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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3431

- 02/12/2024 Authored by Klevorn and Huot
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy
- 04/24/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
- 04/29/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
- 05/01/2024 Calendar for the Day
Bill was laid on the Table
- 05/06/2024 Bill was taken from the Table
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to state government; specifying administrative courts and work product

1.3 data; modifying the Administrative Procedure Act; modifying certain salaries of

1.4 employees of the Office of Administrative Hearings; making technical changes to

1.5 Department of Administration, Department of Information Technology Services,

1.6 and state personnel management provisions; establishing a state building renewable

1.7 energy, storage, and electric vehicle account; changing a reporting date for a report;

1.8 requiring reports of cybersecurity incidents; changing provisions for campaign

1.9 practices complaints, Capitol complex security, cemeteries, certain licensed

1.10 employment, Uniform Commercial Code, and notaries public; designating use of

1.11 certain State Capitol space; modifying provisions for Hennepin County and

1.12 Metropolitan Council; allowing Anoka County to build a jail and criminal justice

1.13 center; modifying provisions for the Department of Military Affairs and the

1.14 Department of Veterans Affairs; increasing the maximum bonded indebtedness

1.15 allowed for the State Armory Building Commission; designating Gopher Gunners

1.16 Memorial Bridge; assessing penalties; requiring reports; transferring money from

1.17 the general fund to the healthy and sustainable food options account; canceling

1.18 certain funds; appropriating money; amending Minnesota Statutes 2022, sections

1.19 14.05, subdivision 7; 14.08; 14.16, subdivision 3; 14.26, subdivision 3a; 14.386;

1.20 14.388, subdivision 2; 14.3895, subdivisions 2, 6; 14.48, subdivision 2; 14.62,

1.21 subdivision 2a; 15.994; 15A.083, subdivision 6a; 16B.055, subdivision 1; 16B.48,

1.22 subdivision 4; 16B.54, subdivision 2; 16B.97, subdivision 1; 16B.98, subdivision

1.23 1; 16C.137, subdivision 2; 16D.09, subdivision 1; 16E.01, subdivision 2; 16E.03,

1.24 subdivisions 3, 4, 5, 7; 16E.04, subdivisions 2, 3; 16E.07; 43A.316, subdivision

1.25 5; 161.14, by adding a subdivision; 193.143; 211B.33, subdivision 2; 211B.34,

1.26 subdivisions 1, 2; 211B.35, subdivisions 1, 3; 299E.01, subdivision 2; 326.10,

1.27 subdivision 8; 326A.04, subdivision 4; 331A.10, by adding a subdivision;

1.28 336.1-110; 358.645, subdivision 2; 358.71; 359.01, subdivision 5; 359.03,

1.29 subdivision 3; 383B.145, subdivision 5; Minnesota Statutes 2023 Supplement,

1.30 sections 10.65, subdivision 2; 16E.01, subdivision 3; 16E.03, subdivision 2; 307.08,

1.31 subdivision 3a; 473.145; Laws 1992, chapter 534, sections 7, subdivisions 1, 2,

1.32 3; 8, subdivision 2; 10, subdivision 4; 16; Laws 2023, chapter 38, article 1, section

1.33 3, subdivision 3; Laws 2023, chapter 62, article 1, section 11, subdivisions 2, 4;

1.34 proposing coding for new law in Minnesota Statutes, chapters 13; 14; 16B; 16E;

1.35 repealing Minnesota Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1,

1.36 2; 16E.055; 16E.20; 127A.095, subdivision 3; 211B.06; 471.9998; Laws 1979,

1.37 chapter 189, sections 1; 2, as amended; 3.

2.1 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

2.2 **ARTICLE 1**

2.3 **STATE GOVERNMENT APPROPRIATIONS**

2.4 Section 1. Laws 2023, chapter 62, article 1, section 11, subdivision 2, is amended to read:

2.5 Subd. 2. **Government and Citizen Services** 39,928,000 19,943,000

2.6 The base for this appropriation is \$17,268,000
 2.7 in fiscal year 2026 and \$17,280,000 in fiscal
 2.8 year 2027.

2.9 **Council on Developmental Disabilities.**

2.10 \$222,000 each year is for the Council on
 2.11 Developmental Disabilities.

2.12 **State Agency Accommodation**

2.13 **Reimbursement.** \$200,000 each year may be
 2.14 transferred to the accommodation account
 2.15 established in Minnesota Statutes, section
 2.16 16B.4805.

2.17 **Disparity Study.** \$500,000 the first year and
 2.18 \$1,000,000 the second year are to conduct a
 2.19 study on disparities in state procurement. This
 2.20 is a onetime appropriation.

2.21 **Grants Administration Oversight.**

2.22 \$2,411,000 the first year and \$1,782,000 the
 2.23 second year are for grants administration
 2.24 oversight. The base for this appropriation in
 2.25 fiscal year 2026 and each year thereafter is
 2.26 \$1,581,000.

2.27 Of this amount, \$735,000 the first year and
 2.28 \$201,000 the second year are for a study to
 2.29 develop a road map on the need for an
 2.30 enterprise grants management system and to
 2.31 implement the study's recommendation. This
 2.32 is a onetime appropriation.

3.1 **Risk Management Fund Property**

3.2 **Self-Insurance.** \$12,500,000 the first year is
3.3 for transfer to the risk management fund under
3.4 Minnesota Statutes, section 16B.85. This is a
3.5 onetime appropriation.

3.6 **Office of Enterprise Translations.**

3.7 \$1,306,000 the first year and \$1,159,000 the
3.8 second year are to establish the Office of
3.9 Enterprise Translations. \$250,000 each year
3.10 may be transferred to the language access
3.11 service account established in Minnesota
3.12 Statutes, section 16B.373.

3.13 **Capitol Mall Design Framework**

3.14 **Implementation.** \$5,000,000 the first year is
3.15 to implement the updated Capitol Mall Design
3.16 Framework, prioritizing the framework plans
3.17 identified in article 2, section 124. ~~This~~
3.18 ~~appropriation is available until December 31,~~
3.19 ~~2024.~~

3.20 **Parking Fund.** \$3,255,000 the first year and
3.21 \$1,085,000 the second year are for a transfer
3.22 to the state parking account to maintain the
3.23 operations of the parking and transit program
3.24 on the Capitol complex. These are onetime
3.25 transfers.

3.26 **Procurement; Environmental Analysis and**

3.27 **Task Force.** \$522,000 the first year and
3.28 \$367,000 the second year are to implement
3.29 the provisions of Minnesota Statutes, section
3.30 16B.312.

3.31 **Center for Rural Policy and Development.**

3.32 \$100,000 the first year is for a grant to the
3.33 Center for Rural Policy and Development.

3.34 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

4.1 Sec. 2. Laws 2023, chapter 62, article 1, section 11, subdivision 4, is amended to read:

4.2 **Subd. 4. Fiscal Agent** 31,121,000 23,833,000

4.3 The base for this appropriation is \$15,833,000
 4.4 in fiscal year 2026 and each fiscal year
 4.5 thereafter.

4.6 The appropriations under this section are to
 4.7 the commissioner of administration for the
 4.8 purposes specified.

4.9 **In-Lieu of Rent.** \$11,129,000 each year is for
 4.10 space costs of the legislature and veterans
 4.11 organizations, ceremonial space, and
 4.12 statutorily free space.

4.13 **Public Television.** (a) \$1,550,000 each year
 4.14 is for matching grants for public television.

4.15 (b) \$250,000 each year is for public television
 4.16 equipment grants under Minnesota Statutes,
 4.17 section 129D.13.

4.18 (c) \$500,000 each year is for block grants to
 4.19 public television under Minnesota Statutes,
 4.20 section 129D.13. Of this amount, up to three
 4.21 percent is for the commissioner of
 4.22 administration to administer the grants. ~~This~~
 4.23 ~~is a onetime appropriation.~~

4.24 (d) The commissioner of administration must
 4.25 consider the recommendations of the
 4.26 Minnesota Public Television Association
 4.27 before allocating the amounts appropriated in
 4.28 paragraphs (a) and (b) for equipment or
 4.29 matching grants.

4.30 **Public Radio.** (a) \$2,392,000 the first year
 4.31 and \$1,242,000 the second year are for
 4.32 community service grants to public
 4.33 educational radio stations. This appropriation

5.1 may be used to disseminate emergency
5.2 information in foreign languages. Any
5.3 unencumbered balance does not cancel at the
5.4 end of the first year and is available for the
5.5 second year. The association of Minnesota
5.6 Public Educational Radio Stations may use up
5.7 to four percent of this appropriation to help
5.8 the organization and its member stations to
5.9 better serve Minnesota's communities.

5.10 (b) \$142,000 each year is for equipment grants
5.11 to public educational radio stations. This
5.12 appropriation may be used for the repair,
5.13 rental, and purchase of equipment including
5.14 equipment under \$500.

5.15 (c) \$850,000 the first year is for grants to the
5.16 Association of Minnesota Public Educational
5.17 Radio Stations for the purchase of emergency
5.18 equipment and increased cybersecurity and
5.19 broadcast technology. The Association of
5.20 Minnesota Public Educational Radio Stations
5.21 may use up to four percent of this
5.22 appropriation ~~for costs that are directly related~~
5.23 ~~to and necessary for the administration of these~~
5.24 ~~grants~~ to help the organization and its member
5.25 stations to enhance cybersecurity, broadcast
5.26 technology, and emergency services.

5.27 (d) \$1,288,000 the first year is for a grant to
5.28 the Association of Minnesota Public
5.29 Educational Radio Stations to provide a
5.30 diverse community radio news service. Of this
5.31 amount, up to \$38,000 is for the commissioner
5.32 of administration to administer this grant. This
5.33 is a onetime appropriation and is available
5.34 until June 30, 2027.

6.1 (e) \$1,020,000 each year is for equipment
6.2 grants to Minnesota Public Radio, Inc.,
6.3 including upgrades to Minnesota's Emergency
6.4 Alert and AMBER Alert Systems.

6.5 (f) The appropriations in paragraphs (a) to (e)
6.6 may not be used for indirect costs claimed by
6.7 an institution or governing body.

6.8 (g) The commissioner of administration must
6.9 consider the recommendations of the
6.10 Association of Minnesota Public Educational
6.11 Radio Stations before awarding grants under
6.12 Minnesota Statutes, section 129D.14, using
6.13 the appropriations in paragraphs (a) to (c). No
6.14 grantee is eligible for a grant unless they are
6.15 a member of the Association of Minnesota
6.16 Public Educational Radio Stations on or before
6.17 July 1, 2023.

6.18 (h) Any unencumbered balance remaining the
6.19 first year for grants to public television or
6.20 public radio stations does not cancel and is
6.21 available for the second year.

6.22 **Real Estate and Construction Services.**
6.23 \$12,000,000 the first year and \$8,000,000 the
6.24 second year are to facilitate space
6.25 consolidation and the transition to a hybrid
6.26 work environment, including but not limited
6.27 to the design, remodel, equipping, and
6.28 furnishing of the space. This appropriation
6.29 may also be used for relocation and rent loss.
6.30 This is a onetime appropriation and is
6.31 available until June 30, 2027.

6.32 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

7.1 **Sec. 3. CAPITOL AREA COMMUNITY VITALITY ACCOUNT.**

7.2 (a) Consistent with the program and oversight plan approved by the Capitol Area
7.3 Architectural and Planning Board, the commissioner of administration must expend money
7.4 from the Capitol Area community vitality account as follows:

7.5 (1) \$4,800,000 must be for a grant to the city of St. Paul, Department of Planning and
7.6 Economic Development. The city must use this amount to make subgrants through the
7.7 community vitality grant program, and to support the Community Voices Initiative. The
7.8 city may retain amounts for grants administration and oversight, up to the maximum permitted
7.9 to be retained by a state agency under Minnesota Statutes, section 16B.98, subdivision 14;
7.10 and

7.11 (2) \$200,000 must be transferred to the Capitol Area Architectural and Planning Board
7.12 for Community Navigators, and for startup and other costs to facilitate implementation of
7.13 the community vitality grant program and the Community Voices Initiative.

7.14 (b) This section constitutes approval by law for the expenditure of funds from the Capitol
7.15 Area community vitality account, as required by Laws 2023, chapter 53, article 17, section
7.16 2.

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

7.18 **Sec. 4. APPROPRIATION; COMMISSIONER OF ADMINISTRATION; IN LIEU**
7.19 **OF RENT.**

7.20 \$43,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
7.21 of administration for space costs incurred in fiscal years 2025, 2026, and 2027 by tenants
7.22 that provide public-facing professional services on the Capitol complex. The commissioner
7.23 of administration must designate one publicly accessible space on the complex for which
7.24 this appropriation may be used. This is a onetime appropriation and is available until June
7.25 30, 2027.

7.26 **Sec. 5. GREEN SPACE; CAPITOL PARKING LOT C.**

7.27 \$445,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
7.28 of administration to design, construct, and equip additional green space, along with work
7.29 needed to facilitate circulation and to add accessible parking stalls, on the site of Parking
7.30 Lot C on the State Capitol complex. In addition to this amount, the commissioner may
7.31 utilize for this purpose any funds remaining from the appropriation made by Laws 2023,

8.1 chapter 71, section 6, subdivision 3, after the project authorized by that subdivision is
8.2 complete.

8.3 **Sec. 6. APPROPRIATION; HUBERT H. HUMPHREY STATUE.**

8.4 \$300,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
8.5 of administration to replace the statue of Henry Mower Rice in the Statuary Hall in the
8.6 United States Capitol with a statue of Hubert H. Humphrey. This appropriation includes
8.7 money for the removal and transportation of the Henry Mower Rice statue to the Minnesota
8.8 State Historical Society, to contract with the Koh-Varilla Guild, Inc., to replicate, with any
8.9 modifications needed to meet requirements for placement, the Hubert H. Humphrey statue
8.10 that currently stands on the mall of the Minnesota State Capitol, and the erection of the new
8.11 Hubert H. Humphrey statue in the Statuary Hall in the United States Capitol, including the
8.12 necessary base. This is a onetime appropriation and is available until December 31, 2026.

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

8.14 **Sec. 7. APPROPRIATION; CAPITOL MALL DESIGN FRAMEWORK.**

8.15 \$1,712,000 in fiscal year 2025 is appropriated from the general fund to the commissioner
8.16 of administration to implement, design, construct, install, and equip the elements outlined
8.17 in the Capitol Mall Design Framework. This is a onetime appropriation and is available
8.18 until December 31, 2029.

