

1.1 moves to amend H.F. No. 3431 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 STATE GOVERNMENT APPROPRIATIONS

1.5 Section 1. Laws 2023, chapter 62, article 1, section 11, subdivision 2, is amended to read:

1.6	Subd. 2. Government and Citizen Services	39,928,000	19,943,000
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1.7 The base for this appropriation is \$17,268,000
1.8 in fiscal year 2026 and \$17,280,000 in fiscal
1.9 year 2027.

1.10 **Council on Developmental Disabilities.**

1.11 \$222,000 each year is for the Council on
1.12 Developmental Disabilities.

1.13 **State Agency Accommodation**

1.14 **Reimbursement.** \$200,000 each year may be
1.15 transferred to the accommodation account
1.16 established in Minnesota Statutes, section
1.17 16B.4805.

1.18 **Disparity Study.** \$500,000 the first year and
1.19 \$1,000,000 the second year are to conduct a
1.20 study on disparities in state procurement. This
1.21 is a onetime appropriation.

1.22 **Grants Administration Oversight.**

1.23 \$2,411,000 the first year and \$1,782,000 the

2.1 second year are for grants administration
2.2 oversight. The base for this appropriation in
2.3 fiscal year 2026 and each year thereafter is
2.4 \$1,581,000.

2.5 Of this amount, \$735,000 the first year and
2.6 \$201,000 the second year are for a study to
2.7 develop a road map on the need for an
2.8 enterprise grants management system and to
2.9 implement the study's recommendation. This
2.10 is a onetime appropriation.

2.11 **Risk Management Fund Property**

2.12 **Self-Insurance.** \$12,500,000 the first year is
2.13 for transfer to the risk management fund under
2.14 Minnesota Statutes, section 16B.85. This is a
2.15 onetime appropriation.

2.16 **Office of Enterprise Translations.**

2.17 \$1,306,000 the first year and \$1,159,000 the
2.18 second year are to establish the Office of
2.19 Enterprise Translations. \$250,000 each year
2.20 may be transferred to the language access
2.21 service account established in Minnesota
2.22 Statutes, section 16B.373.

2.23 **Capitol Mall Design Framework**

2.24 **Implementation.** \$5,000,000 the first year is
2.25 to implement the updated Capitol Mall Design
2.26 Framework, prioritizing the framework plans
2.27 identified in article 2, section 124. This
2.28 appropriation is available until December 31,
2.29 2024.

2.30 **Parking Fund.** \$3,255,000 the first year and
2.31 \$1,085,000 the second year are for a transfer
2.32 to the state parking account to maintain the
2.33 operations of the parking and transit program

3.1 on the Capitol complex. These are onetime
3.2 transfers.

3.3 **Procurement; Environmental Analysis and**
3.4 **Task Force.** \$522,000 the first year and
3.5 \$367,000 the second year are to implement
3.6 the provisions of Minnesota Statutes, section
3.7 16B.312.

3.8 **Center for Rural Policy and Development.**
3.9 \$100,000 the first year is for a grant to the
3.10 Center for Rural Policy and Development.

3.11 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

3.12 Sec. 2. Laws 2023, chapter 62, article 1, section 11, subdivision 4, is amended to read:

3.13 Subd. 4. **Fiscal Agent** 31,121,000 23,833,000

3.14 The base for this appropriation is \$15,833,000
3.15 in fiscal year 2026 and each fiscal year
3.16 thereafter.

3.17 The appropriations under this section are to
3.18 the commissioner of administration for the
3.19 purposes specified.

3.20 **In-Lieu of Rent.** \$11,129,000 each year is for
3.21 space costs of the legislature and veterans
3.22 organizations, ceremonial space, and
3.23 statutorily free space.

3.24 **Public Television.** (a) \$1,550,000 each year
3.25 is for matching grants for public television.

3.26 (b) \$250,000 each year is for public television
3.27 equipment grants under Minnesota Statutes,
3.28 section 129D.13.

3.29 (c) \$500,000 each year is for block grants to
3.30 public television under Minnesota Statutes,
3.31 section 129D.13. Of this amount, up to three
3.32 percent is for the commissioner of

4.1 administration to administer the grants. ~~This~~
4.2 ~~is a onetime appropriation.~~

4.3 (d) The commissioner of administration must
4.4 consider the recommendations of the
4.5 Minnesota Public Television Association
4.6 before allocating the amounts appropriated in
4.7 paragraphs (a) and (b) for equipment or
4.8 matching grants.

4.9 **Public Radio.** (a) \$2,392,000 the first year
4.10 and \$1,242,000 the second year are for
4.11 community service grants to public
4.12 educational radio stations. This appropriation
4.13 may be used to disseminate emergency
4.14 information in foreign languages. Any
4.15 unencumbered balance does not cancel at the
4.16 end of the first year and is available for the
4.17 second year. The association of Minnesota
4.18 Public Educational Radio Stations may use up
4.19 to four percent of this appropriation to help
4.20 the organization and its member stations to
4.21 better serve Minnesota's communities.

4.22 (b) \$142,000 each year is for equipment grants
4.23 to public educational radio stations. This
4.24 appropriation may be used for the repair,
4.25 rental, and purchase of equipment including
4.26 equipment under \$500.

4.27 (c) \$850,000 the first year is for grants to the
4.28 Association of Minnesota Public Educational
4.29 Radio Stations for the purchase of emergency
4.30 equipment and increased cybersecurity and
4.31 broadcast technology. The Association of
4.32 Minnesota Public Educational Radio Stations
4.33 may use up to four percent of this
4.34 appropriation for costs that are directly related
4.35 to and necessary for the administration of these

5.1 grants to help the organization and its member
5.2 stations to enhance cybersecurity, broadcast
5.3 technology, and emergency services.

5.4 (d) \$1,288,000 the first year is for a grant to
5.5 the Association of Minnesota Public
5.6 Educational Radio Stations to provide a
5.7 diverse community radio news service. Of this
5.8 amount, up to \$38,000 is for the commissioner
5.9 of administration to administer this grant. This
5.10 is a onetime appropriation and is available
5.11 until June 30, 2027.

5.12 (e) \$1,020,000 each year is for equipment
5.13 grants to Minnesota Public Radio, Inc.,
5.14 including upgrades to Minnesota's Emergency
5.15 Alert and AMBER Alert Systems.

5.16 (f) The appropriations in paragraphs (a) to (e)
5.17 may not be used for indirect costs claimed by
5.18 an institution or governing body.

5.19 (g) The commissioner of administration must
5.20 consider the recommendations of the
5.21 Association of Minnesota Public Educational
5.22 Radio Stations before awarding grants under
5.23 Minnesota Statutes, section 129D.14, using
5.24 the appropriations in paragraphs (a) to (c). No
5.25 grantee is eligible for a grant unless they are
5.26 a member of the Association of Minnesota
5.27 Public Educational Radio Stations on or before
5.28 July 1, 2023.

5.29 (h) Any unencumbered balance remaining the
5.30 first year for grants to public television or
5.31 public radio stations does not cancel and is
5.32 available for the second year.

5.33 **Real Estate and Construction Services.**
5.34 \$12,000,000 the first year and \$8,000,000 the

6.1 second year are to facilitate space
6.2 consolidation and the transition to a hybrid
6.3 work environment, including but not limited
6.4 to the design, remodel, equipping, and
6.5 furnishing of the space. This appropriation
6.6 may also be used for relocation and rent loss.
6.7 This is a onetime appropriation and is
6.8 available until June 30, 2027.

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

6.10 **Sec. 3. CAPITOL AREA COMMUNITY VITALITY ACCOUNT.**

6.11 (a) Consistent with the program and oversight plan approved by the Capitol Area
6.12 Architectural and Planning Board, the commissioner of administration must expend money
6.13 from the Capitol Area community vitality account as follows:

6.14 (1) \$4,800,000 must be for a grant to the city of St. Paul, Department of Planning and
6.15 Economic Development. The city must use this amount to make subgrants through the
6.16 community vitality grant program, and to support the Community Voices Initiative. The
6.17 city may retain amounts for grants administration and oversight, up to the maximum permitted
6.18 to be retained by a state agency under Minnesota Statutes, section 16B.98, subdivision 14;
6.19 and

6.20 (2) \$200,000 must be transferred to the Capitol Area Architectural and Planning Board
6.21 for Community Navigators, and for startup and other costs to facilitate implementation of
6.22 the community vitality grant program and the Community Voices Initiative.

6.23 (b) Minnesota Statutes, sections 16B.97 to 16B.991 do not apply to a grant required by
6.24 this section.

6.25 (c) This section constitutes approval by law for the expenditure of funds from the Capitol
6.26 Area community vitality account, as required by Laws 2023, chapter 53, article 17, section
6.27 2.

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

6.29 **Sec. 4. APPROPRIATION; COMMISSIONER OF ADMINISTRATION; IN LIEU**
6.30 **OF RENT.**

6.31 \$43,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
6.32 of administration for space costs incurred in fiscal years 2025, 2026, and 2027 by tenants

7.1 that provide public-facing professional services on the Capitol complex. The commissioner
7.2 of administration must designate one publicly accessible space on the complex for which
7.3 this appropriation may be used. This is a onetime appropriation and is available until June
7.4 30, 2027.

7.5 **Sec. 5. HEALTHY AND SUSTAINABLE FOOD OPTIONS ACCOUNT; TRANSFER.**

7.6 (a) A healthy and sustainable food options account is established as an account in the
7.7 special revenue fund. Money in the account is appropriated to the commissioner of
7.8 administration for the purpose of enhancing and sustaining access to healthy food alternatives
7.9 on the State Capitol complex, in locations designated by the commissioner.

7.10 (b) \$500,000 in fiscal year 2025 is transferred from the general fund to the healthy and
7.11 sustainable food options account.

7.12 **Sec. 6. GREEN SPACE; CAPITOL PARKING LOT C.**

7.13 \$445,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
7.14 of administration to design, construct, and equip additional green space, along with work
7.15 needed to facilitate circulation and to add accessible parking stalls, on the site of Parking
7.16 Lot C on the State Capitol complex. In addition to this amount, the commissioner may
7.17 utilize for this purpose any funds remaining from the appropriation made by Laws 2023,
7.18 chapter 71, section 6, subdivision 3, after the project authorized by that subdivision is
7.19 complete.

7.20 **Sec. 7. APPROPRIATION; HUBERT H. HUMPHREY STATUE.**

7.21 \$300,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
7.22 of administration to replace the statue of Henry Mower Rice in the Statuary Hall in the
7.23 United States Capitol with a statue of Hubert H. Humphrey. This appropriation includes
7.24 money for the removal and transportation of the Henry Mower Rice statue to the Minnesota
7.25 State Historical Society, to contract with the Koh-Varilla Guild, Inc., to replicate the Hubert
7.26 H. Humphrey that currently stands on the mall of the Minnesota State Capitol, and the
7.27 erection of the new Hubert H. Humphrey statue in the Statuary Hall in the United States
7.28 Capitol. This is a onetime appropriation and is available until December 31, 2026.

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

8.1 **Sec. 8. CANCELLATION; APPROPRIATION; CAPITOL MALL DESIGN**
 8.2 **FRAMEWORK.**

8.3 Subdivision 1. **Cancellation.** \$4,950,000 of the general fund appropriation in Laws
 8.4 2023, chapter 62, article 1, section 11, subdivision 2 for implementation of the Capitol Mall
 8.5 Design Framework is canceled to the general fund by June 30, 2024.

