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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3431

02/12/2024 Authored by Klevorn and Huot
The bill was read for the first time and referred to the Committee on State and Local Government Finance and Policy
04/24/2024 Adoption of Report: Amended and re-referred to the Committee on Ways and Means
04/29/2024 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to state government; specifying administrative courts and work product
1.3 data; modifying the Administrative Procedure Act; modifying certain salaries of
1.4 employees of the Office of Administrative Hearings; making technical changes to
1.5 Department of Administration, Department of Information Technology Services,
1.6 and state personnel management provisions; establishing a state building renewable
1.7 energy, storage, and electric vehicle account; changing a reporting date for a report;
1.8 requiring reports of cybersecurity incidents; changing provisions for campaign
1.9 practices complaints, Capitol complex security, cemeteries, certain licensed
1.10 employment, Uniform Commercial Code, and notaries public; designating use of
1.11 certain State Capitol space; modifying provisions for Hennepin County and
1.12 Metropolitan Council; allowing Anoka County to build a jail and criminal justice
1.13 center; modifying provisions for the Department of Military Affairs and the
1.14 Department of Veterans Affairs; increasing the maximum bonded indebtedness
1.15 allowed for the State Armory Building Commission; designating Gopher Gunners
1.16 Memorial Bridge; assessing penalties; requiring reports; transferring money from
1.17 the general fund to the healthy and sustainable food options account; canceling
1.18 certain funds; appropriating money; amending Minnesota Statutes 2022, sections
1.19 14.05, subdivision 7; 14.08; 14.16, subdivision 3; 14.26, subdivision 3a; 14.386;
1.20 14.388, subdivision 2; 14.3895, subdivisions 2, 6; 14.48, subdivision 2; 14.62,
1.21 subdivision 2a; 15.994; 15A.083, subdivision 6a; 16B.055, subdivision 1; 16B.48,
1.22 subdivision 4; 16B.54, subdivision 2; 16B.97, subdivision 1; 16B.98, subdivision
1.23 1; 16C.137, subdivision 2; 16D.09, subdivision 1; 16E.01, subdivision 2; 16E.03,
1.24 subdivisions 3, 4, 5, 7; 16E.04, subdivisions 2, 3; 16E.07; 43A.316, subdivision
1.25 5; 161.14, by adding a subdivision; 193.143; 211B.33, subdivision 2; 211B.34,
1.26 subdivisions 1, 2; 211B.35, subdivisions 1, 3; 299E.01, subdivision 2; 326.10,
1.27 subdivision 8; 326A.04, subdivision 4; 336.1-110; 358.645, subdivision 2; 358.71;
1.28 359.01, subdivision 5; 359.03, subdivision 3; 383B.145, subdivision 5; Minnesota
1.29 Statutes 2023 Supplement, sections 10.65, subdivision 2; 16E.01, subdivision 3;
1.30 16E.03, subdivision 2; 307.08, subdivision 3a; 473.145; Laws 2023, chapter 38,
1.31 article 1, section 3, subdivision 3; Laws 2023, chapter 62, article 1, section 11,
1.32 subdivisions 2, 4; proposing coding for new law in Minnesota Statutes, chapters
1.33 13; 14; 16B; 16E; repealing Minnesota Statutes 2022, sections 16E.035; 16E.0465,
1.34 subdivisions 1, 2; 16E.055; 16E.20; 127A.095, subdivision 3; 211B.06; 471.9998;
1.35 Laws 1979, chapter 189, sections 1; 2, as amended; 3.

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

2.2 **ARTICLE 1**

2.3 **STATE GOVERNMENT APPROPRIATIONS**

2.4 Section 1. Laws 2023, chapter 62, article 1, section 11, subdivision 2, is amended to read:

2.5 Subd. 2. **Government and Citizen Services** 39,928,000 19,943,000

2.6 The base for this appropriation is \$17,268,000  
 2.7 in fiscal year 2026 and \$17,280,000 in fiscal  
 2.8 year 2027.

2.9 **Council on Developmental Disabilities.**

2.10 \$222,000 each year is for the Council on  
 2.11 Developmental Disabilities.

2.12 **State Agency Accommodation**

2.13 **Reimbursement.** \$200,000 each year may be  
 2.14 transferred to the accommodation account  
 2.15 established in Minnesota Statutes, section  
 2.16 16B.4805.

2.17 **Disparity Study.** \$500,000 the first year and  
 2.18 \$1,000,000 the second year are to conduct a  
 2.19 study on disparities in state procurement. This  
 2.20 is a onetime appropriation.

2.21 **Grants Administration Oversight.**

2.22 \$2,411,000 the first year and \$1,782,000 the  
 2.23 second year are for grants administration  
 2.24 oversight. The base for this appropriation in  
 2.25 fiscal year 2026 and each year thereafter is  
 2.26 \$1,581,000.

2.27 Of this amount, \$735,000 the first year and  
 2.28 \$201,000 the second year are for a study to  
 2.29 develop a road map on the need for an  
 2.30 enterprise grants management system and to  
 2.31 implement the study's recommendation. This  
 2.32 is a onetime appropriation.

3.1 **Risk Management Fund Property**

3.2 **Self-Insurance.** \$12,500,000 the first year is  
3.3 for transfer to the risk management fund under  
3.4 Minnesota Statutes, section 16B.85. This is a  
3.5 onetime appropriation.

3.6 **Office of Enterprise Translations.**

3.7 \$1,306,000 the first year and \$1,159,000 the  
3.8 second year are to establish the Office of  
3.9 Enterprise Translations. \$250,000 each year  
3.10 may be transferred to the language access  
3.11 service account established in Minnesota  
3.12 Statutes, section 16B.373.

3.13 **Capitol Mall Design Framework**

3.14 **Implementation.** \$5,000,000 the first year is  
3.15 to implement the updated Capitol Mall Design  
3.16 Framework, prioritizing the framework plans  
3.17 identified in article 2, section 124. This  
3.18 appropriation is available until December 31,  
3.19 2024.

3.20 **Parking Fund.** \$3,255,000 the first year and  
3.21 \$1,085,000 the second year are for a transfer  
3.22 to the state parking account to maintain the  
3.23 operations of the parking and transit program  
3.24 on the Capitol complex. These are onetime  
3.25 transfers.

3.26 **Procurement; Environmental Analysis and**

3.27 **Task Force.** \$522,000 the first year and  
3.28 \$367,000 the second year are to implement  
3.29 the provisions of Minnesota Statutes, section  
3.30 16B.312.

3.31 **Center for Rural Policy and Development.**

3.32 \$100,000 the first year is for a grant to the  
3.33 Center for Rural Policy and Development.

3.34 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

4.1 Sec. 2. Laws 2023, chapter 62, article 1, section 11, subdivision 4, is amended to read:

4.2 **Subd. 4. Fiscal Agent** 31,121,000 23,833,000

4.3 The base for this appropriation is \$15,833,000  
 4.4 in fiscal year 2026 and each fiscal year  
 4.5 thereafter.

4.6 The appropriations under this section are to  
 4.7 the commissioner of administration for the  
 4.8 purposes specified.

4.9 **In-Lieu of Rent.** \$11,129,000 each year is for  
 4.10 space costs of the legislature and veterans  
 4.11 organizations, ceremonial space, and  
 4.12 statutorily free space.