8.19 **Sec. 8. CAPITOL MALL DESIGN FRAMEWORK; USE OF 2023**
8.20 **APPROPRIATION.**

8.21 (a) The commissioner of administration must expend the remaining amounts provided
8.22 by the general fund appropriation for the Capitol Mall Design Framework in Laws 2023,
8.23 chapter 62, article 1, section 11, subdivision 2, to implement, design, construct, install, and
8.24 equip the elements outlined in the authorizing legislation for the framework, as follows:

8.25 (1) landscaping, trees, benches, lighting, security, and irrigation on the upper mall and
8.26 the northern portion of the lower mall bordering Martin Luther King, Jr. Boulevard; and

8.27 (2) visual markers and welcome information for the Capitol campus, appropriately spaced
8.28 for wayfinding of the major streets on the Capitol campus, anchoring a pathway to the State
8.29 Capitol building and Capitol Mall that features interpretive markers honoring the importance
8.30 and stature of the Capitol campus as both a historic site and as a modern, active public
8.31 gathering place for all visitors.

9.1 (b) After prioritizing the work identified in paragraph (a), clauses (1) and (2), any
9.2 remaining balance of funds may be utilized to paint the administration building parking
9.3 ramp and install new grates.

9.4 ARTICLE 2

9.5 STATE GOVERNMENT POLICY

9.6 Section 1. Minnesota Statutes 2023 Supplement, section 10.65, subdivision 2, is amended
9.7 to read:

9.8 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings
9.9 given:

9.10 (1) "agency" means the Department of Administration; Department of Agriculture;
9.11 Department of Children, Youth, and Families; Department of Commerce; Department of
9.12 Corrections; Department of Education; Department of Employment and Economic
9.13 Development; Department of Health; Office of Higher Education; Housing Finance Agency;
9.14 Department of Human Rights; Department of Human Services; Department of Information
9.15 Technology Services; Department of Iron Range Resources and Rehabilitation; Department
9.16 of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;
9.17 Department of Military Affairs; Metropolitan Council; Department of Natural Resources;
9.18 Pollution Control Agency; Department of Public Safety; Department of Revenue; Department
9.19 of Transportation; Department of Veterans Affairs; Gambling Control Board; Racing
9.20 Commission; the Minnesota Lottery; the Animal Health Board; the Minnesota Board on
9.21 Aging; the Public Utilities Commission; and the Board of Water and Soil Resources;

9.22 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal
9.23 governments in the development of policy on matters that have Tribal implications.
9.24 Consultation is the proactive, affirmative process of identifying and seeking input from
9.25 appropriate Tribal governments and considering their interest as a necessary and integral
9.26 part of the decision-making process. This definition adds to statutorily mandated notification
9.27 procedures. During a consultation, the burden is on the agency to show that it has made a
9.28 good faith effort to elicit feedback. Consultation is a formal engagement between agency
9.29 officials and the governing body or bodies of an individual Minnesota Tribal government
9.30 that the agency or an individual Tribal government may initiate. Formal meetings or
9.31 communication between top agency officials and the governing body of a Minnesota Tribal
9.32 government is a necessary element of consultation;

10.1 (3) "matters that have Tribal implications" means rules, legislative proposals, policy
10.2 statements, or other actions that have substantial direct effects on one or more Minnesota
10.3 Tribal governments, or on the distribution of power and responsibilities between the state
10.4 and Minnesota Tribal governments;

10.5 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located
10.6 in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech
10.7 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian
10.8 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;
10.9 and Upper Sioux Community; and

10.10 (5) "timely and meaningful" means done or occurring at a favorable or useful time that
10.11 allows the result of consultation to be included in the agency's decision-making process for
10.12 a matter that has Tribal implications.

10.13 **EFFECTIVE DATE.** This section is effective August 1, 2024.

10.14 Sec. 2. **[13.95] ADMINISTRATIVE COURTS.**

10.15 **Subdivision 1. Definitions.** (a) For purposes of this section, the terms have the meanings
10.16 given.

10.17 (b) "Administrative courts" means the Office of Administrative Hearings, Tax Court,
10.18 and Workers' Compensation Court of Appeals.

10.19 (c) "Court services" include hearings, settlement conferences, mediation, and the writing
10.20 of decisions and orders.

10.21 (d) "Health-related documents and data" means records, reports, or affidavits created
10.22 by medical, health care, or scientific professionals that relate to the past, present, or future
10.23 physical or mental health or condition of an individual, including but not limited to medical
10.24 history, examinations, diagnoses and treatment, prepetition screening reports, or
10.25 court-appointed examiner reports.

10.26 **Subd. 2. Judicial work product.** All notes and memoranda or drafts thereof prepared
10.27 by a judge or employee of an administrative court and used in providing a court service are
10.28 confidential or protected nonpublic data.

10.29 **Subd. 3. Health-related documents and data.** Health-related documents and data
10.30 included in a court file are private data on individuals.

11.1 Sec. 3. Minnesota Statutes 2022, section 14.05, subdivision 7, is amended to read:

11.2 Subd. 7. **Electronic documents permitted.** An agency ~~may~~ must file rule-related
11.3 documents with the Office of Administrative Hearings by electronic transmission in the
11.4 manner approved by that office ~~and~~. An agency may file rule-related documents with the
11.5 Office of the Revisor of Statutes by electronic transmission in the manner approved by that
11.6 office.

11.7 Sec. 4. Minnesota Statutes 2022, section 14.08, is amended to read:

11.8 **14.08 APPROVAL OF RULE AND RULE FORM; COSTS.**

11.9 (a) One copy of a rule adopted under section 14.26 must be submitted by the agency to
11.10 the chief administrative law judge. The chief administrative law judge shall request from
11.11 the revisor certified copies of the rule when it is submitted by the agency under section
11.12 14.26. Within five working days after the request for certification of the rule is received by
11.13 the revisor, ~~excluding weekends and holidays~~, the revisor shall either return the rule with
11.14 a certificate of approval of the form of the rule to the chief administrative law judge or
11.15 notify the chief administrative law judge and the agency that the form of the rule will not
11.16 be approved.

11.17 If the chief administrative law judge disapproves a rule, the agency may modify it and
11.18 the agency shall submit one copy of the modified rule, approved as to form by the revisor,
11.19 to the chief administrative law judge.

11.20 (b) One copy of a rule adopted after a public hearing must be submitted by the agency
11.21 to the chief administrative law judge. The chief administrative law judge shall request from
11.22 the revisor certified copies of the rule when it is submitted by the agency. Within five
11.23 working days after receipt of the request, the revisor shall either return the rule with a
11.24 certificate of approval to the chief administrative law judge or notify the chief administrative
11.25 law judge and the agency that the form of the rule will not be approved.

11.26 (c) If the revisor refuses to approve the form of the rule, the revisor's notice must revise
11.27 the rule so it is in the correct form.

11.28 (d) After the agency has notified the chief administrative law judge that it has adopted
11.29 the rule, the chief administrative law judge shall promptly file ~~four paper copies or~~ an
11.30 electronic copy of the adopted rule in the Office of the Secretary of State. The secretary of
11.31 state shall forward one copy of each rule filed to the agency, to the revisor of statutes, and
11.32 to the governor.

12.1 (e) The chief administrative law judge shall assess an agency for the actual cost of
12.2 processing rules under this section. Each agency shall include in its budget money to pay
12.3 the assessments. Receipts from the assessment must be deposited in the administrative
12.4 hearings account established in section 14.54.

12.5 Sec. 5. Minnesota Statutes 2022, section 14.16, subdivision 3, is amended to read:

12.6 Subd. 3. **Filing.** After the agency has provided the chief administrative law judge with
12.7 a signed order adopting the rule, the chief administrative law judge shall promptly file ~~four~~
12.8 ~~paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary of State.
12.9 The secretary of state shall forward one copy of each rule filed to the agency, to the revisor
12.10 of statutes, and to the governor.

12.11 Sec. 6. Minnesota Statutes 2022, section 14.26, subdivision 3a, is amended to read:

12.12 Subd. 3a. **Filing.** If the rule is approved, the administrative law judge shall promptly
12.13 file ~~four paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary
12.14 of State. The secretary of state shall forward one copy of each rule to the revisor of statutes,
12.15 to the agency, and to the governor.

12.16 Sec. 7. Minnesota Statutes 2022, section 14.386, is amended to read:

12.17 **14.386 PROCEDURE FOR ADOPTING EXEMPT RULES; DURATION.**

12.18 (a) A rule adopted, amended, or repealed by an agency, under a statute enacted after
12.19 January 1, 1997, authorizing or requiring rules to be adopted but excluded from the
12.20 rulemaking provisions of chapter 14 or from the definition of a rule, has the force and effect
12.21 of law only if:

12.22 (1) the revisor of statutes approves the form of the rule by certificate;

12.23 (2) the person authorized to adopt the rule on behalf of the agency signs an order adopting
12.24 the rule;

12.25 (3) the Office of Administrative Hearings approves the rule as to its legality within 14
12.26 days after the agency submits it for approval and files ~~four paper copies~~ or an electronic
12.27 copy of the adopted rule with the revisor's certificate in the Office of the Secretary of State;
12.28 and

12.29 (4) a copy is published by the agency in the State Register.

12.30 The secretary of state shall forward one copy of the rule to the governor.

13.1 A statute enacted after January 1, 1997, authorizing or requiring rules to be adopted but
13.2 excluded from the rulemaking provisions of chapter 14 or from the definition of a rule does
13.3 not excuse compliance with this section unless it makes specific reference to this section.

13.4 (b) A rule adopted under this section is effective for a period of two years from the date
13.5 of publication of the rule in the State Register. The authority for the rule expires at the end
13.6 of this two-year period.

13.7 (c) The chief administrative law judge shall adopt rules relating to the rule approval
13.8 duties imposed by this section and section 14.388, including rules establishing standards
13.9 for review.

13.10 (d) This section does not apply to:

13.11 (1) any group or rule listed in section 14.03, subdivisions 1 and 3, except as otherwise
13.12 provided by law;

13.13 (2) game and fish rules of the commissioner of natural resources adopted under section
13.14 84.027, subdivision 13, or sections 97A.0451 to 97A.0459;

13.15 (3) experimental and special management waters designated by the commissioner of
13.16 natural resources under sections 97C.001 and 97C.005;

13.17 (4) game refuges designated by the commissioner of natural resources under section
13.18 97A.085; or

13.19 (5) transaction fees established by the commissioner of natural resources for electronic
13.20 or telephone sales of licenses, stamps, permits, registrations, or transfers under section
13.21 84.027, subdivision 15, paragraph (a), clause (3).

13.22 (e) If a statute provides that a rule is exempt from chapter 14, and section 14.386 does
13.23 not apply to the rule, the rule has the force of law unless the context of the statute delegating
13.24 the rulemaking authority makes clear that the rule does not have force of law.

13.25 Sec. 8. Minnesota Statutes 2022, section 14.388, subdivision 2, is amended to read:

13.26 Subd. 2. **Notice.** An agency proposing to adopt, amend, or repeal a rule under this section
13.27 must give electronic notice of its intent in accordance with section 16E.07, subdivision 3,
13.28 and notice by United States mail or electronic mail to persons who have registered their
13.29 names with the agency under section 14.14, subdivision 1a. The notice must be given no
13.30 later than the date the agency submits the proposed rule to the Office of Administrative
13.31 Hearings for review of its legality and must include:

13.32 (1) the proposed rule, amendment, or repeal;

14.1 (2) an explanation of why the rule meets the requirements of the good cause exemption
14.2 under subdivision 1; and

14.3 (3) a statement that interested parties have five business working days after the date of
14.4 the notice to submit comments to the Office of Administrative Hearings.

14.5 Sec. 9. Minnesota Statutes 2022, section 14.3895, subdivision 2, is amended to read:

14.6 Subd. 2. **Notice plan; prior approval.** The agency shall draft a notice plan under which
14.7 the agency will make reasonable efforts to notify persons or classes of persons who may
14.8 be significantly affected by the rule repeal by giving notice of its intention in newsletters,
14.9 newspapers, or other publications, or through other means of communication. Before
14.10 publishing the notice in the State Register and implementing the notice plan, the agency
14.11 shall obtain prior approval of the notice plan by ~~the chief administrative law judge~~ an
14.12 administrative law judge in the Office of Administrative Hearings.

14.13 Sec. 10. Minnesota Statutes 2022, section 14.3895, subdivision 6, is amended to read:

14.14 Subd. 6. **Legal review.** Before publication of the final rule in the State Register, the
14.15 agency shall submit the rule to the ~~chief~~ administrative law judge in the Office of
14.16 Administrative Hearings. The ~~chief~~ administrative law judge shall within 14 days approve
14.17 or disapprove the rule as to its legality and its form to the extent the form relates to legality.

14.18 Sec. 11. Minnesota Statutes 2022, section 14.48, subdivision 2, is amended to read:

14.19 Subd. 2. **Chief administrative law judge.** (a) The office shall be under the direction of
14.20 a chief administrative law judge who shall be learned in the law and appointed by the
14.21 governor, with the advice and consent of the senate, for a term ending on June 30 of the
14.22 sixth calendar year after appointment. Senate confirmation of the chief administrative law
14.23 judge shall be as provided by section 15.066.

14.24 (b) The chief administrative law judge may hear cases and, in accordance with chapter
14.25 43A, shall appoint a deputy chief judge and additional administrative law judges and
14.26 compensation judges to serve in the office as necessary to fulfill the duties of the Office of
14.27 Administrative Hearings.

14.28 (c) The chief administrative law judge may delegate to a subordinate employee the
14.29 exercise of a specified statutory power or duty as deemed advisable, subject to the control
14.30 of the chief administrative law judge. Every delegation must be by written order filed with
14.31 the secretary of state. The chief administrative law judge is subject to the provisions of the

15.1 Minnesota Constitution, article VI, section 6, the jurisdiction of the Board on Judicial
15.2 Standards, and the provisions of the Code of Judicial Conduct.

15.3 (d) If a vacancy in the position of chief administrative law judge occurs, an acting or
15.4 temporary chief administrative law judge must be named as follows:

15.5 (1) at the end of the term of a chief administrative law judge, the incumbent chief
15.6 administrative law judge may, at the discretion of the appointing authority, serve as acting
15.7 chief administrative law judge until a successor is appointed; and

15.8 (2) if at the end of a term of a chief administrative law judge the incumbent chief
15.9 administrative law judge is not designated as acting chief administrative law judge, or if a
15.10 vacancy occurs in the position of chief administrative law judge, the deputy chief judge
15.11 shall immediately become temporary chief administrative law judge without further official
15.12 action.

15.13 (e) The appointing authority of the chief administrative law judge may appoint a person
15.14 other than the deputy chief judge to serve as temporary chief administrative law judge and
15.15 may replace any other acting or temporary chief administrative law judge designated pursuant
15.16 to paragraph (d), clause (1) or (2).

15.17 Sec. 12. [14.525] INTERPRETERS.

15.18 The chief administrative law judge may enter contracts with interpreters identified by
15.19 the Supreme Court through the Court Interpreter Program. Interpreters may be utilized as
15.20 the chief administrative law judge directs. These contracts are not subject to the requirements
15.21 of chapters 16B and 16C.