8.6 Subd. 2. **Appropriation.** (a) \$6,162,000 in fiscal year 2025 is appropriated from the
 8.7 general fund to the commissioner of administration to design, construct, install, and equip
 8.8 the elements outlined in the authorizing legislation for the Capitol Mall Design Framework,
 8.9 as follows:

8.10 (1) landscaping, trees, benches, lighting, security, and irrigation on the upper mall, the
 8.11 northern border of the lower mall with Martin Luther King, Jr. Boulevard, and in the medians
 8.12 of John Ireland Boulevard between the intersection of Rice Street and Martin Luther King,
 8.13 Jr. Boulevard, and Cedar Street between the intersection of 12th Street and Martin Luther
 8.14 King Jr., Boulevard; and

8.15 (2) visual markers and welcome information for the Capitol campus, appropriately spaced
 8.16 for wayfinding of the major streets on the Capitol campus, anchoring a pathway to the State
 8.17 Capitol Building and Capitol Mall that features interpretive markers honoring the importance
 8.18 and stature of the Capitol campus as both a historic site and as a modern, active public
 8.19 gathering place for all visitors.

8.20 (b) Upon completion of the work identified in paragraph (a), clauses (1) and (2), any
 8.21 remaining balance of funds may be utilized to paint the Administration Building parking
 8.22 ramp and install new gates.

8.23 (c) This is a onetime appropriation and is available until December 31, 2029.

8.24 **ARTICLE 2**

8.25 **STATE GOVERNMENT POLICY**

8.26 **Section 1.** Minnesota Statutes 2023 Supplement, section 10.65, subdivision 2, is amended
 8.27 to read:

8.28 **Subd. 2. **Definitions.**** As used in this section, the following terms have the meanings
 8.29 given:

8.30 (1) "agency" means the Department of Administration; Department of Agriculture;
 8.31 Department of Children, Youth, and Families; Department of Commerce; Department of
 8.32 Corrections; Department of Education; Department of Employment and Economic

9.1 Development; Department of Health; Office of Higher Education; Housing Finance Agency;
9.2 Department of Human Rights; Department of Human Services; Department of Information
9.3 Technology Services; Department of Iron Range Resources and Rehabilitation; Department
9.4 of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;
9.5 Department of Military Affairs; Metropolitan Council; Department of Natural Resources;
9.6 Pollution Control Agency; Department of Public Safety; Department of Revenue; Department
9.7 of Transportation; Department of Veterans Affairs; Gambling Control Board; Racing
9.8 Commission; the Minnesota Lottery; the Animal Health Board; the Public Utilities
9.9 Commission; and the Board of Water and Soil Resources;

9.10 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal
9.11 governments in the development of policy on matters that have Tribal implications.
9.12 Consultation is the proactive, affirmative process of identifying and seeking input from
9.13 appropriate Tribal governments and considering their interest as a necessary and integral
9.14 part of the decision-making process. This definition adds to statutorily mandated notification
9.15 procedures. During a consultation, the burden is on the agency to show that it has made a
9.16 good faith effort to elicit feedback. Consultation is a formal engagement between agency
9.17 officials and the governing body or bodies of an individual Minnesota Tribal government
9.18 that the agency or an individual Tribal government may initiate. Formal meetings or
9.19 communication between top agency officials and the governing body of a Minnesota Tribal
9.20 government is a necessary element of consultation;

9.21 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
9.22 statements, or other actions that have substantial direct effects on one or more Minnesota
9.23 Tribal governments, or on the distribution of power and responsibilities between the state
9.24 and Minnesota Tribal governments;

9.25 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
9.26 in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech
9.27 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
9.28 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
9.29 and Upper Sioux Community; and

9.30 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
9.31 allows the result of consultation to be included in the agency's decision-making process for
9.32 a matter that has Tribal implications.

9.33 **EFFECTIVE DATE.** This section is effective August 1, 2024.

10.1 Sec. 2. **[13.95] ADMINISTRATIVE COURTS.**

10.2 **Subdivision 1. Definitions.** (a) For purposes of this section, the terms have the meanings
10.3 given.

10.4 (b) "Administrative courts" means the Office of Administrative Hearings, Tax Court,
10.5 and Workers' Compensation Court of Appeals.

10.6 (c) "Court services" include hearings, settlement conferences, mediation, and the writing
10.7 of decisions and orders.

10.8 (d) "Health-related documents and data" means records, reports, or affidavits created
10.9 by medical, health care, or scientific professionals that relate to the past, present, or future
10.10 physical or mental health or condition of an individual, including but not limited to medical
10.11 history, examinations, diagnoses and treatment, prepetition screening reports, or
10.12 court-appointed examiner reports.

10.13 **Subd. 2. Judicial work product.** All notes and memoranda or drafts thereof prepared
10.14 by a judge or employee of an administrative court and used in providing a court service are
10.15 confidential or protected nonpublic data.

10.16 **Subd. 3. Health-related documents and data.** Health-related documents and data
10.17 included in a court file are private data on individuals.

10.18 **Subd. 4. Use of not public data in court.** Not public data as defined in section 13.02,
10.19 subdivision 8a, may be disclosed by the court orally during an administrative court proceeding
10.20 or in memoranda of law, orders, or decisions when the discussion is necessary and relevant
10.21 to a legal matter or issue.

10.22 Sec. 3. Minnesota Statutes 2022, section 14.05, subdivision 7, is amended to read:

10.23 **Subd. 7. Electronic documents permitted.** An agency ~~may~~ must file rule-related
10.24 documents with the Office of Administrative Hearings by electronic transmission in the
10.25 manner approved by that office ~~and~~. An agency may file rule-related documents with the
10.26 Office of the Revisor of Statutes by electronic transmission in the manner approved by that
10.27 office.

10.28 Sec. 4. Minnesota Statutes 2022, section 14.08, is amended to read:

10.29 **14.08 APPROVAL OF RULE AND RULE FORM; COSTS.**

10.30 (a) One copy of a rule adopted under section 14.26 must be submitted by the agency to
10.31 the chief administrative law judge. The chief administrative law judge shall request from

11.1 the revisor certified copies of the rule when it is submitted by the agency under section
11.2 14.26. Within five working days after the request for certification of the rule is received by
11.3 the revisor, ~~excluding weekends and holidays~~, the revisor shall either return the rule with
11.4 a certificate of approval of the form of the rule to the chief administrative law judge or
11.5 notify the chief administrative law judge and the agency that the form of the rule will not
11.6 be approved.

11.7 If the chief administrative law judge disapproves a rule, the agency may modify it and
11.8 the agency shall submit one copy of the modified rule, approved as to form by the revisor,
11.9 to the chief administrative law judge.

11.10 (b) One copy of a rule adopted after a public hearing must be submitted by the agency
11.11 to the chief administrative law judge. The chief administrative law judge shall request from
11.12 the revisor certified copies of the rule when it is submitted by the agency. Within five
11.13 working days after receipt of the request, the revisor shall either return the rule with a
11.14 certificate of approval to the chief administrative law judge or notify the chief administrative
11.15 law judge and the agency that the form of the rule will not be approved.

11.16 (c) If the revisor refuses to approve the form of the rule, the revisor's notice must revise
11.17 the rule so it is in the correct form.

11.18 (d) After the agency has notified the chief administrative law judge that it has adopted
11.19 the rule, the chief administrative law judge shall promptly file ~~four paper copies~~ or an
11.20 electronic copy of the adopted rule in the Office of the Secretary of State. The secretary of
11.21 state shall forward one copy of each rule filed to the agency, to the revisor of statutes, and
11.22 to the governor.

11.23 (e) The chief administrative law judge shall assess an agency for the actual cost of
11.24 processing rules under this section. Each agency shall include in its budget money to pay
11.25 the assessments. Receipts from the assessment must be deposited in the administrative
11.26 hearings account established in section 14.54.

11.27 Sec. 5. Minnesota Statutes 2022, section 14.16, subdivision 3, is amended to read:

11.28 Subd. 3. **Filing.** After the agency has provided the chief administrative law judge with
11.29 a signed order adopting the rule, the chief administrative law judge shall promptly file ~~four~~
11.30 ~~paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary of State.
11.31 The secretary of state shall forward one copy of each rule filed to the agency, to the revisor
11.32 of statutes, and to the governor.

12.1 Sec. 6. Minnesota Statutes 2022, section 14.26, subdivision 3a, is amended to read:

12.2 Subd. 3a. **Filing.** If the rule is approved, the administrative law judge shall promptly
12.3 file ~~four paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary
12.4 of State. The secretary of state shall forward one copy of each rule to the revisor of statutes,
12.5 to the agency, and to the governor.

12.6 Sec. 7. Minnesota Statutes 2022, section 14.386, is amended to read:

12.7 **14.386 PROCEDURE FOR ADOPTING EXEMPT RULES; DURATION.**

12.8 (a) A rule adopted, amended, or repealed by an agency, under a statute enacted after
12.9 January 1, 1997, authorizing or requiring rules to be adopted but excluded from the
12.10 rulemaking provisions of chapter 14 or from the definition of a rule, has the force and effect
12.11 of law only if:

12.12 (1) the revisor of statutes approves the form of the rule by certificate;

12.13 (2) the person authorized to adopt the rule on behalf of the agency signs an order adopting
12.14 the rule;

12.15 (3) the Office of Administrative Hearings approves the rule as to its legality within 14
12.16 days after the agency submits it for approval and files ~~four paper copies~~ or an electronic
12.17 copy of the adopted rule with the revisor's certificate in the Office of the Secretary of State;
12.18 and

12.19 (4) a copy is published by the agency in the State Register.

12.20 The secretary of state shall forward one copy of the rule to the governor.

12.21 A statute enacted after January 1, 1997, authorizing or requiring rules to be adopted but
12.22 excluded from the rulemaking provisions of chapter 14 or from the definition of a rule does
12.23 not excuse compliance with this section unless it makes specific reference to this section.

12.24 (b) A rule adopted under this section is effective for a period of two years from the date
12.25 of publication of the rule in the State Register. The authority for the rule expires at the end
12.26 of this two-year period.

12.27 (c) The chief administrative law judge shall adopt rules relating to the rule approval
12.28 duties imposed by this section and section 14.388, including rules establishing standards
12.29 for review.

12.30 (d) This section does not apply to:

13.1 (1) any group or rule listed in section 14.03, subdivisions 1 and 3, except as otherwise
13.2 provided by law;

13.3 (2) game and fish rules of the commissioner of natural resources adopted under section
13.4 84.027, subdivision 13, or sections 97A.0451 to 97A.0459;

13.5 (3) experimental and special management waters designated by the commissioner of
13.6 natural resources under sections 97C.001 and 97C.005;

13.7 (4) game refuges designated by the commissioner of natural resources under section
13.8 97A.085; or

13.9 (5) transaction fees established by the commissioner of natural resources for electronic
13.10 or telephone sales of licenses, stamps, permits, registrations, or transfers under section
13.11 84.027, subdivision 15, paragraph (a), clause (3).

13.12 (e) If a statute provides that a rule is exempt from chapter 14, and section 14.386 does
13.13 not apply to the rule, the rule has the force of law unless the context of the statute delegating
13.14 the rulemaking authority makes clear that the rule does not have force of law.

13.15 Sec. 8. Minnesota Statutes 2022, section 14.388, subdivision 2, is amended to read:

13.16 Subd. 2. **Notice.** An agency proposing to adopt, amend, or repeal a rule under this section
13.17 must give electronic notice of its intent in accordance with section 16E.07, subdivision 3,
13.18 and notice by United States mail or electronic mail to persons who have registered their
13.19 names with the agency under section 14.14, subdivision 1a. The notice must be given no
13.20 later than the date the agency submits the proposed rule to the Office of Administrative
13.21 Hearings for review of its legality and must include:

13.22 (1) the proposed rule, amendment, or repeal;

13.23 (2) an explanation of why the rule meets the requirements of the good cause exemption
13.24 under subdivision 1; and

13.25 (3) a statement that interested parties have five business working days after the date of
13.26 the notice to submit comments to the Office of Administrative Hearings.

13.27 Sec. 9. Minnesota Statutes 2022, section 14.3895, subdivision 2, is amended to read:

13.28 Subd. 2. **Notice plan; prior approval.** The agency shall draft a notice plan under which
13.29 the agency will make reasonable efforts to notify persons or classes of persons who may
13.30 be significantly affected by the rule repeal by giving notice of its intention in newsletters,
13.31 newspapers, or other publications, or through other means of communication. Before

14.1 publishing the notice in the State Register and implementing the notice plan, the agency
14.2 shall obtain prior approval of the notice plan by ~~the chief administrative law judge~~ an
14.3 administrative law judge in the Office of Administrative Hearings.

