

1.1 ..... moves to amend H.F. No. 784 as follows:

1.2 Page 5, delete sections 1 and 2 and insert:

1.3 "Section 1. AFFIRMATIVE ACTION.

1.4 Subdivision 1. Duties of commissioner. The commissioner of management and budget  
1.5 shall provide oversight and enforcement to all state agencies, departments, and offices by:

1.6 (1) directing all state agencies, departments, and offices to implement current and future  
1.7 layoffs, furloughs, pay cuts, or freezes of job vacancies in all job categories so as not to  
1.8 result in a disparate impact on each protected group;

1.9 (2) implementing actions to prevent regression in each protected group of employees  
1.10 the state has gained in recent years that addressed, to some extent, the historic underutilization  
1.11 of each protected group; and

1.12 (3) auditing the use of the statewide affirmative action program by state agencies,  
1.13 departments, and offices for the filling of all current vacancies where underutilization of  
1.14 each protected group exists.

1.15 Subd. 2. Quarterly progress report. On a quarterly basis beginning October 1, 2021,  
1.16 the commissioner must prepare a report detailing progress in implementing the duties  
1.17 required by this section. The report must be published on the commissioner's website and  
1.18 provided to the chairs and ranking minority members of the legislative committees with  
1.19 jurisdiction over state government finance and policy.

1.20 Sec. 2. CONTRACT PROCUREMENT.

1.21 Subdivision 1. Duties of commissioner. The commissioner of administration shall:

1.22 (1) enhance a narrowly tailored race-based, business-conscious contract procurement  
1.23 program that emphasizes utilizing African American-owned businesses that is designed to

2.1 ensure equal participation of all businesses based on the proportion of their availability by  
2.2 race, gender, disability, and veteran status; and

2.3 (2) utilize a race-conscious approach to remedy the statistical disparities identified in  
2.4 the state's disparity studies included in Mason Tillman, 1999, MGT America, 2009, and  
2.5 Keenen Research Group, 2018.

2.6 Subd. 2. **Quarterly progress report.** On a quarterly basis beginning October 1, 2021,  
2.7 the commissioner must prepare a report detailing progress in implementing the duties  
2.8 required by this section. The report must be published on the commissioner's website and  
2.9 provided to the chairs and ranking minority members of the legislative committees with  
2.10 jurisdiction over state government finance and policy."