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ARTICLE 1
STATE GOVERNMENT

238.15
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ARTICLE 14
STATE GOVERNMENT OPERATIONS

238.17 Section 1. Minnesota Statutes 2016, section 1.26, subdivision 1, is amended to read:

238.18 Subdivision 1. ~~Political subdivision defined~~ **Definitions.** As used in this section:

238.19 (1) "declared emergency" has the meaning given in section 12.03, subdivision 1e; and

238.20 (2) "political subdivision" includes counties, home rule charter and statutory cities,
238.21 towns, townships, school districts, authorities, and other public corporations and entities
238.22 whether organized and existing under charter or general law.

238.23 Sec. 2. Minnesota Statutes 2016, section 1.26, subdivision 2, is amended to read:

238.24 Subd. 2. **State government.** When, due to ~~an emergency resulting from the effects of~~
238.25 ~~enemy attack, or the anticipated effects of a threatened enemy attack~~ a declared emergency,
238.26 it becomes imprudent, inexpedient, or impossible to conduct the affairs of state government
238.27 in the city of St. Paul, Ramsey County, Minnesota, the governor shall, as often as the
238.28 exigencies of the situation require, by proclamation, declare an emergency temporary
238.29 location, or locations, for the seat of government at a place, or places, in or out of the state
238.30 as the governor deems advisable under the circumstances, and shall take action and issue
239.1 orders as necessary for an orderly transition of the affairs of state government to the
239.2 emergency temporary location, or locations. To the extent practical, the governor's orders
239.3 must be consistent with the state comprehensive emergency operations plan required by
239.4 section 12.21, subdivision 3. The emergency temporary location, or locations, shall remain
239.5 the seat of government until the legislature by law establishes a new location, or locations,
239.6 or until the emergency is declared to be ended by the governor and the seat of government
239.7 is returned to its normal location.

239.8 Sec. 3. **[2.92] DISTRICTING PRINCIPLES.**

239.9 Subdivision 1. **Applicability.** The principles in this section apply to legislative and
239.10 congressional districts.

239.11 Subd. 2. **Nesting.** A representative district may not be divided in the formation of a
239.12 senate district.

239.13 Subd. 3. **Equal population.** (a) Legislative districts must be substantially equal in
239.14 population. The population of a legislative district must not deviate from the ideal by more
239.15 than 0.5 percent, plus or minus.

239.16 (b) Congressional districts must be as nearly equal in population as practicable.

239.17 Subd. 4. **Contiguity; compactness.** The districts must be composed of convenient
239.18 contiguous territory. To the extent consistent with the other principles in this section, districts
239.19 should be compact. Contiguity by water is sufficient if the water is not a serious obstacle
239.20 to travel within the district. Point contiguity is not sufficient.

239.21 Subd. 5. **Numbering.** (a) Legislative districts must be numbered in a regular series,
239.22 beginning with house district 1A in the northwest corner of the state and proceeding across
239.23 the state from west to east, north to south, but bypassing the 11-county metropolitan area
239.24 until the southeast corner has been reached; then to the 11-county metropolitan area. In a
239.25 county that includes more than one whole senate district, the districts must be numbered
239.26 consecutively.

239.27 (b) Congressional district numbers must begin with district one in the southeast corner
239.28 of the state and end with district eight in the northeast corner of the state.

239.29 Subd. 6. **Minority representation.** (a) The dilution of racial or ethnic minority voting
239.30 strength is contrary to the laws of the United States and the state of Minnesota. These
239.31 principles must not be construed to supersede any provision of the Voting Rights Act of
239.32 1965, as amended.

240.1 (b) A redistricting plan must not have the intent or effect of dispersing or concentrating
240.2 minority population in a manner that prevents minority communities from electing their
240.3 candidates of choice.

240.4 Subd. 7. **Minor civil divisions.** (a) A county, city, or town must not be unduly divided
240.5 unless required to meet equal population requirements or to form districts composed of
240.6 convenient, contiguous territory.

240.7 (b) A county, city, or town is not unduly divided in the formation of a legislative or
240.8 congressional district if:

240.9 (1) the division occurs because a portion of a city or town is noncontiguous with another
240.10 portion of the same city or town; or

240.11 (2) despite the division, the known population of any affected county, city, or town
240.12 remains wholly located within a single district.

240.13 Subd. 8. **Preserving communities of interest.** (a) Districts should attempt to preserve
240.14 identifiable communities of interest where that can be done in compliance with the principles
240.15 under this section.

240.16 (b) For purposes of this subdivision, "communities of interest" means recognizable areas
240.17 with similarities of interests including but not limited to racial, ethnic, geographic, social,
240.18 or cultural interests.

240.19 Subd. 9. **Data to be used.** (a) The geographic areas and population counts used in maps,
240.20 tables, and legal descriptions of the districts must be those used by the Geographic
240.21 Information Systems Office of the Legislative Coordinating Commission. The population
240.22 counts shall be the block population counts provided to the state under Public Law 94-171
240.23 after each decennial census, subject to correction of any errors acknowledged by the United
240.24 States Census Bureau.

240.25 (b) Nothing in this subdivision prohibits the use of additional data, as determined by the
240.26 legislature.

240.27 Subd. 10. **Consideration of plans.** A redistricting plan must not be considered for
240.28 adoption by the senate or house of representatives until a block equivalency file showing
240.29 the district to which each census block has been assigned, in a form prescribed by the director
240.30 of the Geographic Information Systems Office, has been filed with the director.

240.31 Subd. 11. **Priority of principles.** Where it is not possible to fully comply with the
240.32 principles contained in subdivisions 2 to 8, a redistricting plan must give priority to those
241.1 principles in the order in which they are listed, except to the extent that doing so would
241.2 violate federal or state law.

241.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
241.4 applies to any plan for districts enacted or established for use on or after that date.

241.5 Sec. 4. Minnesota Statutes 2016, section 3.303, is amended by adding a subdivision to
241.6 read:

241.7 Subd. 12. **Emergency operations and continuity of the legislative branch.** The
241.8 commission must adopt and regularly review an emergency operations and continuity of
241.9 government plan for the legislative branch, as required by section 12.401.

5.22 Section 1. Minnesota Statutes 2016, section 3.855, subdivision 1a, is amended to read:

5.23 Subd. 1a. **Definitions.** (a) "Commission" means the Legislative Coordinating Commission
5.24 or a legislative commission established by the coordinating commission, as provided in
5.25 section 3.305, subdivision 6, to exercise the powers and discharge the duties of the
5.26 coordinating commission under this section or other law requiring action by the coordinating
5.27 commission on matters of public employment or compensation.

5.28 (b) "Ratification" must be by law. If a law makes ratification contingent upon the
5.29 fulfillment of an express condition, or has an effective date contingent upon the fulfillment
5.30 of an express condition, then ratification occurs on the date that the express condition has
5.31 been fulfilled or on the effective date, whichever is later. An express condition may include
5.32 the enactment of a law. The commissioner of management and budget shall determine
5.33 whether an express condition has been fulfilled.

5.34 Sec. 2. Minnesota Statutes 2016, section 3.855, subdivision 2, is amended to read:

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

6.3 (b) The commissioner shall submit to the chair of the commission any negotiated
6.4 collective bargaining agreements, arbitration awards, compensation plans, or salaries for
6.5 legislative approval or disapproval. Negotiated agreements shall be submitted within five
6.6 days of the date of approval by the commissioner or the date of approval by the affected
6.7 state employees, whichever occurs later. Arbitration awards shall be submitted within five
6.8 days of their receipt by the commissioner. If the commission disapproves a collective
6.9 bargaining agreement, award, compensation plan, or salary, the commission shall specify
6.10 in writing to the parties those portions with which it disagrees and its reasons. If the
6.11 commission approves a collective bargaining agreement, award, compensation plan, or
6.12 salary, it shall submit the matter to the legislature to be accepted or rejected under this
6.13 section.

6.14 (c) The commissioner shall submit to the chair of the commission any negotiated or
6.15 otherwise proposed changes affecting the provision of insurance to state employees, including
6.16 any changes to coverage and costs. Any changes must be submitted to the commission
6.17 within five days of approval of the commissioner and at least 45 days before submitting a
6.18 collective bargaining agreement or compensation plan that incorporates the proposed changes
6.19 to the insurance program. If the commission disapproves changes to the state employee
6.20 insurance program, the commission shall specify in writing to the commissioner those

6.21 portions with which it disagrees and its reasons. The commissioner must not submit to the
6.22 commission any collective bargaining agreement or compensation plan that includes any
6.23 changes to state employee insurance previously disapproved by the commission unless the
6.24 agreement or plan incorporates changes identified by the commission or otherwise addresses
6.25 the commission's objections to the changes to the insurance program. The requirements in
6.26 this paragraph do not apply to the premiums for insurance that are determined solely by the
6.27 commissioner of management and budget and are not negotiated with representatives of
6.28 employees.

6.29 ~~(d)~~ (d) When the legislature is not in session, the commission may give interim approval
6.30 to a negotiated collective bargaining agreement, salary, compensation plan, or arbitration
6.31 award. When the legislature is not in session, failure of the commission to disapprove a
6.32 collective bargaining agreement or arbitration award within 30 days constitutes approval.
6.33 The commission shall submit the negotiated collective bargaining agreements, salaries,
6.34 compensation plans, or arbitration awards for which it has provided approval to the entire
6.35 legislature for ratification at a special legislative session called to consider them or at its
7.1 next regular legislative session as provided in this section. Approval or disapproval by the
7.2 commission is not binding on the legislature.

7.3 ~~(e)~~ (e) When the legislature is not in session, the proposed collective bargaining
7.4 agreement, arbitration decision, salary, or compensation plan must be implemented upon
7.5 its approval by the commission, and state employees covered by the proposed agreement
7.6 or arbitration decision do not have the right to strike while the interim approval is in effect.
7.7 Wages and economic fringe benefit increases provided for in the agreement or arbitration
7.8 decision paid in accordance with the interim approval by the commission are not affected,
7.9 but the wages or benefit increases must cease to be paid or provided effective upon the
7.10 rejection of the agreement, arbitration decision, salary, or compensation plan, or upon
7.11 adjournment of the legislature without acting on it.

7.12 Sec. 3. Minnesota Statutes 2016, section 3.855, is amended by adding a subdivision to
7.13 read:

7.14 Subd. 5. **Information required.** The commissioner of management and budget must
7.15 submit to the Legislative Coordinating Commission the following information with the
7.16 submission of a collective bargaining agreement or compensation plan under subdivisions
7.17 2 and 3:

7.18 (1) for each agency and for each proposed agreement, a comparison of biennial
7.19 compensation costs under the current agreement or plan to the projected biennial
7.20 compensation costs under the proposed agreement or plan, paid with funds appropriated
7.21 from the general fund;

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

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

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

8.1 Sec. 4. Minnesota Statutes 2017 Supplement, section 3.8853, subdivision 1, is amended
 8.2 to read:

8.3 Subdivision 1. **Establishment; duties.** The Legislative Budget Office is established
 8.4 ~~under control of the Legislative Coordinating Commission~~ to provide the house of
 8.5 representatives and senate with nonpartisan, accurate, and timely information on the fiscal
 8.6 impact of proposed legislation, without regard to political factors.

8.7 **EFFECTIVE DATE.** This section is effective July 1, 2018.

241.10 Sec. 5. Minnesota Statutes 2016, section 3.8841, subdivision 9, is amended to read:

241.11 Subd. 9. **Powers; duties; Metropolitan Council appointments oversight.** The
 241.12 commission must monitor appointments to the Metropolitan Council and may make
 241.13 recommendations on appointments ~~to the nominating committee under section 473.123,~~
 241.14 ~~subdivision 3, or~~ to the governor before the governor makes the appointments. The
 241.15 commission may also make recommendations to the senate before appointments are presented
 241.16 to the senate for its advice and consent.

241.17 Sec. 6. Minnesota Statutes 2017 Supplement, section 3.8853, subdivision 1, is amended
 241.18 to read:

241.19 Subdivision 1. **Establishment; duties.** The Legislative Budget Office is established
 241.20 ~~under control of the Legislative Coordinating Commission~~ to provide the house of
 241.21 representatives and senate with nonpartisan, accurate, and timely information on the fiscal
 241.22 impact of proposed legislation, without regard to political factors.

241.23 **EFFECTIVE DATE.** This section is effective July 1, 2018.

241.24 Sec. 7. Minnesota Statutes 2017 Supplement, section 3.8853, subdivision 1, is amended
 241.25 to read:

241.26 Subdivision 1. **Establishment; duties.** The Legislative Budget Office is established
 241.27 under control of the Legislative Coordinating Commission to provide the house of
 241.28 representatives and senate with nonpartisan, accurate, and timely information on the fiscal
 241.29 impact of proposed legislation, and to evaluate the effectiveness of state and county programs
 241.30 authorized by the legislature using the return on taxpayer investment methodology established
 242.1 by the Pew-MacArthur Results First framework. The duties of the office must be conducted
 242.2 without regard to political factors.

8.8 Sec. 5. Minnesota Statutes 2017 Supplement, section 3.8853, subdivision 2, is amended
8.9 to read:

8.10 Subd. 2. ~~Director; staff.~~ ~~The Legislative Coordinating Commission~~ Legislative Budget
8.11 Office Oversight Commission must appoint a director ~~who~~ and establish the director's duties.
8.12 The director may hire staff necessary to do the work of the office. The director serves in
8.13 the unclassified service for a term of six years and may not be removed during a term except
8.14 for cause after a public hearing.

8.15 EFFECTIVE DATE. This section is effective July 1, 2018.

8.16 Sec. 6. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a
8.17 subdivision to read:

8.18 Subd. 3. **Uniform procedures.** The director of the Legislative Budget Office must adopt
8.19 uniform procedures governing the timely preparation of fiscal notes as required by this
8.20 section and section 3.98. The procedures are not effective until they are approved by the
8.21 oversight commission. Upon approval, the procedures must be published in the State Register
8.22 and on the office's Web site.

8.23 EFFECTIVE DATE. This section is effective January 8, 2019, provided that the uniform
8.24 procedures may be approved by the oversight commission as early as July 1, 2018.

8.25 Sec. 7. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a
8.26 subdivision to read:

8.27 Subd. 4. **Access to data; treatment.** Upon request of the director of the Legislative
8.28 Budget Office, the head or chief administrative officer of each department or agency of
8.29 state government, including the Supreme Court, must promptly supply data that are used
8.30 to prepare a fiscal note, including data that are not public data under section 13.64. Not
8.31 public data supplied under this subdivision may only be used by the Legislative Budget
9.1 Office to review a department or agency's work in preparing a fiscal note and may not be
9.2 used or disseminated for any other purpose, including use by or dissemination to a legislator
9.3 or to any officer, department, agency, or committee within the legislative branch. Violation
9.4 of this paragraph by the director or other staff of the Legislative Budget Office is cause for
9.5 removal, suspension without pay, or immediate dismissal at the direction of the oversight
9.6 commission.

9.7 EFFECTIVE DATE. This section is effective January 8, 2019.

242.3 EFFECTIVE DATE. This section is effective January 8, 2019.

243.3 Sec. 9. Minnesota Statutes 2017 Supplement, section 3.8853, subdivision 2, is amended
243.4 to read:

243.5 Subd. 2. **Staff.** ~~The Legislative Coordinating Commission~~ Legislative Budget Office
243.6 Oversight Commission must appoint a director ~~who~~ and establish the director's duties. The
243.7 director may hire staff necessary to do the work of the office. The director serves in the
243.8 unclassified service for a term of six years and may not be removed during a term except
243.9 for cause after a public hearing. The director of the office is a public official for purposes
243.10 of sections 10A.07 to 10A.09.

243.11 EFFECTIVE DATE. This section is effective July 1, 2018.

243.12 Sec. 10. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a
243.13 subdivision to read:

243.14 Subd. 3. **Standards and guidelines.** The Legislative Budget Office must adopt uniform
243.15 standards, guidelines, and procedures governing the timely preparation of fiscal notes as
243.16 required by this section and section 3.98. The standards, guidelines, and procedures are not
243.17 effective until they are approved by the oversight commission. Upon approval, the standards
243.18 and guidelines must be published in the State Register and on the office's Web site.

243.19 EFFECTIVE DATE. This section is effective January 8, 2019, provided that the uniform
243.20 procedures to be used may be developed and adopted by the oversight commission prior to
243.21 the effective date of this section.

243.22 Sec. 11. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a
243.23 subdivision to read:

243.24 Subd. 4. **Access to data.** (a) Upon request of the director of the Legislative Budget
243.25 Office, the head or chief administrative officer of each department or agency of state
243.26 government, including the Supreme Court, must promptly supply any data that, in the
243.27 director's judgment, is relevant to legislation that is the subject of a fiscal note prepared by
243.28 the department or agency.

243.29 (b) To the extent that data supplied to the Legislative Budget Office are classified as not
243.30 public under chapter 13 or other applicable law, the Legislative Budget Office must maintain
243.31 and administer the data in the same manner as required of a government entity subject to
243.32 that classification. Not public data supplied under this subdivision may only be used by the
244.1 Legislative Budget Office to review a department or agency's work in preparing a fiscal
244.2 note and may not be used or disseminated for any other purpose, including use by or
244.3 dissemination to a legislator or to any officer, department, agency, or committee within the
244.4 legislative branch. A violation of this paragraph by the director or other staff of the

9.8 Sec. 8. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a
9.9 subdivision to read:

9.10 Subd. 4a. **Fiscal note delivery and posting.** The director of the Legislative Budget
9.11 Office must deliver a completed fiscal note to the legislative committee chair who made
9.12 the request, and to the chief author of the legislation to which it relates. Within 24 hours of
9.13 completion of a fiscal note, the director of the Legislative Budget Office must post a
9.14 completed fiscal note on the office's public Web site. This subdivision does not apply to an
9.15 unofficial fiscal note that is not public data under section 13.64, subdivision 3.

9.16 **EFFECTIVE DATE.** This section is effective January 6, 2020.

9.17 Sec. 9. **[3.8854] LEGISLATIVE BUDGET OFFICE OVERSIGHT COMMISSION.**

9.18 (a) The Legislative Budget Office Oversight Commission consists of:

9.19 (1) two members of the senate appointed by the senate majority leader;

9.20 (2) two members of the senate appointed by the senate minority leader;

9.21 (3) two members of the house of representatives appointed by the speaker of the house;
9.22 and

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

9.24 The director of the Legislative Budget Office is the executive secretary of the commission.
9.25 The chief nonpartisan fiscal analyst of the house of representatives, the lead nonpartisan
9.26 fiscal analyst of the senate, the state budget director, and the legislative auditor are ex-officio,
9.27 nonvoting members of the commission.

9.28 (b) Members serve at the pleasure of the appointing authority, or until they are not
9.29 members of the legislative body from which they were appointed. Appointing authorities
9.30 shall fill vacancies on the commission within 30 days of a vacancy being created.

244.5 Legislative Budget Office is subject to the penalties and remedies provided in sections 13.08
244.6 and 13.09, and any other applicable law governing the unauthorized use or acquisition of
244.7 not public data.

244.8 (c) Upon approval by the Legislative Budget Office, a completed fiscal note must be
244.9 delivered to the legislative committee chair who made the request, and to the chief author
244.10 of the legislation to which it relates. Within 24 hours of approval, a completed fiscal note
244.11 must be posted on the office's public Web site, unless data maintained by a government
244.12 entity related to the fiscal note are classified as not public under section 13.64, subdivision
244.13 3.

244.14 **EFFECTIVE DATE.** This section is effective January 8, 2019.

242.4 Sec. 8. Minnesota Statutes 2017 Supplement, section 3.8853, is amended by adding a
242.5 subdivision to read:

242.6 Subd. 1a. **Oversight commission.** (a) The Legislative Budget Office Oversight
242.7 Commission is established. The commission consists of:

242.8 (1) two members of the senate appointed by the Subcommittee on Committees of the
242.9 Committee on Rules and Administration;

242.10 (2) two members of the senate appointed by the senate minority leader;

242.11 (3) two members of the house of representatives appointed by the speaker of the house;
242.12 and

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

242.14 The director of the Legislative Budget Office is the executive secretary of the commission.
242.15 The chief nonpartisan fiscal analyst of the house of representatives, the lead nonpartisan
242.16 fiscal analyst of the senate, the state budget director, and the legislative auditor are ex-officio,
242.17 nonvoting members of the commission.

242.18 (b) Members serve at the pleasure of the appointing authority, or until they are not
242.19 members of the legislative body from which they were appointed. Appointing authorities
242.20 shall fill vacancies on the commission within 30 days of a vacancy being created.

10.1 (c) The commission shall meet in January of each odd-numbered year to elect its chair
 10.2 and vice-chair. They shall serve until successors are elected. The chair and vice-chair shall
 10.3 alternate biennially between the senate and the house of representatives. The commission
 10.4 shall meet at the call of the chair. The members shall serve without compensation but may
 10.5 be reimbursed for their reasonable expenses consistent with the rules of the legislature
 10.6 governing expense reimbursement.

10.7 (d) The commission shall review the work of the Legislative Budget Office and make
 10.8 recommendations, as the commission determines necessary, to improve the office's ability
 10.9 to fulfill its duties, and shall perform other functions as directed by this section.

10.10 **Sec. 10. [3.9736] EVALUATION OF INFORMATION TECHNOLOGY PROJECTS.**

10.11 Subdivision 1. **Definition.** For purposes of this section, "information technology project"
 10.12 means a project performed by the Division of Information Technology under a service-level
 10.13 agreement for a state agency.

10.14 Subd. 2. **Selection of project for review; schedule for evaluation; report.** Annually,
 10.15 the legislative auditor may submit to the Legislative Audit Commission a list of three to
 10.16 five information technology projects proposed for review. In selecting projects to include
 10.17 on the list, the legislative auditor may consider the cost of the project to the state, the impact
 10.18 of the project on state agencies and public users, and the legislature's interest in ensuring
 10.19 that state agencies meet the needs of the public. The legislative auditor may include
 10.20 completed projects and ongoing projects and shall give particular consideration to forensic
 10.21 review of high-profile problematic projects from which recommendations may be developed
 10.22 to prevent problems on future projects. Annually, the Legislative Audit Commission may
 10.23 select at least one information technology project for the legislative auditor's evaluation.
 10.24 The legislative auditor may evaluate the selected information technology project according
 10.25 to an evaluation plan established under subdivision 3 and submit a written report to the
 10.26 Legislative Audit Commission.

10.27 Subd. 3. **Evaluation plan.** The Legislative Audit Commission may establish an evaluation
 10.28 plan that identifies elements the legislative auditor must include in an evaluation of an
 10.29 information technology project. The Legislative Audit Commission may modify the
 10.30 evaluation plan as needed.

11.1 Sec. 11. Minnesota Statutes 2017 Supplement, section 3.98, subdivision 1, is amended to
 11.2 read:

242.21 (c) The commission shall meet in January of each odd-numbered year to elect its chair
 242.22 and vice-chair. They shall serve until successors are elected. The chair and vice-chair shall
 242.23 alternate biennially between the senate and the house of representatives. The commission
 242.24 shall meet at the call of the chair. The members shall serve without compensation but may
 242.25 be reimbursed for their reasonable expenses consistent with the rules of the legislature
 242.26 governing expense reimbursement.

242.27 (d) The commission shall review the work of the Legislative Budget Office and make
 242.28 recommendations, as the commission determines necessary, to improve the office's ability
 242.29 to fulfill its duties, and shall perform other functions as directed by this section.

THIS SECTION IS EFFECTIVE THE DAY FOLLOWING FINAL ENACTMENT.

244.15 Sec. 12. Minnesota Statutes 2017 Supplement, section 3.98, subdivision 1, is amended to
 244.16 read:

11.3 Subdivision 1. ~~Preparation; duties.~~ (a) The head or chief administrative officer of each
 11.4 department or agency of the state government, including the Supreme Court, shall ~~cooperate~~
 11.5 ~~with the Legislative Budget Office and the Legislative Budget Office must~~ prepare a fiscal
 11.6 note at the request of the chair of the standing committee to which a bill has been referred,
 11.7 or the chair of the house of representatives Ways and Means Committee, or the chair of the
 11.8 senate Committee on Finance.

