

**Subject** Establishing a Department of Children, Youth, and Families

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## Overview

This bill establishes a new state agency, the Department of Children, Youth, and Families, effective July 1, 2024. The bill gives authority to the commissioner of management and budget and the commissioner of children, youth, and families to take various actions to set up the new department and identifies programs and responsibilities in the Departments of Education, Human Services, and Public Safety to transfer to the new department as early as July 1, 2024.

The bill appropriates a total of \$7,370,000 in fiscal year 2024 to the commissioner of management and budget to support the establishment of the new department.

## Summary

Section	Description
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<b>1</b>	<b>Children's Cabinet.</b>
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Amends § 4.045. Adds the commissioner of children, youth, and families to the list of commissioners that comprise the Children's Cabinet and removes the director of the Office of Strategic and Long-Range Planning (which was abolished in 2003).

The section is effective July 1, 2024.

<b>2</b>	<b>Definitions.</b>
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Amends § 10.65, subdivision 2. Adds the Department of Children, Youth, and Families to the definition of "agency" for purposes of statute governing state and Tribal government relationships.

This section is effective July 1, 2024.

<b>3</b>	<b>Departments of the state.</b>
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Amends § 15.01. Adds the Department of Children, Youth, and Families to the list of agencies designated as departments of state government.

Section	Description
	This section is effective July 1, 2024.
4	<b>Applicability.</b> Amends § 15.06, subdivision 1. Applies requirements that apply to commissioners of state agencies to the commissioner of children, youth, and families.  This section is effective July 1, 2024.
5	<b>Group I salary limits.</b> Amends § 15A.0815, subdivision 2. Adds the commissioner of children, youth, and families to the list of positions with salary limits that cannot exceed 133 percent of the governor’s salary.  This section is effective July 1, 2024.
6	<b>Additional unclassified positions.</b> Amends § 43A.08, subdivision 1a. Adds the Department of Children, Youth, and Families to the list of agencies that may designate additional unclassified positions.  This section is effective July 1, 2024.
7	<b>Definitions [Department of Children, Youth, and Families].</b> Creates § 143.01. Defines “commissioner” and “department” for use in the new chapter 143.  This section is effective July 1, 2024.
8	<b>Creation of the Department of Children, Youth, and Families.</b> Creates § 143.02.  <b>Subd. 1. Department.</b> Establishes the Department of Children, Youth, and Families.  <b>Subd. 2. Transfer and restructuring provisions.</b> Provides that transfers among agencies must be conducted in accordance with statutory requirements for transferring power and restructuring.  <b>Subd. 3. Successor and employee protection clause.</b> Establishes timelines for transferring personnel to the department. Provides that transferred employees retain the employment status, bargaining unit, civil service protection, and coverage under any collective bargaining agreements they had prior to the transfer.

Section	Description
	<p>This section is effective July 1, 2024.</p>
9	<p><b>Commissioner [Department of Children, Youth, and Families].</b> Creates § 143.03.</p> <p><b>Subd. 1. General.</b> Provides that the department is under the administrative control of the commissioner, who is appointed by the governor with the advice and consent of the Senate. Sets out the commissioner’s powers and salary.</p> <p><b>Subd. 2. Duties of the commissioner.</b> Lists the commissioner’s duties.</p> <p><b>Subd. 3. Coordination and innovation.</b> Clause (1) allows the department to access data of any classification held by other specified state agencies, counties, and school districts, provided such access is not prohibited by state or federal law. Clause (2) allows specified state agencies to access data of any classification held by the Department of Children, Youth, and Families, provided access is not prohibited by state or federal law. Clause (3) provides that data shared under this subdivision retain their classification statuses from the agency holding the data, and clause (4) provides that data under this subdivision may be shared with and used by specified agencies without the consent of the subject of the data.</p> <p>This section is effective July 1, 2024.</p>
10	<p><b>State and county systems [Department of Children, Youth, and Families].</b> Creates § 143.04.</p> <p><b>Subd. 1. Establishment of systems.</b> Directs the commissioner to establish and enhance computer systems needed for the operation of the programs administered by the department. Outlines how costs incurred for developing, maintaining, and operating needed computer systems may be distributed. Allows the commissioner to enter into contractual agreements with Indian Tribes with reservations in the state to participate in state-operated computer systems related to administration of specified programs.</p> <p><b>Subd. 2. State systems account created.</b> Creates a state systems account for the department in the state treasury. Provides that money collected for the programs in subdivision 1 must be deposited in the account, and money in the account and any federal matching money are appropriated to the commissioner for the purposes of this section.</p> <p>This section is effective July 1, 2024.</p>