15.22 Sec. 13. Minnesota Statutes 2022, section 14.62, subdivision 2a, is amended to read:

15.23 Subd. 2a. **Administrative law judge decision final; exception.** Unless otherwise
15.24 provided by law, the report or order of the administrative law judge constitutes the final
15.25 decision in the case unless the agency modifies or rejects it under subdivision 1 within 90
15.26 days after the record of the proceeding closes under section 14.61. When the agency fails
15.27 to act within 90 days on a licensing case, the agency must return the record of the proceeding
15.28 to the administrative law judge for consideration of disciplinary action. In all contested
15.29 cases where the report or order of the administrative law judge constitutes the final decision
15.30 in the case, the administrative law judge shall issue findings of fact, conclusions, and an
15.31 order within 90 days after the hearing record closes under section 14.61. Upon a showing
15.32 of good cause by a party or the agency, the chief administrative law judge may order a

16.1 reasonable extension of either of the two 90-day deadlines specified in this subdivision.
16.2 The 90-day deadline will be tolled while the chief administrative law judge considers a
16.3 request for reasonable extension so long as the request was filed and served within the
16.4 applicable 90-day period.

16.5 Sec. 14. Minnesota Statutes 2022, section 15.994, is amended to read:

16.6 **15.994 INTERNET GRANT INFORMATION.**

16.7 A state agency with an Internet site must provide information on grants available through
16.8 the agency and must provide a link to any grant application ~~under section 16E.20.~~

16.9 Sec. 15. Minnesota Statutes 2022, section 15A.083, subdivision 6a, is amended to read:

16.10 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative
16.11 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the
16.12 ~~assistant chief administrative law judge and administrative law judge supervisors~~ deputy
16.13 chief judge and judge supervisors employed by the Office of Administrative Hearings are
16.14 100 percent of the salary of a district court judge. The salary of an administrative law judge
16.15 employed by the Office of Administrative Hearings is 98.52 percent of the salary of a district
16.16 court judge as set under section 15A.082, subdivision 3.

16.17 Sec. 16. Minnesota Statutes 2022, section 16B.055, subdivision 1, is amended to read:

16.18 Subdivision 1. **Federal Assistive Technology Act.** (a) The Department of Administration
16.19 is designated as the lead agency to carry out all the responsibilities under the 21st Century
16.20 Assistive Technology Act of 1998, as provided by Public Law ~~108-364~~, as amended 117-81.
16.21 The Minnesota Assistive Technology Advisory Council is established to fulfill the
16.22 responsibilities required by the Assistive Technology Act, as provided by Public Law
16.23 ~~108-364~~, as amended 117-81. Because the existence of this council is required by federal
16.24 law, this council does not expire.

16.25 (b) Except as provided in paragraph (c), the governor shall appoint the membership of
16.26 the council as required by the 21st Century Assistive Technology Act ~~of 1998~~, as provided
16.27 by Public Law ~~108-364~~, as amended 117-81. After the governor has completed the
16.28 appointments required by this subdivision, the commissioner of administration, or the
16.29 commissioner's designee, shall convene the first meeting of the council following the
16.30 appointments. Members shall serve two-year terms commencing July 1 of each odd-numbered
16.31 year, and receive the compensation specified by the 21st Century Assistive Technology Act

17.1 of 1998, as provided by Public Law ~~108-364~~, as amended 117-81. The members of the
17.2 council shall select their chair at the first meeting following their appointment.

17.3 (c) After consulting with the appropriate commissioner, the commissioner of
17.4 administration shall appoint a representative from:

17.5 (1) State Services for the Blind who has assistive technology expertise;

17.6 (2) vocational rehabilitation services who has assistive technology expertise;

17.7 (3) the Workforce Development Board; ~~and~~

17.8 (4) the Department of Education who has assistive technology expertise; and

17.9 (5) the Board on Aging.

17.10 Sec. 17. Minnesota Statutes 2022, section 16B.48, subdivision 4, is amended to read:

17.11 Subd. 4. **Reimbursements.** (a) Except as specifically provided otherwise by law, each
17.12 agency shall reimburse the general services revolving funds for the cost of all services,
17.13 supplies, materials, labor, and depreciation of equipment, including reasonable overhead
17.14 costs, which the commissioner is authorized and directed to furnish an agency. The cost of
17.15 all publications or other materials produced by the commissioner and financed from the
17.16 general services revolving fund must include reasonable overhead costs.

17.17 (b) The commissioner of administration shall report the rates to be charged for the general
17.18 services revolving funds no later than ~~July 1~~ September 15 each year to the chair of the
17.19 committee or division in the senate and house of representatives with primary jurisdiction
17.20 over the budget of the Department of Administration.

17.21 (c) The commissioner of management and budget shall make appropriate transfers to
17.22 the revolving funds described in this section when requested by the commissioner of
17.23 administration. The commissioner of administration may make allotments, encumbrances,
17.24 and, with the approval of the commissioner of management and budget, disbursements in
17.25 anticipation of such transfers. In addition, the commissioner of administration, with the
17.26 approval of the commissioner of management and budget, may require an agency to make
17.27 advance payments to the revolving funds in this section sufficient to cover the agency's
17.28 estimated obligation for a period of at least 60 days.

17.29 (d) All reimbursements and other money received by the commissioner of administration
17.30 under this section must be deposited in the appropriate revolving fund. Any earnings
17.31 remaining in the fund established to account for the documents service prescribed by section
17.32 16B.51 at the end of each fiscal year not otherwise needed for present or future operations,

18.1 as determined by the commissioners of administration and management and budget, must
18.2 be transferred to the general fund.

18.3 Sec. 18. Minnesota Statutes 2022, section 16B.54, subdivision 2, is amended to read:

18.4 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
18.5 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
18.6 commissioner for use in the enterprise fleet. The commissioner shall reimburse an agency
18.7 whose motor vehicles have been paid for with funds dedicated by the constitution for a
18.8 special purpose and which are assigned to the enterprise fleet. The amount of reimbursement
18.9 for a motor vehicle is its average wholesale price as determined from the midwest edition
18.10 of the National Automobile Dealers Association official used car guide.

18.11 (b) To the extent that funds are available for the purpose, the commissioner may purchase
18.12 or otherwise acquire additional passenger motor vehicles and trucks necessary for the
18.13 enterprise fleet. The title to all motor vehicles assigned to or purchased or acquired for the
18.14 enterprise fleet is in the name of the Department of Administration.

18.15 (c) On the request of an agency, the commissioner may transfer to the enterprise fleet
18.16 any passenger motor vehicle or truck for the purpose of disposing of it. The department or
18.17 agency transferring the vehicle or truck must be paid for it from the motor pool revolving
18.18 account established by this section in an amount equal to two-thirds of the average wholesale
18.19 price of the vehicle or truck as determined from the midwest edition of the National
18.20 Automobile Dealers Association official used car guide.

18.21 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
18.22 vehicle colors must be selected from the regular color chart provided by the manufacturer
18.23 each year. The commissioner may further provide for the use of motor vehicles without
18.24 marking by:

18.25 (1) the governor;

18.26 (2) the lieutenant governor;

18.27 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
18.28 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
18.29 Public Safety;

18.30 (4) the Financial Institutions Division and investigative staff of the Department of
18.31 Commerce;

18.32 (5) the Division of Disease Prevention and Control of the Department of Health;

- 19.1 (6) the State Lottery;
- 19.2 (7) criminal investigators of the Department of Revenue;
- 19.3 (8) state-owned community service facilities in the Department of Human Services;
- 19.4 (9) the Office of the Attorney General;
- 19.5 (10) the investigative staff of the Gambling Control Board; ~~and~~
- 19.6 (11) the Department of Corrections inmate community work crew program under section
- 19.7 352.91, subdivision 3g; and
- 19.8 (12) the Office of Ombudsman for Long-Term Care staff.

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

19.10 Sec. 19. **[16B.851] STATE BUILDING RENEWABLE ENERGY; STORAGE;**

19.11 **ELECTRIC VEHICLE ACCOUNT.**

19.12 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have

19.13 the meanings given.

19.14 (b) "Energy storage" means the predesign, design, acquisition, construction, or installation

19.15 of technology which stores and delivers electric or thermal energy.

19.16 (c) "EVSE" means electric vehicle service equipment, including charging equipment

19.17 and associated infrastructure and site upgrades.

19.18 (d) "Renewable energy" has the meaning given in section 216B.2422, subdivision 1,

19.19 paragraph (c), and the same sources in thermal energy.

19.20 (e) "Renewable energy improvement" means the predesign, design, acquisition,

19.21 construction, or installation of a renewable energy production system or energy storage

19.22 equipment or system, and associated infrastructure and facilities that are designed to result

19.23 in a demand-side net reduction in energy use by the state building's electrical, heating,

19.24 ventilating, air-conditioning, and hot water systems.

19.25 (f) "State agency" has the definition given in section 13.02, subdivision 17, or designated

19.26 definition given in section 15.01 and includes the Office of Higher Education, Housing

19.27 Finance Agency, Pollution Control Agency, Metropolitan Council, and Bureau of Mediation

19.28 Services. State agency includes the agencies, boards, commissions, committees, councils,

19.29 and authorities designated in section 15.012.

19.30 (g) "State building" means a building or facility owned by the state of Minnesota.

20.1 Subd. 2. **Account established.** A state building renewable energy, storage, and electric
20.2 vehicle account is established in the special revenue fund to provide funds to state agencies
20.3 to:

20.4 (1) design, construct, and equip renewable energy improvement and renewable energy
20.5 storage projects at state buildings;

20.6 (2) purchase state fleet electric vehicles in accordance with section 16C.135;

20.7 (3) purchase and install EVSE and related infrastructure; and

20.8 (4) carry out management projects by the commissioner.

20.9 Subd. 3. **Account management.** The commissioner shall manage and administer the
20.10 state building renewable energy, storage, and electric vehicle account.

20.11 Subd. 4. **Accepting funds.** (a) The commissioner shall make an application to the federal
20.12 government on behalf of the state of Minnesota for all state projects eligible for elective
20.13 payments under sections 6417 and 6418 of the Internal Revenue Code, as added by Public
20.14 Law 117-169, 136 Statute 1818, the Inflation Reduction Act of 2022.

20.15 (b) The commissioner may apply for, receive, and expend money made available from
20.16 federal, state, or other sources for the purposes of carrying out the duties in this section.

20.17 (c) Notwithstanding section 16A.72, all funds received under this subdivision are
20.18 deposited into the state building renewable energy, storage, and electric vehicle account
20.19 and appropriated to the commissioner for the purposes of subdivision 2 and as permitted
20.20 under this section.

20.21 (d) Money in the state building renewable energy, storage, and electric vehicle account
20.22 does not cancel and is available until expended.

20.23 Subd. 5. **Applications.** A state agency applying for state building renewable energy,
20.24 storage, EVSE, and electric fleet vehicle funds must submit an application to the
20.25 commissioner on a form, in the manner, and at the time prescribed by the commissioner.

20.26 Subd. 6. **Treatment of certain payments received from federal government.** (a)
20.27 Federal payments received for eligible renewable energy improvement and storage projects
20.28 and EVSE projects made with appropriations from general obligation bonds may be
20.29 transferred to the state bond fund if consistent with federal treasury regulations.

20.30 (b) Federal payments received for eligible electric fleet vehicle purchases by the
20.31 Department of Administration's fleet division must be transferred to the motor pool revolving
20.32 account established in section 16B.54, subdivision 8.

21.1 (c) Federal payments received for eligible electric fleet vehicle purchases made directly
21.2 by a state agency shall be transferred to the fund from which the purchase was made.

21.3 (d) When obligated to fulfill financing agreements, federal payments received for eligible
21.4 renewable energy improvements shall be transferred to the appropriate agency.

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

21.6 Sec. 20. Minnesota Statutes 2022, section 16B.97, subdivision 1, is amended to read:

21.7 Subdivision 1. **Grant agreement.** (a) A grant agreement is a written instrument or
21.8 electronic document defining a legal relationship between a granting agency and a grantee
21.9 when the principal purpose of the relationship is to transfer cash or something of value to
21.10 the recipient to support a public purpose authorized by law instead of acquiring by
21.11 professional or technical contract, purchase, lease, or barter property or services for the
21.12 direct benefit or use of the granting agency.

21.13 (b) This section does not apply to general obligation grants as defined by section 16A.695
21.14 ~~and~~, capital project grants to political subdivisions as defined by section 16A.86, or capital
21.15 project grants otherwise subject to section 16A.642.

21.16 Sec. 21. Minnesota Statutes 2022, section 16B.98, subdivision 1, is amended to read:

21.17 Subdivision 1. **Limitation.** (a) As a condition of receiving a grant from an appropriation
21.18 of state funds, the recipient of the grant must agree to minimize administrative costs. The
21.19 granting agency is responsible for negotiating appropriate limits to these costs so that the
21.20 state derives the optimum benefit for grant funding.

21.21 (b) This section does not apply to general obligation grants as defined by section 16A.695
21.22 ~~and also~~, capital project grants to political subdivisions as defined by section 16A.86, or
21.23 capital project grants otherwise subject to section 16A.642.

21.24 Sec. 22. Minnesota Statutes 2022, section 16C.137, subdivision 2, is amended to read:

21.25 Subd. 2. **Report.** (a) The commissioner of administration, in collaboration with the
21.26 commissioners of the Pollution Control Agency, the Departments of Agriculture, Commerce,
21.27 Natural Resources, and Transportation, and other state departments, must evaluate the goals
21.28 and directives established in this section and report include their findings ~~to the governor~~
21.29 ~~and the appropriate committees of the legislature by February 1 of each odd-numbered year~~
21.30 in the public dashboard under section 16B.372. In the ~~report~~ public dashboard, the
21.31 commissioner must make recommendations for new or adjusted goals, directives, or

22.1 legislative initiatives, in light of the progress the state has made implementing this section
22.2 and the availability of new or improved technologies.

22.3 (b) The Department of Administration shall implement a fleet reporting and information
22.4 management system. Each department will use this management system to demonstrate its
22.5 progress in complying with this section.

22.6 Sec. 23. Minnesota Statutes 2022, section 16D.09, subdivision 1, is amended to read:

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

22.17 (b) Uncollectible debt must be reported by the state agency as part of its quarterly reports
22.18 to the commissioner of management and budget. The basis for the determination of the
22.19 uncollectibility of the debt must be maintained by the state agency. If an uncollectible debt
22.20 equals or exceeds \$100,000, the agency shall notify the chairs and ranking minority members
22.21 of the legislative committees with jurisdiction over the state agency's budget at the time the
22.22 debt is determined to be uncollectible. The information reported shall contain the entity
22.23 associated with the uncollected debt, the amount of the debt, the revenue type, the reason
22.24 the debt is considered uncollectible, and the duration the debt has been outstanding. The
22.25 commissioner of management and budget shall report to the chairs and ranking minority
22.26 members of the legislative committees with jurisdiction over Minnesota Management and
22.27 Budget an annual summary of the number and dollar amount of debts determined to be
22.28 uncollectible during the previous fiscal year by ~~October 31~~ November 30 of each year.
22.29 Determining that the debt is uncollectible does not cancel the legal obligation of the debtor
22.30 to pay the debt.