11.9 (b) ~~Upon request of the Legislative Budget Office, the head or chief administrative~~
 11.10 ~~officer of each department or agency of state government, including the Supreme Court,~~
 11.11 ~~must promptly supply all information necessary for the Legislative Budget Office to prepare~~
 11.12 ~~an accurate and timely fiscal note.~~

11.13 (c) ~~The Legislative Budget Office may adopt standards and guidelines governing timing~~
 11.14 ~~of responses to requests for information and governing access to data, consistent with laws~~
 11.15 ~~governing access to data. Agencies must comply with these standards and guidelines and~~
 11.16 ~~the Legislative Budget Office must publish them on the office's Web site.~~

11.17 (d) For purposes of this subdivision, "Supreme Court" includes all agencies, committees,
 11.18 and commissions supervised or appointed by the state Supreme Court or the state court
 11.19 administrator.

11.20 Sec. 12. Minnesota Statutes 2017 Supplement, section 3.98, subdivision 1, as amended
 11.21 by article 1, section 11, is amended to read:

11.22 Subdivision 1. **Preparation.** The head or chief administrative officer of each department
 11.23 or agency of the state government, including the Supreme Court, shall, in consultation with
 11.24 the Legislative Budget Office and consistent with the standards, guidelines, and procedures
 11.25 adopted under section 3.8853, prepare a fiscal note at the request of the chair of the standing
 11.26 committee to which a bill has been referred, or the chair of the house of representatives
 11.27 Ways and Means Committee, or the chair of the senate Committee on Finance.

11.28 For purposes of this subdivision, "Supreme Court" includes all agencies, committees,
 11.29 and commissions supervised or appointed by the state Supreme Court or the state court
 11.30 administrator.

11.31 **EFFECTIVE DATE.** This section is effective January 6, 2020.

244.17 Subdivision 1. **Preparation; duties.** (a) The head or chief administrative officer of each
 244.18 department or agency of the state government, including the Supreme Court, shall ~~cooperate~~
 244.19 in consultation with the Legislative Budget Office ~~and the Legislative Budget Office must~~
 244.20 and consistent with the standards, guidelines, and procedures adopted under section 3.8853,
 244.21 prepare a fiscal note at the request of the chair of the standing committee to which a bill
 244.22 has been referred, or the chair of the house of representatives Ways and Means Committee,
 244.23 or the chair of the senate Committee on Finance.

244.24 (b) ~~Upon request of the Legislative Budget Office, the head or chief administrative~~
 244.25 ~~officer of each department or agency of state government, including the Supreme Court,~~
 244.26 ~~must promptly supply all information necessary for the Legislative Budget Office to prepare~~
 244.27 ~~an accurate and timely fiscal note.~~

244.28 (c) ~~The Legislative Budget Office may adopt standards and guidelines governing timing~~
 244.29 ~~of responses to requests for information and governing access to data, consistent with laws~~
 244.30 ~~governing access to data. Agencies must comply with these standards and guidelines and~~
 244.31 ~~the Legislative Budget Office must publish them on the office's Web site.~~

245.1 (d) (b) For purposes of this subdivision, "Supreme Court" includes all agencies,
 245.2 committees, and commissions supervised or appointed by the state Supreme Court or the
 245.3 state court administrator.

245.4 **EFFECTIVE DATE.** This section is effective January 8, 2019.

12.1 Sec. 13. Minnesota Statutes 2017 Supplement, section 3.98, subdivision 4, is amended to
12.2 read:

12.3 Subd. 4. **Uniform procedure.** The ~~Legislative Budget Office~~ commissioner of
12.4 management and budget shall prescribe a uniform procedure to govern the departments and
12.5 agencies of the state in complying with the requirements of this section.

12.6 **EFFECTIVE DATE.** This section is effective the day following final enactment and
12.7 supersedes the amendment under Laws 2017, First Special Session chapter 4, article 2,
12.8 section 8.

245.5 Sec. 13. **[4.074] PAYMENTS FROM EXECUTIVE AGENCIES.**

245.6 The Office of the Governor may not receive payments to the governor's office account
245.7 in the special revenue fund of more than \$750,000, in total, each fiscal year from other
245.8 executive agencies under section 15.53 to support costs, not including the residence
245.9 groundskeeper, incurred by the office.

245.10 Sec. 14. **[5.42] DISPLAY OF BUSINESS ADDRESS ON WEB SITE.**

245.11 (a) A business entity may request in writing that all addresses submitted by the business
245.12 entity to the secretary of state be omitted from display on the secretary of state's Web site.
245.13 A business entity may only request that all addresses be omitted from display if the entity
245.14 certifies that:

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

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

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

245.19 The secretary of state shall post a notice that this option is available and a link to the form
245.20 needed to make a request on the secretary's Web site. The secretary of state shall also attach
245.21 a copy of the request form to all business filing forms provided in a paper format that require
245.22 a business entity to submit an address.

245.23 (b) This section does not change the classification of data under chapter 13 and addresses
245.24 shall be made available to the public in response to requests made by telephone, mail,
245.25 electronic mail, and facsimile transmission.

245.26 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to business
245.27 entity filings filed with the secretary of state on or after that date.

246.1 Sec. 15. Minnesota Statutes 2017 Supplement, section 6.481, subdivision 3, is amended
246.2 to read:

246.3 Subd. 3. **CPA firm audit.** (a) A county audit performed by a CPA firm must meet the
246.4 standards and be in a form meeting recognized industry auditing standards. The state auditor
246.5 may require additional information from the CPA firm if the state auditor determines that
246.6 is in the public interest, but the state auditor must accept the audit unless the state auditor
246.7 determines the audit or its form does not meet recognized industry auditing standards. The
246.8 state auditor may make additional examinations as the auditor determines to be in the public
246.9 interest.

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

246.14 (1) at least 30 days before beginning a review for work performed by a certified public
246.15 accountant firm licensed in chapter 326A, the state auditor must notify the county and CPA
246.16 firm that the state auditor will be conducting a review and must identify the type and scope
246.17 of review the state auditor will perform;

246.18 (2) throughout the state auditor's review, the auditor shall allow the county and the CPA
246.19 firm at least 30 days to respond to any request by the auditor for documents or other
246.20 information;

246.21 (3) the state auditor must provide the CPA firm with a draft report of the state auditor's
246.22 findings at least 30 days before issuing a final report;

246.23 (4) at least 20 days before issuing a final report, the state auditor must hold a formal exit
246.24 conference with the CPA firm to discuss the findings in the state auditor's draft report;

246.25 (5) the state auditor shall make changes to the draft report that are warranted as a result
246.26 of information provided by the CPA firm during the state auditor's review; and

246.27 (6) the state auditor's final report must include any written responses provided by the
 246.28 CPA firm.

246.29 Sec. 16. Minnesota Statutes 2016, section 8.065, is amended to read:

246.30 **8.065 PRIVATE ATTORNEY CONTRACTS.**

246.31 Subdivision 1. **Contracts for legal services in excess of \$1,000,000.** The attorney
 246.32 general may not enter into a contract for legal services in which the fees and expenses paid
 247.1 by the state exceed, or can reasonably be expected to exceed, \$1,000,000 unless the attorney
 247.2 general first submits the proposed contract to the Legislative Advisory Commission, and
 247.3 waits at least 20 days to receive a possible recommendation from the commission.

247.4 Subd. 2. **Contingent fee contracts.** (a) Except as provided in paragraph (b), the attorney
 247.5 general may not contract for legal services on a contingent fee basis.

247.6 (b) Paragraph (a) does not apply to contracts for legal services on behalf of the
 247.7 Department of Human Services for Medicaid third-party liability or false claims recoveries.
 247.8 Contracts for these services may not exceed two years, but may be extended by amendment,
 247.9 if necessary to continue representation in an active case referred during the original two-year
 247.10 contract term. These contracts are subject to the competitive proposal requirements for
 247.11 professional and technical services contracts provided in section 16C.08. No later than
 247.12 January 15 of each year, the attorney general and the commissioner of human services must
 247.13 jointly submit a report to the chairs and ranking minority members of the legislative
 247.14 committees with jurisdiction over state government finance that includes a copy of the
 247.15 contract for legal services, and details on:

247.16 (1) the number of claims for recovery filed by attorneys providing services on a contingent
 247.17 fee basis;

247.18 (2) the number of recovery claims that were successful, including the amounts recovered
 247.19 in each successful claim; and

247.20 (3) the total amount of attorney fees due or paid following each successful claim.

247.21 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 247.22 applies to contracts entered into on or after that date. Subdivision 2, paragraph (b), applies
 247.23 to legal services for claims filed on or after August 1, 2018.

12.9 Sec. 14. Minnesota Statutes 2016, section 10A.01, subdivision 35, is amended to read:

12.10 Subd. 35. **Public official.** "Public official" means any:

247.24 Sec. 17. Minnesota Statutes 2016, section 10A.01, subdivision 35, is amended to read:

247.25 Subd. 35. **Public official.** "Public official" means any:

- 12.11 (1) member of the legislature;
- 12.12 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
12.13 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
12.14 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of
12.15 Senate Counsel, Research, and Fiscal Analysis, House Research, or the House Fiscal Analysis
12.16 Department;
- 12.17 (3) constitutional officer in the executive branch and the officer's chief administrative
12.18 deputy;
- 12.19 (4) solicitor general or deputy, assistant, or special assistant attorney general;
- 12.20 (5) commissioner, deputy commissioner, or assistant commissioner of any state
12.21 department or agency as listed in section 15.01 or 15.06, or the state chief information
12.22 officer;
- 12.23 (6) member, chief administrative officer, or deputy chief administrative officer of a state
12.24 board or commission that has either the power to adopt, amend, or repeal rules under chapter
12.25 14, or the power to adjudicate contested cases or appeals under chapter 14;
- 12.26 (7) individual employed in the executive branch who is authorized to adopt, amend, or
12.27 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- 12.28 (8) executive director of the State Board of Investment;
- 12.29 (9) deputy of any official listed in clauses (7) and (8);
- 12.30 (10) judge of the Workers' Compensation Court of Appeals;
- 13.1 (11) administrative law judge or compensation judge in the State Office of Administrative
13.2 Hearings or unemployment law judge in the Department of Employment and Economic
13.3 Development;
- 13.4 (12) member, regional administrator, division director, general counsel, or operations
13.5 manager of the Metropolitan Council;
- 13.6 (13) member or chief administrator of a metropolitan agency;
- 13.7 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
13.8 of Public Safety;
- 247.26 (1) member of the legislature;
- 247.27 (2) individual employed by the legislature as secretary of the senate, legislative auditor,
247.28 director of the Legislative Budget Office, chief clerk of the house of representatives, revisor
247.29 of statutes, or researcher, legislative analyst, fiscal analyst, or attorney in the Office of
247.30 Senate Counsel, Research, and Fiscal Analysis, House Research, or the House Fiscal Analysis
247.31 Department;
- 248.1 (3) constitutional officer in the executive branch and the officer's chief administrative
248.2 deputy;
- 248.3 (4) solicitor general or deputy, assistant, or special assistant attorney general;
- 248.4 (5) commissioner, deputy commissioner, or assistant commissioner of any state
248.5 department or agency as listed in section 15.01 or 15.06, or the state chief information
248.6 officer;
- 248.7 (6) member, chief administrative officer, or deputy chief administrative officer of a state
248.8 board or commission that has either the power to adopt, amend, or repeal rules under chapter
248.9 14, or the power to adjudicate contested cases or appeals under chapter 14;
- 248.10 (7) individual employed in the executive branch who is authorized to adopt, amend, or
248.11 repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- 248.12 (8) executive director of the State Board of Investment;
- 248.13 (9) deputy of any official listed in clauses (7) and (8);
- 248.14 (10) judge of the Workers' Compensation Court of Appeals;
- 248.15 (11) administrative law judge or compensation judge in the State Office of Administrative
248.16 Hearings or unemployment law judge in the Department of Employment and Economic
248.17 Development;
- 248.18 (12) member, regional administrator, division director, general counsel, or operations
248.19 manager of the Metropolitan Council;
- 248.20 (13) member or chief administrator of a metropolitan agency;
- 248.21 (14) director of the Division of Alcohol and Gambling Enforcement in the Department
248.22 of Public Safety;

- | | | | |
|-------|---|--------|---|
| 13.9 | (15) member or executive director of the Higher Education Facilities Authority; | 248.23 | (15) member or executive director of the Higher Education Facilities Authority; |
| 13.10 | (16) member of the board of directors or president of Enterprise Minnesota, Inc.; | 248.24 | (16) member of the board of directors or president of Enterprise Minnesota, Inc.; |
| 13.11 | (17) member of the board of directors or executive director of the Minnesota State High | 248.25 | (17) member of the board of directors or executive director of the Minnesota State High |
| 13.12 | School League; | 248.26 | School League; |
| 13.13 | (18) member of the Minnesota Ballpark Authority established in section 473.755; | 248.27 | (18) member of the Minnesota Ballpark Authority established in section 473.755; |
| 13.14 | (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources; | 248.28 | (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources; |
| 13.15 | (20) manager of a watershed district, or member of a watershed management organization | 248.29 | (20) manager of a watershed district, or member of a watershed management organization |
| 13.16 | as defined under section 103B.205, subdivision 13; | 248.30 | as defined under section 103B.205, subdivision 13; |
| 13.17 | (21) supervisor of a soil and water conservation district; | 249.1 | (21) supervisor of a soil and water conservation district; |
| 13.18 | (22) director of Explore Minnesota Tourism; | 249.2 | (22) director of Explore Minnesota Tourism; |
| 13.19 | (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section | 249.3 | (23) citizen member of the Lessard-Sams Outdoor Heritage Council established in section |
| 13.20 | 97A.056; | 249.4 | 97A.056; |
| 13.21 | (24) citizen member of the Clean Water Council established in section 114D.30; | 249.5 | (24) citizen member of the Clean Water Council established in section 114D.30; |
| 13.22 | (25) member or chief executive of the Minnesota Sports Facilities Authority established | 249.6 | (25) member or chief executive of the Minnesota Sports Facilities Authority established |
| 13.23 | in section 473J.07; | 249.7 | in section 473J.07; |
| 13.24 | (26) district court judge, appeals court judge, or Supreme Court justice; | 249.8 | (26) district court judge, appeals court judge, or Supreme Court justice; |
| 13.25 | (27) county commissioner; | 249.9 | (27) county commissioner; |
| 13.26 | (28) member of the Greater Minnesota Regional Parks and Trails Commission; or | 249.10 | (28) member of the Greater Minnesota Regional Parks and Trails Commission; or |
| 13.27 | (29) member of the Destination Medical Center Corporation established in section | 249.11 | (29) member of the Destination Medical Center Corporation established in section |
| 13.28 | 469.41. | 249.12 | 469.41. |
| 13.29 | <u>EFFECTIVE DATE. This section is effective July 1, 2018.</u> | 249.13 | <u>EFFECTIVE DATE. This section is effective July 1, 2018.</u> |
| | | 249.14 | Sec. 18. Minnesota Statutes 2016, section 10A.02, subdivision 7, is amended to read: |
| | | 249.15 | Subd. 7. Political activity. All members and employees of the board are subject to any |
| | | 249.16 | provisions of law regulating political activity by state employees. In addition, no member |

249.17 or employee of the board may be a candidate for, or holder of, (1) a national, state,
 249.18 congressional district, legislative district, county, or precinct office in a political party, or
 249.19 (2) an elected public office for which party designation is required by statute. For purposes
 249.20 of this subdivision, "employee of the board" includes any board employee and any employee
 249.21 of the Office of MN.IT Services assigned to provide information technology services to the
 249.22 board.

249.23 Sec. 19. Minnesota Statutes 2016, section 12.09, subdivision 2, is amended to read:

249.24 Subd. 2. **State emergency plan.** The division shall develop and maintain a comprehensive
 249.25 state emergency operations plan and emergency management program in accord with section
 249.26 12.21, subdivision 3, ~~clause (2) paragraph (b)~~, and ensure that other state emergency plans
 249.27 that may be developed are coordinated and consistent with the comprehensive state
 249.28 emergency operations plan. The director of the division must provide assistance to the
 249.29 legislative branch, the judicial branch, and the executive council in developing the plans
 249.30 required by sections 12.401, 12.402, and 12.403.

250.1 Sec. 20. Minnesota Statutes 2016, section 12.21, subdivision 3, is amended to read:

250.2 Subd. 3. **Specific authority.** (a) In performing duties under this chapter and to effect its
 250.3 policy and purpose, the governor may:

250.4 (1) make, amend, and rescind the necessary orders and rules to carry out the provisions
 250.5 of this chapter and section 216C.15 within the limits of the authority conferred by this
 250.6 section, with due consideration of the plans of the federal government and without complying
 250.7 with sections 14.001 to 14.69, but no order or rule has the effect of law except as provided
 250.8 by section 12.32;

250.9 ~~(2) ensure that a comprehensive emergency operations plan and emergency management~~
 250.10 ~~program for this state are developed and maintained, and are integrated into and coordinated~~
 250.11 ~~with the emergency plans of the federal government and of other states to the fullest possible~~
 250.12 ~~extent;~~

250.13 ~~(2)~~ (2) in accordance with the emergency operations plan and the emergency management
 250.14 program of this state, procure supplies, equipment, and facilities; institute training programs
 250.15 and public information programs; and take all other preparatory steps, including the partial
 250.16 or full activation of emergency management organizations in advance of actual disaster to
 250.17 ensure the furnishing of adequately trained and equipped forces of emergency management
 250.18 personnel in time of need;

250.19 ~~(4)~~ (3) make studies and surveys of the industries, resources, and facilities in this state
 250.20 as may be necessary to ascertain the capabilities of the state for emergency management
 250.21 and to plan for the most efficient emergency use of those industries, resources, and facilities;

- 250.22 ~~(5)~~ (4) on behalf of this state, enter into mutual aid arrangements or cooperative
 250.23 agreements with other states, tribal authorities, and Canadian provinces, and coordinate
 250.24 mutual aid plans between political subdivisions of this state;
- 250.25 ~~(6)~~ (5) delegate administrative authority vested in the governor under this chapter, except
 250.26 the power to make rules, and provide for the subdelegation of that authority;
- 250.27 ~~(7)~~ (6) cooperate with the president and the heads of the armed forces, the Emergency
 250.28 Management Agency of the United States and other appropriate federal officers and agencies,
 250.29 and with the officers and agencies of other states in matters pertaining to the emergency
 250.30 management of the state and nation, including the direction or control of:
- 250.31 (i) emergency preparedness drills and exercises;
- 250.32 (ii) warnings and signals for drills or actual emergencies and the mechanical devices to
 250.33 be used in connection with them;
- 251.1 (iii) shutting off water mains, gas mains, electric power connections and the suspension
 251.2 of all other utility services;
- 251.3 (iv) the conduct of persons in the state, including entrance or exit from any stricken or
 251.4 threatened public place, occupancy of facilities, and the movement and cessation of
 251.5 movement of pedestrians, vehicular traffic, and all forms of private and public transportation
 251.6 during, prior, and subsequent to drills or actual emergencies;
- 251.7 (v) public meetings or gatherings; and
- 251.8 (vi) the evacuation, reception, and sheltering of persons;
- 251.9 ~~(8)~~ (7) contribute to a political subdivision, within the limits of the appropriation for
 251.10 that purpose, not more than 25 percent of the cost of acquiring organizational equipment
 251.11 that meets standards established by the governor;
- 251.12 ~~(9)~~ (8) formulate and execute, with the approval of the Executive Council, plans and
 251.13 rules for the control of traffic in order to provide for the rapid and safe movement over
 251.14 public highways and streets of troops, vehicles of a military nature, and materials for national
 251.15 defense and war or for use in any war industry, for the conservation of critical materials, or
 251.16 for emergency management purposes; and coordinate the activities of the departments or
 251.17 agencies of the state and its political subdivisions concerned directly or indirectly with
 251.18 public highways and streets, in a manner that will best effectuate those plans;

251.19 ~~(H)~~ (9) alter or adjust by executive order, without complying with sections 14.01 to
 251.20 14.69, the working hours, workdays and work week of, and annual and sick leave provisions
 251.21 and payroll laws regarding all state employees in the executive branch as the governor
 251.22 deems necessary to minimize the impact of the disaster or emergency, conforming the
 251.23 alterations or adjustments to existing state laws, rules, and collective bargaining agreements
 251.24 to the extent practicable;

251.25 ~~(H)~~ (10) authorize the commissioner of education to alter school schedules, curtail
 251.26 school activities, or order schools closed as defined in section 120A.05, subdivisions 9, 11,
 251.27 13, and 17, and including charter schools under chapter 124E, and elementary schools
 251.28 enrolling prekindergarten pupils in district programs; and

251.29 ~~(H)~~ (11) transfer the direction, personnel, or functions of state agencies to perform or
 251.30 facilitate response and recovery programs.

251.31 (b) In performing duties under this chapter and to effect its policy and purpose, the
 251.32 governor must direct the Division of Emergency Management to adopt and maintain a
 251.33 comprehensive emergency operations plan and emergency management program for this
 252.1 state that is integrated into and coordinated with the emergency plans of the federal
 252.2 government and other states to the fullest possible extent. The comprehensive emergency
 252.3 operations plan must incorporate plans for the secure, continued operation of state
 252.4 government in the event of a disaster or emergency, including those adopted under sections
 252.5 12.401, 12.402, and 12.403.

252.6 Sec. 21. **[12.401] EMERGENCY OPERATIONS AND CONTINUITY PLAN;**
 252.7 **LEGISLATIVE BRANCH.**

252.8 Subdivision 1. Adoption of plan required. (a) The Legislative Coordinating Commission
 252.9 must adopt and maintain an emergency operations and continuity of government plan to
 252.10 ensure the secure, continued operation of the house of representatives, senate, and joint
 252.11 legislative offices in the event of a disaster, emergency, or declared emergency. In developing
 252.12 the plan, the commission must consult and cooperate with the state director of emergency
 252.13 management to ensure the plan's compatibility with the comprehensive state emergency
 252.14 operations plan and emergency management program. The commission must also consult
 252.15 with the governor or the governor's designee, and the chief justice of the Supreme Court or
 252.16 the chief justice's designee, to ensure the plan's compatibility with those adopted for the
 252.17 judicial branch under section 12.402 and the executive council under section 12.403, to the
 252.18 extent practical.

252.19 (b) At a minimum, the commission's plan must address reasonably foreseeable effects
 252.20 of a disaster, emergency, or declared emergency on the ability of the legislature to perform
 252.21 its constitutional functions, including but not limited to the following:

- 252.22 (1) identification of at least three suitable locations within the state at which the legislature
252.23 could conduct operations in the event of a disaster or declared emergency that makes the
252.24 State Capitol unsafe or inaccessible, with one location designated as a primary alternate
252.25 location and two designated as backup alternate locations if the primary location is unsafe
252.26 or inaccessible;
- 252.27 (2) plans to provide timely and secure communications regarding a disaster, emergency,
252.28 or declared emergency to all affected members and personnel, including alternate methods
252.29 of communication if a primary method is unavailable;
- 252.30 (3) plans to securely transport all members, designated personnel, and necessary
252.31 equipment and records to an alternate location and begin legislative operations at that location
252.32 in a timely manner;
- 253.1 (4) plans to ensure reasonable public notice of the legislature's operations and access to
253.2 its proceedings in-person or by electronic, broadcast, or other means as the circumstances
253.3 of the emergency allow;
- 253.4 (5) additional procedures, as necessary, to implement the requirements of subdivisions
253.5 2 and 3;
- 253.6 (6) procedures for the orderly return of legislative operations to the State Capitol, as
253.7 soon as circumstances allow; and
- 253.8 (7) policy decisions that address any other procedures or protocols recommended for
253.9 inclusion by the state director of emergency management.
- 253.10 (c) The plan must be adopted and maintained by the Legislative Coordinating Commission
253.11 no later than January 30, 2019, and may be subsequently amended at any time. At a minimum,
253.12 the plan must be reviewed by the full commission and designated legislative staff no later
253.13 than January 30 of each odd-numbered year. A meeting of the commission may be closed
253.14 to the public for any of these purposes.
- 253.15 (d) Copies of the plan must be filed with the governor, the secretary of state, the state
253.16 director of emergency management, and at each of the alternate locations designated in the
253.17 plan. Unless otherwise directed by the Legislative Coordinating Commission, the copies of
253.18 the plan must be securely maintained and may not be further disclosed to any person except
253.19 as required by this chapter, or as necessary to develop and implement the plan's requirements.
253.20 To the extent data regarding the plan is held by a government entity, as defined in section
253.21 13.02, subdivision 7a, the data are security information under section 13.37.

