify counties that qualify under
 21.11 paragraph (e), clause (1). An area designated a labor surplus area retains that status for 120
 21.12 days after certified small businesses in the area are notified of the termination of the
 21.13 designation by the United States Department of Labor.
- 21.14 Sec. 33. Minnesota Statutes 2022, section 16C.19, is amended to read:
- 21.15 **16C.19 ELIGIBILITY; RULES.**
- 21.16 (a) A small business wishing to participate in the programs under section 16C.16,
 21.17 subdivisions 4 to 7, must be certified by the commissioner or, if authorized by the
 21.18 commissioner, by a nationally recognized certifying organization. The commissioner may
 21.19 choose to authorize a nationally recognized certifying organization if the certification
 21.20 requirements are substantially the same as those adopted under the rules authorized in this
 21.21 section and the business meets the requirements in section 16C.16, subdivision 2.
- 21.22 (b) The commissioner shall adopt by rule standards and procedures for certifying that
 21.23 small targeted group businesses, small businesses located in economically disadvantaged
 21.24 areas, and veteran-owned small businesses are eligible to participate under the requirements
 21.25 of sections 16C.16 to 16C.21. The commissioner shall adopt by rule standards and procedures
 21.26 for hearing appeals and grievances and other rules necessary to carry out the duties set forth
 21.27 in sections 16C.16 to 16C.21.
- 21.28 ~~(b)~~ (c) The commissioner may make rules which exclude or limit the participation of
 21.29 nonmanufacturing business, including third-party lessors, brokers, franchises, jobbers,
 21.30 manufacturers' representatives, and others from eligibility under sections 16C.16 to 16C.21.
- 21.31 ~~(c)~~ (d) The commissioner may make rules that set time limits and other eligibility limits
 21.32 on business participation in programs under sections 16C.16 to 16C.21.
- 22.1 ~~(d)~~ (e) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a
 22.2 veteran-owned small business, the principal place of business of which is in Minnesota, is
 22.3 certified if:
- 22.4 (1) it has been verified by the United States Department of Veterans Affairs as being
 22.5 either a veteran-owned small business or a service-disabled veteran-owned small business,
 22.6 in accordance with Public Law 109-461 and Code of Federal Regulations, title 38, part 74;
 22.7 or
- 22.8 (2) the veteran-owned small business supplies the commissioner with proof that the
 22.9 small business is majority-owned and operated by:

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

22.18 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and

22.19 chapter 16B is not required in emergencies. In emergencies, the commissioner may make

22.20 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and

22.21 improvement of a ~~state-owned~~ publicly owned structure or may make or authorize an agency

22.22 to do so and may purchase, or may authorize an agency to purchase, any goods, services,

22.23 or utility services directly for immediate use. This provision applies to projects conducted

22.24 by Minnesota State Colleges and Universities.

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

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

22.27 A "best and final offer" solicitation process may not be used for building and construction

22.28 contracts awarded based on competitive bids.

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

23.2 Subdivision 1. **Definitions.** As used in sections 16C.32 to 16C.35, the following terms

23.3 have the meanings given them, unless the context clearly indicates otherwise:

23.4 (1) "acceptance" means a formal resolution of the commissioner authorizing the execution

23.5 of a design-build, construction manager at risk, or job order contracting contract;

22.10 (i) a veteran as defined in section 197.447; or

22.11 (ii) a veteran with a service-connected disability, as determined at any time by the United

22.12 States Department of Veterans Affairs.

22.13 ~~(f)~~ (f) Until rules are adopted pursuant to paragraph (a) for the purpose of certifying

22.14 veteran-owned small businesses, the provisions of Minnesota Rules, part 1230.1700, may

22.15 be read to include veteran-owned small businesses. In addition to the documentation required

22.16 in Minnesota Rules, part 1230.1700, the veteran owner must have been discharged under

22.17 honorable conditions from active service, as indicated by the veteran owner's most current

22.18 United States Department of Defense form DD-214.

22.19 ~~(g)~~ (g) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a

22.20 minority- or woman-owned small business, the principal place of business of which is in

22.21 Minnesota, is certified if it has been certified by the Minnesota unified certification program

22.22 under the provisions of Code of Federal Regulations, title 49, part 26, and a Tribal-owned

22.23 small business, the principal place of business of which is in Minnesota, is certified if it has

22.24 been certified by the Small Business Administration (SBA) 8(a) program under the provisions

22.25 of Code of Federal Regulations, title 13, part 124.

22.26 ~~(h)~~ (h) The commissioner may adopt rules to implement the programs under section

22.27 16C.16, subdivisions 4 to 7, using the expedited rulemaking process in section 14.389.

- 23.6 (2) "agency" means any state officer, employee, board, commission, authority,
23.7 department, or other agency of the executive branch of state government. Unless specifically
23.8 indicated otherwise, as used in sections 16C.32 to 16C.35, agency also includes the Minnesota
23.9 State Colleges and Universities;
- 23.10 (3) "architect" means an architect or landscape architect registered to practice under
23.11 sections 326.02 to 326.15;
- 23.12 (4) "board" means the state Designer Selection Board, unless the estimated cost of the
23.13 project is less than ~~\$2,000,000~~ the amount specified in section 16B.33, subdivision 3, in
23.14 which case the commissioner may act as the board;
- 23.15 (5) "Capitol Area Architectural and Planning Board" means the board established to
23.16 govern the Capitol Area under chapter 15B;
- 23.17 (6) "commissioner" means the commissioner of administration or the Board of Trustees
23.18 of the Minnesota State Colleges and Universities, whichever controls a project;
- 23.19 (7) "construction manager at risk" means a person who is selected by the commissioner
23.20 to act as a construction manager to manage the construction process, which includes, but
23.21 is not limited to, responsibility for the price, schedule, and workmanship of the construction
23.22 performed in accordance with the procedures of section 16C.34;
- 23.23 (8) "construction manager at risk contract" means a contract for construction of a project
23.24 between a construction manager at risk and the commissioner, which contract shall include
23.25 a guaranteed maximum price, construction schedule, and workmanship of the construction
23.26 performed;
- 23.27 (9) "design-build contract" means a contract between the commissioner and a
23.28 design-builder to furnish the architectural, engineering, and related design services as well
23.29 as the labor, materials, supplies, equipment, and construction services for a project;
- 23.30 (10) "design and price-based proposal" means the proposal to be submitted by a
23.31 design-builder in the design and price-based selection process, as described in section
24.1 16C.33, which proposal meets the requirements of section 16C.33, subdivision 7, paragraph
24.2 (c), in such detail as required in the request for proposals;
- 24.3 (11) "design and price-based selection" means the selection of a design-builder as
24.4 described in section 16C.33, subdivision 8;
- 24.5 (12) "design criteria package" means performance criteria prepared by a design criteria
24.6 professional who shall be either an employee of the commissioner or shall be selected in
24.7 compliance with section 16B.33, 16C.08, or 16C.087;
- 24.8 (13) "design criteria professional" means a person licensed under chapter 326, or a person
24.9 who employs an individual or individuals licensed under chapter 326, required to design a
24.10 project, and who is employed by or under contract to the commissioner to provide