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

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

4.18 (c) \$500,000 each year is for block grants to  
 4.19 public television under Minnesota Statutes,  
 4.20 section 129D.13. Of this amount, up to three  
 4.21 percent is for the commissioner of  
 4.22 administration to administer the grants. ~~This~~  
 4.23 ~~is a onetime appropriation.~~

4.24 (d) The commissioner of administration must  
 4.25 consider the recommendations of the  
 4.26 Minnesota Public Television Association  
 4.27 before allocating the amounts appropriated in  
 4.28 paragraphs (a) and (b) for equipment or  
 4.29 matching grants.

4.30 **Public Radio.** (a) \$2,392,000 the first year  
 4.31 and \$1,242,000 the second year are for  
 4.32 community service grants to public  
 4.33 educational radio stations. This appropriation

5.1 may be used to disseminate emergency  
5.2 information in foreign languages. Any  
5.3 unencumbered balance does not cancel at the  
5.4 end of the first year and is available for the  
5.5 second year. The association of Minnesota  
5.6 Public Educational Radio Stations may use up  
5.7 to four percent of this appropriation to help  
5.8 the organization and its member stations to  
5.9 better serve Minnesota's communities.

5.10 (b) \$142,000 each year is for equipment grants  
5.11 to public educational radio stations. This  
5.12 appropriation may be used for the repair,  
5.13 rental, and purchase of equipment including  
5.14 equipment under \$500.

5.15 (c) \$850,000 the first year is for grants to the  
5.16 Association of Minnesota Public Educational  
5.17 Radio Stations for the purchase of emergency  
5.18 equipment and increased cybersecurity and  
5.19 broadcast technology. The Association of  
5.20 Minnesota Public Educational Radio Stations  
5.21 may use up to four percent of this  
5.22 appropriation ~~for costs that are directly related~~  
5.23 ~~to and necessary for the administration of these~~  
5.24 ~~grants~~ to help the organization and its member  
5.25 stations to enhance cybersecurity, broadcast  
5.26 technology, and emergency services.

5.27 (d) \$1,288,000 the first year is for a grant to  
5.28 the Association of Minnesota Public  
5.29 Educational Radio Stations to provide a  
5.30 diverse community radio news service. Of this  
5.31 amount, up to \$38,000 is for the commissioner  
5.32 of administration to administer this grant. This  
5.33 is a onetime appropriation and is available  
5.34 until June 30, 2027.

6.1 (e) \$1,020,000 each year is for equipment  
6.2 grants to Minnesota Public Radio, Inc.,  
6.3 including upgrades to Minnesota's Emergency  
6.4 Alert and AMBER Alert Systems.

6.5 (f) The appropriations in paragraphs (a) to (e)  
6.6 may not be used for indirect costs claimed by  
6.7 an institution or governing body.

6.8 (g) The commissioner of administration must  
6.9 consider the recommendations of the  
6.10 Association of Minnesota Public Educational  
6.11 Radio Stations before awarding grants under  
6.12 Minnesota Statutes, section 129D.14, using  
6.13 the appropriations in paragraphs (a) to (c). No  
6.14 grantee is eligible for a grant unless they are  
6.15 a member of the Association of Minnesota  
6.16 Public Educational Radio Stations on or before  
6.17 July 1, 2023.

6.18 (h) Any unencumbered balance remaining the  
6.19 first year for grants to public television or  
6.20 public radio stations does not cancel and is  
6.21 available for the second year.

6.22 **Real Estate and Construction Services.**  
6.23 \$12,000,000 the first year and \$8,000,000 the  
6.24 second year are to facilitate space  
6.25 consolidation and the transition to a hybrid  
6.26 work environment, including but not limited  
6.27 to the design, remodel, equipping, and  
6.28 furnishing of the space. This appropriation  
6.29 may also be used for relocation and rent loss.  
6.30 This is a onetime appropriation and is  
6.31 available until June 30, 2027.

6.32 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2023.

7.1 **Sec. 3. CAPITOL AREA COMMUNITY VITALITY ACCOUNT.**

7.2 (a) Consistent with the program and oversight plan approved by the Capitol Area  
7.3 Architectural and Planning Board, the commissioner of administration must expend money  
7.4 from the Capitol Area community vitality account as follows:

7.5 (1) \$4,800,000 must be for a grant to the city of St. Paul, Department of Planning and  
7.6 Economic Development. The city must use this amount to make subgrants through the  
7.7 community vitality grant program, and to support the Community Voices Initiative. The  
7.8 city may retain amounts for grants administration and oversight, up to the maximum permitted  
7.9 to be retained by a state agency under Minnesota Statutes, section 16B.98, subdivision 14;  
7.10 and

7.11 (2) \$200,000 must be transferred to the Capitol Area Architectural and Planning Board  
7.12 for Community Navigators, and for startup and other costs to facilitate implementation of  
7.13 the community vitality grant program and the Community Voices Initiative.

7.14 (b) Minnesota Statutes, sections 16B.97 to 16B.991, do not apply to a grant required by  
7.15 this section.

7.16 (c) This section constitutes approval by law for the expenditure of funds from the Capitol  
7.17 Area community vitality account, as required by Laws 2023, chapter 53, article 17, section  
7.18 2.

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

7.20 **Sec. 4. APPROPRIATION; COMMISSIONER OF ADMINISTRATION; IN LIEU**  
7.21 **OF RENT.**

7.22 \$43,000 in fiscal year 2025 is appropriated from the general fund to the commissioner  
7.23 of administration for space costs incurred in fiscal years 2025, 2026, and 2027 by tenants  
7.24 that provide public-facing professional services on the Capitol complex. The commissioner  
7.25 of administration must designate one publicly accessible space on the complex for which  
7.26 this appropriation may be used. This is a onetime appropriation and is available until June  
7.27 30, 2027.

7.28 **Sec. 5. GREEN SPACE; CAPITOL PARKING LOT C.**

7.29 \$445,000 in fiscal year 2025 is appropriated from the general fund to the commissioner  
7.30 of administration to design, construct, and equip additional green space, along with work  
7.31 needed to facilitate circulation and to add accessible parking stalls, on the site of Parking  
7.32 Lot C on the State Capitol complex. In addition to this amount, the commissioner may

8.1 utilize for this purpose any funds remaining from the appropriation made by Laws 2023,  
 8.2 chapter 71, section 6, subdivision 3, after the project authorized by that subdivision is  
 8.3 complete.

8.4 Sec. 6. **APPROPRIATION; HUBERT H. HUMPHREY STATUE.**

8.5 \$300,000 in fiscal year 2025 is appropriated from the general fund to the commissioner  
 8.6 of administration to replace the statue of Henry Mower Rice in the Statuary Hall in the  
 8.7 United States Capitol with a statue of Hubert H. Humphrey. This appropriation includes  
 8.8 money for the removal and transportation of the Henry Mower Rice statue to the Minnesota  
 8.9 State Historical Society, to contract with the Koh-Varilla Guild, Inc., to replicate, with any  
 8.10 modifications needed to meet requirements for placement, the Hubert H. Humphrey statue  
 8.11 that currently stands on the mall of the Minnesota State Capitol, and the erection of the new  
 8.12 Hubert H. Humphrey statue in the Statuary Hall in the United States Capitol, including the  
 8.13 necessary base. This is a onetime appropriation and is available until December 31, 2026.

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

8.15 Sec. 7. **APPROPRIATION; CAPITOL MALL DESIGN FRAMEWORK PHASE**  
 8.16 **TWO.**

8.17 \$1,712,000 in fiscal year 2025 is appropriated from the general fund to the commissioner  
 8.18 of administration to design, construct, install, and equip the elements outlined in the Capitol  
 8.19 Mall Design Framework, phase two. This is a onetime appropriation and is available until  
 8.20 December 31, 2029.

