

21.1

**ARTICLE 2**

19.11

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21.2

**STATE GOVERNMENT OPERATIONS**

19.12

**STATE GOVERNMENT OPERATIONS**

21.3 Section 1. Minnesota Statutes 2018, section 3.855, subdivision 2, is amended to read:

21.4 Subd. 2. **State employee negotiations.** (a) The commissioner of management and budget  
 21.5 shall regularly advise the commission on the progress of collective bargaining activities  
 21.6 with state employees under the state Public Employment Labor Relations Act. During  
 21.7 negotiations, the commission may make recommendations to the commissioner as it deems  
 21.8 appropriate but no recommendation shall impose any obligation or grant any right or privilege  
 21.9 to the parties.

21.10 (b) The commissioner shall submit to the chair of the commission any negotiated  
 21.11 collective bargaining agreements, arbitration awards, compensation plans, or salaries for  
 21.12 legislative approval or disapproval. Negotiated agreements shall be submitted within five  
 21.13 days of the date of approval by the commissioner or the date of approval by the affected  
 21.14 state employees, whichever occurs later. Arbitration awards shall be submitted within five  
 21.15 days of their receipt by the commissioner. If the commission disapproves a collective  
 21.16 bargaining agreement, award, compensation plan, or salary, the commission shall specify  
 21.17 in writing to the parties those portions with which it disagrees and its reasons. If the  
 21.18 commission approves a collective bargaining agreement, award, compensation plan, or  
 21.19 salary, it shall submit the matter to the legislature to be accepted or rejected under this  
 21.20 section.

21.21 (c) When the legislature is not in session, the commission may give interim approval to  
 21.22 a negotiated collective bargaining agreement, salary, compensation plan, or arbitration  
 21.23 award. ~~When the legislature is not in session, failure of the commission to disapprove a~~  
 21.24 ~~collective bargaining agreement or arbitration award within 30 days constitutes approval.~~  
 21.25 The commission shall submit the negotiated collective bargaining agreements, salaries,  
 21.26 compensation plans, or arbitration awards for which it has provided approval to the entire  
 21.27 legislature for ratification at a special legislative session called to consider them or at its  
 21.28 next regular legislative session as provided in this section. Approval or disapproval by the  
 21.29 commission is not binding on the legislature.

21.30 (d) When the legislature is not in session, the proposed collective bargaining agreement,  
 21.31 arbitration decision, salary, or compensation plan must be implemented upon its approval  
 21.32 by the commission, and state employees covered by the proposed agreement or arbitration  
 21.33 decision do not have the right to strike while the interim approval is in effect. Wages and  
 21.34 economic fringe benefit increases provided for in the agreement or arbitration decision paid  
 22.1 in accordance with the interim approval by the commission are not affected, but the wages  
 22.2 or benefit increases must cease to be paid or provided effective upon the rejection of the  
 22.3 agreement, arbitration decision, salary, or compensation plan, or upon adjournment of the  
 22.4 legislature without acting on it.

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

22.6 Sec. 2. Minnesota Statutes 2018, section 3.855, is amended by adding a subdivision to  
22.7 read:

22.8 Subd. 5. **Information required.** The commissioner of management and budget must  
22.9 submit to the Legislative Coordinating Commission the following information with the  
22.10 submission of a collective bargaining agreement or compensation plan under subdivisions  
22.11 2 and 3:

22.12 (1) for each agency and for each proposed agreement or plan, a comparison of biennial  
22.13 compensation costs under the current agreement or plan to the projected biennial  
22.14 compensation costs under the proposed agreement or plan, paid with funds appropriated  
22.15 from the general fund;

22.16 (2) for each agency and for each proposed agreement or plan, a comparison of biennial  
22.17 compensation costs under the current agreement or plan to the projected biennial  
22.18 compensation costs under the proposed agreement or plan, paid with funds appropriated  
22.19 from each fund other than the general fund;

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

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

20.4 Sec. 2. Minnesota Statutes 2018, section 3.8843, subdivision 7, is amended to read:

20.5 Subd. 7. **Expiration.** This section expires June 30, ~~2019~~ 2026.

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

22.25 Sec. 3. ~~[3.8845]~~ LEGISLATIVE COMMISSION ON HOUSING AFFORDABILITY.

22.26 Subdivision 1. **Membership.** (a) The Legislative Commission on Housing Affordability  
22.27 consists of:

22.28 (1) two senators appointed by the senate majority leader;

22.29 (2) two senators appointed by the senate minority leader;

22.30 (3) two representatives appointed by the speaker of the house; and

22.31 (4) two representatives appointed by the minority leader of the house of representatives.

23.1 (b) Each appointing authority must make appointments by January 31 of the regular  
23.2 legislative session in the odd-numbered year.

- 23.3 Subd. 2. **Meetings.** The ranking senator from the majority party appointed to the  
 23.4 commission must convene the first meeting of a biennium by February 15 in the  
 23.5 odd-numbered year.
- 23.6 Subd. 3. **Terms; vacancies.** Members of the commission serve for terms beginning upon  
 23.7 appointment and ending at the beginning of the regular legislative session in the next  
 23.8 odd-numbered year. The appropriate appointing authority must fill a vacancy for a seat of  
 23.9 a current legislator for the remainder of the unexpired term.
- 23.10 Subd. 4. **Officers.** The commission must elect a chair and may elect other officers as it  
 23.11 determines are necessary at the first meeting of the commission in an odd-numbered year.  
 23.12 The chair alternates between a member of the senate and a member of the house of  
 23.13 representatives at the start of the regular legislative session in each odd-numbered year.
- 23.14 Subd. 5. **Staff.** The Legislative Coordinating Commission must provide administrative  
 23.15 and research assistance to the commission.
- 23.16 Subd. 6. **Duties.** The commission shall:
- 23.17 (1) define housing affordability and study issues relating to housing affordability and  
 23.18 the construction, preservation, and rehabilitation of owner-occupied and rental housing,  
 23.19 including subsidized housing, existing and future government regulations impacting housing  
 23.20 affordability, market forces impacting housing affordability, and access to homeownership;
- 23.21 (2) review and provide the legislature with research and analysis of emerging issues  
 23.22 affecting housing affordability and homeownership access, including but not limited to  
 23.23 construction work force, innovation, building practices, and building material costs;
- 23.24 (3) review and provide the legislature with research and analysis of policies to reduce  
 23.25 the homeownership equity gap; and
- 23.26 (4) review and make recommendations on legislative and rulemaking proposals positively  
 23.27 impacting personal housing affordability, access to homeownership, and other related barriers  
 23.28 to homeownership, especially with regard to first-time homebuyers and economically  
 23.29 disadvantaged buyers and renters.
- 23.30 Subd. 7. **Expiration.** This section expires June 30, 2023.
- 23.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

24.1 Sec. 4. Minnesota Statutes 2018, section 3.97, subdivision 3a, is amended to read:

20.7 Sec. 3. Minnesota Statutes 2018, section 3.886, subdivision 6, is amended to read:

20.8 Subd. 6. **Expiration.** This section expires July 1, ~~2019~~ 2025.

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

20.10 Sec. 4. Minnesota Statutes 2018, section 3.97, subdivision 3a, is amended to read:

24.2 Subd. 3a. **Evaluation topics.** ~~(a)~~ The commission shall periodically select topics for the  
 24.3 legislative auditor to evaluate. Topics may include any agency, program, or activity  
 24.4 established by law to achieve a state purpose, or any topic that affects the operation of state  
 24.5 government, ~~but~~. The commission shall give primary consideration to topics that are likely,  
 24.6 upon examination, to produce recommendations for cost savings, increased productivity,  
 24.7 or the elimination of duplication among public agencies. The commission shall also give  
 24.8 consideration to programs and statutory provisions that authorize grants, tax incentives, and  
 24.9 other inducements for economic development. Legislators and legislative committees may  
 24.10 suggest topics for evaluation, but the legislative auditor shall only conduct evaluations  
 24.11 approved by the commission.

24.12 ~~(b) The commission is requested to direct the auditor, in response to a suggestion from~~  
 24.13 ~~an individual legislator of an evaluation topic, to estimate the scope of the proposed~~  
 24.14 ~~evaluation and the time required to complete it. The estimate must be reported to the legislator~~  
 24.15 ~~who submitted the suggestion and to the commission. The commission must determine~~  
 24.16 ~~within 60 days of receiving the estimate whether to proceed with the suggested evaluation~~  
 24.17 ~~and must convey its decision to the legislator along with the reasons for its decision.~~

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

24.19 Sec. 5. Minnesota Statutes 2018, section 3.971, subdivision 9, is amended to read:

24.20 Subd. 9. **Obligation to notify the legislative auditor.** The chief executive, financial,  
 24.21 or information officers of an organization subject to audit under this section must promptly  
 24.22 notify the legislative auditor when the officer obtains information indicating that public  
 24.23 money or other public resources may have been used for an unlawful purpose, or when the  
 24.24 officer obtains information indicating that government data classified by chapter 13 as not  
 24.25 public may have been accessed ~~or used unlawfully~~ by or provided to a person without lawful  
 24.26 authorization. As necessary, the legislative auditor shall coordinate an investigation of the  
 24.27 allegation with appropriate law enforcement officials.

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

20.11 Subd. 3a. **Evaluation topics.** ~~(a)~~ The commission shall periodically select topics for the  
 20.12 legislative auditor to evaluate. Topics may include any agency, program, or activity  
 20.13 established by law to achieve a state purpose, or any topic that affects the operation of state  
 20.14 government, ~~but~~. The commission shall give primary consideration to topics that are likely,  
 20.15 upon examination, to produce recommendations for cost savings, increased productivity,  
 20.16 or the elimination of duplication among public agencies. The commission shall also give  
 20.17 consideration to programs and statutory provisions that authorize grants, tax incentives, and  
 20.18 other inducements for economic development. Legislators and legislative committees may  
 20.19 suggest topics for evaluation, but the legislative auditor shall only conduct evaluations  
 20.20 approved by the commission.

20.21 ~~(b) The commission is requested to direct the auditor, in response to a suggestion from~~  
 20.22 ~~an individual legislator of an evaluation topic, to estimate the scope of the proposed~~  
 20.23 ~~evaluation and the time required to complete it. The estimate must be reported to the legislator~~  
 20.24 ~~who submitted the suggestion and to the commission. The commission must determine~~  
 20.25 ~~within 60 days of receiving the estimate whether to proceed with the suggested evaluation~~  
 20.26 ~~and must convey its decision to the legislator along with the reasons for its decision.~~

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

20.28 Sec. 5. Minnesota Statutes 2018, section 3.971, subdivision 9, is amended to read:

20.29 Subd. 9. **Obligation to notify the legislative auditor.** The chief executive, financial,  
 20.30 or information officers of an organization subject to audit under this section must promptly  
 21.1 notify the legislative auditor when the officer obtains information indicating that public  
 21.2 money or other public resources may have been used for an unlawful purpose, or when the  
 21.3 officer obtains information indicating that government data classified by chapter 13 as not  
 21.4 public may have been accessed ~~or used unlawfully~~ by or provided to a person without lawful  
 21.5 authorization. As necessary, the legislative auditor shall coordinate an investigation of the  
 21.6 allegation with appropriate law enforcement officials.

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

21.8 Sec. 6. Minnesota Statutes 2018, section 3.972, subdivision 2a, is amended to read:

21.9 Subd. 2a. **Audits of Department of Human Services.** ~~(a)~~ To ensure continuous  
 21.10 legislative oversight and accountability, the legislative auditor shall give high priority to  
 21.11 auditing the programs, services, and benefits administered by the Department of Human  
 21.12 Services. ~~The audits shall determine whether the department offered programs and provided~~  
 21.13 ~~services and benefits only to eligible persons and organizations, and complied with applicable~~  
 21.14 ~~legal requirements.~~

21.15 ~~(b) The legislative auditor shall, based on an assessment of risk and using professional~~  
 21.16 ~~standards to provide a statistically significant sample, no less than three times each year,~~  
 21.17 ~~test a representative sample of persons enrolled in a medical assistance program or~~  
 21.18 ~~MinnesotaCare to determine whether they are eligible to receive benefits under those~~  
 21.19 ~~programs. The legislative auditor shall report the results to the commissioner of human~~

21.20 services and recommend corrective actions. The commissioner shall provide a response to  
 21.21 the legislative auditor within 20 business days, including corrective actions to be taken to  
 21.22 address any problems identified by the legislative auditor and anticipated completion dates.  
 21.23 The legislative auditor shall monitor the commissioner's implementation of corrective actions  
 21.24 and periodically report the results to the Legislative Audit Commission and the chairs and  
 21.25 ranking minority members of the legislative committees with jurisdiction over health and  
 21.26 human services policy and finance. The legislative auditor's reports to the commission and  
 21.27 the chairs and ranking minority members must include recommendations for any legislative  
 21.28 actions needed to ensure that medical assistance and MinnesotaCare benefits are provided  
 21.29 only to eligible persons.

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

22.1 Sec. 7. Minnesota Statutes 2018, section 4.60, is amended to read:

22.2 4.60 POET LAUREATE.

22.3 (a) The position of poet laureate of the state of Minnesota is established. The ~~Minnesota~~  
 22.4 ~~Humanities Center~~ entity designated by the Library of Congress as the Minnesota Center  
 22.5 for the Book must solicit nominations for the poet laureate appointment and must make  
 22.6 recommendations to the governor. After receiving these recommendations ~~from the~~  
 22.7 ~~Minnesota Humanities Center~~, the governor shall appoint a state poet laureate and conduct  
 22.8 appropriate ceremonies to honor the person appointed. The person appointed as poet laureate  
 22.9 continues to serve in this position until the governor appoints another person.

22.10 (b) State agencies and officers are encouraged to use the services of the poet laureate  
 22.11 for appropriate ceremonies and celebrations.

22.12 Sec. 8. [5.42] DISPLAY OF BUSINESS ADDRESS ON WEBSITE.

22.13 (a) A business entity may request in writing that all addresses submitted by the business  
 22.14 entity to the secretary of state be omitted from display on the secretary of state's website.  
 22.15 A business entity may only request that all addresses be omitted from display if the entity  
 22.16 certifies that:

22.17 (1) there is only one shareholder, member, manager, or owner of the business entity;

22.18 (2) the shareholder, manager, member, or owner is a natural person; and

22.19 (3) at least one of the addresses provided is the residential address of the sole shareholder,  
 22.20 manager, member, or owner.

22.21 The secretary of state shall post a notice that this option is available and a link to the form  
 22.22 needed to make a request on the secretary's website. The secretary of state shall also attach  
 22.23 a copy of the request form to all business filing forms provided in a paper format that require  
 22.24 a business entity to submit an address.

24.29 Sec. 6. [5.50] EXECUTIVE ORDER LIST SERVE.

24.30 The secretary of state shall maintain a list of e-mail addresses of people who have  
 24.31 requested to be notified when an executive order is filed with the secretary of state. The  
 25.1 secretary of state shall notify people on the list by e-mail within seven days of the filing of  
 25.2 an executive order.

25.3 Sec. 7. Minnesota Statutes 2018, section 6.481, subdivision 1, is amended to read:

25.4 Subdivision 1. **Powers and duties.** (a) All the powers and duties conferred and imposed  
 25.5 upon the state auditor shall be exercised and performed by the state auditor in respect to the  
 25.6 offices, institutions, public property, and improvements of several counties of the state. The  
 25.7 state auditor may visit, without previous notice, each county and examine all accounts and  
 25.8 records relating to the receipt and disbursement of the public funds and the custody of the  
 25.9 public funds and other property. The state auditor shall prescribe and install systems of  
 25.10 accounts and financial reports that shall be uniform, so far as practicable, for the same class  
 25.11 of offices.

25.12 (b) As used in this section, "county" includes a special district consisting exclusively of  
 25.13 counties operating under a joint powers agreement under section 471.59.

25.14 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
 25.15 applies retroactively to audits and examinations covering fiscal year 2018 and thereafter.

25.16 Sec. 8. Minnesota Statutes 2018, section 6.481, subdivision 3, is amended to read:

25.17 Subd. 3. **CPA firm audit.** (a) A county audit performed by a CPA firm must meet the  
 25.18 standards and be in a form meeting recognized industry auditing standards. The state auditor  
 25.19 may require additional information from the CPA firm if the state auditor determines that  
 25.20 is in the public interest, but the state auditor must accept the audit unless the state auditor  
 25.21 determines the audit or its form does not meet recognized industry auditing standards. The  
 25.22 state auditor may make additional examinations as the auditor determines to be in the public  
 25.23 interest.