14.4 Sec. 10. Minnesota Statutes 2022, section 14.3895, subdivision 6, is amended to read:

14.5 Subd. 6. **Legal review.** Before publication of the final rule in the State Register, the
14.6 agency shall submit the rule to the ~~chief~~ administrative law judge in the Office of
14.7 Administrative Hearings. The ~~chief~~ administrative law judge shall within 14 days approve
14.8 or disapprove the rule as to its legality and its form to the extent the form relates to legality.

14.9 Sec. 11. Minnesota Statutes 2022, section 14.48, subdivision 2, is amended to read:

14.10 Subd. 2. **Chief administrative law judge.** (a) The office shall be under the direction of
14.11 a chief administrative law judge who shall be learned in the law and appointed by the
14.12 governor, with the advice and consent of the senate, for a term ending on June 30 of the
14.13 sixth calendar year after appointment. Senate confirmation of the chief administrative law
14.14 judge shall be as provided by section 15.066.

14.15 (b) The chief administrative law judge may hear cases and, in accordance with chapter
14.16 43A, shall appoint a deputy chief judge and additional administrative law judges and
14.17 compensation judges to serve in the office as necessary to fulfill the duties of the Office of
14.18 Administrative Hearings.

14.19 (c) The chief administrative law judge may delegate to a subordinate employee the
14.20 exercise of a specified statutory power or duty as deemed advisable, subject to the control
14.21 of the chief administrative law judge. Every delegation must be by written order filed with
14.22 the secretary of state. The chief administrative law judge is subject to the provisions of the
14.23 Minnesota Constitution, article VI, section 6, the jurisdiction of the Board on Judicial
14.24 Standards, and the provisions of the Code of Judicial Conduct.

14.25 (d) If a vacancy in the position of chief administrative law judge occurs, an acting or
14.26 temporary chief administrative law judge must be named as follows:

14.27 (1) at the end of the term of a chief administrative law judge, the incumbent chief
14.28 administrative law judge may, at the discretion of the appointing authority, serve as acting
14.29 chief administrative law judge until a successor is appointed; and

14.30 (2) if at the end of a term of a chief administrative law judge the incumbent chief
14.31 administrative law judge is not designated as acting chief administrative law judge, or if a
14.32 vacancy occurs in the position of chief administrative law judge, the deputy chief judge

15.1 shall immediately become temporary chief administrative law judge without further official
15.2 action.

15.3 (e) The appointing authority of the chief administrative law judge may appoint a person
15.4 other than the deputy chief judge to serve as temporary chief administrative law judge and
15.5 may replace any other acting or temporary chief administrative law judge designated pursuant
15.6 to paragraph (d), clause (1) or (2).

15.7 Sec. 12. [14.525] INTERPRETERS.

15.8 The chief administrative law judge may enter contracts with interpreters identified by
15.9 the Supreme Court through the Court Interpreter Program. Interpreters may be utilized as
15.10 the chief administrative law judge directs. These contracts are not subject to the requirements
15.11 of chapters 16B and 16C.

15.12 Sec. 13. Minnesota Statutes 2022, section 14.62, subdivision 2a, is amended to read:

15.13 Subd. 2a. **Administrative law judge decision final; exception.** Unless otherwise
15.14 provided by law, the report or order of the administrative law judge constitutes the final
15.15 decision in the case unless the agency modifies or rejects it under subdivision 1 within 90
15.16 days after the record of the proceeding closes under section 14.61. When the agency fails
15.17 to act within 90 days on a licensing case, the agency must return the record of the proceeding
15.18 to the administrative law judge for consideration of disciplinary action. In all contested
15.19 cases where the report or order of the administrative law judge constitutes the final decision
15.20 in the case, the administrative law judge shall issue findings of fact, conclusions, and an
15.21 order within 90 days after the hearing record closes under section 14.61. Upon a showing
15.22 of good cause by a party or the agency, the chief administrative law judge may order a
15.23 reasonable extension of either of the two 90-day deadlines specified in this subdivision.
15.24 The 90-day deadline will be tolled while the chief administrative law judge considers a
15.25 request for reasonable extension so long as the request was filed and served within the
15.26 applicable 90-day period.

15.27 Sec. 14. Minnesota Statutes 2022, section 15.994, is amended to read:

15.28 **15.994 INTERNET GRANT INFORMATION.**

15.29 A state agency with an Internet site must provide information on grants available through
15.30 the agency and must provide a link to any grant application ~~under section 16E.20.~~

16.1 Sec. 15. Minnesota Statutes 2022, section 15A.083, subdivision 6a, is amended to read:

16.2 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative
16.3 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the
16.4 ~~assistant chief administrative law judge and administrative law judge supervisors~~ deputy
16.5 chief judge and judge supervisors employed by the Office of Administrative Hearings are
16.6 100 percent of the salary of a district court judge. The salary of an administrative law judge
16.7 employed by the Office of Administrative Hearings is 98.52 percent of the salary of a district
16.8 court judge as set under section 15A.082, subdivision 3.

16.9 Sec. 16. **[16A.865] CAPITAL PROJECT REPLACEMENT ACCOUNTS.**

16.10 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
16.11 the meaning given them.

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

16.13 (c) "Preservation" means improvements and betterments of a capital nature consistent
16.14 with those described in section 16B.307, subdivision 1, paragraph (d).

16.15 Subd. 2. **Replacement account establishment.** (a) A grantee that receives a direct
16.16 appropriation or grant from an appropriation of state money for a capital project subject to
16.17 section 16A.642, 16A.695, or 16A.86, must establish a capital project replacement fund for
16.18 major rehabilitation, expansion, replacement, or preservation of the capital project once the
16.19 project has reached its useful life, or another use as permitted under this section. Money
16.20 must remain in the account for the useful life of the capital project, as determined by the
16.21 grant agreement with the granting state agency, unless use of the fund is approved in writing
16.22 by the granting state agency for major rehabilitation, expansion, replacement, or preservation
16.23 of the capital project funded with state money, or to address a capital project for a different
16.24 capital asset owned by the grantee.

16.25 (b) A grantee must adopt a capital project replacement policy that specifies the following
16.26 for the capital project replacement fund:

16.27 (1) the risks to be mitigated or managed by the fund;

16.28 (2) the intended use of the replacement fund, including, but not limited to, how the fund
16.29 will be used for major rehabilitation, expansion, replacement, or preservation of the capital
16.30 project; and

17.1 (3) criteria for the use of the fund to address other capital improvement needs of the
17.2 grantee, including safety and security, maintenance and utility costs, availability of repair
17.3 parts and materials, sustainability, and any other criteria the grantee deems relevant.

17.4 (c) For the purposes of this section, "grantee" does not include a state agency or state
17.5 official.

17.6 Subd. 3. **Minimum deposits; fund balance.** (a) The commissioner must determine the
17.7 annual minimum deposit amounts into capital project replacement funds by capital project
17.8 type. The commissioner must take into account depreciation, construction cost inflation,
17.9 and other relevant factors when determining the minimum deposit amounts.

17.10 (b) A grantee must not be required to maintain a capital project replacement fund balance
17.11 greater than the amount of the direct appropriation or grant from an appropriation of state
17.12 money for the capital project.

17.13 Subd. 4. **Account auditing.** The state auditor may audit capital project replacement
17.14 accounts as part of the regular audits of local governments.

17.15 Subd. 5. **Exceptions.** Capital projects that already require a replacement fund under
17.16 section 446A.072, subdivision 12, or any other law, rule, or ordinance, are exempt from the
17.17 requirements under this section, so long as the deposits into the replacement fund are at
17.18 least as large as the minimum deposits established by the commissioner under subdivision
17.19 3.

17.20 Subd. 6. **Penalty.** Failure of a grantee to comply with the requirements of this section
17.21 shall result in the granting state agency assessing a penalty fee to the grantee equal to one
17.22 percent of the appropriation of state money for the capital project for each year of
17.23 noncompliance. Penalty fees shall be remitted by the granting state agency to the
17.24 commissioner of management and budget for deposit into the general fund.

17.25 **EFFECTIVE DATE.** This section is effective for capital projects funded through state
17.26 capital project grant agreements entered into on or after July 1, 2024.

17.27 Sec. 17. Minnesota Statutes 2022, section 16B.055, subdivision 1, is amended to read:

17.28 Subdivision 1. **Federal Assistive Technology Act.** (a) The Department of Administration
17.29 is designated as the lead agency to carry out all the responsibilities under the 21st Century
17.30 Assistive Technology Act of 1998, as provided by Public Law ~~108-364~~, as amended 117-81.
17.31 The Minnesota Assistive Technology Advisory Council is established to fulfill the
17.32 responsibilities required by the Assistive Technology Act, as provided by Public Law

18.1 ~~108-364, as amended~~ 117-81. Because the existence of this council is required by federal
18.2 law, this council does not expire.

18.3 (b) Except as provided in paragraph (c), the governor shall appoint the membership of
18.4 the council as required by the 21st Century Assistive Technology Act of 1998, as provided
18.5 by Public Law ~~108-364, as amended~~ 117-81. After the governor has completed the
18.6 appointments required by this subdivision, the commissioner of administration, or the
18.7 commissioner's designee, shall convene the first meeting of the council following the
18.8 appointments. Members shall serve two-year terms commencing July 1 of each odd-numbered
18.9 year, and receive the compensation specified by the 21st Century Assistive Technology Act
18.10 ~~of 1998~~, as provided by Public Law ~~108-364, as amended~~ 117-81. The members of the
18.11 council shall select their chair at the first meeting following their appointment.

18.12 (c) After consulting with the appropriate commissioner, the commissioner of
18.13 administration shall appoint a representative from:

- 18.14 (1) State Services for the Blind who has assistive technology expertise;
18.15 (2) vocational rehabilitation services who has assistive technology expertise;
18.16 (3) the Workforce Development Board; ~~and~~
18.17 (4) the Department of Education who has assistive technology expertise; and
18.18 (5) the Board on Aging.

18.19 Sec. 18. Minnesota Statutes 2022, section 16B.48, subdivision 4, is amended to read:

18.20 Subd. 4. **Reimbursements.** (a) Except as specifically provided otherwise by law, each
18.21 agency shall reimburse the general services revolving funds for the cost of all services,
18.22 supplies, materials, labor, and depreciation of equipment, including reasonable overhead
18.23 costs, which the commissioner is authorized and directed to furnish an agency. The cost of
18.24 all publications or other materials produced by the commissioner and financed from the
18.25 general services revolving fund must include reasonable overhead costs.

18.26 (b) The commissioner of administration shall report the rates to be charged for the general
18.27 services revolving funds no later than ~~July 1~~ September 15 each year to the chair of the
18.28 committee or division in the senate and house of representatives with primary jurisdiction
18.29 over the budget of the Department of Administration.

18.30 (c) The commissioner of management and budget shall make appropriate transfers to
18.31 the revolving funds described in this section when requested by the commissioner of
18.32 administration. The commissioner of administration may make allotments, encumbrances,

19.1 and, with the approval of the commissioner of management and budget, disbursements in
19.2 anticipation of such transfers. In addition, the commissioner of administration, with the
19.3 approval of the commissioner of management and budget, may require an agency to make
19.4 advance payments to the revolving funds in this section sufficient to cover the agency's
19.5 estimated obligation for a period of at least 60 days.

19.6 (d) All reimbursements and other money received by the commissioner of administration
19.7 under this section must be deposited in the appropriate revolving fund. Any earnings
19.8 remaining in the fund established to account for the documents service prescribed by section
19.9 16B.51 at the end of each fiscal year not otherwise needed for present or future operations,
19.10 as determined by the commissioners of administration and management and budget, must
19.11 be transferred to the general fund.

