

January 11, 2021

**To** State Government Finance and Elections Committee Members

**From** Matt Gehring, Legislative Analyst

**Subject** Agencies Within the Committee's Jurisdiction

This document provides a brief summary of each agency within the jurisdiction of the State Government Finance and Elections Committee, including a guide to the major governing laws related to the duties and organization of each agency.

## Legislature

The legislative branch consists of three separately-funded entities: the House, the Senate, and the Legislative Coordinating Commission.

### Major governing laws:

Minn. Const. Art. IV

Minn. Stat. Ch. 3

### Significant recent policy changes:

**Legislative Budget Office.** A new Legislative Budget Office was created in 2017 to administer the state's fiscal note process. The office began overseeing the fiscal note process beginning with the 2020 regular legislative session.

*Minn. Stat. § 3.8853-3.8854.*

**Advisory Task Force on State Employment and Retention of Employees with Disabilities.** In 2019, the legislature directed a task force to study strategies for attracting and retaining state employees with disabilities. This report is due to be submitted to the committee by January 15, 2021.

**Accessibility in the legislature's information technology.** In 2019, a law was enacted that requires the legislature to comply with the same accessibility standards for information technology that currently apply to executive branch state agencies beginning no later than October 1, 2024. A Legislative Employee Working Group on the Legislature's Accessibility Measures must be convened in the summer of 2021 to study and develop a plan for compliance with this requirement.

## Governor and Lieutenant Governor

The Offices of the Governor and Lieutenant Governor are funded as a single joint entity.

### Major governing laws:

Minn. Const. Art. V

Minn. Stat. Ch. 4

## State Auditor

The state auditor conducts audits and administers other activities related to the oversight of local government finances. The constitutional Office of the State Auditor is separate from the Office of the Legislative Auditor, which is an office within the legislative branch that reviews activities and finances of state government entities.

### Major governing laws:

Minn. Const. Art. V

Minn. Stat. Ch. 6

## Attorney General

The attorney general is responsible for representing the state's legal interests in court and in other legal proceedings. The law provides a particular focus for the attorney general's office on consumer issues.

### Major governing laws:

Min. Const. Art. V

Minn. Stat. Ch. 8

## Secretary of State

The secretary of state's highest-profile role is the administration of elections, but the secretary is also responsible for a variety of other programs and functions, including overseeing business registrations, notaries public laws, the Safe at Home program, the state's open appointments process, and the receipt and maintenance of certain official state documents.

- **Recent Legislative Auditor Report:** In 2018, the Office of the Legislative Auditor conducted a program evaluation of the state's voter registration laws and practices. A copy of that report, with a 2019 supplement, is available [here](#).
- **Upcoming Legislative Auditor Report:** A special review by the Office of the Legislative Auditor is ongoing related to the use of election pollfinder technology at the 2020 presidential nomination primary.

### Major governing laws:

Minn. Const. Art. V

Minn. Stat. Ch. 5 (Including general duties and business filings)

Minn. Stat. Ch. 5C (Safe at Home program)

Minn. Stat. Ch. 200-212 (Elections administration)

## Campaign Finance and Public Disclosure Board

The Campaign Finance and Public Disclosure Board administers a variety of state laws governing campaign finance, including the public subsidy program. It also is responsible for receiving statements of economic interest from public officials and administering laws related to lobbying.

The board consists of six members, appointed by the governor with the advice and consent of both the House and the Senate.

**Major governing laws:**

Minn. Stat. Ch. 10A

## **State Board of Investment**

The State Board of Investment is responsible for managing the investment of state assets, including state pension funds, consistent with goals and duties provided by law. The board consists of the governor, state auditor, secretary of state, and the attorney general.

**Major governing laws:**

Minn. Const. Art. XI, § 8

Minn. Stat. Ch. 11A

## **Office of Administrative Hearings**

The Office of Administrative Hearings is an executive branch agency that performs a variety of functions related to the implementation of administrative law. This includes overseeing administrative rulemaking procedures, conducting “contested case” proceedings, hearing complaints and claims related to government data practices, political campaign practices, worker’s compensation laws, and considering requests for municipal boundary adjustments.