24.11 professional, architectural, or engineering services in connection with the preparation of
24.12 the design criteria package;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22.29 **16C.36 REORGANIZATION SERVICES UNDER MASTER CONTRACT.**

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

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

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

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

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

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

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

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

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

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

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

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

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78.24 Section 1. Minnesota Statutes 2022, section 43A.01, subdivision 2, is amended to read:

78.25 Subd. 2. **Precedence of merit principles and nondiscrimination.** It is the policy of
78.26 this state to provide for equal employment opportunity consistent with chapter 363A by
78.27 ensuring that all personnel actions be based on the ability to perform the duties and
78.28 responsibilities assigned to the position without regard to age, race, creed or religion, color,
78.29 disability, sex, national origin, marital status, status with regard to public assistance, or
78.30 political affiliation. It is the policy of this state to take affirmative action to eliminate the
78.31 underutilization of qualified members of protected groups in the civil service, where such
79.1 action is not in conflict with other provisions of this chapter or chapter 179, in order to
79.2 correct imbalances and eliminate the ~~present~~ effects of ~~past~~ discrimination and support full
79.3 and equal participation in the social and economic life in the state. Heads of departments
79.4 and agencies must provide training to managers and supervisors that are responsible for
79.5 hiring and evaluating employee performance regarding bias that can be present in the hiring
79.6 and performance evaluation processes.

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

79.10 Sec. 2. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
79.11 read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

79.15 Sec. 3. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
79.16 read:

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

79.20 Sec. 4. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
79.21 read:

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

79.28 Sec. 5. Minnesota Statutes 2022, section 43A.02, is amended by adding a subdivision to
79.29 read:

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

80.1 Sec. 6. Minnesota Statutes 2022, section 43A.04, subdivision 1a, is amended to read:

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

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

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

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

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

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

80.15 ~~(5)~~ (6) utilize constructive and cooperative labor-management practices to the extent
80.16 otherwise required by chapters 43A and 179A;

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

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

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

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

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

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

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

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

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

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

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

80.17 ~~(6)~~ (7) report to the legislature on the performance of agency operations and the
 80.18 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
 80.19 subdivision 1; ~~and~~

80.20 ~~(7)~~ (8) recommend to the legislature appropriate changes in law necessary to carry out
 80.21 the mission and improve the performance of the department; and

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

80.25 Sec. 7. Minnesota Statutes 2022, section 43A.04, subdivision 4, is amended to read:

80.26 Subd. 4. **Administrative procedures.** The commissioner shall develop administrative
 80.27 procedures, which are not subject to the rulemaking provisions of the Administrative
 80.28 Procedure Act, to effect provisions of chapter 43A which do not directly affect the rights
 80.29 of or processes available to the general public. The commissioner may also adopt
 80.30 administrative procedures, not subject to the Administrative Procedure Act, which concern
 80.31 topics affecting the general public if those procedures concern only the internal management
 81.1 of the department or other agencies and if those elements of the topics which affect the
 81.2 general public are the subject of department rules.

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

81.7 (1) maintenance and administration of a plan of classification for all positions in the
 81.8 classified service and for comparisons of unclassified positions with positions in the classified
 81.9 service;

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

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

81.17 (4) maintenance and administration of employee performance appraisal, training and
 81.18 other programs; and

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

28.24 commissioner will provide public notice of any pilot directly affecting the rights of and
 28.25 processes available to the general public and make the administrative procedures available
 28.26 for comment to the general public, agencies, employees, and appropriate exclusive
 28.27 representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior
 28.28 to implementation. The public notice must be provided in an accessible digital format under
 28.29 section 16E.03. The process for providing comment shall include multiple formats to ensure
 28.30 equal access, including via telephone, digital content, and email.

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

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

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

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

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

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

81.24 commissioner will provide public notice of any pilot directly affecting the rights of and
 81.25 processes available to the general public and make the administrative procedures available
 81.26 for comment to the general public, agencies, employees, and appropriate exclusive
 81.27 representatives certified pursuant to sections 179A.01 to 179A.25 for at least 30 days prior
 81.28 to implementation. The commissioner must publish the public notice in an accessible digital
 81.29 format under section 16E.03. The commissioner must provide a comment process that allows
 81.30 the public to submit comments through multiple formats to ensure accessibility. These
 81.31 formats must include telephone, digital content, and email.

82.1 Sec. 8. Minnesota Statutes 2022, section 43A.04, subdivision 7, is amended to read:

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

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23.11 Sec. 35. Minnesota Statutes 2022, section 43A.06, subdivision 1, is amended to read:

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

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

23.17 (c) The Board of Trustees of the Minnesota State Colleges and Universities may exercise
 23.18 the powers under this section for employees included in the units provided in clauses (9),
 23.19 (10), and (11) of section 179A.10, subdivision 2, except with respect to sections 43A.22 to
 23.20 43A.31, which shall continue to be the responsibility of the commissioner. The commissioner
 23.21 shall have the right to review and comment to the Minnesota State Colleges and Universities
 23.22 on the board's final proposals prior to exchange of final positions with the designated
 23.23 bargaining units as well as any requests for interest arbitration. The legislature encourages
 23.24 the Board of Trustees, in coordination with the commissioner of management and budget
 23.25 and the Board of Regents of the University of Minnesota, to endeavor in collective bargaining
 23.26 negotiations to seek fiscal balance recognizing the ability of the employer to fund the
 23.27 agreements or awards. ~~When submitting a proposed collective bargaining agreement to the~~
 23.28 ~~Legislative Coordinating Commission and the legislature under section 3.855, subdivision~~
 23.29 ~~2, the Board of Trustees must use procedures and assumptions consistent with those used~~
 23.30 ~~by the commissioner in calculating the costs of the proposed contract. The Legislative~~
 23.31 ~~Coordinating Commission must, when considering a collective bargaining agreement or~~