19.12 Sec. 19. Minnesota Statutes 2022, section 16B.54, subdivision 2, is amended to read:

19.13 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
19.14 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
19.15 commissioner for use in the enterprise fleet. The commissioner shall reimburse an agency
19.16 whose motor vehicles have been paid for with funds dedicated by the constitution for a
19.17 special purpose and which are assigned to the enterprise fleet. The amount of reimbursement
19.18 for a motor vehicle is its average wholesale price as determined from the midwest edition
19.19 of the National Automobile Dealers Association official used car guide.

19.20 (b) To the extent that funds are available for the purpose, the commissioner may purchase
19.21 or otherwise acquire additional passenger motor vehicles and trucks necessary for the
19.22 enterprise fleet. The title to all motor vehicles assigned to or purchased or acquired for the
19.23 enterprise fleet is in the name of the Department of Administration.

19.24 (c) On the request of an agency, the commissioner may transfer to the enterprise fleet
19.25 any passenger motor vehicle or truck for the purpose of disposing of it. The department or
19.26 agency transferring the vehicle or truck must be paid for it from the motor pool revolving
19.27 account established by this section in an amount equal to two-thirds of the average wholesale
19.28 price of the vehicle or truck as determined from the midwest edition of the National
19.29 Automobile Dealers Association official used car guide.

19.30 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
19.31 vehicle colors must be selected from the regular color chart provided by the manufacturer
19.32 each year. The commissioner may further provide for the use of motor vehicles without
19.33 marking by:

- 20.1 (1) the governor;
- 20.2 (2) the lieutenant governor;
- 20.3 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
- 20.4 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
- 20.5 Public Safety;
- 20.6 (4) the Financial Institutions Division and investigative staff of the Department of
- 20.7 Commerce;
- 20.8 (5) the Division of Disease Prevention and Control of the Department of Health;
- 20.9 (6) the State Lottery;
- 20.10 (7) criminal investigators of the Department of Revenue;
- 20.11 (8) state-owned community service facilities in the Department of Human Services;
- 20.12 (9) the Office of the Attorney General;
- 20.13 (10) the investigative staff of the Gambling Control Board; ~~and~~
- 20.14 (11) the Department of Corrections inmate community work crew program under section
- 20.15 352.91, subdivision 3g; and
- 20.16 (12) the Office of Ombudsman for Long-Term Care staff.

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

20.18 Sec. 20. **[16B.851] STATE BUILDING RENEWABLE ENERGY; STORAGE;**

20.19 **ELECTRIC VEHICLE ACCOUNT.**

20.20 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have

20.21 the meanings given.

20.22 (b) "Energy storage" means the predesign, design, acquisition, construction, or installation

20.23 of technology which stores and delivers electric or thermal energy.

20.24 (c) "EVSE" means electric vehicle service equipment, including charging equipment

20.25 and associated infrastructure and site upgrades.

20.26 (d) "Renewable energy" has the meaning given in section 216B.2422, subdivision 1,

20.27 paragraph (c), and the same sources in thermal energy.

20.28 (e) "Renewable energy improvement" means the predesign, design, acquisition,

20.29 construction, or installation of a renewable energy production system or energy storage

20.30 equipment or system, and associated infrastructure and facilities that are designed to result

21.1 in a demand-side net reduction in energy use by the state building's electrical, heating,
21.2 ventilating, air-conditioning, and hot water systems.

21.3 (f) "State agency" has the definition given in section 13.02, subdivision 17, or designated
21.4 definition given in section 15.01 and includes the Office of Higher Education, Housing
21.5 Finance Agency, Pollution Control Agency, Metropolitan Council, and Bureau of Mediation
21.6 Services. State agency includes the agencies, boards, commissions, committees, councils,
21.7 and authorities designated in section 15.012.

21.8 (g) "State building" means a building or facility owned by the state of Minnesota.

21.9 Subd. 2. **Account established.** A state building renewable energy, storage, and electric
21.10 vehicle account is established in the special revenue fund to provide funds to state agencies
21.11 to:

21.12 (1) design, construct, and equip renewable energy improvement and renewable energy
21.13 storage projects at state buildings;

21.14 (2) purchase state fleet electric vehicles in accordance with section 16C.135;

21.15 (3) purchase and install EVSE and related infrastructure; and

21.16 (4) carry out management projects by the commissioner.

21.17 Subd. 3. **Account management.** The commissioner shall manage and administer the
21.18 state building renewable energy, storage, and electric vehicle account.

21.19 Subd. 4. **Accepting funds.** (a) The commissioner shall make an application to the federal
21.20 government on behalf of the state of Minnesota for all state projects eligible for elective
21.21 payments under sections 6417 and 6418 of the Internal Revenue Code, as added by Public
21.22 Law 117-169, 136 Statute 1818, the Inflation Reduction Act of 2022.

21.23 (b) The commissioner may apply for, receive, and expend money made available from
21.24 federal, state, or other sources for the purposes of carrying out the duties in this section.

21.25 (c) Notwithstanding section 16A.72, all funds received under this subdivision are
21.26 deposited into the state building renewable energy, storage, and electric vehicle account
21.27 and appropriated to the commissioner for the purposes of subdivision 2 and as permitted
21.28 under this section.

21.29 (d) Money in the state building renewable energy, storage, and electric vehicle account
21.30 does not cancel and is available until expended.

22.1 Subd. 5. **Applications.** A state agency applying for state building renewable energy,
22.2 storage, EVSE, and electric fleet vehicle funds must submit an application to the
22.3 commissioner on a form, in the manner, and at the time prescribed by the commissioner.

22.4 Subd. 6. **Treatment of certain payments received from federal government.** (a)
22.5 Federal payments received for eligible renewable energy improvement and storage projects
22.6 and EVSE projects made with appropriations from general obligation bonds may be
22.7 transferred to the state bond fund if consistent with federal treasury regulations.

22.8 (b) Federal payments received for eligible electric fleet vehicle purchases by the
22.9 Department of Administration's fleet division must be transferred to the motor pool revolving
22.10 account established in section 16B.54, subdivision 8.

22.11 (c) Federal payments received for eligible electric fleet vehicle purchases made directly
22.12 by a state agency shall be transferred to the fund from which the purchase was made.

22.13 (d) When obligated to fulfill financing agreements, federal payments received for eligible
22.14 renewable energy improvements shall be transferred to the appropriate agency.

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

22.16 Sec. 21. Minnesota Statutes 2022, section 16B.97, subdivision 1, is amended to read:

22.17 Subdivision 1. **Grant agreement.** (a) A grant agreement is a written instrument or
22.18 electronic document defining a legal relationship between a granting agency and a grantee
22.19 when the principal purpose of the relationship is to transfer cash or something of value to
22.20 the recipient to support a public purpose authorized by law instead of acquiring by
22.21 professional or technical contract, purchase, lease, or barter property or services for the
22.22 direct benefit or use of the granting agency.

22.23 (b) This section does not apply to general obligation grants as defined by section 16A.695
22.24 ~~and~~, capital project grants to political subdivisions as defined by section 16A.86, or capital
22.25 project grants otherwise subject to section 16A.642.

22.26 Sec. 22. Minnesota Statutes 2022, section 16B.98, subdivision 1, is amended to read:

22.27 Subdivision 1. **Limitation.** (a) As a condition of receiving a grant from an appropriation
22.28 of state funds, the recipient of the grant must agree to minimize administrative costs. The
22.29 granting agency is responsible for negotiating appropriate limits to these costs so that the
22.30 state derives the optimum benefit for grant funding.

23.1 (b) This section does not apply to general obligation grants as defined by section 16A.695
23.2 ~~and also,~~ capital project grants to political subdivisions as defined by section 16A.86, or
23.3 capital project grants otherwise subject to section 16A.642.

23.4 Sec. 23. Minnesota Statutes 2022, section 16C.137, subdivision 2, is amended to read:

23.5 Subd. 2. **Report.** (a) The commissioner of administration, in collaboration with the
23.6 commissioners of the Pollution Control Agency, the Departments of Agriculture, Commerce,
23.7 Natural Resources, and Transportation, and other state departments, must evaluate the goals
23.8 and directives established in this section and ~~report~~ include their findings ~~to the governor~~
23.9 ~~and the appropriate committees of the legislature by February 1 of each odd-numbered year~~
23.10 in the public dashboard under section 16B.372. In the ~~report~~ public dashboard, the
23.11 commissioner must make recommendations for new or adjusted goals, directives, or
23.12 legislative initiatives, in light of the progress the state has made implementing this section
23.13 and the availability of new or improved technologies.

23.14 (b) The Department of Administration shall implement a fleet reporting and information
23.15 management system. Each department will use this management system to demonstrate its
23.16 progress in complying with this section.

23.17 Sec. 24. Minnesota Statutes 2022, section 16D.09, subdivision 1, is amended to read:

23.18 Subdivision 1. **Generally.** (a) When a debt is determined by a state agency to be
23.19 uncollectible, the debt may be written off by the state agency from the state agency's financial
23.20 accounting records and no longer recognized as an account receivable for financial reporting
23.21 purposes. A debt is considered to be uncollectible when (1) all reasonable collection efforts
23.22 have been exhausted, (2) the cost of further collection action will exceed the amount
23.23 recoverable, (3) the debt is legally without merit or cannot be substantiated by evidence,
23.24 (4) the debtor cannot be located, (5) the available assets or income, current or anticipated,
23.25 that may be available for payment of the debt are insufficient, (6) the debt has been
23.26 discharged in bankruptcy, (7) the applicable statute of limitations for collection of the debt
23.27 has expired, or (8) it is not in the public interest to pursue collection of the debt.

23.28 (b) Uncollectible debt must be reported by the state agency as part of its quarterly reports
23.29 to the commissioner of management and budget. The basis for the determination of the
23.30 uncollectibility of the debt must be maintained by the state agency. If an uncollectible debt
23.31 equals or exceeds \$100,000, the agency shall notify the chairs and ranking minority members
23.32 of the legislative committees with jurisdiction over the state agency's budget at the time the
23.33 debt is determined to be uncollectible. The information reported shall contain the entity

24.1 associated with the uncollected debt, the amount of the debt, the revenue type, the reason
24.2 the debt is considered uncollectible, and the duration the debt has been outstanding. The
24.3 commissioner of management and budget shall report to the chairs and ranking minority
24.4 members of the legislative committees with jurisdiction over Minnesota Management and
24.5 Budget an annual summary of the number and dollar amount of debts determined to be
24.6 uncollectible during the previous fiscal year by ~~October 31~~ November 30 of each year.
24.7 Determining that the debt is uncollectible does not cancel the legal obligation of the debtor
24.8 to pay the debt.

24.9 Sec. 25. Minnesota Statutes 2022, section 16E.01, subdivision 2, is amended to read:

24.10 Subd. 2. **Discretionary powers.** The department may:

24.11 (1) enter into contracts for goods or services with public or private organizations and
24.12 charge fees for services it provides;

24.13 (2) apply for, receive, and expend money from public agencies;

24.14 (3) apply for, accept, and disburse grants and other aids from the federal government
24.15 and other public or private sources;

24.16 (4) enter into contracts with agencies of the federal government, local governmental
24.17 units, the University of Minnesota and other educational institutions, and private persons
24.18 and other nongovernmental organizations as necessary to perform its statutory duties;

24.19 (5) sponsor and conduct conferences and studies, collect and disseminate information,
24.20 and issue reports relating to information and communications technology issues;

24.21 (6) review the technology infrastructure of regions of the state and cooperate with and
24.22 make recommendations to the governor, legislature, state agencies, local governments, local
24.23 technology development agencies, the federal government, private businesses, and individuals
24.24 for the realization of information and communications technology infrastructure development
24.25 potential;

24.26 (7) sponsor, support, and facilitate innovative and collaborative economic and community
24.27 development and government services projects or initiatives, including technology initiatives
24.28 related to culture and the arts, with public and private organizations; and

24.29 (8) review and recommend alternative sourcing strategies for state information and
24.30 communications systems.

