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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. **3357**

02/17/2020 Authored by Sauke and Freiberg

The bill was read for the first time and referred to the Committee on Government Operations

03/02/2020 Adoption of Report: Amended and re-referred to the Jobs and Economic Development Finance Division

1.1 A bill for an act

1.2 relating to state government; modifying provisions for state-owned land and

1.3 property, general services revolving fund, and central motor pool; establishing the

1.4 Office of Collaboration and Dispute Resolution; amending Minnesota Statutes

1.5 2018, sections 16B.24, subdivision 1; 16B.2975, by adding a subdivision; 16B.48,

1.6 subdivision 2; 16B.54, subdivisions 1, 2; proposing coding for new law in

1.7 Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 2018, sections

1.8 179.90; 179.91.

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

1.10 Section 1. Minnesota Statutes 2018, section 16B.24, subdivision 1, is amended to read:

1.11 Subdivision 1. **Operation and maintenance of buildings.** The commissioner is

1.12 authorized to maintain and operate the State Capitol building and grounds, subject to whatever

1.13 standards and policies are set for its appearance and cleanliness by the Capitol Area

1.14 Architectural and Planning Board and the commissioner under section 15B.15, subdivision

1.15 2, and all other buildings, cafeterias, and grounds in state-owned buildings in the Capitol

1.16 Area under section 15B.02, the state Department of Public Safety, Bureau of Criminal

1.17 Apprehension building in St. Paul, ~~the state Department of Health building in Minneapolis,~~

1.18 ~~321 Grove Street buildings~~ 603 Pine Street building in St. Paul, Fleet and Surplus Services

1.19 building in Arden Hills, Department of Revenue building in Ely, any other properties

1.20 acquired by the Department of Administration, and, when the commissioner considers it

1.21 advisable and practicable, any other building or premises owned or rented by the state for

1.22 the use of a state agency. The commissioner shall assign and reassign office space in the

1.23 Capitol and state buildings to make an equitable division of available space among agencies.

1.24 The commissioner shall regularly update the long-range strategic plan for locating agencies

1.25 and shall follow the plan in assigning and reassigning space to agencies. The plan must

2.1 include locational and urban design criteria, a cost-analysis method to be used in weighing
2.2 state ownership against leasing of space in specific instances, and a transportation
2.3 management plan. If the commissioner determines that a deviation from the plan is necessary
2.4 or desirable in a specific instance, the commissioner shall provide the legislature with a
2.5 timely written explanation of the reasons for the deviation. The power granted in this
2.6 subdivision does not apply to state hospitals or to educational, penal, correctional, or other
2.7 institutions not enumerated in this subdivision the control of which is vested by law in some
2.8 other agency.

2.9 Sec. 2. Minnesota Statutes 2018, section 16B.2975, is amended by adding a subdivision
2.10 to read:

2.11 Subd. 8. **Canine management.** The commissioner may give and convey to the canine's
2.12 handler the state's entirety of the right, title, interest, and estate in and to the canine for
2.13 which the handler trained and worked with while working for the state of Minnesota. The
2.14 handler is solely responsible for all future expenses related to the retired canine.

2.15 Sec. 3. **[16B.361] OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.**

2.16 Subdivision 1. **Office of Collaboration and Dispute Resolution.** The commissioner
2.17 shall maintain an Office of Collaboration and Dispute Resolution within the agency. The
2.18 office must:

2.19 (1) promote the broad use of community mediation in the state and ensure that all areas
2.20 of the state have access to services by providing grants to private nonprofit entities certified
2.21 by the state court administrator under chapter 494 that assist in resolution of disputes;

2.22 (2) assist state agencies; offices of the executive, legislative, and judicial branches; tribal
2.23 governments; and units of local government in improving collaboration, dispute resolution,
2.24 and public engagement;

2.25 (3) support collaboration and dispute resolution in the public and private sector by
2.26 providing technical assistance and information on best practices and new developments in
2.27 dispute resolution options;

2.28 (4) educate the public and governmental entities on collaboration, dispute resolution
2.29 options, and public engagement; and

2.30 (5) promote and utilize collaborative dispute resolution models and processes based on
2.31 documented best practices, including but not limited to the Minnesota Solutions model;

3.1 (i) establishing criteria and procedures for identification and assessment of dispute
3.2 resolution projects;

3.3 (ii) designating projects and appointing impartial convenors by the commissioner or the
3.4 commissioner's designee;

3.5 (iii) forming multidisciplinary conflict resolution teams; and

3.6 (iv) utilizing collaborative techniques, processes, and standards through facilitated
3.7 meetings until consensus among parties is reached in resolving a dispute.