29.28 ~~considering a collective bargaining agreement or arbitration award submitted by the Board~~
29.29 ~~of Trustees, evaluate market conditions affecting the employees in the bargaining unit,~~
29.30 ~~equity with other bargaining units in the executive branch, and the ability of the trustees~~
29.31 ~~and the state to fund the agreement or award.~~

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

30.2 **43A.09 RECRUITMENT.**

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

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

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

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

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

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

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

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

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

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

23.32 ~~arbitration award submitted by the Board of Trustees, evaluate market conditions affecting~~
23.33 ~~the employees in the bargaining unit, equity with other bargaining units in the executive~~
23.34 ~~branch, and the ability of the trustees and the state to fund the agreement or award.~~

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82.10 Sec. 9. Minnesota Statutes 2022, section 43A.09, is amended to read:

82.11 **43A.09 RECRUITMENT.**

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

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

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

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

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

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

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

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

83.6 Sec. 11. Minnesota Statutes 2022, section 43A.10, subdivision 7, is amended to read:

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

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

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

31.11 **43A.14 APPOINTMENTS.**

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

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

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

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

83.9 applicant with a disability that does not prevent performance of the duties of the position.
 83.10 The accommodations must provide an opportunity to fairly assess the ability of the applicant
 83.11 to perform the duties of the position notwithstanding the disability but must preserve, to the
 83.12 extent feasible, the validity of the selection process and equitable comparison of results
 83.13 with the results of competitors without disabilities. a qualified applicant with a disability
 83.14 to ensure full participation in the selection process, including use of the accommodation
 83.15 fund under section 16B.4805 during the selection process. The commissioner must ensure
 83.16 that each agency head is aware of the accommodation fund and its critical function of
 83.17 removing cost considerations from interview selection decisions.

83.18 Sec. 12. Minnesota Statutes 2022, section 43A.14, is amended to read:

83.19 **43A.14 APPOINTMENTS.**

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

83.25 Sec. 13. Minnesota Statutes 2022, section 43A.15, subdivision 14, is amended to read:

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

84.9 (b) The commissioner may authorize the probationary appointment of an applicant based
 84.10 on the request of the appointing authority that documents that the applicant has successfully
 84.11 demonstrated qualifications for the position through completion of an on-the-job ~~trial work~~
 84.12 demonstration experience. A qualified applicant should be converted to permanent,
 84.13 probationary appointments at the point in the 700-hour on-the-job experience when the
 84.14 applicant has demonstrated the ability to perform the essential functions of the job with or
 84.15 without reasonable accommodation. The implementation of this subdivision may not be
 84.16 deemed a violation of chapter 43A or 363A.

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

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

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

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

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

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

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

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

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

33.2 (4) the number of employees with terminated appointments and the reason for termination;

33.3 (5) the average length of time in an on-the-job demonstration appointment;

33.4 (6) the number and category of entity certifications; and

33.5 (7) by department or agency, the number of appointments and hires and the number of
33.6 managers and supervisors trained.

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

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

84.25 (e) The commissioner or the commissioner's designee shall develop, administer, and
84.26 make public a formal grievance process for individuals in the 700-hour on-the-job
84.27 demonstration experience under this subdivision and supported work program under section
84.28 43A.421, subdivision 2.

84.29 (f) An appointing authority must make reasonable accommodations in response to a
84.30 request from an applicant with a disability, including providing accommodations in a timely
84.31 manner during the application and hiring process and throughout the 700-hour on-the-job
84.32 demonstration experience. Requirements for accessibility for public records under section
84.33 363A.42, continuing education under section 363A.43, and technology under section 16E.03,
85.1 subdivision 2, clauses (3) and (9), apply to an agency filling an appointment during the
85.2 application and hiring process and through the on-the-job demonstration experience period.

85.3 Sec. 14. Minnesota Statutes 2022, section 43A.15, is amended by adding a subdivision to
85.4 read:

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

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

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

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

85.12 (4) the number of employees with terminated appointments and the reason for termination;

85.13 (5) the average length of time in an on-the-job demonstration appointment;

85.14 (6) the number and category of entity certifications; and

85.15 (7) by department or agency, the number of appointments and hires and the number of
85.16 managers and supervisors trained.

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

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

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

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

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

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

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

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

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

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

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

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

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24.1 Sec. 36. Minnesota Statutes 2022, section 43A.17, is amended by adding a subdivision to
24.2 read:

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

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

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

24.17 Sec. 37. Minnesota Statutes 2022, section 43A.18, subdivision 1, is amended to read:

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

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

34.11 Subd. 9. **Summary information on website.** Before the commissioner submits a

34.12 proposed ~~collective bargaining agreement, arbitration award, or~~ compensation plan to the

34.13 Legislative Coordinating Commission for review under section 3.855, the commissioner

34.14 must post on a state website a summary of the ~~proposed agreement, award, or~~ plan. The

34.15 summary must include the amount of and nature of proposed changes in employee

34.16 compensation, the estimated cost to the state of proposed changes in employee compensation,

34.17 and a description of proposed significant changes in policy. After approval of ~~an agreement,~~

34.18 ~~award, or~~ a plan by the Legislative Coordinating Commission, the commissioner must

34.19 provide a link from the commissioner's summary to the full text of the ~~agreement, award,~~

34.20 ~~or~~ plan. The summary must remain on the website at least until the full legislature has

34.21 approved the ~~agreement, award, or~~ plan. This section also applies to ~~agreements, awards,~~

34.22 ~~and~~ plans covering employees of the Minnesota State Colleges and Universities and to

34.23 compensation plans that must be submitted to the Legislative Coordinating Commission by

34.24 other executive appointing authorities. The Minnesota State Colleges and Universities and

34.25 other executive appointing authorities must submit information to the commissioner, at a

34.26 time and in a manner specified by the commissioner, so the commissioner can post

34.27 information relating to these appointing authorities on the web as required by this section.