## 8.21 ARTICLE 2

### 8.22 STATE GOVERNMENT POLICY

8.23 Section 1. Minnesota Statutes 2023 Supplement, section 10.65, subdivision 2, is amended  
 8.24 to read:

8.25 Subd. 2. **Definitions.** As used in this section, the following terms have the meanings  
 8.26 given:

8.27 (1) "agency" means the Department of Administration; Department of Agriculture;  
 8.28 Department of Children, Youth, and Families; Department of Commerce; Department of  
 8.29 Corrections; Department of Education; Department of Employment and Economic  
 8.30 Development; Department of Health; Office of Higher Education; Housing Finance Agency;  
 8.31 Department of Human Rights; Department of Human Services; Department of Information



9.1 Technology Services; Department of Iron Range Resources and Rehabilitation; Department  
9.2 of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;  
9.3 Department of Military Affairs; Metropolitan Council; Department of Natural Resources;  
9.4 Pollution Control Agency; Department of Public Safety; Department of Revenue; Department  
9.5 of Transportation; Department of Veterans Affairs; Gambling Control Board; Racing  
9.6 Commission; the Minnesota Lottery; the Animal Health Board; the Minnesota Board on  
9.7 Aging; the Public Utilities Commission; and the Board of Water and Soil Resources;

9.8 (2) "consultation" means the direct and interactive involvement of the Minnesota Tribal  
9.9 governments in the development of policy on matters that have Tribal implications.

9.10 Consultation is the proactive, affirmative process of identifying and seeking input from  
9.11 appropriate Tribal governments and considering their interest as a necessary and integral  
9.12 part of the decision-making process. This definition adds to statutorily mandated notification  
9.13 procedures. During a consultation, the burden is on the agency to show that it has made a  
9.14 good faith effort to elicit feedback. Consultation is a formal engagement between agency  
9.15 officials and the governing body or bodies of an individual Minnesota Tribal government  
9.16 that the agency or an individual Tribal government may initiate. Formal meetings or  
9.17 communication between top agency officials and the governing body of a Minnesota Tribal  
9.18 government is a necessary element of consultation;

9.19 (3) "matters that have Tribal implications" means rules, legislative proposals, policy  
9.20 statements, or other actions that have substantial direct effects on one or more Minnesota  
9.21 Tribal governments, or on the distribution of power and responsibilities between the state  
9.22 and Minnesota Tribal governments;

9.23 (4) "Minnesota Tribal governments" means the federally recognized Indian Tribes located  
9.24 in Minnesota including: Bois Forte Band; Fond Du Lac Band; Grand Portage Band; Leech  
9.25 Lake Band; Mille Lacs Band; White Earth Band; Red Lake Nation; Lower Sioux Indian  
9.26 Community; Prairie Island Indian Community; Shakopee Mdewakanton Sioux Community;  
9.27 and Upper Sioux Community; and

9.28 (5) "timely and meaningful" means done or occurring at a favorable or useful time that  
9.29 allows the result of consultation to be included in the agency's decision-making process for  
9.30 a matter that has Tribal implications.

9.31 **EFFECTIVE DATE.** This section is effective August 1, 2024.

10.1 Sec. 2. **[13.95] ADMINISTRATIVE COURTS.**

10.2 **Subdivision 1. Definitions.** (a) For purposes of this section, the terms have the meanings  
10.3 given.

10.4 (b) "Administrative courts" means the Office of Administrative Hearings, Tax Court,  
10.5 and Workers' Compensation Court of Appeals.

10.6 (c) "Court services" include hearings, settlement conferences, mediation, and the writing  
10.7 of decisions and orders.

10.8 (d) "Health-related documents and data" means records, reports, or affidavits created  
10.9 by medical, health care, or scientific professionals that relate to the past, present, or future  
10.10 physical or mental health or condition of an individual, including but not limited to medical  
10.11 history, examinations, diagnoses and treatment, prepetition screening reports, or  
10.12 court-appointed examiner reports.

10.13 **Subd. 2. Judicial work product.** All notes and memoranda or drafts thereof prepared  
10.14 by a judge or employee of an administrative court and used in providing a court service are  
10.15 confidential or protected nonpublic data.

10.16 **Subd. 3. Health-related documents and data.** Health-related documents and data  
10.17 included in a court file are private data on individuals.

10.18 Sec. 3. Minnesota Statutes 2022, section 14.05, subdivision 7, is amended to read:

10.19 **Subd. 7. Electronic documents permitted.** An agency ~~may~~ must file rule-related  
10.20 documents with the Office of Administrative Hearings by electronic transmission in the  
10.21 manner approved by that office ~~and~~. An agency may file rule-related documents with the  
10.22 Office of the Revisor of Statutes by electronic transmission in the manner approved by that  
10.23 office.

10.24 Sec. 4. Minnesota Statutes 2022, section 14.08, is amended to read:

10.25 **14.08 APPROVAL OF RULE AND RULE FORM; COSTS.**

10.26 (a) One copy of a rule adopted under section 14.26 must be submitted by the agency to  
10.27 the chief administrative law judge. The chief administrative law judge shall request from  
10.28 the revisor certified copies of the rule when it is submitted by the agency under section  
10.29 14.26. Within five working days after the request for certification of the rule is received by  
10.30 the revisor, ~~excluding weekends and holidays~~, the revisor shall either return the rule with  
10.31 a certificate of approval of the form of the rule to the chief administrative law judge or

11.1 notify the chief administrative law judge and the agency that the form of the rule will not  
11.2 be approved.

11.3 If the chief administrative law judge disapproves a rule, the agency may modify it and  
11.4 the agency shall submit one copy of the modified rule, approved as to form by the revisor,  
11.5 to the chief administrative law judge.

11.6 (b) One copy of a rule adopted after a public hearing must be submitted by the agency  
11.7 to the chief administrative law judge. The chief administrative law judge shall request from  
11.8 the revisor certified copies of the rule when it is submitted by the agency. Within five  
11.9 working days after receipt of the request, the revisor shall either return the rule with a  
11.10 certificate of approval to the chief administrative law judge or notify the chief administrative  
11.11 law judge and the agency that the form of the rule will not be approved.

11.12 (c) If the revisor refuses to approve the form of the rule, the revisor's notice must revise  
11.13 the rule so it is in the correct form.

11.14 (d) After the agency has notified the chief administrative law judge that it has adopted  
11.15 the rule, the chief administrative law judge shall promptly file ~~four paper copies~~ or an  
11.16 electronic copy of the adopted rule in the Office of the Secretary of State. The secretary of  
11.17 state shall forward one copy of each rule filed to the agency, to the revisor of statutes, and  
11.18 to the governor.

11.19 (e) The chief administrative law judge shall assess an agency for the actual cost of  
11.20 processing rules under this section. Each agency shall include in its budget money to pay  
11.21 the assessments. Receipts from the assessment must be deposited in the administrative  
11.22 hearings account established in section 14.54.

11.23 Sec. 5. Minnesota Statutes 2022, section 14.16, subdivision 3, is amended to read:

11.24 Subd. 3. **Filing.** After the agency has provided the chief administrative law judge with  
11.25 a signed order adopting the rule, the chief administrative law judge shall promptly file ~~four~~  
11.26 ~~paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary of State.  
11.27 The secretary of state shall forward one copy of each rule filed to the agency, to the revisor  
11.28 of statutes, and to the governor.

