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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 4079

03/04/2020 Authored by Miller, Bahr, Poston, Drazkowski and Backer
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to public employment; requiring certain managerial employee discipline
1.3 for financial misfeasance; proposing coding for new law in Minnesota Statutes,
1.4 chapter 43A.

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

1.6 Section 1. [43A.395] LARGE PROGRAMS AND EXPENDITURES; RESPONSIBLE
1.7 MANAGERS.

1.8 Subdivision 1. Expenditure sign-off by managerial employee. For any program
1.9 administered by an executive branch agency that expends \$1,000,000 or more over a fiscal
1.10 biennium, a managerial employee must approve all program expenditures in writing. The
1.11 written approval must include the date of the approval, a brief and accurate description of
1.12 the expenditure, and the name and signature of the managerial employee.

1.13 Subd. 2. Discipline. (a) If an expenditure under subdivision 1 is determined to have been
1.14 in violation of law, rule, or agency procedure, the managerial employee who approved the
1.15 expenditure must be disciplined according to paragraph (b).

1.16 (b)(1) Discipline for a violation of law, rule, or agency procedure that results in a loss
1.17 to the state of \$1,000,000 or more must be termination of employment.

1.18 (2) Discipline for a violation of law, rule, or agency procedure that results in a loss to
1.19 the state of \$100,000 or more, but less than \$1,000,000, must be termination or unpaid
1.20 suspension of at least four weeks.

2.1 (3) Discipline for a violation of law, rule, or agency procedure that results in a loss to  
2.2 the state of less than \$100,000 may be termination or unpaid suspension of at least one  
2.3 week.

2.4 (c) Nothing in this section precludes criminal prosecution of managers or other employees  
2.5 or discipline of nonmanagerial employees for a violation for which a managerial employee  
2.6 was disciplined under this section.

2.7 **EFFECTIVE DATE.** This section is effective July 1, 2020, and applies to collective  
2.8 bargaining agreements entered into on or after that date.