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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2940

- 03/16/2023 Authored by Klevorn
- 03/20/2023 The bill was read for the first time and referred to the Committee on Rules and Legislative Administration
- 03/20/2023 Adoption of Report: Re-referred to the Committee on State and Local Government Finance and Policy
- 03/23/2023 Adoption of Report: Re-referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to state government; appropriating money for certain constitutional offices,

1.3 legislature, state agencies, boards, offices, councils, commissions, and certain

1.4 retirement accounts; establishing the consumer litigation fund; amending salary

1.5 limits provisions and provisions of the compensation council; requiring performance

1.6 measures for the state; amending provisions covering transfers from grants, setting

1.7 agency rates for services, and billing procedures for settlement; creating the Office

1.8 of Enterprise Sustainability and Office of Enterprise Translation; modifying grants

1.9 governance provisions; establishing a cybersecurity grant program; establishing

1.10 an enhanced computer system for the Department of Children, Youth, and Families

1.11 and medical assistance and other human services programs; amending provisions

1.12 covering human burial; requiring a study on the viability of implementing a single

1.13 grants management system and a study of the unique issues faced by small agencies;

1.14 making a postretirement adjustment for calendar year 2024; making certain

1.15 reductions in appropriations and cancellations; modifying provisions for the stadium

1.16 reserve; requiring reports; amending Minnesota Statutes 2022, sections 4.045;

1.17 5.30, subdivision 2; 15A.0815, subdivisions 1, 2; 15A.082, subdivisions 1, 2, 3,

1.18 4; 16A.122, subdivision 2; 16A.126, subdivision 1; 16A.1286, subdivision 2;

1.19 16A.151, subdivision 2; 16A.726; 16B.4805, subdivision 1; 16B.97, subdivisions

1.20 2, 3, 4; 16B.98, subdivisions 5, 6, 8, by adding subdivisions; 16B.991; 43A.08,

1.21 subdivision 1; 145.951; 256.014; 297A.994, subdivision 4; 307.08; 349A.02,

1.22 subdivision 1; 473J.13, subdivisions 2, 4; proposing coding for new law in

1.23 Minnesota Statutes, chapters 8; 16A; 16B; 16E; proposing coding for new law as

1.24 Minnesota Statutes, chapter 143; repealing Minnesota Statutes 2022, sections

1.25 4A.01; 4A.04; 4A.06; 4A.07; 4A.11; 15A.0815, subdivisions 3, 4, 5; 124D.23,

1.26 subdivision 9; Laws 2014, chapter 287, section 25, as amended.

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

1.28 ARTICLE 1

1.29 STATE GOVERNMENT APPROPRIATIONS

1.30 Section 1. STATE GOVERNMENT APPROPRIATIONS.

1.31 The sums shown in the columns marked "Appropriations" are appropriated to the agencies

1.32 and for the purposes specified in this article. The appropriations are from the general fund,

3.1 **Sec. 3. GOVERNOR AND LIEUTENANT**
 3.2 **GOVERNOR** **\$ 8,968,000 \$ 9,216,000**

3.3 (a) This appropriation is to fund the Office of
 3.4 the Governor and Lieutenant Governor.

3.5 (b) \$19,000 each year is for necessary
 3.6 expenses in the normal performance of the
 3.7 governor's and lieutenant governor's duties for
 3.8 which no other reimbursement is provided.

3.9 (c) By September 1 of each year, the
 3.10 commissioner of management and budget shall
 3.11 report to the chairs and ranking minority
 3.12 members of the legislative committees with
 3.13 jurisdiction over state government finance any
 3.14 personnel costs incurred by the Offices of the
 3.15 Governor and Lieutenant Governor that were
 3.16 supported by appropriations to other agencies
 3.17 during the previous fiscal year. The Office of
 3.18 the Governor shall inform the chairs and
 3.19 ranking minority members of the committees
 3.20 before initiating any interagency agreements.

3.21 **Sec. 4. STATE AUDITOR** **\$ 13,865,000 \$ 14,254,000**

3.22 The base for this appropriation is \$14,268,000
 3.23 in fiscal year 2026 and \$14,278,000 in fiscal
 3.24 year 2027.

3.25 **Sec. 5. ATTORNEY GENERAL** **\$ 53,796,000 \$ 43,825,000**

	<u>Appropriations by Fund</u>	
	<u>2024</u>	<u>2025</u>
3.27		
3.28	<u>50,880,000</u>	<u>40,909,000</u>
3.29		
3.30	<u>2,521,000</u>	<u>2,521,000</u>
3.31	<u>145,000</u>	<u>145,000</u>
3.32	<u>250,000</u>	<u>250,000</u>

3.33 \$1,000,000 from the general fund in fiscal year
 3.34 2024 is for transfer to the consumer litigation

5.1 \$263,000 each year is for municipal boundary
5.2 adjustments.

5.3 **Sec. 10. INFORMATION TECHNOLOGY**
5.4 **SERVICES** **\$ 54,515,000 \$ 75,140,000**

5.5 The base for this appropriation is \$11,853,000
5.6 in fiscal year 2026 and \$11,872,000 in fiscal
5.7 year 2027.

5.8 **(a) Cybersecurity Grant Program.**

5.9 \$2,204,000 the first year and \$3,521,000 the
5.10 second year are for a state and local
5.11 cybersecurity improvement grant program for
5.12 political subdivisions and Minnesota Tribal
5.13 governments, as established in Minnesota
5.14 Statutes, section 16E.35. This is a onetime
5.15 appropriation and is available until June 30,
5.16 2027.

5.17 **(b) Statewide Cybersecurity Enhancements.**

5.18 \$10,280,000 the first year and \$16,875,000
5.19 the second year are to procure, implement,
5.20 and support advanced cybersecurity tools that
5.21 combat persistent and evolving cybersecurity
5.22 threats. This is a onetime appropriation and is
5.23 available until June 30, 2027.

5.24 **(c) Executive Branch Cloud**

5.25 **Transformation.** \$10,685,000 the first year
5.26 and \$22,910,000 the second year are to
5.27 support planning, migration, modernization,
5.28 infrastructure, training, and services required
5.29 for executive branch cloud transformation to
5.30 modernize enterprise information technology
5.31 delivery for state agency business partners.
5.32 This is a onetime appropriation and is
5.33 available until June 30, 2027.

6.1 **(d) Targeted Application Modernization.**
6.2 \$20,000,000 the first year and \$20,000,000
6.3 the second year are to modernize targeted
6.4 applications to improve user experiences with
6.5 digital services provided by state agencies,
6.6 enable service delivery transformation, and
6.7 systematically address aging technology. This
6.8 is a onetime appropriation and is available
6.9 until June 30, 2027.

6.10 **(e) Children's Cabinet IT Innovation.**
6.11 \$1,000,000 the first year and each year
6.12 thereafter is to provide technology capabilities
6.13 that support centering Minnesota children and
6.14 their families over agency structures and
6.15 provides dedicated information technology
6.16 resources to deliver innovative digital services
6.17 to children and families.

6.18 **(f) MnGeo; Expanding Data-Driven**
6.19 **Decision Making with GIS Data. \$358,000**
6.20 the first year and \$376,000 the second year
6.21 are to enhance the state's ability to lead
6.22 collaborative geographic data collection and
6.23 to produce additional publicly available data.
6.24 The base for this appropriation is \$395,000 in
6.25 fiscal year 2026 and \$414,000 in fiscal year
6.26 2027.

6.27 **(g) Supporting Accessible Technology in**
6.28 **State Government. \$300,000 the first year**
6.29 and each year thereafter is to support
6.30 accessible government in Minnesota.

6.31 **(h) The commissioner of management and**
6.32 **budget is authorized to provide cash flow**
6.33 **assistance of up to \$50,000,000 from the**
6.34 **special revenue fund or other statutory general**
6.35 **funds as defined in Minnesota Statutes, section**

7.1 16A.671, subdivision 3, paragraph (a), to the
 7.2 Department of Information Technology for
 7.3 the purpose of managing revenue and
 7.4 expenditure differences. These funds shall be
 7.5 repaid with interest by the end of the fiscal
 7.6 year 2025 closing period.

7.7 **Sec. 11. ADMINISTRATION**

7.8 **Subdivision 1. Total Appropriation** **\$** **62,416,000** **\$** **45,056,000**

7.9 The base for this appropriation is \$35,466,000
 7.10 in fiscal year 2026 and \$35,478,000 in fiscal
 7.11 year 2027.

7.12 The amounts that may be spent for each
 7.13 purpose are specified in the following
 7.14 subdivisions.

7.15 **Subd. 2. Government and Citizen Services** **32,048,000** **19,618,000**

7.16 The base for this appropriation is \$18,028,000
 7.17 in fiscal year 2026 and \$18,040,000 in fiscal
 7.18 year 2027.

7.19 **Council on Developmental Disabilities.**

7.20 \$222,000 each year is for the Council on
 7.21 Developmental Disabilities.

7.22 **State Agency Accommodation**

7.23 **Reimbursement.** \$200,000 the first year and
 7.24 \$200,000 the second year may be transferred
 7.25 to the accommodation account established in
 7.26 Minnesota Statutes, section 16B.4805.

7.27 **Procurement Technical Assistance Center.**

7.28 \$350,000 each year is for the Procurement
 7.29 Technical Assistance Center.

7.30 **Office of the State Archaeologist.** \$806,000

7.31 the first year and \$822,000 the second year
 7.32 are for the Office of the State Archaeologist.
 7.33 The base for this appropriation is \$773,000 in

8.1 fiscal year 2026. The base for this
8.2 appropriation in fiscal year 2027 and each year
8.3 thereafter is \$785,000.

8.4 Of these amounts, \$236,000 the first year and
8.5 \$242,000 the second year are for the
8.6 Archaeological and Cemetery Site Inventory
8.7 Portal. The base in fiscal year 2026 is
8.8 \$193,000 and \$205,000 in fiscal year 2027
8.9 and each year thereafter.

8.10 **Disparity Study.** \$500,000 the first year and
8.11 \$1,000,000 the second year are to conduct a
8.12 disparity study required under Minnesota
8.13 Statutes, section 16C.16, subdivision 5. This
8.14 is a onetime appropriation.

8.15 **Grants Administration Oversight.**
8.16 \$2,411,000 the first year and \$1,782,000 the
8.17 second year are for grants administration
8.18 oversight. The base for this appropriation in
8.19 fiscal year 2026 and each year thereafter is
8.20 \$1,581,000.

8.21 \$735,000 the first year and \$201,000 the
8.22 second year are for a study to develop a road
8.23 map on the need for an enterprise grants
8.24 management system and to implement the
8.25 study's recommendation. This is a onetime
8.26 appropriation.

8.27 **Small Agency Resource Team.** \$940,000 the
8.28 first year and \$856,000 the second year are
8.29 for the Small Agency Resource Team.

8.30 Of these amounts, \$102,000 the first year is
8.31 to complete the study required under article
8.32 2, section 33. This is a onetime appropriation.

8.33 **State Historic Preservation Office.**
8.34 \$1,274,000 the first year and \$1,352,000 the

9.1 second year are for the State Historic
 9.2 Preservation Office. The base for this
 9.3 appropriation in fiscal year 2026 and each year
 9.4 thereafter is \$1,012,000.

9.5 Of these amounts, \$485,000 the first year and
 9.6 \$500,000 the second year are for electronic
 9.7 project systems and critical database
 9.8 integration and are available through June 30,
 9.9 2027. The base for this appropriation in fiscal
 9.10 year 2026 and each year thereafter is
 9.11 \$160,000.

9.12 **Office of Enterprise Sustainability.**
 9.13 \$1,775,000 each year is for the Office of
 9.14 Enterprise Sustainability.

9.15 **Risk Management Fund Property**
 9.16 **Self-Insurance.** \$12,500,000 the first year is
 9.17 for transfer to the risk management fund under
 9.18 Minnesota Statutes, section 16B.85. This is a
 9.19 onetime appropriation.

9.20 **Office of Enterprise Translations.**
 9.21 \$1,306,000 the first year and \$1,159,000 the
 9.22 second year are to establish the Office of
 9.23 Enterprise Translations. \$250,000 the first year
 9.24 and \$250,000 the second year may be
 9.25 transferred to the language access service
 9.26 account established in Minnesota Statutes,
 9.27 section 16B.373.

9.28 **Subd. 3. Strategic Management Services** 2,809,000 3,115,000

9.29 **Subd. 4. Fiscal Agent** 27,559,000 22,323,000

9.30 The base for this appropriation is \$14,323,000.

9.31 The appropriations under this section are to
 9.32 the commissioner of administration for the
 9.33 purposes specified.

10.1 **In-Lieu of Rent.** \$11,129,000 each year is for
10.2 space costs of the legislature and veterans
10.3 organizations, ceremonial space, and
10.4 statutorily free space.

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

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

10.10 (c) \$250,000 each year is for block grants to
10.11 public television under Minnesota Statutes,
10.12 section 129D.13. Of this amount, up to three
10.13 percent is for the commissioner of
10.14 administration to administer the grants.

10.15 (d) The commissioner of administration must
10.16 consider the recommendations of the
10.17 Minnesota Public Television Association
10.18 before allocating the amounts appropriated in
10.19 paragraphs (a) to (c) for equipment or
10.20 matching grants.

10.21 **Public Radio.** (a) \$492,000 each year is for
10.22 community service grants to public
10.23 educational radio stations. This appropriation
10.24 may be used to disseminate emergency
10.25 information in foreign languages.

10.26 (b) \$142,000 each year is for equipment grants
10.27 to public educational radio stations. This
10.28 appropriation may be used for the repair,
10.29 rental, and purchase of equipment including
10.30 equipment under \$500.

10.31 (c) \$510,000 each year is for equipment grants
10.32 to Minnesota Public Radio, Inc., including
10.33 upgrades to Minnesota's Emergency Alert and
10.34 AMBER Alert Systems.