11.29 Sec. 6. Minnesota Statutes 2022, section 14.26, subdivision 3a, is amended to read:

11.30 Subd. 3a. **Filing.** If the rule is approved, the administrative law judge shall promptly  
11.31 file ~~four paper copies~~ or an electronic copy of the adopted rule in the Office of the Secretary

12.1 of State. The secretary of state shall forward one copy of each rule to the revisor of statutes,  
12.2 to the agency, and to the governor.

12.3 Sec. 7. Minnesota Statutes 2022, section 14.386, is amended to read:

12.4 **14.386 PROCEDURE FOR ADOPTING EXEMPT RULES; DURATION.**

12.5 (a) A rule adopted, amended, or repealed by an agency, under a statute enacted after  
12.6 January 1, 1997, authorizing or requiring rules to be adopted but excluded from the  
12.7 rulemaking provisions of chapter 14 or from the definition of a rule, has the force and effect  
12.8 of law only if:

12.9 (1) the revisor of statutes approves the form of the rule by certificate;

12.10 (2) the person authorized to adopt the rule on behalf of the agency signs an order adopting  
12.11 the rule;

12.12 (3) the Office of Administrative Hearings approves the rule as to its legality within 14  
12.13 days after the agency submits it for approval and files ~~four paper copies~~ or an electronic  
12.14 copy of the adopted rule with the revisor's certificate in the Office of the Secretary of State;  
12.15 and

12.16 (4) a copy is published by the agency in the State Register.

12.17 The secretary of state shall forward one copy of the rule to the governor.

12.18 A statute enacted after January 1, 1997, authorizing or requiring rules to be adopted but  
12.19 excluded from the rulemaking provisions of chapter 14 or from the definition of a rule does  
12.20 not excuse compliance with this section unless it makes specific reference to this section.

12.21 (b) A rule adopted under this section is effective for a period of two years from the date  
12.22 of publication of the rule in the State Register. The authority for the rule expires at the end  
12.23 of this two-year period.

12.24 (c) The chief administrative law judge shall adopt rules relating to the rule approval  
12.25 duties imposed by this section and section 14.388, including rules establishing standards  
12.26 for review.

12.27 (d) This section does not apply to:

12.28 (1) any group or rule listed in section 14.03, subdivisions 1 and 3, except as otherwise  
12.29 provided by law;

12.30 (2) game and fish rules of the commissioner of natural resources adopted under section  
12.31 84.027, subdivision 13, or sections 97A.0451 to 97A.0459;

13.1 (3) experimental and special management waters designated by the commissioner of  
13.2 natural resources under sections 97C.001 and 97C.005;

13.3 (4) game refuges designated by the commissioner of natural resources under section  
13.4 97A.085; or

13.5 (5) transaction fees established by the commissioner of natural resources for electronic  
13.6 or telephone sales of licenses, stamps, permits, registrations, or transfers under section  
13.7 84.027, subdivision 15, paragraph (a), clause (3).

13.8 (e) If a statute provides that a rule is exempt from chapter 14, and section 14.386 does  
13.9 not apply to the rule, the rule has the force of law unless the context of the statute delegating  
13.10 the rulemaking authority makes clear that the rule does not have force of law.

13.11 Sec. 8. Minnesota Statutes 2022, section 14.388, subdivision 2, is amended to read:

13.12 Subd. 2. **Notice.** An agency proposing to adopt, amend, or repeal a rule under this section  
13.13 must give electronic notice of its intent in accordance with section 16E.07, subdivision 3,  
13.14 and notice by United States mail or electronic mail to persons who have registered their  
13.15 names with the agency under section 14.14, subdivision 1a. The notice must be given no  
13.16 later than the date the agency submits the proposed rule to the Office of Administrative  
13.17 Hearings for review of its legality and must include:

13.18 (1) the proposed rule, amendment, or repeal;

13.19 (2) an explanation of why the rule meets the requirements of the good cause exemption  
13.20 under subdivision 1; and

13.21 (3) a statement that interested parties have five ~~business~~ working days after the date of  
13.22 the notice to submit comments to the Office of Administrative Hearings.

13.23 Sec. 9. Minnesota Statutes 2022, section 14.3895, subdivision 2, is amended to read:

13.24 Subd. 2. **Notice plan; prior approval.** The agency shall draft a notice plan under which  
13.25 the agency will make reasonable efforts to notify persons or classes of persons who may  
13.26 be significantly affected by the rule repeal by giving notice of its intention in newsletters,  
13.27 newspapers, or other publications, or through other means of communication. Before  
13.28 publishing the notice in the State Register and implementing the notice plan, the agency  
13.29 shall obtain prior approval of the notice plan by ~~the chief administrative law judge~~ an  
13.30 administrative law judge in the Office of Administrative Hearings.

14.1 Sec. 10. Minnesota Statutes 2022, section 14.3895, subdivision 6, is amended to read:

14.2 Subd. 6. **Legal review.** Before publication of the final rule in the State Register, the  
14.3 agency shall submit the rule to the ~~chief~~ administrative law judge in the Office of  
14.4 Administrative Hearings. The ~~chief~~ administrative law judge shall within 14 days approve  
14.5 or disapprove the rule as to its legality and its form to the extent the form relates to legality.

14.6 Sec. 11. Minnesota Statutes 2022, section 14.48, subdivision 2, is amended to read:

14.7 Subd. 2. **Chief administrative law judge.** (a) The office shall be under the direction of  
14.8 a chief administrative law judge who shall be learned in the law and appointed by the  
14.9 governor, with the advice and consent of the senate, for a term ending on June 30 of the  
14.10 sixth calendar year after appointment. Senate confirmation of the chief administrative law  
14.11 judge shall be as provided by section 15.066.

14.12 (b) The chief administrative law judge may hear cases and, in accordance with chapter  
14.13 43A, shall appoint a deputy chief judge and additional administrative law judges and  
14.14 compensation judges to serve in the office as necessary to fulfill the duties of the Office of  
14.15 Administrative Hearings.

14.16 (c) The chief administrative law judge may delegate to a subordinate employee the  
14.17 exercise of a specified statutory power or duty as deemed advisable, subject to the control  
14.18 of the chief administrative law judge. Every delegation must be by written order filed with  
14.19 the secretary of state. The chief administrative law judge is subject to the provisions of the  
14.20 Minnesota Constitution, article VI, section 6, the jurisdiction of the Board on Judicial  
14.21 Standards, and the provisions of the Code of Judicial Conduct.

14.22 (d) If a vacancy in the position of chief administrative law judge occurs, an acting or  
14.23 temporary chief administrative law judge must be named as follows:

14.24 (1) at the end of the term of a chief administrative law judge, the incumbent chief  
14.25 administrative law judge may, at the discretion of the appointing authority, serve as acting  
14.26 chief administrative law judge until a successor is appointed; and

14.27 (2) if at the end of a term of a chief administrative law judge the incumbent chief  
14.28 administrative law judge is not designated as acting chief administrative law judge, or if a  
14.29 vacancy occurs in the position of chief administrative law judge, the deputy chief judge  
14.30 shall immediately become temporary chief administrative law judge without further official  
14.31 action.

14.32 (e) The appointing authority of the chief administrative law judge may appoint a person  
14.33 other than the deputy chief judge to serve as temporary chief administrative law judge and

15.1 may replace any other acting or temporary chief administrative law judge designated pursuant  
15.2 to paragraph (d), clause (1) or (2).