25.24 (b) When the state auditor requires additional information from the CPA firm or makes  
 25.25 additional examinations that the state auditor determines to be in the public interest, the  
 25.26 state auditor must afford counties and CPA firms an opportunity to respond to potential  
 25.27 findings, conclusions, or questions as follows:

25.28 (1) at least 30 days before beginning a review for work performed by a certified public  
 25.29 accountant firm licensed in chapter 326A, the state auditor must notify the county and CPA

22.25 (b) This section does not change the classification of data under chapter 13 and addresses  
 22.26 shall be made available to the public in response to requests made by telephone, mail, e-mail,  
 22.27 and facsimile transmission.

22.28 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to business  
 22.29 entity filings filed with the secretary of state on or after that date.

- 25.30 firm that the state auditor will be conducting a review and must identify the type or scope  
 25.31 of review the state auditor will perform;
- 26.1 (2) throughout the state auditor's review, the auditor shall allow the county and the CPA  
 26.2 firm at least 30 days to respond to any request by the auditor for documents or other  
 26.3 information;
- 26.4 (3) at least 30 days before issuing a final report, the state auditor must provide the CPA  
 26.5 firm with a draft report of the state auditor's findings;
- 26.6 (4) at least 20 days before issuing a final report, the state auditor must hold a formal exit  
 26.7 conference with the CPA firm to discuss the findings in the state auditor's draft report;
- 26.8 (5) the state auditor shall make changes to the draft report if the state auditor determines  
 26.9 changes are warranted as a result of information provided by the CPA firm during the state  
 26.10 auditor's review; and
- 26.11 (6) the state auditor's final report must include any written responses provided by the  
 26.12 CPA firm.
- 26.13 Sec. 9. [10.584] MATERNAL MENTAL HEALTH AWARENESS MONTH.
- 26.14 The month of May is designated as Maternal Mental Health Awareness Month in  
 26.15 recognition of the state's desire to recognize the prevalence of pregnancy and postpartum  
 26.16 mental health issues and educate the people of the state about identifying symptoms and  
 26.17 seeking treatment options. Up to one-third of mothers report having symptoms of pregnancy  
 26.18 and postpartum mood and anxiety disorders each year. Many more cases go unreported due  
 26.19 to misunderstanding. Pregnancy and postpartum mood disorders are widespread but treatable  
 26.20 illnesses. Left untreated, pregnancy and postpartum mood and anxiety disorders can lead  
 26.21 to negative effects on birth outcomes, infant development, and the well-being of mothers  
 26.22 and families. The state declares that in order to educate the public, the governor may promote  
 26.23 and encourage the observance of Maternal Mental Health Awareness Month.
- 26.24 Sec. 10. Minnesota Statutes 2018, section 13.599, is amended by adding a subdivision to  
 26.25 read:
- 26.26 Subd. 5. **State Arts Board.** Notwithstanding subdivision 3, responses submitted by a  
 26.27 grantee to the State Arts Board or to a regional arts council under chapter 129D become  
 26.28 public data at the public review meeting at which they are considered, except for trade secret  
 26.29 data as defined and classified in section 13.37.
- 27.1 Sec. 11. [14.1275] RULES IMPACTING RESIDENTIAL CONSTRUCTION OR  
 27.2 REMODELING; LEGISLATIVE NOTICE AND REVIEW.

## UES0802-1

- 253.5 Sec. 2. Minnesota Statutes 2018, section 13.599, is amended by adding a subdivision to  
 253.6 read:
- 253.7 Subd. 5. **State Arts Board.** Notwithstanding subdivision 3, responses submitted by a  
 253.8 grantee to the State Arts Board or to a regional arts council under chapter 129D become  
 253.9 public data at the public review meeting at which they are considered, except for trade secret  
 253.10 data as defined and classified in section 13.37.

27.3 Subdivision 1. **Definition.** As used in this section, "residential construction" means the  
 27.4 new construction or remodeling of any building subject to the Minnesota Residential Code.

27.5 Subd. 2. **Impact on housing cost; agency determination.** An agency must determine  
 27.6 if implementation of a proposed rule, or any portion of a proposed rule, will, on average,  
 27.7 increase the cost of residential construction or remodeling by \$1,000 or more per unit. The  
 27.8 agency must make this determination before the close of the hearing record. Upon request  
 27.9 of a party affected by the proposed rule, an administrative law judge must review and  
 27.10 approve or disapprove an agency's determination that any portion of a proposed rule will  
 27.11 increase the cost of a dwelling unit by \$1,000 or more.

27.12 Subd. 3. **Notice to legislature; legislative approval.** (a) If the agency determines that  
 27.13 the impact of a proposed rule meets or exceeds the cost threshold provided in subdivision  
 27.14 2, or if the administrative law judge separately confirms the cost of any portion of a rule  
 27.15 exceeds the cost threshold provided in subdivision 2, the agency must notify, in writing,  
 27.16 the chairs and ranking minority members of the policy committees of the house of  
 27.17 representatives and the senate with jurisdiction over the subject matter of the proposed rule  
 27.18 within ten days of the determination.

27.19 (b) If a committee of either the house of representatives or senate with jurisdiction over  
 27.20 the subject matter of the proposed rule or a portion of a rule that meets or exceeds the  
 27.21 threshold in subdivision 2 votes to advise an agency that the rule should not be adopted as  
 27.22 proposed, the agency may not adopt the rule unless the rule is approved by a law enacted  
 27.23 after the vote of the committee. Section 14.126, subdivision 2, applies to a vote of a  
 27.24 committee under this subdivision.

27.25 Subd. 4. **Severability.** If the agency or an administrative law judge determines that part  
 27.26 of a proposed rule meets or exceeds the threshold provided in subdivision 2, but that a  
 27.27 severable portion of the proposed rule does not meet or exceed that threshold, the agency  
 27.28 may proceed to adopt the severable portions of the proposed rule regardless of whether a  
 27.29 legislative committee has voted under subdivision 3 to advise an agency that the rule should  
 27.30 not be adopted as proposed.

27.31 **EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to  
 27.32 administrative rules proposed on or after that date.

28.1 Sec. 12. Minnesota Statutes 2018, section 15A.083, subdivision 6a, is amended to read:

28.2 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative  
 28.3 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the  
 28.4 assistant chief administrative law judge and administrative law judge supervisors are ~~93.60~~  
 28.5 100 percent of the salary of a chief district court judge. The salary of an administrative law  
 28.6 judge employed by the Office of Administrative Hearings is 98.52 percent of the salary of  
 28.7 a district court judge as set under section 15A.082, subdivision 3.

## UES2227-1

23.1 Sec. 9. Minnesota Statutes 2018, section 15A.083, subdivision 6a, is amended to read:

23.2 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative  
 23.3 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the  
 23.4 assistant chief administrative law judge and administrative law judge supervisors are ~~93.60~~  
 23.5 100 percent of the salary of a chief district court judge. The salary of an administrative law  
 23.6 judge employed by the Office of Administrative Hearings is 98.52 percent of the salary of  
 23.7 a district court judge as set under section 15A.082, subdivision 3.

28.8 EFFECTIVE DATE. This section is effective July 1, 2019.

28.9 Sec. 13. Minnesota Statutes 2018, section 16A.103, subdivision 1a, is amended to read:

28.10 Subd. 1a. **Forecast parameters.** (a) Except as provided in paragraph (b), the forecast  
 28.11 must assume the continuation of current laws and reasonable estimates of projected growth  
 28.12 in the national and state economies and affected populations. Revenue must be estimated  
 28.13 for all sources provided for in current law. Expenditures must be estimated for all obligations  
 28.14 imposed by law and those projected to occur as a result of variables outside the control of  
 28.15 the legislature. Expenditure estimates must not include an allowance for inflation.

28.16 (b) Notwithstanding paragraph (a) and any appropriations established in law, all  
 28.17 expenditures for a department, institution, or agency of the executive branch estimated for  
 28.18 the November forecast must be zero if the scheduled year under section 16A.111, subdivision  
 28.19 3, for the department, institution, or agency coincides with the calendar year of the November  
 28.20 forecast. The forecasted expenditures in the February forecast must be zero for a department,  
 28.21 institution, or agency of the executive branch if they were zero in the preceding November  
 28.22 forecast as a result of the requirements of this paragraph. The commissioner shall not apply  
 28.23 this paragraph to forecasted expenditures for the current biennium, but shall apply the  
 28.24 requirements of this paragraph to the forecasted expenditures for the next two biennia.

28.25 Sec. 14. Minnesota Statutes 2018, section 16A.11, subdivision 3, is amended to read:

28.26 Subd. 3. **Part two: detailed budget.** (a) Part two of the budget, the detailed budget  
 28.27 estimates both of expenditures and revenues, must contain any statements on the financial  
 28.28 plan which the governor believes desirable or which may be required by the legislature.  
 28.29 The detailed estimates shall include the governor's budget arranged in tabular form.

28.30 (b) Tables listing expenditures for the next biennium must show the appropriation base  
 28.31 for each year. The appropriation base is the amount appropriated for the second year of the  
 28.32 current biennium. The tables must separately show any adjustments to the base required by  
 29.1 current law or policies of the commissioner of management and budget. For forecasted  
 29.2 programs, the tables must also show the amount of the forecast adjustments, based on the  
 29.3 most recent forecast prepared by the commissioner of management and budget under section  
 29.4 16A.103. For all programs, the tables must show the amount of appropriation changes

23.8 EFFECTIVE DATE. This section is effective July 1, 2019.

23.9 Sec. 10. Minnesota Statutes 2018, section 16A.013, is amended by adding a subdivision  
 23.10 to read:

23.11 Subd. 1a. **Opportunity to make gifts via website.** The commissioner of management  
 23.12 and budget must maintain a secure website which permits any person to make a gift of  
 23.13 money electronically for any purpose authorized by subdivision 1. Gifts made using the  
 23.14 website are subject to all other requirements of this section, sections 16A.014 to 16A.016,  
 23.15 and any other applicable law governing the receipt of gifts by the state and the purposes for  
 23.16 which a gift may be used. The website must include historical data on the total amount of  
 23.17 gifts received using the site, itemized by month.

29.5 recommended by the governor, after adjustments to the base and forecast adjustments, and  
29.6 the total recommendation of the governor for that year.

29.7 (c) The detailed estimates must include a separate line listing the total cost of professional  
29.8 and technical service contracts for the prior biennium and the projected costs of those  
29.9 contracts for the current and upcoming biennium. They must also include a summary of the  
29.10 personnel employed by the agency, reflected as full-time equivalent positions.

29.11 (d) The detailed estimates for internal service funds must include the number of full-time  
29.12 equivalents by program; detail on any loans from the general fund, including dollar amounts  
29.13 by program; proposed investments in technology or equipment of \$100,000 or more; an  
29.14 explanation of any operating losses or increases in retained earnings; and a history of the  
29.15 rates that have been charged, with an explanation of any rate changes and the impact of the  
29.16 rate changes on affected agencies.

29.17 (e) Notwithstanding paragraph (b) and any appropriation established in law, for any  
29.18 department, institution, or agency in the executive branch that is in a scheduled year under  
29.19 section 16A.111, subdivision 3, in the year prior to the year in which part two of the budget  
29.20 must be submitted, the appropriation base for any appropriation made to that department,  
29.21 institution, or agency for the next two biennia must be zero. The commissioner must display  
29.22 the appropriation base established under this paragraph in the tables and narrative of part  
29.23 two of the budget.

29.24 Sec. 15. [16A.111] ZERO-BASED BUDGETING.

29.25 Subdivision 1. **Zero-based budget.** (a) By October 15, each department, institution,  
29.26 and agency of the executive branch within a scheduled year must submit to the commissioner  
29.27 a proposed detailed operating budget for the biennium beginning July 1 of the following  
29.28 year using zero-based budgeting, including a zero-based budget plan. The commissioner  
29.29 of management and budget shall provide technical assistance to enable each department,  
29.30 institution, or agency to complete its proposed detailed operating budget as specified by the  
29.31 commissioner of management and budget.

29.32 (b) The commissioner of management and budget shall adopt policies and procedures  
29.33 for each department, institution, and agency to implement the provisions of this section.

30.1 (c) As used in this section, "zero-based budgeting" means a method of determining the  
30.2 budget of a department, institution, or agency for which the budget of the department,  
30.3 institution, or agency:

30.4 (1) is deemed to be zero in the November forecast, the February forecast, and the  
30.5 governor's budget recommendations that precede the establishment of a biennial budget;  
30.6 and

30.7 (2) has justified each proposed expenditure for the biennium covered by the budget as  
30.8 if it were a new expenditure.

30.9 (d) Each department, institution, and agency of the executive branch that is required to  
30.10 prepare a detailed operating budget and a zero-based budget plan under this subdivision  
30.11 must submit the detailed operating budget and zero-based budget plan to the legislature.  
30.12 This information must be submitted to the legislature at the same time that part two of the  
30.13 governor's budget is required to be submitted under section 16A.11, subdivision 3.

30.14 Subd. 2. **Zero-based budget plan.** A zero-based budget plan includes the following  
30.15 information:

30.16 (1) a description of activities that comprise the agency, and a justification for the existence  
30.17 of each activity by reference to statute or other legal authority;

30.18 (2) for each activity, a quantitative estimate of any adverse impacts that could reasonably  
30.19 be expected should the activity be discontinued, together with a full description of the  
30.20 methods by which the adverse impact is estimated;

30.21 (3) a list of quantifiable program outcomes that measure the efficiency and effectiveness  
30.22 of each program;

30.23 (4) for each activity, an itemized account of expenditures that would be required to  
30.24 maintain the activity at the minimum level of service required by statutory authority, together  
30.25 with a concise statement of the quantity and quality of services required at that minimum  
30.26 level;

30.27 (5) for each activity, an itemized account of expenditures required to maintain the quantity  
30.28 and quality of services being provided and the number of personnel required to accomplish  
30.29 each program; and

30.30 (6) a ranking of all activities that shows the relative contribution of each activity to the  
30.31 overall goals and purposes of the agency at current service levels.

31.1 Subd. 3. **Scheduled year.** (a) The scheduled year is 2020 and every ten years thereafter  
31.2 for the following agencies: Department of Administration, Department of Agriculture,  
31.3 Department of Commerce, Department of Corrections, Department of Education, Department  
31.4 of Human Rights, Department of Human Services, Department of Military Affairs,  
31.5 Department of Natural Resources, Department of Transportation, Minnesota Racing  
31.6 Commission, Office of Higher Education, and all advisory groups associated with these  
31.7 agencies.

31.8 (b) The scheduled year is 2022 and every ten years thereafter for the following agencies:  
31.9 Council for Minnesotans of African Heritage, Department of Employment and Economic  
31.10 Development, Department of Health, Department of Management and Budget, Department  
31.11 of Public Safety, Gambling Control Board, Metropolitan Council, Minnesota Council on  
31.12 Latino Affairs, Pollution Control Agency, Science Museum, the Minnesota State Academies,  
31.13 University of Minnesota, and all advisory groups associated with these agencies.

31.14 (c) The scheduled year is 2024 and every ten years thereafter for the following agencies:  
31.15 Agriculture Utilization Research Institute, all health-related boards listed in section 214.01,

31.16 Council on Asian-Pacific Minnesotans, Department of Labor and Industry, Department of  
 31.17 Revenue, Explore Minnesota Tourism, Minnesota State Colleges and Universities, Minnesota  
 31.18 Indian Affairs Council, Peace Officer Standards and Training Board, Professional Educator  
 31.19 Licensing and Standards Board, the Minnesota Historical Society, the Perpich Center for  
 31.20 Arts Education, and all advisory groups associated with these agencies.

31.21 (d) The scheduled year is 2026 and every ten years thereafter for the following agencies:  
 31.22 all non-health-related boards listed in section 214.01 except as otherwise provided in this  
 31.23 section, Arts Board, Board of Animal Health, Board of School Administrators, Board of  
 31.24 Soil and Water Resources, Department of Veterans Affairs, Emergency Medical Services  
 31.25 Regulatory Board, Mayo Medical School, Office of Administrative Hearings, Public Utilities  
 31.26 Commission, Uniform Laws Commission, Workers' Compensation Board, and all advisory  
 31.27 groups associated with these agencies.

31.28 (e) The scheduled year is 2028 and every ten years thereafter for the following agencies:  
 31.29 Amateur Sports Commission, Capitol Area Architectural and Planning Board, Board of  
 31.30 Teaching, Bureau of Mediation Services, Campaign Finance and Public Disclosure Board,  
 31.31 Destination Medical Center, Higher Education Facilities Authority, Iron Range Resources  
 31.32 and Rehabilitation Board, Minnesota Conservation Corps, Minnesota Zoo, Private Detectives  
 31.33 Board, and all advisory groups associated with these agencies.