The office is led by a chief administrative law judge appointed by the governor.

**Major governing laws:**

Minn. Stat. § 14.48

## **Office of MN.IT Services**

The Office of MN.IT Services is responsible for managing and overseeing information technology services and projects across state government. Most state agencies, boards, and commissions in the executive branch are now subject to the jurisdiction of MN.IT. The office is the product of a law first enacted in 2011 to consolidate all state IT services into a single state agency (prior to the consolidation, each agency was responsible for its own IT staff and services).

The office is led by the state chief information officer, appointed by the governor.

- **Recent Legislative Auditor Report:** In 2019, the Office of the Legislative Auditor released a program evaluation of MN.IT, with particular interest in the effectiveness of the 2011 IT consolidation law, whether MN.IT is meeting the IT needs of the agencies it serves, and whether the budgeting process for IT services is transparent and consistently applied. The evaluation report is available [here](#), with a supplement to the report released in 2020, [here](#).
- **Upcoming Legislative Auditor Report:** An information technology audit, reviewing Disaster Recovery Strategies for Critical IT Systems, is expected to be completed by the Office of the Legislative Auditor in May 2021.
- **Blue Ribbon Council:** In 2019, the governor established a Blue Ribbon Council on Information Technology. The council’s scope of work was continued in 2020. The purpose

of the Blue Ribbon Council is to review and clarify the work of MN.IT, serve as a consultant for MN.IT and state agencies, and review legislation and state policies and practices related to IT services. The council's 2020 report is available [here](#). The work of the council is ongoing.

**Major governing laws:**

Minn. Stat. Ch. 16E

## **Department of Administration**

The Department of Administration provides numerous services related to the operation of state government. Many of these services are designed specifically to facilitate the work of other state agencies with more public-facing missions. Among the major duties of the Department of Administration are the oversight of state contracting laws and management of buildings and facilities that are state-owned or state-leased. The department also houses or facilitates the work of a number of small departments, offices, and services.

The Department of Administration also operates as the pass-through agency for grants to public television and public radio stations in the state.

In 2019-20, the Department of Administration was responsible for overseeing a Census 2020 Mobilization program to increase participation of Minnesotans in the 2020 United States Census.

**Major governing laws:**

Minn. Stat. Ch. 16B

Minn. Stat. Ch. 16C (state contracting)

## **Capitol Area Architectural and Planning Board (CAAPB)**

The CAAPB is responsible for preserving and enhancing the State Capitol, and the grounds and buildings immediately adjacent to it.

The board consists of the Lieutenant Governor, four appointees of the governor, three appointees of the mayor of St. Paul, two members of the House of Representatives, and two members of the Senate.

**Major governing laws:**

Minn. Stat. Ch. 15B

## **Minnesota Management and Budget (MMB)**

Minnesota Management and Budget, formerly referred to as the Department of Finance, is responsible for monitoring and administering state finances, including development and implementation of the biennial state budget and assisting in the preparation of the state budget forecasts. MMB also negotiates state employee labor contracts, and manages the State Employee Insurance Program.

In addition to appropriations for agency operations, the State Government Finance bill includes appropriations for two accounts administered by MMB:

- **General Contingent Accounts.** The contingent accounts provide small appropriations available for unexpected costs during a fiscal year. Spending from these accounts requires approval of the governor and consultation with the Legislative Advisory Commission.
- **Tort Claims.** The tort claims account contains a small appropriation to support payment of state liabilities in the event an agency is found liable for damages in a lawsuit and does not have sufficient resources to pay the full amount of damages owed.

**Major governing laws:**

Minn. Stat. Ch. 16A

**Department of Revenue**

The Department of Revenue is responsible for administering various state tax laws, including the collection of taxes and distribution of refunds.