22.31 Sec. 24. Minnesota Statutes 2022, section 16E.01, subdivision 2, is amended to read:

22.32 Subd. 2. **Discretionary powers.** The department may:

- 23.1 (1) enter into contracts for goods or services with public or private organizations and
23.2 charge fees for services it provides;
- 23.3 (2) apply for, receive, and expend money from public agencies;
- 23.4 (3) apply for, accept, and disburse grants and other aids from the federal government
23.5 and other public or private sources;
- 23.6 (4) enter into contracts with agencies of the federal government, local governmental
23.7 units, the University of Minnesota and other educational institutions, and private persons
23.8 and other nongovernmental organizations as necessary to perform its statutory duties;
- 23.9 (5) sponsor and conduct conferences and studies, collect and disseminate information,
23.10 and issue reports relating to information and communications technology issues;
- 23.11 (6) review the technology infrastructure of regions of the state and cooperate with and
23.12 make recommendations to the governor, legislature, state agencies, local governments, local
23.13 technology development agencies, the federal government, private businesses, and individuals
23.14 for the realization of information and communications technology infrastructure development
23.15 potential;
- 23.16 (7) sponsor, support, and facilitate innovative and collaborative economic and community
23.17 development and government services projects or initiatives, including technology initiatives
23.18 related to culture and the arts, with public and private organizations; and
- 23.19 (8) review and recommend alternative sourcing strategies for state information and
23.20 communications systems.

23.21 Sec. 25. Minnesota Statutes 2023 Supplement, section 16E.01, subdivision 3, is amended
23.22 to read:

23.23 Subd. 3. **Duties.** (a) The department shall:

23.24 (1) manage the efficient and effective use of available federal, state, local, and
23.25 public-private resources to develop statewide information and telecommunications technology
23.26 systems and services and its infrastructure;

23.27 (2) approve state agency and intergovernmental information and telecommunications
23.28 technology systems and services development efforts involving state or intergovernmental
23.29 funding, including federal funding, provide information to the legislature regarding projects
23.30 and initiatives reviewed, and recommend projects and initiatives for inclusion in the
23.31 governor's budget under section 16A.11;

24.1 (3) promote cooperation and collaboration among state and local governments in
24.2 developing intergovernmental information and telecommunications technology systems
24.3 and services;

24.4 (4) cooperate and collaborate with the legislative and judicial branches in the development
24.5 of information and communications systems in those branches, as requested;

24.6 (5) ~~promote and coordinate public information access and network initiatives, consistent~~
24.7 ~~with chapter 13, to connect Minnesota's citizens and communities to each other, to their~~
24.8 ~~governments, and to the world~~ continue to collaborate on the development of MN.gov, the
24.9 state's official comprehensive online service and information initiative;

24.10 (6) manage and promote the regular and periodic reinvestment in the information and
24.11 telecommunications technology systems and services infrastructure so that state and local
24.12 government agencies can effectively and efficiently serve their customers;

24.13 (7) facilitate the cooperative development of and ensure compliance with standards and
24.14 policies for information and telecommunications technology systems and services and
24.15 electronic data practices and privacy security within the executive branch;

24.16 (8) eliminate unnecessary duplication of existing information and telecommunications
24.17 technology systems and services provided by state agencies;

24.18 (9) identify, sponsor, develop, and execute shared information and telecommunications
24.19 technology projects and initiatives, and ongoing operations;

24.20 (10) ensure overall security of the state's information and technology systems and
24.21 services; and

24.22 (11) manage and direct compliance with accessibility standards for informational
24.23 technology, including hardware, software, websites, online forms, and online surveys.

24.24 (b) The chief information officer, in consultation with the commissioner of management
24.25 and budget, must determine when it is cost-effective for agencies to develop and use shared
24.26 information technology systems, platforms, and services for the delivery of digital
24.27 government services. The chief information officer may require agencies to use shared
24.28 information and telecommunications technology systems and services. The chief information
24.29 officer shall establish reimbursement rates in cooperation with the commissioner of
24.30 management and budget to be billed to agencies and other governmental entities sufficient
24.31 to cover the actual development, operating, maintenance, and administrative costs of the
24.32 shared systems. The methodology for billing may include the use of interagency agreements,
24.33 or other means as allowed by law.

25.1 (c) A state agency that has an information and telecommunications technology project
 25.2 or initiative, whether funded as part of the biennial budget or by any other means, shall
 25.3 register with the department by submitting basic project or initiative startup documentation
 25.4 as specified by the chief information officer in both format and content. State agency business
 25.5 and technology project leaders, in accordance with policies and standards set forth by the
 25.6 chief information officer, must demonstrate that the project or initiative will be properly
 25.7 managed, ensure alignment with enterprise technology strategic direction, provide updates
 25.8 to the project or initiative documentation as changes are proposed, and regularly report on
 25.9 the current status of the project or initiative on a schedule agreed to with the chief information
 25.10 officer. The chief information officer has the authority to define a project or initiative for
 25.11 the purposes of this chapter.

25.12 (d) The chief information officer shall monitor progress on ~~any~~ active information and
 25.13 telecommunications technology ~~project with a total expected project cost of more than~~
 25.14 ~~\$5,000,000~~ projects and initiatives and report on the performance of the ~~project~~ projects or
 25.15 initiatives in comparison with ~~the plans for the project~~ in terms of time, scope, and budget.
 25.16 The chief information officer may conduct an independent ~~project~~ audit of the project or
 25.17 initiative. If an independent audit is conducted, the audit analysis and evaluation of the
 25.18 ~~projects subject to paragraph (e)~~ project or initiative must be presented to agency executive
 25.19 sponsors, the project governance bodies, and the chief information officer. All reports and
 25.20 responses must become part of the project or initiative record.

25.21 (e) For any active information and telecommunications technology project or initiative,
 25.22 with a total expected ~~project~~ cost of more than \$10,000,000, ~~the state agency must perform~~
 25.23 an annual independent audit that conforms to published ~~project~~ audit principles adopted by
 25.24 the department must be conducted.

25.25 (f) The chief information officer shall report by January 15 of each year to the chairs
 25.26 and ranking minority members of the legislative committees and divisions with jurisdiction
 25.27 over the department ~~regarding projects the department has reviewed under paragraph (a),~~
 25.28 ~~clause (10)~~ on the status of the state's comprehensive project and initiatives portfolio. The
 25.29 report must include: descriptions of each project and its current status, information technology
 25.30 costs associated with the project, and estimated date on when the information technology
 25.31 project is expected to be completed.

25.32 (1) ~~each project in the IT portfolio whose status is either active or on hold;~~

25.33 (2) ~~each project presented to the office for consultation in the time since the last report;~~

25.34 (3) ~~the information technology cost associated with the project;~~

- 26.1 ~~(4) the current status of the information technology project;~~
26.2 ~~(5) the date the information technology project is expected to be completed; and~~
26.3 ~~(6) the projected costs for ongoing support and maintenance after the project is complete.~~

26.4 Sec. 26. Minnesota Statutes 2023 Supplement, section 16E.03, subdivision 2, is amended
26.5 to read:

26.6 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

26.7 (1) design a strategic plan for information and telecommunications technology systems
26.8 and services in the state and shall report on the plan to the governor and legislature at the
26.9 beginning of each regular session;

26.10 ~~(2) coordinate, review, and approve all information and telecommunications technology~~
26.11 ~~projects~~ develop and implement processes for review, approval, and monitoring and oversee
26.12 the state's information and telecommunications technology systems and services;

26.13 (3) establish and enforce compliance with standards for information and
26.14 telecommunications technology systems and services that are cost-effective and support
26.15 open systems environments and that are compatible with state, national, and international
26.16 standards, including accessibility standards;

26.17 (4) maintain a library of systems and programs developed by the state for use by agencies
26.18 of government;

26.19 (5) direct and manage the shared operations of the state's information and
26.20 telecommunications technology systems and services; and

26.21 (6) establish and enforce standards and ensure acquisition of hardware, software, and
26.22 services necessary to protect data and systems in state agency networks connected to the
26.23 Internet.

26.24 Sec. 27. Minnesota Statutes 2022, section 16E.03, subdivision 3, is amended to read:

26.25 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information
26.26 and telecommunications technology project or initiative until it has been evaluated according
26.27 to the procedures developed under subdivision 4. The chief information officer or delegate
26.28 shall ~~give written approval of the proposed project~~ record project approval as a part of the
26.29 project.

27.1 Sec. 28. Minnesota Statutes 2022, section 16E.03, subdivision 4, is amended to read:

27.2 Subd. 4. **Evaluation procedure.** The chief information officer shall establish and, as
27.3 necessary, update and modify procedures to evaluate information and communications
27.4 projects or initiatives proposed by state agencies. The evaluation procedure must assess the
27.5 necessity, design and plan for development, ability to meet user requirements, accessibility,
27.6 feasibility, ~~and flexibility of the proposed data processing device or system, its relationship~~
27.7 ~~to other state data processing devices or systems, and its costs and benefits when considered~~
27.8 ~~by itself and when compared with other options~~ cost, and benefits of the project or initiative.

27.9 Sec. 29. Minnesota Statutes 2022, section 16E.03, subdivision 5, is amended to read:

27.10 Subd. 5. **Report to legislature.** The chief information officer shall submit to the
27.11 legislature, at the same time as the governor's budget required by section 16A.11, a concise
27.12 narrative explanation of any information and communication technology project or initiative
27.13 being proposed as part of the governor's budget that involves collaboration between state
27.14 agencies and an explanation of how the budget requests of the several agencies collaborating
27.15 on the project or initiative relate to each other.

27.16 Sec. 30. Minnesota Statutes 2022, section 16E.03, subdivision 7, is amended to read:

27.17 Subd. 7. **Cyber security systems.** (a) In consultation with the attorney general and
27.18 appropriate agency heads, the chief information officer shall develop cyber security policies,
27.19 guidelines, and standards, and shall ~~install~~ advise, implement, and administer state data
27.20 security ~~systems~~ solutions and practices on the state's ~~computer facilities~~ information
27.21 technology services, systems, and applications consistent with these policies, guidelines,
27.22 standards, and state law to ensure the integrity, confidentiality, and availability of
27.23 ~~computer-based and other~~ information technology systems and services, and data and to
27.24 ensure applicable limitations on access to data, consistent with the public's right to know
27.25 as defined in chapter 13. The chief information officer is responsible for overall security of
27.26 state agency networks connected to the Internet. Each department or agency head is
27.27 responsible for the security of the department's or agency's data within the guidelines of
27.28 established enterprise policy.

27.29 (b) The state chief information officer, or state chief information security officer, may
27.30 advise and consult on security strategy and programs for state entities and political
27.31 subdivisions not subject to section 16E.016.

28.1 Sec. 31. Minnesota Statutes 2022, section 16E.04, subdivision 2, is amended to read:

28.2 Subd. 2. **Responsibilities.** (a) The office ~~shall~~ may develop and establish a state
28.3 information architecture to ensure:

28.4 (1) that state agency information and communications systems, equipment, and services
28.5 do not needlessly duplicate or conflict with the systems of other agencies; and

28.6 (2) enhanced public access to data can be provided consistent with standards developed
28.7 under section 16E.05, subdivision 4.

28.8 When state agencies have need for the same or similar public data, the chief information
28.9 officer, in coordination with the affected agencies, shall manage the most efficient and
28.10 cost-effective method of producing and storing data for or sharing data between those
28.11 agencies. The development of this information architecture must include the establishment
28.12 of standards and guidelines to be followed by state agencies. The office shall ensure
28.13 compliance with the architecture.

28.14 (b) The office shall review and approve agency requests for funding for the development
28.15 or purchase of information systems equipment or software before the requests may be
28.16 included in the governor's budget.

28.17 (c) The office ~~shall~~ may review and approve agency requests for grant funding that have
28.18 an information and technology component.

28.19 (d) The office shall review major purchases of information systems equipment to:

28.20 (1) ensure that the equipment follows the standards and guidelines of the state information
28.21 architecture;

28.22 (2) ensure the agency's proposed purchase reflects a cost-effective policy regarding
28.23 volume purchasing; and

28.24 (3) ensure that the equipment is consistent with other systems in other state agencies so
28.25 that data can be shared among agencies, unless the office determines that the agency
28.26 purchasing the equipment has special needs justifying the inconsistency.

28.27 (e) The office shall review the operation of information systems by state agencies and
28.28 ensure that these systems are operated efficiently and securely and continually meet the
28.29 standards and guidelines established by the office. The standards and guidelines must
28.30 emphasize uniformity that is cost-effective for the enterprise, that encourages information
28.31 interchange, open systems environments, and portability of information whenever practicable
28.32 and consistent with an agency's authority and chapter 13.

29.1 Sec. 32. Minnesota Statutes 2022, section 16E.04, subdivision 3, is amended to read:

29.2 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation
 29.3 plan are required for all information systems development projects or initiatives undertaken
 29.4 by a state agency in the executive or judicial branch or by a constitutional officer. The chief
 29.5 information officer must contract with an entity outside of state government to conduct the
 29.6 initial assessment and prepare the mitigation plan for a project or initiative estimated to cost
 29.7 more than ~~\$5,000,000~~ \$10,000,000. The outside entity conducting the risk assessment and
 29.8 preparing the mitigation plan must not have any other direct or indirect financial interest in
 29.9 the project or initiative. The risk assessment and risk mitigation plan must provide for
 29.10 periodic monitoring by the commissioner until the project or initiative is completed.

29.11 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated
 29.12 for the information and telecommunications technology project or initiative.

29.13 Sec. 33. Minnesota Statutes 2022, section 16E.07, is amended to read:

29.14 **16E.07 NORTH STAR ONLINE GOVERNMENT INFORMATION SERVICES.**

29.15 Subdivision 1. **Definitions** Definition. (a) The ~~definitions~~ definition in this subdivision
 29.16 ~~apply~~ applies to this section.

29.17 ~~(b) "Core services" means accessible information system applications required to provide~~
 29.18 ~~secure information services and online applications and content to the public from~~
 29.19 ~~government units. Online applications may include, but are not limited to:~~

29.20 ~~(1) standardized public directory services and standardized content services;~~

29.21 ~~(2) online search systems;~~

29.22 ~~(3) general technical services to support government unit online services;~~

29.23 ~~(4) electronic conferencing and communication services;~~

29.24 ~~(5) secure electronic transaction services;~~

29.25 ~~(6) digital audio, video, and multimedia services; and~~

29.26 ~~(7) government intranet content and service development.~~

29.27 ~~(e)~~ (b) "Government unit" means a state department, agency, commission, council, board,
 29.28 task force, or committee; a constitutional office; a court entity; the Minnesota State Colleges
 29.29 and Universities; a county, statutory or home rule charter city, or town; a school district; a
 29.30 special district; or any other board, commission, district, or authority created under law,
 29.31 local ordinance, or charter provision.