34.28 **EFFECTIVE DATE.** This section is effective July 1, 2023, for negotiated agreements

34.29 and arbitration decisions effective after July 1, 2023.

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

34.31 Subdivision 1. **Statewide affirmative action program.** (a) To ~~assure~~ ensure that positions

34.32 in the executive branch of the civil service are equally accessible to all qualified persons,

35.1 and to eliminate the underutilization of qualified members of protected groups effects of

35.2 past and present discrimination, intended or unintended, on the basis of protected group

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50.19 Sec. 25. Minnesota Statutes 2022, section 43A.18, subdivision 6, is amended to read:

50.20 Subd. 6. **Legislative and judicial branch compensation.** Total compensation plans for

50.21 unclassified employees of the legislature and of legislative commissions shall be determined

50.22 by the legislature consistent with chapter 3 and consistent with terms and conditions of

50.23 employment under applicable collective bargaining agreements, provided that insurance

50.24 benefits for these employees and for legislators shall be determined by the Legislative

50.25 Coordinating Commission, consistent with sections 43A.22 to 43A.30. Total compensation

50.26 plans for unclassified employees of the judicial branch shall be determined by the appointing

50.27 authority, unless other law provides a different method for establishing this compensation.

50.28 Judicial branch compensation plans shall be consistent with sections 43A.22 to 43A.30.

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24.23 Sec. 38. Minnesota Statutes 2022, section 43A.18, subdivision 9, is amended to read:

24.24 Subd. 9. **Summary information on website.** Before the commissioner submits a

24.25 proposed ~~collective bargaining agreement, arbitration award, or~~ compensation plan to the

24.26 Legislative Coordinating Commission for review under section 3.855, the commissioner

24.27 must post on a state website a summary of the ~~proposed agreement, award, or~~ plan. The

24.28 summary must include the amount of and nature of proposed changes in employee

24.29 compensation, the estimated cost to the state of proposed changes in employee compensation,

24.30 and a description of proposed significant changes in policy. After approval of ~~an agreement,~~

24.31 ~~award, or~~ a plan by the Legislative Coordinating Commission, the commissioner must

24.32 provide a link from the commissioner's summary to the full text of the ~~agreement, award,~~

24.33 ~~or~~ plan. The summary must remain on the website at least until the full legislature has

25.1 approved the ~~agreement, award, or~~ plan. This section also applies to ~~agreements, awards,~~

25.2 ~~and~~ plans covering employees of the Minnesota State Colleges and Universities and to

25.3 compensation plans that must be submitted to the Legislative Coordinating Commission by

25.4 other executive appointing authorities. The Minnesota State Colleges and Universities and

25.5 other executive appointing authorities must submit information to the commissioner, at a

25.6 time and in a manner specified by the commissioner, so the commissioner can post

25.7 information relating to these appointing authorities on the web as required by this section.

25.8 **EFFECTIVE DATE.** This section is effective July 1, 2023, for negotiated agreements

25.9 and arbitration decisions effective after July 1, 2023.

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85.27 Sec. 15. Minnesota Statutes 2022, section 43A.19, subdivision 1, is amended to read:

85.28 Subdivision 1. **Statewide affirmative action program.** (a) To ~~assure~~ ensure that positions in

85.29 the executive branch of the civil service are equally accessible to all qualified persons, and

85.30 to eliminate the underutilization of qualified members of protected groups effects of past

86.1 and present discrimination, intended or unintended, on the basis of protected group status,

35.3 status, the commissioner shall adopt and periodically revise, if necessary, a statewide
35.4 affirmative action program. The statewide affirmative action program must consist of at
35.5 least the following:

35.6 (1) objectives, goals, and policies;

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

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

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

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

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

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

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

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

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

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

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

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

86.2 the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative
86.3 action program. The statewide affirmative action program must consist of at least the
86.4 following:

86.5 (1) objectives, goals, and policies;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

37.7 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,
 37.8 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United
 37.9 States Code, title 29, section 794, as amended through December 31, 1984, which is section
 37.10 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,

87.4 (e) The commissioner shall designate a statewide ADA and disability employment
 87.5 director, The commissioner may delegate the preparation, revision, implementation,
 87.6 evaluation, and administration of the program to the director. The director must administer
 87.7 the 700-hour on-the-job demonstration experience under the supported work program and
 87.8 disabled veteran's employment programs. The ADA and disability employment director
 87.9 shall have education, knowledge, and skills in disability policy, employment, and the ADA.
 87.10 The commissioner may place the director's position in the unclassified service if the position
 87.11 meets the criteria established in section 43A.08, subdivision 1a.

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

87.18 Sec. 16. Minnesota Statutes 2022, section 43A.191, is amended to read:

87.19 **43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.**

87.20 Subdivision 1. **Affirmative action officers.** (a) Each agency with 1,000 employees or
 87.21 more shall have at least one full-time affirmative action officer, who shall have primary
 87.22 responsibility for developing and maintaining the agency's affirmative action plan. The
 87.23 officer shall devote full time to affirmative action activities. The affirmative action officer
 87.24 shall report administratively and on policy issues directly to the agency head. The affirmative
 87.25 action officer shall be in the classified service.