31.34 EFFECTIVE DATE. This section is effective July 1, 2019.

23.18 Sec. 11. [16A.1335] EMPLOYEE SALARIES AND BENEFITS IN EVENT OF  
 23.19 STATE GOVERNMENT SHUTDOWN.

23.20 Subdivision 1. **Definition.** As used in this section, "government shutdown" means that,  
 23.21 as of July 1 of an odd-numbered year, legislation appropriating money for the general  
 23.22 operations of:

23.23 (1) an executive agency;

23.24 (2) an office or department of the legislature, including each house of the legislature and  
 23.25 the Legislative Coordinating Commission; or

23.26 (3) a judicial branch agency or department, including a court;

23.27 has not been enacted for the biennium beginning July 1 of that year.

23.28 Subd. 2. **Payment required.** Notwithstanding section 16A.17, subdivision 8, state  
 23.29 employees must be provided payment for lost salary and benefits resulting from their absence  
 23.30 from work during a government shutdown. An employee is eligible for a payment under  
 23.31 this section only upon the employee's return to work.

24.1 Subd. 3. **Appropriation; limitation.** (a) In the event of a government shutdown, the  
 24.2 amount necessary to pay the salary and benefits of employees of any impacted agency,

24.3 office, or department is appropriated beginning on that July 1 to that agency, office, or  
 24.4 department. The appropriation is made from the fund or funds from which an appropriation  
 24.5 was made in the previous fiscal year for salary and benefits paid to each affected employee.

24.6 (b) Amounts appropriated under this subdivision may not exceed the amount or amounts  
 24.7 appropriated for general operations of the affected agency, office, or department in the  
 24.8 previous fiscal year.

24.9 **Subd. 4. Certification of amount for employees in the legislative and judicial**  
 24.10 **branches.** By June 25 of an odd-numbered year, if a government shutdown appears  
 24.11 imminent, the chief clerk of the house of representatives, the secretary of the senate, and  
 24.12 the chief clerk of the supreme court must each certify to the commissioner of management  
 24.13 and budget the amount needed for salaries and benefits for each fiscal year of the next  
 24.14 biennium, and the commissioner of management and budget shall make the certified amount  
 24.15 available on July 1 of that year, or on another schedule that permits payment of all salary  
 24.16 and benefit obligations required by this section in a timely manner.

24.17 **Subd. 5. Subsequent appropriations.** A subsequent appropriation to the agency, office,  
 24.18 or department for regular operations for a biennium in which this section has been applied  
 24.19 may only supersede and replace the appropriation provided by subdivision 3 by express  
 24.20 reference to this section.

24.21 Sec. 12. Minnesota Statutes 2018, section 16A.90, is amended to read:  
 24.22 16A.90 EMPLOYEE GAINSHARING SYSTEM.

24.23 Subdivision 1. **Commissioner must establish program.** (a) The commissioner shall  
 24.24 establish a program to provide onetime bonus compensation to state employees for ~~efforts~~  
 24.25 ~~made to reduce~~ suggestions that are implemented and result in a reduction of the costs of  
 24.26 operating state government ~~or for ways of providing better or more efficient state services.~~  
 24.27 The commissioner may authorize an executive branch appointing authority to make a onetime  
 24.28 award to an employee or group of employees whose suggestion ~~or involvement in a project~~  
 24.29 is determined by the commissioner to have resulted in documented cost-savings to the state.  
 24.30 Before authorizing awards under this section, the commissioner shall establish guidelines  
 24.31 for the program including but not limited to:

25.1 (1) the maximum award is ten percent of the documented savings ~~in the first fiscal year~~  
 25.2 within the first year after implementation of the employee suggestion in which the savings  
 25.3 are realized up to \$50,000;

25.4 ~~(2) the award must be paid from the appropriation to which the savings accrued; and~~

25.5 ~~(2) employees whose primary job responsibility is to identify cost savings or ways~~  
 25.6 of providing better or more efficient state services are generally not eligible for bonus  
 25.7 compensation under this section except in extraordinary circumstances as defined by the  
 25.8 commissioner; and

25.9 (3) employees are eligible for awards under this section notwithstanding chapter 179A.

25.10 (b) The program required by this section must be in addition to any existing monetary  
 25.11 or nonmonetary performance-based recognition programs for state employees, including  
 25.12 achievement awards, continuous improvement awards, and general employee recognitions.

25.13 Subd. 2. **Biannual Legislative report.** No later than ~~August 1, 2017, and biannually,~~  
 25.14 July 1, 2020, and annually thereafter, the commissioner must report to the chairs and ranking  
 25.15 minority members of the house of representatives and senate committees with jurisdiction  
 25.16 over Minnesota Management and Budget on ~~the status of the program required by this~~  
 25.17 ~~section. The report must detail:~~

25.18 (1) the specific program guidelines established by the commissioner as required by  
 25.19 subdivision 1, if the guidelines have not been described in a previous report;

25.20 (2) any proposed modifications to the established guidelines under consideration by the  
 25.21 commissioner, including the reason for the proposed modifications; and

25.22 ~~(3) the methods used by the commissioner to promote the program to state employees;~~  
 25.23 ~~if the methods have not been described in a previous report;~~

25.24 (4) a summary of the results of the program that includes the following, categorized by  
 25.25 agency:

25.26 (i) ~~the number of state employees whose suggestions or involvement in a project were~~  
 25.27 ~~considered for possible bonus compensation, and a description of each suggestion or project~~  
 25.28 ~~that was considered;~~

25.29 (ii) ~~the total amount of bonus compensation actually awarded, itemized by each suggestion~~  
 25.30 ~~or project that resulted in an award and the amount awarded for that suggestion or project;~~  
 25.31 ~~and~~

26.1 (iii) ~~the total amount of documented cost savings that accrued to the agency as a result~~  
 26.2 ~~of each suggestion or project for which bonus compensation was granted; and~~

26.3 ~~(5)~~ (3) any recommendations for legislation that, in the judgment of the commissioner,  
 26.4 would improve the effectiveness of the bonus compensation program established by this  
 26.5 section or which would otherwise increase opportunities for state employees to actively  
 26.6 participate in the development and implementation of strategies for reducing the costs of  
 26.7 operating state government or for providing better or more efficient state services.

26.8 Subd. 3. **Pilot program.** To the extent that appropriations are not available to fully  
 26.9 implement the program required by subdivision 1, the commissioner must use available  
 26.10 resources to implement a pilot program that meets the requirements of subdivision 1 within  
 26.11 a single agency designated by the commissioner. If established, details on the pilot program  
 26.12 must be included in the legislative report required under subdivision 2.

26.13 Sec. 13. [16B.276] CAPITOL FLAG PROGRAM.

- 26.14 Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given  
26.15 them.
- 26.16 (b) "Active service" has the meaning given in section 190.05, subdivision 5.
- 26.17 (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,  
26.18 or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has  
26.19 died while serving honorably in active service in the United States armed forces. For purposes  
26.20 of this section, an eligibility relationship may be established by birth or adoption.
- 26.21 (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision  
26.22 3.
- 26.23 (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.
- 26.24 Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the  
26.25 program is to make a Minnesota state flag and an American flag that was flown over the  
26.26 Minnesota State Capitol available to the family members of a public safety officer killed  
26.27 in the line of duty or a member of the United States armed forces who died while in active  
26.28 service. In addition to appropriations provided by law, the commissioner of management  
26.29 and budget may receive gifts to support the program as authorized in sections 16A.013 to  
26.30 16A.016. The program established by this section is required only to the extent that sufficient  
26.31 funds are available through appropriations or gifts to support its operations.
- 27.1 Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made  
27.2 by a legislator or state constitutional officer on behalf of an eligible family member, after  
27.3 verification of the family member's eligibility under the procedures adopted under subdivision  
27.4 4. The request must be made to the commissioner of administration, and must indicate the  
27.5 type of flag requested, a certification that the family member's eligibility has been verified,  
27.6 special requests for the date the flag is flown over the Capitol, and the method of presentment.  
27.7 The commissioner may adopt a form to be used for this purpose. With at least 30 days'  
27.8 notice, the commissioner must honor a request that a flag be flown on a specific  
27.9 commemorative date.
- 27.10 (b) Upon receipt of a request, the commissioner must present a flag to the eligible family  
27.11 member, or to the requesting legislator or constitutional officer for coordination of a later  
27.12 presentment ceremony. If relevant information is made available, the commissioner shall  
27.13 provide a certificate memorializing the details of the occasion and the date the flag was  
27.14 flown with each flag presented.
- 27.15 Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each  
27.16 constitutional officer must adopt procedures for the administration of flag requests received  
27.17 from eligible family members, including a procedure for verification of a family member's  
27.18 eligibility to receive a flag.
- 27.19 Subd. 5. **No fee for first flag.** The family of a public safety officer killed in the line of  
27.20 duty or service member of the United States armed forces who died in active service is

27.21 entitled to receive one United States flag and one Minnesota state flag free of charge under  
27.22 this section. If multiple flags of the same type are requested to be flown in honor of the  
27.23 same decedent, the commissioner may charge a reasonable fee that does not exceed the  
27.24 actual cost of flying each flag and preparing a certificate memorializing the occasion.

27.25 **EFFECTIVE DATE.** This section is effective July 1, 2020.

27.26 Sec. 14. Minnesota Statutes 2018, section 16B.32, subdivision 1a, is amended to read:

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

28.7 Sec. 15. Minnesota Statutes 2018, section 16B.323, subdivision 2, is amended to read:

28.8 Subd. 2. **Solar energy system.** (a) As provided in paragraphs ~~(b) and (c)~~ (b), (c), and  
28.9 (d), a project for the construction or major renovation of a state building, after the completion  
28.10 of a cost-benefit analysis, may include installation of solar energy systems of up to 300  
28.11 kilowatts capacity on, adjacent, or in proximity to the state building on state-owned buildings  
28.12 and land.

28.13 (b) ~~The capacity of a solar energy system must be less than 300 kilowatts to the extent~~  
28.14 ~~necessary to match the electrical load of the building, or the capacity must be no more than~~  
28.15 ~~necessary to keep the costs for the installation below the five percent maximum set by~~  
28.16 ~~paragraph (c).~~ The total aggregate nameplate capacity of all distributed generation serving  
28.17 the building, including any subscriptions to a community solar garden under section  
28.18 216B.1641, may not exceed 100 percent of the average annual electric energy consumption  
28.19 of the building or buildings if served by a common billing meter and located on a contiguous  
28.20 piece of property owned by the same customer, excepting right-of-way.

28.21 (c) The cost of the solar energy system must not exceed five percent of the appropriations  
28.22 from the bond proceeds fund for the construction or renovation of the state building. Purchase  
28.23 and installation of a solar thermal system may account for no more than 25 percent of the  
28.24 cost of a solar energy system installation.

- 28.25 (d) The solar energy system must be located either (1) on a state building; or (2) adjacent  
 28.26 to a state building, but only if any land situated between the building and the site where the  
 28.27 solar energy system is installed is owned by the state, excepting right-of-way.
- 28.28 ~~(d)~~ (e) A project subject to this section is ineligible to receive a rebate for the installation  
 28.29 of a solar energy system under section 116C.7791 or from any utility.
- 28.30 Sec. 16. [16B.372] OFFICE OF ENTERPRISE SUSTAINABILITY.
- 28.31 Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is  
 28.32 established under the jurisdiction of the commissioner to assist all state agencies in making  
 29.1 measurable progress toward improving the sustainability of government operations by  
 29.2 reducing the impact on the environment, controlling unnecessary waste of natural resources  
 29.3 and public funds, and spurring innovation. The office shall create new tools and share best  
 29.4 practices, assist state agencies to plan for and implement improvements, and monitor progress  
 29.5 toward achieving intended outcomes. Specific duties include but are not limited to:
- 29.6 (1) managing a sustainability metrics and reporting system, including a public dashboard  
 29.7 that allows Minnesotans to track progress;
- 29.8 (2) assisting agencies in developing and executing sustainability plans; and
- 29.9 (3) publishing an annual report.
- 29.10 Subd. 2. **Local governments.** The Office of Enterprise Sustainability shall make  
 29.11 reasonable attempts to share tools and best practices with local governments.
- 29.12 Sec. 17. [16B.90] WEBSITE ACCESSIBILITY GRANTS; ADVISORY COUNCIL.
- 29.13 Subdivision 1. **Grant program established.** A website accessibility grant program is  
 29.14 established. Within available appropriations, grants must be awarded by the commissioner  
 29.15 to local governments to improve the accessibility of local government websites for persons  
 29.16 with disabilities.
- 29.17 Subd. 2. **Website Accessibility Grant Advisory Council.** (a) A Website Accessibility  
 29.18 Grant Advisory Council is established. The purpose of the advisory council is to assist the  
 29.19 commissioner in awarding grants under subdivision 1. The advisory council consists of the  
 29.20 following members:
- 29.21 (1) one representative of the League of Minnesota Cities, appointed by the league;
- 29.22 (2) one representative of the Association of Minnesota Counties, appointed by the  
 29.23 association;
- 29.24 (3) one representative of the Minnesota Council on Disability, appointed by the council;
- 29.25 (4) one member of the public who is a self-advocate, appointed by the governor; and
- 29.26 (5) the state chief information officer, or a designee.

- 29.27 (b) The terms, compensation, and removal of members is governed by section 15.059.  
 29.28 The council must elect a chair from among its members.
- 29.29 (c) The advisory council is subject to chapter 13D. The council must meet at the request  
 29.30 of the commissioner or the chair, but no fewer than two times per year to fulfill its duties.  
 30.1 The commissioner must provide meeting space and other administrative assistance to support  
 30.2 the work of the council.
- 30.3 (d) The council must review applications from local governments for grant funding to  
 30.4 support website accessibility projects and to make recommendations to the commissioner  
 30.5 for the award of grants. The commissioner may not award a grant unless it has been reviewed  
 30.6 by the advisory council. Consistent with the policies and procedures established by the  
 30.7 commissioner under sections 16B.97 and 16B.98, the council must establish uniform,  
 30.8 objective criteria to be used in evaluating grant applications. The criteria must include  
 30.9 standards to ensure grant funding is distributed equitably across the state, and that grant  
 30.10 funds are available without regard to a local government's population size.
- 30.11 Subd. 3. **Report to legislature.** No later than January 15, 2020, and annually thereafter,  
 30.12 the commissioner must submit a report to the chairs and ranking minority members of the  
 30.13 legislative committees with jurisdiction over state government finance and local government  
 30.14 detailing the grants awarded under this section, including the number of grant applications  
 30.15 received, the number of grants awarded, the geographic distribution of grant applications  
 30.16 and awards, and the amount of each grant awarded and how it was used.
- 30.17 Sec. 18. [16C.0531] PROHIBITING STATE CONTRACTS WITH STATE  
 30.18 SPONSORS OF TERRORISM AND FOREIGN TERRORIST ORGANIZATIONS.
- 30.19 (a) A state contract for goods or services must require the vendor to certify that the  
 30.20 vendor is not currently engaged in, and agrees for the duration of the contract not to engage  
 30.21 in, business with countries designated as state sponsors of terrorism by the State Department  
 30.22 and groups designated by the United States Secretary of State as foreign terrorist  
 30.23 organizations. This section applies to all state agencies, including the Minnesota State  
 30.24 Colleges and Universities and to contracts entered into by entities in the legislative branch.
- 30.25 (b) The commissioners of the Department of Administration and Minnesota Management  
 30.26 and Budget shall exercise appropriate due diligence in selecting vendors for goods or services  
 30.27 to avert contracting with countries designated as state sponsors of terrorism and groups  
 30.28 designated as foreign terrorist organizations or with vendors who do business with countries  
 30.29 designated as state sponsors of terrorism and groups designated as foreign terrorist  
 30.30 organizations. The commissioners shall implement measures designed to meet the objective  
 30.31 of this section and take the steps necessary to confirm that vendors have satisfied the  
 30.32 requirement of this section.
- 31.1 Sec. 19. Minnesota Statutes 2018, section 16C.055, subdivision 2, is amended to read:
- 31.2 Subd. 2. **Restriction.** An agency may not enter into a contract or otherwise agree with  
 31.3 a nongovernmental entity to receive total nonmonetary consideration valued at more than