3.8 Subd. 2. **Grants.** The commissioner shall, to the extent funds are appropriated for this
3.9 purpose, make grants to private nonprofit community mediation entities certified by the
3.10 state court administrator under chapter 494 that assist in resolution disputes. The
3.11 commissioner shall establish a grant review committee to assist in the review of grant
3.12 applications and the allocation of grants under this section.

3.13 Subd. 3. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization
3.14 must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

3.15 Subd. 4. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to
3.16 comply with guidelines adopted by the state court administrator under section 494.015,
3.17 subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply
3.18 to grants under this section. The exclusions in section 494.03 apply to grants under this
3.19 section.

3.20 Subd. 5. **Reporting.** Grantees must report data required under chapter 494 to evaluate
3.21 quality and outcomes.

3.22 Sec. 4. Minnesota Statutes 2018, section 16B.48, subdivision 2, is amended to read:

3.23 Subd. 2. **Purpose of funds.** Money in the state treasury credited to the general services
3.24 revolving fund and money that is deposited in the fund is appropriated annually to the
3.25 commissioner for the following purposes:

3.26 (1) to operate the central mailing service, including purchasing postage and related items
3.27 and refunding postage deposits;

3.28 (2) to operate a documents service as prescribed by section 16B.51;

3.29 (3) to provide services for the maintenance, operation, and upkeep of buildings and
3.30 grounds managed by the commissioner of administration;

4.1 ~~(4) to operate a materials handling service, including interagency mail and product~~
 4.2 ~~delivery, solid waste removal, courier service, equipment rental, and vehicle and equipment~~
 4.3 ~~maintenance;~~

4.4 ~~(5)~~ (4) to provide analytical, statistical, and organizational development services to state
 4.5 agencies, local units of government, metropolitan and regional agencies, and school districts;
 4.6 and

4.7 ~~(6)~~ (5) to perform services for any other agency. Money may be expended for this purpose
 4.8 only when directed by the governor. The agency receiving the services shall reimburse the
 4.9 fund for their cost, and the commissioner shall make the appropriate transfers when requested.
 4.10 The term "services" as used in this clause means compensation paid officers and employees
 4.11 of the state government; supplies, materials, equipment, and other articles and things used
 4.12 by or furnished to an agency; and utility services and other services for the maintenance,
 4.13 operation, and upkeep of buildings and offices of the state government; ~~and.~~

4.14 ~~(7) to operate a state recycling center.~~

4.15 Sec. 5. Minnesota Statutes 2018, section 16B.54, subdivision 1, is amended to read:

4.16 Subdivision 1. **Motor pools.** The commissioner shall manage a central motor pool of
 4.17 passenger motor vehicles and trucks used by state agencies with principal offices in the city
 4.18 of St. Paul and may provide for branch central motor pools at other places within the state.
 4.19 For purposes of this section, (1) "agencies" includes the Minnesota State Colleges and
 4.20 Universities, ~~and~~ (2) "passenger motor vehicle" means an on-road vehicle capable of
 4.21 transporting people, and (3) "truck" means a pickup or panel truck up to one ton carrying
 4.22 capacity.

4.23 Sec. 6. Minnesota Statutes 2018, section 16B.54, subdivision 2, is amended to read:

4.24 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a
 4.25 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the
 4.26 commissioner for use in the central motor pool. The commissioner shall reimburse an agency
 4.27 whose motor vehicles have been paid for with funds dedicated by the constitution for a
 4.28 special purpose and which are assigned to the central motor pool. The amount of
 4.29 reimbursement for a motor vehicle is its average wholesale price as determined from the
 4.30 midwest edition of the National Automobile Dealers Association official used car guide.

4.31 (b) To the extent that funds are available for the purpose, the commissioner may purchase
 4.32 or otherwise acquire additional passenger motor vehicles and trucks necessary for the central

5.1 motor pool. The title to all motor vehicles assigned to or purchased or acquired for the
5.2 central motor pool is in the name of the Department of Administration.