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

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

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

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

88.4 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,
 88.5 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United
 88.6 States Code, title 29, section 794, as amended through December 31, 1984, which is section
 88.7 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,

37.11 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501
 37.12 to 514;

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

37.16 (3) provisions for funding reasonable accommodations; and

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

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

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

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

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

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

38.8 (1) the use of programs and resources that identify job applicants with disabilities who
 38.9 are eligible to be appointed under a hiring authority that takes disability into account,
 38.10 consistent with the demonstration program under section 43A.15, subdivision 14. The
 38.11 programs may include the Department of Employment and Economic Development's
 38.12 Vocational Rehabilitation Services and State Services for the Blind that provide the
 38.13 qualifications necessary for positions within the agency to individuals with disabilities.
 38.14 Resources may include databases of individuals with disabilities who previously applied to

88.8 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501
 88.9 to 514;

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

88.13 (3) provisions for funding reasonable accommodations; and

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

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

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

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

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

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

89.6 (1) the use of programs and resources that identify job applicants with disabilities who
 89.7 are eligible to be appointed under a hiring authority that takes disability into account,
 89.8 consistent with the demonstration program under section 43A.15, subdivision 14. The
 89.9 programs may include the Department of Employment and Economic Development's
 89.10 Vocational Rehabilitation Services and State Services for the Blind that provide the
 89.11 qualifications necessary for positions within the agency to individuals with disabilities.
 89.12 Resources may include databases of individuals with disabilities who previously applied to

38.15 the agency but were not hired for the positions they applied for, and training and internship
 38.16 programs that lead directly to employment for individuals with disabilities; and

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

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

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

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

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

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

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

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

39.15 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on
 39.16 affirmative action progress of each agency and the state as a whole to the governor and to
 39.17 the Finance Committee of the senate, the Ways and Means Committee of the house of
 39.18 representatives, the Governmental Operations Committees of both houses of the legislature,

89.13 the agency but were not hired for the positions they applied for, and training and internship
 89.14 programs that lead directly to employment for individuals with disabilities; and

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

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

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

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

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

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

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

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

90.12 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on
 90.13 affirmative action progress of each agency and the state as a whole to the governor and to
 90.14 the Finance Committee of the senate, the Ways and Means Committee of the house of
 90.15 representatives, the Governmental Operations Committees of both houses of the legislature,

39.19 and the Legislative Coordinating Commission. The report must include noncompetitive
39.20 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,
39.21 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.
39.22 The report must be made available to the public on the department website.

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

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

39.30 (2) implement a coordinated retention plan; and

39.31 (3) have an established complaint resolution procedure.

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

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

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

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

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

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

40.21 Subdivision 1. **Authority; purpose.** The commissioner, in coordination with the statewide
40.22 ADA and disability employment director and chief inclusion officer, shall develop and

90.16 and the Legislative Coordinating Commission. The report must include noncompetitive
90.17 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,
90.18 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.
90.19 The report must be made available to the public on the department's website.

90.20 (c) An agency that does not meet its hiring goals must justify its nonaffirmative action
90.21 hires in competitive appointments and noncompetitive appointments made under section
90.22 43A.08, subdivisions 1, clauses (9), (11), and (16), and 2a; and section 43A.15, subdivisions
90.23 3, 10, 12, and 13, according to criteria issued by the department of Management and Budget.
90.24 In addition, an agency shall:

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

90.27 (2) implement a coordinated retention plan; and

90.28 (3) have an established complaint resolution procedure.

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

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

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

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

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

91.17 Sec. 17. Minnesota Statutes 2022, section 43A.21, subdivision 1, is amended to read:

91.18 Subdivision 1. **Authority; purpose.** The commissioner, in coordination with the statewide
91.19 ADA and disability employment director and chief inclusion officer, shall develop and

40.23 interpret policy and administer and, to the extent possible, conduct programs in training and
40.24 development for employees to, at a minimum:

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

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

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

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

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

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

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

41.7 (3) equal opportunity employment; and

41.8 (4) digital accessibility standards.

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

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

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

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

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

91.20 interpret policy and administer and, to the extent possible, conduct programs in training and
91.21 development for employees to, at a minimum:

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

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

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

91.27 Sec. 18. Minnesota Statutes 2022, section 43A.21, subdivision 2, is amended to read:

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

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

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

92.5 (3) equal opportunity employment; and

92.6 (4) digital accessibility standards.

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

92.11 Sec. 19. Minnesota Statutes 2022, section 43A.21, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

42.29 Subdivision 1. **Program established.** ~~A total of 50 full-time~~ Active positions within
42.30 agencies of state government may be selected for inclusion for a supported work program

92.22 Sec. 20. Minnesota Statutes 2022, section 43A.21, is amended by adding a subdivision to
92.23 read:

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

93.1 Sec. 21. Minnesota Statutes 2022, section 43A.36, subdivision 1, is amended to read:

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

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

93.13 (c) The head of each agency in the executive branch shall designate an agency personnel
93.14 officer. The agency personnel officer shall be accountable to the agency head for all personnel
93.15 functions prescribed by laws, rules, collective bargaining agreements, the commissioner
93.16 and the agency head. Except when otherwise prescribed by the agency head in a specific
93.17 instance, the personnel officer shall be assumed to be the authority accountable to the agency
93.18 head over any other officer or employee in the agency for personnel functions.

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

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

93.27 Sec. 22. Minnesota Statutes 2022, section 43A.421, is amended to read:

93.28 **43A.421 SUPPORTED WORK PROGRAM.**

93.29 Subdivision 1. **Program established.** ~~A total of 50 full-time~~ Active positions within
93.30 agencies of state government may be selected for inclusion for a supported work program

42.31 for persons with ~~severe~~ significant disabilities. A full-time position may be shared by up to
42.32 three persons with ~~severe~~ significant disabilities and their job coach. The job coach is not
42.33 a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision
43.1 14, unless the job coach holds another position within the scope of section 43A.02,
43.2 subdivision 21, or 179A.03, subdivision 14. All classified supported work job postings need
43.3 to link to the overview and application process for the supported work program.

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

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

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

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

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

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

43.20 (2) workforce data analysis;

43.21 (3) disability employment laws and regulations; and

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

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

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

93.31 for persons with ~~severe~~ significant disabilities. A full-time position may be shared by up to
93.32 three persons with ~~severe~~ significant disabilities and their job coach. The job coach is not
93.33 a state employee within the scope of section 43A.02, subdivision 21, or 179A.03, subdivision
94.1 14, unless the job coach holds another position within the scope of section 43A.02,
94.2 subdivision 21, or 179A.03, subdivision 14. All classified supported work job postings need
94.3 to link to the overview and application process for the supported work program.