- 31.4 \$100,000 annually in exchange for the agency providing nonmonetary consideration, unless  
 31.5 such an agreement is specifically authorized by law. This subdivision does not apply to the  
 31.6 State Lottery, state-owned optical fiber, or private aquaculture businesses involved in state  
 31.7 stocking contracts.
- 31.8 Sec. 20. [16C.067] CONFLICT-FREE MINERALS.
- 31.9 Subdivision 1. **Definitions.** (a) The following terms have the meanings given them.
- 31.10 (b) "Conflict mineral" means a mineral or mineral derivative determined under federal  
 31.11 law to be financing human conflict. Conflict mineral includes columbite-tantalite (coltan),  
 31.12 cassiterite, gold, wolframite, or derivatives of those minerals.
- 31.13 (c) "Noncompliant person" means a person:
- 31.14 (1) who is required to disclose under federal law information relating to conflict minerals  
 31.15 that originated in the Democratic Republic of the Congo or its neighboring countries; and
- 31.16 (2) for whom the disclosure is not filed, is considered under federal law to be an unreliable  
 31.17 determination, or contains false information.
- 31.18 Subd. 2. **Compliance.** By execution of a state contract to provide goods or services, a  
 31.19 vendor attests that it is not a noncompliant person and is in compliance with the required  
 31.20 disclosures under federal law related to conflict minerals.
- 31.21 Subd. 3. **Exemption; commissioner may waive.** (a) This section does not apply to  
 31.22 contracts with a value of less than \$100,000.
- 31.23 (b) The commissioner may waive application of this section in a contract if the  
 31.24 commissioner determines that compliance is not practicable or in the best interest of the  
 31.25 state.
- 31.26 Subd. 4. **Notice.** In any solicitation for supplies or services, a commissioner shall provide  
 31.27 notice of the requirements of this section.
- 31.28 **EFFECTIVE DATE.** This section is effective July 1, 2019, and applies to solicitations  
 31.29 issued on or after that date.
- 32.1 Sec. 21. Minnesota Statutes 2018, section 16C.10, subdivision 2, is amended to read:
- 32.2 Subd. 2. **Emergency acquisition.** The solicitation process described in this chapter and  
 32.3 chapter 16B is not required in emergencies. In emergencies, the commissioner may make  
 32.4 or authorize any purchases necessary for the design, construction, repair, rehabilitation, and  
 32.5 improvement of a ~~state-owned~~ publicly owned structure or may make or authorize ~~an agency~~  
 32.6 ~~to do so and may purchase, or may authorize an agency to purchase, any purchases of goods,~~  
 32.7 services, or utility services directly for immediate use.
- 32.8 Sec. 22. Minnesota Statutes 2018, section 16C.19, is amended to read:  
 32.9 16C.19 ELIGIBILITY; RULES.

- 32.10 (a) A small business wishing to participate in the programs under section 16C.16,  
 32.11 subdivisions 4 to 7, must be certified by the commissioner or, if authorized by the  
 32.12 commissioner, by a nationally recognized certifying organization. The commissioner may  
 32.13 choose to authorize a nationally recognized certifying organization if the certification  
 32.14 requirements are substantially the same as those adopted under the rules authorized in this  
 32.15 section and the business meets the requirements in section 16C.16, subdivision 2.
- 32.16 (b) The commissioner shall adopt by rule standards and procedures for certifying that  
 32.17 small targeted group businesses, small businesses located in economically disadvantaged  
 32.18 areas, and veteran-owned small businesses are eligible to participate under the requirements  
 32.19 of sections 16C.16 to 16C.21. The commissioner shall adopt by rule standards and procedures  
 32.20 for hearing appeals and grievances and other rules necessary to carry out the duties set forth  
 32.21 in sections 16C.16 to 16C.21.
- 32.22 ~~(c)~~ (c) The commissioner may make rules which exclude or limit the participation of  
 32.23 nonmanufacturing business, including third-party lessors, brokers, franchises, jobbers,  
 32.24 manufacturers' representatives, and others from eligibility under sections 16C.16 to 16C.21.
- 32.25 ~~(d)~~ (d) The commissioner may make rules that set time limits and other eligibility limits  
 32.26 on business participation in programs under sections 16C.16 to 16C.21.
- 32.27 ~~(e)~~ (e) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a  
 32.28 veteran-owned small business, the principal place of business of which is in Minnesota, is  
 32.29 certified if:
- 32.30 (1) it has been verified by the United States Department of Veterans Affairs as being  
 32.31 either a veteran-owned small business or a service-disabled veteran-owned small business,  
 32.32 in accordance with Public Law 109-461 and Code of Federal Regulations, title 38, part 74;  
 32.33 or
- 33.1 (2) the veteran-owned small business supplies the commissioner with proof that the  
 33.2 small business is majority-owned and operated by:
- 33.3 (i) a veteran as defined in section 197.447; or
- 33.4 (ii) a veteran with a service-connected disability, as determined at any time by the United  
 33.5 States Department of Veterans Affairs.
- 33.6 ~~(f)~~ (f) Until rules are adopted pursuant to paragraph (a) for the purpose of certifying  
 33.7 veteran-owned small businesses, the provisions of Minnesota Rules, part 1230.1700, may  
 33.8 be read to include veteran-owned small businesses. In addition to the documentation required  
 33.9 in Minnesota Rules, part 1230.1700, the veteran owner must have been discharged under  
 33.10 honorable conditions from active service, as indicated by the veteran owner's most current  
 33.11 United States Department of Defense form DD-214.
- 33.12 ~~(g)~~ (g) Notwithstanding paragraph (a), for purposes of sections 16C.16 to 16C.21, a  
 33.13 minority- or woman-owned small business, the principal place of business of which is in

32.1 Sec. 16. Minnesota Statutes 2018, section 43A.01, is amended by adding a subdivision to  
32.2 read:

32.3 Subd. 4. **Hiring practices.** The commissioner and all appointing authorities must ensure  
32.4 that all hiring for management positions in agencies is done through a fair and open process  
32.5 where all qualified candidates are given full consideration. Under no circumstances may:

32.6 (1) job requirements be altered to fit a particular candidate prior to the posting of a  
32.7 position; or

32.8 (2) internal documents identify a particular candidate as the future holder of a position  
32.9 prior to their official hiring.

32.10 Sec. 17. Minnesota Statutes 2018, section 43A.15, subdivision 14, is amended to read:

32.11 Subd. 14. **On-the-job demonstration process and appointment.** (a) The commissioner  
32.12 shall establish qualifying procedures for applicants ~~whose disabilities are of such a severe~~  
32.13 ~~nature that the applicants are unable to demonstrate their abilities in the selection process~~  
32.14 with significant disabilities as defined in Minnesota Rules, part 3300.5010, subpart 18. The  
32.15 qualifying procedures must consist of up to 700 hours on-the-job trial work experience ~~for~~  
32.16 ~~which the disabled person has the option of being paid or unpaid. Up to three persons with~~  
32.17 ~~severe disabilities and their job coach may be allowed to demonstrate their job competence~~  
32.18 ~~as a unit through the on-the-job trial work experience selection procedure. This on-the-job~~  
32.19 ~~demonstration process must be limited to applicants for whom there is no reasonable~~  
32.20 ~~accommodation in the selection process.~~

33.14 Minnesota, is certified if it has been certified by the Minnesota unified certification program  
33.15 under the provisions of Code of Federal Regulations, title 49, part 26.

33.16 ~~(g)~~ **(h)** The commissioner may adopt rules to implement the programs under section  
33.17 16C.16, subdivisions 4 to 7, using the expedited rulemaking process in section 14.389.

33.18 Sec. 23. Minnesota Statutes 2018, section 16C.251, is amended to read:  
33.19 16C.251 BEST AND FINAL OFFER.

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

35.22 Sec. 28. Minnesota Statutes 2018, section 43A.10, is amended by adding a subdivision to  
35.23 read:

35.24 Subd. 2c. **Managerial positions.** (a) The commissioner, and any applicable appointing  
35.25 authority, must ensure that all hiring for classified positions identified as managerial under  
35.26 section 43A.18, subdivision 3, is conducted through a fair and open process where all  
35.27 candidates who meet the minimum qualifications for the position are considered. For  
35.28 classified management positions filled through a competitive selection process, under no  
35.29 circumstances may:

35.30 (1) the job requirements be altered to fit a particular candidate prior to the posting of a  
35.31 position; or

36.1 (2) internal documents identify a particular candidate as the future holder of a position  
36.2 prior to their official hiring.

36.3 (b) Notice of a vacant position subject to this section must be posted, and applications  
36.4 must be accepted, for a period of no fewer than 21 days before the position is filled. Upon  
36.5 request of an appointing authority, the commissioner may waive the requirements of this  
36.6 paragraph. Notice of a waiver must be published in the State Register no more than 14 days  
36.7 after the waiver is granted. The notice must describe the reason for the waiver.

32.21 (b) Up to three persons with significant disabilities and their job coaches may be allowed  
32.22 to demonstrate their job competence as a unit through the on-the-job trial work experience  
32.23 selection procedure as defined in Minnesota Rules, part 3300.5010, subpart 18. This  
32.24 on-the-job demonstration process must be limited to applicants for whom there is no  
32.25 reasonable accommodation in the selection process.

32.26 (c) The commissioner may authorize the probationary appointment of an applicant based  
32.27 on the request of the appointing authority that documents that the applicant has successfully  
32.28 demonstrated qualifications for the position through completion of an on-the-job trial work  
32.29 experience. The implementation of this subdivision may not be deemed a violation of chapter  
32.30 43A or 363A.

33.1 Sec. 18. Minnesota Statutes 2018, section 43A.191, subdivision 2, is amended to read:

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

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

33.8 (1) procedures for compliance with sections 16E.03, subdivision 9, 363A.08 to 363A.19,  
33.9 and 363A.28, subdivision 10, and, where appropriate, regulations implementing United  
33.10 States Code, title 29, section 794, as amended through December 31, 1984, which is section  
33.11 504 of the Rehabilitation Act of 1973, as amended and the Americans with Disabilities Act,  
33.12 United States Code, title 42, sections 101 to 108, 201 to 231, 241 to 246, 401, 402, and 501  
33.13 to 514;

33.14 (2) methods and procedures for providing reasonable accommodation for disabled job  
33.15 applicants, current employees, and employees seeking promotion; ~~and~~

33.16 (3) provisions for funding reasonable accommodations;

33.17 (4) a plan to ensure that any collective bargaining agreement between the state and  
33.18 agency employees provides equal employment opportunity for job applicants with disabilities  
33.19 and current employees with disabilities seeking promotion; and

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

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

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

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

34.3 Sec. 19. Minnesota Statutes 2018, section 43A.191, subdivision 3, is amended to read:

34.4 Subd. 3. **Audits; sanctions and incentives.** (a) The commissioner shall annually audit  
34.5 the record of each agency to determine the rate of compliance with affirmative action  
34.6 requirements.

34.7 (b) By March 1 of each odd-numbered year, the commissioner shall submit a report on  
34.8 affirmative action progress of each agency and the state as a whole to the governor and to  
34.9 the Finance Committee of the senate, the Ways and Means Committee of the house of  
34.10 representatives, the Governmental Operations Committees of both houses of the legislature,  
34.11 and the Legislative Coordinating Commission. The report must include noncompetitive  
34.12 appointments made under section 43A.08, subdivision 2a, or 43A.15, subdivisions 3 to 7,  
34.13 10, and 12, and cover each agency's rate of compliance with affirmative action requirements.

34.14 (c) An agency ~~that does not meet its hiring goals~~ must justify its ~~nonaffirmative action~~  
34.15 hires in competitive and noncompetitive appointments according to criteria issued by the  
34.16 Department of Management and Budget. ~~"Missed opportunity" includes failure to justify a~~  
34.17 ~~nonaffirmative action hire. An agency must have 25 percent or less missed opportunities~~  
34.18 ~~in competitive appointments and 25 percent or less missed opportunities in appointments~~  
34.19 ~~made under sections 43A.08, subdivisions 1, clauses (9), (11), and (16); and 2a; and 43A.15,~~  
34.20 ~~subdivisions 3, 10, 12, and 13. The criteria must include the number of applicants hired~~  
34.21 ~~through on-the-job trial work experience, the number of applicants who receive authorization~~  
34.22 ~~for a probationary period, and the number of applicants who are offered an appointment.~~  
34.23 In addition, an agency shall:

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

34.26 (2) implement a coordinated retention plan; and

34.27 (3) have an established complaint resolution procedure.

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

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

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

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

35.10 (h) The commissioner must publish on the Minnesota Management and Budget website  
 35.11 summary data about all appointments including protected class status and job classification  
 35.12 of each.

36.8 Sec. 29. Minnesota Statutes 2018, section 138.081, is amended to read:  
 36.9 138.081 FEDERAL FUNDS, ACTS.

36.10 Subdivision 1. **Department of Administration as agency to accept federal funds.** The  
 36.11 Department of Administration is hereby designated the state agency with power to accept  
 36.12 any and all money provided for or made available to this state by the United States of  
 36.13 America or any department or agency thereof for surveys, restoration, construction,  
 36.14 equipping, or other purposes relating to the State Historic ~~sites~~ Preservation Program in  
 36.15 accordance with the provisions of federal law and any rules or regulations promulgated  
 36.16 thereunder and are further authorized to do any and all things required of this state by such  
 36.17 federal law and the rules and regulations promulgated thereunder in order to obtain such  
 36.18 federal money.

36.19 Subd. 2. **Commissioner's responsibilities.** The commissioner as the state historic  
 36.20 preservation officer shall be responsible for the preparation, implementation and  
 36.21 administration of the State Historic Preservation Plan and shall administer the State Historic  
 36.22 Preservation Program authorized by the National Historic Preservation Act (United States  
 36.23 Code, title ~~46~~ 54, section ~~470~~ 300101 et seq. ~~as amended~~). The commissioner shall review  
 36.24 and approve in writing all grants-in-aid for architectural, archaeological and historic  
 36.25 preservation made by state agencies and funded by the state or a combination of state and  
 36.26 federal funds in accordance with the State Historic Preservation Program.

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

37.1 Sec. 30. Minnesota Statutes 2018, section 138.31, is amended by adding a subdivision to  
 37.2 read:

- 37.3            Subd. 13a. **State Historic Preservation Office.** "State Historic Preservation Office"  
 37.4            means the State Historic Preservation Office at the Department of Administration.
- 37.5            Sec. 31. Minnesota Statutes 2018, section 138.34, is amended to read:  
 37.6            138.34 ADMINISTRATION OF THE ACT.
- 37.7            The state archaeologist shall act as the agent of the state to administer and enforce the  
 37.8            provisions of sections 138.31 to 138.42. Some enforcement provisions are shared with the  
 37.9            society and the State Historic Preservation Office.
- 37.10           Sec. 32. Minnesota Statutes 2018, section 138.40, is amended to read:  
 37.11           138.40 COOPERATION OF STATE AGENCIES; DEVELOPMENT PLANS.
- 37.12           Subdivision 1. **Cooperation.** The Department of Natural Resources, the Department of  
 37.13           Transportation, and all other state agencies whose activities may be affected, shall cooperate  
 37.14           with the historical society, the State Historic Preservation Office, and the state archaeologist  
 37.15           to carry out the provisions of sections 138.31 to 138.42 and the rules issued thereunder, but  
 37.16           sections 138.31 to 138.42 are not meant to burden persons who wish to use state property  
 37.17           for recreational and other lawful purposes or to unnecessarily restrict the use of state property.
- 37.18           Subd. 2. **Compliance, enforcement, preservation.** State and other governmental agencies  
 37.19           shall comply with and aid in the enforcement of provisions of sections 138.31 to 138.42.  
 37.20           Conservation officers and other enforcement officers of the Department of Natural Resources  
 37.21           shall enforce the provisions of sections 138.31 to 138.42 and report violations to the ~~director~~  
 37.22           ~~of the society~~ state archeologist. When archaeological or historic sites are known or, based  
 37.23           on scientific investigations are predicted to exist on public lands or waters, the agency or  
 37.24           department controlling said lands or waters shall use the professional services of  
 37.25           archaeologists from the University of Minnesota, Minnesota Historical Society, or other  
 37.26           qualified professional archaeologists, to preserve these sites. In the event that archaeological  
 37.27           excavation is required to protect or preserve these sites, state and other governmental agencies  
 37.28           may use their funds for such activities.
- 37.29           Subd. 3. **Review of plans.** When significant archaeological or historic sites are known  
 37.30           or, based on scientific investigations, are predicted to exist on public lands or waters, the  
 37.31           agency or department controlling said lands or waters shall submit construction or  
 37.32           development plans to the state archaeologist and the ~~director of the society~~ State Historic  
 38.1           Preservation Office for review prior to the time bids are advertised. The state archaeologist  
 38.2           and the ~~society~~ State Historic Preservation Office shall promptly review such plans and  
 38.3           within 30 days of receiving the plans shall make recommendations for the preservation of  
 38.4           archaeological or historic sites which may be endangered by construction or development  
 38.5           activities. When archaeological or historic sites are related to Indian history or religion, the  
 38.6           state archaeologist shall submit the plans to the Indian Affairs Council for the council's  
 38.7           review and recommend action.
- 38.8           Sec. 33. Minnesota Statutes 2018, section 138.665, subdivision 2, is amended to read:

38.9 Subd. 2. **Mediation Review process.** The state, state departments, agencies, and political  
 38.10 subdivisions, including the Board of Regents of the University of Minnesota, have a  
 38.11 responsibility to protect the physical features and historic character of properties designated  
 38.12 in sections 138.662 and 138.664 or listed on the National Register of Historic Places created  
 38.13 by Public Law 89-665. Before carrying out any undertaking that will affect designated or  
 38.14 listed properties, or funding or licensing an undertaking by other parties, the state department  
 38.15 or agency shall consult with the State Historic Preservation Office pursuant to ~~the society's~~  
 38.16 the State Historic Preservation Office's established procedures to determine appropriate  
 38.17 treatments and to seek ways to avoid and mitigate any adverse effects on designated or  
 38.18 listed properties. If the state department or agency and the State Historic Preservation Office  
 38.19 agree in writing on a suitable course of action, the project may proceed. If the parties cannot  
 38.20 agree, any one of the parties may request that the governor appoint and convene a mediation  
 38.21 task force consisting of five members, two appointed by the governor, the chair of the State  
 38.22 Review Board of the State Historic Preservation Office, the commissioner of administration  
 38.23 or the commissioner's designee, and one member ~~who is not an employee of the Minnesota~~  
 38.24 ~~Historical Society~~ appointed by the director of the Minnesota Historical Society. The two  
 38.25 appointees of the governor and ~~the one~~ of the director of the society shall be qualified by  
 38.26 training or experience in one or more of the following disciplines: (1) history; (2)  
 38.27 archaeology; and (3) architectural history. The mediation task force is not subject to the  
 38.28 conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision  
 38.29 24, and section 138.664, subdivisions 8 and 111.