253.22 Subd. 2. **Implementation of plan.** (a) The governor or the chair of the Legislative
 253.23 Coordinating Commission may order that the legislature's emergency operations and
 253.24 continuity of government plan be implemented in whole or in part, if an emergency is
 253.25 declared or if circumstances indicate a disaster or emergency is occurring or a declared
 253.26 emergency may be imminent. If a change in location is ordered, the legislature must be
 253.27 directed to a location designated in the plan, or if those designated locations are unsafe or
 253.28 inaccessible, to any other location within or outside of the state which the governor or chair
 253.29 deems safe and accessible. If implementation of the plan is ordered by the chair of the
 253.30 Legislative Coordinating Commission, the chair must notify the governor and the state
 253.31 director of emergency management as soon as practicable following implementation.

253.32 (b) A legislative session convened at an alternate location must be reconvened at the
 253.33 State Capitol as soon as practical after the capitol is secured and restored to accessibility.

254.1 Subd. 3. **Special session at an alternate location; legislative procedure.** (a) In the
 254.2 event of a declared emergency, if the legislature is not in session, the governor shall convene
 254.3 a special session when required by section 12.31, subdivisions 1 and 2.

254.4 (b) If the governor fails to convene a special session after declaring a national security
 254.5 emergency, the chair of the Legislative Coordinating Commission shall order implementation
 254.6 of the legislature's emergency operations and continuity of government plan, and the
 254.7 legislature shall convene at the State Capitol, or alternate location designated by the plan,
 254.8 on the first Tuesday after the first Monday more than 30 days after the national security
 254.9 emergency was declared.

254.10 (c) At a special session convened at an alternate location due to a disaster, emergency,
 254.11 or declared emergency, the quorum requirement for the legislature is a majority of the
 254.12 members of each house who convene for the session. If the affirmative vote of a specified
 254.13 proportion of members of the legislature would otherwise be required to approve a bill,
 254.14 resolution, or for any other action, the same proportion of the members of each house
 254.15 convening at the session is sufficient. At the time the special session convenes, the legislature
 254.16 shall adopt temporary joint rules as necessary to ensure the orderly conduct of legislative
 254.17 business in the alternate location, including compliance with the requirements of the
 254.18 Minnesota Constitution and the rules of parliamentary practice.

254.19 Sec. 22. **[12.402] EMERGENCY OPERATIONS AND CONTINUITY PLAN;**
 254.20 **JUDICIAL BRANCH.**

254.21 Subdivision 1. **Adoption of plan required.** (a) The Supreme Court must adopt and
 254.22 maintain an emergency operations and continuity of government plan to ensure the secure,
 254.23 continued operation of the judicial branch in the event of a disaster, emergency, or declared
 254.24 emergency. In developing the plan, the court must consult and cooperate with the state
 254.25 director of emergency management to ensure the plan's compatibility with the comprehensive

254.26 state emergency operations plan and emergency management program. The court must also
254.27 consult the governor or the governor's designee, and the chair of the Legislative Coordinating
254.28 Commission, or the chair's designee, to ensure the plan's compatibility with those adopted
254.29 for the executive council and legislative branch under sections 12.401 and 12.403, to the
254.30 extent practical.

254.31 (b) At a minimum, the Supreme Court's plan must address reasonably foreseeable effects
254.32 of a disaster, emergency, or declared emergency, on the ability of the judicial branch to
254.33 perform its constitutional functions, including but not limited to the following:

255.1 (1) identification of at least three suitable locations within the state at which the Supreme
255.2 Court, Court of Appeals, and central administrative functions of the judicial branch could
255.3 operate in the event of a disaster or declared emergency that make its regular location unsafe
255.4 or inaccessible, with one location designated as a primary alternate location and two
255.5 designated as backup alternate locations if the primary location is unsafe or inaccessible;

255.6 (2) plans to provide timely and secure communications regarding a disaster, emergency,
255.7 or declared emergency to all affected personnel, including alternate methods of
255.8 communication if a primary method is unavailable;

255.9 (3) plans to securely transport affected justices, judges, designated personnel, and
255.10 necessary equipment and records to an alternate location and begin judicial operations at
255.11 that location in a timely manner;

255.12 (4) plans to ensure reasonable public notice of the judicial branch's operations and access
255.13 to its proceedings and records in-person or by electronic, broadcast, or other means as the
255.14 rules of the court require and the circumstances of the emergency allow;

255.15 (5) plans to ensure the rights and protections guaranteed by the federal and state
255.16 constitutions to criminal defendants, petitioners, and civil litigants are preserved;

255.17 (6) procedures for the orderly return of judicial branch operations to their regular location,
255.18 as soon as circumstances allow; and

255.19 (7) policy decisions that address any other procedures or protocols recommended for
255.20 inclusion by the state director of emergency management.

255.21 (c) The plan must be adopted and maintained by the Supreme Court no later than January
255.22 30, 2019, and may be subsequently amended at any time. At a minimum, the plan must be
255.23 reviewed by the justices and judges of the Supreme Court and Court of Appeals, and
255.24 designated staff, no later than January 30 of each odd-numbered year.

255.25 (d) Copies of the plan must be filed with the governor, the secretary of state, the state
 255.26 director of emergency management, and at each of the alternate locations designated in the
 255.27 plan. Unless otherwise directed by the court, the copies of the plan must be securely
 255.28 maintained and may not be further disclosed to any person except as required by this chapter,
 255.29 or as necessary to develop and implement the plan's requirements. To the extent data
 255.30 regarding the plan is held by a government entity, as defined in section 13.02, subdivision
 255.31 7a, the data are security information under section 13.37.

255.32 Subd. 2. **Implementation of plan.** (a) The governor or the chief justice may order that
 255.33 the judiciary's emergency operations and continuity of government plan be implemented in
 256.1 whole or in part, if an emergency is declared or if circumstances indicate a disaster or
 256.2 emergency is occurring or a declared emergency may be imminent. If a change in location
 256.3 is ordered, the affected personnel must be directed to a location designated in the plan, or
 256.4 if those designated locations are unsafe or inaccessible, to any other location within or
 256.5 outside of the state which the governor or chief justice deems safe and accessible. If
 256.6 implementation of the plan is ordered by the chief justice, the chief justice must notify the
 256.7 governor and the state director of emergency management as soon as practicable following
 256.8 implementation.

256.9 (b) A court convened at an alternate location must be reconvened at its regular location
 256.10 as soon as practical after the location is secured and restored to accessibility.

256.11 Sec. 23. **[12.403] EMERGENCY OPERATIONS AND CONTINUITY PLAN;**
 256.12 **CONSTITUTIONAL OFFICERS.**

256.13 Subdivision 1. **Adoption of plan required.** (a) The executive council must adopt and
 256.14 maintain an emergency operations and continuity of government plan to ensure the secure,
 256.15 continued operation of each constitutional office in the event of a disaster, emergency, or
 256.16 declared emergency. In developing the plan, the council must consult and cooperate with
 256.17 the state director of emergency management to ensure the plan's compatibility with the
 256.18 comprehensive state emergency operations plan and emergency management program. The
 256.19 council must also consult the chair of the Legislative Coordinating Commission or the chair's
 256.20 designee, and the chief justice of the Supreme Court or the chief justice's designee, to ensure
 256.21 the plan's compatibility with those adopted for the legislative branch and judicial branch
 256.22 under sections 12.401 and 12.402, to the extent practical.

256.23 (b) At a minimum, the council's plan must address reasonably foreseeable effects of a
 256.24 disaster, emergency, or declared emergency, on the ability of the state constitutional officers
 256.25 to perform their constitutional functions, including but not limited to the following:

256.26 (1) identification of at least three suitable locations within the state at which the
 256.27 constitutional officers could conduct operations in the event of a disaster, emergency, or
 256.28 declared emergency that make their regular locations unsafe or inaccessible, with one

- 256.29 location designated as a primary alternate location and two designated as backup alternate
256.30 locations if the primary location is unsafe or inaccessible;
- 256.31 (2) plans to provide timely and secure communications regarding a disaster, emergency,
256.32 or declared emergency to all affected constitutional officers and personnel, including alternate
256.33 methods of communication if a primary method is unavailable;
- 257.1 (3) plans to securely transport all constitutional officers, designated personnel, and
257.2 necessary equipment and records to an alternate location and begin operations at that location
257.3 in a timely manner;
- 257.4 (4) plans to ensure reasonable public notice of each constitutional officer's operations
257.5 and access to the officers and records in person or by electronic, broadcast, or other means
257.6 as the circumstances of the emergency allow;
- 257.7 (5) procedures for the orderly return of operations to the State Capitol, as soon as
257.8 circumstances allow; and
- 257.9 (6) policy decisions that address any other procedures or protocols recommended for
257.10 inclusion by the state director of emergency management.
- 257.11 (c) The plan must be adopted no later than January 30, 2019, and may be subsequently
257.12 amended at any time. At a minimum, the plan must be reviewed by the executive council
257.13 and designated staff no later than January 30 of each odd-numbered year. A meeting of the
257.14 council may be closed to the public for any of these purposes.
- 257.15 (d) Copies of the plan must be filed with each constitutional officer, the state director
257.16 of emergency management, and at each of the alternate locations designated in the plan.
257.17 Unless otherwise directed by the executive council, the copies of the plan are security data
257.18 under section 13.37, must be securely maintained, and may not be further disclosed to any
257.19 person except as required by this chapter, or as necessary to develop and implement its
257.20 requirements.
- 257.21 Subd. 2. **Implementation of plan.** (a) The governor or any constitutional officer, with
257.22 respect to that officer's constitutional office, may order that the executive council's emergency
257.23 operations and continuity of government plan be implemented in whole or in part, if an
257.24 emergency is declared or if circumstances indicate a disaster or emergency is occurring or
257.25 a declared emergency may be imminent. If a change in location is ordered, affected personnel
257.26 must be directed to a location designated in the plan, or if those designated locations are
257.27 unsafe or inaccessible, to any other location within or outside of the state which the governor
257.28 or constitutional officer deems safe and accessible. If implementation of the plan is ordered

257.29 by a constitutional officer other than the governor, the officer must notify the governor and
257.30 the state director of emergency management as soon as practicable following implementation.

257.31 (b) A constitutional officer's primary office must be returned to its regular location as
257.32 soon as practical after that location is secured and restored to accessibility.

258.1 Sec. 24. Minnesota Statutes 2016, section 13.02, is amended by adding a subdivision to
258.2 read:

258.3 Subd. 1a. **Chief administrative law judge.** "Chief administrative law judge" means the
258.4 chief administrative law judge of the state Office of Administrative Hearings.

258.5 Sec. 25. Minnesota Statutes 2016, section 13.02, is amended by adding a subdivision to
258.6 read:

258.7 Subd. 8b. **Information policy analysis unit.** "Information policy analysis unit" means
258.8 the work unit within the Office of Administrative Hearings established under section 13.071.

258.9 Sec. 26. **[13.071] INFORMATION POLICY ANALYSIS UNIT; DATA PRACTICES**
258.10 **COORDINATOR.**

258.11 Subdivision 1. **Information policy analysis unit established.** An information policy
258.12 analysis unit is established as a work unit within the Office of Administrative Hearings.

258.13 Subd. 2. **Data practices coordinator.** (a) The chief administrative law judge shall
258.14 appoint a data practices coordinator in the unclassified service who shall oversee the
258.15 operations of the information policy analysis unit.

258.16 (b) The coordinator must be knowledgeable about the Minnesota Government Data
258.17 Practices Act, the Minnesota Open Meeting Law, and federal laws and regulations regarding
258.18 data privacy. The coordinator must have experience in dealing with both private enterprise
258.19 and governmental entities, interpreting laws and regulations, record keeping, report writing,
258.20 public speaking, and management.

258.21 Subd. 3. **Duties.** The information policy analysis unit shall:

258.22 (1) informally advise and serve as a technical resource for government entities on
258.23 questions related to public access to government data, rights of subjects of data, classification
258.24 of data, or applicable duties under chapter 13D;

258.25 (2) informally advise persons regarding their rights under this chapter or chapter 13D;

- 258.26 (3) administer training on chapter 13D and the public information policy training program
 258.27 under section 13.073;
- 258.28 (4) issue advisory opinions pursuant to section 13.072;
- 258.29 (5) operate in a manner that effectively screens the work of the information policy
 258.30 analysis unit from any administrative law judges assigned to a contested case pursuant to
 258.31 section 13.085; and
- 259.1 (6) perform other duties as directed by the chief administrative law judge.
- 259.2 Subd. 4. **Effect of informal advice.** Informal advice or trainings offered by the
 259.3 information policy analysis unit is not binding on a government entity or members of a body
 259.4 subject to chapter 13D, does not constitute legal advice or an advisory opinion under section
 259.5 13.072, and has no effect on liability, fines, or fee awards arising from a violation of this
 259.6 chapter or chapter 13D. This section does not preclude a person from, in addition to or
 259.7 instead of requesting advice from the information policy analysis unit, seeking an advisory
 259.8 opinion under section 13.072, or bringing any other action under this chapter or other law.
- 259.9 Subd. 5. **Data submitted to information policy analysis unit.** A government entity
 259.10 may submit not public data to the information policy analysis unit for the purpose of
 259.11 requesting advice. Government data submitted to the information policy analysis unit by a
 259.12 government entity or copies of government data submitted by other persons have the same
 259.13 classification as the data have when held by the government entity.
- 259.14 Sec. 27. Minnesota Statutes 2016, section 13.072, is amended to read:
- 259.15 **13.072 ADVISORY OPINIONS BY THE COMMISSIONER INFORMATION**
 259.16 **POLICY ANALYSIS UNIT.**
- 259.17 Subdivision 1. **Advisory opinion; when required.** (a) Upon request of a government
 259.18 entity, the ~~commissioner may~~ information policy analysis unit shall give a written advisory
 259.19 opinion on any question relating to public access to government data, rights of subjects of
 259.20 data, or classification of data under this chapter or other Minnesota statutes governing
 259.21 government data practices. Upon request of any person who disagrees with a determination
 259.22 regarding data practices made by a government entity, the ~~commissioner may~~ information
 259.23 policy analysis unit shall give a written advisory opinion regarding the person's rights as a
 259.24 subject of government data or right to have access to government data.
- 259.25 (b) Upon request of a body subject to chapter 13D, the ~~commissioner may~~ information
 259.26 policy analysis unit shall give a written advisory opinion on any question relating to the
 259.27 body's duties under chapter 13D. Upon request of a person who disagrees with the manner
 259.28 in which members of a governing body perform their duties under chapter 13D, the

259.29 ~~commissioner may~~ information policy analysis unit shall give a written advisory opinion
 259.30 on compliance with chapter 13D. A governing body or person requesting an opinion under
 259.31 this paragraph must pay the commissioner a fee of \$200. Money received by the
 259.32 commissioner under this paragraph is appropriated to the commissioner for the purposes of
 259.33 this section.

260.1 (c) ~~If the commissioner determines that no opinion will be issued, the commissioner~~
 260.2 ~~shall give the government entity or body subject to chapter 13D or person requesting the~~
 260.3 ~~opinion notice of the decision not to issue the opinion within five business days of receipt~~
 260.4 ~~of the request. If this notice is not given, the commissioner~~ The information policy analysis
 260.5 unit shall issue an advisory opinion within 20 days of receipt of the request.

260.6 (d) For good cause and upon written notice to the person requesting the advisory opinion,
 260.7 ~~the commissioner~~ chief administrative law judge may extend this deadline for one additional
 260.8 30-day period. The notice must state the reason for extending the deadline. The government
 260.9 entity or the members of a body subject to chapter 13D must be provided a reasonable
 260.10 opportunity to explain the reasons for its decision regarding the data or how they perform
 260.11 their duties under chapter 13D. ~~The commissioner~~ information policy analysis unit or the
 260.12 government entity or body subject to chapter 13D may choose to give notice to the subject
 260.13 of the data concerning the dispute regarding the data or compliance with chapter 13D.

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

260.16 (f) A written, numbered, and published opinion issued by the attorney general shall take
 260.17 precedence over an advisory opinion issued by the ~~commissioner~~ information policy analysis
 260.18 unit under this section.

260.19 (g) A decision of the Office of Administrative Hearings issued under section 13.085
 260.20 shall take precedence over an advisory opinion issued by the information policy analysis
 260.21 unit under this section.

260.22 Subd. 2. **Effect.** (a) Advisory opinions issued by the ~~commissioner~~ information policy
 260.23 analysis unit under this section are not binding on the government entity or members of a
 260.24 body subject to chapter 13D whose data or performance of duties is the subject of the
 260.25 advisory opinion, but an advisory opinion described in subdivision 1, paragraph (a), must
 260.26 be given deference by a court or other tribunal in a proceeding involving the data. The
 260.27 ~~commissioner~~ information policy analysis unit shall arrange for public dissemination of
 260.28 advisory opinions issued under this section, and shall indicate when the principles stated in
 260.29 an advisory opinion are not intended to provide guidance to all similarly situated persons
 260.30 or government entities. This section does not preclude a person from bringing any other
 260.31 action under this chapter or other law in addition to or instead of requesting a written advisory
 260.32 opinion. A government entity, members of a body subject to chapter 13D, or person that

260.33 acts in conformity with a written advisory opinion of the ~~commissioner~~ information policy
 260.34 analysis unit issued to the government entity, members, or person or to another party is not
 261.1 liable for compensatory or exemplary damages or awards of attorneys fees in actions for
 261.2 violations arising under section 13.08 or 13.085, or for a penalty under section 13.09 or for
 261.3 fines, awards of attorney fees, or any other penalty under chapter 13D. A member of a body
 261.4 subject to chapter 13D is not subject to forfeiture of office if the member was acting in
 261.5 reliance on an advisory opinion.

261.6 (b) The information policy analysis unit shall publish and maintain all previously issued
 261.7 written opinions of the commissioner of administration in the same manner as advisory
 261.8 opinions issued by the information policy analysis unit. A previously issued written opinion
 261.9 by the commissioner of administration has the same effect as an advisory opinion issued
 261.10 by the information policy analysis unit.

261.11 Subd. 4. **Data submitted to ~~commissioner~~ information policy analysis unit.** A
 261.12 government entity may submit not public data to the ~~commissioner~~ information policy
 261.13 analysis unit for the purpose of requesting or responding to a person's request for an advisory
 261.14 opinion. Government data submitted to the ~~commissioner~~ information policy analysis unit
 261.15 by a government entity or copies of government data submitted by other persons have the
 261.16 same classification as the data have when held by the government entity. If the nature of
 261.17 the advisory opinion is such that the release of the advisory opinion would reveal not public
 261.18 data, the ~~commissioner~~ information policy analysis unit may issue an advisory opinion using
 261.19 pseudonyms for individuals. Data maintained by the ~~commissioner~~ information policy
 261.20 analysis unit, in the record of an advisory opinion issued using pseudonyms that would
 261.21 reveal the identities of individuals protected by the use of the pseudonyms, are private data
 261.22 on individuals.

261.23 Sec. 28. Minnesota Statutes 2016, section 13.08, subdivision 4, is amended to read:

261.24 Subd. 4. **Action to compel compliance.** (a) Actions to compel compliance may be
 261.25 brought either under this subdivision or section 13.085. For actions under this subdivision,
 261.26 in addition to the remedies provided in subdivisions 1 to 3 or any other law, any aggrieved
 261.27 person seeking to enforce the person's rights under this chapter or obtain access to data may
 261.28 bring an action in district court to compel compliance with this chapter and may recover
 261.29 costs and disbursements, including reasonable attorney's fees, as determined by the court.
 261.30 If the court determines that an action brought under this subdivision is frivolous and without
 261.31 merit and a basis in fact, it may award reasonable costs and attorney fees to the responsible
 261.32 authority. If the court issues an order to compel compliance under this subdivision, the court
 261.33 may impose a civil penalty of up to \$1,000 against the government entity. This penalty is
 261.34 payable to the state general fund and is in addition to damages under subdivision 1. The
 262.1 matter shall be heard as soon as possible. In an action involving a request for government
 262.2 data under section 13.03 or 13.04, the court may inspect in camera the government data in
 262.3 dispute, but shall conduct its hearing in public and in a manner that protects the security of
 262.4 data classified as not public. If the court issues an order to compel compliance under this

- 262.5 subdivision, the court shall forward a copy of the order to the ~~commissioner of administration~~
 262.6 chief administrative law judge.
- 262.7 (b) In determining whether to assess a civil penalty under this subdivision, the court or
 262.8 other tribunal shall consider whether the government entity has substantially complied with
 262.9 general data practices under this chapter, including but not limited to, whether the government
 262.10 entity has:
- 262.11 (1) designated a responsible authority under section 13.02, subdivision 16;
- 262.12 (2) designated a data practices compliance official under section 13.05, subdivision 13;
- 262.13 (3) prepared the data inventory that names the responsible authority and describes the
 262.14 records and data on individuals that are maintained by the government entity under section
 262.15 13.025, subdivision 1;
- 262.16 (4) developed public access procedures under section 13.03, subdivision 2; procedures
 262.17 to guarantee the rights of data subjects under section 13.025, subdivision 3; and procedures
 262.18 to ensure that data on individuals are accurate and complete and to safeguard the data's
 262.19 security under section 13.05, subdivision 5;
- 262.20 (5) acted in conformity with an advisory opinion issued under section 13.072 that was
 262.21 sought by a government entity or another person;
- 262.22 (6) acted in conformity with a decision of the Office of Administrative Hearings issued
 262.23 under section 13.085; or
- 262.24 ~~(6)~~ (7) provided ongoing training to government entity personnel who respond to requests
 262.25 under this chapter.
- 262.26 (c) The court shall award reasonable attorney fees to a prevailing plaintiff who has
 262.27 brought an action under this subdivision if the government entity that is the defendant in
 262.28 the action was also the subject of ~~a written~~ an advisory opinion issued under section 13.072
 262.29 or a decision of the Office of Administrative Hearings issued under section 13.085 and the
 262.30 court finds that the opinion or decision is directly related to the cause of action being litigated
 262.31 and that the government entity did not act in conformity with the opinion or decision.
- 263.1 Sec. 29. Minnesota Statutes 2016, section 13.085, subdivision 2, is amended to read:
- 263.2 Subd. 2. **Complaints.** (a) A complaint alleging a violation of this chapter or chapter
 263.3 13D for which an order to compel compliance is requested may be filed with the office. An

263.4 action to compel compliance does not include procedures pursuant to section 13.04,
263.5 subdivision 4 or 4a.

263.6 (b) The complaint must be filed with the office within two years after the occurrence of
263.7 the act or failure to act that is the subject of the complaint, except that if the act or failure
263.8 to act involves concealment or misrepresentation by the government entity that could not
263.9 be discovered during that period, the complaint may be filed with the office within one year
263.10 after the concealment or misrepresentation is discovered.

263.11 (c) The complaint must be made in writing, submitted under oath, and detail the factual
263.12 basis for the claim that a violation of law has occurred. The office may prescribe a standard
263.13 form for the complaint. The complaint must be accompanied by a filing fee of ~~\$1,000~~ \$250
263.14 or a bond to guarantee the payment of this fee.

263.15 (d) Upon receipt of a filed complaint, the office must immediately notify the respondent
263.16 and, if known, the applicable responsible authority for the government entity, if the
263.17 responsible authority is not otherwise named as the respondent. The office must provide
263.18 the respondent with a copy of the complaint by the most expeditious means available. Notice
263.19 to a responsible authority must be delivered by certified mail. The office must also notify,
263.20 to the extent practicable, any individual or entity that is the subject of all or part of the data
263.21 in dispute.

263.22 ~~(e) The office must notify the commissioner of administration of an action filed under~~
263.23 ~~this section. Proceedings under this section must be dismissed without prejudice as untimely~~
263.24 ~~and the complainant's filing fee must be refunded if a request for an advisory opinion from~~
263.25 ~~the commissioner was accepted on the matter under section 13.072 before the complaint~~
263.26 ~~was filed, and the complainant's filing fee must be refunded if an advisory opinion has not yet~~
263.27 ~~been issued.~~

263.28 (f) The respondent must file a response to the complaint within 15 business days of
263.29 receipt of the notice. For good cause shown, the office may extend the time for filing a
263.30 response.

