

1.1 A bill for an act

1.2 relating to state agencies; changing the name of the commissioner of finance to
1.3 the commissioner of management and budget and making conforming changes;
1.4 amending Minnesota Statutes 2008, sections 15.01; 15.06, subdivision 1;
1.5 15A.0815, subdivision 2; 16A.01, subdivision 1; 31.60, subdivision 1; 128C.15,
1.6 subdivision 3; 144E.40, subdivision 2; 176.571, subdivision 1; 480.181,
1.7 subdivision 2; repealing Minnesota Statutes 2008, section 471.9981, subdivision
1.8 1.

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

1.10 Section 1. Minnesota Statutes 2008, section 15.01, is amended to read:

1.11 **15.01 DEPARTMENTS OF THE STATE.**

1.12 The following agencies are designated as the departments of the state government:
1.13 the Department of Administration; the Department of Agriculture; the Department of
1.14 Commerce; the Department of Corrections; the Department of Education; the Department
1.15 of Employment and Economic Development; ~~the Department of Finance;~~ the Department
1.16 of Health; the Department of Human Rights; the Department of Labor and Industry;
1.17 the Department of Management and Budget; the Department of Military Affairs; the
1.18 Department of Natural Resources; the Department of Public Safety; the Department of
1.19 Human Services; the Department of Revenue; the Department of Transportation; the
1.20 Department of Veterans Affairs; and their successor departments.

1.21 Sec. 2. Minnesota Statutes 2008, section 15.06, subdivision 1, is amended to read:

1.22 Subdivision 1. **Applicability.** This section applies to the following departments
1.23 or agencies: the Departments of Administration, Agriculture, Commerce, Corrections,
1.24 Education, Employment and Economic Development, ~~Finance,~~ Health, Human Rights,
1.25 Labor and Industry, Management and Budget, Natural Resources, Public Safety, Human

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2.1 Services, Revenue, Transportation, and Veterans Affairs; the Housing Finance and
2.2 Pollution Control Agencies; the Office of Commissioner of Iron Range Resources and
2.3 Rehabilitation; the Bureau of Mediation Services; and their successor departments and
2.4 agencies. The heads of the foregoing departments or agencies are "commissioners."

2.5 Sec. 3. Minnesota Statutes 2008, section 15A.0815, subdivision 2, is amended to read:

2.6 Subd. 2. **Group I salary limits.** The salaries for positions in this subdivision may
2.7 not exceed 95 percent of the salary of the governor:

2.8 Commissioner of administration;

2.9 Commissioner of agriculture;

2.10 Commissioner of education;

2.11 Commissioner of commerce;

2.12 Commissioner of corrections;

2.13 ~~Commissioner of finance;~~

2.14 Commissioner of health;

2.15 Executive director, Minnesota Office of Higher Education;

2.16 Commissioner, Housing Finance Agency;

2.17 Commissioner of human rights;

2.18 Commissioner of human services;

2.19 Commissioner of labor and industry;

2.20 Commissioner of management and budget;

2.21 Commissioner of natural resources;

2.22 Director of Office of Strategic and Long-Range Planning;

2.23 Commissioner, Pollution Control Agency;

2.24 Executive director, Public Employees Retirement Association;

2.25 Commissioner of public safety;

2.26 Commissioner of revenue;

2.27 Executive director, State Retirement System;

2.28 Executive director, Teachers Retirement Association;

2.29 Commissioner of employment and economic development;

2.30 Commissioner of transportation; and

2.31 Commissioner of veterans affairs.

2.32 Sec. 4. Minnesota Statutes 2008, section 16A.01, subdivision 1, is amended to read:

2.33 Subdivision 1. **Commissioner.** The commissioner of ~~finance~~ management and
2.34 budget manages the Department of ~~Finance~~ Management and Budget, which may also be

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3.1 known as Minnesota Management and Budget. The commissioner is the state's controller
3.2 and chief accounting and financial officer.

3.3 Sec. 5. Minnesota Statutes 2008, section 31.60, subdivision 1, is amended to read:

3.4 Subdivision 1. **Division duties; director; personnel.** A Meat Industry Division is
3.5 created in the Department of Agriculture which shall enforce and administer laws enforced
3.6 and administered by the commissioner of agriculture relating to meat, fish, and dressed
3.7 poultry, except laws enforced and administered by the Division of Poultry Industries. The
3.8 Meat Industry Division is under the supervision of a director in the classified service. The
3.9 commissioner shall appoint the director ~~from the register as certified by the Minnesota~~
3.10 ~~Department of Finance,~~ who shall be experienced and knowledgeable in the meat industry.

3.11 Sec. 6. Minnesota Statutes 2008, section 128C.15, subdivision 3, is amended to read:

3.12 Subd. 3. **Comparable worth.** The league is a political subdivision under sections
3.13 471.992 to 471.999, ~~except that the league must report to the commissioner of employee~~
3.14 ~~relations by February 1, 1989, on its implementation plan.~~ A cause of action against the
3.15 league does not arise before August 1, 1989, for failure to comply with sections 471.992
3.16 to 471.999.