38.30 Sec. 34. Minnesota Statutes 2018, section 138.666, is amended to read:  
 38.31 138.666 COOPERATION.

38.32 The state, state departments and agencies, political subdivisions, and the Board of Regents  
 38.33 of the University of Minnesota shall cooperate with the Minnesota Historical Society and  
 39.1 the State Historic Preservation Office in safeguarding state historic sites and in the  
 39.2 preservation of historic and archaeological properties.

39.3 Sec. 35. Minnesota Statutes 2018, section 138.667, is amended to read:  
 39.4 138.667 HISTORIC PROPERTIES; CHANGES.

39.5 Properties designated as historic properties by sections 138.661 to 138.664 may be  
 39.6 changed from time to time, and the Minnesota Historical Society and the State Historic  
 39.7 Preservation Office shall notify the legislature of the need for changes, and shall make  
 39.8 recommendations to keep the state historic sites network and the state register of historic  
 39.9 places current and complete. The significance of properties proposed for designation under  
 39.10 section 138.663, subdivision 2, shall be documented under the documentation standards  
 39.11 established by the ~~Minnesota Historical Society~~ State Historic Preservation Office. ~~This~~  
 39.12 Documentation shall include the opinion of the Minnesota Historical Society for the historic  
 39.13 sites network under section 138.661, subdivision 3, or the State Historic Preservation Office  
 39.14 for the state register of historic places under section 138.663, subdivision 2, as to whether  
 39.15 the property meets the selection criteria.

39.16 Sec. 36. Minnesota Statutes 2018, section 138.763, subdivision 1, is amended to read:

39.17 Subdivision 1. **Membership.** There is a St. Anthony Falls Heritage Board consisting of  
39.18 22 members with the director of the Minnesota Historical Society as chair. The members  
39.19 include the mayor; the chair of the Hennepin County Board of Commissioners or the chair's  
39.20 designee; the president of the Minneapolis Park and Recreation Board or the president's  
39.21 designee; the superintendent of the park board; two members each from the house of  
39.22 representatives appointed by the speaker, the senate appointed by the Rules Committee, the  
39.23 city council, the Hennepin County Board, and the park board; one member each from the  
39.24 preservation commission, the State Historic Preservation Office, Hennepin County Historical  
39.25 Society, and the society; one person appointed by the park board; and two persons appointed  
39.26 by the chair of the board.

39.27 Sec. 37. Minnesota Statutes 2018, section 155A.25, subdivision 1a, is amended to read:

39.28 Subd. 1a. **Schedule.** (a) The schedule for fees and penalties is as provided in this  
39.29 subdivision.

39.30 (b) Three-year license fees are as follows:

39.31 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

40.1 (i) \$155 for each initial license; and

40.2 (ii) \$40 for each initial license application fee;

40.3 (2) \$115 renewal of practitioner license, divided as follows:

40.4 (i) \$100 for each renewal license; and

40.5 (ii) \$15 for each renewal application fee;

40.6 (3) \$145 renewal of manager or instructor license, divided as follows:

40.7 (i) \$130 for each renewal license; and

40.8 (ii) \$15 for each renewal application fee;

40.9 (4) \$350 initial salon license, divided as follows:

40.10 (i) \$250 for each initial license; and

40.11 (ii) \$100 for each initial license application fee;

40.12 (5) \$225 renewal of salon license, divided as follows:

40.13 (i) \$175 for each renewal; and

40.14 (ii) \$50 for each renewal application fee;

40.15 (6) \$4,000 initial school license, divided as follows:

40.16 (i) \$3,000 for each initial license; and

- 40.17 (ii) \$1,000 for each initial license application fee; and
- 40.18 (7) \$2,500 renewal of school license, divided as follows:
- 40.19 (i) \$2,000 for each renewal; and
- 40.20 (ii) \$500 for each renewal application fee.
- 40.21 (c) Penalties may be assessed in amounts up to the following:
- 40.22 (1) reinspection fee, \$150;
- 40.23 (2) manager and owner with expired practitioner found on inspection, \$150 each;
- 40.24 (3) expired practitioner or instructor found on inspection, \$200;
- 40.25 (4) expired salon found on inspection, \$500;
- 40.26 (5) expired school found on inspection, \$1,000;
- 40.27 (6) failure to display current license, \$100;
- 41.1 (7) failure to dispose of single-use equipment, implements, or materials as provided
- 41.2 under section 155A.355, subdivision 1, \$500;
- 41.3 (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355,
- 41.4 subdivision 2, \$500;
- 41.5 (9) performing nail or cosmetology services in esthetician salon, or performing esthetician
- 41.6 or cosmetology services in a nail salon, \$500;
- 41.7 (10) owner and manager allowing an operator to work as an independent contractor,
- 41.8 \$200;
- 41.9 (11) operator working as an independent contractor, \$100;
- 41.10 (12) refusal or failure to cooperate with an inspection, \$500;
- 41.11 (13) practitioner late renewal fee, \$45; and
- 41.12 (14) salon or school late renewal fee, \$50.
- 41.13 (d) Administrative fees are as follows:
- 41.14 (1) homebound service permit, \$50 three-year fee;
- 41.15 (2) name change, \$20;
- 41.16 (3) certification of licensure, \$30 each;
- 41.17 (4) duplicate license, \$20;
- 41.18 (5) special event permit, \$75 per year;

35.13 Sec. 20. Minnesota Statutes 2018, section 179A.20, is amended by adding a subdivision  
 35.14 to read:

35.15 Subd. 2b. **Limited by appropriation.** The commissioner of management and budget  
 35.16 must not contract to pay more to employees of the state in compensation and benefits in  
 35.17 either year of the biennium than is permitted under the first spending plan submitted by July  
 35.18 31 in an odd-numbered year and approved by the commissioner under section 16A.14,  
 35.19 subdivisions 3 and 4.

35.20 Sec. 21. Minnesota Statutes 2018, section 240A.09, is amended to read:  
 35.21 240A.09 PLAN DEVELOPMENT; CRITERIA.

35.22 The Minnesota Amateur Sports Commission shall develop a plan to promote the  
 35.23 development of proposals for new statewide public ice facilities including proposals for ice  
 35.24 centers and matching grants based on the criteria in this section.

35.25 (a) For ice center proposals, the commission will give priority to proposals that come  
 35.26 from more than one local government unit. Institutions of higher education are not eligible  
 35.27 to receive a grant.

35.28 (b) The commission must give priority to grant applications for indoor air quality  
 35.29 improvements and projects that eliminate R-22. For purposes of this section:

35.30 (1) "indoor air quality improvements" means: (i) renovation or replacement of heating,  
 35.31 ventilating, and air conditioning systems in existing indoor ice arenas whose ice resurfacing  
 35.32 and ice edging equipment are not powered by electricity in order to reduce concentrations  
 36.1 of carbon monoxide and nitrogen dioxide; and (ii) acquisition of zero-emission ice resurfacing  
 36.2 and ice edging equipment. The new or renovated systems may include continuous electronic  
 36.3 air monitoring devices to automatically activate the ventilation systems when the  
 36.4 concentration of carbon monoxide or nitrogen dioxide reaches a predetermined level; and

41.19 ~~(6) registration of hair braiders, \$20 per year;~~

41.20 ~~(7) (6) \$100 for each temporary military license for a cosmetologist, nail technician,~~  
 41.21 ~~esthetician, or advanced practice esthetician one-year fee;~~

41.22 ~~(8) (7) expedited initial individual license, \$150;~~

41.23 ~~(9) (8) expedited initial salon license, \$300;~~

41.24 ~~(10) (9) instructor continuing education provider approval, \$150 each year; and~~

41.25 ~~(11) (10) practitioner continuing education provider approval, \$150 each year.~~

41.26 Sec. 38. Minnesota Statutes 2018, section 155A.28, is amended by adding a subdivision  
 41.27 to read:

41.28 Subd. 5. **Hair braiders exempt.** The practice of hair braiding is exempt from the  
 41.29 requirements of this chapter.

53.19 Sec. 58. Minnesota Statutes 2018, section 240A.09, is amended to read:  
 53.20 240A.09 PLAN DEVELOPMENT; CRITERIA.

53.21 The Minnesota Amateur Sports Commission shall develop a plan to promote the  
 53.22 development of proposals for new statewide public ice facilities including proposals for ice  
 53.23 centers and matching grants based on the criteria in this section.

53.24 (a) For ice center proposals, the commission will give priority to proposals that come  
 53.25 from more than one local government unit. Institutions of higher education are not eligible  
 53.26 to receive a grant.

53.27 (b) The commission must give priority to grant applications for indoor air quality  
 53.28 improvements and projects that eliminate R-22. For purposes of this section:

53.29 (1) "indoor air quality improvements" means: (i) renovation or replacement of heating,  
 53.30 ventilating, and air conditioning systems in existing indoor ice arenas whose ice resurfacing  
 53.31 and ice edging equipment are not powered by electricity in order to reduce concentrations  
 53.32 of carbon monoxide and nitrogen dioxide; and (ii) acquisition of zero-emission ice resurfacing  
 54.1 and ice edging equipment. The new or renovated systems may include continuous electronic  
 54.2 air monitoring devices to automatically activate the ventilation systems when the  
 54.3 concentration of carbon monoxide or nitrogen dioxide reaches a predetermined level; and

36.5 (2) "projects that eliminate R-22," means replacement of ice-making systems in existing  
36.6 public facilities that use R-22 as a refrigerant, with systems that use alternative  
36.7 non-ozone-depleting refrigerants.

36.8 (c) In the metropolitan area as defined in section 473.121, subdivision 2, the commission  
36.9 is encouraged to give priority to the following proposals:

36.10 (1) proposals for construction of two or more ice sheets in a single new facility;

36.11 (2) proposals for construction of an additional sheet of ice at an existing ice center;

36.12 (3) proposals for construction of a new, single sheet of ice as part of a sports complex  
36.13 with multiple sports facilities; and

36.14 (4) proposals for construction of a new, single sheet of ice that will be expanded to a  
36.15 two-sheet facility in the future.

36.16 (d) The commission shall administer a site selection process for the ice centers. The  
36.17 commission shall invite proposals from cities or counties or consortia of cities. A proposal  
36.18 for an ice center must include matching contributions including in-kind contributions of  
36.19 land, access roadways and access roadway improvements, and necessary utility services,  
36.20 landscaping, and parking.

36.21 (e) Proposals for ice centers and matching grants must provide for meeting the demand  
36.22 for ice time for female groups by offering up to 50 percent of prime ice time, as needed, to  
36.23 female groups. For purposes of this section, prime ice time means the hours of 4:00 p.m.  
36.24 to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays.

36.25 (f) The location for all proposed facilities must be in areas of maximum demonstrated  
36.26 interest and must maximize accessibility to an arterial highway.

36.27 (g) To the extent possible, all proposed facilities must be dispersed equitably, must be  
36.28 located to maximize potential for full utilization and profitable operation, and must  
36.29 accommodate noncompetitive family and community skating for all ages.

36.30 (h) The commission may also use the money to upgrade current facilities, purchase girls'  
36.31 ice time, or conduct amateur women's hockey and other ice sport tournaments.

37.1 (i) To the extent possible, 50 percent of all grants must be awarded to communities in  
37.2 greater Minnesota.

37.3 (j) To the extent possible, technical assistance shall be provided to Minnesota  
37.4 communities by the commission on ice arena planning, design, and operation, including the  
37.5 marketing of ice time and on projects described in paragraph (b).

37.6 (k) A grant for new facilities may not exceed \$250,000.

37.7 (l) The commission may make grants for rehabilitation and renovation. A rehabilitation  
37.8 or renovation grant for air quality may not exceed \$200,000 and a rehabilitation or renovation

54.4 (2) "projects that eliminate R-22," means replacement of ice-making systems in existing  
54.5 public facilities that use R-22 as a refrigerant, with systems that use alternative  
54.6 non-ozone-depleting refrigerants.

54.7 (c) In the metropolitan area as defined in section 473.121, subdivision 2, the commission  
54.8 is encouraged to give priority to the following proposals:

54.9 (1) proposals for construction of two or more ice sheets in a single new facility;

54.10 (2) proposals for construction of an additional sheet of ice at an existing ice center;

54.11 (3) proposals for construction of a new, single sheet of ice as part of a sports complex  
54.12 with multiple sports facilities; and

54.13 (4) proposals for construction of a new, single sheet of ice that will be expanded to a  
54.14 two-sheet facility in the future.

54.15 (d) The commission shall administer a site selection process for the ice centers. The  
54.16 commission shall invite proposals from cities or counties or consortia of cities. A proposal  
54.17 for an ice center must include matching contributions including in-kind contributions of  
54.18 land, access roadways and access roadway improvements, and necessary utility services,  
54.19 landscaping, and parking.

54.20 (e) Proposals for ice centers and matching grants must provide for meeting the demand  
54.21 for ice time for female groups by offering up to 50 percent of prime ice time, as needed, to  
54.22 female groups. For purposes of this section, prime ice time means the hours of 4:00 p.m.  
54.23 to 10:00 p.m. Monday to Friday and 9:00 a.m. to 8:00 p.m. on Saturdays and Sundays.

54.24 (f) The location for all proposed facilities must be in areas of maximum demonstrated  
54.25 interest and must maximize accessibility to an arterial highway.

54.26 (g) To the extent possible, all proposed facilities must be dispersed equitably, must be  
54.27 located to maximize potential for full utilization and profitable operation, and must  
54.28 accommodate noncompetitive family and community skating for all ages.

54.29 (h) The commission may also use the money to upgrade current facilities, purchase girls'  
54.30 ice time, or conduct amateur women's hockey and other ice sport tournaments.

54.31 (i) To the extent possible, 50 percent of all grants must be awarded to communities in  
54.32 greater Minnesota.

55.1 (j) To the extent possible, technical assistance shall be provided to Minnesota  
55.2 communities by the commission on ice arena planning, design, and operation, including the  
55.3 marketing of ice time and on projects described in paragraph (b).

55.4 (k) A grant for new facilities may not exceed \$250,000.