5.3 (c) On the request of an agency, the commissioner may transfer to the central motor
5.4 pool any passenger motor vehicle or truck for the purpose of disposing of it. The department
5.5 or agency transferring the vehicle or truck must be paid for it from the motor pool revolving
5.6 account established by this section in an amount equal to two-thirds of the average wholesale
5.7 price of the vehicle or truck as determined from the midwest edition of the National
5.8 Automobile Dealers Association official used car guide.

5.9 (d) The commissioner shall provide for the uniform marking of all motor vehicles. Motor
5.10 vehicle colors must be selected from the regular color chart provided by the manufacturer
5.11 each year. The commissioner may further provide for the use of motor vehicles without
5.12 marking by:

5.13 (1) the governor;

5.14 (2) the lieutenant governor;

5.15 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling
5.16 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of
5.17 Public Safety;

5.18 (4) the Financial Institutions Division and investigative staff of the Department of
5.19 Commerce;

5.20 (5) the Division of Disease Prevention and Control of the Department of Health;

5.21 (6) the State Lottery;

5.22 (7) criminal investigators of the Department of Revenue;

5.23 (8) state-owned community service facilities in the Department of Human Services;

5.24 (9) the Office of the Attorney General; ~~and~~

5.25 (10) the investigative staff of the Gambling Control Board; and

5.26 (11) the Department of Corrections' institution community work crew.

5.27 **Sec. 7. TRANSFER OF FUNDS.**

5.28 The funds specified in Laws 2019, First Special Session chapter 4, article 1, sections 11
5.29 and 12, shall be transferred from the Department of Administration to the Department of
5.30 Natural Resources to carry out the provisions in both sections.

6.1 Sec. 8. **REVISOR INSTRUCTION.**

6.2 (a) The revisor of statutes shall change "central motor pool" to "enterprise fleet" wherever
6.3 it appears in Minnesota Statutes.

6.4 (b) The revisor of statutes shall carry forward the history of Minnesota Statutes, sections
6.5 179.90 and 179.91, to Minnesota Statutes, section 16B.361.

6.6 Sec. 9. **REPEALER.**

6.7 Minnesota Statutes 2018, sections 179.90; and 179.91, are repealed.

179.90 OFFICE OF COLLABORATION AND DISPUTE RESOLUTION.

The commissioner of mediation services shall establish an Office of Collaboration and Dispute Resolution within the bureau. The office must:

- (1) promote the broad use of community mediation in the state, ensuring that all areas of the state have access to services by providing grants to private nonprofit entities certified by the state court administrator under chapter 494 that assist in resolution of disputes;
- (2) assist state agencies, offices of the executive, legislative, and judicial branches, and units of local government in improving collaboration and dispute resolution;
- (3) support collaboration and dispute resolution in the public and private sector by providing technical assistance and information on best practices and new developments in dispute resolution options;
- (4) educate the public and governmental entities on dispute resolution options; and
- (5) promote and utilize collaborative dispute resolution models and processes based on documented best practices including, but not limited to, the Minnesota Solutions model:
 - (i) establishing criteria and procedures for identification and assessment of dispute resolution projects;
 - (ii) designating projects and appointing impartial convenors by the commissioner or the commissioner's designee;
 - (iii) forming multidisciplinary conflict resolution teams; and
 - (iv) utilizing collaborative techniques, processes, and standards through facilitated meetings until consensus among parties is reached in resolving a dispute.

179.91 GRANTS.

Subdivision 1. **Authority.** The commissioner of mediation services shall to the extent funds are appropriated for this purpose, make grants to private nonprofit community mediation entities certified by the state court administrator under chapter 494 that assist in resolution of disputes. The commissioner shall establish a grant review committee to assist in the review of grant applications and the allocation of grants under this section.

Subd. 2. **Eligibility.** To be eligible for a grant under this section, a nonprofit organization must meet the requirements of section 494.05, subdivision 1, clauses (1), (2), (4), and (5).

Subd. 3. **Conditions and exclusions.** A nonprofit entity receiving a grant must agree to comply with guidelines adopted by the state court administrator under section 494.015, subdivision 1. Sections 16B.97 and 16B.98 and policies adopted under those sections apply to grants under this section. The exclusions in section 494.03 apply to grants under this section.

Subd. 4. **Reporting.** Grantees must report data required under chapter 494 to evaluate quality and outcomes.