- 11.1 (d) The appropriations in paragraphs (a) to (c)
11.2 may not be used for indirect costs claimed by
11.3 an institution or governing body.
- 11.4 (e) The commissioner of administration must
11.5 consider the recommendations of the
11.6 Association of Minnesota Public Educational
11.7 Radio Stations before awarding grants under
11.8 Minnesota Statutes, section 129D.14, using
11.9 the appropriations in paragraphs (a) and (b).
11.10 No grantee is eligible for a grant unless they
11.11 are a member of the Association of Minnesota
11.12 Public Educational Radio Stations on or before
11.13 July 1, 2023.
- 11.14 (f) Any unencumbered balance remaining the
11.15 first year for grants to public television or
11.16 public radio stations does not cancel and is
11.17 available for the second year.
- 11.18 (g) \$1,236,000 the first year is for a grant to
11.19 the Association of Minnesota Public
11.20 Educational Radio Stations to provide
11.21 community radio news programs. Of this
11.22 amount, up to \$36,000 is for the commissioner
11.23 of administration to administer this grant. This
11.24 is a onetime appropriation and is available
11.25 through June 30, 2027.
- 11.26 **Real Estate and Construction Services.**
11.27 \$12,000,000 the first year and \$8,000,000 the
11.28 second year are to facilitate space
11.29 consolidation and the transition to a hybrid
11.30 work environment, including but not limited
11.31 to the design, remodel, equipping, and
11.32 furnishing of the space. This appropriation
11.33 may also be used for relocation and rent loss.
11.34 This is a onetime appropriation and is
11.35 available through June 30, 2027.

12.1	Sec. 12. <u>CAPITOL AREA ARCHITECTURAL</u>			
12.2	<u>AND PLANNING BOARD</u>	\$	<u>1,070,000</u>	\$ <u>510,000</u>
12.3	<u>The base for this appropriation in fiscal year</u>			
12.4	<u>2026 and each year thereafter is \$455,000.</u>			
12.5	<u>\$500,000 in fiscal year 2024 is to support</u>			
12.6	<u>commemorative artwork activities. This is a</u>			
12.7	<u>onetime appropriation and is available until</u>			
12.8	<u>June 30, 2028.</u>			
12.9	<u>\$130,000 in fiscal year 2024 and \$55,000 in</u>			
12.10	<u>fiscal year 2025 are for mandatory zoning and</u>			
12.11	<u>design rules. This is a onetime appropriation.</u>			
12.12	Sec. 13. <u>MINNESOTA MANAGEMENT AND</u>			
12.13	<u>BUDGET</u>	\$	<u>46,682,000</u>	\$ <u>51,284,000</u>
12.14	<u>The base for this appropriation is \$51,034,000.</u>			
12.15	<u>(a) \$973,000 in fiscal year 2024 and</u>			
12.16	<u>\$1,006,000 in fiscal year 2025 are for</u>			
12.17	<u>enterprise continuity of operations planning</u>			
12.18	<u>and preparedness. The base is \$756,000 in</u>			
12.19	<u>fiscal year 2026 and each year thereafter.</u>			
12.20	<u>(b) \$466,000 in fiscal year 2024 and \$622,000</u>			
12.21	<u>in fiscal year 2025 are for the establishment</u>			
12.22	<u>of a statewide internal audit office.</u>			
12.23	<u>(c) \$770,000 in fiscal year 2024 and</u>			
12.24	<u>\$1,999,000 in fiscal year 2025 are for the</u>			
12.25	<u>establishment of an enterprise planning,</u>			
12.26	<u>strategy, and performance unit.</u>			
12.27	<u>(d) \$1,000,000 in fiscal year 2024 and</u>			
12.28	<u>\$1,000,000 in fiscal year 2025 are for</u>			
12.29	<u>administration and staffing of the Children's</u>			
12.30	<u>Cabinet established in Minnesota Statutes,</u>			
12.31	<u>section 4.045.</u>			
12.32	Sec. 14. <u>REVENUE</u>			
12.33	Subdivision 1. <u>Total Appropriation</u>	\$	<u>194,591,000</u>	\$ <u>203,803,000</u>

13.1	<u>Appropriations by Fund</u>		
13.2		<u>2024</u>	<u>2025</u>
13.3	<u>General</u>	<u>190,331,000</u>	<u>199,543,000</u>
13.4	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
13.5	<u>Highway User Tax</u>		
13.6	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
13.7	<u>Environmental</u>	<u>305,000</u>	<u>305,000</u>
13.8	<u>Subd. 2. Tax System Management</u>	<u>161,740,000</u>	<u>168,876,000</u>
13.9	<u>Appropriations by Fund</u>		
13.10	<u>General</u>	<u>157,480,000</u>	<u>164,616,000</u>
13.11	<u>Health Care Access</u>	<u>1,760,000</u>	<u>1,760,000</u>
13.12	<u>Highway User Tax</u>		
13.13	<u>Distribution</u>	<u>2,195,000</u>	<u>2,195,000</u>
13.14	<u>Environmental</u>	<u>305,000</u>	<u>305,000</u>
13.15	<u>Taxpayer Assistance. (a) \$750,000 each year</u>		
13.16	<u>is for the commissioner of revenue to make</u>		
13.17	<u>grants to one or more eligible organizations,</u>		
13.18	<u>qualifying under section 7526A(e)(2)(B) of</u>		
13.19	<u>the Internal Revenue Code of 1986 to</u>		
13.20	<u>coordinate, facilitate, encourage, and aid in</u>		
13.21	<u>the provision of taxpayer assistance services.</u>		
13.22	<u>The unencumbered balance in the first year</u>		
13.23	<u>does not cancel but is available for the second</u>		
13.24	<u>year.</u>		
13.25	<u>(b) For purposes of this section, "taxpayer</u>		
13.26	<u>assistance services" means accounting and tax</u>		
13.27	<u>preparation services provided by volunteers</u>		
13.28	<u>to low-income, elderly, and disadvantaged</u>		
13.29	<u>Minnesota residents to help them file federal</u>		
13.30	<u>and state income tax returns and Minnesota</u>		
13.31	<u>property tax refund claims and to provide</u>		
13.32	<u>personal representation before the Department</u>		
13.33	<u>of Revenue and Internal Revenue Service.</u>		
13.34	<u>Subd. 3. Debt Collection Management</u>	<u>32,851,000</u>	<u>34,927,000</u>
13.35	<u>Sec. 15. GAMBLING CONTROL BOARD</u>	<u>\$ 6,365,000</u>	<u>\$ 6,334,000</u>

14.1	<u>These appropriations are from the lawful</u>		
14.2	<u>gambling regulation account in the special</u>		
14.3	<u>revenue fund.</u>		
14.4	Sec. 16. <u>RACING COMMISSION</u>	\$	<u>1,933,000</u> \$ <u>954,000</u>
14.5	<u>Appropriations by Fund</u>		
14.6	<u>General</u>	<u>1,000,000</u>	<u>-0-</u>
14.7	<u>Special Revenue</u>	<u>933,000</u>	<u>954,000</u>
14.8	<u>The special revenue fund appropriations are</u>		
14.9	<u>from the racing and card playing regulation</u>		
14.10	<u>accounts in the special revenue fund.</u>		
14.11	<u>Horseracing Integrity and Safety Act</u>		
14.12	<u>Compliance.</u> \$1,000,000 in fiscal year 2024		
14.13	<u>is from the general fund for costs related to</u>		
14.14	<u>the federal Horseracing Integrity and Safety</u>		
14.15	<u>Act. This appropriation is onetime and is</u>		
14.16	<u>available until June 30, 2024.</u>		
14.17	Sec. 17. <u>STATE LOTTERY</u>		
14.18	<u>Notwithstanding Minnesota Statutes, section</u>		
14.19	<u>349A.10, subdivision 3, the State Lottery's</u>		
14.20	<u>operating budget must not exceed \$40,000,000</u>		
14.21	<u>in fiscal year 2024 and \$40,000,000 in fiscal</u>		
14.22	<u>year 2025.</u>		
14.23	Sec. 18. <u>AMATEUR SPORTS COMMISSION</u>	\$	<u>379,000</u> \$ <u>391,000</u>
14.24	Sec. 19. <u>COUNCIL FOR MINNESOTANS OF</u>		
14.25	<u>AFRICAN HERITAGE</u>	\$	<u>795,000</u> \$ <u>816,000</u>
14.26	Sec. 20. <u>COUNCIL ON LATINO AFFAIRS</u>	\$	<u>664,000</u> \$ <u>680,000</u>
14.27	Sec. 21. <u>COUNCIL ON ASIAN-PACIFIC</u>		
14.28	<u>MINNESOTANS</u>	\$	<u>623,000</u> \$ <u>645,000</u>
14.29	Sec. 22. <u>INDIAN AFFAIRS COUNCIL</u>	\$	<u>1,337,000</u> \$ <u>1,360,000</u>
14.30	Sec. 23. <u>MINNESOTA HISTORICAL</u>		
14.31	<u>SOCIETY</u>		
14.32	<u>Subdivision 1. Total Appropriation</u>	\$	<u>25,831,000</u> \$ <u>26,832,000</u>

15.1	<u>The base for this appropriation in fiscal year</u>		
15.2	<u>2026 and each year thereafter is \$26,457,000.</u>		
15.3	<u>The amounts that may be spent for each</u>		
15.4	<u>purpose are specified in the following</u>		
15.5	<u>subdivisions.</u>		
15.6	<u>Subd. 2. Operations and Programs</u>	<u>25,510,000</u>	<u>26,511,000</u>
15.7	<u>Notwithstanding Minnesota Statutes, section</u>		
15.8	<u>138.668, the Minnesota Historical Society may</u>		
15.9	<u>not charge a fee for its general tours at the</u>		
15.10	<u>Capitol, but may charge fees for special</u>		
15.11	<u>programs other than general tours.</u>		
15.12	<u>(a) \$375,000 each year is to support statewide</u>		
15.13	<u>historic sites and museums and enhance</u>		
15.14	<u>in-person school programs.</u>		
15.15	<u>(b) The base for this appropriation in fiscal</u>		
15.16	<u>year 2026 and each year thereafter is</u>		
15.17	<u>\$26,136,000.</u>		
15.18	<u>Subd. 3. Fiscal Agent</u>	<u>321,000</u>	<u>321,000</u>
15.19	<u>(a) Global Minnesota</u>	<u>39,000</u>	<u>39,000</u>
15.20	<u>(b) Minnesota Air National Guard Museum</u>	<u>17,000</u>	<u>17,000</u>
15.21	<u>(c) Hockey Hall of Fame</u>	<u>100,000</u>	<u>100,000</u>
15.22	<u>(d) Farmamerica</u>	<u>115,000</u>	<u>115,000</u>
15.23	<u>(e) Minnesota Military Museum</u>	<u>50,000</u>	<u>50,000</u>
15.24	<u>Any unencumbered balance remaining in this</u>		
15.25	<u>subdivision the first year does not cancel but</u>		
15.26	<u>is available for the second year of the</u>		
15.27	<u>biennium.</u>		
15.28	<u>Sec. 24. BOARD OF THE ARTS</u>		
15.29	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 7,774,000</u>	<u>\$ 7,787,000</u>

16.1 The amounts that may be spent for each
 16.2 purpose are specified in the following
 16.3 subdivisions.

16.4 Subd. 2. **Operations and Services** 835,000 848,000

16.5 Subd. 3. **Grants Program** 4,800,000 4,800,000

16.6 Subd. 4. **Regional Arts Councils** 2,139,000 2,139,000

16.7 Any unencumbered balance remaining in this
 16.8 section the first year does not cancel, but is
 16.9 available for the second year.

16.10 Money appropriated in this section and
 16.11 distributed as grants may only be spent on
 16.12 projects located in Minnesota. A recipient of
 16.13 a grant funded by an appropriation in this
 16.14 section must not use more than ten percent of
 16.15 the total grant for costs related to travel outside
 16.16 the state of Minnesota.

16.17 Sec. 25. **MINNESOTA HUMANITIES**
 16.18 **CENTER** \$ 845,000 \$ 845,000

16.19 \$375,000 each year is for grants under
 16.20 Minnesota Statutes, section 138.912. No more
 16.21 than four percent of the appropriation may be
 16.22 used for the nonprofit administration of the
 16.23 program.

16.24 Sec. 26. **BOARD OF ACCOUNTANCY** \$ 844,000 \$ 859,000

16.25 Sec. 27. **BOARD OF ARCHITECTURE**
 16.26 **ENGINEERING, LAND SURVEYING,**
 16.27 **LANDSCAPE ARCHITECTURE,**
 16.28 **GEOSCIENCE, AND INTERIOR DESIGN** \$ 893,000 \$ 913,000

16.29 Sec. 28. **BOARD OF COSMETOLOGIST**
 16.30 **EXAMINERS** \$ 3,379,000 \$ 3,599,000

16.31 Sec. 29. **BOARD OF BARBER EXAMINERS** \$ 442,000 \$ 452,000

16.32 Sec. 30. **GENERAL CONTINGENT**
 16.33 **ACCOUNTS** \$ 2,000,000 \$ 2,000,000

17.1	<u>Appropriations by Fund</u>		
17.2		<u>2024</u>	<u>2025</u>
17.3	<u>General</u>	<u>1,500,000</u>	<u>1,500,000</u>
17.4	<u>State Government</u>		
17.5	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
17.6	<u>Workers'</u>		
17.7	<u>Compensation</u>	<u>100,000</u>	<u>100,000</u>
17.8	<u>(a) The appropriations in this section may only</u>		
17.9	<u>be spent with the approval of the governor</u>		
17.10	<u>after consultation with the Legislative</u>		
17.11	<u>Advisory Commission pursuant to Minnesota</u>		
17.12	<u>Statutes, section 3.30.</u>		
17.13	<u>(b) If an appropriation in this section for either</u>		
17.14	<u>year is insufficient, the appropriation for the</u>		
17.15	<u>other year is available for it.</u>		
17.16	<u>(c) If a contingent account appropriation is</u>		
17.17	<u>made in one fiscal year, it should be</u>		
17.18	<u>considered a biennial appropriation.</u>		
17.19	Sec. 31. <u>TORT CLAIMS</u>	<u>\$ 161,000</u>	<u>\$ 161,000</u>
17.20	<u>These appropriations are to be spent by the</u>		
17.21	<u>commissioner of management and budget</u>		
17.22	<u>according to Minnesota Statutes, section</u>		
17.23	<u>3.736, subdivision 7. If the appropriation for</u>		
17.24	<u>either year is insufficient, the appropriation</u>		
17.25	<u>for the other year is available both years.</u>		
17.26	<u>Sec. 32. MINNESOTA STATE RETIREMENT</u>		
17.27	<u>SYSTEM</u>		
17.28	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 14,499,000</u>	<u>\$ 14,280,000</u>
17.29	<u>The amounts that may be spent for each</u>		
17.30	<u>purpose are specified in the following</u>		
17.31	<u>subdivisions.</u>		
17.32	<u>Subd. 2. Combined Legislators and</u>		
17.33	<u>Constitutional Officers Retirement Plan</u>	<u>8,449,000</u>	<u>8,280,000</u>

18.1 Under Minnesota Statutes, sections 3A.03,
 18.2 subdivision 2; 3A.04, subdivisions 3 and 4;
 18.3 and 3A.115.

18.4 If an appropriation in this section for either
 18.5 year is insufficient, the appropriation for the
 18.6 other year is available for it.