15.3 Sec. 12. **[14.525] INTERPRETERS.**

15.4 The chief administrative law judge may enter contracts with interpreters identified by  
15.5 the Supreme Court through the Court Interpreter Program. Interpreters may be utilized as  
15.6 the chief administrative law judge directs. These contracts are not subject to the requirements  
15.7 of chapters 16B and 16C.

15.8 Sec. 13. Minnesota Statutes 2022, section 14.62, subdivision 2a, is amended to read:

15.9 Subd. 2a. **Administrative law judge decision final; exception.** Unless otherwise  
15.10 provided by law, the report or order of the administrative law judge constitutes the final  
15.11 decision in the case unless the agency modifies or rejects it under subdivision 1 within 90  
15.12 days after the record of the proceeding closes under section 14.61. When the agency fails  
15.13 to act within 90 days on a licensing case, the agency must return the record of the proceeding  
15.14 to the administrative law judge for consideration of disciplinary action. In all contested  
15.15 cases where the report or order of the administrative law judge constitutes the final decision  
15.16 in the case, the administrative law judge shall issue findings of fact, conclusions, and an  
15.17 order within 90 days after the hearing record closes under section 14.61. Upon a showing  
15.18 of good cause by a party or the agency, the chief administrative law judge may order a  
15.19 reasonable extension of either of the two 90-day deadlines specified in this subdivision.  
15.20 The 90-day deadline will be tolled while the chief administrative law judge considers a  
15.21 request for reasonable extension so long as the request was filed and served within the  
15.22 applicable 90-day period.

15.23 Sec. 14. Minnesota Statutes 2022, section 15.994, is amended to read:

15.24 **15.994 INTERNET GRANT INFORMATION.**

15.25 A state agency with an Internet site must provide information on grants available through  
15.26 the agency and must provide a link to any grant application ~~under section 16E.20.~~

15.27 Sec. 15. Minnesota Statutes 2022, section 15A.083, subdivision 6a, is amended to read:

15.28 Subd. 6a. **Administrative law judge; salaries.** The salary of the chief administrative  
15.29 law judge is 98.52 percent of the salary of a chief district court judge. The salaries of the  
15.30 ~~assistant chief administrative law judge and administrative law judge supervisors~~ deputy  
15.31 chief judge and judge supervisors employed by the Office of Administrative Hearings are

16.1 100 percent of the salary of a district court judge. The salary of an administrative law judge  
16.2 employed by the Office of Administrative Hearings is 98.52 percent of the salary of a district  
16.3 court judge as set under section 15A.082, subdivision 3.

16.4 Sec. 16. Minnesota Statutes 2022, section 16B.055, subdivision 1, is amended to read:

16.5 Subdivision 1. **Federal Assistive Technology Act.** (a) The Department of Administration  
16.6 is designated as the lead agency to carry out all the responsibilities under the 21st Century  
16.7 Assistive Technology Act of 1998, as provided by Public Law ~~108-364~~, as amended 117-81.  
16.8 The Minnesota Assistive Technology Advisory Council is established to fulfill the  
16.9 responsibilities required by the Assistive Technology Act, as provided by Public Law  
16.10 ~~108-364~~, as amended 117-81. Because the existence of this council is required by federal  
16.11 law, this council does not expire.

16.12 (b) Except as provided in paragraph (c), the governor shall appoint the membership of  
16.13 the council as required by the 21st Century Assistive Technology Act of 1998, as provided  
16.14 by Public Law ~~108-364~~, as amended 117-81. After the governor has completed the  
16.15 appointments required by this subdivision, the commissioner of administration, or the  
16.16 commissioner's designee, shall convene the first meeting of the council following the  
16.17 appointments. Members shall serve two-year terms commencing July 1 of each odd-numbered  
16.18 year, and receive the compensation specified by the 21st Century Assistive Technology Act  
16.19 of 1998, as provided by Public Law ~~108-364~~, as amended 117-81. The members of the  
16.20 council shall select their chair at the first meeting following their appointment.

16.21 (c) After consulting with the appropriate commissioner, the commissioner of  
16.22 administration shall appoint a representative from:

- 16.23 (1) State Services for the Blind who has assistive technology expertise;  
16.24 (2) vocational rehabilitation services who has assistive technology expertise;  
16.25 (3) the Workforce Development Board; ~~and~~  
16.26 (4) the Department of Education who has assistive technology expertise; and  
16.27 (5) the Board on Aging.

16.28 Sec. 17. Minnesota Statutes 2022, section 16B.48, subdivision 4, is amended to read:

16.29 Subd. 4. **Reimbursements.** (a) Except as specifically provided otherwise by law, each  
16.30 agency shall reimburse the general services revolving funds for the cost of all services,  
16.31 supplies, materials, labor, and depreciation of equipment, including reasonable overhead



17.1 costs, which the commissioner is authorized and directed to furnish an agency. The cost of  
17.2 all publications or other materials produced by the commissioner and financed from the  
17.3 general services revolving fund must include reasonable overhead costs.

17.4 (b) The commissioner of administration shall report the rates to be charged for the general  
17.5 services revolving funds no later than ~~July 1~~ September 15 each year to the chair of the  
17.6 committee or division in the senate and house of representatives with primary jurisdiction  
17.7 over the budget of the Department of Administration.

17.8 (c) The commissioner of management and budget shall make appropriate transfers to  
17.9 the revolving funds described in this section when requested by the commissioner of  
17.10 administration. The commissioner of administration may make allotments, encumbrances,  
17.11 and, with the approval of the commissioner of management and budget, disbursements in  
17.12 anticipation of such transfers. In addition, the commissioner of administration, with the  
17.13 approval of the commissioner of management and budget, may require an agency to make  
17.14 advance payments to the revolving funds in this section sufficient to cover the agency's  
17.15 estimated obligation for a period of at least 60 days.

17.16 (d) All reimbursements and other money received by the commissioner of administration  
17.17 under this section must be deposited in the appropriate revolving fund. Any earnings  
17.18 remaining in the fund established to account for the documents service prescribed by section  
17.19 16B.51 at the end of each fiscal year not otherwise needed for present or future operations,  
17.20 as determined by the commissioners of administration and management and budget, must  
17.21 be transferred to the general fund.

17.22 Sec. 18. Minnesota Statutes 2022, section 16B.54, subdivision 2, is amended to read:

17.23 Subd. 2. **Vehicles.** (a) The commissioner may direct an agency to make a transfer of a  
17.24 passenger motor vehicle or truck currently assigned to it. The transfer must be made to the  
17.25 commissioner for use in the enterprise fleet. The commissioner shall reimburse an agency  
17.26 whose motor vehicles have been paid for with funds dedicated by the constitution for a  
17.27 special purpose and which are assigned to the enterprise fleet. The amount of reimbursement  
17.28 for a motor vehicle is its average wholesale price as determined from the midwest edition  
17.29 of the National Automobile Dealers Association official used car guide.

17.30 (b) To the extent that funds are available for the purpose, the commissioner may purchase  
17.31 or otherwise acquire additional passenger motor vehicles and trucks necessary for the  
17.32 enterprise fleet. The title to all motor vehicles assigned to or purchased or acquired for the  
17.33 enterprise fleet is in the name of the Department of Administration.

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

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

18.11 (1) the governor;

18.12 (2) the lieutenant governor;

18.13 (3) the Division of Criminal Apprehension, the Division of Alcohol and Gambling  
18.14 Enforcement, and arson investigators of the Division of Fire Marshal in the Department of  
18.15 Public Safety;

18.16 (4) the Financial Institutions Division and investigative staff of the Department of  
18.17 Commerce;

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

18.19 (6) the State Lottery;

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

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

18.22 (9) the Office of the Attorney General;

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

18.24 (11) the Department of Corrections inmate community work crew program under section  
18.25 352.91, subdivision 3g; and

18.26 (12) the Office of Ombudsman for Long-Term Care staff.

