

bylaws of the relief association and may be certified for investment by the state board of investment in fixed income pools or in a separately managed account at the discretion of the state board of investment as provided in section 11A.14.

Sec. 14. EFFECTIVE DATE.

Sections 1 to 13 are effective the day following final enactment.

Presented to the governor May 17, 1993

Signed by the governor May 20, 1993, 3:45 p.m.

CHAPTER 301—S.F.No. 1418

An act relating to state government; public employment; establishing a pilot project in certain entities; permitting the waiver of rules governing the classified and unclassified service of the state by joint committees; requiring the commissioner of employee relations to conduct experimental or research projects to improve human resource management practices.

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

Section 1. CIVIL SERVICE PILOT PROJECT.

Subdivision 1. DEFINITIONS. For purposes of this section:

(1) "civil service rules" means rules, procedures, and policies of the commissioner of employee relations governing the classified and unclassified service of the state, except for rules, procedures, and policies governing affirmative action and seniority;

(2) "employees" means employees in the entities listed in subdivision 2 who are represented by exclusive representatives; and

(3) "management-level employees" means employees in the entities listed in subdivision 2 who are covered by the managerial plan adopted by the commissioner of employee relations under Minnesota Statutes, section 43A.18, subdivision 3.

Subd. 2. PARTICIPATING ENTITIES. Notwithstanding Minnesota Statutes, sections 43A.04; 43A.07; 43A.08; 43A.09 to 43A.15; 85A.02, subdivision 5a; and 462A.04, subdivision 8, civil service rules may be waived under subdivision 4 with respect to employees in the office of the state auditor and the Minnesota housing finance agency.

Subd. 3. JOINT COMMITTEES. Within 30 days of the effective date of this section, each exclusive representative of employees in each entity listed in subdivision 2 shall appoint employees from the exclusive representative's bar-

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gaining unit to serve on a joint committee to review civil service rules governing the entity. Each bargaining unit within an entity must have at least one representative on the committee, but the total number of employee members may not exceed ten. The head of each entity shall appoint an equal number of management-level employees to serve on the committee. The committee shall:

(1) review the entity's operations to determine whether the entity could perform its functions and deliver its services more efficiently and effectively by the adoption of innovative policies or procedures;

(2) identify any civil service rule that prevents the adoption of innovative policies or procedures;

(3) determine whether innovation would be fostered if the rule were wholly or partially waived; and

(4) report its conclusions to the entity head, including its recommendations for the whole or partial waiver of civil service rules.

Subd. 4. WAIVER. (a) Upon receipt of the committee report required by subdivision 3, each entity head shall submit the list of recommended waivers to the commissioner of employee relations. The commissioner shall then grant the waivers requested by each entity, effective for the requesting entity, for a period ending June 30, 1997, subject to the restrictions in paragraph (b) and to revision in accordance with subdivision 5. The commissioner shall waive a rule by granting a variance under Minnesota Statutes, section 14.05, subdivision 4.

(b) The commissioner may not grant a waiver if it would result in the layoff of classified employees or unclassified employees covered by a collective bargaining agreement except as provided in a plan negotiated under Minnesota Statutes, chapter 179A, that provides options to layoff for employees who would be affected. If a proposed waiver would violate the terms of a collective bargaining agreement reached under Minnesota Statutes, chapter 179A, the waiver may not be granted without the consent of the exclusive representative that is a party to the agreement.

Subd. 5. REVIEW. The committees established under subdivision 3 shall monitor the effects of the waivers on entity operations, service delivery, and employees. By July 1, 1993, 1994, and 1995, the committee in each entity shall report to the entity head, identifying any waiver that failed to foster innovative policies or procedures or that adversely affected the entity's operations and recommending any additional waivers that, in the committee's opinion, would further foster innovation. Each entity head shall report the committee's findings to the commissioner of employee relations, and the commissioner shall reinstate any civil service rule whose waiver did not bring about a positive result and grant any additional waivers recommended by each committee. The commissioner shall report to the legislative commission on employee relations on the results of the pilot project by September 1, 1993, 1994, and 1995, and at its conclusion.

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Subd. 6. PILOT PROJECTS. The commissioner of employee relations shall meet and confer with affected exclusive representatives of state employees to design pilot projects that will improve human resource practices in the state civil service within executive branch agencies. To further projects under this subdivision, the commissioner shall convene a task force to propose and review pilot projects affecting employees and positions represented by exclusive representatives. The task force must consist of a representative of each of the ten exclusive representatives of employees in the executive branch, selected by the exclusive representatives, and no more than an equal number of management-level employees selected by the commissioner. The task force shall consider projects to improve human resource practices and may also consider innovative projects that introduce total quality management practices or that empower employees in the workplace. The impact of job security and retraining efforts in the organization of work may also be examined, as well as any other practices, procedures, or theories designed to improve service to the customers of state agencies and to taxpayers in general. For projects conducted in particular departments or agencies or affecting only employees represented by one or more exclusive representatives, the task force shall designate a pilot project team of affected parties made up equally of representatives of exclusive representatives and management-level employees. The task force or project teams may also involve or consult with representatives of other affected groups as necessary. If the task force determines that a project could be implemented only by waiving any civil service rule, the task force may request the commissioner to grant a waiver. The commissioner may grant the waiver, subject to the limitations in subdivision 4, paragraph (b). The task force shall measure and monitor the results of a project conducted under a waiver. The commissioner shall notify the legislative commission on employee relations before conducting any projects under this subdivision and shall report any results from these projects to the commission by September 1, 1993, September 1, 1994, and September 1, 1995. This subdivision is repealed June 30, 1995.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective July 1, 1993.

Presented to the governor May 17, 1993

Signed by the governor May 20, 1993, 3:48 p.m.

CHAPTER 302—S.F.No. 452

An act relating to civil commitment; clarifying time limitations for appeal under the civil commitment act; amending Minnesota Statutes 1992, section 253B.23, subdivision 7.

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

New language is indicated by underline, deletions by ~~strikeout~~.