18.7 **Subd. 3. Judges Retirement Plan** 6,000,000 6,000,000

18.8 For transfer to the judges retirement fund
 18.9 under Minnesota Statutes, section 490.123.
 18.10 This transfer continues each fiscal year until
 18.11 the judges retirement plan reaches 100 percent
 18.12 funding as determined by an actuarial
 18.13 valuation prepared according to Minnesota
 18.14 Statutes, section 356.214.

18.15 **Sec. 33. PUBLIC EMPLOYEES RETIREMENT**
 18.16 **ASSOCIATION** \$ 25,000,000 \$ 25,000,000

18.17 (a) \$9,000,000 the first year and \$9,000,000
 18.18 the second year are for direct state aid to the
 18.19 public employees police and fire retirement
 18.20 plan authorized under Minnesota Statutes,
 18.21 section 353.65, subdivision 3b.

18.22 (b) State payments from the general fund to
 18.23 the Public Employees Retirement Association
 18.24 on behalf of the former MERF division
 18.25 account are \$16,000,000 on September 15,
 18.26 2024, and \$16,000,000 on September 15,
 18.27 2025. These amounts are estimated to be
 18.28 needed under Minnesota Statutes, section
 18.29 353.505.

18.30 **Sec. 34. TEACHERS RETIREMENT**
 18.31 **ASSOCIATION** \$ 29,831,000 \$ 29,831,000

18.32 The amounts estimated to be needed are as
 18.33 follows:

19.1 Special Direct State Aid. \$27,331,000 each
 19.2 year is for special direct state aid authorized
 19.3 under Minnesota Statutes, section 354.436.

19.4 Special Direct State Matching Aid.
 19.5 \$2,500,000 each year is for special direct state
 19.6 matching aid authorized under Minnesota
 19.7 Statutes, section 354.435.

19.8 **Sec. 35. ST. PAUL TEACHERS RETIREMENT**
 19.9 **FUND \$ 14,827,000 \$ 14,827,000**

19.10 The amounts estimated to be needed for
 19.11 special direct state aid to the first class city
 19.12 teachers retirement fund association authorized
 19.13 under Minnesota Statutes, section 354A.12,
 19.14 subdivisions 3a and 3c.

19.15 **ARTICLE 2**

19.16 **POLICY LANGUAGE**

19.17 Section 1. Minnesota Statutes 2022, section 4.045, is amended to read:

19.18 **4.045 CHILDREN'S CABINET.**

19.19 The Children's Cabinet shall consist of the commissioners of education, human services,
 19.20 employment and economic development, public safety, corrections, management and budget,
 19.21 health, administration, Housing Finance Agency, and transportation, ~~and the director of the~~
 19.22 ~~Office of Strategic and Long Range Planning.~~ The governor shall designate one member
 19.23 to serve as cabinet chair. The chair is responsible for ensuring that the duties of the Children's
 19.24 Cabinet are performed.

19.25 Sec. 2. Minnesota Statutes 2022, section 5.30, subdivision 2, is amended to read:

19.26 Subd. 2. **Appropriation.** ~~Notwithstanding section 4.07, Money in the Help America~~
 19.27 ~~Vote Act account may be spent only pursuant to direct appropriations enacted from time to~~
 19.28 ~~time by law. Money in the account must be spent~~ is appropriated to the secretary of state
 19.29 to improve the administration of elections in accordance with the Help America Vote Act,
 19.30 the state plan certified by the governor under the act, and for reporting and administrative
 19.31 requirements under the act and plan. To the extent required by federal law, money in the
 19.32 account must be used in a manner that is consistent with the maintenance of effort

20.1 requirements of section 254(a)(7) of the Help America Vote Act, Public Law 107-252,
20.2 based on the level of state expenditures for the fiscal year ending June 30, 2000.

20.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
20.4 applies to any balances in the Help America Vote Act account existing on or after that date.

20.5 **Sec. 3. [8.315] CONSUMER LITIGATION FUND.**

20.6 Subdivision 1. **Establishment.** The consumer litigation account is established in the
20.7 special revenue fund in the state treasury. Money recovered by a state official eligible for
20.8 any allowable use provided in section 16A.151, subdivision 2, paragraphs (a) to (g), shall
20.9 first satisfy those uses. Any remaining money recovered by a state official as provided in
20.10 section 16A.151, subdivision 2, paragraph (h), shall be deposited in the consumer litigation
20.11 account until the balance of the fund is equal to the maximum account balance provided in
20.12 subdivision 3, and shall thereafter continue if disbursements reduce the balance below the
20.13 maximum account balance.

20.14 Subd. 2. **Disbursements from account.** The attorney general shall have the authority
20.15 to authorize disbursements from the consumer litigation account for the following purposes:

20.16 (1) payment of the costs of litigation, investigation, administration, or settlement of any
20.17 matter related to the duties and authorities provided by this chapter, federal law, or common
20.18 law;

20.19 (2) cost share payments subject to agreements entered into with other states, governmental
20.20 entities, law enforcement agencies, or federal agencies in furtherance of litigation,
20.21 investigation, administration, or settlement of any matter;

20.22 (3) retention of expert witnesses, professional or technical services, consultants,
20.23 specialists, mediators, or necessary services related to litigation, investigation, administration,
20.24 or settlement of any matter;

20.25 (4) document review, issue coding, electronic data hosting, or discovery-related costs,
20.26 including reasonable costs for these services incurred by a state agency if related to litigation
20.27 or an investigation in which the state is a party and the attorney general determines it is
20.28 beneficial to the state to authorize such payments; and

20.29 (5) any further uses determined by the attorney general to be necessary and proper to
20.30 administer the duties of the office.

20.31 Subd. 3. **Account balance.** The maximum balance of the consumer litigation account
20.32 shall be \$2,000,000.

21.1 Subd. 4. **Required reporting.** The attorney general shall report to the chairs and ranking
 21.2 minority members of the senate and house of representatives committees with jurisdiction
 21.3 over state government finance by October 15 each year, on activities under this section
 21.4 during the prior fiscal year. The report must include:

21.5 (1) an accounting of the starting balance and ending balance of the consumer litigation
 21.6 account for the relevant reporting period, and a summary description of all deposits into
 21.7 and disbursements from the account, along with the purpose of any disbursements; and

21.8 (2) a recommendation for adjustment, if any is deemed necessary by the attorney general,
 21.9 to the maximum account balance provided in subdivision 3.

21.10 **EFFECTIVE DATE.** This section is effective July 1, 2023.

21.11 Sec. 4. Minnesota Statutes 2022, section 15A.0815, subdivision 1, is amended to read:

21.12 Subdivision 1. **Salary limits.** ~~The governor or other~~ appropriate appointing authority
 21.13 shall set the salary rates for positions listed in this section ~~within the salary limits listed in~~
 21.14 ~~subdivisions 2 to 4. The governor's or other appointing authority's action is subject to~~
 21.15 ~~approval of the Legislative Coordinating Commission and the legislature as provided by~~
 21.16 ~~subdivision 5 and section 3.855~~ based upon the salaries prescribed by the Compensation
 21.17 Council established under section 15A.082.

21.18 Sec. 5. Minnesota Statutes 2022, section 15A.0815, subdivision 2, is amended to read:

21.19 Subd. 2. ~~**Group I salary limits**~~ **Agency head salaries.** The salary for a position listed
 21.20 in this subdivision shall ~~not exceed 133 percent of the salary of the governor. This limit~~
 21.21 ~~must be adjusted annually on January 1. The new limit must equal the limit for the prior~~
 21.22 ~~year increased by the percentage increase, if any, in the Consumer Price Index for all urban~~
 21.23 ~~consumers from October of the second prior year to October of the immediately prior year~~
 21.24 be determined by the Compensation Council under section 15A.082. The commissioner of
 21.25 management and budget must publish the limit on the department's website. This subdivision
 21.26 applies to the following positions:

21.27 Commissioner of administration;

21.28 Commissioner of agriculture;

21.29 Commissioner of education;

21.30 Commissioner of commerce;

21.31 Commissioner of corrections;

- 22.1 Commissioner of health;
- 22.2 Commissioner, Minnesota Office of Higher Education;
- 22.3 Commissioner, Minnesota IT Services;
- 22.4 Commissioner, Housing Finance Agency;
- 22.5 Commissioner of human rights;
- 22.6 Commissioner of human services;
- 22.7 Commissioner of labor and industry;
- 22.8 Commissioner of management and budget;
- 22.9 Commissioner of natural resources;
- 22.10 Commissioner, Pollution Control Agency;
- 22.11 Commissioner of public safety;
- 22.12 Commissioner of revenue;
- 22.13 Commissioner of employment and economic development;
- 22.14 Commissioner of transportation; ~~and~~
- 22.15 Commissioner of veterans affairs;
- 22.16 Executive director of the Gambling Control Board;
- 22.17 Executive director of the Minnesota State Lottery;
- 22.18 Commissioner of Iron Range resources and rehabilitation;
- 22.19 Commissioner, Bureau of Mediation Services;
- 22.20 Ombudsman for mental health and developmental disabilities;
- 22.21 Ombudsperson for corrections;
- 22.22 Chair, Metropolitan Council;
- 22.23 School trust lands director;
- 22.24 Executive director of pari-mutuel racing; and
- 22.25 Commissioner, Public Utilities Commission.

23.1 Sec. 6. Minnesota Statutes 2022, section 15A.082, subdivision 1, is amended to read:

23.2 Subdivision 1. **Creation.** A Compensation Council is created each odd-numbered year
 23.3 to ~~assist the legislature in establishing~~ establish the compensation of constitutional officers,
 23.4 justices of the supreme court, judges of the court of appeals and district court, and the heads
 23.5 of state and metropolitan agencies included in section 15A.0815.

23.6 Sec. 7. Minnesota Statutes 2022, section 15A.082, subdivision 2, is amended to read:

23.7 Subd. 2. **Membership.** The Compensation Council consists of 16 members: eight
 23.8 nonjudges appointed by the chief justice of the supreme court, of whom no more than four
 23.9 may belong to the same political party; and one member from each congressional district
 23.10 appointed by the governor, of whom no more than four may belong to the same political
 23.11 party. Appointments must be made after the first Monday in January and before January 15
 23.12 31. The compensation and removal of members appointed by the governor or the chief
 23.13 justice shall be as provided in section 15.059, subdivisions 3 and 4. The Legislative
 23.14 Coordinating Commission shall provide the council with administrative and support services.

23.15 Sec. 8. Minnesota Statutes 2022, section 15A.082, subdivision 3, is amended to read:

23.16 Subd. 3. **Submission of recommendations.** ~~(a) By April~~ May 1 in each odd-numbered
 23.17 year, the Compensation Council ~~shall submit to the speaker of the house and the president~~
 23.18 ~~of the senate salary recommendations~~ must prescribe salaries for constitutional officers,
 23.19 justices of the supreme court, ~~and~~ judges of the court of appeals and district court, and for
 23.20 the agency and metropolitan agency heads identified in section 15A.0815. The ~~recommended~~
 23.21 prescribed salary for each ~~other~~ office must take effect ~~on the first Monday in January of~~
 23.22 ~~the next odd-numbered year, with no more than one adjustment, to take effect on January~~
 23.23 ~~1 of the year after that. The salary recommendations for judges and constitutional officers~~
 23.24 ~~take effect if an appropriation of money to pay the recommended salaries is enacted after~~
 23.25 ~~the recommendations are submitted and before their effective date. Recommendations may~~
 23.26 ~~be expressly modified or rejected~~ July 1 of that year and July 1 of the subsequent
 23.27 even-numbered year and at whatever interval the Compensation Council determines
 23.28 thereafter, unless the legislature by law provides otherwise.

23.29 ~~(b) The council shall also submit to the speaker of the house and the president of the~~
 23.30 ~~senate recommendations for the salary ranges of the heads of state and metropolitan agencies,~~
 23.31 ~~to be effective retroactively from January 1 of that year if enacted into law. The~~
 23.32 ~~recommendations shall include the appropriate group in section 15A.0815 to which each~~
 23.33 ~~agency head should be assigned and the appropriate limitation on the maximum range of~~

24.1 ~~the salaries of the agency heads in each group, expressed as a percentage of the salary of~~
 24.2 ~~the governor.~~

24.3 Sec. 9. Minnesota Statutes 2022, section 15A.082, subdivision 4, is amended to read:

24.4 Subd. 4. **Criteria.** In making compensation ~~recommendations~~ determinations, the council
 24.5 shall consider the amount of compensation paid in government service and the private sector
 24.6 to persons with similar qualifications, the amount of compensation needed to attract and
 24.7 retain experienced and competent persons, and the ability of the state to pay the recommended
 24.8 compensation.