263.31 Sec. 30. Minnesota Statutes 2016, section 13.085, subdivision 3, is amended to read:

263.32 Subd. 3. **Probable cause review.** (a) In conformity with the Minnesota Code of Judicial
263.33 Conduct, the chief administrative law judge must assign an administrative law judge to
264.1 review each complaint. The chief administrative law judge must ensure that any assigned
264.2 administrative law judge is screened from any involvement with any informal advice provided
264.3 under section 13.071 or with an advisory opinion issued under section 13.072 that involves
264.4 the parties to the complaint. Within 20 business days after a response is filed, or the
264.5 respondent's time to file the response, including any extension, has expired, the administrative
264.6 law judge must make a preliminary determination for its disposition as follows:

264.7 (1) if the administrative law judge determines that the complaint and any timely response
264.8 of the respondent agency do not present sufficient facts to believe that a violation of this
264.9 chapter has occurred, the complaint must be dismissed; or

264.10 (2) if the administrative law judge determines that the complaint and any timely response
264.11 of the respondent agency do present sufficient facts to believe that a violation of this chapter
264.12 has occurred, the judge must schedule a hearing as provided in subdivision 4.

264.13 (b) The office must notify all parties of the determination made under paragraph (a).
264.14 The notice must provide as follows:

264.15 (1) if the complaint is scheduled for a hearing, the notice must identify the time and
264.16 place of the hearing and inform all parties that they may submit evidence, affidavits,
264.17 documentation, and argument for consideration by the administrative law judge; or

264.18 (2) if the complaint is dismissed for failure to present sufficient facts to believe that a
264.19 violation of this chapter has occurred, the notice must inform the parties of the right of the
264.20 complainant to seek reconsideration of the decision on the record by the chief administrative
264.21 law judge, as provided in paragraph (c).

264.22 (c) A petition for reconsideration may be filed no later than five business days after a
264.23 complaint is dismissed for failure to present sufficient facts to believe that a violation of
264.24 this chapter has occurred. The chief administrative law judge must review the petition and
264.25 make a final ruling within ten business days after its receipt. If the chief administrative law
264.26 judge determines that the assigned administrative law judge made a clear material error,
264.27 the chief administrative law judge must schedule the matter for a hearing as provided in
264.28 subdivision 4.

264.29 Sec. 31. Minnesota Statutes 2016, section 13.085, subdivision 4, is amended to read:

264.30 Subd. 4. **Hearing; procedure.** (a) A hearing on a complaint must be held within 30
264.31 business days after the parties are notified that a hearing will be held. An oral hearing to
264.32 resolve questions of law may be waived upon consent of all parties and the ~~presiding~~ assigned
264.33 administrative law judge. For good cause shown, the judge may delay the date of a hearing
265.1 by no more than ten business days. The judge may continue a hearing to enable the parties
265.2 to submit additional evidence or testimony.

265.3 (b) The administrative law judge must consider any evidence and argument submitted
265.4 until the hearing record is closed, including affidavits and documentation.

265.5 (c) All hearings, and any records relating to the hearing, must be open to the public,
265.6 except that the judge may inspect in camera any government data in dispute. If the hearing

265.7 record contains information that is not public data, the judge may conduct a closed hearing
265.8 to consider the information, issue necessary protective orders, and seal all or part of the
265.9 hearing record, as provided in section 14.60, subdivision 2. If a party contends, and the
265.10 judge concludes, that not public data could be improperly disclosed while that party is
265.11 presenting its arguments, the judge shall close any portion of the hearing as necessary to
265.12 prevent the disclosure. A hearing may be conducted by conference telephone call or
265.13 interactive audio/video system, at the discretion of the ~~presiding~~ assigned judge, and upon
265.14 consent of all parties.

265.15 Sec. 32. Minnesota Statutes 2016, section 13.085, subdivision 5, is amended to read:

265.16 Subd. 5. **Disposition.** (a) Following a hearing, the judge must determine whether the
265.17 violation alleged in the complaint occurred and must make at least one of the following
265.18 dispositions. The judge may:

265.19 (1) dismiss the complaint;

265.20 (2) find that an act or failure to act constituted a violation of this chapter;

265.21 (3) impose a civil penalty against the respondent of up to \$300;

265.22 (4) issue an order compelling the respondent to comply with a provision of law that has
265.23 been violated, and may establish a deadline for production of data, if necessary; and

265.24 (5) refer the complaint to the appropriate prosecuting authority for consideration of
265.25 criminal charges.

265.26 (b) In determining whether to assess a civil penalty, the office shall consider the factors
265.27 described in section 13.08, subdivision 4.

265.28 (c) The judge must render a decision on a complaint within ten business days after the
265.29 hearing record closes. ~~The chief administrative law judge shall provide for public~~
265.30 ~~dissemination of orders issued under this section. If the judge determines that a government~~
265.31 ~~entity has violated a provision of law and issues an order to compel compliance, the office~~
265.32 ~~shall forward a copy of the order to the commissioner of administration.~~ Any order issued
266.1 pursuant to this section is enforceable through the district court for the district in which the
266.2 respondent is located.

266.3 (d) A party aggrieved by a final decision on a complaint filed under this section is entitled
266.4 to judicial review as provided in sections 14.63 to 14.69. Proceedings on a complaint are
266.5 not a contested case within the meaning of chapter 14 and are not otherwise governed by
266.6 chapter 14.

266.7 ~~(e) A decision of the office under this section is not controlling in any subsequent action~~
266.8 ~~brought in district court alleging the same violation and seeking damages.~~

266.9 ~~(f)~~ (e) A government entity or person that releases not public data pursuant to an order
266.10 under this section is immune from civil and criminal liability for that release. A government
266.11 entity or person that acts in conformity with an order issued under this section to the
266.12 government entity or to any other person is not liable for compensatory or exemplary damage
266.13 or awards of attorney fees for acting in conformity with that order in actions under this
266.14 section or section 13.08, or for a penalty under section 13.09.

266.15 Sec. 33. Minnesota Statutes 2016, section 13.085, subdivision 6, is amended to read:

266.16 Subd. 6. **Costs; attorney fees.** (a) A rebuttable presumption shall exist that a complainant
266.17 who substantially prevails on the merits in an action brought under this section is entitled
266.18 to an award of reasonable attorney fees, not to exceed \$5,000. An award of attorney fees
266.19 may be denied if the judge determines that the violation is merely technical or that there is
266.20 a genuine uncertainty about the meaning of the governing law.

266.21 (b) Reasonable attorney fees, not to exceed \$5,000, must be awarded to a substantially
266.22 prevailing complainant if the government entity that is the respondent in the action was also
266.23 the subject of ~~a written an advisory~~ an advisory opinion issued under section 13.072 or a prior decision
266.24 of the Office of Administrative Hearings issued under this section and the administrative
266.25 law judge finds that the opinion or decision is directly related to the matter in dispute and
266.26 that the government entity did not act in conformity with the opinion or decision.

266.27 (c) The office shall refund the filing fee of a substantially prevailing complainant in full,
266.28 less \$50, and the office's costs in conducting the matter shall be billed to the respondent,
266.29 not to exceed \$1,000.

266.30 (d) A complainant that does not substantially prevail on the merits shall be entitled to a
266.31 refund of the filing fee, less any costs incurred by the office in conducting the matter.

266.32 (e) If the administrative law judge determines that a complaint is frivolous, or brought
266.33 for purposes of harassment, the judge must order that the complainant pay the respondent's
267.1 reasonable attorney fees, not to exceed \$5,000. The complainant shall not be entitled to a
267.2 refund of the filing fee.

267.3 (f) The court shall award the complainant costs and attorney fees incurred in bringing
267.4 an action in district court to enforce an order of the Office of Administrative Hearings under
267.5 this section.

14.1 Sec. 15. Minnesota Statutes 2016, section 13.64, is amended by adding a subdivision to
14.2 read:

14.3 Subd. 4. **Fiscal note data must be shared with Legislative Budget Office.** A head or
14.4 chief administrative officer of a department or agency of the state government, including
14.5 the Supreme Court, must provide data that are used to prepare a fiscal note, including data
14.6 that are not public data under this section to the director of the Legislative Budget Office
14.7 upon the director's request and consistent with section 3.8853, subdivision 4. The data must
14.8 be supplied according to any procedures adopted under section 3.8853, subdivision 3,
14.9 including any procedures governing timeliness. Notwithstanding section 13.05, subdivision
14.10 9, a responsible authority may not require the Legislative Budget Office to pay a cost for
14.11 supplying data requested under this subdivision.

14.12 **EFFECTIVE DATE.** This section is effective January 8, 2019.

267.6 Sec. 34. Minnesota Statutes 2016, section 13.085, is amended by adding a subdivision to
267.7 read:

267.8 Subd. 8. **Publication and authority of decisions.** (a) The chief administrative law judge
267.9 shall provide for public dissemination of the office's decisions issued under this section.
267.10 Public dissemination must include the publication and maintenance of all decisions in a
267.11 user-friendly, searchable database conspicuously located on the office's Web site. Not public
267.12 data contained in a decision must be redacted prior to public dissemination.

267.13 (b) Unless the decision states otherwise, a decision of the office issued under this section
267.14 has precedential effect on future complaints under this section and shall, where appropriate,
267.15 be used to provide guidance to similarly situated persons or government entities.

267.16 (c) A government entity, member of a body subject to chapter 13D, or person that acts
267.17 in conformity with a decision of the office made under this section is not liable for
267.18 compensatory or exemplary damages or awards of attorney fees in actions for violations
267.19 arising under this section or section 13.08, or for a penalty under section 13.09 or for fines,
267.20 awards of attorney fees, or any other penalty under chapter 13D. A member of a body subject
267.21 to chapter 13D is not subject to forfeiture of office if the member was acting in reliance on
267.22 a decision of the office made under this section.

267.23 Sec. 35. Minnesota Statutes 2016, section 13.64, is amended by adding a subdivision to
267.24 read:

267.25 Subd. 4. **Fiscal note data must be shared with Legislative Budget Office.** A
267.26 government entity must provide any data, regardless of its classification, to the director of
267.27 the Legislative Budget Office for review, upon the director's request and consistent with
267.28 section 3.8853, subdivision 4. The data must be supplied according to any standards,
267.29 guidelines, or procedures adopted under section 3.8853, subdivision 3, including any
267.30 standards or procedures governing timeliness. Notwithstanding section 13.05, subdivision
267.31 9, a responsible authority may not require the Legislative Budget Office to pay a cost for
267.32 supplying data requested under this subdivision.

268.1 **EFFECTIVE DATE.** This section is effective January 8, 2019.

268.2 Sec. 36. Minnesota Statutes 2016, section 13.685, is amended to read:

268.3 **13.685 MUNICIPAL UTILITY CUSTOMER DATA.**

268.4 Data on customers of municipal electric utilities are private data on individuals or
268.5 nonpublic data, but may be released to:

- 268.6 (1) a law enforcement agency that requests access to the data in connection with an
268.7 investigation;
- 268.8 (2) a school for purposes of compiling pupil census data;
- 268.9 (3) the Metropolitan Council for use in studies or analyses required by law;
- 268.10 (4) a public child support authority for purposes of establishing or enforcing child support;
268.11 or
- 268.12 (5) a person where use of the data directly advances the general welfare, health, or safety
268.13 of the public; the ~~commissioner of administration~~ information policy analysis unit may issue
268.14 advisory opinions construing this clause pursuant to section 13.072.
- 268.15 Sec. 37. Minnesota Statutes 2016, section 13D.06, subdivision 4, is amended to read:
- 268.16 Subd. 4. **Costs; attorney fees; requirements; limits.** (a) In addition to other remedies,
268.17 the court may award reasonable costs, disbursements, and reasonable attorney fees of up to
268.18 \$13,000 to any party in an action under this chapter.
- 268.19 (b) The court may award costs and attorney fees to a defendant only if the court finds
268.20 that the action under this chapter was frivolous and without merit.
- 268.21 (c) A public body may pay any costs, disbursements, or attorney fees incurred by or
268.22 awarded against any of its members in an action under this chapter.
- 268.23 (d) No monetary penalties or attorney fees may be awarded against a member of a public
268.24 body unless the court finds that there was an intent to violate this chapter.
- 268.25 (e) The court shall award reasonable attorney fees to a prevailing plaintiff who has
268.26 brought an action under this section if the public body that is the defendant in the action
268.27 was also the subject of a prior ~~written~~ advisory opinion issued under section 13.072 or a
268.28 prior decision of the Office of Administrative Hearings issued under section 13.085, and
268.29 the court finds that the opinion or decision is directly related to the cause of action being
268.30 litigated and that the public body did not act in conformity with the opinion or decision.
269.1 The court shall give deference to the opinion or decision in a proceeding brought under this
269.2 section.

14.13 Sec. 16. [14.1275] RULES IMPACTING RESIDENTIAL CONSTRUCTION OR
14.14 REMODELING; LEGISLATIVE NOTICE AND REVIEW.

174.17 Section 1. [14.1275] RULES IMPACTING RESIDENTIAL CONSTRUCTION OR
174.18 REMODELING; LEGISLATIVE NOTICE AND REVIEW.

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

14.17 Subd. 2. **Impact on housing; agency determination.** (a) An agency must determine if
 14.18 implementation of a proposed rule, or any portion of a proposed rule, will, on average,
 14.19 increase the cost of residential construction by \$1,000 or more per unit, and whether the
 14.20 proposed rule meets the state regulatory policy objectives described in section 14.002. In
 14.21 calculating the cost of implementing a proposed rule, the agency may consider the impact
 14.22 of other related proposed rules on the overall cost of residential construction. If applicable,
 14.23 the agency may include offsetting savings that may be achieved through implementation
 14.24 of related proposed rules in its calculation under this subdivision.

14.25 (b) The agency must make the determination required by paragraph (a) before the close
 14.26 of the hearing record, or before the agency submits the record to the administrative law
 14.27 judge if there is no hearing. Upon request of a party affected by the proposed rule, the
 14.28 administrative law judge must review and approve or disapprove an agency's determination
 14.29 under this subdivision.

14.30 Subd. 3. **Notice to legislature; legislative review.** If the agency determines that the
 14.31 impact of a proposed rule meets or exceeds the cost threshold provided in subdivision 2, or
 14.32 if the administrative law judge separately confirms the cost of any portion of a rule exceeds
 14.33 the cost threshold provided in subdivision 2, the agency must notify, in writing, the chair
 15.1 and ranking minority members of the policy committees of the house of representatives and
 15.2 the senate with jurisdiction over the subject matter of the proposed rule within ten days of
 15.3 the determination. The agency shall not adopt the proposed rule until after the adjournment
 15.4 of the next session of the legislature convened on or after the date that notice required in
 15.5 this subdivision is given to the chairs and ranking minority members.

15.6 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to
 15.7 administrative rules for which a request for comment is published on or after that date.

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

174.21 Subd. 2. **Impact on housing; agency determination.** (a) An agency must determine if
 174.22 implementation of a proposed rule, or any portion of a proposed rule, will, on average,
 174.23 increase the cost of residential construction or remodeling by \$1,000 or more per unit, and
 174.24 whether the proposed rule meets the state regulatory policy objectives described in section
 174.25 14.002. In calculating the cost of implementing a proposed rule, the agency may consider
 174.26 the impact of other related proposed rules on the overall cost of residential construction. If
 174.27 applicable, the agency may include offsetting savings that may be achieved through
 174.28 implementation of related proposed rules in its calculation under this subdivision.

174.29 (b) The agency must make the determination required by paragraph (a) before the close
 174.30 of the hearing record, or before the agency submits the record to the administrative law
 174.31 judge if there is no hearing. Upon request of a party affected by the proposed rule, the
 175.1 administrative law judge must review and approve or disapprove an agency's determination
 175.2 under this subdivision.

175.3 Subd. 3. **Notice to legislature; legislative review.** If the agency determines that the
 175.4 impact of a proposed rule meets or exceeds the cost threshold provided in subdivision 2, or
 175.5 if the administrative law judge separately confirms the cost of any portion of a rule exceeds
 175.6 the cost threshold provided in subdivision 2, the agency must notify, in writing, the chair
 175.7 and ranking minority members of the policy committees of the legislature with jurisdiction
 175.8 over the subject matter of the proposed rule within ten days of the determination. The agency
 175.9 shall not adopt the proposed rule until after the adjournment of the next annual session of
 175.10 the legislature convened on or after the date that notice required in this subdivision is given
 175.11 to the chairs and ranking minority members.

175.12 **EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to
 175.13 administrative rules proposed on or after that date.

269.3 Sec. 38. Minnesota Statutes 2017 Supplement, section 15A.0815, subdivision 3, is amended
 269.4 to read:

269.5 Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision shall
 269.6 not exceed 120 percent of the salary of the governor. This limit must be adjusted annually
 269.7 on January 1. The new limit must equal the limit for the prior year increased by the percentage
 269.8 increase, if any, in the Consumer Price Index for all urban consumers from October of the
 269.9 second prior year to October of the immediately prior year. The commissioner of management
 269.10 and budget must publish the limit on the department's Web site. This subdivision applies
 269.11 to the following positions:

269.12 Executive director of Gambling Control Board;

- 269.13 Commissioner of Iron Range resources and rehabilitation;
- 269.14 Commissioner, Bureau of Mediation Services;
- 269.15 Ombudsman for Mental Health and Developmental Disabilities;
- 269.16 ~~Chair, Metropolitan Council;~~
- 269.17 School trust lands director;
- 269.18 Executive director of pari-mutuel racing; and
- 269.19 Commissioner, Public Utilities Commission.
- 269.20 **EFFECTIVE DATE.** This section is effective January 1, 2019.

269.21 Sec. 39. Minnesota Statutes 2016, section 16A.013, is amended by adding a subdivision
269.22 to read:

269.23 Subd. 1a. Opportunity to make gifts via Web site. The commissioner of management
269.24 and budget must maintain a secure Web site which permits any person to make a gift of
269.25 money electronically for any purpose authorized by subdivision 1. Gifts made using the
269.26 Web site are subject to all other requirements of this section, sections 16A.014 to 16A.016,
269.27 and any other applicable law governing the receipt of gifts by the state and the purposes for
269.28 which a gift may be used. The Web site must include historical data on the total amount of
269.29 gifts received using the site, itemized by month.

15.8 Sec. 17. **[16A.104] FEDERAL FUNDS REPORT.**

15.9 The commissioner must report to the chairs and ranking minority members of the house
15.10 of representatives Ways and Means and senate Finance Committee on receipt of federal
15.11 funds by the state. The report must be submitted with the governor's detailed operating
15.12 budget in accordance with section 16A.11, subdivision 1, in an odd-numbered year and
15.13 within ten days prior to the start of the regular session in accordance with section 3.3005,
15.14 subdivision 2, in an even-numbered year. The report must include the total amount of federal
15.15 funds received by the state in the fiscal year ending the prior June 30 and the total amount
15.16 of federal funds anticipated to be received by the state in the current fiscal year. For each
15.17 category of federal funding, the report must list:

15.18 (1) the name of the federal grant or federal funding source, the federal agency providing
15.19 the funding, a federal identification number, a description of the purpose of the federal

15.20 funding, and an electronic address at which additional relevant documents related to the
 15.21 grant or funding program may be found;

15.22 (2) the amount of federal funding the state received through that grant or source in the
 15.23 fiscal year ending the prior June 30 and the total amount of federal funds anticipated to be
 15.24 received by the state in the current fiscal year;

15.25 (3) if there is a federal maintenance-of-effort requirement associated with the funding;

15.26 (4) the number of full-time equivalent state employees assigned to implement the federal
 15.27 funding's purpose;

15.28 (5) the amount of funds spent, as a match or otherwise, in conjunction with receipt of
 15.29 the federal funding in the fiscal year ending the prior June 30, and the amount of funds
 15.30 anticipated to be spent in the current fiscal year, listing state and nonstate sources of spent
 15.31 funds separately; and

15.32 (6) the maximum amount of the federal funds that may be used for indirect costs
 15.33 associated with implementing the funds' purpose.

270.1 Sec. 40. Minnesota Statutes 2016, section 16A.11, subdivision 1, is amended to read:

270.2 Subdivision 1. **When.** The governor shall submit a three-part budget to the legislature.
 270.3 Parts one and two, the budget message and detailed operating budget, must be submitted
 270.4 by the fourth Tuesday in January in each odd-numbered year. However, in a year following
 270.5 the election of a governor who had not been governor the previous year, parts one and two
 270.6 must be submitted by the third Tuesday in February. Part three, the detailed recommendations
 270.7 as to capital expenditure, must be submitted as follows: agency capital budget requests by
 270.8 July 15 of each odd-numbered year, and governor's recommendations by January 15 of each
 270.9 even-numbered year. ~~Detailed recommendations as to information technology expenditure~~
 270.10 ~~must be submitted as part of the detailed operating budget. Information technology~~
 270.11 ~~recommendations must include projects to be funded during the next biennium and planning~~
 270.12 ~~estimates for an additional two bienniums. Information technology recommendations must~~
 270.13 ~~specify purposes of the funding such as infrastructure, hardware, software, or training.~~

270.14 Sec. 41. Minnesota Statutes 2016, section 16A.11, is amended by adding a subdivision to
 270.15 read:

270.16 Subd. 6a. **Information technology and cyber security.** (a) Detailed recommendations
 270.17 as to information and telecommunications technology systems and services expenditures
 270.18 must be submitted as part of the detailed operating budget. These recommendations must

270.19 include projects to be funded during the next biennium and planning estimates for an
270.20 additional two bienniums, and must specify purposes of the funding, such as infrastructure,
270.21 hardware, software, or training. The detailed operating budget must also separately
270.22 recommend expenditures for the maintenance and enhancement of cyber security for the
270.23 state's information and telecommunications technology systems and services.

270.24 (b) The commissioner of management and budget, in consultation with the state chief
270.25 information officer, shall establish budget guidelines for the recommendations required by
270.26 this subdivision. Unless otherwise set by the commissioner at a higher amount, the amount
270.27 to be budgeted each fiscal year for maintenance and enhancement of cyber security must
270.28 be at least 3.5 percent of a department's or agency's total operating budget for information
270.29 and telecommunications technology systems and services in that year.

270.30 (c) As used in this subdivision:

270.31 (1) "cyber security" has the meaning given in section 16E.03, subdivision 1, paragraph
270.32 (d); and

271.1 (2) "information and telecommunications technology systems and services" has the
271.2 meaning given in section 16E.03, subdivision 1, paragraph (a).

271.3 Sec. 42. Minnesota Statutes 2017 Supplement, section 16A.152, subdivision 2, is amended
271.4 to read:

271.5 **Subd. 2. Additional revenues; priority.** (a) If on the basis of a forecast of general fund
271.6 revenues and expenditures, the commissioner of management and budget determines that
271.7 there will be a positive unrestricted budgetary general fund balance at the close of the
271.8 biennium, the commissioner of management and budget must allocate money to the following
271.9 accounts and purposes in priority order:

271.10 (1) the cash flow account established in subdivision 1 until that account reaches
271.11 \$350,000,000;

271.12 (2) the budget reserve account established in subdivision 1a until that account reaches
271.13 \$1,596,522,000;

271.14 (3) the amount necessary to increase the aid payment schedule for school district aids
271.15 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
271.16 tenth of a percent without exceeding the amount available and with any remaining funds
271.17 deposited in the budget reserve; and

271.18 (4) the amount necessary to restore all or a portion of the net aid reductions under section
 271.19 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
 271.20 subdivision 5, by the same amount; ~~and.~~

271.21 ~~(5) the clean water fund established in section 114D.50 until \$22,000,000 has been~~
 271.22 ~~transferred into the fund.~~

271.23 (b) The amounts necessary to meet the requirements of this section are appropriated
 271.24 from the general fund within two weeks after the forecast is released or, in the case of
 271.25 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
 271.26 schedules otherwise established in statute.

271.27 (c) The commissioner of management and budget shall certify the total dollar amount
 271.28 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
 271.29 The commissioner of education shall increase the aid payment percentage and reduce the
 271.30 property tax shift percentage by these amounts and apply those reductions to the current
 271.31 fiscal year and thereafter.