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

19.1 Sec. 19. [16B.851] STATE BUILDING RENEWABLE ENERGY; STORAGE;  
19.2 ELECTRIC VEHICLE ACCOUNT.

19.3 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have  
19.4 the meanings given.

19.5 (b) "Energy storage" means the predesign, design, acquisition, construction, or installation  
19.6 of technology which stores and delivers electric or thermal energy.

19.7 (c) "EVSE" means electric vehicle service equipment, including charging equipment  
19.8 and associated infrastructure and site upgrades.

19.9 (d) "Renewable energy" has the meaning given in section 216B.2422, subdivision 1,  
19.10 paragraph (c), and the same sources in thermal energy.

19.11 (e) "Renewable energy improvement" means the predesign, design, acquisition,  
19.12 construction, or installation of a renewable energy production system or energy storage  
19.13 equipment or system, and associated infrastructure and facilities that are designed to result  
19.14 in a demand-side net reduction in energy use by the state building's electrical, heating,  
19.15 ventilating, air-conditioning, and hot water systems.

19.16 (f) "State agency" has the definition given in section 13.02, subdivision 17, or designated  
19.17 definition given in section 15.01 and includes the Office of Higher Education, Housing  
19.18 Finance Agency, Pollution Control Agency, Metropolitan Council, and Bureau of Mediation  
19.19 Services. State agency includes the agencies, boards, commissions, committees, councils,  
19.20 and authorities designated in section 15.012.

19.21 (g) "State building" means a building or facility owned by the state of Minnesota.

19.22 Subd. 2. Account established. A state building renewable energy, storage, and electric  
19.23 vehicle account is established in the special revenue fund to provide funds to state agencies  
19.24 to:

19.25 (1) design, construct, and equip renewable energy improvement and renewable energy  
19.26 storage projects at state buildings;

19.27 (2) purchase state fleet electric vehicles in accordance with section 16C.135;

19.28 (3) purchase and install EVSE and related infrastructure; and

19.29 (4) carry out management projects by the commissioner.

19.30 Subd. 3. Account management. The commissioner shall manage and administer the  
19.31 state building renewable energy, storage, and electric vehicle account.

20.1 Subd. 4. **Accepting funds.** (a) The commissioner shall make an application to the federal  
20.2 government on behalf of the state of Minnesota for all state projects eligible for elective  
20.3 payments under sections 6417 and 6418 of the Internal Revenue Code, as added by Public  
20.4 Law 117-169, 136 Statute 1818, the Inflation Reduction Act of 2022.

20.5 (b) The commissioner may apply for, receive, and expend money made available from  
20.6 federal, state, or other sources for the purposes of carrying out the duties in this section.

20.7 (c) Notwithstanding section 16A.72, all funds received under this subdivision are  
20.8 deposited into the state building renewable energy, storage, and electric vehicle account  
20.9 and appropriated to the commissioner for the purposes of subdivision 2 and as permitted  
20.10 under this section.

20.11 (d) Money in the state building renewable energy, storage, and electric vehicle account  
20.12 does not cancel and is available until expended.

20.13 Subd. 5. **Applications.** A state agency applying for state building renewable energy,  
20.14 storage, EVSE, and electric fleet vehicle funds must submit an application to the  
20.15 commissioner on a form, in the manner, and at the time prescribed by the commissioner.

20.16 Subd. 6. **Treatment of certain payments received from federal government.** (a)  
20.17 Federal payments received for eligible renewable energy improvement and storage projects  
20.18 and EVSE projects made with appropriations from general obligation bonds may be  
20.19 transferred to the state bond fund if consistent with federal treasury regulations.

20.20 (b) Federal payments received for eligible electric fleet vehicle purchases by the  
20.21 Department of Administration's fleet division must be transferred to the motor pool revolving  
20.22 account established in section 16B.54, subdivision 8.

20.23 (c) Federal payments received for eligible electric fleet vehicle purchases made directly  
20.24 by a state agency shall be transferred to the fund from which the purchase was made.

20.25 (d) When obligated to fulfill financing agreements, federal payments received for eligible  
20.26 renewable energy improvements shall be transferred to the appropriate agency.

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

20.28 Sec. 20. Minnesota Statutes 2022, section 16B.97, subdivision 1, is amended to read:

20.29 Subdivision 1. **Grant agreement.** (a) A grant agreement is a written instrument or  
20.30 electronic document defining a legal relationship between a granting agency and a grantee  
20.31 when the principal purpose of the relationship is to transfer cash or something of value to  
20.32 the recipient to support a public purpose authorized by law instead of acquiring by

21.1 professional or technical contract, purchase, lease, or barter property or services for the  
21.2 direct benefit or use of the granting agency.

21.3 (b) This section does not apply to general obligation grants as defined by section 16A.695  
21.4 ~~and~~, capital project grants to political subdivisions as defined by section 16A.86, or capital  
21.5 project grants otherwise subject to section 16A.642.

21.6 Sec. 21. Minnesota Statutes 2022, section 16B.98, subdivision 1, is amended to read:

21.7 Subdivision 1. **Limitation.** (a) As a condition of receiving a grant from an appropriation  
21.8 of state funds, the recipient of the grant must agree to minimize administrative costs. The  
21.9 granting agency is responsible for negotiating appropriate limits to these costs so that the  
21.10 state derives the optimum benefit for grant funding.

21.11 (b) This section does not apply to general obligation grants as defined by section 16A.695  
21.12 ~~and also~~, capital project grants to political subdivisions as defined by section 16A.86, or  
21.13 capital project grants otherwise subject to section 16A.642.

21.14 Sec. 22. Minnesota Statutes 2022, section 16C.137, subdivision 2, is amended to read:

21.15 Subd. 2. **Report.** (a) The commissioner of administration, in collaboration with the  
21.16 commissioners of the Pollution Control Agency, the Departments of Agriculture, Commerce,  
21.17 Natural Resources, and Transportation, and other state departments, must evaluate the goals  
21.18 and directives established in this section and ~~report~~ include their findings ~~to the governor~~  
21.19 ~~and the appropriate committees of the legislature by February 1 of each odd-numbered year~~  
21.20 in the public dashboard under section 16B.372. In the ~~report~~ public dashboard, the  
21.21 commissioner must make recommendations for new or adjusted goals, directives, or  
21.22 legislative initiatives, in light of the progress the state has made implementing this section  
21.23 and the availability of new or improved technologies.

21.24 (b) The Department of Administration shall implement a fleet reporting and information  
21.25 management system. Each department will use this management system to demonstrate its  
21.26 progress in complying with this section.

21.27 Sec. 23. Minnesota Statutes 2022, section 16D.09, subdivision 1, is amended to read:

21.28 Subdivision 1. **Generally.** (a) When a debt is determined by a state agency to be  
21.29 uncollectible, the debt may be written off by the state agency from the state agency's financial  
21.30 accounting records and no longer recognized as an account receivable for financial reporting  
21.31 purposes. A debt is considered to be uncollectible when (1) all reasonable collection efforts  
21.32 have been exhausted, (2) the cost of further collection action will exceed the amount

22.1 recoverable, (3) the debt is legally without merit or cannot be substantiated by evidence,  
22.2 (4) the debtor cannot be located, (5) the available assets or income, current or anticipated,  
22.3 that may be available for payment of the debt are insufficient, (6) the debt has been  
22.4 discharged in bankruptcy, (7) the applicable statute of limitations for collection of the debt  
22.5 has expired, or (8) it is not in the public interest to pursue collection of the debt.