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

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

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

94.13 Sec. 23. **[43A.431] AMERICANS WITH DISABILITIES ACT COORDINATORS.**

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

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

94.20 (2) workforce data analysis;

94.21 (3) disability employment laws and regulations; and

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

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

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

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

44.2 Subd. 2. **Membership.** The Regent Candidate Advisory Council shall consist of 24

44.3 members. Twelve members shall be appointed by the ~~Subcommittee on Committees of the~~

44.4 ~~Committee on Rules and Administration~~ majority leader of the senate. Twelve members

44.5 shall be appointed by the speaker of the house. Each appointing authority must appoint one

44.6 member who is a student enrolled in a degree program at the University of Minnesota at

44.7 the time of appointment. No more than one-third of the members appointed by each

44.8 appointing authority may be current or former legislators. No more than two-thirds of the

44.9 members appointed by each appointing authority may belong to the same political party;

44.10 however, political activity or affiliation is not required for the appointment of any member.

44.11 Geographical representation must be taken into consideration when making appointments.

44.12 Section 15.0575 shall govern the advisory council, except that:

44.13 (1) the members shall be appointed to six-year terms with one-third appointed each

44.14 even-numbered year; and

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

44.16 even-numbered year.

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

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

44.19 to read:

44.20 Subd. 6. **Public meetings.** Meetings of the council or subcommittees of the council must

44.21 be open to the public and are subject to section 3.055.

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

44.23 Subd. 3. **Administration of federal act.** ~~The Department of Administration Minnesota~~

44.24 ~~Historical Society~~ is designated as the state agency to administer the provisions of the federal

44.25 act providing for the preservation of historical and archaeological data, United States Code,

44.26 title ~~46 54, sections 469 to 469C~~ section 312501, as amended, insofar as the provisions of

44.27 the act provide for implementation by the state.

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

44.29 Subd. 2. **Mediation Consultation.** The state, state departments, agencies, and political

44.30 subdivisions, including the Board of Regents of the University of Minnesota, have a

44.31 responsibility to protect the physical features and historic character of properties designated

45.1 in sections 138.662 and 138.664 or listed on the National Register of Historic Places created

45.2 by Public Law 89-665. Before carrying out any undertaking that will affect designated or

45.3 listed properties, or funding or licensing an undertaking by other parties, the state department

45.4 or agency shall consult with the State Historic Preservation Office pursuant to ~~the society's~~

45.5 the State Historic Preservation Office's established procedures to determine appropriate

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25.10 Sec. 39. Minnesota Statutes 2022, section 137.0245, subdivision 2, is amended to read:

25.11 Subd. 2. **Membership.** The Regent Candidate Advisory Council shall consist of 24

25.12 members. Twelve members shall be appointed by the ~~Subcommittee on Committees of the~~

25.13 ~~Committee on Rules and Administration~~ majority leader of the senate. Twelve members

25.14 shall be appointed by the speaker of the house. Each appointing authority must appoint one

25.15 member who is a student enrolled in a degree program at the University of Minnesota at

25.16 the time of appointment. No more than one-third of the members appointed by each

25.17 appointing authority may be current or former legislators. No more than two-thirds of the

25.18 members appointed by each appointing authority may belong to the same political party;

25.19 however, political activity or affiliation is not required for the appointment of any member.

25.20 Geographical representation must be taken into consideration when making appointments.

25.21 Section 15.0575 shall govern the advisory council, except that:

25.22 (1) the members shall be appointed to six-year terms with one-third appointed each

25.23 even-numbered year; and

25.24 (2) student members are appointed to two-year terms with two students appointed each

25.25 even-numbered year.

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

25.27 Sec. 40. Minnesota Statutes 2022, section 137.0245, is amended by adding a subdivision

25.28 to read:

25.29 Subd. 6. **Public meetings.** Meetings of the council or subcommittees of the council must

25.30 be open to the public and are subject to section 3.055.

26.1 Sec. 41. Minnesota Statutes 2022, section 138.081, subdivision 3, is amended to read:

26.2 Subd. 3. **Administration of federal act.** ~~The Department of Administration Minnesota~~

26.3 ~~Historical Society~~ is designated as the state agency to administer the provisions of the federal

26.4 act providing for the preservation of historical and archaeological data, United States Code,

26.5 title ~~46 54, sections 469 to 469C~~ section 312501, as amended, insofar as the provisions of

26.6 the act provide for implementation by the state.

26.7 Sec. 42. Minnesota Statutes 2022, section 138.665, subdivision 2, is amended to read:

26.8 Subd. 2. **Mediation Consultation.** The state, state departments, agencies, and political

26.9 subdivisions, including the Board of Regents of the University of Minnesota, have a

26.10 responsibility to protect the physical features and historic character of properties designated

26.11 in sections 138.662 and 138.664 or listed on the National Register of Historic Places created

26.12 by Public Law 89-665. Before carrying out any undertaking that will affect designated or

26.13 listed properties, or funding or licensing an undertaking by other parties, the state department

26.14 or agency shall consult with the State Historic Preservation Office pursuant to ~~the society's~~

26.15 the State Historic Preservation Office's established procedures to determine appropriate

45.6 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
 45.7 listed properties. If the state department or agency and the State Historic Preservation Office
 45.8 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
 45.9 agree, any one of the parties may request that the governor appoint and convene a mediation
 45.10 task force consisting of five members, two appointed by the governor, the chair of the State
 45.11 Review Board of the State Historic Preservation Office, the commissioner of administration
 45.12 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
 45.13 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
 45.14 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
 45.15 training or experience in one or more of the following disciplines: (1) history; (2)
 45.16 archaeology; and (3) architectural history. The mediation task force is not subject to the
 45.17 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
 45.18 24, and section 138.664, subdivisions 8 and 111.

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

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

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

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

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

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

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

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

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

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

45.29 (9) five shall be citizen members appointed to staggered four-year terms by the
 45.30 commission after receiving recommendations from five citizen committees established by
 45.31 the members appointed under clauses (1) to (8), with each citizen committee established
 46.1 within and representing each of the following geographic segments along the Mississippi
 46.2 River:

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

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

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

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

46.7 (v) Hastings to the Iowa border.

26.16 treatments and to seek ways to avoid and mitigate any adverse effects on designated or
 26.17 listed properties. If the state department or agency and the State Historic Preservation Office
 26.18 agree in writing on a suitable course of action, the project may proceed. If the parties cannot
 26.19 agree, any one of the parties may request that the governor appoint and convene a mediation
 26.20 task force consisting of five members, two appointed by the governor, the chair of the State
 26.21 Review Board of the State Historic Preservation Office, the commissioner of administration
 26.22 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~
 26.23 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two
 26.24 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by
 26.25 training or experience in one or more of the following disciplines: (1) history; (2)
 26.26 archaeology; and (3) architectural history. The mediation task force is not subject to the
 26.27 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision
 26.28 24, and section 138.664, subdivisions 8 and 111.