272.1 ~~(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been~~
 272.2 ~~made.~~

272.3 Sec. 43. Minnesota Statutes 2016, section 16D.09, is amended to read:

272.4 **16D.09 UNCOLLECTIBLE DEBTS.**

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

272.15 (b) The determination of the uncollectibility of a debt must be reported by the state
 272.16 agency along with the basis for that decision as part of its quarterly reports to the
 272.17 commissioner of management and budget. If a state agency's quarterly report includes an
 272.18 uncollectible debt that exceeds \$10,000, a copy of the report must be submitted to the chairs
 272.19 and ranking minority members of the legislative committees with jurisdiction over the state
 272.20 agency's budget at the same time the report is delivered to the commissioner of management

16.1 Sec. 18. Minnesota Statutes 2016, section 16E.01, subdivision 1, is amended to read:

16.2 Subdivision 1. ~~Creation; chief information officer.~~ The Office of MN.IT Services
 16.3 Division of Information Technology, referred to in this chapter as the "office," "division,"
 16.4 ~~is an agency in the executive branch headed by a~~ under the supervision of the commissioner,
 16.5 ~~who also is the state chief information officer of administration.~~ The appointment of the
 16.6 commissioner is subject to the advice and consent of the senate under section 15.066.

16.7 Sec. 19. Minnesota Statutes 2016, section 16E.015, is amended by adding a subdivision
 16.8 to read:

16.9 Subd. 2a. Commissioner. "Commissioner" means the commissioner of administration.

16.10 Sec. 20. Minnesota Statutes 2016, section 16E.016, is amended to read:

16.11 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**
 16.12 **AND EQUIPMENT.**

16.13 (a) The chief information officer is responsible for providing or entering into managed
 16.14 services contracts for the provision, improvement, and development of the following
 16.15 information technology systems and services to state agencies:

16.16 (1) state data centers;

16.17 (2) mainframes including system software;

16.18 (3) servers including system software;

16.19 ~~(4) desktops including system software;~~

16.20 ~~(5) laptop computers including system software;~~

16.21 ~~(6) (4) a data network including system software;~~

16.22 ~~(7) database, (5) electronic mail, office systems, reporting, and other standard software~~
 16.23 ~~tools;~~

16.24 ~~(8) business application software and related technical support services;~~

272.21 and budget. Determining that the debt is uncollectible does not cancel the legal obligation
 272.22 of the debtor to pay the debt.

272.23 Sec. 44. Minnesota Statutes 2016, section 16E.016, is amended to read:

272.24 **16E.016 RESPONSIBILITY FOR INFORMATION TECHNOLOGY SERVICES**
 272.25 **AND EQUIPMENT.**

272.26 (a) The chief information officer is responsible for providing or entering into managed
 272.27 services contracts for the provision, improvement, and development of the following
 272.28 information technology systems and services to state agencies:

272.29 (1) state data centers;

272.30 (2) mainframes including system software;

272.31 (3) servers including system software;

273.1 (4) desktops including system software;

273.2 (5) laptop computers including system software;

273.3 (6) a data network including system software;

273.4 (7) database, electronic mail, office systems, reporting, and other standard software
 273.5 tools;

273.6 (8) business application software and related technical support services;

- 16.25 ~~(9)~~ (6) help desk for the components listed in clauses (1) to ~~(8)~~ (5);
- 16.26 ~~(10)~~ (7) maintenance, problem resolution, and break-fix for the components listed in
- 16.27 clauses (1) to ~~(8)~~ (5); and
- 16.28 ~~(11)~~ (8) regular upgrades and replacement for the components listed in clauses (1) to
- 16.29 ~~(8)~~; and (5).
- 17.1 ~~(12) network-connected output devices.~~
- 17.2 (b) The chief information officer is responsible for providing or entering into managed
- 17.3 services contracts for the provision, improvement, and development of the following
- 17.4 information technology systems and services to a state agency, at the request of the agency:
- 17.5 (1) desktops including system software;
- 17.6 (2) laptop computers including system software;
- 17.7 (3) database, office systems, reporting, and other standard software tools;
- 17.8 (4) business application software and related technical support services;
- 17.9 (5) help desk for the components listed in clauses (1) to (4);
- 17.10 (6) maintenance, problem resolution, and break-fix for the components listed in clauses
- 17.11 (1) to (4);
- 17.12 (7) regular upgrades and replacement for the components listed in clauses (1) to (4); and
- 17.13 (8) network-connected output devices.
- 17.14 ~~(b)~~ (c) All state agency employees whose work primarily involves functions specified
- 17.15 in paragraph (a) are employees of the Office of MN.IT Services in the Division of Information
- 17.16 Technology under the Department of Administration. This includes employees who directly

- 273.7 (9) help desk for the components listed in clauses (1) to (8);
- 273.8 (10) maintenance, problem resolution, and break-fix for the components listed in clauses
- 273.9 (1) to (8);
- 273.10 (11) regular upgrades and replacement for the components listed in clauses (1) to (8);
- 273.11 and
- 273.12 (12) network-connected output devices.
- 273.30 (d) Effective upon certification by the chief information officer that the information
- 273.31 technology systems and services provided under this section meet all professional and
- 273.32 technical standards necessary for the entity to perform its functions, including functions
- 274.1 necessary to meet any fiduciary or other duties of care, the following are state agencies for
- 274.2 purposes of this section: the Campaign Finance and Public Disclosure Board, the State
- 274.3 Lottery, the Statewide Radio Board, the Minnesota State Retirement System, the Public
- 274.4 Employees Retirement Association, the Teachers Retirement Association, and the State
- 274.5 Board of Investment.
- 273.13 (b) All state agency employees whose work primarily involves functions specified in
- 273.14 paragraph (a) are employees of the Office of MN.IT Services. This includes employees who
- 273.15 directly perform the functions in paragraph (a), as well as employees whose work primarily

17.17 perform the functions in paragraph (a), as well as employees whose work primarily involves
 17.18 managing, supervising, or providing administrative services or support services to employees
 17.19 who directly perform these functions. The chief information officer may assign employees
 17.20 of the ~~office~~ division to perform work exclusively for another state agency.

17.21 ~~(e)~~ (d) Subject to sections 16C.08 and 16C.09, the chief information officer may allow
 17.22 a state agency to obtain services specified in paragraph (a) through a contract with an outside
 17.23 vendor when the chief information officer and the agency head agree that a contract would
 17.24 provide best value, as defined in section 16C.02, under the service-level agreement. The
 17.25 chief information officer must require that Agency contracts with outside vendors ensure
 17.26 that systems and services are compatible with standards established by the Office of MN.IT
 17.27 Services the Division of Information Technology.

17.28 ~~(e)~~ (c) The Minnesota State Retirement System, the Public Employees Retirement
 17.29 Association, the Teachers Retirement Association, the State Board of Investment, the
 17.30 Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio
 17.31 Board are not state agencies for purposes of this section.

18.1 **EFFECTIVE DATE.** This section is effective July 1, 2018, and applies to contracts
 18.2 entered into on or after that date.

18.3 Sec. 21. Minnesota Statutes 2016, section 16E.02, is amended to read:

18.4 **16E.02 OFFICE OF MN.IT SERVICES DIVISION OF INFORMATION**
 18.5 **TECHNOLOGY; STRUCTURE AND PERSONNEL.**

18.6 Subdivision 1. **Office management and structure.** (a) The chief information officer is
 18.7 appointed by the ~~governor~~ commissioner, subject to the advice and consent of the senate
 18.8 under section 15.066. The chief information officer serves in the unclassified service at the
 18.9 pleasure of the ~~governor~~ commissioner. The chief information officer must have experience
 18.10 leading enterprise-level information technology organizations. The chief information officer
 18.11 is the state's chief information officer and information and telecommunications technology
 18.12 advisor to the governor.

18.13 (b) The chief information officer may appoint other employees of the ~~office~~ division.
 18.14 The staff of the ~~office~~ division must include individuals knowledgeable in information and
 18.15 telecommunications technology systems and services and individuals with specialized
 18.16 training in information security and accessibility.

18.17 (c) The chief information officer may appoint a Webmaster responsible for the supervision
 18.18 and development of state Web sites under the control of the ~~office~~ division. The Webmaster,
 18.19 if appointed, shall ensure that these Web sites are maintained in an easily accessible format
 18.20 that is consistent throughout state government and are consistent with the accessibility

273.16 involves managing, supervising, or providing administrative services or support services
 273.17 to employees who directly perform these functions. The chief information officer may assign
 273.18 employees of the office to perform work exclusively for another state agency.

273.19 (c) Subject to sections 16C.08 and 16C.09, the chief information officer may allow a
 273.20 state agency to obtain services specified in paragraph (a) through a contract with an outside
 273.21 vendor when the chief information officer and the agency head agree that a contract would
 273.22 provide best value, as defined in section 16C.02, under the service-level agreement. The
 273.23 chief information officer must require that agency contracts with outside vendors ensure
 273.24 that systems and services are compatible with standards established by the Office of MN.IT
 273.25 Services.

273.26 ~~(d) The Minnesota State Retirement System, the Public Employees Retirement~~
 273.27 ~~Association, the Teachers Retirement Association, the State Board of Investment, the~~
 273.28 ~~Campaign Finance and Public Disclosure Board, the State Lottery, and the Statewide Radio~~
 273.29 ~~Board are not state agencies for purposes of this section.~~

274.6 **EFFECTIVE DATE.** This section is effective July 1, 2019.

18.21 standards developed under section 16E.03, subdivision 9. The Webmaster, if appointed,
 18.22 shall provide assistance and guidance consistent with the requirements of this paragraph to
 18.23 other state agencies for the maintenance of other Web sites not under the direct control of
 18.24 the ~~office~~ division.

18.25 Subd. 1a. **Accountability.** The chief information officer reports to the ~~governor~~
 18.26 commissioner. The chief information officer must consult regularly with the commissioners
 18.27 of ~~administration~~, management and budget, human services, revenue, and other
 18.28 commissioners as designated by the governor, on technology projects, standards, and services
 18.29 as well as management of resources and staff utilization.

274.7 Sec. 45. Minnesota Statutes 2016, section 16E.03, subdivision 4, is amended to read:

274.8 Subd. 4. **Evaluation procedure.** The chief information officer shall establish and, as
 274.9 necessary, update and modify procedures to evaluate information and communications
 274.10 projects proposed by state agencies. The evaluation procedure must assess the necessity,
 274.11 design and plan for development, ability to meet user requirements, accessibility, feasibility,
 274.12 and flexibility of the proposed data processing device or system, its relationship to other
 274.13 state or local data processing devices or systems, and its costs and benefits when considered
 274.14 by itself and when compared with other options. The evaluation procedure must also include
 274.15 a process for consultation with affected local units of government, if implementation of the
 274.16 proposed project requires the participation of both a state agency and a local government.

274.17 **EFFECTIVE DATE.** This section is effective July 1, 2018, and applies to the evaluation
 274.18 procedure for information and telecommunications technology projects reviewed by the
 274.19 state chief information officer on or after January 1, 2019.

274.20 Sec. 46. Minnesota Statutes 2016, section 16E.03, subdivision 7, is amended to read:

274.21 Subd. 7. **Cyber security systems.** In consultation with the attorney general and
 274.22 appropriate agency heads, the chief information officer shall develop cyber security policies,
 274.23 guidelines, and standards, and shall install and administer state data security systems on the
 274.24 state's computer facilities consistent with these policies, guidelines, standards, and state law
 274.25 to ensure the integrity of computer-based and other data and to ensure applicable limitations
 274.26 on access to data, consistent with the public's right to know as defined in chapter 13. The
 274.27 chief information officer is responsible for overall security of state agency networks
 274.28 connected to the Internet. Each department or agency head is responsible for the security
 274.29 of the department's or agency's data within the guidelines of established enterprise policy.
 274.30 Unless otherwise expressly provided by law, at least 3.5 percent of each department's or
 274.31 agency's expenditures in a fiscal year for information and telecommunications technology
 274.32 systems and services must be directed to the maintenance and enhancement of cyber security.

275.1 **EFFECTIVE DATE.** This section is effective July 1, 2018, and applies to expenditures
 275.2 in fiscal years beginning on or after that date.

275.3 Sec. 47. Minnesota Statutes 2016, section 16E.03, is amended by adding a subdivision to
 275.4 read:

275.5 Subd. 11. **Systems impacting local government.** An information and telecommunications
 275.6 technology project that includes the participation of both a state agency and a local unit of
 275.7 government may not be approved for full release or deployment until the project has been
 275.8 field tested by at least one local unit of government, and the results of the field test
 275.9 successfully demonstrate the integrity, security, and quality of the technology, and that the
 275.10 functionality and usability of the overall project meet the expectations described in the
 275.11 project's proposal. Standards for field testing that meet the requirements of this subdivision
 275.12 must be incorporated into the project's development plan before it may be approved by the
 275.13 chief information officer under subdivision 3.

275.14 **EFFECTIVE DATE.** This section is effective July 1, 2018, and applies to information
 275.15 and telecommunications technology projects approved by the state chief information officer
 275.16 on or after that date.

19.1 Sec. 22. Minnesota Statutes 2017 Supplement, section 16E.0466, subdivision 1, is amended
 19.2 to read:

19.3 Subdivision 1. **Consultation required.** (a) Every state agency with an information or
 19.4 telecommunications project must consult with the ~~Office of MN.IT Services~~ Division of
 19.5 Information Technology to determine the information technology cost of the project if the
 19.6 division is selected by an agency to perform the project. Upon agreement between the
 19.7 commissioner of a particular agency and the chief information officer, the agency must
 19.8 transfer the information technology cost portion of the project to the ~~Office of MN.IT~~
 19.9 ~~Services~~ commissioner of administration. Service level agreements must document all
 19.10 project-related transfers under this section. Those agencies specified in section 16E.016,
 19.11 paragraph ~~(d)~~ (e), are exempt from the requirements of this section.

19.12 (b) Notwithstanding section 16A.28, subdivision 3, any unexpended operating balance
 19.13 appropriated to a state agency may be transferred to the information and telecommunications
 19.14 technology systems and services account for the information technology cost of a specific
 19.15 project, subject to the review of the Legislative Advisory Commission, under section 16E.21,
 19.16 subdivision 3.

19.17 Sec. 23. Minnesota Statutes 2016, section 16E.055, is amended to read:

19.18 **16E.055 ELECTRONIC GOVERNMENT SERVICES.**

19.19 A state agency that implements electronic government services for fees, licenses, sales,
19.20 or other purposes ~~must~~ may use the single entry site created by the chief information officer
19.21 for all agencies to use for electronic government services.

19.22 Sec. 24. Minnesota Statutes 2016, section 16E.14, is amended to read:

19.23 **16E.14 MN.IT SERVICES INFORMATION TECHNOLOGY REVOLVING**
19.24 **FUND.**

19.25 Subdivision 1. **Creation.** The ~~MN.IT services~~ information technology revolving fund
19.26 is created in the state treasury.

19.27 Subd. 2. **Appropriation and uses of fund.** Money in the ~~MN.IT services~~ information
19.28 technology revolving fund is appropriated annually to the ~~chief information officer~~
19.29 commissioner to operate information and telecommunications services, including
19.30 management, consultation, and design services.

19.31 Subd. 3. **Reimbursements.** Except as specifically provided otherwise by law, each
19.32 agency shall reimburse the ~~MN.IT services~~ information technology revolving fund for the
20.1 cost of all services, supplies, materials, labor, and depreciation of equipment, including
20.2 reasonable overhead costs, which the ~~chief information officer~~ commissioner is authorized
20.3 and directed to furnish an agency. The ~~chief information officer~~ commissioner shall report
20.4 the rates to be charged for the revolving fund no later than ~~July 1 each~~ June 1 each
20.5 even-numbered calendar year to the chair of the committee or division in the senate and
20.6 house of representatives with primary jurisdiction over the budget of the ~~Office of MN.IT~~
20.7 Services Division of Information Technology. These rates shall apply for the biennium
20.8 beginning July 1 of the following calendar year.

20.9 Subd. 4. **Cash flow.** The commissioner of management and budget shall make appropriate
20.10 transfers to the revolving fund when requested by the chief information officer. The chief
20.11 information officer may make allotments and encumbrances in anticipation of such transfers.
20.12 In addition, the ~~chief information officer~~ commissioner, with the approval of the
20.13 commissioner of management and budget, may require an agency to make advance payments
20.14 to the revolving fund sufficient to cover the ~~office's~~ division's estimated obligation for a
20.15 period of at least 60 days. All reimbursements and other money received by the ~~chief~~
20.16 ~~information officer~~ commissioner under this section must be deposited in the ~~MN.IT services~~
20.17 information technology revolving fund.

20.18 Subd. 5. **Liquidation.** If the ~~MN.IT services~~ information technology revolving fund is
20.19 abolished or liquidated, the total net profit from the operation of the fund must be distributed
20.20 to the various funds from which purchases were made. The amount to be distributed to each
20.21 fund must bear to the net profit the same ratio as the total purchases from each fund bears
20.22 to the total purchases from all the funds during the same period of time.

20.23 **EFFECTIVE DATE.** This section is effective July 1, 2018. The commissioner shall
 20.24 report rates to be charged for the revolving fund no later than July 1, 2018, for the biennium
 20.25 beginning July 1, 2019.

20.26 Sec. 25. Minnesota Statutes 2016, section 16E.18, subdivision 4, is amended to read:

20.27 Subd. 4. **Program participation.** The chief information officer may ~~require~~ request the
 20.28 participation of state agencies ~~and~~ the commissioner of education, ~~and may request the~~
 20.29 ~~participation of~~ the Board of Regents of the University of Minnesota, and the Board of
 20.30 Trustees of the Minnesota State Colleges and Universities; in the planning and
 20.31 implementation of the network to provide interconnective technologies. The Board of
 20.32 Trustees of the Minnesota State Colleges and Universities may opt out of participation as
 20.33 a subscriber on the network, in whole or in part, if the board is able to secure
 21.1 telecommunications services from another source that ensures it will achieve the policy
 21.2 objectives set forth in subdivision 1.

21.3 Sec. 26. Minnesota Statutes 2016, section 16E.18, subdivision 6, is amended to read:

21.4 Subd. 6. **Rates.** (a) The chief information officer shall establish reimbursement rates in
 21.5 cooperation with the commissioner of management and budget to be billed to participating
 21.6 agencies and educational institutions sufficient to cover the operating, maintenance, and
 21.7 administrative costs of the system.

21.8 (b) An invoice or statement to an agency from the chief information officer must include
 21.9 clear descriptions of the services the Division of Information Technology has provided. The
 21.10 invoice or statement must categorize or code services in a manner prescribed by the agency,
 21.11 or the chief information office must provide supplemental information with an invoice or
 21.12 statement that categorizes or codes all services reflected on the invoice or statement in a
 21.13 manner prescribed by the agency.

21.14 (c) Except as otherwise provided in subdivision 4, a direct appropriation made to an
 21.15 educational institution for usage costs associated with the state information infrastructure
 21.16 must only be used by the educational institution for payment of usage costs of the network
 21.17 as billed by the chief information officer.

275.17 Sec. 48. **[43A.035] USE OF AGENCY SAVINGS FROM VACANT POSITIONS.**

275.18 (a) To the extent that an executive branch agency accrues savings in personnel costs
 275.19 resulting from the departure of an agency employee or the maintenance of a vacant position,
 275.20 those savings may only be used to support a new employee in that position at an equal or
 275.21 lesser rate of compensation, and for an equal or lesser full-time equivalent work status.

275.22 Savings accrued from departed personnel or maintenance of a vacant position may not be
275.23 transferred or reallocated to another program or activity within the executive branch agency,
275.24 or used to increase the number of full-time equivalent employees at the agency, unless
275.25 expressly authorized by law.

275.26 (b) For purposes of this section, an "executive branch agency" does not include the
275.27 Minnesota State Colleges and Universities or statewide pension plans.

275.28 Sec. 49. **[43A.385] HARASSMENT, MISCONDUCT, AND DISCRIMINATION;**
275.29 **INDEPENDENT OFFICE ESTABLISHED.**

275.30 Subdivision 1. **Office established; purpose.** An independent, centralized office to
275.31 receive and investigate complaints of harassment, misconduct, and discrimination, including
275.32 sexual harassment, in executive branch state agencies is established. The office shall be led
276.1 by a director, appointed by the commissioner of management and budget, who serves in
276.2 the unclassified service. The purpose of the office is to apply consistent practices in the
276.3 investigation of these complaints across agencies and reinforce a culture that encourages
276.4 the reporting of such complaints by increasing confidence in the process and the fairness
276.5 of the outcome.

276.6 Subd. 2. **Office duties.** (a) In addition to the requirements of subdivisions 3 to 7, the
276.7 office must:

276.8 (1) collect, maintain, and analyze data related to complaints of harassment, misconduct,
276.9 and discrimination across state government and must provide public, de-identified summary
276.10 reports on the data;

276.11 (2) provide an opportunity for state employees, and members of the public who interact
276.12 with state employees, to report a complaint, provided that the office's complaint procedures
276.13 must be in addition to existing opportunities for reporting available through other means;

276.14 (3) review complaints filed, and provide related investigation services, to all state
276.15 agencies;

276.16 (4) in the event the office determines that a complaint is substantiated, determine an
276.17 appropriate corrective action in response, in consultation with the agency employing the
276.18 person found to have engaged in improper conduct;

276.19 (5) track the outcomes of disciplinary or other corrective action, and advise agencies as
276.20 needed to ensure consistency in these actions; and

276.21 (6) employ trained staff to provide resources and information to all parties to a complaint.

276.22 (b) State agencies must provide applicable data to the office as required by this section,
276.23 and must otherwise assist the office in fulfilling its responsibilities, as requested by the
276.24 director.

276.25 Subd. 3. **State employee community survey.** The office must administer an employee
276.26 community survey to gain feedback on the workplace in state agencies. Results of the survey
276.27 must be used to review the effectiveness of existing agency leadership efforts, and the
276.28 application of existing policies and procedures within each agency. The survey must be
276.29 intended to solicit feedback from employees on:

276.30 (1) whether they feel safe in their workplaces;

276.31 (2) whether they are knowledgeable about the process for reporting complaints of
276.32 harassment, misconduct, or discrimination;

277.1 (3) their level of satisfaction with reporting a complaint, if applicable; and

277.2 (4) suggestions for ways their employing agency can provide additional support to
277.3 employees who have made a complaint.

277.4 Subd. 4. **Complaint hotline.** The office may enter a contract for the development and
277.5 maintenance of a hotline that may be used by state employees to report a complaint of
277.6 harassment, misconduct, or discrimination.

277.7 Subd. 5. **Audits.** The office must conduct audits, to ensure state agencies have effective
277.8 and consistent policies and procedures to prevent and correct harassment, misconduct, and
277.9 discrimination. The audits must include an evaluation of outcomes related to complaints of
277.10 harassment based on a status protected under chapter 363A. The office must provide technical
277.11 guidance and otherwise assist agencies in making corrections in response to an audit's
277.12 findings, and in ensuring consistency in the handling of complaints.

277.13 Subd. 6. **Training.** The office must provide a centralized, consistent, regular training
277.14 program for all state agencies designed to increase the knowledge of state employees in the
277.15 state's harassment, misconduct, and discrimination prevention policies, procedures, and
277.16 resources, and to create a culture of prevention and support for victims. The content of the
277.17 program must include bystander training, retaliation prevention training, and respect in the
277.18 workplace training. Customized training programs must be offered for: (1) general state
277.19 employees; (2) supervisors and managers; and (3) agency affirmative action and human
277.20 resources employees.

21.18 Sec. 27. Minnesota Statutes 2016, section 155A.25, subdivision 1a, is amended to read:

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

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

21.22 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

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

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

21.25 (2) \$115 renewal of practitioner license, divided as follows:

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

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

277.21 Subd. 7. **Annual legislative report required.** No later than January 15, 2019, and
277.22 annually thereafter, the office must provide a written report to the chairs and ranking minority
277.23 members of the legislative committees with jurisdiction over state government finance and
277.24 state government operations on the work of the office. The report must include detail on
277.25 disciplinary and other corrective actions taken by state agencies in response to a substantiated
277.26 complaint. The report must not identify a party to a complaint, unless the identity is public
277.27 under applicable law.

277.28 Subd. 8. **Transfer of responsibilities to office.** To the extent that a responsibility
277.29 described in subdivisions 1 to 7 conflicts with or duplicates the responsibilities of an existing
277.30 office or department within a state agency, those responsibilities are transferred to the
277.31 centralized office established by this section, consistent with the requirements of section
277.32 15.039. The commissioner of administration may, with the approval of the governor, issue
277.33 reorganization orders under section 16B.37 as necessary to complete the transfer of duties
277.34 required by this subdivision.