**Major governing laws:**

Minn. Stat. Ch. 270C

**Gambling Control Board**

The Gambling Control Board is responsible for a variety of duties related to the regulation of lawful gambling in Minnesota. These duties include the licensing, registration, and permitting of certain gambling activities.

The board consists of seven members: five appointed by the governor, one appointed by the commissioner of public safety, and one appointed by the attorney general.

**Major governing laws:**

Minn. Stat. Ch. 349

**Racing Commission**

The Racing Commission is responsible for overseeing laws governing horse racing and card playing, including issuing licenses to employees of horse racing tracks in the state and ensuring safety standards are met. The Commission also promotes horse racing and breeding as a tool for economic development in the state.

The commission consists of nine members appointed by the governor. It maintains offices at Canterbury Park and Running Aces.

**Significant recent policy changes:**

In 2019, the legislature enacted a law providing ongoing appropriations to the Racing Commission in the event a state budget is not enacted before the beginning of a biennium.

**Major governing laws:**

Minn. Stat. Ch. 240

## **State Lottery**

The State Lottery promotes, administers, and oversees the integrity of various authorized games of chance, ranging from scratch-off tickets to the major multi-state lotto drawings, and the awarding of lottery prizes.

The State Lottery is led by a director appointed the governor.

### **Major governing laws:**

Minn. Stat. Ch. 349A

## **Minnesota Amateur Sports Commission (MASC)**

The MASC is responsible for promoting the economic and social benefits of amateur sports in Minnesota. The MASC's highest profile activity is its governance of the Amateur Sports Center in Blaine, but it has supported the development of several other sports venues throughout the state. It also organizes the annual "Star of the North" games.

The commission administers Hennepin Youth Sports Program grants and, when appropriations are available in law, grant programs for local ice facilities known as the James Metzen Mighty Ducks grant program.

The commission consists of 14 voting members: a total of ten voting members are appointed by the governor, two are appointed by the commission itself, and one each are appointed by the House Speaker and Senate majority leader. Additionally, four legislators (one from each caucus within both houses) serve as nonvoting members.

### **Major governing laws:**

Minn. Stat. Ch. 240A

## **Minnesota's "Ethnic Councils"**

Three councils, often referred to informally as the "Ethnic Councils," exist to provide a voice for implementation of economic, social, legal, and political equality for their constituent communities. Each council is specifically tasked with providing advice to the governor and the legislature on issues confronting their communities, and to serve as a liaison between state government and organizations that serve their communities.

The three Ethnic Councils are as follows:

- **Council for Minnesotans of African Heritage**
- **Council on Latino Affairs**
- **Council on Asian-Pacific Minnesotans**

Each council consists of 15 voting members: 11 are appointed by the governor, and four are legislators appointed by the legislative leadership in each body.

### **Major governing law:**

Minn. Stat. § 15.0145

## Indian Affairs Council

Though sometimes perceived as one of the state’s “ethnic councils,” the Indian Affairs Council is organized under a separate statute. It serves a similar, but still distinct, mission compared to the ethnic councils as a liaison between tribal governments and the state.

The council consists of eleven members designated to represent the federally-recognized tribes of Minnesota, and seventeen nonvoting members representing various departments of state government, including the legislature.

### Major governing law:

Minn. Stat. § 3.922

## Minnesota Historical Society (MNHS)

The Minnesota Historical Society is a nonprofit corporation, originally chartered in 1849 by Minnesota’s then-territorial legislature. The society maintains a large collection of historic artifacts related to Minnesota’s history, including the official state archives, and supports or operates numerous museums and historic sites across the state, including the Minnesota History Center and the State Capitol. It is engaged in ongoing preservation and educational work related to state history. The MNHS’s operations are supported by a state appropriation in addition to private donations and sponsorships.