24.9 Sec. 10. **[16A.091] PLANNING, STRATEGY, AND PERFORMANCE**
 24.10 **MANAGEMENT.**

24.11 (a) The commissioner of management and budget is responsible for the coordination,
 24.12 development, assessment, and communication of information, performance measures,
 24.13 planning, and policy concerning the state's future.

24.14 (b) The commissioner must develop a statewide system of economic, social, and
 24.15 environmental performance measures. The commissioner must provide information to assist
 24.16 public and elected officials with understanding the status of these performance measures.

24.17 Sec. 11. Minnesota Statutes 2022, section 16A.122, subdivision 2, is amended to read:

24.18 Subd. 2. **Transfers from grants prohibited.** Unless otherwise provided by law or
 24.19 section 16B.98, subdivision 14, an agency must not use grant or flow-through funds for
 24.20 salaries or other operating purposes.

24.21 Sec. 12. Minnesota Statutes 2022, section 16A.126, subdivision 1, is amended to read:

24.22 Subdivision 1. **Set rates.** The commissioner shall approve the rates an agency must pay
 24.23 to a revolving fund for services. Funds subject to this subdivision include, but are not limited
 24.24 to, the revolving funds established in sections 14.46; 14.53; 16B.2975, subdivision 4; 16B.48;
 24.25 16B.54; 16B.58; 16B.85; 16E.14; 43A.55; and 176.591; ~~and~~ the fund established in section
 24.26 43A.30; and the account established in section 16A.1286.

24.27 **EFFECTIVE DATE.** This section is effective July 1, 2024.

24.28 Sec. 13. Minnesota Statutes 2022, section 16A.1286, subdivision 2, is amended to read:

24.29 Subd. 2. **Billing procedures.** The commissioner may bill ~~up to \$10,000,000 in each~~
 24.30 fiscal year for statewide systems services provided to state agencies, ~~judicial branch agencies,~~

25.1 ~~the University of Minnesota in the executive, judicial, and legislative branches, the Minnesota~~
 25.2 ~~State Colleges and Universities, and other entities. Each agency shall transfer from agency~~
 25.3 ~~operating appropriations to the statewide systems account the amount billed by the~~
 25.4 ~~commissioner. Billing policies and procedures related to statewide systems services must~~
 25.5 ~~be developed by the commissioner in consultation with the commissioners of management~~
 25.6 ~~and budget and administration, the University of Minnesota, and the Minnesota State Colleges~~
 25.7 ~~and Universities. The commissioner shall develop billing policies and procedures.~~

25.8 **EFFECTIVE DATE.** This section is effective July 1, 2025.

25.9 Sec. 14. Minnesota Statutes 2022, section 16A.151, subdivision 2, is amended to read:

25.10 Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific
 25.11 injured persons or entities, this section does not prohibit distribution of money to the specific
 25.12 injured persons or entities on whose behalf the litigation or settlement efforts were initiated.
 25.13 If money recovered on behalf of injured persons or entities cannot reasonably be distributed
 25.14 to those persons or entities because they cannot readily be located or identified or because
 25.15 the cost of distributing the money would outweigh the benefit to the persons or entities, the
 25.16 money must be paid into the general fund.

25.17 (b) Money recovered on behalf of a fund in the state treasury other than the general fund
 25.18 may be deposited in that fund.

25.19 (c) This section does not prohibit a state official from distributing money to a person or
 25.20 entity other than the state in litigation or potential litigation in which the state is a defendant
 25.21 or potential defendant.

25.22 (d) State agencies may accept funds as directed by a federal court for any restitution or
 25.23 monetary penalty under United States Code, title 18, section 3663(a)(3), or United States
 25.24 Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue
 25.25 account and are appropriated to the commissioner of the agency for the purpose as directed
 25.26 by the federal court.

25.27 (e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph
 25.28 (t), may be deposited as provided in section 16A.98, subdivision 12.

25.29 (f) Any money received by the state resulting from a settlement agreement or an assurance
 25.30 of discontinuance entered into by the attorney general of the state, or a court order in litigation
 25.31 brought by the attorney general of the state, on behalf of the state or a state agency, related
 25.32 to alleged violations of consumer fraud laws in the marketing, sale, or distribution of opioids
 25.33 in this state or other alleged illegal actions that contributed to the excessive use of opioids,

26.1 must be deposited in the settlement account established in the opiate epidemic response
 26.2 fund under section 256.043, subdivision 1. This paragraph does not apply to attorney fees
 26.3 and costs awarded to the state or the Attorney General's Office, to contract attorneys hired
 26.4 by the state or Attorney General's Office, or to other state agency attorneys.

26.5 (g) Notwithstanding paragraph (f), if money is received from a settlement agreement or
 26.6 an assurance of discontinuance entered into by the attorney general of the state or a court
 26.7 order in litigation brought by the attorney general of the state on behalf of the state or a state
 26.8 agency against a consulting firm working for an opioid manufacturer or opioid wholesale
 26.9 drug distributor, the commissioner shall deposit any money received into the settlement
 26.10 account established within the opiate epidemic response fund under section 256.042,
 26.11 subdivision 1. Notwithstanding section 256.043, subdivision 3a, paragraph (a), any amount
 26.12 deposited into the settlement account in accordance with this paragraph shall be appropriated
 26.13 to the commissioner of human services to award as grants as specified by the opiate epidemic
 26.14 response advisory council in accordance with section 256.043, subdivision 3a, paragraph
 26.15 (d).

26.16 (h) Money recovered by a state official in litigation or in settlement of a matter that
 26.17 could have resulted in litigation may be deposited as provided in section 8.315.

26.18 **EFFECTIVE DATE.** This section is effective July 1, 2023.

26.19 Sec. 15. **[16B.372] ENVIRONMENTAL SUSTAINABILITY GOVERNMENT**
 26.20 **OPERATIONS; OFFICE CREATED.**

26.21 Subdivision 1. **Enterprise sustainability.** The Office of Enterprise Sustainability is
 26.22 established to assist all state agencies in making measurable progress toward improving the
 26.23 sustainability of government operations by reducing the impact on the environment,
 26.24 controlling unnecessary waste of natural resources and public funds, and spurring innovation.
 26.25 The office shall create new tools and share best practices, assist state agencies to plan for
 26.26 and implement improvements, and monitor progress toward achieving intended outcomes.
 26.27 Specific duties include but are not limited to:

26.28 (1) managing a sustainability metrics and reporting system, including a public dashboard
 26.29 that allows Minnesotans to track progress and is updated annually;

26.30 (2) assisting agencies in developing and executing sustainability plans; and

26.31 (3) implementing the state building energy conservation improvement revolving loan
 26.32 in Minnesota Statutes, sections 16B.86 and 16B.87.

27.1 Subd. 2. State agency responsibilities. Each cabinet-level agency is required to
 27.2 participate in the sustainability effort by developing a sustainability plan and by making
 27.3 measurable progress toward improving associated sustainability outcomes. State agencies
 27.4 and boards that are not members of the cabinet shall take steps toward improving
 27.5 sustainability outcomes. However, they are not required to participate at the level of
 27.6 cabinet-level agencies.

27.7 Subd. 3. Local governments. The Office of Enterprise Sustainability shall make
 27.8 reasonable attempts to share tools and best practices with local governments.

27.9 Sec. 16. [16B.373] OFFICE OF ENTERPRISE TRANSLATIONS.

27.10 Subdivision 1. Office establishment. (a) The commissioner shall establish an Office of
 27.11 Enterprise Translations. The office must:

27.12 (1) provide translation services for written material for executive agencies;

27.13 (2) create and maintain language-specific landing webpages in Spanish, Hmong, and
 27.14 Somali with links to translated materials at state agency websites; and

27.15 (3) serve as a resource to executive agencies in areas such as best practices and standards
 27.16 for the translation of written materials.

27.17 (b) The commissioner shall determine the process and requirements for state agencies
 27.18 to request translations of written materials.

27.19 Subd. 2. Language access service account established. The language access service
 27.20 account is created in the special revenue fund for reimbursing state agencies for expenses
 27.21 incurred in providing language translation services.

27.22 Sec. 17. Minnesota Statutes 2022, section 16B.4805, subdivision 1, is amended to read:

27.23 Subdivision 1. **Definitions.** "Reasonable accommodation" as used in this section has
 27.24 the meaning given in section 363A.08. "State agency" as used in this section has the meaning
 27.25 given in section 16A.011, subdivision 12. "Reasonable accommodations eligible for
 27.26 reimbursement" means:

27.27 (1) reasonable accommodations provided to applicants for employment;

27.28 (2) reasonable accommodations for employees for services that will need to be provided
 27.29 on a periodic or ongoing basis; or

27.30 (3) reasonable accommodations that involve onetime expenses that total more than
 27.31 ~~\$1,000~~ \$500 for an employee in a fiscal year.

28.1 Sec. 18. Minnesota Statutes 2022, section 16B.97, subdivision 2, is amended to read:

28.2 Subd. 2. **Grants governance.** The commissioner shall provide leadership and direction
 28.3 for policy related to grants management in Minnesota in order to foster more consistent,
 28.4 streamlined interaction between executive agencies, funders, and grantees that will enhance
 28.5 access to grant opportunities and information and lead to greater program accountability
 28.6 and transparency. The commissioner has the duties and powers stated in this section. ~~An~~
 28.7 ~~executive agency~~ Executive agencies shall fully cooperate with the commissioner in the
 28.8 creation, management, and oversight of state grants and must do what the commissioner
 28.9 requires under this section. The commissioner may adopt rules to carry out grants governance,
 28.10 oversight, and management.

28.11 **EFFECTIVE DATE.** This section is effective August 1, 2023.

28.12 Sec. 19. Minnesota Statutes 2022, section 16B.97, subdivision 3, is amended to read:

28.13 Subd. 3. **Discretionary powers.** The commissioner has the authority to:

28.14 (1) review grants management practices and ~~propose~~ establish and enforce policy and
 28.15 procedure improvements ~~to the governor, legislature, executive agencies, and the federal~~
 28.16 ~~government;~~

28.17 (2) sponsor, support, and facilitate innovative and collaborative grants management
 28.18 projects with public and private organizations;

28.19 (3) review, recommend, and implement alternative strategies for grants management;

28.20 (4) collect and disseminate information, issue reports relating to grants management,
 28.21 and sponsor and conduct conferences and studies; ~~and~~

28.22 (5) participate in conferences and other appropriate activities related to grants
 28.23 management issues;

28.24 (6) suspend or debar grantees from eligibility to receive state-issued grants for up to
 28.25 three years for reasons specified in Minnesota Rules, part 1230.1150, subpart 2. A grantee
 28.26 may obtain an administrative hearing pursuant to sections 14.57 to 14.62 before a suspension
 28.27 or debarment is effective by filing a written request for hearing within 20 days of notification
 28.28 of suspension or debarment;

28.29 (7) establish offices for the purpose of carrying out grants governance, oversight, and
 28.30 management; and

28.31 (8) require granting agencies to submit grant solicitation documents for review prior to
 28.32 issuance at dollar levels determined by the commissioner.

29.1 **EFFECTIVE DATE.** This section is effective August 1, 2023.

29.2 Sec. 20. Minnesota Statutes 2022, section 16B.97, subdivision 4, is amended to read:

29.3 Subd. 4. **Duties.** (a) The commissioner shall:

29.4 (1) create general grants management policies and procedures that are applicable to all
29.5 executive agencies. The commissioner may approve exceptions to these policies and
29.6 procedures for particular grant programs. Exceptions shall expire or be renewed after five
29.7 years. Executive agencies shall retain management of individual grants programs;

29.8 (2) provide a central point of contact concerning statewide grants management policies
29.9 and procedures;

29.10 (3) serve as a resource to executive agencies in such areas as training, evaluation,
29.11 collaboration, and best practices in grants management;

29.12 (4) ensure grants management needs are considered in the development, upgrade, and
29.13 use of statewide administrative systems and leverage existing technology wherever possible;

29.14 (5) oversee and approve future professional and technical service contracts and other
29.15 information technology spending related to executive agency grants management systems
29.16 and activities;

29.17 (6) provide a central point of contact for comments about executive agencies violating
29.18 statewide grants governance policies and about fraud and waste in grants processes;

29.19 (7) forward received comments to the appropriate agency for further action, and may
29.20 follow up as necessary;

29.21 (8) provide a single listing of all available executive agency competitive grant
29.22 opportunities and resulting grant recipients;

29.23 (9) selectively review development and implementation of executive agency grants,
29.24 policies, and practices; and

29.25 (10) selectively review executive agency compliance with best practices.

29.26 (b) The commissioner may determine that it is cost-effective for agencies to develop
29.27 and use shared grants management technology systems. This system would be governed
29.28 under section 16E.01, subdivision 3, paragraph (b).

29.29 **EFFECTIVE DATE.** This section is effective August 1, 2023.

30.1 Sec. 21. Minnesota Statutes 2022, section 16B.98, subdivision 5, is amended to read:

30.2 Subd. 5. **Creation and validity of grant agreements.** (a) A grant agreement ~~is~~ and
30.3 amendments are not valid and the state is not bound by ~~the grant~~ them unless:

30.4 (1) ~~the grant has~~ they have been executed by the head of the agency or a delegate who
30.5 is party to the grant;

30.6 (2) they have been approved by the commissioner;

30.7 ~~(2)~~ (3) the accounting system shows an encumbrance for the amount of the grant in
30.8 accordance with policy approved by the commissioner except as provided in subdivision
30.9 11; and

30.10 ~~(3)~~ (4) the grant agreement includes an effective date that references either section
30.11 16C.05, subdivision 2, or 16B.98, subdivisions 5 and 7, as determined by the granting
30.12 agency.

