

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 2937

- 03/10/2014 Authored by Freiberg
The bill was read for the first time and referred to the Committee on Government Operations
- 03/19/2014 Adoption of Report: Placed on the General Register
Read Second Time
- 04/07/2014 Calendar for the Day
Read Third Time
Passed by the House and transmitted to the Senate

1.1 A bill for an act
 1.2 relating to state government; making technical changes affecting the Minnesota
 1.3 Historical Society; amending Minnesota Statutes 2012, sections 3.732,
 1.4 subdivision 1; 43A.24, subdivision 2; 138.081, subdivision 2; 138.662,
 1.5 subdivision 21, by adding subdivisions; 138.94; repealing Minnesota Statutes
 1.6 2012, section 138.662, subdivisions 4, 34.

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

1.8 Section 1. Minnesota Statutes 2012, section 3.732, subdivision 1, is amended to read:

1.9 Subdivision 1. **Definitions.** As used in this section and section 3.736 the terms
 1.10 defined in this section have the meanings given them.

1.11 (1) "State" includes each of the departments, boards, agencies, commissions, courts,
 1.12 and officers in the executive, legislative, and judicial branches of the state of Minnesota
 1.13 and includes but is not limited to the Housing Finance Agency, the Minnesota Office of
 1.14 Higher Education, the Higher Education Facilities Authority, the Health Technology
 1.15 Advisory Committee, the Armory Building Commission, the Zoological Board, the Iron
 1.16 Range Resources and Rehabilitation Board, the Minnesota Historical Society, the State
 1.17 Agricultural Society, the University of Minnesota, the Minnesota State Colleges and
 1.18 Universities, state hospitals, and state penal institutions. It does not include a city, town,
 1.19 county, school district, or other local governmental body corporate and politic.

1.20 (2) "Employee of the state" means all present or former officers, members, directors,
 1.21 or employees of the state, members of the Minnesota National Guard, members of a
 1.22 bomb disposal unit approved by the commissioner of public safety and employed by a
 1.23 municipality defined in section 466.01 when engaged in the disposal or neutralization of
 1.24 bombs or other similar hazardous explosives, as defined in section 299C.063, outside the
 1.25 jurisdiction of the municipality but within the state, or persons acting on behalf of the state

2.1 in an official capacity, temporarily or permanently, with or without compensation. It does
2.2 not include either an independent contractor except, for purposes of this section and
2.3 section 3.736 only, a guardian ad litem acting under court appointment, or members of the
2.4 Minnesota National Guard while engaged in training or duty under United States Code,
2.5 title 10, or title 32, section 316, 502, 503, 504, or 505, as amended through December
2.6 31, 1983. Notwithstanding sections 43A.02 and 611.263, for purposes of this section and
2.7 section 3.736 only, "employee of the state" includes a district public defender or assistant
2.8 district public defender in the Second or Fourth Judicial District, a member of the Health
2.9 Technology Advisory Committee, and any officer, agent, or employee of the state of
2.10 Wisconsin performing work for the state of Minnesota pursuant to a joint state initiative.

2.11 (3) "Scope of office or employment" means that the employee was acting on behalf
2.12 of the state in the performance of duties or tasks lawfully assigned by competent authority.

2.13 (4) "Judicial branch" has the meaning given in section 43A.02, subdivision 25.

2.14 Sec. 2. Minnesota Statutes 2012, section 43A.24, subdivision 2, is amended to read:

2.15 Subd. 2. **Other eligible persons.** The following persons are eligible for state paid
2.16 life insurance and hospital, medical, and dental benefits as determined in applicable
2.17 collective bargaining agreements or by the commissioner or by plans pursuant to section
2.18 43A.18, subdivision 6, or by the Board of Regents for employees of the University of
2.19 Minnesota not covered by collective bargaining agreements. Coverages made available,
2.20 including optional coverages, are as contained in the plan established pursuant to section
2.21 43A.18, subdivision 2:

2.22 (1) a member of the state legislature, provided that changes in benefits resulting
2.23 in increased costs to the state shall not be effective until expiration of the term of the
2.24 members of the existing house of representatives. An eligible member of the state
2.25 legislature may decline to be enrolled for state paid coverages by filing a written waiver
2.26 with the commissioner. The waiver shall not prohibit the member from enrolling the
2.27 member or dependents for optional coverages, without cost to the state, as provided for in
2.28 section 43A.26. A member of the state legislature who returns from a leave of absence
2.29 to a position previously occupied in the civil service shall be eligible to receive the life
2.30 insurance and hospital, medical, and dental benefits to which the position is entitled;

2.31 (2) an employee of the legislature or an employee of a permanent study or interim
2.32 committee or commission or a state employee on leave of absence to work for the
2.33 legislature, during a regular or special legislative session, as determined by the Legislative
2.34 Coordinating Commission;

3.1 (3) a judge of the appellate courts or an officer or employee of these courts; a judge
3.2 of the district court, a judge of county court, or a judge of county municipal court; a
3.3 district court referee, judicial officer, court reporter, or law clerk; a district administrator;
3.4 an employee of the Office of the District Administrator that is not in the Second or
3.5 Fourth Judicial District; a court administrator or employee of the court administrator in a
3.6 judicial district under section 480.181, subdivision 1, paragraph (b), and a guardian ad
3.7 litem program employee;

3.8 (4) a salaried employee of the Public Employees Retirement Association;

3.9 (5) a full-time military or civilian officer or employee in the unclassified service of
3.10 the Department of Military Affairs whose salary is paid from state funds;

3.11 (6) ~~a salaried~~ an employee of the Minnesota Historical Society, whether paid from
3.12 state funds or otherwise, who is not a member of the governing board;

3.13 (7) an employee of the regents of the University of Minnesota;

3.14 (8) notwithstanding section 43A.27, subdivision 3, an employee of the state of
3.15 Minnesota or the regents of the University of Minnesota who is at least 60 and not yet
3.16 65 years of age on July 1, 1982, who is otherwise eligible for employee and dependent
3.17 insurance and benefits pursuant to section 43A.18 or other law, who has at least 20
3.18 years of service and retires, earlier than required, within 60 days of March 23, 1982; or
3.19 an employee who is at least 60 and not yet 65 years of age on July 1, 1982, who has
3.20 at least 20 years of state service and retires, earlier than required, from employment at
3.21 Rochester state hospital after July 1, 1981; or an employee who is at least 55 and not
3.22 yet 65 years of age on July 1, 1982, and is covered by the Minnesota State Retirement
3.23 System correctional employee retirement plan or the State Patrol retirement fund, who
3.24 has at least 20 years of state service and retires, earlier than required, within 60 days of
3.25 March 23, 1982. For purposes of this clause, a person retires when the person terminates
3.26 active employment in state or University of Minnesota service and applies for a retirement
3.27 annuity. Eligibility shall cease when the retired employee attains the age of 65, or when
3.28 the employee chooses not to receive the annuity that the employee has applied for. The
3.29 retired employee shall be eligible for coverages to which the employee was entitled at the
3.30 time of retirement, subject to any changes in coverage through collective bargaining or
3.31 plans established pursuant to section 43A.18, for employees in positions equivalent to that
3.32 from which retired, provided that the retired employee shall not be eligible for state-paid
3.33 life insurance. Coverages shall be coordinated with relevant health insurance benefits
3.34 provided through the federally sponsored Medicare program;

3.35 (9) an employee of an agency of the state of Minnesota identified through the process
3.36 provided in this paragraph who is eligible to retire prior to age 65. The commissioner

4.1 and the exclusive representative of state employees shall enter into agreements under
 4.2 section 179A.22 to identify employees whose positions are in programs that are being
 4.3 permanently eliminated or reduced due to federal or state policies or practices. Failure to
 4.4 reach agreement identifying these employees is not subject to impasse procedures provided
 4.5 in chapter 179A. The commissioner must prepare a plan identifying eligible employees
 4.6 not covered by a collective bargaining agreement in accordance with the process outlined
 4.7 in section 43A.18, subdivisions 2 and 3. For purposes of this paragraph, a person retires
 4.8 when the person terminates active employment in state service and applies for a retirement
 4.9 annuity. Eligibility ends as provided in the agreement or plan, but must cease at the end of
 4.10 the month in which the retired employee chooses not to receive an annuity, or the employee
 4.11 is eligible for employer-paid health insurance from a new employer. The retired employees
 4.12 shall be eligible for coverages to which they were entitled at the time of retirement, subject
 4.13 to any changes in coverage through collective bargaining or plans established under
 4.14 section 43A.18 for employees in positions equivalent to that from which they retired,
 4.15 provided that the retired employees shall not be eligible for state-paid life insurance;