30.1 Subd. 2. **Established.** ~~The office department shall establish "North Star" as the state's~~
30.2 ~~comprehensive government online information service. North Star is the state's governmental~~
30.3 ~~framework for coordinating and collaborating in providing online government information~~
30.4 ~~and services. Government agencies that provide electronic access to government information~~
30.5 ~~are requested to make available to North Star their most frequently requested public data~~
30.6 collaborate with state agencies to maintain MN.gov and associated websites that provide
30.7 online government information services.

30.8 Subd. 3. **Access to data.** The legislature determines that the greatest possible access to
30.9 certain government information and data is essential to allow citizens to participate fully in
30.10 a democratic system of government. Certain information and data, including, but not limited
30.11 to the following, must be provided free of charge or for a nominal cost associated with
30.12 reproducing the information or data:

30.13 (1) directories of government services and institutions, ~~including an electronic version~~
30.14 ~~of the guidebook to state agency services published by the commissioner of administration;~~

30.15 (2) legislative and rulemaking information, including an electronic version of the State
30.16 Register, public information newsletters, bill text and summaries, bill status information,
30.17 rule status information, meeting schedules, and the text of statutes and rules;

30.18 (3) supreme court and court of appeals opinions and general judicial information;

30.19 (4) opinions of the attorney general;

30.20 (5) Campaign Finance and Public Disclosure Board and election information;

30.21 (6) public budget information;

30.22 (7) local government documents, such as codes, ordinances, minutes, meeting schedules,
30.23 and other notices in the public interest;

30.24 (8) official documents, releases, speeches, and other public information issued by
30.25 government agencies; and

30.26 (9) the text of other government documents and publications that government agencies
30.27 determine are important to public understanding of government activities.

30.28 Subd. 4. **Staff.** ~~The chief information officer shall appoint the manager of the North Star~~
30.29 ~~online information service and hire staff to carry out the responsibilities of the service.~~

30.30 Subd. 5. **Participation; consultation; guidelines.** ~~The North Star staff shall consult~~
30.31 ~~with governmental and nongovernmental organizations to establish rules for participation~~
30.32 ~~in the North Star service. Government units planning, developing, or providing publicly~~

31.1 ~~accessible online services shall provide access through and collaborate with North Star and~~
 31.2 ~~formally register with the office. The University of Minnesota is requested to establish~~
 31.3 ~~online connections and collaborate with North Star. Units of the legislature shall make their~~
 31.4 ~~services available through North Star. Government units may be required to submit~~
 31.5 ~~standardized directory and general content for core services but are not required to purchase~~
 31.6 ~~core services from North Star. North Star shall promote broad public access to the sources~~
 31.7 ~~of online information or services through multiple technologies.~~

31.8 Subd. 6. **Fees.** The office ~~shall~~ may establish fees for technical and transaction services
 31.9 for government units ~~through North Star. Fees must be credited to the North Star account.~~
 31.10 The office may not charge a fee for viewing or inspecting data made available through North
 31.11 ~~Star~~ MN.gov or linked facilities, unless specifically authorized by law.

31.12 Subd. 7. **North Star Online government information service account.** ~~The North Star~~
 31.13 online government information service account is created in the special revenue fund. The
 31.14 account consists of:

- 31.15 (1) grants received from nonstate entities;
- 31.16 (2) fees and charges collected by the office;
- 31.17 (3) gifts, donations, and bequests made to the office; and
- 31.18 (4) other money credited to the account by law.

31.19 Money in the account is appropriated to the office to be used to continue the development
 31.20 of ~~the North Star project~~ online government information services.

31.21 Subd. 8. **Secure transaction system.** The office shall plan and develop a secure
 31.22 ~~transaction system~~ systems to support delivery of government services electronically. A
 31.23 state agency that implements electronic government services for fees, licenses, sales, or
 31.24 other purposes ~~must use the~~ may be required to use secure transaction ~~system~~ systems
 31.25 developed in accordance with this section.

31.26 Subd. 9. **Aggregation of service demand.** The office ~~shall~~ may identify opportunities
 31.27 to aggregate demand for technical services required by government units for online activities
 31.28 and may contract with governmental or nongovernmental entities to provide services. These
 31.29 contracts are not subject to the requirements of chapters 16B and 16C, except sections
 31.30 16C.04, 16C.08, and 16C.09.

31.31 Subd. 10. **Outreach.** The office may promote the availability of government online
 31.32 information and services through public outreach and education. ~~Public network expansion~~
 31.33 ~~in communities through libraries, schools, colleges, local government, and other community~~

32.1 ~~access points must include access to North Star. North Star may make materials available~~
32.2 ~~to those public sites to promote awareness of the service.~~

32.3 ~~Subd. 11. **Advanced development collaboration.** The office shall identify information~~
32.4 ~~technology services with broad public impact and advanced development requirements.~~
32.5 ~~Those services shall assist in the development of and utilization of core services to the~~
32.6 ~~greatest extent possible where appropriate, cost-effective, and technically feasible. This~~
32.7 ~~includes, but is not limited to, higher education, statewide online library, economic and~~
32.8 ~~community development, and K-12 educational technology services. North Star shall~~
32.9 ~~participate in electronic commerce research and development initiatives with the University~~
32.10 ~~of Minnesota and other partners. The statewide online library service shall consult,~~
32.11 ~~collaborate, and work with North Star to ensure development of proposals for advanced~~
32.12 ~~government information locator and electronic depository and archive systems.~~

32.13 Subd. 12. **Private entity services; fee authority.** (a) The department may enter into a
32.14 contract with a private entity to manage, maintain, support, and expand ~~North Star and~~
32.15 online government information services to citizens and businesses.

32.16 (b) A contract established under paragraph (a) may provide for compensation of the
32.17 private entity through a fee established under paragraph (c).

32.18 (c) The department, subject to the approval of the agency or department responsible for
32.19 the data or services involved in the transaction, may charge and may authorize a private
32.20 entity that enters into a contract under paragraph (a) to charge a convenience fee for users
32.21 of ~~North Star and~~ online government information services up to a total of \$2 per transaction,
32.22 provided that no fee shall be charged for viewing or inspecting data. A fee established under
32.23 this paragraph is in addition to any fees or surcharges authorized under other law.

32.24 (d) Receipts from the convenience fee shall be deposited in the ~~North Star~~ online
32.25 government information service account established in subdivision 7. Notwithstanding
32.26 section 16A.1285, subdivision 2, receipts credited to the account are appropriated to the
32.27 department for payment to the contracted private entity under paragraph (a). In lieu of
32.28 depositing the receipts in the ~~North Star~~ online government information service account,
32.29 the department can directly transfer the receipts to the private entity or allow the private
32.30 entity to retain the receipts pursuant to a contract established under this subdivision.

32.31 (e) ~~The department shall report~~ Information regarding any convenience fee receipts
32.32 collected under paragraph (d) must be reported to the chairs and ranking minority members
32.33 of the house of representatives and senate committees with jurisdiction over state government
32.34 finance by January 15 of each odd-numbered year ~~regarding the convenience fee receipts~~

33.1 ~~and the status of North Star projects and online government information services developed~~
33.2 ~~and supported by convenience fee receipts.~~

33.3 Sec. 34. **[16E.36] CYBERSECURITY INCIDENTS.**

33.4 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
33.5 the meanings given.

33.6 (b) "Bureau" means the Bureau of Criminal Apprehension.

33.7 (c) "Cybersecurity incident" means an action taken through the use of an information
33.8 system or network that results in an actual or potentially adverse effect on an information
33.9 system, network, or the information residing therein.

33.10 (d) "Cyber threat indicator" means information that is necessary to describe or identify:

33.11 (1) malicious reconnaissance, including but not limited to anomalous patterns of
33.12 communication that appear to be transmitted for the purpose of gathering technical
33.13 information related to a cybersecurity threat or vulnerability;

33.14 (2) a method of defeating a security control or exploitation of a security vulnerability;

33.15 (3) a security vulnerability, including but not limited to anomalous activity that appears
33.16 to indicate the existence of a security vulnerability;

33.17 (4) a method of causing a user with legitimate access to an information system or
33.18 information that is stored on, processed by, or transiting an information system to unwittingly
33.19 enable the defeat of a security control or exploitation of a security vulnerability;

33.20 (5) malicious cyber command and control;

33.21 (6) the actual or potential harm caused by an incident, including but not limited to a
33.22 description of the data exfiltrated as a result of a particular cyber threat; and

33.23 (7) any other attribute of a cyber threat, if disclosure of such attribute is not otherwise
33.24 prohibited by law.

33.25 (e) "Defensive measure" means an action, device, procedure, signature, technique, or
33.26 other measure applied to an information system or information that is stored on, processed
33.27 by, or transiting an information system that detects, prevents, or mitigates a known or
33.28 suspected cyber threat or security vulnerability, but does not include a measure that destroys,
33.29 renders unusable, provides unauthorized access to, or substantially harms an information
33.30 system or information stored on, processed by, or transiting an information system not

34.1 owned by the entity operating the measure, or another entity that is authorized to provide
34.2 consent and has provided consent to that private entity for operation of the measure.

34.3 (f) "Government contractor" means an individual or entity that performs work for or on
34.4 behalf of a public agency on a contract basis with access to or hosting of the public agency's
34.5 network, systems, applications, or information.

34.6 (g) "Information resource" means information and related resources, such as personnel,
34.7 equipment, funds, and information technology.

34.8 (h) "Information system" means a discrete set of information resources organized for
34.9 collecting, processing, maintaining, using, sharing, disseminating, or disposing of
34.10 information.

34.11 (i) "Information technology" means any equipment or interconnected system or subsystem
34.12 of equipment that is used in automatic acquisition, storage, manipulation, management,
34.13 movement, control, display, switching, interchange, transmission, or reception of data or
34.14 information used by a public agency or a government contractor under contract with a public
34.15 agency which requires the use of the equipment or requires the use, to a significant extent,
34.16 of the equipment in the performance of a service or the furnishing of a product. The term
34.17 information technology also has the meaning given to information and telecommunications
34.18 technology systems and services in section 16E.03, subdivision 1, paragraph (b).

34.19 (j) "Private entity" means any individual, corporation, company, partnership, firm,
34.20 association, or other entity, but does not include a public agency, or a foreign government,
34.21 or any component thereof.

34.22 (k) "Public agency" means any public agency of the state or any political subdivision;
34.23 school districts; charter schools; intermediate districts; cooperative units under section
34.24 123A.24, subdivision 2; and public postsecondary education institutions.

34.25 (l) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

34.26 **Subd. 2. Report on cybersecurity incidents.** (a) Beginning December 1, 2024, the head
34.27 of or the decision-making body for a public agency must report a cybersecurity incident
34.28 that impacts the public agency to the commissioner. A government contractor or vendor
34.29 that provides goods or services to a public agency must report a cybersecurity incident to
34.30 the public agency if the incident impacts the public agency.

34.31 (b) The report must be made within 72 hours of when the public agency or government
34.32 contractor reasonably identifies or believes that a cybersecurity incident has occurred.

35.1 (c) The commissioner must coordinate with the superintendent to promptly share reported
35.2 cybersecurity incidents.

35.3 (d) By September 30, 2024, the commissioner, in coordination with the superintendent,
35.4 must establish a cyber incident reporting system having capabilities to facilitate submission
35.5 of timely, secure, and confidential cybersecurity incident notifications from public agencies,
35.6 government contractors, and private entities to the office.

35.7 (e) By September 30, 2024, the commissioner must develop, in coordination with the
35.8 superintendent, and prominently post instructions for submitting cybersecurity incident
35.9 reports on the department and bureau websites. The instructions must include, at a minimum,
35.10 the types of cybersecurity incidents to be reported and a list of other information to be
35.11 included in a report made through the cyber incident reporting system.

35.12 (f) The cyber incident reporting system must permit the commissioner, in coordination
35.13 with the superintendent, to:

35.14 (1) securely accept a cybersecurity incident notification from any individual or private
35.15 entity, regardless of whether the entity is a public agency or government contractor;

35.16 (2) track and identify trends in cybersecurity incidents reported through the cyber incident
35.17 reporting system; and

35.18 (3) produce reports on the types of incidents, cyber threat, indicators, defensive measures,
35.19 and entities reported through the cyber incident reporting system.

35.20 (g) Any cybersecurity incident report submitted to the commissioner is security
35.21 information pursuant to section 13.37, is not discoverable in a civil or criminal action absent
35.22 a court order or a search warrant, and is not subject to subpoena.

35.23 (h) Notwithstanding the provisions of paragraph (g), the commissioner may anonymize
35.24 and share cyber threat indicators and relevant defensive measures to help prevent attacks
35.25 and share cybersecurity incident notifications with potentially impacted parties through
35.26 cybersecurity threat bulletins or relevant law enforcement authorities.

35.27 (i) Information submitted to the commissioner through the cyber incident reporting
35.28 system is subject to privacy and protection procedures developed and implemented by the
35.29 office, which shall be based on the comparable privacy protection procedures developed
35.30 for information received and shared pursuant to the federal Cybersecurity Information
35.31 Sharing Act of 2015, United States Code, title 6, section 1501, et seq.

35.32 Subd. 3. **Annual report to the governor and legislature.** Beginning January 31, 2026,
35.33 and annually thereafter, the commissioner, in coordination with the superintendent, must

36.1 submit a report on its cyber security incident report collection and resolution activities to
36.2 the governor and to the legislative commission on cybersecurity. The report must include,
36.3 at a minimum:

36.4 (1) information on the number of notifications received and a description of the
36.5 cybersecurity incident types during the one-year period preceding the publication of the
36.6 report;

36.7 (2) the categories of reporting entities that submitted cybersecurity reports; and

36.8 (3) any other information required in the submission of a cybersecurity incident report,
36.9 noting any changes from the report published in the previous year.

36.10 Sec. 35. Minnesota Statutes 2022, section 43A.316, subdivision 5, is amended to read:

36.11 Subd. 5. **Public employee participation.** (a) Participation in the program is subject to
36.12 the conditions in this subdivision.

36.13 (b) Each exclusive representative for an eligible employer determines whether the
36.14 employees it represents will participate in the program. The exclusive representative shall
36.15 give the employer notice of intent to participate at least 30 days before the expiration date
36.16 of the collective bargaining agreement preceding the collective bargaining agreement that
36.17 covers the date of entry into the program. The exclusive representative and the eligible
36.18 employer shall give notice to the commissioner of the determination to participate in the
36.19 program at least 30 days before entry into the program. Entry into the program is governed
36.20 by a schedule established by the commissioner.