30.13 (b) The combined grant agreement and amendments must not exceed five years without
30.14 specific, written approval by the commissioner according to established policy, procedures,
30.15 and standards, or unless the commissioner determines that a longer duration is in the best
30.16 interest of the state.

30.17 (c) A fully executed copy of the grant agreement with all amendments and other required
30.18 records relating to the grant must be kept on file at the granting agency for a time equal to
30.19 that required of grantees in subdivision 8.

30.20 (d) Grant agreements must comply with policies established by the commissioner for
30.21 minimum grant agreement standards and practices.

30.22 (e) The attorney general may periodically review and evaluate a sample of state agency
30.23 grants to ensure compliance with applicable laws.

30.24 **EFFECTIVE DATE.** This section is effective April 1, 2024, and applies to grants issued
30.25 on or after that date.

30.26 Sec. 22. Minnesota Statutes 2022, section 16B.98, subdivision 6, is amended to read:

30.27 Subd. 6. **Grant administration.** A granting agency shall diligently administer and
30.28 monitor any grant it has entered into. The commissioner may require an agency to report
30.29 to the commissioner at any time on the status of any grant to which the agency is a party.

30.30 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants
30.31 issued on or after that date.

31.1 Sec. 23. Minnesota Statutes 2022, section 16B.98, subdivision 8, is amended to read:

31.2 Subd. 8. **Audit.** (a) A grant agreement made by an executive agency must include an
 31.3 audit clause that provides that the books, records, documents, and accounting procedures
 31.4 and practices of the grantee or other party that are relevant to the grant or transaction are
 31.5 subject to examination by the commissioner, the granting agency and either the legislative
 31.6 auditor or the state auditor, as appropriate, for a minimum of six years from the grant
 31.7 agreement end date, receipt and approval of all final reports, or the required period of time
 31.8 to satisfy all state and program retention requirements, whichever is later. If a grant agreement
 31.9 does not include an express audit clause, the audit authority under this subdivision is implied.

31.10 (b) If the granting agency is a local unit of government, and the governing body of the
 31.11 local unit of government requests that the state auditor examine the books, records,
 31.12 documents, and accounting procedures and practices of the grantee or other party according
 31.13 to this subdivision, the granting agency shall be liable for the cost of the examination. If
 31.14 the granting agency is a local unit of government, and the grantee or other party requests
 31.15 that the state auditor examine all books, records, documents, and accounting procedures
 31.16 and practices related to the grant, the grantee or other party that requested the examination
 31.17 shall be liable for the cost of the examination.

31.18 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants
 31.19 issued on or after that date.

31.20 Sec. 24. Minnesota Statutes 2022, section 16B.98, is amended by adding a subdivision to
 31.21 read:

31.22 **Subd. 12. Grantee evaluations.** (a) The head of the agency or delegate entering into a
 31.23 grant agreement in excess of \$25,000 must submit a report to the commissioner who must
 31.24 make the report publicly available online.

31.25 (b) The report must:

31.26 (1) summarize the purpose of the grant;

31.27 (2) state the amount provided to the grantee; and

31.28 (3) include a written performance evaluation of the work done under the grant. The
 31.29 evaluation must include an appraisal of the grantee's timeliness, quality, and overall
 31.30 performance in meeting the terms and objectives of the grant. Grantees may request copies
 31.31 of evaluations prepared under this subdivision and may respond in writing. Grantee responses
 31.32 must be maintained with the grant file.

32.1 **EFFECTIVE DATE.** This section is effective April 1, 2024, and applies to grants issued
 32.2 on or after that date.

32.3 Sec. 25. Minnesota Statutes 2022, section 16B.98, is amended by adding a subdivision to
 32.4 read:

32.5 Subd. 13. **Limitations on actions.** No action may be maintained by a grantee against
 32.6 an employee or agency who discloses information about a current or former grantee under
 32.7 subdivision 12, unless the grantee demonstrates by clear and convincing evidence that:

32.8 (1) the information was false and defamatory;

32.9 (2) the employee or agency knew or should have known the information was false and
 32.10 acted with malicious intent to injure the current or former grantee; and

32.11 (3) the information was acted upon in a manner that caused harm to the current or former
 32.12 grantee.

32.13 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants
 32.14 issued on or after that date.

32.15 Sec. 26. Minnesota Statutes 2022, section 16B.98, is amended by adding a subdivision to
 32.16 read:

32.17 Subd. 14. **Administrative costs.** Unless amounts are otherwise appropriated for
 32.18 administrative costs, a state agency may retain up to five percent of the amount appropriated
 32.19 to the agency for grants enacted by the legislature and formula grants and up to ten percent
 32.20 for competitively awarded grants. This subdivision applies to appropriations made for new
 32.21 grant programs enacted after the effective date of this subdivision.

32.22 **EFFECTIVE DATE.** This section is effective August 1, 2023, and applies to grants
 32.23 issued on or after that date.

32.24 Sec. 27. Minnesota Statutes 2022, section 16B.991, is amended to read:

32.25 **16B.991 TERMINATION OF GRANT.**

32.26 Subdivision 1. **Criminal conviction.** Each grant agreement subject to sections 16B.97
 32.27 and 16B.98 must provide that the agreement will immediately be terminated if the recipient
 32.28 is convicted of a criminal offense relating to a state grant agreement.

32.29 Subd. 2. **Authority.** A grant agreement must by its terms permit the commissioner to
 32.30 unilaterally terminate the grant agreement prior to completion if the commissioner determines

33.1 that further performance under the grant agreement would not serve agency purposes or is
 33.2 not in the best interests of the state.

33.3 Sec. 28. [16E.35] COUNTY AND LOCAL CYBERSECURITY GRANTS.

33.4 Subdivision 1. **Cybersecurity grant program established.** The Department of IT
 33.5 Services may make grants to political subdivisions to support addressing cybersecurity risks
 33.6 and cybersecurity threats to information systems owned or operated by, or on behalf of,
 33.7 state, local, or Tribal governments, as provided in section 70612 of Public Law 117-58.

33.8 Subd. 2. **Match requirement.** The political subdivision receiving a grant must provide
 33.9 for the remainder of the costs of the project that exceed available state match appropriated
 33.10 funds, or that exceed goals defined in the statewide cybersecurity plan.

33.11 Subd. 3. **Criteria.** The department may set criteria for program priorities and standards
 33.12 of review.

33.13 Sec. 29. Minnesota Statutes 2022, section 43A.08, subdivision 1, is amended to read:

33.14 Subdivision 1. **Unclassified positions.** Unclassified positions are held by employees
 33.15 who are:

33.16 (1) chosen by election or appointed to fill an elective office;

33.17 (2) heads of agencies required by law to be appointed by the governor or other elective
 33.18 officers, and the executive or administrative heads of departments, bureaus, divisions, and
 33.19 institutions specifically established by law in the unclassified service;

33.20 (3) deputy and assistant agency heads and one confidential secretary in the agencies
 33.21 listed in subdivision 1a ~~and in the Office of Strategic and Long-Range Planning;~~

33.22 (4) the confidential secretary to each of the elective officers of this state and, for the
 33.23 secretary of state and state auditor, an additional deputy, clerk, or employee;

33.24 (5) intermittent help employed by the commissioner of public safety to assist in the
 33.25 issuance of vehicle licenses;

33.26 (6) employees in the offices of the governor and of the lieutenant governor and one
 33.27 confidential employee for the governor in the Office of the Adjutant General;

33.28 (7) employees of the Washington, D.C., office of the state of Minnesota;

33.29 (8) employees of the legislature and of legislative committees or commissions; provided
 33.30 that employees of the Legislative Audit Commission, except for the legislative auditor, the

34.1 deputy legislative auditors, and their confidential secretaries, shall be employees in the
34.2 classified service;

34.3 (9) presidents, vice-presidents, deans, other managers and professionals in academic
34.4 and academic support programs, administrative or service faculty, teachers, research
34.5 assistants, and student employees eligible under terms of the federal Economic Opportunity
34.6 Act work study program in the Perpich Center for Arts Education and the Minnesota State
34.7 Colleges and Universities, but not the custodial, clerical, or maintenance employees, or any
34.8 professional or managerial employee performing duties in connection with the business
34.9 administration of these institutions;

34.10 (10) officers and enlisted persons in the National Guard;

34.11 (11) attorneys, legal assistants, and three confidential employees appointed by the attorney
34.12 general or employed with the attorney general's authorization;

34.13 (12) judges and all employees of the judicial branch, referees, receivers, jurors, and
34.14 notaries public, except referees and adjusters employed by the Department of Labor and
34.15 Industry;

34.16 (13) members of the State Patrol; provided that selection and appointment of State Patrol
34.17 troopers must be made in accordance with applicable laws governing the classified service;

34.18 (14) examination monitors and intermittent training instructors employed by the
34.19 Departments of Management and Budget and Commerce and by professional examining
34.20 boards and intermittent staff employed by the technical colleges for the administration of
34.21 practical skills tests and for the staging of instructional demonstrations;

34.22 (15) student workers;

34.23 (16) executive directors or executive secretaries appointed by and reporting to any
34.24 policy-making board or commission established by statute;

34.25 (17) employees unclassified pursuant to other statutory authority;

34.26 (18) intermittent help employed by the commissioner of agriculture to perform duties
34.27 relating to pesticides, fertilizer, and seed regulation;

34.28 (19) the administrators and the deputy administrators at the State Academies for the
34.29 Deaf and the Blind; and

34.30 (20) chief executive officers in the Department of Human Services.

35.1 Sec. 30. [143.04] STATE AND COUNTY SYSTEMS; CHILDREN, YOUTH, AND
35.2 FAMILIES.

35.3 Subdivision 1. Establishment of systems. (a) The commissioner of children, youth, and
35.4 families shall establish and enhance computer systems necessary for the efficient operation
35.5 of the programs the commissioner supervises, including:

35.6 (1) management and administration of the Supplemental Nutrition Assistance Program
35.7 (SNAP) and income maintenance program, including the electronic distribution of benefits;
35.8 and

35.9 (2) management and administration of the child support enforcement program.

35.10 (b) The commissioner's development costs incurred by computer systems for statewide
35.11 programs administered by that computer system and mandated by state or federal law must
35.12 not be assessed against county agencies. The commissioner may charge a county for
35.13 development and operating costs incurred by computer systems for functions requested by
35.14 the county and not mandated by state or federal law for programs administered by the
35.15 computer system incurring the cost.

35.16 (c) The commissioner shall distribute the nonfederal share of the costs of operating and
35.17 maintaining the systems to the commissioner and to the counties participating in the system
35.18 in a manner that reflects actual system usage, except that the nonfederal share of the costs
35.19 of the MAXIS computer system and child support enforcement systems for statewide
35.20 programs administered by those systems and mandated by state or federal law shall be borne
35.21 entirely by the commissioner.

35.22 (d) The commissioner may enter into contractual agreements with federally recognized
35.23 Indian Tribes with a reservation in Minnesota to participate in state-operated computer
35.24 systems related to the management and administration of SNAP, income maintenance, and
35.25 child support enforcement programs to the extent necessary for the Tribe to operate a
35.26 federally approved family assistance program or any other program under the supervision
35.27 of the commissioner.

35.28 Subd. 2. State systems account created. A state systems account for the Department
35.29 of Children, Youth, and Families is created in the state treasury. Money collected by the
35.30 commissioner of children, youth, and families for the programs in subdivision 1 must be
35.31 deposited in the account. Money in the state systems account and federal matching money
35.32 is appropriated to the commissioner of children, youth, and families for purposes of this
35.33 section.

36.1 Sec. 31. Minnesota Statutes 2022, section 145.951, is amended to read:

36.2 **145.951 IMPLEMENTATION PLAN; STATEWIDE PROGRAM FOR FAMILIES.**

36.3 The commissioner of health, in consultation with the commissioners of education;
 36.4 corrections; public safety; and human services, and with the ~~directors~~ director of the ~~Office~~
 36.5 ~~of Strategic and Long-Range Planning~~, the Council on Disability, and the councils and
 36.6 commission under sections 3.922, 3.9221, and 15.0145, may develop an implementation
 36.7 plan for the establishment of a statewide program to assist families in developing the full
 36.8 potential of their children. The program must be designed to strengthen the family, to reduce
 36.9 the risk of abuse to children, and to promote the long-term development of children in their
 36.10 home environments. The program must also be designed to use volunteers to provide support
 36.11 to parents, and to link parents with existing public health, education, and social services as
 36.12 appropriate.

36.13 Sec. 32. Minnesota Statutes 2022, section 256.014, is amended to read:

36.14 **256.014 STATE AND COUNTY SYSTEMS; HUMAN SERVICES.**

36.15 Subdivision 1. **Establishment of systems.** (a) The commissioner of human services
 36.16 shall establish and enhance computer systems necessary for the efficient operation of ~~the~~
 36.17 medical assistance and other programs the commissioner supervises, ~~including:~~

36.18 ~~(1) management and administration of the Supplemental Nutrition Assistance Program~~
 36.19 ~~(SNAP) and income maintenance program, including the electronic distribution of benefits;~~

36.20 ~~(2) management and administration of the child support enforcement program; and~~

36.21 ~~(3) administration of medical assistance.~~

36.22 (b) The commissioner's development costs incurred by computer systems for statewide
 36.23 programs administered by that computer system and mandated by state or federal law must
 36.24 not be assessed against county agencies. The commissioner may charge a county for
 36.25 development and operating costs incurred by computer systems for functions requested by
 36.26 the county and not mandated by state or federal law for programs administered by the
 36.27 computer system incurring the cost.

36.28 (c) The commissioner shall distribute the nonfederal share of the costs of operating and
 36.29 maintaining the systems to the commissioner and to the counties participating in the system
 36.30 in a manner that reflects actual system usage, except that the nonfederal share of the costs
 36.31 of the MAXIS computer system ~~and child support enforcement systems~~ for statewide

37.1 programs administered by ~~those systems~~ that system and mandated by state or federal law
 37.2 shall be borne entirely by the commissioner.