278.1 Sec. 50. Minnesota Statutes 2016, section 155A.23, subdivision 8, is amended to read:

278.2 Subd. 8. **Manager.** A "manager" is any person who is a cosmetologist, esthetician,
278.3 advanced practice esthetician, or nail technician practitioner, ~~or eyelash technician~~
278.4 ~~practitioner~~, and who has a manager license and provides any services under that license,
278.5 as defined in subdivision 3.

278.6 Sec. 51. Minnesota Statutes 2016, section 155A.25, subdivision 1a, is amended to read:

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

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

278.10 (1) \$195 initial practitioner, manager, or instructor license, divided as follows:

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

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

278.13 (2) \$115 renewal of practitioner license, divided as follows:

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

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

21.28 (3) \$145 renewal of manager or instructor license, divided as follows:

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

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

22.1 (4) \$350 initial salon license, divided as follows:

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

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

22.4 (5) \$225 renewal of salon license, divided as follows:

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

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

22.7 (6) \$4,000 initial school license, divided as follows:

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

22.9 (ii) \$1,000 for each initial license application fee; and

22.10 (7) \$2,500 renewal of school license, divided as follows:

22.11 (i) \$2,000 for each renewal; and

22.12 (ii) \$500 for each renewal application fee.

22.13 (c) Penalties may be assessed in amounts up to the following:

22.14 (1) reinspection fee, \$150;

22.15 (2) manager and owner with expired practitioner found on inspection, \$150 each;

22.16 (3) expired practitioner or instructor found on inspection, \$200;

22.17 (4) expired salon found on inspection, \$500;

278.16 (3) \$145 renewal of manager or instructor license, divided as follows:

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

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

278.19 (4) \$350 initial salon license, divided as follows:

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

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

278.22 (5) \$225 renewal of salon license, divided as follows:

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

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

278.25 (6) \$4,000 initial school license, divided as follows:

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

278.27 (ii) \$1,000 for each initial license application fee; and

278.28 (7) \$2,500 renewal of school license, divided as follows:

279.1 (i) \$2,000 for each renewal; and

279.2 (ii) \$500 for each renewal application fee.

279.3 (c) Penalties may be assessed in amounts up to the following:

279.4 (1) reinspection fee, \$150;

279.5 (2) manager and owner with expired practitioner found on inspection, \$150 each;

279.6 (3) expired practitioner or instructor found on inspection, \$200;

279.7 (4) expired salon found on inspection, \$500;

- | | | | |
|-------|--|--------|--|
| 22.18 | (5) expired school found on inspection, \$1,000; | 279.8 | (5) expired school found on inspection, \$1,000; |
| 22.19 | (6) failure to display current license, \$100; | 279.9 | (6) failure to display current license, \$100; |
| 22.20 | (7) failure to dispose of single-use equipment, implements, or materials as provided | 279.10 | (7) failure to dispose of single-use equipment, implements, or materials as provided |
| 22.21 | under section 155A.355, subdivision 1, \$500; | 279.11 | under section 155A.355, subdivision 1, \$500; |
| 22.22 | (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355, | 279.12 | (8) use of prohibited razor-type callus shavers, rasps, or graters under section 155A.355, |
| 22.23 | subdivision 2, \$500; | 279.13 | subdivision 2, \$500; |
| 22.24 | (9) performing nail or cosmetology services in esthetician salon, or performing esthetician | 279.14 | (9) performing nail or cosmetology services in esthetician salon, or performing esthetician |
| 22.25 | or cosmetology services in a nail salon, \$500; | 279.15 | or cosmetology services in a nail salon, \$500; |
| 22.26 | (10) owner and manager allowing an operator to work as an independent contractor, | 279.16 | (10) owner and manager allowing an operator to work as an independent contractor, |
| 22.27 | \$200; | 279.17 | \$200; |
| 22.28 | (11) operator working as an independent contractor, \$100; | 279.18 | (11) operator working as an independent contractor, \$100; |
| 23.1 | (12) refusal or failure to cooperate with an inspection, \$500; | 279.19 | (12) refusal or failure to cooperate with an inspection, \$500; |
| 23.2 | (13) practitioner late renewal fee, \$45; and | 279.20 | (13) practitioner late renewal fee, \$45; and |
| 23.3 | (14) salon or school late renewal fee, \$50. | 279.21 | (14) salon or school late renewal fee, \$50. |
| 23.4 | (d) Administrative fees are as follows: | 279.22 | (d) Administrative fees are as follows: |
| 23.5 | (1) homebound service permit, \$50 three-year fee; | 279.23 | (1) homebound service permit, \$50 three-year fee; |
| 23.6 | (2) name change, \$20; | 279.24 | (2) name change, \$20; |
| 23.7 | (3) certification of licensure, \$30 each; | 279.25 | (3) certification of licensure, \$30 each; |
| 23.8 | (4) duplicate license, \$20; | 279.26 | (4) duplicate license, \$20; |
| 23.9 | (5) special event permit, \$75 per year; | 279.27 | (5) special event permit, \$75 per year; |
| 23.10 | (6) registration of hair braiders, \$20 per year; | 279.28 | (6) registration of hair braiders, \$20 per year; |
| 23.11 | (7) (6) \$100 for each temporary military license for a cosmetologist, nail technician, | 280.1 | (7) (6) \$100 for each temporary military license for a cosmetologist, nail technician, |
| 23.12 | esthetician, or advanced practice esthetician one-year fee; | 280.2 | esthetician, or advanced practice esthetician one-year fee; |

- 23.13 ~~(8)~~ (7) expedited initial individual license, \$150;
- 23.14 ~~(9)~~ (8) expedited initial salon license, \$300;
- 23.15 ~~(10)~~ (9) instructor continuing education provider approval, \$150 each year; and
- 23.16 ~~(11)~~ (10) practitioner continuing education provider approval, \$150 each year.
- 23.17 Sec. 28. Minnesota Statutes 2016, section 155A.28, is amended by adding a subdivision
- 23.18 to read:
- 23.19 Subd. 5. **Hair braiders exempt.** The practice of hair braiding is exempt from the
- 23.20 requirements of this chapter.
- 23.21 Sec. 29. Minnesota Statutes 2016, section 179A.06, subdivision 3, is amended to read:
- 23.22 Subd. 3. **Fair share fee.** An exclusive representative ~~may~~ shall not require employees
- 23.23 who are not members of the exclusive representative to contribute a fair share fee for services
- 23.24 rendered by the exclusive representative. ~~The fair share fee must be equal to the regular~~
- 23.25 ~~membership dues of the exclusive representative, less the cost of benefits financed through~~
- 23.26 ~~the dues and available only to members of the exclusive representative. In no event may~~
- 23.27 ~~the fair share fee exceed 85 percent of the regular membership dues. The exclusive~~
- 23.28 ~~representative shall provide advance written notice of the amount of the fair share fee to~~
- 24.1 ~~the employer and to unit employees who will be assessed the fee. The employer shall provide~~
- 24.2 ~~the exclusive representative with a list of all unit employees.~~
- 24.3 A challenge by an employee or by a person aggrieved by the fee must be filed in writing
- 24.4 with the commissioner, the public employer, and the exclusive representative within 30

- 280.3 ~~(8)~~ (7) expedited initial individual license, \$150;
- 280.4 ~~(9)~~ (8) expedited initial salon license, \$300;
- 280.5 ~~(10)~~ (9) instructor continuing education provider approval, \$150 each year; and
- 280.6 ~~(11)~~ (10) practitioner continuing education provider approval, \$150 each year.
- 280.7 Sec. 52. Minnesota Statutes 2016, section 155A.28, is amended by adding a subdivision
- 280.8 to read:
- 280.9 Subd. 5. **Hair braiders exempt.** The practice of hair braiding is exempt from the
- 280.10 requirements of this chapter.
- 280.11 Sec. 53. Minnesota Statutes 2016, section 155A.29, subdivision 1, is amended to read:
- 280.12 Subdivision 1. **Licensing.** A person must not offer cosmetology services for compensation
- 280.13 unless the services are provided by a licensee in a licensed salon or as otherwise provided
- 280.14 in this section. Each salon must be licensed as a cosmetology salon, a nail salon, esthetician
- 280.15 salon, ~~or advanced practice esthetician salon, or eyelash extension salon.~~ A salon may hold
- 280.16 more than one type of salon license.
- 280.17 Sec. 54. Minnesota Statutes 2016, section 155A.29, subdivision 6, is amended to read:
- 280.18 Subd. 6. **Exemption.** The facility in which a person provides threading or eyelash
- 280.19 extension services and no other services requiring licensure by this chapter is exempt from
- 280.20 the requirement for a salon license under this section.

24.5 days after receipt of the written notice. All challenges must specify those portions of the
24.6 fee challenged and the reasons for the challenge. The burden of proof relating to the amount
24.7 of the fair share fee is on the exclusive representative. The commissioner shall hear and
24.8 decide all issues in these challenges.

24.9 The employer shall deduct the fee from the earnings of the employee and transmit the
24.10 fee to the exclusive representative 30 days after the written notice was provided. If a challenge
24.11 is filed, the deductions for a fair share fee must be held in escrow by the employer pending
24.12 a decision by the commissioner.

24.13 **EFFECTIVE DATE.** This section is effective the day following a decision by the
24.14 United States Supreme Court holding that public employees who are not members of an
24.15 exclusive representative shall not be required to pay fair share fees, but if that decision with
24.16 that holding is issued before July 1, 2018, then the effective date is July 1, 2018.

24.17 Sec. 30. Minnesota Statutes 2016, section 201.022, is amended by adding a subdivision
24.18 to read:

24.19 **Subd. 4. Voter records updated due to voting report.** No later than eight weeks after
24.20 the election, the county auditor must use the statewide voter registration system to produce
24.21 a report that identifies each voter whose record indicates that it was updated due to voting.
24.22 The county auditor must investigate each record that is challenged for a reason related to
24.23 eligibility to determine if the voter appears to have been ineligible to vote. If the county
24.24 auditor determines that a voter appears to have been ineligible to vote and either registered
24.25 to vote or voted in the previous election, the county auditor must notify the law enforcement
24.26 agency or the county attorney as provided in section 201.275.

24.27 Sec. 31. Minnesota Statutes 2016, section 201.022, is amended by adding a subdivision
24.28 to read:

24.29 **Subd. 5. Inactive voter report.** By November 6, 2018, the secretary of state must develop
24.30 a report within the statewide voter registration system that provides information on inactive
24.31 voters who registered on election day and were possibly ineligible. For elections on or after
24.32 November 6, 2018, no later than eight weeks after the election, the county auditor must use
24.33 the statewide voter registration system to produce the report. The county auditor must
25.1 investigate each record to determine if the voter appears to have been ineligible to vote. If
25.2 the county auditor determines that a voter appears to have been ineligible to vote and
25.3 registered to vote in the previous election, the county auditor must notify the law enforcement
25.4 agency or the county attorney as provided in section 201.275.

280.21 Sec. 55. Minnesota Statutes 2016, section 240.01, is amended by adding a subdivision to
280.22 read:

280.23 Subd. 18a. **Racing or gaming-related vendor.** "Racing or gaming-related vendor"
280.24 means any person or entity that manufactures, sells, provides, distributes, repairs, or maintains
280.25 equipment or supplies used at a Class A facility or provides services to a Class A facility
280.26 or Class B license holder that are directly related to the running of a horse race, simulcasting,
280.27 pari-mutuel betting, or card playing.

281.1 Sec. 56. Minnesota Statutes 2016, section 240.02, subdivision 6, is amended to read:

281.2 Subd. 6. **Annual report.** The commission shall on February 15 of each odd-numbered
281.3 year submit a report to the governor and legislature on its activities, organizational structure,
281.4 receipts and disbursements, and recommendations for changes in the laws relating to racing
281.5 and pari-mutuel betting.

281.6 Sec. 57. Minnesota Statutes 2016, section 240.08, subdivision 5, is amended to read:

281.7 Subd. 5. **Revocation and suspension.** (a) The commission may revoke a class C license
281.8 for a violation of law or rule which in the commission's opinion adversely affects the integrity
281.9 of horse racing in Minnesota, the public health, welfare, or safety, or for an intentional false
281.10 statement made in a license application.

281.11 The commission may suspend a class C license for up to one year for a violation of law,
281.12 order or rule.

281.13 The commission may delegate to its designated agents the authority to impose suspensions
281.14 of class C licenses, and the revocation or suspension of a class C license may be appealed
281.15 to the commission according to its rules.

281.16 ~~(b) A license revocation or suspension~~ If the commission revokes or suspends a license
281.17 for more than 90 180 days is, in lieu of appealing to the commission under paragraph (a),
281.18 the license holder has the right to request a contested case hearing under sections 14.57 to
281.19 14.69 of the Administrative Procedure Act and is in addition to criminal penalties imposed
281.20 for a violation of law or rule, chapter 14. The request must be made in writing to the
281.21 commission by certified mail or personal service. A request sent by certified mail must be
281.22 postmarked within ten days after the license holder receives the revocation or suspension
281.23 order from the commission. A request sent by personal service must be received by the
281.24 commission within ten days after the license holder receives the revocation or suspension
281.25 order from the commission. The commission may summarily suspend a license for more
281.26 than up to 90 days prior to a contested case hearing where it is necessary to ensure the
281.27 integrity of racing or to protect the public health, welfare, or safety. The license holder may

281.28 appeal a summary suspension by making a written request to the commission within five
281.29 calendar days after the license holder receives notice of the summary suspension. A ~~contested~~
281.30 ~~case~~ hearing must be held within ~~30~~ ten days of the commission's receipt of the request for
281.31 appeal of a summary suspension and the administrative law judge's report must be issued
281.32 within 30 days from the close of the hearing record. In all cases involving summary
281.33 suspension the commission must issue its final decision within 30 days from receipt of the
281.34 report of the administrative law judge and subsequent exceptions and argument under section
282.1 ~~14.61~~ to determine whether the license should remain suspended pending a final disciplinary
282.2 action.

282.3 Sec. 58. Minnesota Statutes 2016, section 240.131, subdivision 7, is amended to read:

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

282.12 (b) A breeders fund fee is imposed in the amount of one-quarter of one percent of all
282.13 amounts wagered by Minnesota residents with an authorized advance deposit wagering
282.14 provider. The fee shall be declared on a form prescribed by the commission. The ADW
282.15 provider must pay the fee to the commission no more than ~~seven~~ 15 days after the end of
282.16 the month in which the wager was made. Fees collected under this paragraph must be
282.17 deposited in the state treasury and credited to a racing and card-playing regulation account
282.18 in the special revenue fund and are appropriated to the commission to offset the cost of
282.19 administering the breeders fund and promote horse breeding in Minnesota.

282.20 Sec. 59. Minnesota Statutes 2016, section 240.22, is amended to read:

282.21 **240.22 FINES.**

282.22 (a) The commission shall by rule establish a schedule of civil fines for violations of laws
282.23 related to horse racing or of the commission's rules. The schedule must be based on and
282.24 reflect the culpability, frequency and severity of the violator's actions. The commission may
282.25 impose a fine from this schedule on a licensee for a violation of those rules or laws relating
282.26 to horse racing. The fine is in addition to any criminal penalty imposed for the same violation.
282.27 Fines imposed by the commission must be paid to the commission and except as provided
282.28 in paragraph (c), forwarded to the commissioner of management and budget for deposit in
282.29 the state treasury and credited to a racing and card-playing regulation account in the special

282.30 revenue fund and appropriated to the commission to distribute in the form of grants, contracts,
282.31 or expenditures to support racehorse adoption, retirement, and repurposing.

282.32 (b) If the commission issues a fine in excess of \$5,000, the license holder has the right
282.33 to request a contested case hearing under chapter 14, to be held as set forth in Minnesota
283.1 Rules, chapter 1400. The appeal of a fine must be made in writing to the commission by
283.2 certified mail or personal service. An appeal sent by certified mail must be postmarked
283.3 within ten days after the license holder receives the fine order from the commission. An
283.4 appeal sent by personal service must be received by the commission within ten days after
283.5 the license holder receives the fine order from the commission.

283.6 (c) If the commission is the prevailing party in a contested case proceeding, the
283.7 commission may recover, from amounts to be forwarded under paragraph (a), reasonable
283.8 attorney fees and costs associated with the contested case.

283.9 Sec. 60. Minnesota Statutes 2016, section 270C.13, subdivision 1, is amended to read:

283.10 Subdivision 1. **Biennial report.** The commissioner shall report to the legislature by
283.11 March 1 of each odd-numbered year on the overall incidence of the income tax, sales and
283.12 excise taxes, and property tax. The report shall present information on the distribution of
283.13 the tax burden as follows: (1) for the overall income distribution, using a systemwide
283.14 incidence measure such as the Suits index or other appropriate measures of equality and
283.15 inequality; (2) by income classes, including at a minimum deciles of the income distribution;
283.16 and (3) by other appropriate taxpayer characteristics. The report must also include information
283.17 on the distribution of the burden of federal taxes borne by Minnesota residents.

283.18 Sec. 61. Minnesota Statutes 2016, section 340A.412, is amended by adding a subdivision
283.19 to read:

283.20 Subd. 12a. **Wine transfers.** Notwithstanding the provisions of subdivision 12, the holder
283.21 of an off-sale retail intoxicating liquor license may transfer wine from one licensed premises
283.22 to another provided that:

283.23 (1) the license for the transferring and receiving premises are held by the same licensee;
283.24 and

283.25 (2) only one transfer is made from a licensed premises in a three-month period.

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

283.27 Sec. 62. Minnesota Statutes 2016, section 349A.06, subdivision 11, is amended to read:

- 283.28 Subd. 11. **Cancellation, suspension, and refusal to renew contracts or locations.** (a)
283.29 The director shall cancel the contract of any lottery retailer or prohibit a lottery retailer from
283.30 selling lottery tickets at a business location who:
- 283.31 (1) has been convicted of a felony or gross misdemeanor;
- 284.1 (2) has committed fraud, misrepresentation, or deceit;
- 284.2 (3) has provided false or misleading information to the lottery; or
- 284.3 (4) has acted in a manner prejudicial to public confidence in the integrity of the lottery.
- 284.4 (b) The director may cancel, suspend, or refuse to renew the contract of any lottery
284.5 retailer or prohibit a lottery retailer from selling lottery tickets at a business location who:
- 284.6 (1) changes business location;
- 284.7 (2) fails to account for lottery tickets received or the proceeds from tickets sold;
- 284.8 (3) fails to remit funds to the director in accordance with the director's rules;
- 284.9 (4) violates a law or a rule or order of the director;
- 284.10 (5) fails to comply with any of the terms in the lottery retailer's contract;
- 284.11 (6) fails to file a bond, securities, or a letter of credit as required under subdivision 3;
- 284.12 (7) in the opinion of the director fails to maintain a sufficient sales volume to justify
284.13 continuation as a lottery retailer; ~~or~~
- 284.14 (8) has violated section 340A.503, subdivision 2, clause (1), two or more times within
284.15 a two-year period; or
- 284.16 (9) has violated the rules adopted pursuant to subdivision 6, clause (1), requiring a lottery
284.17 retailer to retain appropriate amounts from gross receipts from the sale of lottery tickets in
284.18 order to pay prizes to holders of winning tickets, three or more times within a one-year
284.19 period.
- 284.20 (c) The director may also cancel, suspend, or refuse to renew a lottery retailer's contract
284.21 or prohibit a lottery retailer from selling lottery tickets at a business location if there is a
284.22 material change in any of the factors considered by the director under subdivision 2.

284.23 (d) A contract cancellation, suspension, refusal to renew, or prohibiting a lottery retailer
284.24 from selling lottery tickets at a business location under this subdivision is a contested case
284.25 under sections 14.57 to 14.69 and is in addition to any criminal penalties provided for a
284.26 violation of law or rule.

284.27 (e) The director may temporarily suspend a contract or temporarily prohibit a lottery
284.28 retailer from selling lottery tickets at a business location without notice for any of the reasons
284.29 specified in this subdivision provided that a hearing is conducted within seven days after a
284.30 request for a hearing is made by a lottery retailer. Within 20 days after receiving the
284.31 administrative law judge's report, the director shall issue an order vacating the temporary
285.1 suspension or prohibition or making any other appropriate order. If no hearing is requested
285.2 within 30 days of the temporary suspension or prohibition taking effect, the suspension or
285.3 prohibition becomes permanent unless the director vacates or modifies the order.

285.4 (f) A lottery retailer whose contract was solely canceled, suspended, or not renewed
285.5 pursuant to paragraph (b), clause (9), may petition the director to reinstate a canceled or
285.6 suspended contract, or enter into a new contract, after two years have passed since the order
285.7 took effect.

285.8 Sec. 63. Minnesota Statutes 2016, section 424B.20, subdivision 4, is amended to read:

285.9 Subd. 4. **Benefit trust fund establishment.** (a) After the settlement of nonbenefit legal
285.10 obligations of the special fund of the volunteer firefighters relief association under subdivision
285.11 3, the board of the relief association shall transfer the remaining assets of the special fund,
285.12 as securities or in cash, as applicable, to the chief financial official of the municipality in
285.13 which the associated fire department was located if the fire department was a municipal fire
285.14 department or to the chief financial official of the municipality with the largest population
285.15 served by the fire department if the fire department was an independent nonprofit firefighting
285.16 corporation. The board shall also compile a schedule of the relief association members to
285.17 whom a service pension is or will be owed, any beneficiary to whom a benefit is owed, the
285.18 amount of the service pension or benefit payable based on the applicable bylaws and state
285.19 law and the service rendered to the date of the dissolution, and the date on which the pension
285.20 or benefit would first be payable under the bylaws of the relief association and state law.

285.21 (b) The municipality in which is located a volunteer firefighters relief association that
285.22 is dissolving under this section shall establish a separate account in the municipal treasury
285.23 which must function as a trust fund for members of the volunteer firefighters relief association
285.24 and their beneficiaries to whom the volunteer firefighters relief association owes a service
285.25 pension or other benefit under the bylaws of the relief association and state law. Upon proper
285.26 application, on or after the initial date on which the service pension or benefit is payable,
285.27 the municipal treasurer shall pay the pension or benefit due, based on the schedule prepared
285.28 under paragraph (a) and the other records of the dissolved relief association. The trust fund

285.29 under this section must be invested and managed consistent with chapter 356A and section
285.30 424A.095.

285.31 (c) Upon payment of the last service pension or benefit due and owing, any remaining
285.32 assets in the trust fund ~~cancel to~~ as follows:

286.1 (1) if the municipality was required to make contributions to the fund under chapter
286.2 424A at any time during the ten years preceding the date of dissolution, the remaining assets
286.3 cancel to the general fund of the municipality; or

286.4 (2) if the municipality was not required to make contributions to the fund under chapter
286.5 424A at any time during the ten years preceding the date of dissolution, the remaining assets
286.6 cancel to the general fund of the state.

286.7 (d) If the special fund of the volunteer firefighters relief association had an unfunded
286.8 actuarial accrued liability upon dissolution, the municipality is liable for that unfunded
286.9 actuarial accrued liability.

286.10 Sec. 64. Minnesota Statutes 2016, section 473.123, subdivision 1, is amended to read:

286.11 Subdivision 1. **Creation; membership.** (a) A Metropolitan Council with jurisdiction
286.12 in the metropolitan area is established as a public corporation and political subdivision of
286.13 the state. It shall be under the supervision and control of ~~47~~ 28 members, all of whom shall
286.14 be residents of the metropolitan area; and who shall be appointed as follows:

286.15 (1) a county commissioner from each of Anoka, Carver, Dakota, Ramsey, Scott, and
286.16 Washington Counties, appointed by the respective county boards;

286.17 (2) two county commissioners from Hennepin County appointed by the county board,
286.18 one of whom must represent a ward that is predominantly located within the city of
286.19 Minneapolis, and one of whom must represent a ward that does not include the city of
286.20 Minneapolis;

286.21 (3) a local elected official appointed from each Metropolitan Council district by the
286.22 municipal committee for the council district established in subdivision 2b;

286.23 (4) the commissioner of transportation or the commissioner's designee;

286.24 (5) one person to represent nonmotorized transportation, appointed by the commissioner
286.25 of transportation;

286.26 (6) one person to represent freight transportation, appointed by the commissioner of
 286.27 transportation; and

286.28 (7) one person to represent public transit, appointed by the commissioner of
 286.29 transportation.

286.30 (b) The local elected offices identified in paragraph (a) are compatible with the office
 286.31 of a Metropolitan Council member.

287.1 (c) Notwithstanding any change to the definition of metropolitan area in section 473.121,
 287.2 subdivision 2, the jurisdiction of the Metropolitan Council is limited to the seven-county
 287.3 metropolitan area.