36.21 (c) Employees not represented by exclusive representatives may become members of
36.22 the program upon a determination of an eligible employer to include these employees in
36.23 the program. Either all or none of the employer's unrepresented employees must participate.
36.24 The eligible employer shall give at least 30 days' notice to the commissioner before entering
36.25 the program. Entry into the program is governed by a schedule established by the
36.26 commissioner.

36.27 (d) Participation in the program is for a ~~two-year~~ four-year term. Participation is
36.28 automatically renewed for an additional ~~two-year~~ four-year term unless the exclusive
36.29 representative, or the employer for unrepresented employees, gives the commissioner notice
36.30 of withdrawal at least 30 days before expiration of the participation period. A group that
36.31 withdraws must wait two years before rejoining. An exclusive representative, or employer
36.32 for unrepresented employees, may also withdraw if premiums increase ~~50~~ 20 percent or
36.33 more from one insurance year to the next.

37.1 (e) The exclusive representative shall give the employer notice of intent to withdraw to
 37.2 the commissioner at least 30 days before the expiration date of a collective bargaining
 37.3 agreement that includes the date on which the term of participation expires.

37.4 (f) Each participating eligible employer shall notify the commissioner of names of
 37.5 individuals who will be participating within two weeks of the commissioner receiving notice
 37.6 of the parties' intent to participate. The employer shall also submit other information as
 37.7 required by the commissioner for administration of the program.

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

37.9 Sec. 36. Minnesota Statutes 2022, section 211B.33, subdivision 2, is amended to read:

37.10 Subd. 2. **Recommendation.** (a) If the administrative law judge determines that the
 37.11 complaint does not set forth a prima facie violation of chapter 211A or 211B, the
 37.12 administrative law judge must dismiss the complaint.

37.13 ~~(b) If the administrative law judge determines that the complaint sets forth a prima facie~~
 37.14 ~~violation of section 211B.06 and was filed within 60 days before the primary or special~~
 37.15 ~~election or within 90 days before the general election to which the complaint relates, the~~
 37.16 ~~administrative law judge must conduct an expedited probable cause hearing under section~~
 37.17 ~~211B.34.~~

37.18 ~~(e)~~ (b) If the administrative law judge determines that the complaint sets forth a prima
 37.19 facie violation of a provision of chapter 211A or 211B, ~~other than section 211B.06,~~ and that
 37.20 the complaint was filed within 60 days before the primary or special election or within 90
 37.21 days before the general election to which the complaint relates, the administrative law judge,
 37.22 on request of any party, must conduct an expedited probable cause hearing under section
 37.23 211B.34.

37.24 ~~(d)~~ (c) If the administrative law judge determines that the complaint sets forth a prima
 37.25 facie violation of chapter 211A or 211B, and was ~~filed more than~~ not filed within 60 days
 37.26 before the primary or special election or ~~more than~~ 90 days before the general election to
 37.27 which the complaint relates, the administrative law judge must schedule an evidentiary
 37.28 hearing under section 211B.35.

37.29 Sec. 37. Minnesota Statutes 2022, section 211B.34, subdivision 1, is amended to read:

37.30 Subdivision 1. **Time for review.** The assigned administrative law judge must hold a
 37.31 probable cause hearing on the complaint no later than three business days after ~~receiving~~
 37.32 ~~the assignment if~~ determining the complaint sets forth a prima facie violation of chapter

38.1 211A or 211B, an expedited hearing is required by section 211B.33, except that for good
38.2 cause the administrative law judge may hold the hearing no later than seven days after
38.3 ~~receiving the assignment~~ the prima facie determination. If an expedited hearing is not
38.4 required by section 211B.33, because no party requested one under section 211B.33,
38.5 subdivision 2, paragraph (b), the administrative law judge must hold the hearing not later
38.6 than 30 days after ~~receiving the assignment~~ determining the complaint sets forth a prima
38.7 facie violation of chapter 211A or 211B.

38.8 Sec. 38. Minnesota Statutes 2022, section 211B.34, subdivision 2, is amended to read:

38.9 Subd. 2. **Disposition.** ~~At~~ After the probable cause hearing, the administrative law judge
38.10 must make one of the following determinations within three business days after the hearing
38.11 record closes:

38.12 (a) The complaint is frivolous, or there is no probable cause to believe that the violation
38.13 of law alleged in the complaint has occurred. If the administrative law judge makes either
38.14 determination, the administrative law judge must dismiss the complaint.

38.15 (b) There is probable cause to believe that the violation of law alleged in the complaint
38.16 has occurred. If the administrative law judge so determines, the chief administrative law
38.17 judge must schedule the complaint for an evidentiary hearing under section 211B.35.

38.18 Sec. 39. Minnesota Statutes 2022, section 211B.35, subdivision 1, is amended to read:

38.19 Subdivision 1. **Deadline for hearing.** When required by section 211B.33, subdivision
38.20 2, paragraph (c), or by section 211B.34, subdivision 2 or 3, the chief administrative law
38.21 judge must assign the complaint to a panel of three administrative law judges for an
38.22 evidentiary hearing. The hearing must be held within the following times:

38.23 (1) ten days after the complaint was assigned to the panel, if an expedited probable cause
38.24 hearing was requested or required under section 211B.33;

38.25 (2) 30 days after the complaint was filed, if it was filed within 60 days before the primary
38.26 or special election or within 90 days before the general election to which the complaint
38.27 relates; or

38.28 (3) 90 days after the complaint was filed, if it was filed at any other time.

38.29 For good cause shown, the panel may extend the deadline set forth in clause (2) or (3)
38.30 by 60 days.

39.1 Sec. 40. Minnesota Statutes 2022, section 211B.35, subdivision 3, is amended to read:

39.2 Subd. 3. **Time for disposition.** The panel must dispose of the complaint:

39.3 (1) within three business days after the hearing record closes, if an expedited probable
39.4 cause hearing was required by section 211B.33; and

39.5 (2) within 14 days after the hearing record closes, if an expedited probable cause hearing
39.6 was not required by section 211B.33.

39.7 Sec. 41. Minnesota Statutes 2022, section 299E.01, subdivision 2, is amended to read:

39.8 Subd. 2. **Responsibilities.** (a) The division shall be responsible and shall utilize state
39.9 employees for security and public information services in state-owned buildings and state
39.10 leased-to-own buildings in the Capitol Area, as described in section 15B.02. It shall provide
39.11 personnel as are required by the circumstances to insure the orderly conduct of state business
39.12 and the convenience of the public. It shall provide emergency assistance and security escorts
39.13 at any location within the Capitol Area, as described in section 15B.02, when requested by
39.14 a state constitutional officer.

39.15 (b) As part of the division permanent staff, the director must establish the position of
39.16 emergency manager that includes, at a minimum, the following duties:

39.17 (1) oversight of the consolidation, development, and maintenance of plans and procedures
39.18 that provide continuity of security operations;

39.19 (2) the development and implementation of tenant training that addresses threats and
39.20 emergency procedures; and

39.21 (3) the development and implementation of threat and emergency exercises.

39.22 (c) The director must provide a minimum of one state trooper assigned to the Capitol
39.23 complex at all times.

39.24 (d) The director, in consultation with the advisory committee under section 299E.04,
39.25 shall, at least annually, hold a meeting or meetings to discuss, among other issues, Capitol
39.26 complex security, emergency planning, public safety, and public access to the Capitol
39.27 complex. The meetings must include, at a minimum:

39.28 (1) Capitol complex tenants and state employees;

39.29 (2) nongovernmental entities, such as lobbyists, vendors, and the media; and

39.30 (3) the public and public advocacy groups.

40.1 **EFFECTIVE DATE; EXPIRATION.** This section is effective the day following final
40.2 enactment and expires June 30, 2026.

40.3 Sec. 42. Minnesota Statutes 2023 Supplement, section 307.08, subdivision 3a, is amended
40.4 to read:

40.5 Subd. 3a. **Cemeteries; records and condition assessments.** (a) Cemeteries shall be
40.6 assessed according to this subdivision.

40.7 (b) The state archaeologist shall implement and maintain a system of records identifying
40.8 the location of known, recorded, or suspected cemeteries. The state archaeologist shall
40.9 provide access to the records as provided in subdivision 11.

40.10 (c) The cemetery condition assessment of non-American Indian cemeteries is at the
40.11 discretion of the state archaeologist based on the needs identified in this section or upon
40.12 request by an agency, a landowner, or other appropriate authority.

40.13 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion
40.14 of the Indian Affairs Council based on the needs identified in this section or upon request
40.15 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has
40.16 possession or takes custody of remains they may follow United States Code, title 25, sections
40.17 3001 to 3013.

40.18 (e) The cemetery condition assessment of cemeteries that include American Indian and
40.19 non-American Indian remains or include remains whose ancestry cannot be determined
40.20 shall be assessed at the discretion of the state archaeologist in collaboration with the Indian
40.21 Affairs Council based on the needs identified in this section or upon request by an agency,
40.22 a landowner, or other appropriate authority.

40.23 (f) The state archaeologist and the Indian Affairs Council shall have 90 days from the
40.24 date a request is received to begin a cemetery condition assessment or provide notice to the
40.25 requester whether or not a condition assessment of a cemetery is needed.

40.26 (g) The state archaeologist and the Indian Affairs Council may retain the services of a
40.27 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate
40.28 experts for the purpose of gathering information that the state archaeologist or the Indian
40.29 Affairs Council can use to assess or identify cemeteries. If probable American Indian
40.30 cemeteries are to be disturbed or probable American Indian remains analyzed, the Indian
40.31 Affairs Council must approve the professional archaeologist, qualified anthropologist, or
40.32 other appropriate expert.

41.1 Sec. 43. Minnesota Statutes 2022, section 326.10, subdivision 8, is amended to read:

41.2 Subd. 8. **Expiration and renewal.** (a) All licenses and certificates, other than in-training
41.3 certificates, issued by the board expire at midnight on June 30 of each even-numbered
41.4 calendar year if not renewed. A holder of a license or certificate issued by the board may
41.5 renew it by completing and filing with the board an application for renewal consisting of a
41.6 fully completed form provided by the board and the fee specified in section 326.105. Both
41.7 the fee and the application must be submitted at the same time and by June 30 of each
41.8 even-numbered calendar year. The form must be signed by the applicant, contain all of the
41.9 information requested, and clearly show that the licensee or certificate holder has completed
41.10 the minimum number of required professional development hours or has been granted an
41.11 exemption under section 326.107, subdivision 4. An application for renewal that does not
41.12 comply with the requirements of this subdivision is an incomplete application and must not
41.13 be accepted by the board.

41.14 (b) No later than 30 days before the expiration of a license or certificate, the board must
41.15 send the holder of the license or certificate a notice by email that the license or certificate
41.16 is about to expire. The notice must include information on the process and requirements for
41.17 renewal. The application form for a new or renewed license or certificate issued by the
41.18 board must request that the applicant provide an email address for the purpose of providing
41.19 this notice. If the board does not have a record of a license or certificate holder's email
41.20 address, the board must send the notice to the holder by standard mail.

41.21 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to licenses
41.22 and renewals scheduled to expire on or after that date.

41.23 Sec. 44. Minnesota Statutes 2022, section 326A.04, subdivision 4, is amended to read:

41.24 Subd. 4. **Program of learning.** Each licensee shall participate in a program of learning
41.25 designed to maintain professional competency. The program of learning must comply with
41.26 rules adopted by the board. The board may by rule create an exception to this requirement
41.27 for licensees who do not perform or offer to perform for the public one or more kinds of
41.28 services involving the use of auditing skills, including issuance of reports on: attest or
41.29 compilation engagements, management advisory services, financial advisory services, or
41.30 consulting services. A licensee granted such an exception by the board must place the word
41.31 "inactive" or "retired," if applicable, adjacent to the CPA title on any business card, letterhead,
41.32 or any other document or device, with the exception of the licensee's certificate on which
41.33 the CPA title appears. The board must not conduct an audit of a licensee's compliance with

42.1 these requirements during the 60 days prior to the deadline for filing an individual income
 42.2 tax return under section 289A.18, subdivision 1.

42.3 Sec. 45. Minnesota Statutes 2022, section 336.1-110, is amended to read:

42.4 **336.1-110 UNIFORM COMMERCIAL CODE ACCOUNT.**

42.5 The Uniform Commercial Code account is established as an account in the state treasury.
 42.6 Fees that are not expressly set by statute but are charged by the secretary of state to offset
 42.7 the costs of providing a service under this chapter must be deposited in the state treasury
 42.8 and credited to the Uniform Commercial Code account.

42.9 Fees that are not expressly set by statute but are charged by the secretary of state to
 42.10 offset the costs of providing information contained in the computerized records maintained
 42.11 by the secretary of state must be deposited in the state treasury and credited to the Uniform
 42.12 Commercial Code account.

42.13 Money in the Uniform Commercial Code account is continuously appropriated to the
 42.14 secretary of state to implement and maintain the central filing system under this chapter, to
 42.15 provide, improve, and expand other online or remote lien and business entity filing, retrieval,
 42.16 and payment method services provided by the secretary of state, and to provide electronic
 42.17 access and to support, maintain, and expand all other computerized records and systems
 42.18 maintained by the secretary of state.

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

42.20 Sec. 46. Minnesota Statutes 2022, section 358.645, subdivision 2, is amended to read:

42.21 Subd. 2. **Qualifications; registration required.** (a) A remote online notary public:

42.22 (1) is a notary public for purposes of chapter 359 and is subject to and must be appointed
 42.23 and commissioned under that chapter;

42.24 (2) may perform notarial acts as provided by this chapter and chapter 359 in addition to
 42.25 performing remote online notarizations; and

42.26 (3) may perform remote online notarizations authorized under this section.

42.27 (b) A notary public commissioned in this state may apply for remote online notarization
 42.28 registration according to this section. Before a notary performs a remote online notarization,
 42.29 the notary must register the capability to perform notarial acts pursuant to section 358.645
 42.30 with the secretary of state according to section 359.01, subdivision 5, and must certify that
 42.31 the notary intends to use communication technology that conforms to this section.

43.1 (c) Unless terminated under this section, the term of registration to perform remote online
 43.2 notarial acts begins on the registration starting date set by the secretary of state and continues
 43.3 as long as the notary public's current commission to perform notarial acts remains valid.

43.4 (d) Upon the applicant's fulfillment of the requirements for remote online notarization
 43.5 registration under this section, the secretary of state shall record the registration under the
 43.6 applicant's notary public commission number.

43.7 (e) The secretary of state may reject a registration application if the applicant fails to
 43.8 comply with paragraphs (a) to (d). The commissioner of commerce may revoke a registration
 43.9 if the applicant fails to comply with subdivisions 2 to 6.