37.3 The commissioner may enter into contractual agreements with federally recognized
 37.4 Indian tribes with a reservation in Minnesota to participate in state-operated computer
 37.5 systems related to the management and administration of the ~~SNAP, income maintenance,~~
 37.6 ~~child support enforcement, and medical assistance programs~~ program to the extent necessary
 37.7 for the tribe to operate a ~~federally approved family~~ the medical assistance program or any
 37.8 other program under the supervision of the commissioner.

37.9 Subd. 2. **State systems account created.** A state systems account for the Department
 37.10 of Human Services is created in the state treasury. Money collected by the commissioner
 37.11 of human services for the programs in subdivision 1 must be deposited in the account.
 37.12 Money in the state systems account and federal matching money is appropriated to the
 37.13 commissioner of human services for purposes of this section.

37.14 Subd. 4. **Issuance operations center.** (a) Payments to the commissioner from other
 37.15 governmental units and private enterprises for: services performed by the issuance operations
 37.16 center; or reports generated by the payment and eligibility systems must be deposited in the
 37.17 account created under subdivision 2. These payments are appropriated to the commissioner
 37.18 for the operation of the issuance center or system, according to the provisions of this section.

37.19 (b) The appropriation in this subdivision includes funds for information technology
 37.20 projects, services, and support. Notwithstanding section 16E.0466, funding for information
 37.21 technology project costs shall be incorporated into the service level agreement and paid to
 37.22 Minnesota IT Services by the Department of Human Services under the rates and mechanism
 37.23 specified in that agreement.

37.24 (c) Money appropriated for information technology projects approved by the
 37.25 commissioner of Minnesota IT Services, funded by the legislature, and approved by the
 37.26 commissioner of management and budget may be transferred from one project to another
 37.27 and from development to operations as the commissioner of human services considers
 37.28 necessary. Any unexpended balance in the appropriation for these projects does not cancel
 37.29 and is available for ongoing development and operations.

38.1 Sec. 33. Minnesota Statutes 2022, section 307.08, is amended to read:

38.2 **307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS;**
 38.3 **BURIALS; CEMETERIES; PENALTY; AUTHENTICATION ASSESSMENT.**

38.4 Subdivision 1. **Legislative intent; scope.** It is a declaration and statement of legislative
 38.5 intent that all human burials, human remains, and human burial grounds shall be accorded
 38.6 equal treatment and respect for human dignity without reference to their ethnic origins,
 38.7 cultural backgrounds, or religious affiliations. The provisions of this section shall apply to
 38.8 all human burials, human remains, or human burial grounds found on or in all public or
 38.9 private lands or waters in Minnesota. Within the boundaries of Tribal Nation reservations,
 38.10 nothing in this section should be interpreted to conflict with federal law, including the Native
 38.11 American Graves Protection and Repatriation Act (NAGPRA), United States Code, title
 38.12 25, section 3001 et seq., and its implementing regulations, Code of Federal Regulations,
 38.13 title 43, part 10.

38.14 Subd. 2. **Felony; gross misdemeanor.** (a) A person who intentionally, willfully, ~~and~~ or
 38.15 knowingly does any of the following is guilty of a felony:

38.16 (1) destroys, mutilates, or injures human burials ~~or~~ human burial grounds, or associated
 38.17 grave goods; or

38.18 (2) without the consent of the appropriate authority, disturbs human burial grounds or
 38.19 removes human remains or associated grave goods.

38.20 (b) A person who, without the consent of the appropriate authority and the landowner,
 38.21 intentionally, willfully, ~~and~~ or knowingly does any of the following is guilty of a gross
 38.22 misdemeanor:

38.23 (1) removes any tombstone, monument, or structure placed in any public or private
 38.24 cemetery or ~~authenticated~~ assessed human burial ground; or

38.25 (2) removes any fence, railing, natural stone, or other work erected for protection or
 38.26 ornament, or any tree, shrub, or plant ~~or grave goods and artifacts~~ within the limits of a
 38.27 public or private cemetery or ~~authenticated~~ assessed human burial ground; or

38.28 (3) discharges any firearms upon or over the grounds of any public or private cemetery
 38.29 or ~~authenticated~~ assessed burial ground.

38.30 (c) A person who intentionally, willfully, or knowingly fails to comply with any other
 38.31 provision of this section is guilty of a misdemeanor.

39.1 Subd. 3. **Protective posting.** Upon the agreement of the appropriate authority and the
 39.2 landowner, an authenticated or recorded human burial ground may be posted for protective
 39.3 purposes every 75 feet around its perimeter with signs listing the activities prohibited by
 39.4 subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian
 39.5 affairs council in the case of American Indian burials or at the discretion of the state
 39.6 archaeologist in the case of ~~non-Indian~~ non-American Indian burials. This subdivision does
 39.7 not require posting of a burial ground. The size, description, location, and information on
 39.8 the signs used for protective posting must be approved by the appropriate authority and the
 39.9 landowner.

39.10 Subd. 3a. ~~**Authentication Cemeteries; records and condition assessments.**~~ The state
 39.11 ~~archaeologist shall authenticate all burial grounds for purposes of this section. The state~~
 39.12 ~~archaeologist may retain the services of a qualified professional archaeologist, a qualified~~
 39.13 ~~physical anthropologist, or other appropriate experts for the purpose of gathering information~~
 39.14 ~~that the state archaeologist can use to authenticate or identify burial grounds. If probable~~
 39.15 ~~Indian burial grounds are to be disturbed or probable Indian remains analyzed, the Indian~~
 39.16 ~~Affairs Council must approve the professional archaeologist, qualified anthropologist, or~~
 39.17 ~~other appropriate expert. Authentication is at the discretion of the state archaeologist based~~
 39.18 ~~on the needs identified in this section or upon request by an agency, a landowner, or other~~
 39.19 ~~appropriate authority.~~ (a) Cemeteries shall be assessed according to this subdivision.

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

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

39.26 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion
 39.27 of the Indian Affairs Council based on the needs identified in this section or upon request
 39.28 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has
 39.29 possession or takes custody of remains they may follow United States Code, title 25, sections
 39.30 3001 to 3013.

39.31 (e) The cemetery condition assessment of cemeteries that include American Indian and
 39.32 non-American Indian remains or include remains whose ancestry cannot be determined
 39.33 shall be assessed at the discretion of the state archaeologist in collaboration with the Indian

40.1 Affairs Council based on the needs identified in this section or upon request by an agency,
 40.2 a landowner, or other appropriate authority.

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

40.6 (g) The state archaeologist and the Indian Affairs Council may retain the services of a
 40.7 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate
 40.8 experts for the purpose of gathering information that the state archaeologist or the Indian
 40.9 Affairs Council can use to assess or identify cemeteries.

40.10 Subd. 5. ~~Cost; use of data.~~ The cost of ~~authentication~~ condition assessment, recording,
 40.11 surveying, and marking burial grounds and the cost of identification, analysis, rescue, and
 40.12 reburial of human remains on public lands or waters shall be the responsibility of the state
 40.13 or political subdivision controlling the lands or waters. On private lands or waters these
 40.14 costs ~~shall~~ may be borne by the state, ~~but may be borne by~~ or the landowner upon mutual
 40.15 agreement with the state. ~~The state archaeologist must make the data collected for this~~
 40.16 ~~activity available using standards adopted by the Department of Information Technology~~
 40.17 ~~Services and geospatial technology standards and guidelines published by the Minnesota~~
 40.18 ~~Geospatial Information Office. Costs associated with this data delivery must be borne by~~
 40.19 ~~the state.~~

40.20 Subd. 7. **Remains found outside of recorded cemeteries.** (a) All unidentified human
 40.21 remains or burials found outside of recorded cemeteries or unplatted graves or burials found
 40.22 within recorded cemeteries and in contexts which indicate antiquity greater than 50 years
 40.23 shall be treated with the utmost respect for all human dignity and dealt with according to
 40.24 the provisions of this section.

40.25 (b) If such burials are not American Indian or their ethnic identity cannot be ascertained,
 40.26 as determined by the state archaeologist, they shall be dealt with in accordance with
 40.27 provisions established by the state archaeologist and other appropriate authority.

40.28 (c) If such burials are American Indian, as determined by the state archaeologist and
 40.29 Indian Affairs Council, efforts shall be made ~~by the state archaeologist and the Indian Affairs~~
 40.30 ~~Council to ascertain their tribal identity. If their probable tribal identity can be determined~~
 40.31 ~~and the remains have been removed from their original context, such remains shall be turned~~
 40.32 ~~over to contemporary tribal leaders for disposition. If tribal identity cannot be determined,~~
 40.33 ~~the Indian remains must be dealt with in accordance with provisions established by the state~~
 40.34 ~~archaeologist and the Indian Affairs Council if they are from public land. If removed Indian~~

41.1 ~~remains are from private land they shall be dealt with in accordance with provisions~~
 41.2 ~~established by the Indian Affairs Council. If it is deemed desirable by the state archaeologist~~
 41.3 ~~or the Indian Affairs Council, removed remains shall be studied in a timely and respectful~~
 41.4 ~~manner by a qualified professional archaeologist or a qualified physical anthropologist~~
 41.5 ~~before being delivered to tribal leaders or before being reburied~~ to follow procedures as
 41.6 defined in United States Code, title 25, section 3001 et seq., and its implementing regulations,
 41.7 Code of Federal Regulations, title 43, part 10, within reservation boundaries. For burials
 41.8 outside of reservation boundaries, the procedures defined in United States Code, title 25,
 41.9 section 3001 et seq., and its implementing regulations, Code of Federal Regulations, title
 41.10 43, part 10, are at the discretion of the Indian Affairs Council.

41.11 Subd. 7a. **Landowner responsibilities.** Application by a landowner for permission to
 41.12 develop or disturb nonburial areas within ~~authenticated~~ assessed or recorded burial grounds
 41.13 shall be made to:

41.14 (1) the state archaeologist and other appropriate authority in the case of ~~non-Indian~~
 41.15 non-American Indian burials; and to

41.16 (2) the Indian Affairs Council and other appropriate authority in the case of American
 41.17 Indian burials.

41.18 (b) Landowners with ~~authenticated~~ assessed or suspected human burial grounds on their
 41.19 property are obligated to inform prospective buyers of the burial ground.

41.20 Subd. 8. **Burial ground relocation.** No ~~non-Indian~~ non-American Indian burial ground
 41.21 may be relocated without the consent of the appropriate authority. No American Indian
 41.22 burial ground may be relocated unless the request to relocate is approved by the Indian
 41.23 Affairs Council. When a burial ground is located on public lands or waters, any burial
 41.24 relocations must be duly licensed under section 138.36 and the cost of removal is the
 41.25 responsibility of and shall be paid by the state or political subdivision controlling the lands
 41.26 or waters. If burial grounds are ~~authenticated~~ assessed on private lands, efforts may be made
 41.27 by the state to purchase and protect them instead of removing them to another location.

41.28 Subd. 9. **Interagency cooperation.** (a) The state archaeologist and the Indian Affairs
 41.29 Council shall enter into a memorandum of understanding to coordinate their responsibilities
 41.30 under this section.

41.31 (b) The Department of Natural Resources, the Department of Transportation, and all
 41.32 other state agencies and local governmental units whose activities may be affected, shall
 41.33 cooperate with the state archaeologist and the Indian Affairs Council to carry out the
 41.34 provisions of this section.

42.1 Subd. 10. **Construction and development plan review.** When human burials are known
 42.2 or suspected to exist, on public lands or waters, the state or political subdivision controlling
 42.3 the lands or waters or, in the case of private lands, the landowner or developer, shall submit
 42.4 construction and development plans to the state archaeologist for review ~~prior to the time~~
 42.5 ~~bids are advertised~~ before plans are finalized and prior to any disturbance within the burial
 42.6 area. If the known or suspected burials are thought to be American Indian, plans shall also
 42.7 be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs
 42.8 Council shall review the plans within ~~30~~ 45 days of receipt and make recommendations for
 42.9 the preservation in place or removal of the human burials or remains, which may be
 42.10 endangered by construction or development activities.

42.11 Subd. 11. **Burial sites data.** (a) Burial sites locational and related data maintained by
 42.12 data under the authority of the Office of the State Archaeologist and accessible through the
 42.13 office's "Unplatted Burial Sites and Earthworks in Minnesota" website or Indian Affairs
 42.14 Council are security information for purposes of section 13.37. Persons who gain access to
 42.15 ~~the data maintained on the site~~ this data are subject to liability under section 13.08 and the
 42.16 penalty established by section 13.09 if they improperly use or further disseminate the data.
 42.17 Use of this information must be approved by the appropriate authority.

42.18 Subd. 12. **Right of entry.** The state archaeologist or designee may enter on property for
 42.19 the purpose of ~~authenticating~~ assessing burial sites. The Indian Affairs Council or a
 42.20 designated representative of the Indian Affairs Council may enter on property for the purpose
 42.21 of assessing or identifying American Indian cemeteries. Only after obtaining permission
 42.22 from the property owner or lessee, descendants of persons buried in burial grounds covered
 42.23 by this section may enter the burial grounds for the purpose of conducting religious or
 42.24 commemorative ceremonies. This right of entry must not unreasonably burden property
 42.25 owners or unnecessarily restrict their use of the property.

42.26 Subd. 13. **Definitions.** As used in this section, the following terms have the meanings
 42.27 given.

42.28 (a) "Abandoned cemetery" means a cemetery where the cemetery association has
 42.29 disbanded or the cemetery is neglected and contains marked graves older than 50 years.

42.30 (b) "Appropriate authority" means:

42.31 (1) the trustees when the trustees have been legally defined to administer burial grounds;

42.32 (2) the Indian Affairs Council in the case of American Indian burial grounds lacking
 42.33 trustees;

43.1 (3) the county board in the case of abandoned cemeteries under section 306.243; and

43.2 (4) the state archaeologist in the case of ~~non-Indian~~ non-American Indian burial grounds
43.3 lacking trustees or not officially defined as abandoned.