27.15 Sec. 45. Minnesota Statutes 2022, section 161.1419, subdivision 2, is amended to read:

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

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

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

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

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

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

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

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

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

27.25 (9) five shall be citizen members appointed to staggered four-year terms by the
 27.26 commission after receiving recommendations from five citizen committees established by
 27.27 the members appointed under clauses (1) to (8), with each citizen committee established
 27.28 within and representing each of the following geographic segments along the Mississippi
 27.29 River:

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

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

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

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

28.5 (v) Hastings to the Iowa border.

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

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

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

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

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

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

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

28.11 (c) Successor members shall be appointed by the same appointing authorities. Members
28.12 may be reappointed. Any vacancy shall be filled by the appointing authority. The
28.13 commissioner of transportation, the commissioner of natural resources, and the director of
28.14 the Minnesota Historical Society shall be ex officio members, and shall be in addition to
28.15 the 15 members heretofore provided for. Immediately upon making the appointments to the
28.16 commission the appointing authorities shall so notify the Mississippi River Parkway
28.17 Commission, hereinafter called the National Commission, giving the names and addresses
28.18 of the members so appointed.

28.19 Sec. 46. Minnesota Statutes 2022, section 179A.22, subdivision 4, is amended to read:

28.20 Subd. 4. **Agreements.** The commissioner must notify the chairs and ranking minority
28.21 members of the committees in the house of representatives and the senate with primary
28.22 jurisdiction over state government finance when the commissioner begins negotiations with
28.23 each exclusive representative. The commissioner of management and budget is authorized
28.24 to enter into agreements with exclusive representatives as provided in section 43A.06,
28.25 subdivisions 1, paragraph (b), and 3. The Board of Trustees of the Minnesota State Colleges
28.26 and Universities is authorized to enter into agreements with exclusive representatives as
28.27 provided in section 43A.06, subdivision 1, paragraph (c). The negotiated agreements and
28.28 any related arbitration ~~decision~~ decisions must be submitted to the legislature to be accepted
28.29 or rejected in accordance with this section and section 3.855 implemented by the
28.30 commissioner of management and budget or the Board of Trustees of the Minnesota State
28.31 Colleges and Universities respectively, following the approval of the tentative agreement
28.32 by exclusive representatives.

29.1 Sec. 47. Minnesota Statutes 2022, section 383B.32, subdivision 2, is amended to read:

29.2 Subd. 2. **Unclassified service.** (a) The unclassified service comprises:

29.3 (1) officers chosen by election or appointment to fill an elective office;

29.4 (2) members of boards and commissions appointed by the county board;

29.5 (3) physicians, medical residents, interns, and students in training;

29.6 (4) nonsalaried attending medical staff;

29.7 (5) special sheriff's deputies serving without pay;

29.8 (6) seasonal, temporary, provisional, intermittent, and emergency positions;

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

47.2 Subd. 2. **When effective.** Except as provided by subdivision 3 or other express provision

47.3 of law or charter to the contrary, a resignation is effective when it is received by the officer,

47.4 body, or board authorized to receive it. In the case of a position appointed by the governor

47.5 under section 15.0597, the resignation must be submitted to the governor.

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

47.7 **357.17 NOTARIES PUBLIC.**

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

47.9 (1) for protest of nonpayment of note or bill of exchange or of nonacceptance of such

47.10 bill; where protest is legally necessary, and copy thereof, \$5;

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

47.12 (3) for making and serving every notice of nonpayment of note or nonacceptance of bill

47.13 and copy thereof, \$5;

29.9 (7) positions funded by specific governmental or nongovernmental grants of intermittent

29.10 or limited funding duration;

29.11 (8) the director or principal administrative officer of a department appointed pursuant

29.12 to sections 383B.101 to 383B.103; or appointed by the county board; or appointed for a

29.13 term pursuant to law;

29.14 (9) chief deputy or principal assistant and secretary for each elected official;

29.15 (10) examiner of titles and deputy examiners;

29.16 (11) chief ~~criminal~~ public safety services deputy sheriff, a chief ~~civil~~ adult detention and

29.17 court services deputy sheriff, a chief administrative deputy sheriff, and a chief financial

29.18 services community relations deputy sheriff, and a chief investigations deputy sheriff;

29.19 (12) public defender;

29.20 (13) county medical examiner;

29.21 (14) office staff appointed by the county administrator pursuant to sections 383B.101

29.22 to 383B.103; and

29.23 (15) county administrator.

29.24 (b) Notwithstanding any contrary provision of other law, any person coming within

29.25 paragraph (a), clause (8), who, on August 1, 2000, is in the classified service, remains in

29.26 the classified service until vacating the position. After that, an appointee to a position

29.27 described in paragraph (a), clause (8), is in the unclassified service.

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

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

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

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

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

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

47.25 **359.04 POWERS.**

47.26 Every notary public so appointed, commissioned, and qualified shall have power
47.27 throughout this state to administer all oaths required or authorized to be administered in
47.28 this state; to take and certify all depositions to be used in any of the courts of this state; to
47.29 take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and
47.30 other instruments in writing or electronic records; to receive, make out, and record notarial
48.1 protests; to perform civil marriages consistent with this chapter and chapter 517; and to
48.2 perform online remote notarial acts in compliance with the requirements of sections 358.645
48.3 and 358.646.

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

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

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

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

48.20 **364.021 PUBLIC AND PRIVATE EMPLOYMENT; CONSIDERATION OF**

48.21 **CRIMINAL RECORDS.**

48.22 (a) A public or private employer may not inquire into or consider or require disclosure

48.23 of the criminal record or criminal history of an applicant for employment until the applicant

48.24 has been selected for an interview by the employer or, if there is not an interview, before a

48.25 conditional offer of employment is made to the applicant.

48.26 (b) This section does not apply to the Department of Corrections or to employers who

48.27 have a statutory duty to conduct a criminal history background check or otherwise take into

48.28 consideration a potential employee's criminal history during the hiring process.