Section	Description
11	<p><b>Rulemaking [Department of Children, Youth, and Families].</b></p> <p>Creates § 143.05. Gives the commissioner rulemaking authority and directs the commissioner to amend Minnesota Rules, with approval from specified state agencies, to make conforming changes related to transferring programs to the department.</p> <p>This section is effective July 1, 2024.</p>
12	<p><b>Establishment of systems.</b></p> <p>Amends § 256.014, subdivision 1. Makes conforming changes related to directing the commissioner of children, youth, and families to establish and enhance computer systems needed for the operation of the programs administered by the department.</p> <p>This section is effective July 1, 2024.</p>
13	<p><b>State systems account created.</b></p> <p>Amends § 256.014, subdivision 2. Makes conforming changes related to a state systems account being established in the state treasury for the Department of Children, Youth, and Families.</p> <p>This section is effective July 1, 2024.</p>
14	<p><b>Appointment of commissioner of children, youth, and families.</b></p> <p>Directs the governor to appoint a commissioner-designee of the Department of Children, Youth, and Families and provides that the appointed person becomes the governor's appointee for commissioner on July 1, 2024.</p> <p>This section is effective July 1, 2023.</p>
15	<p><b>Transfers from other agencies.</b></p> <p><b>Subd. 1. General.</b> Provides timelines and procedures for transferring the responsibilities and related unexpended balances of appropriations identified in the section to the Department of Children, Youth, and Families. Allows the commissioner of children, youth, and families or the commissioner of management and budget to make a request to the governor to extend or cancel the transfer of any responsibilities. Excepts the Department of Children, Youth, and Families from the statutory requirement providing that a state agency must be in existence for at least one year before being eligible to receive a transfer of personnel, power, or duties.</p>

**Section Description**

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**Subd. 2. Department of Human Services.** Transfers, according to the timelines established in subdivision 1, specified department responsibilities to the Department of Children, Youth, and Families.

**Subd. 3. Department of Education.** Transfers, according to the timelines established in subdivision 1, specified department responsibilities to the Department of Children, Youth, and Families.

**Subd. 4. Department of Public Safety.** Transfers, according to the timelines established in subdivision 1, specified department responsibilities to the Department of Children, Youth, and Families.

This section is effective July 1, 2024.

**16 Revisor instruction.**

Directs the revisor of statutes to work with specified state agencies and nonpartisan legislative offices to identify any needed changes to statutes or rules to fulfill the requirements of this act. Requires the revisor of statutes to submit draft legislation with the needed changes to the legislature by February 1, 2024.

**17 Appropriations.**

Paragraph (a) appropriates \$5,000,000 in fiscal year 2024 from the general fund to the commissioner of management and budget to support the creation of the Department of Children, Youth, and Families. Allows the commissioner of management and budget to transfer money held in the transition account to other agencies. This is a onetime appropriation available until June 30, 2025.

Paragraph (b) appropriates \$2,370,000 in fiscal year 2024 from the general fund to the commissioner of management and budget to set up and transition programs to the Department of Children, Youth, and Families. Allows the commissioner of management and budget to transfer all or part of the responsibility and funding to the commissioner of children, youth, and families beginning July 1, 2024. This is a onetime appropriation available until June 30, 2025.



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