

CHAPTER 3

LEGISLATURE

3.095	Legislative employees, leaves.	3.9223	Council on affairs of Spanish-speaking people.
3.3005	Federal money; expenditure review.	3.9225	Council on Black Minnesotans.
3.304	Office of legislative research.	3.9251	Programs for handicapped adults.
3.85	Legislative commission on pensions and retirement.	3.9278	Definitions.
3.855	Legislative commission on employee relations.	3.9279	Early childhood and family education programs.
3.922	Indian affairs intertribal board.	3.965	Legislative commission to review administrative rules.
3.9222	Advisory council on the economic status of women.		

**3.095 LEGISLATIVE EMPLOYEES, LEAVES.**

The legislative coordinating commission shall adopt plans pertaining to sick leave and annual leave which shall apply to all permanent employees of the legislature and of legislative committees and commissions.

**History:** 1981 c 210 s 47

**3.3005 FEDERAL MONEY; EXPENDITURE REVIEW.**

*[For text of subs 1 and 2, see M.S.1980]*

Subd. 3. When a request to spend federal money has been included in the governor's budget or authorized by law as described in subdivision 2, but the amount of federal money received will require a state match greater than that included in the governor's budget request or authorized by law, the federal money that will require an additional state match shall not be allotted for expenditure until the state agency has first presented to the legislative advisory commission a request in the manner of a budget request and has received the recommendation of the commission on it. Failure or refusal of the commission to make a recommendation promptly is deemed a negative recommendation.

*[For text of subd 4, see M.S.1980]*

**History:** 1981 c 356 s 250

**3.304 OFFICE OF LEGISLATIVE RESEARCH.**

*[For text of subs 1 and 2, see M.S.1980]*

Subd. 2a. **Joint legislative studies.** The legislative coordinating commission shall oversee and coordinate all joint legislative studies mandated by the legislature and may require regular progress reports to the legislative coordinating commission and to appropriate standing committees of the house of representatives and the senate. Appropriations for all joint legislative studies except those specifically assigned to an existing legislative commission shall be made to the legislative coordinating commission. Responsibility and appropriations for a joint legislative study may be delegated by the legislative coordinating commission to an existing staff office of the house of representatives or senate, a legislative commission, a joint legislative committee or office or a state agency. The office, commission, joint committee, or agency responsible for the study may contract with another agent for assistance.

*[For text of subs 3 and 5, see M.S.1980]*

**History:** 1981 c 356 s 251

**3.85 LEGISLATIVE COMMISSION ON PENSIONS AND RETIREMENT.**

*[For text of subds 1 and 2, see M.S.1980]*

Subd. 3. **Membership.** The commission consists of five members of the senate to be appointed by the subcommittee on committees of the committee on rules and administration and five members of the house of representatives to be appointed by the speaker. Members of the commission shall be appointed at the commencement of each regular session of the legislature for a two year term beginning January 16 of the first year of the regular session. Vacancies on the commission occurring while the legislature is in session shall be filled in the same manner as regular appointments to the commission. If the legislature is not in session, vacancies in the membership of the commission shall be filled by the last subcommittee on committees of the senate committee on rules and administration or other appointing authority designated by the senate rules in case of a senate vacancy, and by the last speaker of the house, or if he be not available, by the last chairman of the house rules committee in case of a house vacancy.

*[For text of subds 4 to 10, see M.S.1980]*

**History:** 1981 c 224 s 1

**3.855 LEGISLATIVE COMMISSION ON EMPLOYEE RELATIONS.**

*[For text of subds 1 and 2, see M.S.1980]*

Subd. 3. **Other duties.** In addition to the duties specified in subdivision 2, the commission shall perform the following:

(a) Review and approve, reject, or modify a plan for compensation, terms and conditions of employment prepared and submitted by the commissioner of employee relations pursuant to section 43.113 covering all state employees who are not represented by an exclusive bargaining representative and whose compensation is not provided for by section 43.064 or other law;

(b) Continually monitor the state's civil service system as provided for in chapter 43, rules of the commissioner of employee relations and the collective bargaining process as provided for in sections 179.61 to 179.76, as applied to state employees;

(c) Research and analyze the need for improvements in those statutory sections;

(d) Adopt rules not inconsistent with this section relating to the scheduling and conduct of commission business and other organizational and procedural matters;

(e) Research and analyze insurance programs currently available to teachers and other public school employees in Minnesota and report to the legislature by December 1, 1982. The report shall include a summary of insurance benefit levels and costs, including health, dental, life and disability insurance; differences in the cost of providing like benefits in different regions of the state and in school districts of different sizes; and recommendations on the feasibility of providing a uniform coverage insurance program to all school districts in Minnesota; and

(f) Perform such other related functions as are delegated to it by the legislature.