### Major governing laws:

Minnesota Historical Society Charter (1849)

Minn. Stat. Ch. 138

## Minnesota Board of the Arts

The State Arts Board is responsible for stimulating and encouraging the creation, performance, and appreciation of arts within the state. Among other activities, the board supports or administers several arts-related grant programs, including grants from the Arts and Cultural Heritage Fund authorized as part of the 2008 state constitutional amendment commonly-referred to as the “Legacy” amendment.

The board consists of 11 members appointed by the governor.

- **Recent Legislative Auditor Report:** In 2019, the Office of the Legislative Auditor completed a program evaluation of the State Arts Board’s grantmaking procedures, with a particular interest in measuring outcomes of grants provided and ensuring appropriate use of funds. The report, along with a 2020 supplement, is available [here](#).

### Major governing laws:

Minn. Stat. Ch. 129D

## Minnesota Humanities Center

The Minnesota Humanities Center is a nonprofit organization established by law, directed to “advance the study of humanities and enhance the work of schools, colleges, and cultural organizations throughout the state.” In addition to appropriations provided by law, Humanities Center programs are supported by the National Endowment for the Humanities and the state constitution’s Arts and Cultural

Heritage Fund. The Humanities Center also administers grant programs to facilitate programs and activities related to the work of the humanities by private organizations.

**Major governing law:**

Minn. Stat. § 138.991

### **Board of Accountancy**

The Board of Accountancy is the regulatory body with oversight over the practice of accounting by Certified Public Accountants, Registered Accounting Practitioners, and others. It adopts standards of practice, including continuing education requirements, issues certifications and registrations, and has authority to enforce the laws governing the practice of accounting.

The board consists of nine members appointed by the governor.

**Major governing law:**

Minn. Stat. Ch. 326A

### **Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience, and Interior Design (AELSLAGID)**

The AELSLAGID Board adopts professional standards, issues licenses and certifications, and enforces the laws and rules governing the practice of the various professions within its jurisdiction.

The board consists of 21 members appointed by the governor.

**Major governing law:**

Minn. Stat. §§ 326.02-326.15

### **Board of Cosmetologist Examiners**

The Board of Cosmetologist Examiners adopts professional standards and enforces laws governing the practice of cosmetology. It issues licenses for cosmetologists, nail technicians, estheticians, eyelash technicians, advanced practice estheticians, salon managers, and instructors. It also issues licenses for salons offering cosmetology services. Individuals engaged in the practice of hair braiding are required to register with the board, but are not licensed.

The board consists of seven members, appointed by the governor.

**Significant recent policy changes:**

In 2019, the legislature exempted the practice of hair braiding from the board's oversight.

- **Upcoming Legislative Auditor Report:** A program evaluation of the licensing practices of the Board of Cosmetologist Examiners is ongoing by the Office of the Legislative Auditor. The evaluation is expected to be complete in April 2021. Details regarding its scope are available [here](#).

**Major governing law:**

Minn. Stat. Ch. 155A



## **Board of Barber Examiners**

The Board of Barber Examiners adopts professional standards and enforces laws governing the practice of barbering. It administers the registration process for barbers, barber shops, and barber schools providing services in the state.

The board consists of five members, appointed by the governor.

### **Major governing law:**

Minn. Stat. Ch. 154

## **Minnesota State Pension Plans**

Direct state aid for the major state pension plans are supported through appropriations in the state government finance bill. Most funding provisions for the state's pensions plans are contained in a separate pension policy bill, and those costs are typically tracked separately from the state government finance committee's work. Each year, a pension bill is recommended to the legislature by the Legislative Commission on Pensions and Retirement.

State pension plans receiving appropriations in the State Government Finance bill are:

- **Minnesota State Retirement System (MSRS)**
- **Public Employees Retirement Association (PERA)**
- **Teachers Retirement Association (TRA)**
- **St. Paul Teachers Retirement Fund**

### **Resource for locating and understanding state pension law:**

Legislative Commission on Pensions and Retirement, including commission staff.

<https://www.lcpr.leg.mn/>

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