43.10 Sec. 47. Minnesota Statutes 2022, section 358.71, is amended to read:

43.11 **358.71 DATABASE OF NOTARIES PUBLIC.**

43.12 The secretary of state shall maintain an electronic database of notaries public:

43.13 ~~(1)~~ through which a person may verify the authority of a notary public to perform notarial
 43.14 acts, including notarial acts pursuant to section 358.645², and to perform notarial acts on
 43.15 electronic records.

43.16 ~~(2) which indicates whether a notary public has applied to the commissioning officer or~~
 43.17 ~~agency to perform notarial acts on electronic records or to perform notarial acts pursuant~~
 43.18 ~~to section 358.645.~~

43.19 Sec. 48. Minnesota Statutes 2022, section 359.01, subdivision 5, is amended to read:

43.20 Subd. 5. **Registration to perform electronic notarizations.** Before performing electronic
 43.21 notarial acts, a notary public shall register the capability to notarize electronically with the
 43.22 secretary of state. ~~Before performing electronic notarial acts after recommissioning, a notary~~
 43.23 ~~public shall reregister with the secretary of state.~~ Unless terminated for any reason, the term
 43.24 of registration to perform electronic notarial acts begins on the registration starting date set
 43.25 by the secretary of state and continues as long as the notary public has a valid commission
 43.26 to perform notarial acts. The requirements of this chapter relating to electronic notarial acts
 43.27 do not apply to notarial acts performed under sections 358.15, paragraph (a), clause (4),
 43.28 and 358.60, subdivision 1, clause (2).

43.29 Sec. 49. Minnesota Statutes 2022, section 359.03, subdivision 3, is amended to read:

43.30 Subd. 3. **Specifications.** (a) The official notarial stamp consists of the seal of the state
 43.31 of Minnesota, the name of the notary as it appears on the commission or the name of the

44.1 ex officio notary, the words "Notary Public," or "Notarial Officer" in the case of an ex
 44.2 officio notary, and the words "My commission expires (or where applicable) My
 44.3 term is indeterminate," with the expiration date shown on it and must be able to be reproduced
 44.4 in any legibly reproducible manner. The official notarial stamp shall be a rectangular form
 44.5 of not more than three-fourths of an inch vertically by 2-1/2 inches horizontally, with a
 44.6 serrated or milled edge border, and shall contain the information required by this subdivision.

44.7 (b) A notarial stamp that complied with these requirements at the time of issuance may
 44.8 continue to be used during the remainder of the current term of the notary even if changes
 44.9 to any of these requirements subsequently become effective.

44.10 **Sec. 50. STATE CAPITOL; MANAGEMENT OF SPACE.**

44.11 Notwithstanding any law or space use agreements to the contrary, the commissioner of
 44.12 administration must allocate the first floor, North corridor adjoining rooms 107 and 112 of
 44.13 the State Capitol building to the use and management of the house of representatives during
 44.14 any period in which the legislature is convened in regular or special session. During these
 44.15 periods, public use of the space must not interfere with the conduct of legislative business
 44.16 or the security of legislators or legislative staff, and events and other programs scheduled
 44.17 within the space must only be permitted if approved by the speaker of the house.

44.18 **Sec. 51. REPEALER; FALSE POLITICAL AND CAMPAIGN MATERIAL.**

44.19 Minnesota Statutes 2022, section 211B.06, is repealed.

44.20 **Sec. 52. REPEALER; FEDERAL EDUCATION LAW IMPLEMENTATION**
 44.21 **REPORT.**

44.22 Minnesota Statutes 2022, section 127A.095, subdivision 3, is repealed.

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

44.24 **Sec. 53. REPEALER; DEPARTMENT OF INFORMATION TECHNOLOGY**
 44.25 **SERVICES PROVISIONS.**

44.26 Minnesota Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1 and 2; 16E.055;
 44.27 and 16E.20, are repealed.

ARTICLE 3

LOCAL GOVERNMENT POLICY

Section 1. Minnesota Statutes 2022, section 331A.10, is amended by adding a subdivision to read:

Subd. 3. **Alternative to publishing.** (a) Notwithstanding any law to the contrary, when a qualified newspaper designated by a political subdivision ceases to exist for any reason except consolidation with another newspaper, the political subdivision may publish its proceedings on the political subdivision's website instead of publishing the proceedings in a newspaper. This subdivision expires August 1, 2026.

(b) If, before August 1, 2026, there is a newspaper located within a political subdivision's boundaries that is qualified to be designated as the political subdivision's official newspaper pursuant to section 331A.04, then the exemption provided in this subdivision shall not apply, provided that the qualified newspaper's legal rate is not more than ten percent above the rate charged by the political subdivision's previous official newspaper and the qualified newspaper provides some coverage of the activities of the political subdivision that is publishing the notice.

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

Sec. 2. Minnesota Statutes 2022, section 383B.145, subdivision 5, is amended to read:

Subd. 5. **Set-aside contracts.** (a) Notwithstanding any other law to the contrary, the board may set aside an amount, for each fiscal year, for awarding contracts to businesses and social services organizations ~~which have a majority of employees~~ that employ persons who would be eligible for public assistance or who would require rehabilitative services in the absence of their employment. The set-aside amount may not exceed two percent of the amount appropriated by the board in the budget for the preceding fiscal year. Failure by the board to designate particular procurements for the set-aside program shall not prevent vendors from seeking the procurement award through the normal solicitation and bidding processes pursuant to the provisions of the Uniform Municipal Contracting Act, section 471.345.

(b) The board may elect to use a negotiated price or bid contract procedure in the awarding of a procurement contract under the set-aside program. The amount of the award shall not exceed by more than five percent the estimated price for the goods or services, if they were to be purchased on the open market and not under the set-aside program.

46.1 (c) Before contracting with a business or social service organization under the set-aside
46.2 program, the board or authorized person shall conduct an investigation of the business or
46.3 social service organization with whom it seeks to contract and shall make findings, to be
46.4 contained in the provisions of the contract, that:

46.5 (1) the vendor either:

46.6 (i) has in its employ at least 50 percent of its employees who would be eligible to receive
46.7 some form of public assistance or other rehabilitative services in the absence of the award
46.8 of a contract to the vendor; or

46.9 (ii) if the vendor is a business providing construction services, has in its employ to deliver
46.10 the set-aside contract as many employees who would be eligible to receive some form of
46.11 public assistance or other rehabilitative services in the absence of the award of a contract
46.12 to the vendor as is practicable in consideration of industry safety standards, established
46.13 supervisory ratios for apprentices, and requirements for licensed persons to perform certain
46.14 work;

46.15 (2) the vendor has elected to apply to the board for a contract under the set-aside
46.16 provisions; and

46.17 (3) the vendor is able to perform the set-aside contract.

46.18 (d) The board shall publicize the provisions of the set-aside program, attempt to locate
46.19 vendors able to perform set-aside procurement contracts and otherwise encourage
46.20 participation therein.

46.21 Sec. 3. Minnesota Statutes 2023 Supplement, section 473.145, is amended to read:

46.22 **473.145 DEVELOPMENT GUIDE.**

46.23 (a) The Metropolitan Council must prepare and adopt, after appropriate study and such
46.24 public hearings as may be necessary, a comprehensive development guide for the
46.25 metropolitan area. It must consist of a compilation of policy statements, goals, standards,
46.26 programs, and maps prescribing guides for the orderly and economical development, public
46.27 and private, of the metropolitan area. The comprehensive development guide must recognize
46.28 and encompass physical, social, or economic needs of the metropolitan area and those future
46.29 developments which will have an impact on the entire area including but not limited to such
46.30 matters as land use, climate mitigation and adaptation, parks and open space land needs,
46.31 the necessity for and location of airports, highways, transit facilities, public hospitals,
46.32 libraries, schools, and other public buildings.

47.1 (b) For the purposes of this section, "climate mitigation and adaptation" includes
 47.2 mitigation goals and strategies that meet or exceed the greenhouse gas emissions-reduction
 47.3 goals established by the state under section 216H.02, subdivision 1, and transportation
 47.4 targets established by the commissioner of transportation, including vehicle miles traveled
 47.5 reduction targets established in the statewide multimodal transportation plan under section
 47.6 174.03, subdivision 1a, as well as plans and policies to address climate adaptation in the
 47.7 region. The commissioner of transportation must consult with the Metropolitan Council on
 47.8 transportation targets prior to establishing the targets.

47.9 (c) Notwithstanding any other provision of law, no decision adopting or authorizing a
 47.10 comprehensive plan shall be subject to the requirements of chapter 116D. Nothing in this
 47.11 paragraph exempts individual projects, as defined by Minnesota Rules, part 4410.0200,
 47.12 subpart 65, from the requirements of chapter 116D and applicable rules.

47.13 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 47.14 applies to all comprehensive plans and amendments adopted by any local governmental
 47.15 unit, as defined under Minnesota Statutes, section 473.852, subdivision 7, and authorized
 47.16 by the Metropolitan Council during the most recent decennial review under Minnesota
 47.17 Statutes, section 473.864.

47.18 Sec. 4. Laws 1992, chapter 534, section 7, subdivision 1, is amended to read:

47.19 Subdivision 1. **Governing board.** The hospital district shall be governed by a board of
 47.20 directors of ~~at least nine and not more than 12~~ six voting members, elected as provided in
 47.21 subdivision 2. All members of the hospital board at the time the hospital district is organized
 47.22 shall continue in office until the members of the first board of the hospital district are elected
 47.23 and qualify. The hospital district may change the number of board members through adoption
 47.24 and amendment of bylaws under section 10, subdivision 5.

47.25 **EFFECTIVE DATE.** This section is effective the day after the governing bodies of
 47.26 Swift County and the city of Benson and their respective chief clerical officers timely
 47.27 complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

47.28 Sec. 5. Laws 1992, chapter 534, section 7, subdivision 2, is amended to read:

47.29 Subd. 2. **Election.** ~~Three~~ Two directors shall be elected by the city council and ~~six~~ four
 47.30 directors shall be elected by the county board, unless otherwise provided in the bylaws
 47.31 under section 10, subdivision 5. ~~Up to three~~ Additional voting members and additional
 47.32 nonvoting members may be provided for in bylaws adopted pursuant to section ~~5~~ 10,
 47.33 subdivision 5. As nearly as possible, one-third of the members of the first board of directors

48.1 shall be elected for a term to expire one year from the next December 31 following that
48.2 election, one-third for a term to expire two years from that date, and one-third for a term to
48.3 expire three years from that date. Each of the political subdivisions electing directors shall
48.4 assign terms of office to each director according to these staggered terms. Successors to the
48.5 first board members shall each be elected for terms of three years, and all members shall
48.6 hold office until their successors are elected and qualify. Terms of office shall expire on
48.7 December 31. In case of vacancy on the board of directors, whether due to death, removal
48.8 from the district, inability to serve, resignation, removal by the entity that elected the director,
48.9 or other cause, the majority of the governing body of the entity that elected the director
48.10 whose position is vacant shall elect a director to fill such vacancy for the then unexpired
48.11 term.

48.12 **EFFECTIVE DATE.** This section is effective the day after the governing bodies of
48.13 Swift County and the city of Benson and their respective chief clerical officers timely
48.14 complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

48.15 Sec. 6. Laws 1992, chapter 534, section 7, subdivision 3, is amended to read:

48.16 Subd. 3. **Compensation.** The members of the board of directors may receive
48.17 compensation for their services as such and may be reimbursed for reasonable expenses
48.18 necessarily incurred in the performance of their duties to the extent provided for in bylaws
48.19 adopted pursuant to section ~~5~~ 10, subdivision 5.

48.20 **EFFECTIVE DATE.** This section is effective the day after the governing bodies of
48.21 Swift County and the city of Benson and their respective chief clerical officers timely
48.22 complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

48.23 Sec. 7. Laws 1992, chapter 534, section 8, subdivision 2, is amended to read:

48.24 Subd. 2. **Duties.** The officers shall have the duties specified in this subdivision and
48.25 additional duties as set forth in bylaws adopted in accordance with section ~~5~~ 10, subdivision
48.26 5. The chair shall preside at all meetings of the board of directors and shall perform all
48.27 duties usually incumbent upon such an officer. The vice-chair shall preside in the absence
48.28 of the chair. The secretary shall record the minutes of all meetings of the board and be the
48.29 custodian of all books and records of the district. The treasurer shall be the custodian of
48.30 money received by the district and shall see that they are properly accounted for. The board
48.31 may appoint deputies who shall perform any functions and duties of any officer, subject to
48.32 the supervision and control of the officer.

49.1 **EFFECTIVE DATE.** This section is effective the day after the governing bodies of
49.2 Swift County and the city of Benson and their respective chief clerical officers timely
49.3 complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

49.4 Sec. 8. Laws 1992, chapter 534, section 10, subdivision 4, is amended to read:

49.5 Subd. 4. **Approval for sale or lease.** Nothing contained in this section ~~5~~ shall be
49.6 construed to authorize the district or its board of directors to at any time sell, lease, or
49.7 otherwise transfer the management, control or operation of the hospital, including nursing
49.8 home or other facilities, except upon approval by a majority vote of the county board and
49.9 the city council.

49.10 **EFFECTIVE DATE.** This section is effective the day after the governing bodies of
49.11 Swift County and the city of Benson and their respective chief clerical officers timely
49.12 complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

49.13 Sec. 9. Laws 1992, chapter 534, section 16, is amended to read:

49.14 **Sec. 16. LEASE OF FACILITIES TO NONPROFIT OR PUBLIC CORPORATION.**

49.15 Subject to section ~~5~~ 10, subdivision 4, the hospital district may lease hospital, nursing
49.16 home, or other facilities to be run by a nonprofit or public corporation as community facilities.
49.17 The facilities must be open to all residents of the community on equal terms. The district
49.18 may lease related medical facilities to any person, firm, association, or corporation, at rent
49.19 and on conditions agreed. The term of the lease must not exceed 30 years. The lessee may
49.20 be granted an option to renew the lease for an additional term or to purchase the facilities.
49.21 The terms of renewal or purchase must be provided for in the lease. The hospital district
49.22 may by resolution of its governing body agree to pay to the lessee annually, and to include
49.23 in each annual budget for hospital and nursing home purposes, a fixed compensation for
49.24 services agreed to be performed by the lessee in running the hospital, nursing home, or other
49.25 facilities as a community facility; for any investment by the lessee of its own funds or funds
49.26 granted or contributed to it in the construction or equipment of the hospital, nursing home,
49.27 or other facilities; and for any auxiliary services to be provided or made available by the
49.28 lessee through other facilities owned or operated by it. Services other than those provided
49.29 for in the lease agreement may be compensated at rates agreed upon later. The lease
49.30 agreement must, however, require the lessee to pay a net rental not less than the amount
49.31 required to pay the principal and interest when due on all revenue bonds issued by the
49.32 hospital district to acquire, improve, and refinance the leased facilities, and to maintain the
49.33 agreed revenue bond reserve. The lease agreement must not grant the lessee an option to

50.1 purchase the facilities at a price less than the amount of the bonds issued and interest accrued
50.2 on them, except bonds and accrued interest paid from the net rentals before the option is
50.3 exercised.