43.4 (c) "Artifacts" means natural or artificial articles, objects, implements, or other items of
43.5 archaeological interest.

43.6 (d) ~~"Authenticate"~~ "Assess" means to establish the presence of or high potential of human
43.7 burials or human skeletal remains being located in a discrete area; ~~delimit the boundaries~~
43.8 ~~of human burial grounds or graves~~; and attempt to determine the ethnic, cultural, or religious
43.9 affiliation of individuals interred.

43.10 (e) "Burial" means the organic remnants of the human body that were intentionally
43.11 interred as part of a mortuary process.

43.12 (f) "Burial ground" means a discrete location that is known to contain or has high potential
43.13 to contain human remains based on physical evidence, historical records, or reliable informant
43.14 accounts.

43.15 (g) "Cemetery" means a discrete location that is known to contain or intended to be used
43.16 for the interment of human remains.

43.17 (h) "Disturb" means any activity that ~~significantly~~ harms the physical integrity or setting
43.18 of a human burial or human burial ground.

43.19 (i) "Grave goods" means objects or artifacts directly associated with human burials or
43.20 human burial grounds that were placed as part of a mortuary ritual at the time of interment.

43.21 (j) "Human remains" means ~~the calcified portion of the human body~~ of a deceased person
43.22 in whole or in part, regardless of the state of decomposition, not including isolated teeth;
43.23 ~~or cremated remains deposited in a container or discrete feature.~~

43.24 (k) "Identification" means to analyze organic materials to attempt to determine if they
43.25 represent human remains and to attempt to establish the ethnic, cultural, or religious
43.26 affiliations of such remains.

43.27 (l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker
43.28 in place or a legible sign identifying an area as a burial ground or cemetery.

43.29 (m) "Qualified physical anthropologist" means a specialist in identifying human remains
43.30 who holds an advanced degree in anthropology or a closely related field.

44.1 (n) "Qualified professional archaeologist" means an archaeologist who meets the United
 44.2 States Secretary of the Interior's professional qualification standards in Code of Federal
 44.3 Regulations, title 36, part 61, appendix A, or subsequent revisions.

44.4 (o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county
 44.5 recorder's office.

44.6 (p) "State" or "the state" means the state of Minnesota or an agency or official of the
 44.7 state acting in an official capacity.

44.8 (q) "Trustees" means the recognized representatives of the original incorporators, board
 44.9 of directors, or cemetery association.

44.10 (r) "Person" means a natural person or a business and includes both if the natural person
 44.11 is engaged in a business.

44.12 (s) "Business" means a contractor, subcontractor, supplier, consultant, or provider of
 44.13 technical, administrative, or physical services organized as a sole proprietorship, partnership,
 44.14 association, corporation, or other entity formed for the purpose of doing business for profit.

44.15 Sec. 34. Minnesota Statutes 2022, section 349A.02, subdivision 1, is amended to read:

44.16 Subdivision 1. **Director.** A State Lottery is established under the supervision and control
 44.17 of a director. The director of the State Lottery shall be appointed by the governor with the
 44.18 advice and consent of the senate. The director serves in the unclassified service at the
 44.19 pleasure of the governor. The annual salary rate authorized for the director is ~~equal to 95~~
 44.20 ~~percent of the salary rate prescribed for the governor~~ established through the process
 44.21 described under section 15A.0815.

44.22 **EFFECTIVE DATE.** This section is effective the day following final enactment. Any
 44.23 recommendations made by the Compensation Council in 2023 determine salaries for fiscal
 44.24 years 2024 and 2025.

44.25 Sec. 35. **ENTERPRISE GRANTS MANAGEMENT SYSTEM FEASIBILITY STUDY.**

44.26 The commissioner of administration must assess the viability of implementing a single
 44.27 grants management system for executive agencies. If the results of the study determine an
 44.28 enterprise system is feasible, the study will further include:

44.29 (1) an analysis of available technology options;

44.30 (2) recommended changes to the state's organizational model, operational controls, and
 44.31 processes;

45.1 (3) staffing and other resource needs;

45.2 (4) high-level system requirements;

45.3 (5) estimated costs; and

45.4 (6) an implementation roadmap.

45.5 **Sec. 36. OFFICE OF SMALL AGENCIES; STUDY.**

45.6 Subdivision 1. **Study; requirements.** The commissioner of administration must review
 45.7 the unique issues faced by small agencies other than departments of the state as defined in
 45.8 section 15.01. These include boards, commissions, councils, task forces, and authorities.

45.9 The study will assess whether the current support model provides adequate support for the
 45.10 agencies as well as their volunteer board members. The study will also examine how other
 45.11 states support their small agencies and provide recommendations on how to most effectively
 45.12 support these small agencies in their delivery of important functions of government.

45.13 Subd. 2. **Report.** By February 1, 2024, the commissioner of administration must submit
 45.14 the findings and recommendations of the study to the governor and the chairs and ranking
 45.15 minority members of the legislative committees with primary jurisdiction over state
 45.16 government.

45.17 **Sec. 37. POSTRETIREMENT ADJUSTMENT FOR CALENDAR YEAR 2024.**

45.18 Notwithstanding Minnesota Statutes, sections 354A.29, subdivision 7; and 356.415,
 45.19 subdivisions 1 to 1f, the postretirement adjustment for the year beginning January 1, 2024,
 45.20 and ending December 31, 2024, shall be 2.5 percent for annuitants or benefit recipients of
 45.21 the Minnesota State Retirement System, Teacher's Retirement Association, Public Employees
 45.22 Retirement Association, and St. Paul Teachers Retirement Fund Association who have
 45.23 received monthly benefits for at least twelve full months as of June 30, 2023. This adjustment
 45.24 shall not be compounded and is in effect for calendar year 2024 only. The increase in excess
 45.25 of current statutory postretirement adjustments for calendar year 2024 may be distributed
 45.26 at the discretion of the retirement fund in monthly or lump sum payments. The amounts
 45.27 necessary to fund the increase in benefit under this section shall be appropriated from the
 45.28 general fund to the commissioner of management and budget for transfer to the retirement
 45.29 funds managed by the Minnesota State Retirement System, Teacher's Retirement Association,
 45.30 Public Employees Retirement Association, and St. Paul Teachers Retirement Fund
 45.31 Association.

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

46.1 **Sec. 38. REDUCTION IN APPROPRIATION AND CANCELLATION; COVID-19**
 46.2 **MANAGEMENT.**

46.3 The fiscal year 2022 general fund appropriation in Laws 2022, chapter 50, article 3,
 46.4 section 1, is reduced by \$52,000,000 and that amount is canceled to the general fund.

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

46.6 **Sec. 39. APPROPRIATION REDUCTION FOR EXECUTIVE AGENCIES.**

46.7 (a) The commissioner of management and budget must reduce general fund appropriations
 46.8 to executive agencies for agency operations for the biennium ending June 30, 2025, by
 46.9 \$8,672,000 due to savings from reduced transfers to the Governor's Office account in the
 46.10 special revenue fund.

46.11 (b) If savings are obtained through reduced transfers from nongeneral funds other than
 46.12 those established in the state constitution or protected by federal law, the commissioner of
 46.13 management and budget may transfer the amount of savings to the general fund. The amount
 46.14 transferred to the general fund from other funds reduces the required general fund reduction
 46.15 in this section. Reductions made in 2025 must be reflected as reductions in agency base
 46.16 budgets for fiscal years 2026 and 2027.

46.17 **Sec. 40. REPEALER.**

46.18 Minnesota Statutes 2022, section 15A.0815, subdivisions 3, 4, and 5, are repealed.

46.19 **ARTICLE 3**
 46.20 **STADIUM RESERVE**

46.21 Section 1. Minnesota Statutes 2022, section 16A.726, is amended to read:

46.22 **16A.726 SPORTS FACILITIES TRANSFERS; APPROPRIATIONS.**

46.23 (a) If state appropriation bonds have not been issued under section 16A.965, amounts
 46.24 not to exceed the increased revenues estimated by the commissioner of management and
 46.25 budget under section 297E.021, subdivision 2, are appropriated from the general fund to
 46.26 the commissioner of management and budget to make transfers to the Minnesota Sports
 46.27 Facilities Authority for stadium costs as defined under section 473J.03, subdivision 9.

46.28 (b) The commissioner shall make transfers to the Minnesota Sports Facilities Authority
 46.29 required to make the state payments under section 473J.13, subdivisions 2 and 4, and for
 46.30 the amount of Minneapolis taxes withheld under section 297A.994, subdivision 4, paragraph

47.1 ~~(a)~~, clause ~~(5)~~ (4). Amounts sufficient to make the transfers are appropriated to the
 47.2 commissioner from the general fund.

47.3 (c) \$2,700,000 is annually appropriated from the general fund from fiscal year 2014
 47.4 through fiscal year 2033 to the commissioner of management and budget for a grant to the
 47.5 city of St. Paul for the operating or capital costs of new or existing sports facilities.

47.6 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2023. This
 47.7 section does not affect amounts retained for recapture of state advances through June 30,
 47.8 2023.

47.9 Sec. 2. Minnesota Statutes 2022, section 297A.994, subdivision 4, is amended to read:

47.10 Subd. 4. **General fund allocations.** The commissioner must retain and deposit to the
 47.11 general fund the following amounts, as required by subdivision 3, clause (3):

47.12 (1) for state bond debt service support beginning in calendar year 2021, and for each
 47.13 calendar year thereafter through calendar year 2046, periodic amounts so that not later than
 47.14 December 31, 2046, an aggregate amount equal to a present value of \$150,000,000 has been
 47.15 deposited in the general fund. To determine aggregate present value, the commissioner must
 47.16 consult with the commissioner of management and budget regarding the present value dates,
 47.17 discount rate or rates, and schedules of annual amounts. The present value date or dates
 47.18 must be based on the date or dates bonds are sold under section 16A.965, or the date or
 47.19 dates other state funds, if any, are deposited into the construction fund. The discount rate
 47.20 or rates must be based on the true interest cost of the bonds issued under section 16A.965,
 47.21 or an equivalent 30-year bond index, as determined by the commissioner of management
 47.22 and budget. The schedule of annual amounts must be certified to the commissioner by the
 47.23 commissioner of management and budget and the finance officer of the city;

47.24 (2) for the capital improvement reserve appropriation to the Minnesota Sports Facilities
 47.25 Authority beginning in calendar year 2021, and for each calendar year thereafter through
 47.26 calendar year 2046, an aggregate annual amount equal to the amount paid by the state for
 47.27 this purpose in that calendar year under section 473J.13, subdivision 4;

47.28 (3) for the operating expense appropriation to the Minnesota Sports Facilities Authority
 47.29 beginning in calendar year 2021, and for each calendar year thereafter through calendar
 47.30 year 2046, an aggregate annual amount equal to the amount paid by the state for this purpose
 47.31 in that calendar year under section 473J.13, subdivision 2; and

47.32 ~~(4) for recapture of state advances for capital improvements and operating expenses for~~
 47.33 ~~calendar years 2016 through 2020 beginning in calendar year 2021, and for each calendar~~

48.1 ~~year thereafter until all amounts under this clause have been paid, proportionate amounts~~
 48.2 ~~periodically until an aggregate amount equal to the present value of all amounts paid by the~~
 48.3 ~~state have been deposited in the general fund. To determine the present value of the amounts~~
 48.4 ~~paid by the state to the authority and the present value of amounts deposited to the general~~
 48.5 ~~fund under this clause, the commissioner shall consult with the commissioner of management~~
 48.6 ~~and budget regarding the present value dates, discount rate or rates, and schedule of annual~~
 48.7 ~~amounts. The present value dates must be based on the dates state funds are paid to the~~
 48.8 ~~authority, or the dates the commissioner of revenue deposits taxes for purposes of this clause~~
 48.9 ~~to the general fund. The discount rates must be based on the reasonably equivalent cost of~~
 48.10 ~~state funds as determined by the commissioner of management and budget. The schedule~~
 48.11 ~~of annual amounts must be revised to reflect amounts paid under section 473J.13, subdivision~~
 48.12 ~~2, paragraph (b), for 2016 to 2020, and subdivision 4, paragraph (c), for 2016 to 2020, and~~
 48.13 ~~taxes deposited to the general fund from time to time under this clause, and the schedule~~
 48.14 ~~and revised schedules must be certified to the commissioner by the commissioner of~~
 48.15 ~~management and budget and the finance officer of the city, and are transferred as accrued~~
 48.16 ~~from the general fund for repayment of advances made by the state to the authority; and~~

48.17 ~~(5)~~ (4) to capture increases in taxes imposed under the special law, for the benefit of the
 48.18 Minnesota Sports Facilities Authority, beginning in calendar year 2013 and for each calendar
 48.19 year thereafter through 2046, there shall be deposited to the general fund in proportionate
 48.20 periodic payments in the following year, an amount equal to the following:

48.21 (i) 50 percent of the difference, if any, by which the amount of the net annual taxes for
 48.22 the previous year exceeds the sum of the net actual taxes in calendar year 2011 plus
 48.23 \$1,000,000, inflated at two percent per year since 2011, minus

48.24 (ii) 25 percent of the difference, if any, by which the amount of the net annual taxes for
 48.25 the preceding year exceeds the sum of the net actual taxes in calendar year 2011 plus
 48.26 \$3,000,000, inflated at two percent per year since 2011.

48.27 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2023. This
 48.28 section does not affect amounts retained for recapture of state advances through June 30,
 48.29 2023.

48.30 Sec. 3. Minnesota Statutes 2022, section 473J.13, subdivision 2, is amended to read:

48.31 Subd. 2. **Operating expenses.** (a) The authority must pay or cause to be paid all operating
 48.32 expenses of the stadium. The authority must require in the lease or use agreement with the
 48.33 NFL team that the NFL team pay the authority, beginning January 1, 2016, or other date as

49.1 mutually agreed upon by the parties, toward operating costs of the stadium, \$8,500,000
49.2 each year, increased by a three percent annual inflation rate.

