

1.1 moves to amend H.F. No. 2320, the first engrossment, as follows:

1.2 Page 6, delete lines 14 to 18 and insert:

1.3 "(c) The following protections shall apply to employees who are transferred to the
1.4 department from originating state agencies:

1.5 (1) no transferred employee shall have their employment status and job classification
1.6 altered as a result of the transfer;

1.7 (2) such transferred employees who were represented by an exclusive representative
1.8 prior to the transfer shall continue to be represented by the same exclusive representative
1.9 after the transfer;

1.10 (3) the applicable collective bargaining agreements with exclusive representatives shall
1.11 continue in full force and effect for such transferred employees after the transfer;

1.12 (4) the state shall have the obligation to meet and negotiate with the exclusive
1.13 representatives of the transferred employees about any proposed changes affecting or relating
1.14 to such transferred employees' terms and conditions of employment to the extent such
1.15 changes are not addressed in the applicable collective bargaining agreement; and

1.16 (5) in the event that the state transfers ownership or control of any of the facilities,
1.17 services, or operations of the department to another entity, whether private or public, by
1.18 subcontracting, sale, assignment, lease, or other transfer, the state shall require as a written
1.19 condition of such transfer of ownership or control the following:

1.20 (i) employees who perform work in such facilities, services, or operations shall be offered
1.21 employment with the entity acquiring ownership or control before the entity offers
1.22 employment to any individual who was not employed by the transferring agency at the time
1.23 of the transfer; and

2.1 (ii) the wage and benefit standards of such transferred employees shall not be reduced
 2.2 by the entity acquiring ownership or control through the expiration of the collective
 2.3 bargaining agreement in effect at the time of the transfer or for a period of two years after
 2.4 the transfer, whichever is longer.

2.5 There is no liability on the part of, and no cause of action arises against, the state of
 2.6 Minnesota or its officers or agents for any action or inaction of any entity acquiring ownership
 2.7 or control of any facilities, services, or operations of the department."

2.8 Page 6, before line 19, insert:

2.9 "(d) To the extent that departmental changes affect the operations of any school district
 2.10 or charter school, employers have the obligation to bargain about any changes affecting or
 2.11 relating to employees' terms and conditions of employment if such changes are necessary
 2.12 during or after the term of an existing collective bargaining agreement."

2.13 Page 7, delete subdivision 3

2.14 Page 12, after line 17, insert:

2.15 "(g) The commissioner of children, youth, and families must provide four successive
 2.16 quarterly reports to relevant legislative committees on the status of transferring programs,
 2.17 responsibilities, and personnel under this section. The first report must cover the quarter
 2.18 starting July 1, 2024, and each report must be submitted by the 15th of the month following
 2.19 the quarter end."

2.20 Page 14, after line 26, insert:

2.21 "Sec. **TRANSITION REPORT TO THE LEGISLATURE.**

2.22 By March 1, 2024, the commissioner of management and budget must report to the
 2.23 legislature on the status of work related to establishing and setting up the Department of
 2.24 Children, Youth, and Families. The report must address, at a minimum:

2.25 (1) the completed, ongoing, and anticipated work related to the transfer of programs,
 2.26 responsibilities, and personnel to the department;

2.27 (2) the development of interagency agreements for services that will be shared across
 2.28 agencies;

2.29 (3) a description of efforts to secure needed federal approvals for the transfer of programs
 2.30 and responsibilities;

3.1 (4) engagement with leaders and staff of state agencies; Tribal governments; local service
3.2 providers, including but not limited to county agencies, Tribal organizations, and school
3.3 districts; families; and relevant stakeholders about the creation of the department and the
3.4 transfer of programs, responsibilities, and personnel to the department; and

3.5 (5) plans and timelines related to the items referenced in clauses (1) through (4).

3.6 Sec. **DATA PRACTICES.**

3.7 (a) To the extent not prohibited by state or federal law, and notwithstanding the data's
3.8 classification under chapter 13:

3.9 (1) the commissioner of children, youth, and families may access data maintained by
3.10 the commissioners of education, human services, and public safety related to the
3.11 responsibilities transferred under section 15 of this act; and

3.12 (2) the commissioners of education, human services, and public safety may access data
3.13 maintained by the commissioner of children, youth, and families related to each department's
3.14 respective responsibilities transferred under section 15 of this act.

3.15 (b) Data sharing authorized by this subdivision includes only the data necessary to
3.16 coordinate department activities and services transferred under section 15 of this act.

3.17 (c) Any data shared under this subdivision retain their classification from the agency
3.18 holding the data.

3.19 (d) Existing limitations and legal requirements under chapter 13, including but not limited
3.20 to any applicable data subject consent requirements, apply to any data accessed, transferred,
3.21 disseminated, or shared under this subdivision.

3.22 (e) This section expires July 1, 2027."

3.23 Renumber the sections in sequence and correct the internal references

3.24 Amend the title accordingly