55.5 (l) The commission may make grants for rehabilitation and renovation. A rehabilitation  
55.6 or renovation grant for air quality may not exceed \$200,000 and a rehabilitation or renovation

- 37.9 grant for R-22 elimination may not exceed ~~\$50,000~~ \$250,000 for indirect cooling systems  
 37.10 and may not exceed ~~\$400,000~~ \$500,000 for direct cooling systems. Priority must be given  
 37.11 to grant applications for indoor air quality improvements, including zero emission ice  
 37.12 resurfacing equipment, and for projects that eliminate R-22.
- 37.13 (m) Grant money may be used for ice centers designed for sports other than hockey.
- 37.14 (n) Grant money may be used to upgrade existing facilities to comply with the bleacher  
 37.15 safety requirements of section 326B.112.
- 37.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 55.7 grant for R-22 elimination may not exceed ~~\$50,000~~ \$250,000 for indirect cooling systems  
 55.8 and may not exceed ~~\$400,000~~ \$500,000 for direct cooling systems. Priority must be given  
 55.9 to grant applications for indoor air quality improvements, including zero emission ice  
 55.10 resurfacing equipment, and for projects that eliminate R-22.
- 55.11 (m) Grant money may be used for ice centers designed for sports other than hockey.
- 55.12 (n) Grant money may be used to upgrade existing facilities to comply with the bleacher  
 55.13 safety requirements of section 326B.112.
- 55.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 55.15 Sec. 59. Minnesota Statutes 2018, section 307.08, is amended to read:  
 55.16 307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;  
 55.17 BURIALS; CEMETERIES; PENALTY; ~~AUTHENTICATION~~ ASSESSMENT.
- 55.18 Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative  
 55.19 intent that all human burials, human remains, and ~~human burial grounds~~ cemeteries shall  
 55.20 be accorded equal treatment and respect for human dignity without reference to their ethnic  
 55.21 origins, cultural backgrounds, or religious affiliations. The provisions of this section shall  
 55.22 apply to all human burials, human remains, or ~~human burial grounds~~ cemeteries found on  
 55.23 or in all public or private lands or waters in Minnesota.
- 55.24 Subd. 2. **Felony; gross misdemeanor.** (a) A person who intentionally, willfully, and  
 55.25 knowingly does any of the following is guilty of a felony:
- 55.26 (1) destroys, mutilates, or injures human burials or ~~human burial grounds~~ cemetery, or  
 55.27 associated grave goods; or
- 55.28 (2) without the consent of the appropriate authority, disturbs ~~human burial grounds~~ a  
 55.29 cemetery or removes human remains or associated grave goods.
- 55.30 (b) A person who, without the consent of the appropriate authority and the landowner,  
 55.31 intentionally, willfully, and knowingly does any of the following is guilty of a gross  
 55.32 misdemeanor:
- 56.1 (1) removes any tombstone, monument, or structure placed in any public or private  
 56.2 cemetery or ~~authenticated human burial ground~~ assessed cemetery; or
- 56.3 (2) removes any fence, railing, or other work erected for protection or ornament, or any  
 56.4 tree, shrub, or plant or grave goods and artifacts within the limits of a ~~public or private~~  
 56.5 cemetery or ~~authenticated human burial ground~~; or
- 56.6 (3) discharges any firearms upon or over the grounds of any ~~public or private~~ cemetery  
 56.7 ~~or authenticated burial ground~~.
- 56.8 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the  
 56.9 landowner, ~~an authenticated or recorded human burial ground~~ a cemetery may be posted  
 56.10 for protective purposes every 75 feet around its perimeter with signs listing the activities

56.11 prohibited by subdivision 2 and the penalty for violation of it. Posting is at the discretion  
 56.12 of the Indian affairs council in the case of American Indian burials cemeteries or at the  
 56.13 discretion of the state archaeologist in the case of non-Indian burials non-American Indian  
 56.14 cemeteries. This subdivision does not require posting of a burial ground cemetery. The size,  
 56.15 description, location, and information on the signs used for protective posting must be  
 56.16 approved by the appropriate authority and the landowner.

56.17 Subd. 3a. **Authentication Cemeteries; records and condition assessments.** ~~The state~~  
 56.18 ~~archaeologist shall authenticate all burial grounds for purposes of this section. The state~~  
 56.19 ~~archaeologist may retain the services of a qualified professional archaeologist, a qualified~~  
 56.20 ~~physical anthropologist, or other appropriate experts for the purpose of gathering information~~  
 56.21 ~~that the state archaeologist can use to authenticate or identify burial grounds. If probable~~  
 56.22 ~~Indian burial grounds are to be disturbed or probable Indian remains analyzed, the Indian~~  
 56.23 ~~Affairs Council must approve the professional archaeologist, qualified anthropologist, or~~  
 56.24 ~~other appropriate expert. Authentication is at the discretion of the state archaeologist based~~  
 56.25 ~~on the needs identified in this section or upon request by an agency, a landowner, or other~~  
 56.26 ~~appropriate authority.~~ (a) Cemeteries shall be assessed according to this subdivision.

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

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

57.1 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion  
 57.2 of the Indian Affairs Council based on the needs identified in this section or upon request  
 57.3 by an agency, a landowner, or other appropriate authority.

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

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

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

57.16 Subd. 5. ~~Cost; use of data.~~ The cost of authentication condition assessment, recording,  
 57.17 surveying, and marking burial grounds cemeteries and the cost of identification, analysis,

57.18 rescue, and reburial of human remains on public lands or waters shall be the responsibility  
 57.19 of the state or political subdivision controlling the lands or waters. On private lands or waters  
 57.20 these costs shall be borne by the state, but may be borne by the landowner upon mutual  
 57.21 agreement with the state. ~~The state archaeologist must make the data collected for this~~  
 57.22 ~~activity available using standards adopted by the Office of MN-IT Services and geospatial~~  
 57.23 ~~technology standards and guidelines published by the Minnesota Geospatial Information~~  
 57.24 ~~Office. Costs associated with this data delivery must be borne by the state.~~

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

57.30 (b) If deemed necessary for identification purposes by the Indian Affairs Council,  
 57.31 removed remains shall be studied in a timely and respectful manner by appropriate experts  
 57.32 designated by the Indian Affairs Council.

57.33 (c) If ~~such~~ the burials are not American Indian or their ethnic identity cannot be  
 57.34 ascertained, as determined by the state archaeologist, they shall be dealt with in accordance  
 58.1 with provisions established by the state archaeologist and other appropriate authority, ~~as~~  
 58.2 specified in subdivision 3a, paragraph (e).

58.3 (d) If ~~such~~ the burials ~~are~~ include American Indian remains, as determined by the state  
 58.4 archaeologist, ~~efforts shall be made by them~~ must be dealt with as provided by the provisions  
 58.5 of subdivision 3a, paragraph (d). The state archaeologist and the Indian Affairs Council ~~to~~  
 58.6 shall ascertain their tribal identity. ~~If their probable tribal identity can be determined and~~  
 58.7 the remains have been removed from their original context, such remains shall be turned  
 58.8 over to contemporary tribal leaders for disposition. ~~of the remains in consultation with~~  
 58.9 appropriate experts designated by the Indian Affairs Council.

58.10 (e) If tribal identity of the remains cannot be determined, the American Indian remains  
 58.11 must be dealt with in accordance with provisions established by ~~the state archaeologist and~~  
 58.12 the Indian Affairs Council ~~if they are from public land. If removed Indian remains are from~~  
 58.13 private land they shall be dealt with in accordance with provisions established by the Indian  
 58.14 Affairs Council.

58.15 If it is deemed desirable by the state archaeologist or the Indian Affairs Council, removed  
 58.16 remains shall be studied in a timely and respectful manner by a qualified professional  
 58.17 archaeologist or a qualified physical anthropologist ~~before being delivered to tribal leaders~~  
 58.18 or ~~before being reburied.~~

58.19 Subd. 7a. **Landowner responsibilities.** (a) Application by a landowner for permission  
 58.20 to develop or disturb nonburial areas within authenticated an assessed or recorded burial  
 58.21 grounds cemetery shall be made to the:

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

58.24 (2) ~~to the~~ Indian Affairs Council and other appropriate authority in the case of American  
58.25 Indian burials.

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

58.28 Subd. 8. **Burial ground Cemetery relocation.** No ~~non-Indian burial ground~~  
58.29 ~~non-American Indian cemetery~~ may be relocated without the consent of the appropriate  
58.30 authority. No American Indian burial ground cemetery may be relocated unless the request  
58.31 to relocate is approved by the Indian Affairs Council. When a ~~burial ground~~ cemetery is  
58.32 located on public lands or waters, any burial relocations must be duly licensed under section  
58.33 138.36 and the cost of removal is the responsibility of and shall be paid by the state or  
59.1 political subdivision controlling the lands or waters. If ~~burial grounds~~ cemeteries are  
59.2 ~~authenticated~~ assessed on private lands, efforts may be made by the state to purchase and  
59.3 protect them instead of removing them to another location.

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

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

59.11 Subd. 10. **Construction and development plan review.** When ~~human burials are known~~  
59.12 ~~or suspected to~~ cemeteries exist, on public lands or waters, the state or political subdivision  
59.13 controlling the lands or waters or, in the case of private lands, the landowner or developer,  
59.14 shall submit construction and development plans to the state archaeologist for review prior  
59.15 to the time bids are advertised and prior to any disturbance within the ~~burial area~~ cemetery.  
59.16 ~~If the known or suspected burials are~~ the cemetery is thought to be Indian American Indian,  
59.17 or the project is within 300 feet of American Indian cemeteries, American Indian burial  
59.18 features, historic American Indian villages, or historic American Indian cultural features,  
59.19 plans shall also be submitted to the Indian Affairs Council. The state archaeologist and the  
59.20 Indian Affairs Council shall review the plans within ~~30~~ 45 days of receipt and make  
59.21 recommendations for the preservation in place or removal of the ~~human burials~~ cemetery  
59.22 or remains, which may be endangered by construction or development activities.

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

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

59.29 (b) The Indian Affairs Council or state archaeologist may bring legal action to prosecute  
59.30 any violation of this subdivision. A violation may be prosecuted by the city or county  
59.31 attorney or by the attorney general.

59.32 Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for  
59.33 the purpose of ~~authenticating burial sites~~ identifying or assessing cemetery sites. A  
59.34 designated representative of the Indian Affairs Council may enter on property, in  
60.1 collaboration with the state archaeologist, for the purpose of identifying or assessing  
60.2 American Indian cemeteries. Only after obtaining permission from the property owner or  
60.3 lessee, descendants of persons buried in ~~burial grounds~~ cemeteries covered by this section  
60.4 may enter the ~~burial grounds~~ cemetery for the purpose of conducting religious or  
60.5 commemorative ceremonies. This right of entry must not unreasonably burden property  
60.6 owners or unnecessarily restrict their use of the property. The right of entry cannot be denied  
60.7 unless an unreasonable burden can be shown by the property owners.

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

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

60.12 (b) "Appropriate authority" means:

60.13 (1) the trustees when the trustees have been legally defined to administer ~~burial grounds~~  
60.14 cemetery sites;

60.15 (2) the Indian Affairs Council in the case of American Indian ~~burial grounds~~ cemetery  
60.16 sites lacking trustees;

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

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

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

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

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

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

61.1 ~~(g)~~ (f) "Cemetery" means a discrete location that is known to contain or intended to be  
 61.2 used for the interment of human remains, or has high potential to contain human remains  
 61.3 based on physical evidence, historical records, or reliable informant accounts.

61.4 ~~(h)~~ (g) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or  
 61.5 setting of a ~~human burial or human burial ground cemetery.~~

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

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

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

61.15 (k) "American Indian cemetery" means a discrete location that is known to contain or  
 61.16 has a high potential to contain American Indian human remains based on physical evidence,  
 61.17 historical records, or reliable informant accounts.

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

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

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

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

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

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

37.17 Sec. 22. Minnesota Statutes 2018, section 353.27, subdivision 3c, is amended to read:

72.28 Sec. 68. Minnesota Statutes 2018, section 353.27, subdivision 3c, is amended to read:

37.18 Subd. 3c. **Former MERF members; member and employer contributions.** (a) For  
 37.19 the period July 1, ~~2015~~ 2019, through December 31, 2031, the member contributions for  
 37.20 former members of the Minneapolis Employees Retirement Fund and by the former  
 37.21 Minneapolis Employees Retirement Fund-covered employing units are governed by this  
 37.22 subdivision.

37.23 (b) The member contribution for a public employee who was a member of the former  
 37.24 Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75 percent of the salary of  
 37.25 the employee.

37.26 (c) The employer regular contribution with respect to a public employee who was a  
 37.27 member of the former Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75  
 37.28 percent of the salary of the employee.

37.29 (d) The annual employer supplemental contribution is the employing unit's share of  
 37.30 ~~\$31,000,000. For calendar years 2017 and 2018, the employer supplemental contribution~~  
 37.31 ~~is the employing unit's share of \$21,000,000.~~ \$37,000,000.

38.1 (e) Each employing unit's share under paragraph (d) is the amount determined from an  
 38.2 allocation between each employing unit in the portion equal to the unit's employer  
 38.3 supplemental contribution paid or payable under Minnesota Statutes 2012, section 353.50,  
 38.4 during calendar year 2014.

38.5 (f) The employer supplemental contribution amount under paragraph (d) for calendar  
 38.6 year ~~2015~~ 2019 must be invoiced by the executive director of the Public Employees  
 38.7 Retirement Association by July 1, ~~2015~~ 2019. ~~The calendar year 2015 payment is payable~~  
 38.8 ~~in a single amount on or before September 30, 2015.~~ For subsequent calendar years, the  
 38.9 employer supplemental contribution under paragraph (d) must be invoiced on January 31  
 38.10 of each year ~~and~~. ~~The employer supplemental contribution~~ is payable in two parts, with the  
 38.11 first half payable on or before July 31 and with the second half payable on or before  
 38.12 December 15. Late payments are payable with interest, compounded annually, at the  
 38.13 applicable rate or rates specified in section 356.59, subdivision 3, per month for each month  
 38.14 or portion of a month that has elapsed after the due date.

38.15 (g) The employer supplemental contribution under paragraph (d) terminates on December  
 38.16 31, 2031.

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

72.29 Subd. 3c. **Former MERF members; member and employer contributions.** (a) For  
 72.30 the period July 1, ~~2015~~ 2019, through December 31, 2031, the member contributions for  
 72.31 former members of the Minneapolis Employees Retirement Fund and by the former  
 73.1 Minneapolis Employees Retirement Fund-covered employing units are governed by this  
 73.2 subdivision.

73.3 (b) The member contribution for a public employee who was a member of the former  
 73.4 Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75 percent of the salary of  
 73.5 the employee.

73.6 (c) The employer regular contribution with respect to a public employee who was a  
 73.7 member of the former Minneapolis Employees Retirement Fund on June 29, 2010, is 9.75  
 73.8 percent of the salary of the employee.

73.9 (d) The annual employer supplemental contribution is the employing unit's share of  
 73.10 ~~\$31,000,000. For calendar years 2017 and 2018, the employer supplemental contribution~~  
 73.11 ~~is the employing unit's share of \$21,000,000.~~

73.12 (e) Each employing unit's share under paragraph (d) is the amount determined from an  
 73.13 allocation between each employing unit in the portion equal to the unit's employer  
 73.14 supplemental contribution paid or payable under Minnesota Statutes 2012, section 353.50,  
 73.15 during calendar year 2014.

73.16 (f) The employer supplemental contribution amount under paragraph (d) for calendar  
 73.17 year ~~2015~~ 2019 must be invoiced by the executive director of the Public Employees  
 73.18 Retirement Association by July 1, ~~2015~~. ~~The calendar year 2015 payment is payable in a~~  
 73.19 ~~single amount on or before September 30, 2015.~~ 2019. For subsequent calendar years, the  
 73.20 employer supplemental contribution under paragraph (d) must be invoiced on January 31  
 73.21 of each year ~~and~~. ~~The employer supplemental contribution~~ is payable in two parts, with the  
 73.22 first half payable on or before July 31 and with the second half payable on or before  
 73.23 December 15. Late payments are payable with interest, compounded annually, at the  
 73.24 applicable rate or rates specified in section 356.59, subdivision 3, per month for each month  
 73.25 or portion of a month that has elapsed after the due date.

73.26 (g) The employer supplemental contribution under paragraph (d) terminates on December  
 73.27 31, 2031.

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

74.1 Sec. 69. Minnesota Statutes 2018, section 353.505, is amended to read:  
 74.2 353.505 STATE CONTRIBUTIONS; FORMER MERF DIVISION.

74.3 (a) On September 15, 2019, and annually thereafter, the state shall pay to the general  
 74.4 employees retirement plan of the Public Employees Retirement Association, with respect  
 74.5 to the former MERF division, ~~\$6,000,000~~ \$16,000,000.