25.1 Sec. 26. Minnesota Statutes 2023 Supplement, section 16E.01, subdivision 3, is amended
25.2 to read:

25.3 Subd. 3. **Duties.** (a) The department shall:

25.4 (1) manage the efficient and effective use of available federal, state, local, and
25.5 public-private resources to develop statewide information and telecommunications technology
25.6 systems and services and its infrastructure;

25.7 (2) approve state agency and intergovernmental information and telecommunications
25.8 technology systems and services development efforts involving state or intergovernmental
25.9 funding, including federal funding, provide information to the legislature regarding projects
25.10 and initiatives reviewed, and recommend projects and initiatives for inclusion in the
25.11 governor's budget under section 16A.11;

25.12 (3) promote cooperation and collaboration among state and local governments in
25.13 developing intergovernmental information and telecommunications technology systems
25.14 and services;

25.15 (4) cooperate and collaborate with the legislative and judicial branches in the development
25.16 of information and communications systems in those branches, as requested;

25.17 (5) ~~promote and coordinate public information access and network initiatives, consistent~~
25.18 ~~with chapter 13, to connect Minnesota's citizens and communities to each other, to their~~
25.19 ~~governments, and to the world~~ continue to collaborate on the development of MN.gov, the
25.20 state's official comprehensive online service and information initiative;

25.21 (6) manage and promote the regular and periodic reinvestment in the information and
25.22 telecommunications technology systems and services infrastructure so that state and local
25.23 government agencies can effectively and efficiently serve their customers;

25.24 (7) facilitate the cooperative development of and ensure compliance with standards and
25.25 policies for information and telecommunications technology systems and services and
25.26 electronic data practices and ~~privacy~~ security within the executive branch;

25.27 (8) eliminate unnecessary duplication of existing information and telecommunications
25.28 technology systems and services provided by state agencies;

25.29 (9) identify, sponsor, develop, and execute shared information and telecommunications
25.30 technology projects and initiatives, and ongoing operations;

25.31 (10) ensure overall security of the state's information and technology systems and
25.32 services; and

26.1 (11) manage and direct compliance with accessibility standards for informational
26.2 technology, including hardware, software, websites, online forms, and online surveys.

26.3 (b) The chief information officer, in consultation with the commissioner of management
26.4 and budget, must determine when it is cost-effective for agencies to develop and use shared
26.5 information technology systems, platforms, and services for the delivery of digital
26.6 government services. The chief information officer may require agencies to use shared
26.7 information and telecommunications technology systems and services. The chief information
26.8 officer shall establish reimbursement rates in cooperation with the commissioner of
26.9 management and budget to be billed to agencies and other governmental entities sufficient
26.10 to cover the actual development, operating, maintenance, and administrative costs of the
26.11 shared systems. The methodology for billing may include the use of interagency agreements,
26.12 or other means as allowed by law.

26.13 (c) A state agency that has an information and telecommunications technology project
26.14 or initiative, whether funded as part of the biennial budget or by any other means, shall
26.15 register with the department by submitting basic project or initiative startup documentation
26.16 as specified by the chief information officer in both format and content. State agency business
26.17 and technology project leaders, in accordance with policies and standards set forth by the
26.18 chief information officer, must demonstrate that the project or initiative will be properly
26.19 managed, ensure alignment with enterprise technology strategic direction, provide updates
26.20 to the project or initiative documentation as changes are proposed, and regularly report on
26.21 the current status of the project or initiative on a schedule agreed to with the chief information
26.22 officer. The chief information officer has the authority to define a project or initiative for
26.23 the purposes of this chapter.

26.24 (d) The chief information officer shall monitor progress on ~~any~~ active information and
26.25 telecommunications technology ~~project with a total expected project cost of more than~~
26.26 ~~\$5,000,000~~ projects and initiatives and report on the performance of the ~~project~~ projects or
26.27 initiatives in comparison with ~~the plans for the project~~ in terms of time, scope, and budget.
26.28 The chief information officer may conduct an independent ~~project~~ audit of the project or
26.29 initiative. If an independent audit is conducted, the audit analysis and evaluation of the
26.30 ~~projects subject to paragraph (c)~~ project or initiative must be presented to agency executive
26.31 sponsors, the project governance bodies, and the chief information officer. All reports and
26.32 responses must become part of the project or initiative record.

26.33 (e) For any active information and telecommunications technology project or initiative,
26.34 with a total expected ~~project~~ cost of more than \$10,000,000, ~~the state agency must perform~~

27.1 an annual independent audit that conforms to published ~~project~~ audit principles adopted by
 27.2 the department must be conducted.

27.3 (f) The chief information officer shall report by January 15 of each year to the chairs
 27.4 and ranking minority members of the legislative committees and divisions with jurisdiction
 27.5 over the department ~~regarding projects the department has reviewed under paragraph (a),~~
 27.6 ~~clause (10)~~ on the status of the state's comprehensive project and initiatives portfolio. The
 27.7 report must include: descriptions of each project and its current status, information technology
 27.8 costs associated with the project, and estimated date on when the information technology
 27.9 project is expected to be completed.

27.10 ~~(1) each project in the IT portfolio whose status is either active or on hold;~~

27.11 ~~(2) each project presented to the office for consultation in the time since the last report;~~

27.12 ~~(3) the information technology cost associated with the project;~~

27.13 ~~(4) the current status of the information technology project;~~

27.14 ~~(5) the date the information technology project is expected to be completed; and~~

27.15 ~~(6) the projected costs for ongoing support and maintenance after the project is complete.~~

27.16 Sec. 27. Minnesota Statutes 2023 Supplement, section 16E.03, subdivision 2, is amended
 27.17 to read:

27.18 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

27.19 (1) design a strategic plan for information and telecommunications technology systems
 27.20 and services in the state and shall report on the plan to the governor and legislature at the
 27.21 beginning of each regular session;

27.22 ~~(2) coordinate, review, and approve all information and telecommunications technology~~
 27.23 ~~projects~~ develop and implement processes for review, approval, and monitoring and oversee
 27.24 the state's information and telecommunications technology systems and services;

27.25 (3) establish and enforce compliance with standards for information and
 27.26 telecommunications technology systems and services that are cost-effective and support
 27.27 open systems environments and that are compatible with state, national, and international
 27.28 standards, including accessibility standards;

27.29 (4) maintain a library of systems and programs developed by the state for use by agencies
 27.30 of government;

28.1 (5) direct and manage the shared operations of the state's information and
28.2 telecommunications technology systems and services; and

28.3 (6) establish and enforce standards and ensure acquisition of hardware, software, and
28.4 services necessary to protect data and systems in state agency networks connected to the
28.5 Internet.

28.6 Sec. 28. Minnesota Statutes 2022, section 16E.03, subdivision 3, is amended to read:

28.7 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information
28.8 and telecommunications technology project or initiative until it has been evaluated according
28.9 to the procedures developed under subdivision 4. The chief information officer or delegate
28.10 shall ~~give written approval of the proposed project~~ record project approval as a part of the
28.11 project.

28.12 Sec. 29. Minnesota Statutes 2022, section 16E.03, subdivision 4, is amended to read:

28.13 Subd. 4. **Evaluation procedure.** The chief information officer shall establish and, as
28.14 necessary, update and modify procedures to evaluate information and communications
28.15 projects or initiatives proposed by state agencies. The evaluation procedure must assess the
28.16 necessity, design and plan for development, ability to meet user requirements, accessibility,
28.17 feasibility, ~~and flexibility of the proposed data processing device or system, its relationship~~
28.18 ~~to other state data processing devices or systems, and its costs and benefits when considered~~
28.19 ~~by itself and when compared with other options~~ cost, and benefits of the project or initiative.

28.20 Sec. 30. Minnesota Statutes 2022, section 16E.03, subdivision 5, is amended to read:

28.21 Subd. 5. **Report to legislature.** The chief information officer shall submit to the
28.22 legislature, at the same time as the governor's budget required by section 16A.11, a concise
28.23 narrative explanation of any information and communication technology project or initiative
28.24 being proposed as part of the governor's budget that involves collaboration between state
28.25 agencies and an explanation of how the budget requests of the several agencies collaborating
28.26 on the project or initiative relate to each other.

28.27 Sec. 31. Minnesota Statutes 2022, section 16E.03, subdivision 7, is amended to read:

28.28 Subd. 7. **Cyber security systems.** (a) In consultation with the attorney general and
28.29 appropriate agency heads, the chief information officer shall develop cyber security policies,
28.30 guidelines, and standards, and shall ~~install~~ advise, implement, and administer state data
28.31 security systems solutions and practices on the state's ~~computer facilities~~ information

29.1 technology services, systems, and applications consistent with these policies, guidelines,
29.2 standards, and state law to ensure the integrity, confidentiality, and availability of
29.3 ~~computer-based and other~~ information technology systems and services, and data and to
29.4 ensure applicable limitations on access to data, consistent with the public's right to know
29.5 as defined in chapter 13. The chief information officer is responsible for overall security of
29.6 state agency networks connected to the Internet. Each department or agency head is
29.7 responsible for the security of the department's or agency's data within the guidelines of
29.8 established enterprise policy.

29.9 (b) The state chief information officer, or state chief information security officer, may
29.10 advise and consult on security strategy and programs for state entities and political
29.11 subdivisions not subject to section 16E.016.

29.12 Sec. 32. Minnesota Statutes 2022, section 16E.04, subdivision 2, is amended to read:

29.13 Subd. 2. **Responsibilities.** (a) The office ~~shall~~ may develop and establish a state
29.14 information architecture to ensure:

29.15 (1) that state agency information and communications systems, equipment, and services
29.16 do not needlessly duplicate or conflict with the systems of other agencies; and

29.17 (2) enhanced public access to data can be provided consistent with standards developed
29.18 under section 16E.05, subdivision 4.

29.19 When state agencies have need for the same or similar public data, the chief information
29.20 officer, in coordination with the affected agencies, shall manage the most efficient and
29.21 cost-effective method of producing and storing data for or sharing data between those
29.22 agencies. The development of this information architecture must include the establishment
29.23 of standards and guidelines to be followed by state agencies. The office shall ensure
29.24 compliance with the architecture.

29.25 (b) The office shall review and approve agency requests for funding for the development
29.26 or purchase of information systems equipment or software before the requests may be
29.27 included in the governor's budget.

29.28 (c) The office ~~shall~~ may review and approve agency requests for grant funding that have
29.29 an information and technology component.

29.30 (d) The office shall review major purchases of information systems equipment to:

29.31 (1) ensure that the equipment follows the standards and guidelines of the state information
29.32 architecture;

30.1 (2) ensure the agency's proposed purchase reflects a cost-effective policy regarding
30.2 volume purchasing; and

30.3 (3) ensure that the equipment is consistent with other systems in other state agencies so
30.4 that data can be shared among agencies, unless the office determines that the agency
30.5 purchasing the equipment has special needs justifying the inconsistency.

30.6 (e) The office shall review the operation of information systems by state agencies and
30.7 ensure that these systems are operated efficiently and securely and continually meet the
30.8 standards and guidelines established by the office. The standards and guidelines must
30.9 emphasize uniformity that is cost-effective for the enterprise, that encourages information
30.10 interchange, open systems environments, and portability of information whenever practicable
30.11 and consistent with an agency's authority and chapter 13.

30.12 Sec. 33. Minnesota Statutes 2022, section 16E.04, subdivision 3, is amended to read:

30.13 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation
30.14 plan are required for all information systems development projects or initiatives undertaken
30.15 by a state agency in the executive or judicial branch or by a constitutional officer. The chief
30.16 information officer must contract with an entity outside of state government to conduct the
30.17 initial assessment and prepare the mitigation plan for a project or initiative estimated to cost
30.18 more than ~~\$5,000,000~~ \$10,000,000. The outside entity conducting the risk assessment and
30.19 preparing the mitigation plan must not have any other direct or indirect financial interest in
30.20 the project or initiative. The risk assessment and risk mitigation plan must provide for
30.21 periodic monitoring by the commissioner until the project or initiative is completed.