287.4 **EFFECTIVE DATE.** Paragraph (c) is effective the day following final enactment.

287.5 Sec. 65. Minnesota Statutes 2016, section 473.123, subdivision 2a, is amended to read:

287.6 Subd. 2a. **Terms.** (a) Following each apportionment of council districts, as provided
 287.7 under subdivision 3a, council members must be appointed from newly drawn districts as
 287.8 provided in subdivision 3a. Each council member, other than the chair, must reside in the
 287.9 council district represented. Each council district must be represented by one member of
 287.10 the council. The terms of members end with the term of the governor, except that all terms
 287.11 expire on the effective date of the next apportionment. A member serves at the pleasure of
 287.12 the governor. the municipal committee for each council district shall appoint a local elected
 287.13 official who resides in the district to serve on the Metropolitan Council for a four-year term.
 287.14 The terms of members appointed by municipal committees are staggered as follows: members
 287.15 representing an odd-numbered district have terms ending the first Monday in January of
 287.16 the year ending in the numeral "1" and members representing an even-numbered district
 287.17 have terms ending the first Monday in January in the year ending in the numeral "3."
 287.18 Thereafter, the term of each member is four years, with terms ending the first Monday in
 287.19 January, except that all terms expire on the effective date of the next apportionment. A
 287.20 member's position on the Metropolitan Council becomes vacant if the member ceases to be
 287.21 a local elected official or as provided in chapter 351, and any vacancy must be filled as soon
 287.22 as practicable for the unexpired term in the same manner as the initial appointment. A
 287.23 member shall continue to serve the member's district until a successor is appointed and
 287.24 qualified; except that, following each apportionment, the member shall continue to serve
 287.25 at large until the governor appoints 16 council members, one municipal committee for the
 287.26 council district appoints a member from each of the newly drawn council districts district
 287.27 as provided under subdivision 3a, to serve terms as provided under this section. The
 287.28 appointment to the council must be made by the first Monday in March of the year in which
 287.29 the term ends.

287.30 (b) The terms of members appointed by county boards are staggered as follows: members
287.31 representing the counties of Anoka, Dakota, Ramsey, and Scott have terms ending the first
287.32 Monday in January of the year ending in the numeral "1," and members representing the
287.33 counties of Carver, Hennepin, and Washington have terms ending the first Monday in
287.34 January of the year ending in the numeral "3." Thereafter, the term for each member is four
288.1 years. A member's position on the Metropolitan Council becomes vacant if the member
288.2 ceases to be a local elected official or as provided in chapter 351, and any vacancy must be
288.3 filled as soon as practicable for the unexpired term in the same manner as the initial
288.4 appointment.

288.5 (c) An individual appointed by the commissioner of transportation under subdivision 1
288.6 serves at the pleasure of the appointing authority.

288.7 Sec. 66. Minnesota Statutes 2016, section 473.123, is amended by adding a subdivision
288.8 to read:

288.9 Subd. 2b. **Municipal committee in each council district.** The governing body of each
288.10 home rule charter or statutory city and town in each Metropolitan Council district shall
288.11 appoint a member to serve on a municipal committee for the council district. If a city or
288.12 town is in more than one council district, the governing body must appoint a member to
288.13 serve on each council district's municipal committee. A member appointed to a council
288.14 district's municipal committee must reside in the council district. The municipal committee
288.15 must meet at least quarterly to discuss issues relating to the Metropolitan Council. Municipal
288.16 committee meetings are subject to the Minnesota Open Meeting Law, chapter 13D.

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

288.18 Sec. 67. Minnesota Statutes 2016, section 473.123, subdivision 3a, is amended to read:

288.19 Subd. 3a. **Redistricting.** The legislature shall redraw the boundaries of the council
288.20 districts after each decennial federal census so that each district has substantially equal
288.21 population. Redistricting is effective in the year ending in the numeral "3." Within 60 days
288.22 after a redistricting plan takes effect, the ~~governor~~ municipal committees shall appoint
288.23 members from the newly drawn districts to serve terms as provided under subdivision 2a.

288.24 Sec. 68. Minnesota Statutes 2016, section 473.123, subdivision 4, is amended to read:

288.25 Subd. 4. **Chair; appointment, officers, selection; duties and compensation.** (a) The
288.26 chair of the Metropolitan Council shall be ~~appointed~~ selected by the governor as the 17th
288.27 voting member thereof by and with the advice and consent of the senate to serve at the
288.28 pleasure of the governor to represent the metropolitan area at large. Senate confirmation
288.29 shall be as provided by section 15.066 and from among the members of the Metropolitan
288.30 Council. The chair shall serve at the pleasure of the council. In addition to any compensation

288.31 as a local elected official, the council shall pay the chair \$40,000 per year plus reimbursement
288.32 of actual and necessary expenses as approved by the council.

289.1 The chair of the Metropolitan Council shall, if present, preside at meetings of the council,
289.2 have the primary responsibility for meeting with local elected officials, serve as the principal
289.3 legislative liaison, present to the governor and the legislature, after council approval, the
289.4 council's plans for regional governance and operations, serve as the principal spokesperson
289.5 of the council, and perform other duties assigned by the council or by law.

289.6 (b) The Metropolitan Council shall elect other officers as it deems necessary for the
289.7 conduct of its affairs for a one-year term. A secretary and treasurer need not be members
289.8 of the Metropolitan Council. Meeting times and places shall be fixed by the Metropolitan
289.9 Council and special meetings may be called by a majority of the members of the Metropolitan
289.10 Council or by the chair. ~~The chair and~~ In addition to any compensation as a local elected
289.11 official, each Metropolitan Council member shall be reimbursed for actual and necessary
289.12 expenses as approved by the council.

289.13 (c) Each member of the council shall attend and participate in council meetings and meet
289.14 regularly with local elected officials and legislative members from the council member's
289.15 district. Each council member shall serve on at least one division committee for
289.16 transportation, environment, or community development.

289.17 (d) In the performance of its duties the Metropolitan Council may adopt policies and
289.18 procedures governing its operation, establish committees, and, when specifically authorized
289.19 by law, make appointments to other governmental agencies and districts.

289.20 Sec. 69. Minnesota Statutes 2016, section 473.123, is amended by adding a subdivision
289.21 to read:

289.22 Subd. 9. Authority to vote; quorum; votes required for action. (a) The members
289.23 appointed by the counties and municipal committees may vote on all matters before the
289.24 council. The commissioner of transportation or the commissioner's designee and the three
289.25 members appointed by the commissioner may vote only on matters in which the council is
289.26 acting as the metropolitan planning organization for the region as provided in section
289.27 473.146.

289.28 (b) A quorum is a majority of the members permitted to vote on a matter. If a quorum
289.29 is present, the council may act on a majority vote of the members present, except:

289.30 (1) if a quorum is present, the council may adopt its levy only if at least 60 percent of
289.31 the members present vote in favor of the levy; and

289.32 (2) if a quorum is present, the council may adopt a metropolitan system plan or plan
289.33 amendment only if at least 60 percent of the members present vote in favor of its adoption.

290.1 **EFFECTIVE DATE; TRANSITION; APPLICATION.** This section is effective
290.2 January 1, 2019, and applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey,
290.3 Scott, and Washington. Metropolitan Council members serving on the effective date of this
290.4 section shall continue to serve until members are appointed from districts by the municipal
290.5 committees as provided in this article.

290.6 Sec. 70. Minnesota Statutes 2016, section 473.146, subdivision 3, is amended to read:

290.7 Subd. 3. **Development guide: transportation.** The transportation chapter must include
290.8 policies relating to all transportation forms and be designed to promote the legislative
290.9 determinations, policies, and goals set forth in section 473.371. In addition to the
290.10 requirements of subdivision 1 regarding the contents of the policy plan, the nontransit
290.11 element of the transportation chapter must include the following:

290.12 (1) a statement of the needs and problems of the metropolitan area with respect to the
290.13 functions covered, including the present and prospective demand for and constraints on
290.14 access to regional business concentrations and other major activity centers and the constraints
290.15 on and acceptable levels of development and vehicular trip generation at such centers;

290.16 (2) the objectives of and the policies to be forwarded by the policy plan;

290.17 (3) a general description of the physical facilities and services to be developed;

290.18 (4) a statement as to the general location of physical facilities and service areas;

290.19 (5) a general statement of timing and priorities in the development of those physical
290.20 facilities and service areas;

290.21 (6) a detailed statement, updated every two years, of timing and priorities for
290.22 improvements and expenditures needed on the metropolitan highway system;

290.23 (7) a general statement on the level of public expenditure appropriate to the facilities;
290.24 and

290.25 (8) a long-range assessment of air transportation trends and factors that may affect airport
290.26 development in the metropolitan area and policies and strategies that will ensure a
290.27 comprehensive, coordinated, and timely investigation and evaluation of alternatives for
290.28 airport development.

290.29 The council shall develop the nontransit element in consultation with ~~the transportation~~
 290.30 ~~advisory board and~~ the Metropolitan Airports Commission and cities having an airport
 290.31 located within or adjacent to its corporate boundaries. The council shall also take into
 291.1 consideration the airport development and operations plans and activities of the commission.
 291.2 The council shall transmit the results to the state Department of Transportation.

291.3 **EFFECTIVE DATE; APPLICATION.** This section is effective January 1, 2019, and
 291.4 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

291.5 Sec. 71. Minnesota Statutes 2016, section 473.146, subdivision 4, is amended to read:

291.6 Subd. 4. **Transportation planning.** ~~(a)~~ The Metropolitan Council is the designated
 291.7 planning agency for any long-range comprehensive transportation planning required by
 291.8 section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation
 291.9 Act of 1964 and Section 112 of Federal Aid Highway Act of 1973 and other federal
 291.10 transportation laws. The council shall assure administration and coordination of transportation
 291.11 planning with appropriate state, regional and other agencies, counties, and municipalities.

291.12 ~~(b) The council shall establish an advisory body consisting of citizens and representatives~~
 291.13 ~~of municipalities, counties, and state agencies in fulfillment of the planning responsibilities~~
 291.14 ~~of the council. The membership of the advisory body must consist of:~~

291.15 ~~(1) the commissioner of transportation or the commissioner's designee;~~

291.16 ~~(2) the commissioner of the Pollution Control Agency or the commissioner's designee;~~

291.17 ~~(3) one member of the Metropolitan Airports Commission appointed by the commission;~~

291.18 ~~(4) one person appointed by the council to represent nonmotorized transportation;~~

291.19 ~~(5) one person appointed by the commissioner of transportation to represent the freight~~
 291.20 ~~transportation industry;~~

291.21 ~~(6) two persons appointed by the council to represent public transit;~~

291.22 ~~(7) ten elected officials of cities within the metropolitan area, including one representative~~
 291.23 ~~from each first-class city, appointed by the Association of Metropolitan Municipalities;~~

291.24 ~~(8) one member of the county board of each county in the seven-county metropolitan~~
 291.25 ~~area, appointed by the respective county boards;~~

291.26 ~~(9) eight citizens appointed by the council, one from each council precinct;~~

291.27 ~~(10) one elected official from a city participating in the replacement service program~~
 291.28 ~~under section 473.388, appointed by the Suburban Transit Association; and~~

291.29 ~~(11) one member of the council, appointed by the council.~~

291.30 ~~(e) The council shall appoint a chair from among the members of the advisory body.~~

292.1 **EFFECTIVE DATE; APPLICATION.** This section is effective January 1, 2019, and
 292.2 applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

292.3 **Sec. 72. [474A.22] FORT SNELLING NATIONAL LANDMARK**
 292.4 **REDEVELOPMENT.**

292.5 **Subdivision 1. Fort Snelling bonding authority allocation.** Notwithstanding any law,
 292.6 rule, or policy to the contrary, the commissioner may reserve bonding authority allocated
 292.7 to the Housing Finance Agency entitlement allocation during allocation year 2019 or 2020
 292.8 for issuance of residential rental project bonds for purposes of the rehabilitation and
 292.9 renovation of the Fort Snelling Upper Post as a qualified residential rental project as provided
 292.10 in this section and section 474A.047. The qualified residential rental project shall be required
 292.11 to enter into a minimum 25-year agreement with the issuer to provide the applicable rental
 292.12 rates and incomes. The commissioner shall determine the needed amount of the bonding
 292.13 allocation to qualify for low-income housing tax credits for the project, as selected by the
 292.14 commissioner of natural resources, and may provide a preliminary resolution to allocate
 292.15 the bonds over one or two years to allow the applicable developer to obtain necessary
 292.16 historical and other approvals and be assured of available bond allocation.

292.17 **Subd. 2. Issuance; other issuer.** The commissioner may either issue the obligation
 292.18 directly or may allocate the bonds under subdivision 1 to a suitable other issuer to issue the
 292.19 obligations. Any such suballocation shall be subject to an agreement that provides for the
 292.20 timing, process, and use for the bonds. Any other issuer receiving this allocation shall be
 292.21 authorized to act as the issuer regardless of the geographical area of the other issuer. In no
 292.22 event shall the bonds issued under this section be guaranteed as to payment by the state or
 292.23 the other issuer.

292.24 **Subd. 3. Failure to permanently issue.** In the event the bonds reserved or allocated
 292.25 under this section are not permanently issued by December 1, 2019, or December 1, 2020,
 292.26 the bonding authority shall be allocated to the Housing Finance Agency for issuance for a
 292.27 qualified residential rental project. The commissioner may utilize the bonds allocated under
 292.28 this section for an alternative use, consistent with this chapter, in the event the commissioner
 292.29 determines no project at the Fort Snelling Upper Post will proceed in a timely fashion.

25.5 Sec. 32. Minnesota Statutes 2017 Supplement, section 477A.03, subdivision 2b, is amended
25.6 to read:

25.7 Subd. 2b. **Counties.** (a) For aids payable in 2018 through 2024, the total aid payable
25.8 under section 477A.0124, subdivision 3, is \$103,795,000, of which \$3,000,000 shall be
25.9 allocated as required under Laws 2014, chapter 150, article 4, section 6. For aids payable
25.10 in 2025 and thereafter, the total aid payable under section 477A.0124, subdivision 3, is
25.11 \$100,795,000. Each calendar year, \$500,000 of this appropriation shall be retained by the
25.12 commissioner of revenue to make reimbursements to the commissioner of management and
25.13 budget for payments made under section 611.27. The reimbursements shall be to defray the
25.14 additional costs associated with court-ordered counsel under section 611.27. Any retained
25.15 amounts not used for reimbursement in a year shall be included in the next distribution of
25.16 county need aid that is certified to the county auditors for the purpose of property tax
25.17 reduction for the next taxes payable year.

25.18 (b) For aids payable in 2018 and thereafter, the total aid under section 477A.0124,
25.19 subdivision 4, is \$130,873,444. The commissioner of revenue shall transfer ~~to the~~
25.20 ~~commissioner of management and budget~~ \$207,000 annually for the cost of preparation of
25.21 local impact notes as required by section 3.987, ~~and other local government activities to the~~
25.22 Legislative Coordinating Commission for use by the Legislative Budget Office.

25.23 The commissioner of revenue shall transfer to the commissioner of education \$7,000
25.24 annually for the cost of preparation of local impact notes for school districts as required by
25.25 section 3.987. The commissioner of revenue shall deduct the amounts transferred under this
25.26 paragraph from the appropriation under this paragraph. The amounts transferred are
25.27 appropriated to the commissioner of management and budget and the commissioner of
25.28 education respectively.

25.29 **EFFECTIVE DATE.** This section is effective July 1, 2019.

292.30 Subd. 4. **Low-income housing tax credits.** In the event of issuance of the bonds as
292.31 provided in this section for a qualified residential rental project, notwithstanding any law,
292.32 rule, or policy, the Housing Finance Agency shall approve the project for low-income
292.33 housing tax credits subject to only the minimum requirements as required under section 42
292.34 of the Internal Revenue Code, as amended, and shall be deemed meeting the qualified
293.1 allocation plan in effect at that time. Any such approval shall be timely granted to allow the
293.2 project to proceed.

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

293.4 Sec. 73. Minnesota Statutes 2017 Supplement, section 477A.03, subdivision 2b, is amended
293.5 to read:

293.6 Subd. 2b. **Counties.** (a) For aids payable in 2018 through 2024, the total aid payable
293.7 under section 477A.0124, subdivision 3, is \$103,795,000, of which \$3,000,000 shall be
293.8 allocated as required under Laws 2014, chapter 150, article 4, section 6. For aids payable
293.9 in 2025 and thereafter, the total aid payable under section 477A.0124, subdivision 3, is
293.10 \$100,795,000. Each calendar year, \$500,000 of this appropriation shall be retained by the
293.11 commissioner of revenue to make reimbursements to the commissioner of management and
293.12 budget for payments made under section 611.27. The reimbursements shall be to defray the
293.13 additional costs associated with court-ordered counsel under section 611.27. Any retained
293.14 amounts not used for reimbursement in a year shall be included in the next distribution of
293.15 county need aid that is certified to the county auditors for the purpose of property tax
293.16 reduction for the next taxes payable year.

293.17 (b) For aids payable in 2018 and thereafter, the total aid under section 477A.0124,
293.18 subdivision 4, is \$130,873,444. The commissioner of revenue shall transfer ~~to the~~
293.19 ~~commissioner of management and budget~~ \$207,000 annually for the cost of preparation of
293.20 local impact notes as required by section 3.987, ~~and other local government activities to the~~
293.21 Legislative Coordinating Commission for use by the Legislative Budget Office.

293.22 The commissioner of revenue shall transfer to the commissioner of education \$7,000
293.23 annually for the cost of preparation of local impact notes for school districts as required by
293.24 section 3.987. The commissioner of revenue shall deduct the amounts transferred under this
293.25 paragraph from the appropriation under this paragraph. The amounts transferred are
293.26 appropriated to the commissioner of management and budget and the commissioner of
293.27 education respectively.

293.28 **EFFECTIVE DATE.** This section is effective January 8, 2019.

294.1 Sec. 74. Minnesota Statutes 2016, section 480.15, is amended by adding a subdivision to
294.2 read:

26.12 Sec. 34. Laws 2017, First Special Session chapter 4, article 2, section 1, the effective date,
26.13 is amended to read:

26.14 **EFFECTIVE DATE.** This section is effective ~~January 8, 2019~~ July 1, 2018.

26.15 **EFFECTIVE DATE.** This section is effective July 1, 2018.

26.16 Sec. 35. Laws 2017, First Special Session chapter 4, article 2, section 3, the effective date,
26.17 is amended to read:

26.18 **EFFECTIVE DATE.** Except where otherwise provided by law, this section is effective
26.19 ~~January 8, 2019~~ July 1, 2018.

26.20 **EFFECTIVE DATE.** This section is effective July 1, 2018.

26.21 Sec. 36. Laws 2017, First Special Session chapter 4, article 2, section 9, the effective date,
26.22 is amended to read:

26.23 **EFFECTIVE DATE.** This section is effective ~~January 8, 2019~~ January 6, 2020.

26.24 Sec. 37. Laws 2017, First Special Session chapter 4, article 2, section 58, the effective
26.25 date, is amended to read:

26.26 **EFFECTIVE DATE.** This section is effective ~~January 8, 2019~~ July 1, 2018. The contract
26.27 required under this section must be executed no later than November 1, 2018, and must
26.28 provide for the Legislative Budget Office to have access to the fiscal note tracking system
26.29 from December 15, 2018, to January 5, 2020, and for the transfer of operational control of
26.30 the fiscal note tracking system to the Legislative Budget Office on January 6, 2020.

27.1 **EFFECTIVE DATE.** This section is effective July 1, 2018.

27.2 Sec. 38. **LEGISLATIVE BUDGET OFFICE OVERSIGHT COMMISSION; FIRST**
27.3 **APPOINTMENTS; FIRST CHAIR; FIRST MEETING.**

27.4 Appointments to the Legislative Budget Office Oversight Commission under Minnesota
27.5 Statutes, section 3.8854, must be made by July 1, 2018. The chair of the Legislative
27.6 Coordinating Commission must designate one appointee to convene the commission's first
27.7 meeting. The designated appointee must convene the first meeting no later than July 15,
27.8 2018. The first chair of the Legislative Budget Office Oversight Commission shall be a

294.3 **Subd. 13. Emergency operations and continuity of the judicial branch.** The court
294.4 administrator shall assist the Supreme Court in developing an emergency operations and
294.5 continuity of government plan, as required by section 12.402.

294.6 Sec. 75. Laws 2017, First Special Session chapter 4, article 2, section 1, the effective date,
294.7 is amended to read:

294.8 **EFFECTIVE DATE.** This section is effective ~~January 8, 2019~~ July 1, 2018.

294.9 **EFFECTIVE DATE.** This section is effective July 1, 2018.

294.10 Sec. 76. Laws 2017, First Special Session chapter 4, article 2, section 3, the effective date,
294.11 is amended to read:

294.12 **EFFECTIVE DATE.** Except where otherwise provided by law, this section is effective
294.13 ~~January 8, 2019~~ July 1, 2018.

294.14 **EFFECTIVE DATE.** This section is effective July 1, 2018.

294.15 Sec. 77. Laws 2017, First Special Session chapter 4, article 2, section 58, the effective
294.16 date, is amended to read:

294.17 **EFFECTIVE DATE.** This section is effective ~~January 8, 2019~~ July 1, 2018. The
294.18 contract required under this section must be executed no later than November 1, 2018, and
294.19 must provide for transfer of operational control of the fiscal note tracking system to the
294.20 Legislative Budget Office effective December 15, 2018.

294.21 **EFFECTIVE DATE.** This section is effective July 1, 2018.

242.30 **EFFECTIVE DATE; FIRST MEETING.** This section is effective the day following
242.31 final enactment. Appointments to the oversight commission must be made no later than
242.32 June 15, 2018. The chair of the Legislative Coordinating Commission must designate one
243.1 appointee to convene the commission's first meeting. The designated appointee must convene
243.2 the first meeting no later than July 1, 2018.

27.9 member of the senate and shall serve until the commission elects a chair at a meeting in
27.10 January 2019.

27.11 **Sec. 39. LEGISLATIVE BUDGET OFFICE DELIVERY OF FISCAL NOTES AND**
27.12 **LOCAL IMPACT NOTES BEFORE JANUARY 6, 2020.**

27.13 Subdivision 1. **Management and budget responsibility.** Until January 6, 2020, the
27.14 responsibilities of the commissioner of management and budget with regard to fiscal notes
27.15 and local impact notes remains the same as on May 1, 2017.

27.16 Subd. 2. **Fiscal note request.** Until January 6, 2020, the commissioner of management
27.17 and budget must submit to the director of the Legislative Budget Office a daily list of all
27.18 new requests for fiscal notes that have been requested since the previous list submitted under
27.19 this subdivision. The commissioner must submit the daily fiscal note list at the end of each
27.20 business day. For fiscal note requests received between the end of the business day on Friday
27.21 and Monday morning, the commissioner shall submit the list on Monday morning.
27.22 Notwithstanding the daily list requirement in this subdivision, when the legislature is not
27.23 in session, the commissioner shall submit a weekly list of all fiscal notes received during
27.24 the previous week.

27.25 Subd. 3. **Local impact note request.** Until January 6, 2020, the commissioner of
27.26 management and budget will forward to the director of the Legislative Budget Office at the
27.27 end of each week a list of all requests for local impact notes that the commissioner has
27.28 received since the previous list submitted under this subdivision.

27.29 Subd. 4. **Legislative Budget Office sampling.** (a) Until January 6, 2020, the director
27.30 of the Legislative Budget Office shall select from among the requests for fiscal notes and
27.31 local impact notes a subset for the Legislative Budget Office to coordinate on a test basis.
27.32 Within 48 hours of receiving a list of requests from the commissioner of management and
27.33 budget, the director shall communicate to the lead nonpartisan fiscal analyst of the senate
28.1 and the chief nonpartisan fiscal analyst of the house of representatives whether the Legislative
28.2 Budget Office will coordinate a fiscal note or local impact note from the listed requests.
28.3 The subset selected by the director must include a cross-section of the jurisdictions of the
28.4 standing committees in the house of representatives and senate and must include a
28.5 representative number of multiagency fiscal notes. During the 2019 legislative session, the
28.6 Legislative Budget Office shall complete coordination of at least 300 fiscal notes and at
28.7 least two local impact notes.