3.17 Sec. 7. Minnesota Statutes 2008, section 144E.40, subdivision 2, is amended to read:

3.18 Subd. 2. **Administration.** (a) Unless paragraph (c) applies, consistent with the
3.19 responsibilities of the State Board of Investment and the various ambulance services, the
3.20 Cooper/Sams volunteer ambulance program must be administered by the Emergency
3.21 Medical Services Regulatory Board. The administrative responsibilities of the board
3.22 for the program relate solely to the record keeping, award application, and award
3.23 payment functions. The State Board of Investment is responsible for the investment
3.24 of the Cooper/Sams volunteer ambulance trust. The applicable ambulance service is
3.25 responsible for determining, consistent with this chapter, who is a qualified ambulance
3.26 service person, what constitutes a year of credited ambulance service, what constitutes
3.27 sufficient documentation of a year of prior service, and for submission of all necessary
3.28 data to the board in a manner consistent with this chapter. Determinations of an ambulance
3.29 service are final.

3.30 (b) The board may administer its assigned responsibilities regarding the program
3.31 directly or may retain a qualified governmental or nongovernmental plan administrator
3.32 under contract to administer those responsibilities regarding the program. A contract with
3.33 a qualified plan administrator must be the result of an open competitive bidding process

4.1 and must be reopened for competitive bidding at least once during every five-year period
4.2 after July 1, 1993.

4.3 (c) The commissioner of ~~employee relations~~ management and budget shall review
4.4 the options within state government for the most appropriate administration of pension
4.5 plans or similar arrangements for emergency service personnel and recommend to the
4.6 governor the most appropriate future pension plan or nonpension plan administrative
4.7 arrangement for this chapter. If the governor concurs in the recommendation, the governor
4.8 shall transfer the future administrative responsibilities relating to this chapter to that
4.9 administrative agency.

4.10 Sec. 8. Minnesota Statutes 2008, section 176.571, subdivision 1, is amended to read:

4.11 Subdivision 1. **Preliminary investigation.** When the head of a department has filed
4.12 a report or the commissioner of administration has otherwise received information of
4.13 the occurrence of an injury to a state employee for which liability to pay compensation
4.14 may exist, the commissioner of administration shall make a preliminary investigation to
4.15 determine the question of probable liability.

4.16 In making this investigation, the commissioner of administration may require the
4.17 assistance of the head of any department or any employee of the state. The commissioner
4.18 of ~~employee relations~~ management and budget may require that all facts be furnished
4.19 which appear in the records of any state department bearing on the issue.

4.20 Sec. 9. Minnesota Statutes 2008, section 480.181, subdivision 2, is amended to read:

4.21 Subd. 2. **Election to retain insurance and benefits; retirement.** (a) Before a
4.22 person is transferred to state employment under this section, the person may elect to do
4.23 either or both of the following:

4.24 (1) keep life insurance; hospital, medical, and dental insurance; and vacation and
4.25 sick leave benefits and accumulated time provided by the county instead of receiving
4.26 benefits from the state under the judicial branch personnel rules; or

4.27 (2) remain a member of the Public Employees Retirement Association or the
4.28 Minneapolis employees retirement fund instead of joining the Minnesota State Retirement
4.29 System.

4.30 Employees who make an election under clause (1) remain on the county payroll,
4.31 but the state shall reimburse the county on a quarterly basis for the salary and cost of the
4.32 benefits provided by the county. The state shall make the employer contribution to the
4.33 Public Employees Retirement Association or the employer contribution under section

5.1 422A.101, subdivision 1a, to the Minneapolis Employees Retirement Fund on behalf of
5.2 employees who make an election under clause (2).

5.3 (b) An employee who makes an election under paragraph (a), clause (1), may revoke
5.4 the election, once, at any time, but if the employee revokes the election, the employee
5.5 cannot make another election. An employee who makes an election under paragraph (a),
5.6 clause (2), may revoke the election at any time within six months after the person becomes
5.7 a state employee. Once an employee revokes this election, the employee cannot make
5.8 another election.

5.9 (c) The Supreme Court, after consultation with the Judicial Council, the
5.10 commissioner of ~~employee relations~~ management and budget, and the executive directors
5.11 of the Public Employees Retirement Association and the Minnesota State Retirement
5.12 Association, shall adopt procedures for making elections under this section.

5.13 (d) The Supreme Court shall notify all affected employees of the options available
5.14 under this section. The executive directors of the Public Employees Retirement
5.15 Association and the Minnesota State Retirement System shall provide counseling to
5.16 affected employees on the effect of making an election to remain a member of the Public
5.17 Employees Retirement Association.

5.18 Sec. 10. **REVISOR'S INSTRUCTION.**

5.19 The revisor of statutes shall change any reference to the commissioner of finance
5.20 or the Department of Finance, or any derivation of those terms, to the commissioner of
5.21 management and budget or the Department of Management and Budget wherever these
5.22 terms appear in Minnesota Statutes or Minnesota Rules.

5.23 Sec. 11. **REPEALER.**

5.24 Minnesota Statutes 2008, section 471.9981, subdivision 1, is repealed.

APPENDIX
Repealed Minnesota Statutes: s1298-1

471.9981 COUNTIES AND CITIES; PAY EQUITY COMPLIANCE.

Subdivision 1. **1988 report.** A home rule charter or statutory city or county, referred to in this section as a "governmental subdivision," that employs ten or more people and that did not submit a report according to repealed section 471.998, shall submit the report by October 1, 1988, to the commissioner of employee relations.

The plan for implementing equitable compensation for the employees must provide for complete implementation not later than December 31, 1991, unless a later date has been approved by the commissioner. If a report was filed before October 1, 1987, and had an implementation date after December 31, 1991, the date in the report shall be approved by the commissioner. The plan need not contain a market study.