**History:** 1981 c 314 s 1

**3.922 INDIAN AFFAIRS INTERTRIBAL BOARD.**

Subdivision 1. **Creation, membership.** There is created a state Indian affairs intertribal board to consist of the following ex-officio members: The governor or a member of his official staff designated by him, the commissioner of education, the commissioner of public welfare, the commissioner of natural resources, the commissioner of human rights, the commissioner of energy, planning and development, the commissioner of corrections, the executive director of the Minnesota housing finance agency, the commissioner of iron range resources and rehabilitation, and the commissioner of health each of whom may designate a member of his staff to serve in his place, three members of the state house of representatives appointed by the speaker of the house of representatives, and three members of the state senate appointed by the committee on committees of the senate. Voting members of the board shall be: the duly elected tribal chairmen of the Fond du Lac reservation business committee; the Grand Portage reservation business committee; the Mille Lacs reservation business committee; the White Earth reservation business committee; the Bois Forte (Nett Lake) reservation business committee; the Leech Lake reservation business committee; the Red Lake tribal council; the Upper Sioux board of trustees; the Lower Sioux tribal council; the Shakopee-Mdewankanton general council; the Prairie Island tribal council; and two members to be selected pursuant to subdivision 2. The chairmen of the above Indian committees, trusts, or councils may designate in writing a member who shall have been elected at large to an office in the committee, trust, or council, to serve in his place. Board members appointed to represent the state house of representatives, the state senate or tribal governments shall no longer serve on the board at such time as they are no longer members of the bodies which they represent, and upon such circumstances, their offices shall be vacant. A member who is a designee of a tribal chairman shall cease to be a member at the end of the term of the tribal chairman who designated him. Ex-officio members or their designees on the board shall not be voting members of the board.

*[For text of subs 2 to 9, see M.S.1980]*

**History:** 1981 c 356 s 68

**3.9222 ADVISORY COUNCIL ON THE ECONOMIC STATUS OF WOMEN.**

Subdivision 1. An advisory council is hereby created to study and report on the economic status of women in Minnesota.

Subd. 2. The council shall consist of five members of the house of representatives appointed by the speaker, five members of the senate appointed by the committee on committees, and twelve citizens appointed by the governor. At least 50 percent of those appointed by the governor and by the speaker of the house shall be women. Members shall serve for two years or until the expiration of their legislative terms; except, in order to establish staggered membership terms for the citizen members, the governor shall appoint six citizens for three-year terms and six citizens for two-year terms starting July 1, 1981. The compensation of non-legislator members, their removal from office and the filling of vacancies shall be as provided in section 15.059. The persons appointed by the governor shall be representative of a range of economic interests and vocations and shall include persons who are not regularly employed on a full-time or part-time basis outside their homes.

Subd. 3. The council shall study all matters relating to the economic status of women in Minnesota, including economic security of homemakers and women in the labor force, opportunities for education and vocational training, employment opportunities, the contributions of women to the economy, their access to benefits and services provided to citizens of this state, and laws and business practices constituting barriers to the full participation by women in the economy. In addition, the council shall study the adequacy of programs and services relating to families in Minnesota, including single-parent families and members beyond the nuclear or immediate family.

Subd. 4. The council shall report its findings and recommendations to the governor and the legislature not later than December 15 of each even-numbered year and shall supplement its findings and recommendations not later than December 15 of each odd-numbered year. The report shall recommend legislation and administrative action designed to enable women to achieve full participation in the economy. The report shall also recommend methods to encourage the development of coordinated, interdepartmental goals and objectives and the coordination of programs, services and facilities among all state departments and public and private providers of services related to children, youth and families.

Subd. 5. The council may hold meetings and hearings at the times and places it designates to accomplish the purposes set forth in this act. It shall select a chairman and other officers from its membership as it deems necessary.

Subd. 6. The legislature coordinating commission shall supply the council with necessary staff, office space and administrative services.

Subd. 7. When any person, corporation, the United States government, or any other entity offers funds to the council by way of gift, grant or loan, for the purpose of assisting the council to carry out its powers and duties, the council may accept the offer by majority vote and upon acceptance the chairman shall receive the funds subject to the terms of the offer, but no money shall be accepted or received as a loan nor shall any indebtedness be incurred except in the manner and under the limitations otherwise provided by law.

