



**S.F. No. 845, as introduced - 87th Legislative Session (2011-2012) [11-2621]**

2.1 (8) issue complaints, receive and investigate charges alleging unfair discriminatory  
2.2 practices, and determine whether or not probable cause exists for hearing;

2.3 (9) subpoena witnesses, administer oaths, take testimony, and require the production  
2.4 for examination of any books or papers relative to any matter under investigation or in  
2.5 question as the commissioner deems appropriate to carry out the purposes of this chapter;

2.6 (10) attempt, by means of ~~education~~, conference, conciliation, and persuasion to  
2.7 eliminate unfair discriminatory practices as being contrary to the public policy of the state;

2.8 ~~(11) develop and conduct programs of formal and informal education designed to~~  
2.9 ~~eliminate discrimination and intergroup conflict by use of educational techniques and~~  
2.10 ~~programs the commissioner deems necessary;~~

2.11 ~~(12)~~ (11) make a written report of the activities of the commissioner to the governor  
2.12 each year;

2.13 ~~(13)~~ (12) accept gifts, bequests, grants, or other payments public and private to help  
2.14 finance the activities of the department;

2.15 ~~(14)~~ (13) create such local and statewide advisory committees as will in the  
2.16 commissioner's judgment aid in effectuating the purposes of the Department of Human  
2.17 Rights;

2.18 ~~(15) develop such programs as will aid in determining the compliance throughout~~  
2.19 ~~the state with the provisions of this chapter, and in the furtherance of such duties, conduct~~  
2.20 ~~research and study discriminatory practices based upon race, color, creed, religion,~~  
2.21 ~~national origin, sex, age, disability, marital status, status with regard to public assistance,~~  
2.22 ~~familial status, sexual orientation, or other factors and develop accurate data on the nature~~  
2.23 ~~and extent of discrimination and other matters as they may affect housing, employment,~~  
2.24 ~~public accommodations, schools, and other areas of public life;~~

2.25 ~~(16)~~ (14) develop and disseminate technical assistance to persons subject to the  
2.26 provisions of this chapter, and to agencies and officers of governmental and private  
2.27 agencies;

2.28 ~~(17)~~ (15) provide staff services to such advisory committees as may be created in  
2.29 aid of the functions of the Department of Human Rights;

2.30 ~~(18)~~ (16) make grants in aid to the extent that appropriations are made available for  
2.31 that purpose in aid of carrying out duties and responsibilities; and

2.32 ~~(19)~~ (17) cooperate and consult with the commissioner of labor and industry  
2.33 regarding the investigation of violations of, and resolution of complaints regarding section  
2.34 363A.08, subdivision 7.

2.35 In performing these duties, the commissioner shall give priority to those duties in  
2.36 clauses (8), (9), and (10) ~~and to the duties in section 363A.36.~~

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3.1 (b) All gifts, bequests, grants, or other payments, public and private, accepted under  
3.2 paragraph (a), clause ~~(13)~~ (12), must be deposited in the state treasury and credited to a  
3.3 special account. Money in the account is appropriated to the commissioner of human  
3.4 rights to help finance activities of the department.

3.5 **EFFECTIVE DATE.** This section is effective July 1, 2011.

3.6 Sec. 2. Minnesota Statutes 2010, section 363A.36, subdivision 1, is amended to read:

3.7 Subdivision 1. **Scope of application.** (a) For all contracts for goods and services in  
3.8 excess of ~~\$100,000~~ \$250,000, no department or agency of the state shall accept any bid or  
3.9 proposal for a contract or agreement from any business having more than ~~40~~ 50 full-time  
3.10 employees within this state on a single working day during the previous 12 months, unless  
3.11 the commissioner is in receipt of the business' affirmative action plan for the employment  
3.12 of minority persons, women, and qualified disabled individuals. No department or agency  
3.13 of the state shall execute any such contract or agreement until the affirmative action plan  
3.14 has been approved by the commissioner. Receipt of a certificate of compliance issued by  
3.15 the commissioner shall signify that a firm or business has an affirmative action plan that  
3.16 has been approved by the commissioner. A certificate shall be valid for a period of ~~two~~  
3.17 five years. A municipality as defined in section 466.01, subdivision 1, that receives state  
3.18 money for any reason is encouraged to prepare and implement an affirmative action plan  
3.19 for the employment of minority persons, women, and the qualified disabled and submit the  
3.20 plan to the commissioner.

3.21 (b) This paragraph applies to a contract for goods or services in excess of ~~\$100,000~~  
3.22 \$250,000 to be entered into between a department or agency of the state and a business  
3.23 that is not subject to paragraph (a), but that has more than ~~40~~ 50 full-time employees on  
3.24 a single working day during the previous 12 months in the state where the business has  
3.25 its primary place of business. A department or agency of the state may not execute a  
3.26 contract or agreement with a business covered by this paragraph unless the business has a  
3.27 certificate of compliance issued by the commissioner under paragraph (a) or the business  
3.28 certifies that it is in compliance with federal affirmative action requirements.

3.29 (c) This section does not apply to contracts entered into by the State Board of  
3.30 Investment for investment options under section 352.965, subdivision 4.

3.31 **EFFECTIVE DATE.** This section is effective July 1, 2011.

3.32 Sec. 3. **REPEALER.**

3.33 Minnesota Statutes 2010, section 363A.36, subdivision 5, is repealed.

4.1 **EFFECTIVE DATE.** This section is effective July 1, 2011.