48.29 (c) This section does not prohibit an employer from notifying applicants that law or the

48.30 employer's policy will disqualify an individual with a particular criminal history background

48.31 from employment in particular positions.

49.1 (d) An appointing authority may not inquire into or consider or require disclosure of the

49.2 criminal record or criminal history of an applicant for appointment to multimember agencies,

49.3 including boards, commissions, agencies, committees, councils, authorities, advisory task

49.4 forces, and advisory councils, on an application form until the applicant has been selected

49.5 for an interview by the appointing authority or is otherwise selected as a final candidate for

49.6 appointment.

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

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

49.9 Subdivision 1. **Public employers.** Any complaints or grievances concerning violations

49.10 of sections 364.01 to 364.10 by public employers or violations of section 364.021 by public

49.11 appointing authorities shall be processed and adjudicated in accordance with the procedures

49.12 set forth in chapter 14, the Administrative Procedure Act.

30.1 Sec. 48. Minnesota Statutes 2022, section 462A.22, subdivision 10, is amended to read:

30.2 Subd. 10. **Audits.** All of the books and records of the agency shall be subject to audit

30.3 by the legislative auditor in the manner prescribed for other agencies of state government.

30.4 The agency is authorized also to employ and to contract in its resolutions and indentures

30.5 for the employment of public accountants for the audit of books and records pertaining to

30.6 any fund or funds. ~~The legislative auditor shall review contracts with public accountants as~~

30.7 ~~provided in section 3.972.~~

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

49.14 **507.0945 ADMINISTRATION.**

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

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

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

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

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

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

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

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

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

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

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

50.15 (f) As soon as practicable and as needed thereafter, the Electronic Real Estate Recording
 50.16 Commission shall identify the information technology and any other expertise it requires
 50.17 and report its needs to the ~~Legislative Coordinating Commission. The Electronic Real Estate~~
 50.18 ~~Recording Commission also shall report any other expertise it needs to fulfill its~~
 50.19 ~~responsibilities. The Legislative Coordinating Commission shall provide support services,~~

30.8 Sec. 49. Minnesota Statutes 2022, section 507.0945, is amended to read:

30.9 **507.0945 ADMINISTRATION.**

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

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

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

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

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

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

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

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

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

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

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

31.9 (f) As soon as practicable and as needed thereafter, the Electronic Real Estate Recording
 31.10 Commission shall identify the information technology and any other expertise it requires
 31.11 and report its needs to the ~~Legislative Coordinating Commission. The Electronic Real Estate~~
 31.12 ~~Recording Commission also shall report any other expertise it needs to fulfill its~~
 31.13 ~~responsibilities. The Legislative Coordinating Commission shall provide support services,~~

50.20 including meeting space, as needed for the Electronic Real Estate Recording Commission
50.21 to carry out its duties in an effective manner committees of the house of representatives and
50.22 the senate that have jurisdiction.

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

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

50.25 Civil marriages may be solemnized throughout the state by an individual who has attained
50.26 the age of 21 years and is a judge of a court of record, a retired judge of a court of record,
50.27 a court administrator, a retired court administrator with the approval of the chief judge of
50.28 the judicial district, a former court commissioner who is employed by the court system or
50.29 is acting pursuant to an order of the chief judge of the commissioner's judicial district, a
50.30 notary authorized by the Office of the Secretary of State, a past or current Minnesota elected
50.31 official authorized by section 359.115, the residential school superintendent of the Minnesota
50.32 State Academy for the Deaf and the Minnesota State Academy for the Blind, a licensed or
50.33 ordained minister of any religious denomination, or by any mode recognized in section
51.1 517.18. For purposes of this section, a court of record includes the Office of Administrative
51.2 Hearings under section 14.48.

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

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

31.14 including meeting space, as needed for the Electronic Real Estate Recording Commission
31.15 to carry out its duties in an effective manner, committees of the Minnesota House of
31.16 Representatives and the Minnesota Senate that have jurisdiction.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

31.17 Sec. 50. **MISSISSIPPI RIVER PARKWAY COMMISSION; CITIZEN MEMBERS.**

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

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

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

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

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

31.29 (5) citizen member representing Hastings, to the Iowa border, for a term ending December
31.30 31, 2027.

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95.1 Sec. 24. **ADVISORY COMMITTEE ON SERVICE WORKER STANDARDS.**

95.2 The commissioner of management and budget shall convene an advisory committee to
95.3 review and make recommendations regarding updates and clarifications to the service worker
95.4 class specifications under Minnesota Statutes, section 43A.071. By January 15, 2024, the
95.5 commissioner shall report to the legislative committees with jurisdiction over state
95.6 government employees on recommendations for changes to Minnesota Statutes, section
95.7 43A.071.

52.27

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

52.28

Sec. 80. **REPEALER.**

52.29

Subdivision 1. **Interagency transfer reports.** Minnesota Statutes 2022, section 15.0395,

52.30

is repealed.

53.1

Subd. 2. **Office of Collaboration and Dispute Resolution.** Minnesota Statutes 2022,

53.2

sections 16B.24, subdivision 13; 179.90; and 179.91, are repealed.

53.3

Subd. 3. **Trustee Candidate Advisory Council.** Minnesota Statutes 2022, section

53.4

136F.03, is repealed.

53.5

Sec. 81. **EFFECTIVE DATE; JUNETEENTH.**

53.6

Notwithstanding Minnesota Statutes, section 645.02, Laws 2023, chapter 5, sections 1

53.7

and 2, are effective June 19, 2023.

53.8

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

UEH1826-1

32.1

Sec. 51. **REPEALER.**

32.2

(a) Minnesota Statutes 2022, section 136F.03, is repealed.

32.3

(b) Minnesota Statutes 2022, section 16B.24, subdivision 13, is repealed.

32.4

(c) Minnesota Statutes 2022, sections 179.90; and 179.91, are repealed.

32.5

(d) Minnesota Statutes 2022, sections 16B.323, subdivisions 1 and 2; and 16B.326, are

32.6

repealed.

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65.9

Sec. 41. Laws 2023, chapter 5, section 1, is amended by adding an effective date to read:

65.10

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

65.11

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

65.12

Sec. 42. Laws 2023, chapter 5, section 2, is amended by adding an effective date to read:

65.13

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

65.14

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