50.4 To the extent that the facilities are leased under this section for use by persons in private
50.5 medical or dental or similar practice or other private business, a tax on that use must be
50.6 imposed just as though the user were the owner of the space. It must be collected as provided
50.7 in Minnesota Statutes, section 272.01, subdivision 2.

50.8 **EFFECTIVE DATE.** This section is effective the day after the governing bodies of
50.9 Swift County and the city of Benson and their respective chief clerical officers timely
50.10 complete their compliance with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

50.11 Sec. 10. **ANOKA COUNTY; JAIL AND CRIMINAL JUSTICE CENTER.**

50.12 **Subdivision 1. Jail and criminal justice center.** Notwithstanding Minnesota Statutes,
50.13 section 373.05, Anoka County may build a jail and criminal justice center in any city located
50.14 within the county to replace the current jail located in the city of Anoka.

50.15 **Subd. 2. Sheriff's office.** Notwithstanding Minnesota Statutes, section 382.04, the sheriff
50.16 of Anoka County may keep the sheriff's office in the jail and criminal justice center
50.17 authorized under subdivision 1 instead of in the county seat.

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

50.19 Sec. 11. **COMPREHENSIVE PLANS; METROPOLITAN AREA CITIES OF THE**
50.20 **FIRST CLASS.**

50.21 Comprehensive plans adopted by cities of the first class in the metropolitan area, as
50.22 defined under Minnesota Statutes, section 473.121, subdivision 2, and authorized by the
50.23 Metropolitan Council for the most recent decennial review under Minnesota Statutes, section
50.24 473.864, shall not constitute conduct that causes or is likely to cause pollution, impairment,
50.25 or destruction as defined under Minnesota Statutes, section 116B.02, subdivision 5.

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

50.27 Sec. 12. **REPEALER.**

50.28 (a) Minnesota Statutes 2022, section 471.9998, is repealed.

50.29 (b) Laws 1979, chapter 189, sections 1; 2, as amended by Laws 1984, chapter 548,
50.30 section 8; and 3, are repealed.

51.1 EFFECTIVE DATE. Paragraph (a) is effective the day following final enactment.
51.2 Paragraph (b) is effective the day after the governing body of the city of St. Paul and its
51.3 chief clerical officer timely complete their compliance with Minnesota Statutes, section
51.4 645.021, subdivisions 2 and 3.

51.5 ARTICLE 4

51.6 MILITARY AND VETERANS AFFAIRS

51.7 Section 1. Minnesota Statutes 2022, section 161.14, is amended by adding a subdivision
51.8 to read:

51.9 Subd. 105. Gopher Gunners Memorial Bridge. (a) The bridge on marked Trunk
51.10 Highway 55 and Trunk Highway 62, crossing the Minnesota River, commonly known as
51.11 the Mendota Bridge, is named and designated as "Gopher Gunners Memorial Bridge."
51.12 Notwithstanding section 161.139, the commissioner must adopt a suitable marking design
51.13 to mark this bridge and erect appropriate signs.

51.14 (b) The adjutant general of the Department of Military Affairs must reimburse the
51.15 commissioner of transportation for costs incurred under this subdivision.

51.16 Sec. 2. Minnesota Statutes 2022, section 193.143, is amended to read:

51.17 193.143 STATE ARMORY BUILDING COMMISSION, POWERS.

51.18 Such corporation, subject to the conditions and limitations prescribed in sections 193.141
51.19 to 193.149, shall possess all the powers of a body corporate necessary and convenient to
51.20 accomplish the objectives and perform the duties prescribed by sections 193.141 to 193.149,
51.21 including the following, which shall not be construed as a limitation upon the general powers
51.22 hereby conferred:

51.23 (1) To acquire by lease, purchase, gift, or condemnation proceedings all necessary right,
51.24 title, and interest in and to the lands required for a site for a new armory and all other real
51.25 or personal property required for the purposes contemplated by the Military Code and to
51.26 hold and dispose of the same, subject to the conditions and limitations herein prescribed;
51.27 provided that any such real or personal property or interest therein may be so acquired or
51.28 accepted subject to any condition which may be imposed thereon by the grantor or donor
51.29 and agreed to by such corporation not inconsistent with the proper use of such property by
51.30 the state for armory or military purposes as herein provided.

51.31 (2) To exercise the power of eminent domain in the manner provided by chapter 117,
51.32 for the purpose of acquiring any property which such corporation is herein authorized to

52.1 acquire by condemnation; provided, that the corporation may take possession of any such
52.2 property so to be acquired at any time after the filing of the petition describing the same in
52.3 condemnation proceedings; provided further, that this shall not preclude the corporation
52.4 from abandoning the condemnation of any such property in any case where possession
52.5 thereof has not been taken.

52.6 (3) To construct and equip new armories as authorized herein; to pay therefor out of the
52.7 funds obtained as hereinafter provided and to hold, manage, and dispose of such armory,
52.8 equipment, and site as hereinafter provided. The total amount of bonds issued on account
52.9 of such armories shall not exceed the amount of the cost thereof; provided also, that the
52.10 total bonded indebtedness of the commission shall not at any time exceed the aggregate
52.11 sum of ~~\$15,000,000~~ \$45,000,000.

52.12 (4) To provide partnerships with federal and state governments and to match federal and
52.13 local funds, when available.

52.14 (5) To sue and be sued.

52.15 (6) To contract and be contracted with in any matter connected with any purpose or
52.16 activity within the powers of such corporations as herein specified; provided, that no officer
52.17 or member of such corporation shall be personally interested, directly or indirectly, in any
52.18 contract in which such corporation is interested.

52.19 (7) To employ any and all professional and nonprofessional services and all agents,
52.20 employees, workers, and servants necessary and proper for the purposes and activities of
52.21 such corporation as authorized or contemplated herein and to pay for the same out of any
52.22 portion of the income of the corporation available for such purposes or activities. The officers
52.23 and members of such corporation shall not receive any compensation therefrom, but may
52.24 receive their reasonable and necessary expenses incurred in connection with the performance
52.25 of their duties; provided however, that whenever the duties of any member of the commission
52.26 require full time and attention the commission may compensate the member therefor at such
52.27 rates as it may determine.

52.28 (8) To borrow money and issue bonds for the purposes and in the manner and within
52.29 the limitations herein specified, and to pledge any and all property and income of such
52.30 corporation acquired or received as herein provided to secure the payment of such bonds,
52.31 subject to the provisions and limitations herein prescribed, and to redeem any such bonds
52.32 if so provided therein or in the mortgage or trust deed accompanying the same.

52.33 (9) To use for the following purposes any available money received by such corporation
52.34 from any source as herein provided in excess of those required for the payment of the cost

53.1 of such armory and for the payment of any bonds issued by the corporation and interest
53.2 thereon according to the terms of such bonds or of any mortgage or trust deed accompanying
53.3 the same:

53.4 (a) to pay the necessary incidental expenses of carrying on the business and activities
53.5 of the corporation as herein authorized;

53.6 (b) to pay the cost of operating, maintaining, repairing, and improving such new armories;

53.7 (c) if any further excess money remains, to purchase upon the open market at or above
53.8 or below the face or par value thereof any bonds issued by the corporation as herein
53.9 authorized, provided that any bonds so purchased shall thereupon be canceled.

53.10 (10) To adopt and use a corporate seal.

53.11 (11) To adopt all needful bylaws and rules for the conduct of business and affairs of
53.12 such corporation and for the management and use of all armories while under the ownership
53.13 and control of such corporation as herein provided, not inconsistent with the use of such
53.14 armory for armory or military purposes.

53.15 (12) Such corporation shall issue no stock.

53.16 (13) No officer or member of such corporation shall have any personal share or interest
53.17 in any funds or property of the corporation or be subject to any personal liability by reason
53.18 of any liability of the corporation.

53.19 (14) The Minnesota State Armory Building Commission created under section 193.142
53.20 shall keep all money and credits received by it as a single fund, to be designated as the
53.21 "Minnesota State Armory Building Commission fund," with separate accounts for each
53.22 armory; and the commission may make transfers of money from funds appertaining to any
53.23 armory under its control for use for any other such armory; provided such transfers shall
53.24 be made only from money on hand, from time to time, in excess of the amounts required
53.25 to meet payments of interest or principal on bonds or other obligations appertaining to the
53.26 armory to which such funds pertain and only when necessary to pay expenses of construction,
53.27 operation, maintenance, and debt service of such other armory; provided further, no such
53.28 transfer of any money paid for the support of any armory by the municipality in which such
53.29 armory is situated shall be made by the commission.

53.30 (15) The corporation created under section 193.142 may designate one or more state or
53.31 national banks as depositories of its funds, and may provide, upon such conditions as the
53.32 corporation may determine, that the treasurer of the corporation shall be exempt from

54.1 personal liability for loss of funds deposited in any such depository due to the insolvency
 54.2 or other acts or omissions of such depository.

54.3 (16) The governor is empowered to apply for grants of money, equipment, and materials
 54.4 which may be made available to the states by the federal government for leasing, building,
 54.5 and equipping armories for the use of the military forces of the state which are reserve
 54.6 components of the armed forces of the United States, whenever the governor is satisfied
 54.7 that the conditions under which such grants are offered by the federal government, are for
 54.8 the best interests of the state and are not inconsistent with the laws of the state relating to
 54.9 armories, and to accept such grants in the name of the state. The Minnesota State Armory
 54.10 Building Commission is designated as the agency of the state to receive such grants and to
 54.11 use them for armory purposes as prescribed in this chapter, and by federal laws, and
 54.12 regulations not inconsistent therewith.

54.13 Sec. 3. Laws 2023, chapter 38, article 1, section 3, subdivision 3, is amended to read:

54.14	Subd. 3. Veterans Health Care	90,025,000	100,797,000
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54.15 (a) The base for this appropriation in fiscal
 54.16 year 2026 is \$93,387,000 and \$94,435,000 in
 54.17 fiscal year 2027 and each fiscal year thereafter.

54.18 (b) \$88,885,000 the first year and \$99,847,000
 54.19 the second year may be transferred to a
 54.20 veterans homes special revenue account in the
 54.21 special revenue fund in the same manner as
 54.22 other receipts are deposited according to
 54.23 Minnesota Statutes, section 198.34, and are
 54.24 appropriated to the commissioner of veterans
 54.25 affairs for the operation of veterans homes
 54.26 facilities and programs. If the amount available
 54.27 in fiscal year 2024 is insufficient, the amount
 54.28 appropriated in fiscal year 2025 is available
 54.29 in fiscal year 2024. The base for this transfer
 54.30 is \$92,437,000 in fiscal year 2026 and
 54.31 \$93,485,000 in fiscal year 2027.

54.32 (c) The department shall seek opportunities to
 54.33 maximize federal reimbursements of
 54.34 Medicare-eligible expenses and provide annual

- 55.1 reports to the commissioner of management
55.2 and budget on the federal Medicare
55.3 reimbursements that are received. Contingent
55.4 upon future federal Medicare receipts,
55.5 reductions to the veterans homes' general fund
55.6 appropriation may be made.
- 55.7 (d) \$400,000 each year is for the department
55.8 to staff Veteran Community Health Navigators
55.9 in community-based hospitals.
- 55.10 (e) \$190,000 the first year is for the working
55.11 group established under article 2, section 8.
- 55.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.

16E.035 TECHNOLOGY INVENTORY.

The chief information officer must prepare a financial inventory of technology owned or leased by the Department of Information Technology Services. The inventory must include: (1) information on how the technology fits into the state's information technology architecture; and (2) a projected replacement schedule. The chief information officer must report the inventory to the legislative committees with primary jurisdiction over state technology issues by July 1 of each even-numbered year.

16E.0465 TECHNOLOGY APPROVAL.

Subdivision 1. **Application.** This section applies to an appropriation of more than \$1,000,000 of state or federal funds to a state agency for any information and telecommunications technology project or for any phase of such a project, device, or system. For purposes of this section, an appropriation of state or federal funds to a state agency includes an appropriation:

- (1) to a constitutional officer;
- (2) for a project that includes both a state agency and units of local government; and
- (3) to a state agency for grants to be made to other entities.

Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation for an information and telecommunications technology project subject to this section must divide the project into phases.

(b) An encumbrance or expenditure may not be made for any phase of a state agency information and telecommunications technology project subject to this section unless the Department of Information Technology Services has reviewed each phase of the project and based on this review, the chief information officer has determined for each phase that:

- (1) the project is compatible with the state information architecture and other policies and standards established by the chief information officer;
- (2) the agency is able to accomplish the goals of the phase of the project with the funds appropriated; and
- (3) the project supports the enterprise information technology strategy.

16E.055 ELECTRONIC GOVERNMENT SERVICES.

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

16E.20 ELECTRONIC CONDUCT OF STATE BUSINESS.

The chief information officer shall develop and implement a system under which:

- (1) state business can be conducted and permits or licenses obtained through electronic communication with the appropriate state agencies; and
- (2) applications for grants can be made electronically to state agencies when feasible.

127A.095 IMPLEMENTATION OF ELEMENTARY AND SECONDARY EDUCATION ACT.

Subd. 3. **Department of Management and Budget certification.** The commissioner of management and budget shall certify and report to the legislature annually beginning January 1, 2008, the amount of federal revenue, if any, that the federal government may withhold as a result of a potential state decision to discontinue implementation of the Elementary and Secondary Education Act. The report shall also specify the intended purpose of the federal revenue and the amount of revenue that the federal government may withhold from the state, each school district, and each charter school in each fiscal year.

211B.06 FALSE POLITICAL AND CAMPAIGN MATERIAL.

Subdivision 1. **Gross misdemeanor.** (a) A person is guilty of a gross misdemeanor who intentionally participates in the preparation, dissemination, or broadcast of paid political advertising or campaign material with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat a candidate for nomination or election to a public office or to promote or defeat a ballot

APPENDIX
Repealed Minnesota Statutes: H3431-3

question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

(b) A person is guilty of a misdemeanor who intentionally participates in the drafting of a letter to the editor with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat any candidate for nomination or election to a public office or to promote or defeat a ballot question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

Subd. 2. **Exception.** Subdivision 1 does not apply to any person or organization whose sole act is, in the normal course of their business, the printing, manufacturing, or dissemination of the false information.

471.9998 MERCHANT BAGS.

Subdivision 1. **Merchant option.** All merchants, itinerant vendors, and peddlers doing business in this state shall have the option to provide customers a paper, plastic, or reusable bag for the packaging of any item or good purchased, provided such purchase is of a size and manner commensurate with the use of paper, plastic, or reusable bags.

Subd. 2. **Prohibition; bag ban.** Notwithstanding any other provision of law, no political subdivision shall impose any ban upon the use of paper, plastic, or reusable bags for packaging of any item or good purchased from a merchant, itinerant vendor, or peddler.