30.22 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated
30.23 for the information and telecommunications technology project or initiative.

30.24 Sec. 34. Minnesota Statutes 2022, section 16E.07, is amended to read:

30.25 **16E.07 NORTH STAR ONLINE GOVERNMENT INFORMATION SERVICES.**

30.26 Subdivision 1. ~~Definitions~~ **Definition.** (a) The ~~definitions~~ definition in this subdivision
30.27 ~~apply~~ applies to this section.

30.28 ~~(b) "Core services" means accessible information system applications required to provide~~
30.29 ~~secure information services and online applications and content to the public from~~
30.30 ~~government units. Online applications may include, but are not limited to:~~

30.31 ~~(1) standardized public directory services and standardized content services;~~

- 31.1 ~~(2) online search systems;~~
- 31.2 ~~(3) general technical services to support government unit online services;~~
- 31.3 ~~(4) electronic conferencing and communication services;~~
- 31.4 ~~(5) secure electronic transaction services;~~
- 31.5 ~~(6) digital audio, video, and multimedia services; and~~
- 31.6 ~~(7) government intranet content and service development.~~
- 31.7 ~~(e)~~ (b) "Government unit" means a state department, agency, commission, council, board,
- 31.8 task force, or committee; a constitutional office; a court entity; the Minnesota State Colleges
- 31.9 and Universities; a county, statutory or home rule charter city, or town; a school district; a
- 31.10 special district; or any other board, commission, district, or authority created under law,
- 31.11 local ordinance, or charter provision.
- 31.12 Subd. 2. **Established.** The ~~office department~~ shall establish "North Star" as the state's
- 31.13 ~~comprehensive government online information service. North Star is the state's governmental~~
- 31.14 ~~framework for coordinating and collaborating in providing online government information~~
- 31.15 ~~and services. Government agencies that provide electronic access to government information~~
- 31.16 ~~are requested to make available to North Star their most frequently requested public data.~~
- 31.17 collaborate with state agencies to maintain MN.gov and associated websites that provide
- 31.18 online government information services.
- 31.19 Subd. 3. **Access to data.** The legislature determines that the greatest possible access to
- 31.20 certain government information and data is essential to allow citizens to participate fully in
- 31.21 a democratic system of government. Certain information and data, including, but not limited
- 31.22 to the following, must be provided free of charge or for a nominal cost associated with
- 31.23 reproducing the information or data:
- 31.24 (1) directories of government services and institutions, ~~including an electronic version~~
- 31.25 ~~of the guidebook to state agency services published by the commissioner of administration;~~
- 31.26 (2) legislative and rulemaking information, including an electronic version of the State
- 31.27 Register, public information newsletters, bill text and summaries, bill status information,
- 31.28 rule status information, meeting schedules, and the text of statutes and rules;
- 31.29 (3) supreme court and court of appeals opinions and general judicial information;
- 31.30 (4) opinions of the attorney general;
- 31.31 (5) Campaign Finance and Public Disclosure Board and election information;

32.1 (6) public budget information;

32.2 (7) local government documents, such as codes, ordinances, minutes, meeting schedules,
32.3 and other notices in the public interest;

32.4 (8) official documents, releases, speeches, and other public information issued by
32.5 government agencies; and

32.6 (9) the text of other government documents and publications that government agencies
32.7 determine are important to public understanding of government activities.

32.8 ~~Subd. 4. **Staff.** The chief information officer shall appoint the manager of the North Star
32.9 online information service and hire staff to carry out the responsibilities of the service.~~

32.10 ~~Subd. 5. **Participation; consultation; guidelines.** The North Star staff shall consult
32.11 with governmental and nongovernmental organizations to establish rules for participation
32.12 in the North Star service. Government units planning, developing, or providing publicly
32.13 accessible online services shall provide access through and collaborate with North Star and
32.14 formally register with the office. The University of Minnesota is requested to establish
32.15 online connections and collaborate with North Star. Units of the legislature shall make their
32.16 services available through North Star. Government units may be required to submit
32.17 standardized directory and general content for core services but are not required to purchase
32.18 core services from North Star. North Star shall promote broad public access to the sources
32.19 of online information or services through multiple technologies.~~

32.20 ~~Subd. 6. **Fees.** The office shall may establish fees for technical and transaction services
32.21 for government units through North Star. Fees must be credited to the North Star account.
32.22 The office may not charge a fee for viewing or inspecting data made available through North
32.23 Star MN.gov or linked facilities, unless specifically authorized by law.~~

32.24 ~~Subd. 7. **North Star Online government information service account.** The North Star
32.25 online government information service account is created in the special revenue fund. The
32.26 account consists of:~~

32.27 (1) grants received from nonstate entities;

32.28 (2) fees and charges collected by the office;

32.29 (3) gifts, donations, and bequests made to the office; and

32.30 (4) other money credited to the account by law.

32.31 Money in the account is appropriated to the office to be used to continue the development
32.32 of ~~the North Star project~~ online government information services.

33.1 Subd. 8. **Secure transaction system.** The office shall plan and develop a secure
 33.2 transaction ~~system~~ systems to support delivery of government services electronically. A
 33.3 state agency that implements electronic government services for fees, licenses, sales, or
 33.4 other purposes ~~must use the~~ may be required to use secure transaction ~~system~~ systems
 33.5 developed in accordance with this section.

33.6 Subd. 9. **Aggregation of service demand.** The office ~~shall~~ may identify opportunities
 33.7 to aggregate demand for technical services required by government units for online activities
 33.8 and may contract with governmental or nongovernmental entities to provide services. These
 33.9 contracts are not subject to the requirements of chapters 16B and 16C, except sections
 33.10 16C.04, 16C.08, and 16C.09.

33.11 Subd. 10. **Outreach.** The office may promote the availability of government online
 33.12 information and services through public outreach and education. ~~Public network expansion~~
 33.13 ~~in communities through libraries, schools, colleges, local government, and other community~~
 33.14 ~~access points must include access to North Star. North Star may make materials available~~
 33.15 ~~to those public sites to promote awareness of the service.~~

33.16 Subd. 11. ~~**Advanced development collaboration.** The office shall identify information~~
 33.17 ~~technology services with broad public impact and advanced development requirements.~~
 33.18 ~~Those services shall assist in the development of and utilization of core services to the~~
 33.19 ~~greatest extent possible where appropriate, cost-effective, and technically feasible. This~~
 33.20 ~~includes, but is not limited to, higher education, statewide online library, economic and~~
 33.21 ~~community development, and K-12 educational technology services. North Star shall~~
 33.22 ~~participate in electronic commerce research and development initiatives with the University~~
 33.23 ~~of Minnesota and other partners. The statewide online library service shall consult,~~
 33.24 ~~collaborate, and work with North Star to ensure development of proposals for advanced~~
 33.25 ~~government information locator and electronic depository and archive systems.~~

33.26 Subd. 12. **Private entity services; fee authority.** (a) The department may enter into a
 33.27 contract with a private entity to manage, maintain, support, and expand ~~North Star and~~
 33.28 online government information services to citizens and businesses.

33.29 (b) A contract established under paragraph (a) may provide for compensation of the
 33.30 private entity through a fee established under paragraph (c).

33.31 (c) The department, subject to the approval of the agency or department responsible for
 33.32 the data or services involved in the transaction, may charge and may authorize a private
 33.33 entity that enters into a contract under paragraph (a) to charge a convenience fee for users
 33.34 of ~~North Star and~~ online government information services up to a total of \$2 per transaction,

34.1 provided that no fee shall be charged for viewing or inspecting data. A fee established under
34.2 this paragraph is in addition to any fees or surcharges authorized under other law.

34.3 (d) Receipts from the convenience fee shall be deposited in the ~~North Star~~ online
34.4 government information service account established in subdivision 7. Notwithstanding
34.5 section 16A.1285, subdivision 2, receipts credited to the account are appropriated to the
34.6 department for payment to the contracted private entity under paragraph (a). In lieu of
34.7 depositing the receipts in the ~~North Star~~ online government information service account,
34.8 the department can directly transfer the receipts to the private entity or allow the private
34.9 entity to retain the receipts pursuant to a contract established under this subdivision.

34.10 (e) ~~The department shall report~~ Information regarding any convenience fee receipts
34.11 collected under paragraph (d) must be reported to the chairs and ranking minority members
34.12 of the house of representatives and senate committees with jurisdiction over state government
34.13 finance by January 15 of each odd-numbered year ~~regarding the convenience fee receipts~~
34.14 ~~and the status of North Star projects and online government information services developed~~
34.15 ~~and supported by convenience fee receipts.~~

34.16 Sec. 35. **[16E.36] CYBERSECURITY INCIDENTS.**

34.17 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
34.18 the meanings given.

34.19 (b) "Cybersecurity incident" means actions taken through the use of an information
34.20 system or network that result in an actual or potentially adverse effect on an information
34.21 system, network, and the information residing therein.

34.22 (c) "Cyber threat indicator" means information that is necessary to describe or identify:

34.23 (1) malicious reconnaissance, including but not limited to anomalous patterns of
34.24 communication that appear to be transmitted for the purpose of gathering technical
34.25 information related to a cybersecurity threat or vulnerability;

34.26 (2) a method of defeating a security control or exploitation of a security vulnerability;

34.27 (3) a security vulnerability, including but not limited to anomalous activity that appears
34.28 to indicate the existence of a security vulnerability;

34.29 (4) a method of causing a user with legitimate access to an information system or
34.30 information that is stored on, processed by, or transiting an information system to unwittingly
34.31 enable the defeat of a security control or exploitation of a security vulnerability;

34.32 (5) malicious cyber command and control;

35.1 (6) the actual or potential harm caused by an incident, including but not limited to a
35.2 description of the data exfiltrated as a result of a particular cyber threat; and

35.3 (7) any other attribute of a cyber threat, if disclosure of such attribute is not otherwise
35.4 prohibited by law.

35.5 (d) "Defensive measure" means an action, device, procedure, signature, technique, or
35.6 other measure applied to an information system or information that is stored on, processed
35.7 by, or transiting an information system that detects, prevents, or mitigates a known or
35.8 suspected cyber threat or security vulnerability, but does not include a measure that destroys,
35.9 renders unusable, provides unauthorized access to, or substantially harms an information
35.10 system or information stored on, processed by, or transiting such information system not
35.11 owned by the entity operating the measure, or another entity that is authorized to provide
35.12 consent and has provided consent to that private entity for operation of such measure.

35.13 (e) "Government contractor" means an individual or entity that performs work for or on
35.14 behalf of a public agency on a contract basis with access to or hosting of the public agency's
35.15 network, systems, applications, or information.

35.16 (f) "Information resource" means information and related resources, such as personnel,
35.17 equipment, funds, and information technology.

35.18 (g) "Information system" means a discrete set of information resources organized for
35.19 collecting, processing, maintaining, using, sharing, disseminating, or disposing of
35.20 information.

35.21 (h) "Information technology" means any equipment or interconnected system or
35.22 subsystem of equipment that is used in automatic acquisition, storage, manipulation,
35.23 management, movement, control, display, switching, interchange, transmission, or reception
35.24 of data or information used by a public agency or a government contractor under contract
35.25 with a public agency which requires the use of such equipment or requires the use, to a
35.26 significant extent, of such equipment in the performance of a service or the furnishing of a
35.27 product.

35.28 The term information technology also has the meaning described to information and
35.29 telecommunications technology systems and services in section 16E.03, subdivision 1,
35.30 paragraph (b).

35.31 (i) "Private entity" means any individual, corporation, company, partnership, firm,
35.32 association, or other entity, but does not include a public agency, or a foreign government,
35.33 or any component thereof.

36.1 (j) "Public agency" means any public agency of the state or any political subdivision,
36.2 school districts, charter schools, intermediate districts, and cooperative units under section
36.3 123A.24, subdivision 2.