- 74.6 ~~(b) On September 15, 2017, and September 15, 2018, the state shall pay to the general~~  
74.7 ~~employees retirement plan of the Public Employees Retirement Association, with respect~~  
74.8 ~~to the former MERF division, \$16,000,000.~~
- 74.9 ~~(b)~~ (b) State contributions under this section end on September 15, 2031.
- 74.10 ~~(c) The commissioner of management and budget shall pay the contribution specified~~  
74.11 ~~in this section. The amount required is appropriated annually from the general fund to the~~  
74.12 ~~commissioner of management and budget.~~
- 74.13 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 74.14 Sec. 70. Minnesota Statutes 2018, section 375.08, is amended to read:  
74.15 375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.
- 74.16 When a vacancy occurs in the office of an elected county auditor, county treasurer,  
74.17 county recorder, sheriff, county attorney, county surveyor, or coroner, the county board  
74.18 shall fill it by appointment. For that purpose it shall meet at the usual place of meeting, upon  
74.19 one day's notice from the chair or clerk, which shall be served personally upon each member  
74.20 in the same manner as a district court summons. The person appointed shall give the bond  
74.21 and take the oath required by law, and serve the remainder of the term, and until a successor  
74.22 qualifies. When a vacancy occurs in an office that has a chief deputy or first assistant, the  
74.23 chief deputy or first assistant may perform all the duties and functions of the office until it  
74.24 is filled by appointment by the county board.
- 74.25 Sec. 71. Minnesota Statutes 2018, section 375.101, subdivision 1, is amended to read:
- 74.26 Subdivision 1. **Option for filling vacancies; special election.** (a) Except as provided  
74.27 in subdivision 3, a vacancy in the office of county commissioner may be filled as provided  
74.28 in this subdivision and subdivision 2, or as provided in subdivision 4. If the vacancy is to  
74.29 be filled under this subdivision and subdivision 2, it must be filled at a special election. The  
74.30 county board may by resolution call for a special election to be held on a date authorized  
74.31 by section 205.10, subdivision 3a.
- 75.1 (b) The person elected at the special election shall take office immediately after receipt  
75.2 of the certificate of election and upon filing the bond and taking the oath of office and shall  
75.3 serve the remainder of the unexpired term. If the county has been reapportioned since the  
75.4 commencement of the term of the vacant office, the election shall be based on the district  
75.5 as reapportioned.
- 75.6 (c) If a special election is required to be held to fill a vacancy in the office of county  
75.7 commissioner, the county board may temporarily fill the vacancy by appointment before  
75.8 the vacancy is filled by special election. Before making an appointment to temporarily fill  
75.9 a vacancy under this subdivision, the board must allow public testimony from persons  
75.10 residing in the district in which the vacancy occurs relating to the qualifications of the  
75.11 prospective appointee. After the board selects the person to temporarily fill the vacancy,  
75.12 the board shall adopt and enter into the minutes of its proceedings a resolution evidencing

- 75.13 the appointment. The term of the appointment expires when a successor is chosen by special  
75.14 election and takes the oath of office.
- 75.15 Sec. 72. Minnesota Statutes 2018, section 375A.10, subdivision 5, is amended to read:
- 75.16 Subd. 5. **Auditor-treasurer.** In any county exercising the option provided in subdivision  
75.17 2, clause (c), the office shall be known thereafter as the office of auditor-treasurer, if the  
75.18 office is to remain elective. If the board chooses to make the office of auditor-treasurer  
75.19 elective, and not require a referendum, it must act with the concurrence of at least 80 percent  
75.20 of its members.
- 75.21 In the exercise of this option, the county board shall direct which of the offices of auditor  
75.22 or treasurer shall be terminated for the purpose of providing for the election to the single  
75.23 office of auditor-treasurer. The duties, functions and responsibilities which have been  
75.24 heretofore and which shall hereafter be required by statute to be performed by the county  
75.25 auditor and the county treasurer shall be vested in and performed by the auditor-treasurer  
75.26 without diminishing, prohibiting or avoiding those specific duties required by statute to be  
75.27 performed by the county auditor and the county treasurer.
- 75.28 Nothing in this subdivision shall preclude the county from exercising the option to make  
75.29 the combined office of auditor-treasurer appointive as if it had been specifically enumerated  
75.30 in subdivision 2. If the combined office is to be appointive, a referendum under section  
75.31 375A.12 shall be necessary, except as provided by section 375A.1205.
- 75.32 If the combined office is to be elective, a referendum under section 375A.12 shall be  
75.33 necessary if:
- 76.1 (a) the county board requires a referendum; or
- 76.2 (b) a referendum is required by a petition of a number of voters equal to ten percent of  
76.3 those voting in the county at the last general election that is received by the county auditor  
76.4 within 30 days after the second publication of the board resolution that orders the  
76.5 combination.
- 76.6 The persons last elected to the positions of auditor and treasurer before adoption of the  
76.7 resolution shall serve in those offices and perform the duties of those offices until the  
76.8 completion of the terms to which they were elected.
- 76.9 Sec. 73. Minnesota Statutes 2018, section 375A.12, subdivision 2, is amended to read:
- 76.10 Subd. 2. **Form of government options.** Except as provided in section 375A.1205 or by  
76.11 special law, the options provided in sections 375A.01 to 375A.10 shall be adopted in any  
76.12 county only after an affirmative vote of the voters in the county on the question of the  
76.13 adoption of the option. Except as provided in section 375A.01, only one such plan may be  
76.14 submitted at any one election.
- 76.15 Sec. 74. [375A.1205] APPOINTING COUNTY OFFICERS.

76.16 Subdivision 1. **Authority to appoint certain officers.** A county board may appoint the  
 76.17 county auditor, county treasurer, or county recorder under section 375A.10, subdivision 2,  
 76.18 or the auditor-treasurer under section 375A.10, subdivision 5, by following the process  
 76.19 outlined in this section. Notwithstanding section 375A.12, a referendum is not required if  
 76.20 the appointment is made pursuant to this section. A county board shall only use the authority  
 76.21 to appoint under the following circumstances:

76.22 (1) there is a vacancy in the office as provided in section 351.02;

76.23 (2) the current office holder has notified the county board that the officer will not file  
 76.24 for the office, as provided in subdivision 2; or

76.25 (3) there is a signed contract with the county board and the incumbent auditor, treasurer,  
 76.26 auditor-treasurer, or recorder that provides that the incumbent officer will be appointed to  
 76.27 the position and retain tenure, pay, and benefits equal to or greater than length of service.

76.28 Subd. 2. **Responsibility of county officer.** At least 104 days before the filing date for  
 76.29 office under section 204B.09, an elected county officer must notify the county board in  
 76.30 writing whether the officer will be filing for another term. If the officer indicates in writing  
 76.31 that the officer will not file for the office and the county board has passed a resolution under  
 77.1 subdivision 6, affidavits of candidacy will not be accepted for that office, and the office  
 77.2 will not be placed on the ballot.

77.3 Subd. 3. **Board controls; may change as long as duties done.** Upon adoption of a  
 77.4 resolution by the county board of commissioners and subject to subdivisions 5 and 6, the  
 77.5 duties of an elected official required by statute whose office is made appointive as authorized  
 77.6 by this section must be discharged by the county board of commissioners acting through a  
 77.7 department head appointed by the board for that purpose. Reorganization, reallocation,  
 77.8 delegation, or other administrative change or transfer does not diminish, prohibit, or avoid  
 77.9 the discharge of duties required by statute.

77.10 Subd. 4. **Discharge or demotion.** (a) A county auditor, county treasurer, county  
 77.11 auditor-treasurer, or county recorder who was elected at the most recent election for that  
 77.12 office prior to a county board resolution to make the office an appointed position, and the  
 77.13 elected official is subsequently appointed by the county board to the office, may not be  
 77.14 involuntarily demoted or discharged except for incompetency or misconduct.

77.15 (b) Prior to demoting or discharging an office holder under this subdivision, the board  
 77.16 must notify the office holder in writing and state its grounds for the proposed demotion or  
 77.17 discharge in reasonable detail. Within ten days after receipt of this notification, the office  
 77.18 holder may make a written request for a hearing before an arbitrator and the request must  
 77.19 be granted before final action is taken. Failure to request a hearing before an arbitrator  
 77.20 during this period is considered acquiescence to the board's action. The board may suspend  
 77.21 an office holder with pay pending the conclusion of the hearing and determination of the  
 77.22 issues raised in the hearing after charges have been filed which constitute grounds for  
 77.23 demotion or discharge. If an office holder has been charged with a felony and the underlying

77.24 conduct that is the subject of the felony charge is grounds for a proposed discharge, the  
77.25 suspension pending the conclusion of the hearing and determination of the issues may be  
77.26 without pay. If a hearing under this subdivision is held, the board must reimburse the office  
77.27 holder for any salary or compensation withheld if the final decision of the arbitrator does  
77.28 not result in a penalty or discharge of the office holder.

77.29 (c) If the office holder and the board are unable to mutually agree on an arbitrator, the  
77.30 board must request from the Bureau of Mediation Services a list of seven persons qualified  
77.31 to serve as an arbitrator. If the office holder and the board are unable to mutually agree on  
77.32 an arbitrator from the list provided, the parties shall alternately strike names from the list  
77.33 until the name of one arbitrator remains. The person remaining after the striking procedure  
77.34 must be the arbitrator. If the parties are unable to agree on who shall strike the first name,  
78.1 the question must be decided by a flip of a coin. The office holder and the board must share  
78.2 equally the costs and fees of the arbitrator except as set forth in paragraph (g).

78.3 (d) The arbitrator shall determine, by a preponderance of the evidence, whether the  
78.4 grounds for discharge or demotion exist to support the proposed discharge or demotion. A  
78.5 lesser penalty than demotion or discharge may be imposed by the arbitrator only to the  
78.6 extent that either party proposes such lesser penalty in the proceeding. In making the  
78.7 determination, the arbitration proceeding is governed by sections 572B.15 to 572B.28.

78.8 (e) An arbitration hearing conducted under this subdivision is a meeting for preliminary  
78.9 consideration of allegations or charges within the meaning of section 13D.05, subdivision  
78.10 3, paragraph (a), and must be closed, unless the office holder requests it to be open.

78.11 (f) The arbitrator's award is final and binding on the parties, subject to sections 572B.18  
78.12 to 572B.28.

78.13 (g) In the event the arbitrator rules not to demote or discharge the office holder, the  
78.14 board shall pay all of the costs and fees of the arbitrator and the attorney fees of the office  
78.15 holder.

78.16 Subd. 5. **Incumbents to complete term.** The person elected at the last general election  
78.17 to an office made appointive under this section must serve in that capacity and perform the  
78.18 duties, functions, and responsibilities required by statute until the completion of the term  
78.19 of office to which the person was elected, or until a vacancy occurs in the office, whichever  
78.20 occurs earlier.

78.21 Subd. 6. **Publishing resolution; petition; referendum.** (a) Before the adoption of the  
78.22 resolution to provide for the appointment of an office as described in subdivision 1, the  
78.23 county board must publish a proposed resolution notifying the public of its intent to consider  
78.24 the issue once each week, for two consecutive weeks, in the official publication of the  
78.25 county. Following publication and prior to formally adopting the resolution, the county  
78.26 board shall provide an opportunity at its next regular meeting for public comment relating  
78.27 to the issue. After the public comment opportunity, at the same meeting or a subsequent  
78.28 meeting, the county board of commissioners may adopt a resolution that provides for the

78.29 appointment of the office or offices as permitted in this section. The resolution must be  
78.30 approved by at least 80 percent of the members of the county board. The resolution may  
78.31 take effect 30 days after it is adopted, or at a later date stated in the resolution, unless a  
78.32 petition is filed as provided in paragraph (b).

78.33 (b) Except when an office is made appointive under subdivision 1, clause (3), within 30  
78.34 days after the county board adopts the resolution, a petition requesting a referendum may  
79.1 be filed with the county auditor. The petition must be signed by at least ten percent of the  
79.2 registered voters of the county. The petition must meet the requirements of the secretary of  
79.3 state, as provided in section 204B.071, and any rules adopted to implement that section. If  
79.4 the petition is sufficient, the county board resolution is rescinded.

79.5 Subd. 7. **Reverting to elected offices.** (a) The county board may adopt a resolution to  
79.6 provide for the election of an office that was made an appointed position under this section,  
79.7 but not until at least three years after the office was made an appointed position. The county  
79.8 board must publish a proposed resolution notifying the public of its intent to consider the  
79.9 issue once each week, for two consecutive weeks, in the official publication of the county.  
79.10 Following publication and before formally adopting the resolution, the county board must  
79.11 provide an opportunity at its next regular meeting for public comment relating to the issue.  
79.12 After the public comment opportunity, at the same meeting or a subsequent meeting, the  
79.13 county board of commissioners may adopt the resolution. The resolution must be approved  
79.14 by at least 60 percent of the members of the county board and is effective August 1 following  
79.15 adoption of the resolution.

79.16 (b) The question of whether an office that was made an appointed position under this  
79.17 section must be made an elected office must be placed on the ballot at the next general  
79.18 election if (1) the position has been an appointed position for at least three years; (2) a  
79.19 petition signed by at least ten percent of the registered voters of the county is filed with the  
79.20 office of the county auditor by August 1 of the year in which the general election is held;  
79.21 and (3) the petition meets the requirements of the secretary of state, as provided in section  
79.22 204B.071, and any rules adopted to implement that section. If a majority of the voters of  
79.23 the county voting on the question vote in favor of making the office an elected position, the  
79.24 election for that office must be held at the next regular or special election.

79.25 Sec. 75. Minnesota Statutes 2018, section 382.01, is amended to read:  
79.26 382.01 OFFICERS ELECTED; TERMS.

79.27 In every county in this state there shall be elected at the general election in 1918 a county  
79.28 auditor, a county treasurer, sheriff, county recorder, county attorney, and coroner.

79.29 The terms of office of these officers shall be four years and shall begin on the first  
79.30 Monday in January next succeeding their election. They shall hold office until their successors  
79.31 are elected and qualified. Each of these offices shall must be filled by election every four  
79.32 years thereafter, unless an office is consolidated with another county office or made  
79.33 appointive under chapter 375A or other general or special law.

80.1 Sec. 76. Minnesota Statutes 2018, section 382.02, is amended to read:  
80.2 382.02 VACANCIES, HOW FILLED.

80.3 Any appointment made to fill a vacancy in any of the offices named in section 382.01  
80.4 that has not been made appointive under chapter 375A or other general or special law shall  
80.5 be for the balance of such entire term, and be made by the county board.

80.6 Sec. 77. Minnesota Statutes 2018, section 383B.1511, subdivision 8, is amended to read:

80.7 Subd. 8. **Expiration.** The authority to enter into new contracts under this section expires  
80.8 on December 31, ~~2019~~ 2024.

80.9 Sec. 78. Minnesota Statutes 2018, section 469.074, is amended by adding a subdivision  
80.10 to read:

80.11 Subd. 3. **Meetings by telephone or other electronic means.** The port authority may  
80.12 conduct meetings as provided by section 13D.015.

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

80.14 Sec. 79. Minnesota Statutes 2018, section 473.606, subdivision 5, is amended to read:

80.15 Subd. 5. **Employees, others, affirmative action; prevailing wage.** The corporation  
80.16 shall have the power to appoint engineers and other consultants, attorneys, and such other  
80.17 officers, agents, and employees as it may see fit, who shall perform such duties and receive  
80.18 such compensation as the corporation may determine ~~notwithstanding the provisions of~~  
80.19 ~~section 43A.17, subdivision 9,~~ and be removable at the pleasure of the corporation. The  
80.20 corporation must adopt an affirmative action plan, which shall be submitted to the appropriate  
80.21 agency or office of the state for review and approval. The plan must include a yearly progress  
80.22 report to the agency or office. Whenever the corporation performs any work within the  
80.23 limits of a city of the first class, or establishes a minimum wage for skilled or unskilled  
80.24 labor in the specifications or any contract for work within one of the cities, the rate of pay  
80.25 to such skilled and unskilled labor must be the prevailing rate of wage for such labor in that  
80.26 city.