28.8 (b) By June 30, 2019, the director of the Legislative Budget Office shall deliver a
28.9 summary report to the chairs and ranking minority members of the Committee on Finance
28.10 in the senate and the Committee on Ways and Means in the house of representatives and to
28.11 the lead nonpartisan fiscal analyst of the senate and the chief nonpartisan fiscal analyst of
28.12 the house of representatives identifying each fiscal note and local impact note request

28.13 received, the subset selected for coordination, the date the director received a list from the
28.14 commissioner of management and budget identifying the request, and the date of delivery
28.15 of completed notes.

28.16 Subd. 5. **Agency coordination.** (a) Until January 6, 2020, the head or chief administrative
28.17 officer of each department or agency of the state government, including the Supreme Court,
28.18 shall, in consultation with the Legislative Budget Office and consistent with the procedures
28.19 adopted under Minnesota Statutes, section 3.8853, prepare a fiscal note at the request of the
28.20 chair of the standing committee to which a bill has been referred, or the chair of the house
28.21 of representatives Ways and Means Committee, or the chair of the senate Committee on
28.22 Finance.

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

28.26 Subd. 6. **Delivery of fiscal notes.** Until January 6, 2020, the director of the Legislative
28.27 Budget Office shall timely deliver completed fiscal notes and local impact notes, each clearly
28.28 labeled as "LBO-Coordinated Transition-Year Test Note," to the chair of the committee in
28.29 the house of representatives or the senate who requested the note and to the chief author of
28.30 the bill to which it relates.

28.31 Subd. 7. **Legislative Budget Office Oversight Commission performance assessment.**
28.32 By November 1, 2019, the Legislative Budget Office Oversight Commission shall report
28.33 to the chairs and members of the Committee on Finance in the senate and the Committee
28.34 on Ways and Means in the house of representatives on the performance of the Legislative
29.1 Budget Office in coordinating fiscal notes and local impact notes during the 2019 legislative
29.2 session. The report shall consider the timeliness of the delivery of the notes and the quality
29.3 of the notes in comparison to the timeliness and quality of the notes coordinated on the same
29.4 bills by the commissioner of management and budget, and the cost-effectiveness of the
29.5 work of the Legislative Budget Office.

29.6 **EFFECTIVE DATE.** This section is effective January 8, 2019, and expires on January
29.7 6, 2020.

29.8 Sec. 40. **OFFICE OF MN.IT SERVICES; TRANSFER.**

29.9 Minnesota Statutes, sections 15.039 and 43A.045, apply to the transfer of the Office of
29.10 MN.IT Services to the commissioner of administration.

29.11 Sec. 41. **WORLD WAR I PLAQUE AUTHORIZED.**

29.12 The state honors all Minnesota veterans who have honorably and bravely served in the
 29.13 United States armed forces, both at home and abroad, during World War I. The commissioner
 29.14 of administration shall place a memorial plaque in the court of honor on the Capitol grounds
 29.15 to recognize the valiant service of Minnesota veterans who have honorably and bravely
 29.16 served in the United States armed forces, both at home and abroad, during World War I.
 29.17 This plaque will replace the current plaque honoring veterans who served abroad during
 29.18 World War I. The Capitol Area Architectural and Planning Board shall solicit design
 29.19 submissions from the public. Each design submission must include a commitment to furnish
 29.20 the plaque. The Capitol Area Architectural and Planning Board shall select a design from
 29.21 those submitted to use as a basis for final production. The selected design must be approved
 29.22 by the commissioner of veterans affairs and must be furnished by the person or group who
 29.23 submitted the design.

294.22 Sec. 78. **TRANSFER OF DUTIES; RESULTS FIRST PROGRAM EVALUATIONS.**

294.23 Responsibilities of the commissioner of management and budget to develop and
 294.24 implement a return on taxpayer investment methodology using the Pew-MacArthur Results
 294.25 First framework, as first authorized by Laws 2015, chapter 77, article 1, section 13, including
 294.26 the advisory committee established by the commissioner to assist in implementing these
 294.27 responsibilities, are transferred from the commissioner to the Legislative Budget Office
 294.28 established in Minnesota Statutes, section 3.8853. Minnesota Statutes, section 15.039,
 294.29 applies to the transfer of these responsibilities. The commissioner of administration may,
 295.1 with the approval of the governor, issue reorganization orders under Minnesota Statutes,
 295.2 section 16B.37, as necessary to complete the transfer of duties required by this section.

295.3 **EFFECTIVE DATE.** This section is effective January 8, 2019.

295.4 Sec. 79. **TRANSFER OF DUTIES; DATA PRACTICES AND OPEN MEETINGS**
 295.5 **LAW.**

295.6 (a) Responsibilities of the commissioner of administration under Minnesota Statutes,
 295.7 sections 13.06, 13.07, 13.072, and 13.073, and any other law providing general oversight
 295.8 responsibilities related to operation of the Minnesota Government Data Practices Act and
 295.9 the Minnesota Open Meeting Law, are transferred from the commissioner to the chief
 295.10 administrative law judge in the Office of Administrative Hearings. Minnesota Statutes,
 295.11 section 15.039, applies to the transfer of these responsibilities, except that Minnesota Statutes,
 295.12 section 15.039, subdivision 7, does not apply. The commissioner may, with the approval
 295.13 of the governor, issue reorganization orders under Minnesota Statutes, section 16B.37, as
 295.14 necessary to complete the transfer of duties consistent with the requirements of this section.

295.15 (b) Nothing in this section relieves the commissioner of administration from the duty to
295.16 comply with Minnesota Statutes, chapter 13, or any other applicable law related to data
295.17 collected, created, or maintained by the commissioner, or to comply with Minnesota Statutes,
295.18 chapter 13D, related to meetings conducted by the commissioner.

295.19 Sec. 80. **ENTERPRISE SOFTWARE PROJECTS; RECODIFICATION OF**
295.20 **INFORMATION TECHNOLOGY STATUTES.**

295.21 Subdivision 1. **Enterprise software projects.** (a) Except as provided in paragraph (b),
295.22 an enterprise software project must be either purchased or built through a vendor contract.
295.23 Vendors must be selected as provided by Minnesota Statutes, chapter 16C. In addition to
295.24 the requirements of that chapter, a contract required by this section must include terms that
295.25 provide:

295.26 (1) a payment schedule that is conditioned on the vendor's demonstration of satisfactory
295.27 progress toward project completion; and

295.28 (2) a requirement that, upon 30 days written notice to the vendor, the contracting agency
295.29 must terminate a contract and the vendor must refund to the agency all amounts paid to
295.30 date, if the vendor fails to demonstrate satisfactory progress towards project completion.
295.31 The contract terms must permit the contracting agency to fulfill its obligations under this
295.32 clause without penalty.

296.1 (b) Paragraph (a) does not apply to an enterprise software project if the law appropriating
296.2 money for the project expressly directs the state chief information officer to design or build
296.3 the project in-house, or otherwise contains an exemption from paragraph (a) by specific
296.4 reference to this subdivision.

296.5 Subd. 2. **Recodification recommendations.** (a) The state chief information officer must
296.6 recommend, in consultation with the revisor of statutes and other appropriate legislative
296.7 staff, legislation to clarify and reorganize Minnesota Statutes, chapter 16E, and any other
296.8 applicable laws that relate to state information technology services or the scope of duties
296.9 of the Office of MN.IT Services. Except for implementation of the requirements of
296.10 subdivision 1, the recommendations must not be intended to change the meaning or prior
296.11 interpretation of any law.

296.12 (b) The recommended legislation must be submitted to the chairs and ranking minority
296.13 members of the house of representatives and senate committees with jurisdiction over state
296.14 government finance no later than January 15, 2019.

296.15 **EFFECTIVE DATE.** This section is effective the day following final enactment. The
296.16 restrictions on enterprise software projects, as described in subdivision 1, apply to projects
296.17 newly approved for development on or after the effective date of this section.

296.18 Sec. 81. **STUDY OF VALUATION METHOD OF PIPELINE OPERATING**
296.19 **PROPERTY.**

296.20 (a) The commissioner of revenue shall study and prepare a report on the current methods
296.21 used to value pipeline operating property in the state of Minnesota. The commissioner must
296.22 enter a contract with a consultant to assist in completing the study and preparing the report.

296.23 (b) The report must:

296.24 (1) describe, in detail, prior and current methods used to value pipeline operating property
296.25 in Minnesota;

296.26 (2) evaluate whether the current methods used produce an accurate estimate of market
296.27 value;

296.28 (3) compile and explain, in detail, the number of state-assessed pipeline valuations that
296.29 have been appealed in the last 20 years, and the extent to which the market value was
296.30 increased or reduced, by agreement, settlement, or judgment;

297.1 (4) evaluate the extent to which host political subdivisions and communities are
297.2 adequately compensated under the existing Minnesota property tax system for the external
297.3 costs imposed by pipeline systems;

297.4 (5) describe, analyze, and compare the methods used to value pipeline operating property
297.5 in border states; and

297.6 (6) make recommendations and prepare legislation on improvements or alternative
297.7 valuation methods that produce a more accurate estimate of market value.

297.8 (c) The commissioner shall report the findings of the study to the committees of the
297.9 house of representatives and senate having jurisdiction over taxes by February 15, 2019,
297.10 and file the report as required by Minnesota Statutes, section 3.195.

297.11 Sec. 82. **NORDIC WORLD CUP SKI CHAMPIONSHIP.**

297.12 (a) Upon request of U.S. Ski and Snowboard, The Loppet Foundation, or other affiliated
297.13 organization, the Minnesota Amateur Sports Commission must support the preparation and
297.14 submission of a competitive bid to host an International Ski Federation Nordic World Cup

297.15 Ski Championship event in Minnesota. If the event is awarded, the commission must partner
 297.16 with the organizing committee as an event host. Commission activities may include but are
 297.17 not limited to assisting in the development of public-private partnerships to support the
 297.18 event; soliciting sponsors; participating in public outreach activities; permitting the
 297.19 commission's facilities to be developed and used as event venues; and providing other
 297.20 administrative, technical, logistical, or financial support, within available resources.

297.21 (b) Within 30 days after a bid is submitted and, if an event is awarded to Minnesota as
 297.22 a host, within 30 days after receiving notice of the award, the commission must notify the
 297.23 chairs and ranking minority members of the legislative committees with jurisdiction over
 297.24 the commission. The notification must describe the commission's work in support of the
 297.25 event and indicate whether the commission anticipates seeking supplemental state or local
 297.26 funds or other public resources to continue that work.

297.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 297.28 expires upon conclusion of a Nordic World Cup Ski Championship event hosted in
 297.29 Minnesota.

298.1 **Sec. 83. CERTAIN VOLUNTEER FIREFIGHTERS RELIEF ASSOCIATION**
 298.2 **SERVICE PENSIONS.**

298.3 (a) As used in this section, "qualifying volunteer firefighters relief association" means
 298.4 a volunteer firefighters relief association with a funding ratio of greater than 100 percent
 298.5 as of the most recent fiscal year end, and which provides a lump sum pension benefit based
 298.6 on a lump sum pension amount equal to \$9,500 or more, as of the effective date of this
 298.7 section.

298.8 (b) Notwithstanding any provision of Minnesota Statutes, section 424A.02, subdivision
 298.9 3, paragraph (d), to the contrary, the maximum lump-sum pension amount for each year of
 298.10 service credited that may be provided for in the bylaws of a qualifying volunteer firefighters
 298.11 relief association is the maximum service pension figure corresponding to the average
 298.12 amount of available financing per active covered firefighter for the applicable specified
 298.13 period:

298.14	<u>Minimum Average Amount of Available Financing</u>	<u>Maximum Lump-Sum Service</u>
298.15	<u>per Firefighter</u>	<u>Pension Amount Payable for Each</u>
298.16		<u>Year of Service</u>
298.17	\$...	\$ 10
298.18	<u>11</u>	<u>20</u>

298.19	<u>16</u>	<u>30</u>
298.20	<u>23</u>	<u>40</u>
298.21	<u>27</u>	<u>50</u>
298.22	<u>32</u>	<u>60</u>
298.23	<u>43</u>	<u>80</u>
298.24	<u>54</u>	<u>100</u>
298.25	<u>65</u>	<u>120</u>
298.26	<u>77</u>	<u>140</u>
298.27	<u>86</u>	<u>160</u>
298.28	<u>97</u>	<u>180</u>
298.29	<u>108</u>	<u>200</u>
298.30	<u>131</u>	<u>240</u>
298.31	<u>151</u>	<u>280</u>
298.32	<u>173</u>	<u>320</u>
298.33	<u>194</u>	<u>360</u>
298.34	<u>216</u>	<u>400</u>
298.35	<u>239</u>	<u>440</u>
298.36	<u>259</u>	<u>480</u>
298.37	<u>281</u>	<u>520</u>
299.1	<u>302</u>	<u>560</u>
299.2	<u>324</u>	<u>600</u>
299.3	<u>347</u>	<u>640</u>
299.4	<u>367</u>	<u>680</u>
299.5	<u>389</u>	<u>720</u>

299.6	<u>410</u>	<u>760</u>
299.7	<u>432</u>	<u>800</u>
299.8	<u>486</u>	<u>900</u>
299.9	<u>540</u>	<u>1000</u>
299.10	<u>594</u>	<u>1100</u>
299.11	<u>648</u>	<u>1200</u>
299.12	<u>702</u>	<u>1300</u>
299.13	<u>756</u>	<u>1400</u>
299.14	<u>810</u>	<u>1500</u>
299.15	<u>864</u>	<u>1600</u>
299.16	<u>918</u>	<u>1700</u>
299.17	<u>972</u>	<u>1800</u>
299.18	<u>1026</u>	<u>1900</u>
299.19	<u>1080</u>	<u>2000</u>
299.20	<u>1134</u>	<u>2100</u>
299.21	<u>1188</u>	<u>2200</u>
299.22	<u>1242</u>	<u>2300</u>
299.23	<u>1296</u>	<u>2400</u>
299.24	<u>1350</u>	<u>2500</u>
299.25	<u>1404</u>	<u>2600</u>
299.26	<u>1458</u>	<u>2700</u>
299.27	<u>1512</u>	<u>2800</u>
299.28	<u>1566</u>	<u>2900</u>
299.29	<u>1620</u>	<u>3000</u>

299.30	<u>1672</u>	<u>3100</u>
299.31	<u>1726</u>	<u>3200</u>
299.32	<u>1753</u>	<u>3250</u>
299.33	<u>1780</u>	<u>3300</u>
299.34	<u>1820</u>	<u>3375</u>
299.35	<u>1834</u>	<u>3400</u>
299.36	<u>1888</u>	<u>3500</u>
299.37	<u>1942</u>	<u>3600</u>
299.38	<u>1996</u>	<u>3700</u>
300.1	<u>2023</u>	<u>3750</u>
300.2	<u>2050</u>	<u>3800</u>
300.3	<u>2104</u>	<u>3900</u>
300.4	<u>2158</u>	<u>4000</u>
300.5	<u>2212</u>	<u>4100</u>
300.6	<u>2265</u>	<u>4200</u>
300.7	<u>2319</u>	<u>4300</u>
300.8	<u>2373</u>	<u>4400</u>
300.9	<u>2427</u>	<u>4500</u>
300.10	<u>2481</u>	<u>4600</u>
300.11	<u>2535</u>	<u>4700</u>
300.12	<u>2589</u>	<u>4800</u>
300.13	<u>2643</u>	<u>4900</u>
300.14	<u>2697</u>	<u>5000</u>
300.15	<u>2751</u>	<u>5100</u>

300.16	<u>2805</u>	<u>5200</u>
300.17	<u>2859</u>	<u>5300</u>
300.18	<u>2913</u>	<u>5400</u>
300.19	<u>2967</u>	<u>5500</u>
300.20	<u>3021</u>	<u>5600</u>
300.21	<u>3075</u>	<u>5700</u>
300.22	<u>3129</u>	<u>5800</u>
300.23	<u>3183</u>	<u>5900</u>
300.24	<u>3237</u>	<u>6000</u>
300.25	<u>3291</u>	<u>6100</u>
300.26	<u>3345</u>	<u>6200</u>
300.27	<u>3399</u>	<u>6300</u>
300.28	<u>3453</u>	<u>6400</u>
300.29	<u>3507</u>	<u>6500</u>
300.30	<u>3561</u>	<u>6600</u>
300.31	<u>3615</u>	<u>6700</u>
300.32	<u>3669</u>	<u>6800</u>
300.33	<u>3723</u>	<u>6900</u>
300.34	<u>3777</u>	<u>7000</u>
300.35	<u>3831</u>	<u>7100</u>
300.36	<u>3885</u>	<u>7200</u>
300.37	<u>3939</u>	<u>7300</u>
300.38	<u>3993</u>	<u>7400</u>
301.1	<u>4047</u>	<u>7500</u>

301.2	<u>4101</u>	<u>7600</u>
301.3	<u>4155</u>	<u>7700</u>
301.4	<u>4209</u>	<u>7800</u>
301.5	<u>4263</u>	<u>7900</u>
301.6	<u>4317</u>	<u>8000</u>
301.7	<u>4371</u>	<u>8100</u>
301.8	<u>4425</u>	<u>8200</u>
301.9	<u>4479</u>	<u>8300</u>
301.10	<u>4533</u>	<u>8400</u>
301.11	<u>4587</u>	<u>8500</u>
301.12	<u>4641</u>	<u>8600</u>
301.13	<u>4695</u>	<u>8700</u>
301.14	<u>4749</u>	<u>8800</u>
301.15	<u>4803</u>	<u>8900</u>
301.16	<u>4857</u>	<u>9000</u>
301.17	<u>4911</u>	<u>9100</u>
301.18	<u>4965</u>	<u>9200</u>
301.19	<u>5019</u>	<u>9300</u>
301.20	<u>5073</u>	<u>9400</u>
301.21	<u>5127</u>	<u>9500</u>
301.22	<u>5181</u>	<u>9600</u>
301.23	<u>5235</u>	<u>9700</u>
301.24	<u>5289</u>	<u>9800</u>
301.25	<u>5343</u>	<u>9900</u>

301.26	<u>5397</u>	<u>10,000</u>
301.27	<u>5451</u>	<u>10,100</u>
301.28	<u>5505</u>	<u>10,200</u>
301.29	<u>5559</u>	<u>10,300</u>
301.30	<u>5613</u>	<u>10,400</u>
301.31	<u>5667</u>	<u>10,500</u>
301.32	<u>5721</u>	<u>10,600</u>
301.33	<u>5775</u>	<u>10,700</u>
301.34	<u>5729</u>	<u>10,800</u>
301.35	<u>5883</u>	<u>10,900</u>
301.36	<u>5937</u>	<u>11,000</u>
301.37	<u>5991</u>	<u>11,100</u>
301.38	<u>6045</u>	<u>11,200</u>
302.1	<u>6099</u>	<u>11,300</u>
302.2	<u>6153</u>	<u>11,400</u>
302.3	<u>6207</u>	<u>11,500</u>
302.4	<u>6261</u>	<u>11,600</u>
302.5	<u>6315</u>	<u>11,700</u>
302.6	<u>6369</u>	<u>11,800</u>
302.7	<u>6423</u>	<u>11,900</u>
302.8	<u>6477</u>	<u>12,000</u>
302.9	<u>6531</u>	<u>12,100</u>
302.10	<u>6585</u>	<u>12,200</u>
302.11	<u>6639</u>	<u>12,300</u>

302.12	<u>6693</u>	<u>12,400</u>
302.13	<u>6747</u>	<u>12,500</u>
302.14	<u>any amount in excess of 6747</u>	<u>12,500</u>

302.15 (c) The maximum monthly service pension amount per month for each year of service
 302.16 credited that may be provided for in the bylaws of the volunteer firefighters relief association
 302.17 must be set pursuant to Minnesota Statutes, section 424A.02, subdivision 3, paragraph (c).

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

302.19 Sec. 84. **VETERANS HOMES CONSTRUCTION.**

302.20 Subdivision 1. **Short title.** This section may be cited as the "People's Veterans Homes
 302.21 Act."

302.22 Subd. 2. **Veterans homes established.** (a) The commissioner of veterans affairs may
 302.23 apply for federal funding and establish veterans homes with up to 140 beds available to
 302.24 provide a continuum of care, including skilled nursing care, for eligible veterans and their
 302.25 spouses in the following locations:

302.26 (1) Preston;

302.27 (2) Montevideo; and

302.28 (3) Bemidji.

302.29 (b) The state shall provide the necessary operating costs for the veterans homes in excess
 302.30 of any revenue and federal funding for the homes that may be required to continue the
 302.31 operation of the homes and care for Minnesota veterans.

302.32 Subd. 3. **Nonstate contribution.** The commissioner of administration may accept
 302.33 contributions of land or money from private individuals, businesses, local governments,
 303.1 veterans service organizations, and other nonstate sources for the purpose of providing
 303.2 matching funding when soliciting federal funding for the development of the homes
 303.3 authorized by this section.

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

30.15 Sec. 44. **REVISOR'S INSTRUCTION.**

30.16 (a) The revisor of statutes shall change "Office of MN.IT Services" to "Division of
 30.17 Information Technology" and change "commissioner of MN.IT Services" to "commissioner
 30.18 of administration" wherever these terms occur in Minnesota Statutes. The revisor of statutes
 30.19 shall change "the office" to "the division" throughout Minnesota Statutes, chapter 16E.

30.20 (b) The revisor of statutes shall recodify Minnesota Statutes, chapter 16E, in Minnesota
 30.21 Statutes, chapter 16B.

30.22 Sec. 45. **REPEALER.**

30.23 (a) Minnesota Statutes 2016, section 16E.145, is repealed.

30.24 (b) Minnesota Statutes 2016, section 155A.28, subdivisions 1, 3, and 4, are repealed.

30.25 (c) Laws 2017, First Special Session chapter 4, article 2, section 59, is repealed.

303.5 Sec. 85. **REPORT ON INFORMATION TECHNOLOGY CONSOLIDATION.**

303.6 No later than January 15, 2019, the Campaign Finance and Public Disclosure Board,
 303.7 the State Lottery, the Statewide Radio Board, the Minnesota State Retirement System, the
 303.8 Public Employees Retirement Association, the Teachers Retirement Association, and the
 303.9 State Board of Investment must each submit a report to the legislative committees with
 303.10 jurisdiction over state government finance on the impacts of the information technology
 303.11 services consolidation required by this act. The reports required by this section must be
 303.12 developed in consultation with the state chief information officer and must detail:

303.13 (1) the expected costs to the entity to complete the consolidation;

303.14 (2) whether the state chief information officer and the entity agree that all conditions
 303.15 for the certification required by this act have been met; and

303.16 (3) if all conditions for the certification have not been met, the joint work plan of the
 303.17 entity and the state chief information officer to address the unresolved issues in a way that
 303.18 leads to certification and, if applicable, recommendations for any additional legislation
 303.19 needed to complete that work.

303.20 Sec. 86. **REVISOR'S INSTRUCTION.**

303.21 In Minnesota Statutes, chapter 13, the revisor of statutes shall replace the term
 303.22 "commissioner of administration" with "chief administrative law judge" and the term
 303.23 "commissioner" with "chief administrative law judge" where it is clear the text is referring
 303.24 to the commissioner of administration.

304.3 Subd. 5. **Legislative Budget Office.** Minnesota Statutes 2017 Supplement, section 3.98,
 304.4 subdivision 4, and Laws 2017, First Special Session chapter 4, article 2, section 59, are
 304.5 repealed, effective January 8, 2018.

303.25 Sec. 87. **REPEALERS.**

303.26 Subdivision 1. **Continuity of legislature.** Minnesota Statutes 2016, sections 3.93; 3.94;
303.27 3.95; and 3.96, are repealed, effective July 1, 2018.

303.28 Subd. 2. **Data practices transfer.** Minnesota Statutes 2016, section 13.02, subdivision
303.29 2, is repealed, effective July 1, 2018.

303.30 Subd. 3. **Attorney general contingent fees.** Minnesota Statutes 2016, section 8.10, is
303.31 repealed, effective July 1, 2018.

304.1 Subd. 4. **Hair braiding.** Minnesota Statutes 2016, section 155A.28, subdivisions 1, 3,
304.2 and 4, are repealed, effective July 1, 2018.

304.6 Subd. 6. **Metropolitan Council.** Minnesota Statutes 2016, section 473.123, subdivision
304.7 3, and Laws 1994, chapter 628, article 1, section 8, are repealed, effective January 1, 2019.