22.6 (b) Uncollectible debt must be reported by the state agency as part of its quarterly reports  
22.7 to the commissioner of management and budget. The basis for the determination of the  
22.8 uncollectibility of the debt must be maintained by the state agency. If an uncollectible debt  
22.9 equals or exceeds \$100,000, the agency shall notify the chairs and ranking minority members  
22.10 of the legislative committees with jurisdiction over the state agency's budget at the time the  
22.11 debt is determined to be uncollectible. The information reported shall contain the entity  
22.12 associated with the uncollected debt, the amount of the debt, the revenue type, the reason  
22.13 the debt is considered uncollectible, and the duration the debt has been outstanding. The  
22.14 commissioner of management and budget shall report to the chairs and ranking minority  
22.15 members of the legislative committees with jurisdiction over Minnesota Management and  
22.16 Budget an annual summary of the number and dollar amount of debts determined to be  
22.17 uncollectible during the previous fiscal year by ~~October 31~~ November 30 of each year.  
22.18 Determining that the debt is uncollectible does not cancel the legal obligation of the debtor  
22.19 to pay the debt.

22.20 Sec. 24. Minnesota Statutes 2022, section 16E.01, subdivision 2, is amended to read:

22.21 Subd. 2. **Discretionary powers.** The department may:

22.22 (1) enter into contracts for goods or services with public or private organizations and  
22.23 charge fees for services it provides;

22.24 (2) apply for, receive, and expend money from public agencies;

22.25 (3) apply for, accept, and disburse grants and other aids from the federal government  
22.26 and other public or private sources;

22.27 (4) enter into contracts with agencies of the federal government, local governmental  
22.28 units, the University of Minnesota and other educational institutions, and private persons  
22.29 and other nongovernmental organizations as necessary to perform its statutory duties;

22.30 (5) sponsor and conduct conferences and studies, collect and disseminate information,  
22.31 and issue reports relating to information and communications technology issues;

22.32 (6) review the technology infrastructure of regions of the state and cooperate with and  
22.33 make recommendations to the governor, legislature, state agencies, local governments, local

23.1 technology development agencies, the federal government, private businesses, and individuals  
23.2 for the realization of information and communications technology infrastructure development  
23.3 potential;

23.4 (7) sponsor, support, and facilitate innovative and collaborative economic and community  
23.5 development and government services projects or initiatives, including technology initiatives  
23.6 related to culture and the arts, with public and private organizations; and

23.7 (8) review and recommend alternative sourcing strategies for state information and  
23.8 communications systems.

23.9 Sec. 25. Minnesota Statutes 2023 Supplement, section 16E.01, subdivision 3, is amended  
23.10 to read:

23.11 Subd. 3. **Duties.** (a) The department shall:

23.12 (1) manage the efficient and effective use of available federal, state, local, and  
23.13 public-private resources to develop statewide information and telecommunications technology  
23.14 systems and services and its infrastructure;

23.15 (2) approve state agency and intergovernmental information and telecommunications  
23.16 technology systems and services development efforts involving state or intergovernmental  
23.17 funding, including federal funding, provide information to the legislature regarding projects  
23.18 and initiatives reviewed, and recommend projects and initiatives for inclusion in the  
23.19 governor's budget under section 16A.11;

23.20 (3) promote cooperation and collaboration among state and local governments in  
23.21 developing intergovernmental information and telecommunications technology systems  
23.22 and services;

23.23 (4) cooperate and collaborate with the legislative and judicial branches in the development  
23.24 of information and communications systems in those branches, as requested;

23.25 (5) ~~promote and coordinate public information access and network initiatives, consistent~~  
23.26 ~~with chapter 13, to connect Minnesota's citizens and communities to each other, to their~~  
23.27 ~~governments, and to the world~~ continue to collaborate on the development of MN.gov, the  
23.28 state's official comprehensive online service and information initiative;

23.29 (6) manage and promote the regular and periodic reinvestment in the information and  
23.30 telecommunications technology systems and services infrastructure so that state and local  
23.31 government agencies can effectively and efficiently serve their customers;

24.1 (7) facilitate the cooperative development of and ensure compliance with standards and  
24.2 policies for information and telecommunications technology systems and services and  
24.3 electronic data practices and ~~privacy~~ security within the executive branch;

24.4 (8) eliminate unnecessary duplication of existing information and telecommunications  
24.5 technology systems and services provided by state agencies;

24.6 (9) identify, sponsor, develop, and execute shared information and telecommunications  
24.7 technology projects and initiatives, and ongoing operations;

24.8 (10) ensure overall security of the state's information and technology systems and  
24.9 services; and

24.10 (11) manage and direct compliance with accessibility standards for informational  
24.11 technology, including hardware, software, websites, online forms, and online surveys.

24.12 (b) The chief information officer, in consultation with the commissioner of management  
24.13 and budget, must determine when it is cost-effective for agencies to develop and use shared  
24.14 information technology systems, platforms, and services for the delivery of digital  
24.15 government services. The chief information officer may require agencies to use shared  
24.16 information and telecommunications technology systems and services. The chief information  
24.17 officer shall establish reimbursement rates in cooperation with the commissioner of  
24.18 management and budget to be billed to agencies and other governmental entities sufficient  
24.19 to cover the actual development, operating, maintenance, and administrative costs of the  
24.20 shared systems. The methodology for billing may include the use of interagency agreements,  
24.21 or other means as allowed by law.

24.22 (c) A state agency that has an information and telecommunications technology project  
24.23 or initiative, whether funded as part of the biennial budget or by any other means, shall  
24.24 register with the department by submitting basic project or initiative startup documentation  
24.25 as specified by the chief information officer in both format and content. State agency business  
24.26 and technology project leaders, in accordance with policies and standards set forth by the  
24.27 chief information officer, must demonstrate that the project or initiative will be properly  
24.28 managed, ensure alignment with enterprise technology strategic direction, provide updates  
24.29 to the project or initiative documentation as changes are proposed, and regularly report on  
24.30 the current status of the project or initiative on a schedule agreed to with the chief information  
24.31 officer. The chief information officer has the authority to define a project or initiative for  
24.32 the purposes of this chapter.

24.33 (d) The chief information officer shall monitor progress on ~~any~~ active information and  
24.34 telecommunications technology ~~project with a total expected project cost of more than~~



25.1 ~~\$5,000,000~~ projects and initiatives and report on the performance of the ~~project~~ projects or  
 25.2 initiatives in comparison with ~~the plans for the project~~ in terms of time, scope, and budget.  
 25.3 The chief information officer may conduct an independent ~~project~~ audit of the project or  
 25.4 initiative. If an independent audit is conducted, the audit analysis and evaluation of the  
 25.5 ~~projects subject to paragraph (e)~~ project or initiative must be presented to agency executive  
 25.6 sponsors, the project governance bodies, and the chief information officer. All reports and  
 25.7 responses must become part of the project or initiative record.

25.8 (e) For any active information and telecommunications technology project or initiative,  
 25.9 with a total expected ~~project~~ cost of more than \$10,000,000, ~~the state agency must perform~~  
 25.10 an annual independent audit that conforms to published ~~project~~ audit principles adopted by  
 25.11 the department must be conducted.