49.3 (b) Beginning January 1, 2016, or other date as mutually agreed upon by the parties,
49.4 and continuing through 2020, the state shall pay the authority operating expenses, \$6,000,000
49.5 each year, increased by an annual adjustment factor. ~~The payment of \$6,000,000 per year~~
49.6 ~~beginning in 2016 is a payment by the state, which shall be repaid to the state, using funds~~
49.7 ~~as provided under section 297A.994, subdivision 4, clause (4).~~ After 2020, the state shall
49.8 assume this payment, using funds generated in accordance with the city of Minneapolis as
49.9 specified under section 297A.994, subdivision 4, clause (3).

49.10 (c) The authority may establish an operating reserve to cover operating expense shortfalls
49.11 and may accept funds from any source for deposit in the operating reserve. The establishment
49.12 or funding of an authority operating reserve must not decrease the amounts required to be
49.13 paid to the authority toward operating costs under this subdivision unless agreed to by the
49.14 authority.

49.15 (d) The authority will be responsible for operating cost overruns.

49.16 (e) After the joint selection of the third-party manager or program manager, the authority
49.17 may agree with a program manager or other third-party manager of the stadium on a fixed
49.18 cost operating, management, or employment agreement with operating cost protections
49.19 under which the program manager or third-party manager assumes responsibility for stadium
49.20 operating costs and shortfalls. The agreement with the manager must require the manager
49.21 to prepare an initial and ongoing operating plan and operating budgets for approval by the
49.22 authority in consultation with the NFL team. The manager must agree to operate the stadium
49.23 in accordance with the approved operating plan and operating budget.

49.24 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2023. This
49.25 section does not affect amounts retained for recapture of state advances through June 30,
49.26 2023.

49.27 Sec. 4. Minnesota Statutes 2022, section 473J.13, subdivision 4, is amended to read:

49.28 Subd. 4. **Capital improvements.** (a) The authority shall establish a capital reserve fund.
49.29 The authority shall be responsible for making, or for causing others to make, all capital
49.30 repairs, replacements, and improvements for the stadium and stadium infrastructure. The
49.31 authority shall maintain, or cause others to maintain, the stadium and stadium infrastructure
49.32 in a safe, clean, attractive, and first-class manner so as to cause them to remain in a condition
49.33 comparable to that of other comparable NFL facilities of similar design and age. The authority

50.1 shall make, or cause others to make, all necessary or appropriate repairs, renewals, and
 50.2 replacements, whether structural or nonstructural, interior or exterior, ordinary or
 50.3 extraordinary, foreseen or unforeseen, in a prompt and timely manner. In addition, the
 50.4 authority, with approval of the NFL team, may enter into an agreement with a program
 50.5 manager to perform some or all of the responsibilities of the authority in this subdivision
 50.6 and to assume and accept financial liability for the cost of performing the responsibilities.

50.7 (b) The NFL team must contribute \$1,500,000 each year, beginning in 2016 or as
 50.8 otherwise determined for the term of the lease or use agreement to the capital reserve fund,
 50.9 increased by a three percent annual inflation rate.

50.10 (c) The state shall contribute \$1,500,000 each year, beginning in 2016 or as otherwise
 50.11 determined for the term of the lease to the capital reserve fund. The contributions of the
 50.12 state are subject to increase by an annual adjustment factor. ~~The contribution under this~~
 50.13 ~~paragraph by the state from 2016 through 2020 shall be repaid to the state using funds in~~
 50.14 ~~accordance with section 297A.994, subdivision 4, clause (4).~~

50.15 (d) The authority with input from the NFL team shall develop short-term and long-term
 50.16 capital funding plans and shall use those plans to guide the future capital needs of the stadium
 50.17 and stadium infrastructure. The authority shall make the final determination with respect
 50.18 to funding capital needs. Any capital improvement proposed by the NFL team intended
 50.19 primarily to provide revenue enhancements to the NFL team shall be paid for by the NFL
 50.20 team, unless otherwise agreed to with the authority.

50.21 (e) The NFL team has authority to determine the design of a retractable roof feature for
 50.22 the stadium. The NFL team must cooperate with the authority in designing the feature to
 50.23 minimize any additional operating cost. The design must not result in a material marginal
 50.24 increase in the operating or capital costs of the stadium, considering current collections and
 50.25 reserves.

50.26 **EFFECTIVE DATE; APPLICATION.** This section is effective July 1, 2023. This
 50.27 section does not affect amounts retained for recapture of state advances through June 30,
 50.28 2023.

50.29 **Sec. 5. DEBT PAYOFF AND CONDITIONAL APPROPRIATION.**

50.30 If the commissioner of management and budget elects to apply an amount from the
 50.31 general reserve account established in Minnesota Statutes, section 297E.021, subdivision
 50.32 4, to prepayment of debt issued under Minnesota Statutes, section 16A.965, during fiscal
 50.33 year 2023, and if the amount available in the general reserve account is not sufficient to

51.1 prepay the debt in full, including any accrued interest and associated financing costs, then
51.2 an amount from the general fund is appropriated to the commissioner in fiscal year 2023
51.3 that, when added to the amount available in the general reserve account, is sufficient to
51.4 allow the commissioner to prepay the debt in full.

51.5 Sec. 6. **CONDITIONAL REPEALER.**

51.6 When bonds authorized under Minnesota Statutes, section 16A.965, are no longer
51.7 outstanding, the commissioner of management and budget shall notify the revisor of statutes
51.8 within 30 days of the final payment, and following such notification, Minnesota Statutes,
51.9 sections 16A.965 and 297E.021, are repealed.

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

51.11 Sec. 7. **REPEALER.**

51.12 (a) Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, article
51.13 2, section 78, is repealed.

51.14 (b) Minnesota Statutes 2022, sections 4A.01; 4A.04; 4A.06; 4A.07; 4A.11; and 124D.23,
51.15 subdivision 9, are repealed.

4A.01 STRATEGIC AND LONG-RANGE PLANNING.

Subdivision 1. **Duties.** The commissioner of administration is the state planning officer and is responsible for the coordination, development, assessment, and communication of information, performance measures, planning, and policy concerning the state's future. The commissioner may contract with another agency for the provision of administrative services.

Subd. 2. **Long-range plan.** By September 15, 2010, and every five years thereafter, the commissioner must develop an integrated long-range plan for the state based upon the plans and strategies of state agencies, public advice about the future, and other information developed under this chapter. The commissioner must coordinate activities among all levels of government and must stimulate public interest and participation in the future of the state.

The commissioner must act in coordination with the commissioner of management and budget, affected state agencies, and the legislature in the planning and financing of major public programs.

Subd. 3. **Report.** The commissioner must submit a report to the governor and chairs and ranking minority members of the senate and house of representatives committees with jurisdiction on state government finance by January 15 of each year that provides economic, social, and environmental demographic information to assist public and elected officials with long-term management decisions. The report must identify and assess the information important to understanding the state's two-, ten-, and 50-year outlook. The report must include the demographic forecast required by section 4A.02, paragraph (e), and information to assist with the preparation of the milestones report required by section 4A.11, and may include policy recommendations based upon the information and assessment provided.

4A.04 COOPERATIVE CONTRACTS.

(a) The director may apply for, receive, and expend money from municipal, county, regional, and other planning agencies; apply for, accept, and disburse grants and other aids for planning purposes from the federal government and from other public or private sources; and may enter into contracts with agencies of the federal government, local governmental units, the University of Minnesota, and other educational institutions, and private persons as necessary to perform the director's duties. Contracts made pursuant to this section are not subject to the provisions of chapter 16C, as they relate to competitive bidding.

(b) The director may apply for, receive, and expend money made available from federal sources or other sources for the purposes of carrying out the duties and responsibilities of the director relating to local and urban affairs.

(c) All money received by the director pursuant to this section shall be deposited in the state treasury and is appropriated to the director for the purposes for which the money has been received. The money shall not cancel and is available until expended.

4A.06 FIREARMS REPORT REQUIRED.

The Criminal Justice Statistical Analysis Center of the Office of Strategic and Long-Range Planning shall report to the legislature no later than January 31 of each year on the number of persons arrested, charged, convicted, and sentenced for violations of each state law affecting the use or possession of firearms. The report must include complete statistics, including the make, model, and serial number of each firearm involved, where that information is available, on each crime committed affecting the use or possession of firearms and a breakdown by county of the crimes committed.

4A.07 SUSTAINABLE DEVELOPMENT FOR LOCAL GOVERNMENT.

Subdivision 1. **Definitions.** (a) "Local unit of government" means a county, statutory or home rule charter city, town, or watershed district.

(b) "Sustainable development" means development that maintains or enhances economic opportunity and community well-being while protecting and restoring the natural environment upon which people and economies depend. Sustainable development meets the needs of the present without compromising the ability of future generations to meet their own needs.

Subd. 2. **Planning guide.** The Office of Strategic and Long-Range Planning must develop and publish a planning guide for local units of government to plan for sustainable development, based on the principles of sustainable development adopted by the Environmental Quality Board with advice of the Governor's Round Table on Sustainable Development. The office must make the planning guide available to local units of government within the state.

Subd. 3. **Model ordinance.** The Office of Strategic and Long-Range Planning, in consultation with appropriate and affected parties, must prepare a model ordinance to guide sustainable development.

Subd. 4. **Specificity and distribution.** The model ordinance must specify the technical and administrative procedures to guide sustainable development. When adopted by a local unit of government, the model ordinance is the minimum regulation to guide sustainable development that may be adopted. Upon completion, the Office of Strategic and Long-Range Planning must notify local units of government that the model ordinance is available, and must distribute it to interested local units.

Subd. 5. **Periodic review.** At least once every five years, the planning office must review the model ordinance and its use with local units of government to ensure its continued applicability and relevance.

4A.11 MILESTONES REPORT.

The commissioner must review the statewide system of economic, social, and environmental performance measures in use under section 16A.10, subdivision 1c, and known as Minnesota milestones. The commissioner must provide the economic, social, and environmental information necessary to assist public and elected officials with understanding and evaluating Minnesota milestones. The commissioner must report on the trends and their implications for Minnesota milestones each year and provide the commissioner of management and budget with recommendations for the use of Minnesota milestones in budget documents. The commissioner may contract for the development of information and measures.

15A.0815 SALARY LIMITS FOR CERTAIN EMPLOYEES.

Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision shall not exceed 120 percent of the salary of the governor. This limit must be adjusted annually on January 1. The new limit must equal the limit for the prior year increased by the percentage increase, if any, in the Consumer Price Index for all urban consumers from October of the second prior year to October of the immediately prior year. The commissioner of management and budget must publish the limit on the department's website. This subdivision applies to the following positions:

- Executive director of Gambling Control Board;
- Commissioner of Iron Range resources and rehabilitation;
- Commissioner, Bureau of Mediation Services;
- Ombudsman for mental health and developmental disabilities;
- Ombudsperson for corrections;
- Chair, Metropolitan Council;
- School trust lands director;
- Executive director of pari-mutuel racing; and
- Commissioner, Public Utilities Commission.

Subd. 4. **Group III salary limits.** The salary for a position in this subdivision may not exceed 25 percent of the salary of the governor:

- Chair, Metropolitan Airports Commission.

Subd. 5. **Determining individual salaries.** (a) The governor or other appointing authority may submit to the Legislative Coordinating Commission recommendations for salaries within the salary limits for the positions listed in subdivisions 2 to 4. Before recommending a salary, the governor or other appointing authority must consult with the commissioner of management and budget concerning the salary. In recommending a salary, the governor or other appointing authority shall consider the criteria established in section 43A.18, subdivision 8, and the performance of individual incumbents. The performance evaluation must include a review of an incumbent's progress toward attainment of affirmative action goals. The governor or other appointing authority shall establish an objective system for quantifying knowledge, abilities, duties, responsibilities, and accountabilities, and in determining recommendations rate each position by this system.

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(b) Before the governor or other appointing authority's recommended salaries take effect, the recommendations must be reviewed and approved, rejected, or modified by the Legislative Coordinating Commission and the legislature under section 3.855, subdivisions 2 and 3.

(c) The governor or other appointing authority may propose additions or deletions of positions from those listed in subdivisions 2 to 4.

(d) The governor or other appointing authority shall set the initial salary of a head of a new agency or a chair of a new metropolitan board or commission whose salary is not specifically prescribed by law after consultation with the commissioner, whose recommendation is advisory only. The amount of the new salary must be comparable to the salary of an agency head or commission chair having similar duties and responsibilities.

(e) The salary of a newly appointed head of an agency or chair of a metropolitan agency listed in subdivisions 2 to 4 may be increased or decreased by the governor or other appointing authority from the salary previously set for that position within 30 days of the new appointment after consultation with the commissioner. If the appointing authority increases a salary under this paragraph, the appointing authority shall submit the new salary to the Legislative Coordinating Commission and the full legislature for approval, modification, or rejection under section 3.855, subdivisions 2 and 3.

124D.23 FAMILY SERVICES AND COMMUNITY-BASED COLLABORATIVES.

Subd. 9. **Receipt of funds.** The Office of Strategic and Long-Range Planning may receive and administer public and private funds for the purposes of Laws 1993, chapter 224.

APPENDIX
Repealed Minnesota Session Laws: 23-02603

Laws 2014, chapter 287, section 25, as amended by Laws 2015, chapter 77, article 2, section 78

Sec. 78. Laws 2014, chapter 287, section 25, is amended to read:

Sec. 25. PARKING RAMP; REQUIRED USER FINANCING.

The amount equivalent to debt service on the design and construction costs allocated to the parking garage to be located on the block bounded by Sherburne Avenue on the north, Park Street on the west, University Avenue on the south, and North Capitol Boulevard on the east must be transferred from parking fees collected and deposited into the state parking account to the general fund to offset any direct appropriations made to the senate for debt service payments for the legislative parking garage.