**History:** 1976 c 337 s 1; 1978 c 793 s 82,83; 1981 c 356 s 371-373

### 3.9223 COUNCIL ON AFFAIRS OF SPANISH-SPEAKING PEOPLE.

Subdivision 1. **Membership.** There is created a state council on affairs of Spanish-speaking people to consist of seven members appointed by the governor with the advice and consent of the senate. The members of the council shall be broadly representative of the Spanish-speaking community of the state. Membership, terms, compensation, removal of members and filling of vacancies shall be as provided in Minnesota Statutes, Section 15.0575. The council shall annually elect from its membership a chairperson and other officers it deems necessary.

Subd. 2. **Spanish-speaking people.** For purposes of subdivisions 3 to 7, the term "Spanish-speaking person" means a person who uses Spanish as a primary method of communication, or who is a spouse of a person who does.

Subd. 3. **Duties.** The council shall:

(a) Advise the governor and the legislature on the nature of the issues and disabilities confronting Spanish-speaking people in this state including the unique problems encountered by Spanish-speaking migrant agricultural workers;

(b) Advise the governor and the legislature on statutes or rules necessary to insure Spanish-speaking people access to benefits and services provided to people in this state;

(c) Recommend to the governor and the legislature legislation designed to improve the economic and social condition of Spanish-speaking people in this state;

(d) Serve as a conduit to state government for organizations of Spanish-speaking people in the state;

(e) Serve as a referral agency to assist Spanish-speaking people in securing access to state agencies and programs;

(f) Serve as a liaison with the federal government, local government units and private organizations on matters relating to the Spanish-speaking people of this state;

(g) Perform or contract for the performance of studies designed to suggest solutions to problems of Spanish-speaking people in the areas of education, employment, human rights, health, housing, social welfare and other related programs;

(h) Implement programs designed to solve problems of Spanish-speaking people when so authorized by other statute, rule or order;

(i) Publicize the accomplishments of Spanish-speaking people and the contributions made by them to this state.

Subd. 4. **Review and recommendation authority.** All applications for the receipt of federal money and all proposed rules of any state agency which will have their primary effect on Spanish-speaking people shall be submitted to the council for review and recommendation at least 15 days prior to submission to a federal agency or initial publication in the state register.

Subd. 5. **Powers.** The council shall have power to contract in its own name. Contracts shall be approved by a majority of the members of the council and executed by the chairperson and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the power and duties specified in this section.

The council shall appoint, subject to the approval of the governor, an executive director who shall be experienced in administrative activities and familiar with the problems and needs of Spanish-speaking people. The council may delegate to the executive director any powers and duties under this section which do not require council approval. The executive director and council staff shall serve in the unclassified service. The executive director may be removed at any time by a majority vote of the entire council. The executive director shall recommend to the council the appropriate staffing patterns necessary to carry out its duties. The commissioner of administration shall provide the council with necessary administrative services, and the council shall reimburse the commissioner for the cost of these services.

Subd. 6. **State agency assistance.** Other state agencies shall supply the council upon request with advisory staff services on matters relating to the jurisdiction of the council and the council shall cooperate and coordinate its activities with other state agencies to the highest possible degree.

Subd. 7. **Report.** The council shall prepare and distribute a report to the governor and legislature by November 15 of each even numbered year. The report shall summarize the activities of the council since its prior report, list receipts and expenditures, identify the major problems and issues confronting Spanish-speaking people, and list the specific objectives which the council seeks to attain during the next biennium.

**History:** 1978 c 510 s 1-7; 1981 c 356 s 374,375

**3.9225 COUNCIL ON BLACK MINNESOTANS.**

*[For text of subds 1 to 4, see M.S.1980]*

Subd. 5. **Powers.** The council shall have power to contract in its own name, provided that no money shall be accepted or received as a loan nor shall any indebtedness be incurred except as otherwise provided by law. Contracts shall be approved by a majority of the members of the council and executed by the chairperson and the executive director. The council may apply for, receive, and expend in its own name grants and gifts of money consistent with the power and duties specified in subdivisions 1 to 7.

The council shall appoint an executive director who shall be experienced in administrative activities and familiar with the problems and needs of Black people. The council may delegate to the executive director any powers and duties under subdivisions 1 to 7 which do not require council approval. The executive director shall serve in the unclassified service and may be removed at any time by the council. The executive director shall recommend to the council, and the council may appoint, the appropriate staff necessary to carry out its duties. All staff members shall also serve in the unclassified service. The commissioner of administration shall provide the council with necessary administrative services, and the council shall reimburse the commissioner for the cost of these services.