36.4 Subd. 2. Report on cybersecurity incidents to the Department of Information
36.5 Technology Services. (a) Beginning December 1, 2024, cybersecurity incidents that impact
36.6 state agencies; political subdivisions; school districts, charter schools, intermediate districts,
36.7 cooperative units and public postsecondary education institutions shall report cybersecurity
36.8 incidents to the Department of Information Technology Services in coordination with the
36.9 Bureau of Criminal Apprehension. Cybersecurity incidents that impact third-party vendors
36.10 and contractors utilized by reporting entities must also be reported.

36.11 (b) The report must be made within 72 hours of when the public agency or government
36.12 contractor reasonably identifies or believes that a cybersecurity incident has occurred.

36.13 (c) By September 30, 2024, the Department of Information Technology Services in
36.14 coordination with the Bureau of Criminal Apprehension shall establish cyber incident
36.15 reporting capabilities to facilitate submission of timely, secure, and confidential cybersecurity
36.16 incident notifications from public agencies, government contractors, and private entities to
36.17 the office.

36.18 (d) By September 30, 2024, the Superintendent of the Bureau of Criminal Apprehension,
36.19 in coordination with the Department of Information Technology Services, shall develop
36.20 and prominently post instructions for submitting cybersecurity incident notifications on its
36.21 website. The instructions shall include, at a minimum, the types of cybersecurity incidents
36.22 to be reported and any other information to be included in the notifications made through
36.23 the established cyber incident reporting system.

36.24 (e) The cyber incident reporting system shall permit the Department of Information
36.25 Technology Services in coordination with the Bureau of Criminal Apprehension to:

36.26 (1) securely accept a cybersecurity incident notification from any individual or private
36.27 entity, regardless of whether the entity is a public agency or government contractor;

36.28 (2) track and identify trends in cybersecurity incidents reported through the cyber incident
36.29 reporting system; and

36.30 (3) produce reports on the types of incidents, indicators, defensive measures, and entities
36.31 reported through the cyber incident reporting system.

37.1 (f) Any cybersecurity incident notification submitted to the Department of Information
37.2 Technology Services is security information pursuant to section 13.37 and is not discoverable
37.3 in a civil or criminal action absent a court or a search warrant, and is not subject to subpoena.

37.4 (g) Notwithstanding the provisions of paragraph (f), the Department of Information
37.5 Technology Services may anonymize and share cyber threat indicators and relevant defensive
37.6 measures to help prevent additional or future attacks and share cybersecurity incident
37.7 notifications with potentially impacted parties via cybersecurity threat bulletins, or relevant
37.8 law enforcement authorities.

37.9 (h) Information submitted to the Department of Information Technology Services through
37.10 the cyber incident reporting system shall be subject to privacy and protection procedures
37.11 developed and implemented by the office, which shall be based on the comparable privacy
37.12 protection procedures developed for information received and shared pursuant to the federal
37.13 Cybersecurity Information Sharing Act of 2015, United States Code, title 6, section 1501,
37.14 et seq.

37.15 Subd. 3. **Annual report to the governor and legislature.** Beginning January 31, 2026,
37.16 or the next business day following and annually thereafter, the Department of Information
37.17 Technology Services in coordination with the Bureau of Criminal Apprehension shall submit
37.18 an annual report on its activities to the governor and to the legislative commission on
37.19 cybersecurity. The report shall include, at a minimum:

37.20 (1) information on the number of notifications received and a description of the
37.21 cybersecurity incident types during the one-year period preceding the publication of the
37.22 report;

37.23 (2) the categories of reporting entities that submitted cybersecurity notifications; and

37.24 (3) any other information required in the submission of a cybersecurity incident
37.25 notification, noting any changes from the report published in the previous year.

37.26 **EFFECTIVE DATE.** This section is effective November 30, 2024.

37.27 Sec. 36. Minnesota Statutes 2022, section 43A.316, subdivision 5, is amended to read:

37.28 Subd. 5. **Public employee participation.** (a) Participation in the program is subject to
37.29 the conditions in this subdivision.

37.30 (b) Each exclusive representative for an eligible employer determines whether the
37.31 employees it represents will participate in the program. The exclusive representative shall
37.32 give the employer notice of intent to participate at least 30 days before the expiration date

38.1 of the collective bargaining agreement preceding the collective bargaining agreement that
38.2 covers the date of entry into the program. The exclusive representative and the eligible
38.3 employer shall give notice to the commissioner of the determination to participate in the
38.4 program at least 30 days before entry into the program. Entry into the program is governed
38.5 by a schedule established by the commissioner.

38.6 (c) Employees not represented by exclusive representatives may become members of
38.7 the program upon a determination of an eligible employer to include these employees in
38.8 the program. Either all or none of the employer's unrepresented employees must participate.
38.9 The eligible employer shall give at least 30 days' notice to the commissioner before entering
38.10 the program. Entry into the program is governed by a schedule established by the
38.11 commissioner.

38.12 (d) Participation in the program is for a ~~two-year~~ four-year term. Participation is
38.13 automatically renewed for an additional ~~two-year~~ four-year term unless the exclusive
38.14 representative, or the employer for unrepresented employees, gives the commissioner notice
38.15 of withdrawal at least 30 days before expiration of the participation period. A group that
38.16 withdraws must wait two years before rejoining. An exclusive representative, or employer
38.17 for unrepresented employees, may also withdraw if premiums increase ~~50~~ 20 percent or
38.18 more from one insurance year to the next.

38.19 (e) The exclusive representative shall give the employer notice of intent to withdraw to
38.20 the commissioner at least 30 days before the expiration date of a collective bargaining
38.21 agreement that includes the date on which the term of participation expires.

38.22 (f) Each participating eligible employer shall notify the commissioner of names of
38.23 individuals who will be participating within two weeks of the commissioner receiving notice
38.24 of the parties' intent to participate. The employer shall also submit other information as
38.25 required by the commissioner for administration of the program.

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

38.27 Sec. 37. Minnesota Statutes 2022, section 211B.33, subdivision 2, is amended to read:

38.28 Subd. 2. **Recommendation.** (a) If the administrative law judge determines that the
38.29 complaint does not set forth a prima facie violation of chapter 211A or 211B, the
38.30 administrative law judge must dismiss the complaint.

38.31 ~~(b) If the administrative law judge determines that the complaint sets forth a prima facie~~
38.32 ~~violation of section 211B.06 and was filed within 60 days before the primary or special~~
38.33 ~~election or within 90 days before the general election to which the complaint relates, the~~

39.1 ~~administrative law judge must conduct an expedited probable cause hearing under section~~
 39.2 ~~211B.34.~~

39.3 ~~(e)~~ (b) If the administrative law judge determines that the complaint sets forth a prima
 39.4 facie violation of a provision of chapter 211A or 211B, ~~other than section 211B.06,~~ and that
 39.5 the complaint was filed within 60 days before the primary or special election or within 90
 39.6 days before the general election to which the complaint relates, the administrative law judge,
 39.7 on request of any party, must conduct an expedited probable cause hearing under section
 39.8 211B.34.

39.9 ~~(d)~~ (c) If the administrative law judge determines that the complaint sets forth a prima
 39.10 facie violation of chapter 211A or 211B, and was ~~filed more than~~ not filed within 60 days
 39.11 before the primary or special election or ~~more than~~ 90 days before the general election to
 39.12 which the complaint relates, the administrative law judge must schedule an evidentiary
 39.13 hearing under section 211B.35.

39.14 Sec. 38. Minnesota Statutes 2022, section 211B.34, subdivision 1, is amended to read:

39.15 Subdivision 1. **Time for review.** The assigned administrative law judge must hold a
 39.16 probable cause hearing on the complaint no later than three business days after ~~receiving~~
 39.17 ~~the assignment if~~ determining the complaint sets forth a prima facie violation of chapter
 39.18 211A or 211B, an expedited hearing is required by section 211B.33, except that for good
 39.19 cause the administrative law judge may hold the hearing no later than seven days after
 39.20 ~~receiving the assignment~~ the prima facie determination. If an expedited hearing is not
 39.21 required by section 211B.33, because no party requested one under section 211B.33,
 39.22 subdivision 2, paragraph (b), the administrative law judge must hold the hearing not later
 39.23 than 30 days after ~~receiving the assignment~~ determining the complaint sets forth a prima
 39.24 facie violation of chapter 211A or 211B.

39.25 Sec. 39. Minnesota Statutes 2022, section 211B.34, subdivision 2, is amended to read:

39.26 Subd. 2. **Disposition.** ~~At~~ After the probable cause hearing, the administrative law judge
 39.27 must make one of the following determinations within three business days after the hearing
 39.28 record closes:

39.29 (a) The complaint is frivolous, or there is no probable cause to believe that the violation
 39.30 of law alleged in the complaint has occurred. If the administrative law judge makes either
 39.31 determination, the administrative law judge must dismiss the complaint.

40.1 (b) There is probable cause to believe that the violation of law alleged in the complaint
40.2 has occurred. If the administrative law judge so determines, the chief administrative law
40.3 judge must schedule the complaint for an evidentiary hearing under section 211B.35.

40.4 Sec. 40. Minnesota Statutes 2022, section 211B.35, subdivision 1, is amended to read:

40.5 Subdivision 1. **Deadline for hearing.** When required by section 211B.33, subdivision
40.6 2, paragraph (c), or by section 211B.34, subdivision 2 or 3, the chief administrative law
40.7 judge must assign the complaint to a panel of three administrative law judges for an
40.8 evidentiary hearing. The hearing must be held within the following times:

40.9 (1) ten days after the complaint was assigned to the panel, if an expedited probable cause
40.10 hearing was requested or required under section 211B.33;

40.11 (2) 30 days after the complaint was filed, if it was filed within 60 days before the primary
40.12 or special election or within 90 days before the general election to which the complaint
40.13 relates; or

40.14 (3) 90 days after the complaint was filed, if it was filed at any other time.

40.15 For good cause shown, the panel may extend the deadline set forth in clause (2) or (3)
40.16 by 60 days.

40.17 Sec. 41. Minnesota Statutes 2022, section 211B.35, subdivision 3, is amended to read:

40.18 Subd. 3. **Time for disposition.** The panel must dispose of the complaint:

40.19 (1) within three business days after the hearing record closes, if an expedited probable
40.20 cause hearing was required by section 211B.33; and

40.21 (2) within 14 days after the hearing record closes, if an expedited probable cause hearing
40.22 was not required by section 211B.33.

40.23 Sec. 42. Minnesota Statutes 2022, section 299E.01, subdivision 2, is amended to read:

40.24 Subd. 2. **Responsibilities.** (a) The division shall be responsible and shall utilize state
40.25 employees for security and public information services in state-owned buildings and state
40.26 leased-to-own buildings in the Capitol Area, as described in section 15B.02. It shall provide
40.27 personnel as are required by the circumstances to insure the orderly conduct of state business
40.28 and the convenience of the public. It shall provide emergency assistance and security escorts
40.29 at any location within the Capitol Area, as described in section 15B.02, when requested by
40.30 a state constitutional officer.

41.1 (b) As part of the division permanent staff, the director must establish the position of
41.2 emergency manager that includes, at a minimum, the following duties:

41.3 (1) oversight of the consolidation, development, and maintenance of plans and procedures
41.4 that provide continuity of security operations;

41.5 (2) the development and implementation of tenant training that addresses threats and
41.6 emergency procedures; and

41.7 (3) the development and implementation of threat and emergency exercises.

41.8 (c) The director must provide a minimum of one state trooper assigned to the Capitol
41.9 complex at all times.

41.10 (d) The director, in consultation with the advisory committee under section 299E.04,
41.11 shall, at least annually, hold a meeting or meetings to discuss, among other issues, Capitol
41.12 complex security, emergency planning, public safety, and public access to the Capitol
41.13 complex. The meetings must include, at a minimum:

41.14 (1) Capitol complex tenants and state employees;

41.15 (2) nongovernmental entities, such as lobbyists, vendors, and the media; and

41.16 (3) the public and public advocacy groups.