4.16 (10) employees of the state Board of Public Defense, with eligibility determined by
 4.17 the state Board of Public Defense in consultation with the commissioner of management
 4.18 and budget; and

4.19 (11) employees of supporting organizations of Enterprise Minnesota, Inc.,
 4.20 established after July 1, 2003, under section 116O.05, subdivision 4, as paid for by the
 4.21 supporting organization.

4.22 Sec. 3. Minnesota Statutes 2012, section 138.081, subdivision 2, is amended to read:

4.23 Subd. 2. **Director's responsibilities.** The director of the Minnesota Historical
 4.24 Society, as state historic preservation officer, shall be responsible for the preparation,
 4.25 implementation and administration of the State Historic Preservation Plan and shall
 4.26 administer the State Historic Preservation Program authorized by the Federal National
 4.27 Historic Preservation Act (Public Law 89-665) and shall be the state liaison with the
 4.28 National Heritage Program (United States Code, title 16, section 470 et seq. as amended).
 4.29 The director of the Minnesota Historical Society shall review and approve in writing all
 4.30 grants-in-aid for architectural, archaeological and historic preservation made by state
 4.31 agencies and funded by the state or a combination of state and federal funds in accordance
 4.32 with the State Historic Preservation Plan Program.

4.33 Sec. 4. Minnesota Statutes 2012, section 138.662, subdivision 21, is amended to read:

5.1 Subd. 21. ~~Meighen Store~~ **Historic Forestville.** ~~Meighen Store~~ Historic Forestville;
5.2 Fillmore County.

5.3 Sec. 5. Minnesota Statutes 2012, section 138.662, is amended by adding a subdivision
5.4 to read:

5.5 Subd. 27a. **Sibley Historic Site.** Sibley Historic Site; Dakota County.

5.6 Sec. 6. Minnesota Statutes 2012, section 138.662, is amended by adding a subdivision
5.7 to read:

5.8 Subd. 33a. **Washburn Crosby Complex (Mill City Museum).** Washburn Crosby
5.9 Complex (Mill City Museum); Hennepin County.

5.10 Sec. 7. Minnesota Statutes 2012, section 138.94, is amended to read:

5.11 **138.94 STATE MINNESOTA HISTORY CENTER.**

5.12 Subdivision 1. **Designation.** The building at ~~160 John Ireland Boulevard~~ 345
5.13 Kellogg Boulevard West and the land housing the building, parking lot, and any other
5.14 related facilities is designated as the State Minnesota History Center, and is to be used for
5.15 such purposes notwithstanding any other law to the contrary. Authority for administration
5.16 and control of the State Minnesota History Center is conferred on the Minnesota Historical
5.17 Society. The society is not exempt from rental or lease costs by the state. The Department
5.18 of Administration will maintain and provide custodial, security, and climate control
5.19 services for the history center in accordance with standards established by the society.

5.20 Subd. 2. **User fees.** The society may charge fees it deems reasonable for uses
5.21 relating to the State Minnesota History Center including parking and special exhibits.

5.22 Subd. 3. **Contractual services.** The society may contract with existing state
5.23 departments and agencies or other entities for materials and services as may be necessary
5.24 for the history center.

5.25 Sec. 8. **REPEALER.**

5.26 Minnesota Statutes 2012, section 138.662, subdivisions 4 and 34, are repealed.

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

APPENDIX
Repealed Minnesota Statutes: 14-4932

138.662 HISTORIC SITES.

Subd. 4. **Bourassa's Fur Post.** Bourassa's Fur Post; St. Louis County.

Subd. 34. **William G. Le Duc House.** William G. Le Duc House; Dakota County.