*[For text of subds 6 and 7, see M.S.1980]*

**History:** 1981 c 20 s 1

**3.9251 PROGRAMS FOR HANDICAPPED ADULTS.**

Programs funded by the council on quality education may include programs designed to benefit handicapped adults.

**History:** 1981 c 358 art 6 s 1

**3.9278 DEFINITIONS.**

Subdivision 1. As used in sections 3.9276 to 3.9279, the terms defined in this section have the meanings given them.

*[For text of subds 2 and 3, see M.S.1980]*

**History:** 1981 c 358 art 6 s 2

**3.9279 EARLY CHILDHOOD AND FAMILY EDUCATION PROGRAMS.**

*[For text of subds 1 to 7, see M.S.1980]*

Subd. 8. **Advisory task force on early childhood and family education.** The council on quality education shall appoint an advisory task force on early childhood and family education programs. The advisory task force shall be composed of parents of young children and persons knowledgeable in the fields of health, education and welfare. A majority of the task force shall be parents of young children. The advisory task force shall advise the council in the administration of the early childhood and family education programs. The terms, compensation and removal of members shall be governed by the provisions of section 15.059, subdivision 6. The task force shall expire June 30, 1983.

*[For text of subd 9, see M.S.1980]*

Subd. 10. **Voluntary participation.** Participation by parents and children in early childhood and family education programs shall be voluntary and shall not

preclude participation in other state or local programs. To the extent possible, each school district providing early childhood and family education programs shall seek the participation of minority and economically disadvantaged persons in the same proportion as these groups are represented in the area served by the program. Upon request, the school districts shall report on the success of these efforts to the council on quality education. No school district shall discriminate in providing early childhood and family education programs on the basis of race, religion, sex or ethnic background, and no programs shall be used in whole or in part for religious worship or instruction.

*[For text of subd 11, see M.S.1980]*

Subd. 12. **Negotiated grants.** For the 1981-1982 and 1982-1983 school years the council on quality education may fund up to 36 early childhood and family education programs according to the negotiated grants procedure in sections 3.924 to 3.927.

Subd. 13. [Repealed, 1981 c 358 art 6 s 45]

**History:** 1981 c 358 art 6 s 3-5

### 3.965 LEGISLATIVE COMMISSION TO REVIEW ADMINISTRATIVE RULES.

*[For text of subd 1, see M.S.1980]*

Subd. 2. **Review of rules by commission.** The commission shall promote adequate and proper rules by agencies and an understanding upon the part of the public respecting them. The jurisdiction of the commission includes all rules as defined in section 15.0411, subdivision 3. The commission also has jurisdiction of rules which are filed with the secretary of state in accordance with section 15.0413, subdivisions 3 and 3b or were filed with the secretary of state in accordance with the provisions of section 15.0413, subdivision 3, which were in effect on the date the rules were filed. It may hold public hearings to investigate complaints with respect to rules if it considers the complaints meritorious and worthy of attention. It may, on the basis of the testimony received at the public hearings, suspend any rule complained of by the affirmative vote of at least six members provided the provisions of subdivision 4 have been met. If any rule is suspended, the commission shall as soon as possible place before the legislature, at the next year's session, a bill to repeal the suspended rule. If the bill is not enacted in that year's session, the rule is effective upon adjournment of the session unless the agency has repealed it. If the bill is enacted, the rule is repealed. The commission shall make a biennial report to the legislature and governor of its activities and include its recommendations to promote adequate and proper rules and public understanding of the rules.

Subd. 3. **Public hearings by state agencies.** By a vote of a majority of its members, the commission may request any agency issuing rules to hold a public hearing in respect to recommendations made pursuant to subdivision 2, including recommendations made by the commission to promote adequate and proper rules by that agency and recommendations contained in the commission's biennial report. The agency shall give notice as provided in section 15.0412, subdivision 4 of a hearing thereon, to be conducted in accordance with section 15.0412. The hearing shall be held not more than 60 days after receipt of the request or within any other longer time period specified by the commission in the request.

*[For text of subd 4, see M.S.1980]*

# MINNESOTA STATUTES 1981 SUPPLEMENT

Subd. 5. **Notice of suspension.** In addition to the other requirements of this section, no suspension shall take effect until notice has been published in compliance with section 15.0413, subdivision 2. The commission shall send the notice to the state register.

Subd. 6. **Business licensing rules.** The commission may conduct the public meetings for review of rules related to business licenses as required by section 362.453.

**History:** 1981 c 112 s 1,2; 1981 c 253 s 1; 1981 c 342 art 2 s 1