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

81.1 Sec. 80. ~~[504B.279]~~ **ACCESS TO MULTIUNIT FACILITIES BY UNITED STATES**  
81.2 **CENSUS EMPLOYEES.**

81.3 Subdivision 1. **Access required.** It is unlawful for a person, either directly or indirectly,  
81.4 to deny access to an apartment house, dormitory, nursing home, manufactured home park,  
81.5 other multiple unit facility used as a residence, or an area in which two or more single-family  
81.6 dwellings are located on private roadways, to an employee of the United States Census who  
81.7 displays a current, valid census credential and who is engaged in official census business.  
81.8 An employee granted access under this section must be permitted to leave census materials  
81.9 for residents at their doors, except that the manager of a nursing home may direct that the

38.18 Sec. 23. Minnesota Statutes 2018, section 645.071, is amended to read:  
38.19 645.071 STANDARD OF TIME.

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

38.26 **EFFECTIVE DATE.** This section is effective upon the first commencement of advanced  
38.27 standard time, also known as daylight saving time, following enactment of an amendment  
38.28 to United States Code, title 15, section 260a, or another applicable law, which authorizes  
38.29 states to observe advanced standard time year-round.

39.1 Sec. 24. **INITIAL APPOINTMENTS.**

39.2 (a) Appointing authorities for the Legislative Commission on Housing Affordability  
39.3 under Minnesota Statutes, section 3.8845, must make initial appointments by June 1, 2019,  
39.4 to serve a term ending in January 2021.

81.10 materials be left at a central location within the facility. The materials must be left in an  
81.11 orderly manner.

81.12 Subd. 2. **Limitations.** This section does not prohibit:

81.13 (1) denial of admittance into a particular apartment, room, manufactured home, or  
81.14 personal residential unit;

81.15 (2) in the case of a nursing home or a registered housing with services establishment  
81.16 providing assisted living services meeting the requirements of Minnesota Statutes, section  
81.17 144G.03, subdivision 2, denial of permission to visit certain persons for valid health reasons;

81.18 (3) limiting visits to a reasonable number of census employees or reasonable hours;

81.19 (4) requiring a prior appointment to gain access to the facility; or

81.20 (5) denial of admittance to or expulsion of an individual employee from a multiple unit  
81.21 dwelling for good cause.

81.22 Subd. 3. **Compliance with federal law.** A person in compliance with United States  
81.23 Code, title 13, section 223, and any guidance or rules adopted by the United States  
81.24 Department of Commerce, Bureau of the Census, governing access to a facility described  
81.25 in subdivision 1 is considered to be in compliance with the requirements of this section.

81.26 Subd. 4. **Applicability.** This section is effective from January 1 to December 31 in any  
81.27 year during which a decennial census is conducted under the authority of the United States  
81.28 Constitution, article I, section 2.

39.5 (b) The speaker of the house must designate one member of the commission to convene  
39.6 the first meeting of the commission by June 15, 2019. A member of the house of  
39.7 representatives shall serve as the first chair of the commission. A member of the senate  
39.8 shall serve as chair of the commission beginning in January 2021.

39.9 **Sec. 25. WORKING GROUP ON STATE EMPLOYMENT AND RETENTION OF**  
39.10 **EMPLOYEES WITH DISABILITIES.**

39.11 Subdivision 1. **Members.** (a) A working group on state employment and retention of  
39.12 employees with disabilities is formed and must consist of the following members:

39.13 (1) a representative of the Commission of the Deaf, Deafblind and Hard of Hearing;

39.14 (2) a representative of the Governor's Council on Developmental Disabilities;

39.15 (3) a representative of Vocational Rehabilitation Services from within the Department  
39.16 of Employment and Economic Development;

39.17 (4) a representative of State Services for the Blind from within the Department of  
39.18 Employment and Economic Development;

39.19 (5) a representative of the Minnesota Council on Disability;

39.20 (6) a representative of the Office of the Ombudsman for Mental Health and  
39.21 Developmental Disabilities;

39.22 (7) a representative of the Olmstead Implementation Office with the Minnesota Housing  
39.23 Finance Agency;

39.24 (8) a representative of the MN.IT Office of Accessibility;

39.25 (9) a representative of A System of Technology to Achieve Results from within the  
39.26 Department of Administration; and

39.27 (10) a representative from Minnesota Management and Budget.

39.28 (b) Each of the entities listed in paragraph (a) must appoint its representative to the  
39.29 working group.

40.1 Subd. 2. **Convening authority; chair.** The Commission of the Deaf, Deafblind and  
40.2 Hard of Hearing is responsible for convening the working group and its representative to  
40.3 the working group shall act as chair for all meetings.

40.4 Subd. 3. **Duties; timing.** The working group must report on strategies for attracting and  
40.5 retaining state employees with disabilities to Minnesota Management and Budget and to  
40.6 the legislative committees with responsibility for state finance and operation. The report  
40.7 must be delivered by January 15, 2020.

40.8 **Sec. 26. FULL-TIME EQUIVALENT FREEZE.**

40.9 (a) The commissioner of management and budget shall determine the number of full-time  
40.10 equivalent positions employed by each agency as of June 30, 2019.

40.11 (b) Appropriations from any funds for fiscal years 2020 and 2021 must not be used to  
40.12 pay salary or benefits to employ more full-time equivalent positions than determined in  
40.13 paragraph (a). This section does not apply to any law enforcement positions that involve  
40.14 the investigation, enforcement, or prosecution of a crime or any position in a correctional  
40.15 facility.

40.16 (c) For purposes of this section, "agency" has the meaning given in Minnesota Statutes,  
40.17 section 16A.011, subdivision 2, and does not include the Minnesota State Colleges and  
40.18 Universities.

40.19 **Sec. 27. REDUCTION IN APPROPRIATIONS FOR UNFILLED POSITIONS.**

40.20 Subdivision 1. **Reduction required.** The general fund and nongeneral fund appropriations  
40.21 to an agency for agency operations for the biennium ending June 30, 2021, are reduced by  
40.22 the amount of salary and benefits savings that result from any positions that have not been  
40.23 filled within 180 days of the posting of the position. This section applies only to positions  
40.24 that are posted in fiscal years 2019, 2020, and 2021. Reductions made under this paragraph  
40.25 must be reflected as reductions in agency base budgets for fiscal years 2022 and 2023. This  
40.26 section does not apply to any law enforcement positions that involve the investigation,  
40.27 enforcement, or prosecution of a crime or any position in a correctional facility.

40.28 Subd. 2. **Reporting.** The commissioner of management and budget must report to the  
40.29 chairs and ranking minority members of the senate and the house of representatives finance  
40.30 committees regarding the amount of reductions in spending by each agency under this  
40.31 section.

41.1 Subd. 3. **Application.** For purposes of this section, "agency" has the meaning given in  
41.2 Minnesota Statutes, section 16A.011, subdivision 2, and does not include the Minnesota  
41.3 State Colleges and Universities.

41.4 **Sec. 28. BOARD OF COSMETOLOGIST EXAMINERS RULEMAKING.**

41.5 Rules proposed by the Board of Cosmetologist Examiners after January 1, 2019, shall  
41.6 not take effect until after adjournment of the regular session of the legislature in 2020.

82.1 Sec. 81. Laws 2018, chapter 211, article 14, section 26, is amended to read:

82.2 Sec. 26. **CITY OF AUSTIN; ALLOCATION OF FIRE STATE AID FOR**  
82.3 **FIREFIGHTERS.**

82.4 (a) Notwithstanding any law to the contrary, the city of Austin must annually:

82.5 (1) determine the amount of state aid required under the bylaws of the Austin Parttime  
82.6 Firefighters Relief Association to fund the volunteer firefighters' service pensions;

- 82.7 (2) transmit to the Austin Parttime Firefighters Relief Association any supplemental  
82.8 state aid received under Minnesota Statutes, section 423A.022;
- 82.9 (3) transmit to the Austin Parttime Firefighters Relief Association an amount of fire  
82.10 state aid under Minnesota Statutes, sections 69.011 to 69.051, equal to the difference between  
82.11 the amount determined under clause (1) and the amount transmitted under clause (2); and
- 82.12 (4) transmit the remaining balance of fire state aid under Minnesota Statutes, sections  
82.13 69.011 to 69.051, for the payment of the employer contribution requirements for firefighters  
82.14 covered by the public employees police and fire retirement plan under Minnesota Statutes,  
82.15 section 353.65, subdivision 3.
- 82.16 (b) Notwithstanding Minnesota Statutes, section 69.031, subdivision 5, the city of Austin  
82.17 has no liability to the relief association related to payments it made or will make to the  
82.18 public employees police and fire retirement plan from fire state aid for 2013,~~2014, 2015,~~  
82.19 ~~2016, 2017, and 2018~~ and subsequent years.
- 82.20 (c) ~~This section expires July 1, 2019~~ Paragraphs (a) and (b) expire on the effective date  
82.21 of general legislation permitting the allocation of fire state aid between volunteer firefighter  
82.22 relief associations and the affiliated municipalities, independent nonprofit firefighting  
82.23 corporations, or joint powers entities.
- 82.24 **EFFECTIVE DATE.** This section is effective the day after the governing body of the  
82.25 city of Austin and its chief clerical officer comply with Minnesota Statutes, section 645.021,  
82.26 subdivisions 2 and 3.
- 82.27 Sec. 82. **MINNESOTA CENSUS 2020 MOBILIZATION.**
- 82.28 Subdivision 1. **Duty of commissioner of administration; grants and contracts.** (a)  
82.29 The commissioner of administration must, in collaboration with the Minnesota Census 2020  
82.30 Mobilization Partnership, facilitate the administration of a census mobilization program.  
82.31 The purpose of the program must be to increase the participation of Minnesotans in the  
83.1 2020 United States Census by implementing the outreach and mobilization activities  
83.2 described in subdivisions 2 to 5.
- 83.3 (b) At least 45 percent of any appropriation provided to the commissioner for the program  
83.4 required by this section must be allocated for a grant to the Minnesota Council on  
83.5 Foundations. The Minnesota Council on Foundations must use the grant to issue subgrants  
83.6 of up to \$5,000 to the identified fiscal hosts of any Minnesota-based complete count  
83.7 committees. To be eligible for a subgrant, a complete count committee must be registered  
83.8 with the United States Census Bureau and be a tribal nation, political subdivision, nonpartisan  
83.9 nonprofit community organization, or public or private college or university engaged in  
83.10 census mobilization work in Minnesota. The commissioner must advance up to 50 percent  
83.11 of the grant and the Minnesota Council on Foundations may advance all or a portion of a  
83.12 subgrant awarded under this section. Any appropriations not allocated for grants may be  
83.13 used by the commissioner to further implement the outreach and mobilization activities

- 83.14 described in subdivisions 2 to 5 by contract or by directing the work of the office of the  
83.15 state demographer.
- 83.16 (c) The commissioner of administration may waive application of all or any portion of  
83.17 Minnesota Statutes, sections 16B.97 to 16B.991, in awarding grants; Minnesota Statutes,  
83.18 chapter 16C, in entering contracts; and Minnesota Statutes, chapter 16E, in purchasing  
83.19 technology systems and software under this section to facilitate the timely distribution of  
83.20 funds and to maximize the impact of the outreach and mobilization activities.  
83.21 Notwithstanding the waivers authorized by this paragraph, the commissioner may not waive  
83.22 application of policies or procedures designed to ensure diversity and the inclusion of  
83.23 traditionally underrepresented groups among grant recipients and contract vendors.
- 83.24 (d) The commissioner must contract with Community Connection Labs to purchase  
83.25 communication and technical tools designed to support census outreach efforts. If the  
83.26 commissioner is unable to enter this contract, the commissioner may contract with another  
83.27 vendor or vendors offering comparable products and tools, or may award grants to support  
83.28 the purchase of comparable communication and technology tools.
- 83.29 Subd. 2. **Engaging hard to reach households.** The census mobilization partnership  
83.30 program must support:
- 83.31 (1) initiatives to increase census response rates among households outside of the  
83.32 11-county metropolitan area who receive mail through a post office box; and
- 84.1 (2) initiatives to increase awareness among census employees, multiunit apartment  
84.2 managers and owners, and renters on the laws governing access to multiunit apartment  
84.3 buildings by census employees.
- 84.4 Subd. 3. **Adapting to the electronic census.** The census mobilization partnership program  
84.5 must support:
- 84.6 (1) opportunities for Minnesotans to submit their census response electronically through  
84.7 online portals provided in common gathering spaces within a community; and
- 84.8 (2) commit-to-the-census initiatives that organize Minnesotans to commit to participate  
84.9 in the census and include electronic reminders to facilitate their participation.
- 84.10 Subd. 4. **Reaching historically undercounted communities.** The census mobilization  
84.11 partnership program must support:
- 84.12 (1) job sourcing initiatives that encourage a sufficient pool of qualified candidates to  
84.13 apply for positions with the Census Bureau, and efforts to ensure that the pool of candidates  
84.14 reflects the diversity of Minnesota's communities, including those communities historically  
84.15 undercounted in census reports; and

84.16 (2) initiatives that engage historically undercounted communities and reduce census  
84.17 participation gaps in these communities compared to Minnesota's historically high overall  
84.18 census response rate.

84.19 Subd. 5. **Shared services.** The census mobilization partnership program must support  
84.20 efficiency in census mobilization efforts by providing shared services to support local and  
84.21 community census outreach, including development of multilingual educational and  
84.22 promotional materials and tools to reach respondents through a variety of communication  
84.23 platforms and services.

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

86.2 Sec. 84. **LEGISLATIVE BUDGET OFFICE ELIMINATED.**

86.3 All operations of the Legislative Budget Office established in Minnesota Statutes, section  
86.4 3.8853, and the Legislative Budget Office Oversight Commission established in Minnesota  
86.5 Statutes, section 3.8854, must be ended no later than July 1, 2019. Notwithstanding any  
86.6 laws in effect at the time of their appointment, the term of employment of all Legislative  
86.7 Budget Office employees is terminated effective July 1, 2019. The house of representatives,  
86.8 senate, and Legislative Coordinating Commission must offer reasonable opportunities for  
86.9 comparable employment in other offices of the legislature to employees whose positions  
86.10 are terminated by this section, to the extent that is practical.

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

86.28 Sec. 86. **CAPITOL FLAG PROGRAM STUDY.**

86.29 (a) The commissioner of administration, in consultation with the Legislative Coordinating  
86.30 Commission and the commissioners of veterans affairs, military affairs, and public safety,  
86.31 must study and develop recommendations to implement a Capitol flag program consistent  
86.32 with the program enacted in Minnesota Statutes, section 16B.276. The study must include  
87.1 recommendations to address any expected challenges in implementing the program, including  
87.2 the uncertainty of sufficient funding to serve all families that may be eligible for a flag, and  
87.3 challenges in verifying a family member's eligibility.

87.4 (b) The commissioner must report the results of the study, including any  
87.5 recommendations, to the chairs and ranking minority members of the legislative committees  
87.6 with jurisdiction over state government finance and veterans affairs no later than January  
87.7 15, 2020.

87.8 Sec. 87. **MAINTENANCE AND UPKEEP OF STATE OFFICE BUILDING.**

87.9 No later than January 1, 2020, the commissioner of administration must enter a contract  
87.10 with the house of representatives for the regular maintenance and upkeep of space occupied  
87.11 by the house of representatives in the State Office Building.

41.7 Sec. 29. **REPEALER.**

41.8 Minnesota Statutes 2018, sections 3.9735; and 353.505, are repealed.

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

87.12 Sec. 88. **MINNESOTA LAW ENFORCEMENT ASSOCIATION LABOR**  
87.13 **AGREEMENT.**

87.14 The labor agreement between the state of Minnesota and the Minnesota Law Enforcement  
87.15 Association, submitted to the Legislative Coordinating Commission Subcommittee on  
87.16 Employee Relations on April 5, 2019, is ratified.

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

87.18 Sec. 89. **REPEALER.**

87.19 Subdivision 1. **Hair braiding.** Minnesota Statutes 2018, section 155A.28, subdivisions  
87.20 1, 3, and 4, are repealed.

87.21 Subd. 2. **Legislative Budget Office.** Minnesota Statutes 2018, sections 3.8853; and  
87.22 3.8854, and Laws 2017, First Special Session chapter 4, article 2, sections 1, as amended  
87.23 by Laws 2018, chapter 214, article 5, section 10; 3, as amended by Laws 2018, chapter 214,  
87.24 article 5, section 11; 7; 8; 9, as amended by Laws 2018, chapter 214, article 5, section 12;  
87.25 and 58, as amended by Laws 2018, chapter 214, article 5, section 13; and Laws 2018, chapter  
87.26 214, article 5, sections 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; and 15, are repealed.

87.27 Subd. 3. **Local government compensation limits.** Minnesota Statutes 2018, section  
87.28 43A.17, subdivision 9, is repealed, effective the day following final enactment.

87.29 Subd. 4. **Legislative Auditor.** Minnesota Statutes 2018, section 3.9735, is repealed,  
87.30 effective the day following final enactment.