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

41.18 Sec. 43. Minnesota Statutes 2023 Supplement, section 307.08, subdivision 3a, is amended
41.19 to read:

41.20 Subd. 3a. **Cemeteries; records and condition assessments.** (a) Cemeteries shall be
41.21 assessed according to this subdivision.

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

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

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

42.1 possession or takes custody of remains they may follow United States Code, title 25, sections
42.2 3001 to 3013.

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

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

42.11 (g) The state archaeologist and the Indian Affairs Council may retain the services of a
42.12 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate
42.13 experts for the purpose of gathering information that the state archaeologist or the Indian
42.14 Affairs Council can use to assess or identify cemeteries. If probable American Indian
42.15 cemeteries are to be disturbed or probable American Indian remains analyzed, the Indian
42.16 Affairs Council must approve the professional archaeologist, qualified anthropologist, or
42.17 other appropriate expert.

42.18 Sec. 44. Minnesota Statutes 2022, section 326.10, subdivision 8, is amended to read:

42.19 Subd. 8. **Expiration and renewal.** (a) All licenses and certificates, other than in-training
42.20 certificates, issued by the board expire at midnight on June 30 of each even-numbered
42.21 calendar year if not renewed. A holder of a license or certificate issued by the board may
42.22 renew it by completing and filing with the board an application for renewal consisting of a
42.23 fully completed form provided by the board and the fee specified in section 326.105. Both
42.24 the fee and the application must be submitted at the same time and by June 30 of each
42.25 even-numbered calendar year. The form must be signed by the applicant, contain all of the
42.26 information requested, and clearly show that the licensee or certificate holder has completed
42.27 the minimum number of required professional development hours or has been granted an
42.28 exemption under section 326.107, subdivision 4. An application for renewal that does not
42.29 comply with the requirements of this subdivision is an incomplete application and must not
42.30 be accepted by the board.

42.31 (b) No later than 30 days before the expiration of a license or certificate, the board must
42.32 send the holder of the license or certificate a notice by email that the license or certificate
42.33 is about to expire. The notice must include information on the process and requirements for
42.34 renewal. The application form for a new or renewed license or certificate issued by the

43.1 board must request that the applicant provide an email address for the purpose of providing
43.2 this notice. If the board does not have a record of a license or certificate holder's email
43.3 address, the board must send the notice to the holder by standard mail.

43.4 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to licenses
43.5 and renewals scheduled to expire on or after that date.

43.6 Sec. 45. Minnesota Statutes 2022, section 336.1-110, is amended to read:

43.7 **336.1-110 UNIFORM COMMERCIAL CODE ACCOUNT.**

43.8 The Uniform Commercial Code account is established as an account in the state treasury.
43.9 Fees that are not expressly set by statute but are charged by the secretary of state to offset
43.10 the costs of providing a service under this chapter must be deposited in the state treasury
43.11 and credited to the Uniform Commercial Code account.

43.12 Fees that are not expressly set by statute but are charged by the secretary of state to
43.13 offset the costs of providing information contained in the computerized records maintained
43.14 by the secretary of state must be deposited in the state treasury and credited to the Uniform
43.15 Commercial Code account.

43.16 Money in the Uniform Commercial Code account is continuously appropriated to the
43.17 secretary of state to implement and maintain the central filing system under this chapter, to
43.18 provide, improve, and expand other online or remote lien and business entity filing, retrieval,
43.19 and payment method services provided by the secretary of state, and to provide electronic
43.20 access and to support, maintain, and expand all other computerized records and systems
43.21 maintained by the secretary of state.

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

43.23 Sec. 46. Minnesota Statutes 2022, section 358.645, subdivision 2, is amended to read:

43.24 Subd. 2. **Qualifications; registration required.** (a) A remote online notary public:

43.25 (1) is a notary public for purposes of chapter 359 and is subject to and must be appointed
43.26 and commissioned under that chapter;

43.27 (2) may perform notarial acts as provided by this chapter and chapter 359 in addition to
43.28 performing remote online notarizations; and

43.29 (3) may perform remote online notarizations authorized under this section.

43.30 (b) A notary public commissioned in this state may apply for remote online notarization
43.31 registration according to this section. Before a notary performs a remote online notarization,

44.1 the notary must register the capability to perform notarial acts pursuant to section 358.645
 44.2 with the secretary of state ~~according to section 359.01, subdivision 5,~~ and must certify that
 44.3 the notary intends to use communication technology that conforms to this section.

44.4 (c) Unless terminated under this section, the term of registration to perform remote online
 44.5 notarial acts begins on the registration starting date set by the secretary of state and continues
 44.6 as long as the notary public's current commission to perform notarial acts remains valid.

44.7 (d) Upon the applicant's fulfillment of the requirements for remote online notarization
 44.8 registration under this section, the secretary of state shall record the registration under the
 44.9 applicant's notary public commission number.

44.10 (e) The secretary of state may reject a registration application if the applicant fails to
 44.11 comply with paragraphs (a) to (d). The commissioner of commerce may revoke a registration
 44.12 if the applicant fails to comply with subdivisions 2 to 6.

44.13 Sec. 47. Minnesota Statutes 2022, section 358.71, is amended to read:

44.14 **358.71 DATABASE OF NOTARIES PUBLIC.**

44.15 The secretary of state shall maintain an electronic database of notaries public:

44.16 ~~(1)~~ through which a person may verify the authority of a notary public to perform notarial
 44.17 acts, including notarial acts pursuant to section 358.645~~;~~ and to perform notarial acts on
 44.18 electronic records.

44.19 ~~(2) which indicates whether a notary public has applied to the commissioning officer or~~
 44.20 ~~agency to perform notarial acts on electronic records or to perform notarial acts pursuant~~
 44.21 ~~to section 358.645.~~

44.22 Sec. 48. Minnesota Statutes 2022, section 359.01, subdivision 5, is amended to read:

44.23 Subd. 5. **Registration to perform electronic notarizations.** Before performing electronic
 44.24 notarial acts, a notary public shall register the capability to notarize electronically with the
 44.25 secretary of state. ~~Before performing electronic notarial acts after recommissioning, a notary~~
 44.26 ~~public shall reregister with the secretary of state.~~ Unless terminated for any reason, the term
 44.27 of registration to perform electronic notarial acts begins on the registration starting date set
 44.28 by the secretary of state and continues as long as the notary public has a valid commission
 44.29 to perform notarial acts. The requirements of this chapter relating to electronic notarial acts
 44.30 do not apply to notarial acts performed under sections 358.15, paragraph (a), clause (4),
 44.31 and 358.60, subdivision 1, clause (2).

45.1 Sec. 49. Minnesota Statutes 2022, section 359.03, subdivision 3, is amended to read:

45.2 Subd. 3. **Specifications.** (a) The official notarial stamp consists of the seal of the state
45.3 of Minnesota, the name of the notary as it appears on the commission or the name of the
45.4 ex officio notary, the words "Notary Public," or "Notarial Officer" in the case of an ex
45.5 officio notary, and the words "My commission expires (or where applicable) My
45.6 term is indeterminate," with the expiration date shown on it and must be able to be reproduced
45.7 in any legibly reproducible manner. The official notarial stamp shall be a rectangular form
45.8 of not more than three-fourths of an inch vertically by 2-1/2 inches horizontally, with a
45.9 serrated or milled edge border, and shall contain the information required by this subdivision.

45.10 (b) A notarial stamp that complied with these requirements at the time of issuance may
45.11 continue to be used during the remainder of the current term of the notary even if changes
45.12 to any of these requirements subsequently become effective.

45.13 Sec. 50. **FALSE POLITICAL AND CAMPAIGN MATERIAL; REPEALER.**

45.14 Minnesota Statutes 2022, section 211B.06, is repealed.

45.15 Sec. 51. **FEDERAL EDUCATION LAW IMPLEMENTATION REPORT;**
45.16 **REPEALER.**

45.17 Minnesota Statutes 2022, section 127A.095, subdivision 3, is repealed.

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

45.19 Sec. 52. **DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES;**
45.20 **REPEALER.**

45.21 Minnesota Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1 and 2; 16E.055;
45.22 and 16E.20, are repealed.

45.23 **ARTICLE 3**

45.24 **LOCAL GOVERNMENT POLICY**

45.25 Section 1. Minnesota Statutes 2022, section 383B.145, subdivision 5, is amended to read:

45.26 Subd. 5. **Set-aside contracts.** (a) Notwithstanding any other law to the contrary, the
45.27 board may set aside an amount, for each fiscal year, for awarding contracts to businesses
45.28 and social services organizations ~~which have a majority of employees~~ that employ persons
45.29 who would be eligible for public assistance or who would require rehabilitative services in
45.30 the absence of their employment. The set-aside amount may not exceed two percent of the

46.1 amount appropriated by the board in the budget for the preceding fiscal year. Failure by the
46.2 board to designate particular procurements for the set-aside program shall not prevent
46.3 vendors from seeking the procurement award through the normal solicitation and bidding
46.4 processes pursuant to the provisions of the Uniform Municipal Contracting Act, section
46.5 471.345.

46.6 (b) The board may elect to use a negotiated price or bid contract procedure in the awarding
46.7 of a procurement contract under the set-aside program. The amount of the award shall not
46.8 exceed by more than five percent the estimated price for the goods or services, if they were
46.9 to be purchased on the open market and not under the set-aside program.

46.10 (c) Before contracting with a business or social service organization under the set-aside
46.11 program, the board or authorized person shall conduct an investigation of the business or
46.12 social service organization with whom it seeks to contract and shall make findings, to be
46.13 contained in the provisions of the contract, that:

46.14 (1) the vendor either:

46.15 (i) has in its employ at least 50 percent of its employees who would be eligible to receive
46.16 some form of public assistance or other rehabilitative services in the absence of the award
46.17 of a contract to the vendor; or

46.18 (ii) if the vendor is a business providing construction services, has in its employ to deliver
46.19 the set-aside contract as many employees who would be eligible to receive some form of
46.20 public assistance or other rehabilitative services in the absence of the award of a contract
46.21 to the vendor as is practicable in consideration of industry safety standards, established
46.22 supervisory ratios for apprentices, and requirements for licensed persons to perform certain
46.23 work;

46.24 (2) the vendor has elected to apply to the board for a contract under the set-aside
46.25 provisions; and

46.26 (3) the vendor is able to perform the set-aside contract.

46.27 (d) The board shall publicize the provisions of the set-aside program, attempt to locate
46.28 vendors able to perform set-aside procurement contracts and otherwise encourage
46.29 participation therein.

47.1 Sec. 2. **ANOKA COUNTY; JAIL AND CRIMINAL JUSTICE CENTER.**

47.2 **Subdivision 1. Jail and criminal justice center.** Notwithstanding Minnesota Statutes,
47.3 section 373.05, Anoka County may build a jail and criminal justice center in any city located
47.4 within the county to replace the current jail located in the city of Anoka.

47.5 **Subd. 2. Sheriff's office.** Notwithstanding Minnesota Statutes, section 382.04, the sheriff
47.6 of Anoka County may keep office in the jail and criminal justice center authorized under
47.7 subdivision 1 instead of in the county seat.

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

47.9 Sec. 3. **REPEALER.**

47.10 **(a) Minnesota Statutes 2022, section 471.9998, is repealed.**

47.11 **(b) Laws 1979, chapter 189, sections 1; 2, as amended by Laws 1984, chapter 548,**
47.12 **section 8; and 3, are repealed.**

47.13 **EFFECTIVE DATE.** Paragraph (a) is effective the day following final enactment.
47.14 Paragraph (b) is effective the day after the governing body of the city of St. Paul and its
47.15 chief clerical officer timely complete their compliance with Minnesota Statutes, section
47.16 645.021, subdivisions 2 and 3."

47.17 Amend the title accordingly