25.12 (f) The chief information officer shall report by January 15 of each year to the chairs  
 25.13 and ranking minority members of the legislative committees and divisions with jurisdiction  
 25.14 over the department ~~regarding projects the department has reviewed under paragraph (a),~~  
 25.15 ~~clause (10)~~ on the status of the state's comprehensive project and initiatives portfolio. The  
 25.16 report must include: descriptions of each project and its current status, information technology  
 25.17 costs associated with the project, and estimated date on when the information technology  
 25.18 project is expected to be completed.

25.19 ~~(1) each project in the IT portfolio whose status is either active or on hold;~~  
 25.20 ~~(2) each project presented to the office for consultation in the time since the last report;~~  
 25.21 ~~(3) the information technology cost associated with the project;~~  
 25.22 ~~(4) the current status of the information technology project;~~  
 25.23 ~~(5) the date the information technology project is expected to be completed; and~~  
 25.24 ~~(6) the projected costs for ongoing support and maintenance after the project is complete.~~

25.25 Sec. 26. Minnesota Statutes 2023 Supplement, section 16E.03, subdivision 2, is amended  
 25.26 to read:

25.27 Subd. 2. **Chief information officer's responsibility.** The chief information officer shall:

25.28 (1) design a strategic plan for information and telecommunications technology systems  
 25.29 and services in the state and shall report on the plan to the governor and legislature at the  
 25.30 beginning of each regular session;

26.1 (2) ~~coordinate, review, and approve all information and telecommunications technology~~  
 26.2 ~~projects~~ develop and implement processes for review, approval, and monitoring and oversee  
 26.3 the state's information and telecommunications technology systems and services;

26.4 (3) establish and enforce compliance with standards for information and  
 26.5 telecommunications technology systems and services that are cost-effective and support  
 26.6 open systems environments and that are compatible with state, national, and international  
 26.7 standards, including accessibility standards;

26.8 (4) maintain a library of systems and programs developed by the state for use by agencies  
 26.9 of government;

26.10 (5) direct and manage the shared operations of the state's information and  
 26.11 telecommunications technology systems and services; and

26.12 (6) establish and enforce standards and ensure acquisition of hardware, software, and  
 26.13 services necessary to protect data and systems in state agency networks connected to the  
 26.14 Internet.

26.15 Sec. 27. Minnesota Statutes 2022, section 16E.03, subdivision 3, is amended to read:

26.16 Subd. 3. **Evaluation and approval.** A state agency may not undertake an information  
 26.17 and telecommunications technology project or initiative until it has been evaluated according  
 26.18 to the procedures developed under subdivision 4. The chief information officer or delegate  
 26.19 shall ~~give written approval of the proposed project~~ record project approval as a part of the  
 26.20 project.

26.21 Sec. 28. Minnesota Statutes 2022, section 16E.03, subdivision 4, is amended to read:

26.22 Subd. 4. **Evaluation procedure.** The chief information officer shall establish and, as  
 26.23 necessary, update and modify procedures to evaluate information and communications  
 26.24 projects or initiatives proposed by state agencies. The evaluation procedure must assess the  
 26.25 necessity, design and plan for development, ability to meet user requirements, accessibility,  
 26.26 feasibility, ~~and flexibility of the proposed data processing device or system, its relationship~~  
 26.27 ~~to other state data processing devices or systems, and its costs and benefits when considered~~  
 26.28 ~~by itself and when compared with other options~~ cost, and benefits of the project or initiative.

26.29 Sec. 29. Minnesota Statutes 2022, section 16E.03, subdivision 5, is amended to read:

26.30 Subd. 5. **Report to legislature.** The chief information officer shall submit to the  
 26.31 legislature, at the same time as the governor's budget required by section 16A.11, a concise

27.1 narrative explanation of any information and communication technology project or initiative  
27.2 being proposed as part of the governor's budget that involves collaboration between state  
27.3 agencies and an explanation of how the budget requests of the several agencies collaborating  
27.4 on the project or initiative relate to each other.

27.5 Sec. 30. Minnesota Statutes 2022, section 16E.03, subdivision 7, is amended to read:

27.6 Subd. 7. **Cyber security systems.** (a) In consultation with the attorney general and  
27.7 appropriate agency heads, the chief information officer shall develop cyber security policies,  
27.8 guidelines, and standards, and shall ~~install~~ advise, implement, and administer state data  
27.9 security systems solutions and practices on the state's ~~computer facilities~~ information  
27.10 technology services, systems, and applications consistent with these policies, guidelines,  
27.11 standards, and state law to ensure the integrity, confidentiality, and availability of  
27.12 ~~computer-based and other~~ information technology systems and services, and data and to  
27.13 ensure applicable limitations on access to data, consistent with the public's right to know  
27.14 as defined in chapter 13. The chief information officer is responsible for overall security of  
27.15 state agency networks connected to the Internet. Each department or agency head is  
27.16 responsible for the security of the department's or agency's data within the guidelines of  
27.17 established enterprise policy.

27.18 (b) The state chief information officer, or state chief information security officer, may  
27.19 advise and consult on security strategy and programs for state entities and political  
27.20 subdivisions not subject to section 16E.016.

27.21 Sec. 31. Minnesota Statutes 2022, section 16E.04, subdivision 2, is amended to read:

27.22 Subd. 2. **Responsibilities.** (a) The office ~~shall~~ may develop and establish a state  
27.23 information architecture to ensure:

27.24 (1) that state agency information and communications systems, equipment, and services  
27.25 do not needlessly duplicate or conflict with the systems of other agencies; and

27.26 (2) enhanced public access to data can be provided consistent with standards developed  
27.27 under section 16E.05, subdivision 4.

27.28 When state agencies have need for the same or similar public data, the chief information  
27.29 officer, in coordination with the affected agencies, shall manage the most efficient and  
27.30 cost-effective method of producing and storing data for or sharing data between those  
27.31 agencies. The development of this information architecture must include the establishment

28.1 of standards and guidelines to be followed by state agencies. The office shall ensure  
28.2 compliance with the architecture.

28.3 (b) The office shall review and approve agency requests for funding for the development  
28.4 or purchase of information systems equipment or software before the requests may be  
28.5 included in the governor's budget.

28.6 (c) The office ~~shall~~ may review and approve agency requests for grant funding that have  
28.7 an information and technology component.

28.8 (d) The office shall review major purchases of information systems equipment to:

28.9 (1) ensure that the equipment follows the standards and guidelines of the state information  
28.10 architecture;

28.11 (2) ensure the agency's proposed purchase reflects a cost-effective policy regarding  
28.12 volume purchasing; and

28.13 (3) ensure that the equipment is consistent with other systems in other state agencies so  
28.14 that data can be shared among agencies, unless the office determines that the agency  
28.15 purchasing the equipment has special needs justifying the inconsistency.

28.16 (e) The office shall review the operation of information systems by state agencies and  
28.17 ensure that these systems are operated efficiently and securely and continually meet the  
28.18 standards and guidelines established by the office. The standards and guidelines must  
28.19 emphasize uniformity that is cost-effective for the enterprise, that encourages information  
28.20 interchange, open systems environments, and portability of information whenever practicable  
28.21 and consistent with an agency's authority and chapter 13.

28.22 Sec. 32. Minnesota Statutes 2022, section 16E.04, subdivision 3, is amended to read:

28.23 Subd. 3. **Risk assessment and mitigation.** (a) A risk assessment and risk mitigation  
28.24 plan are required for all information systems development projects or initiatives undertaken  
28.25 by a state agency in the executive or judicial branch or by a constitutional officer. The chief  
28.26 information officer must contract with an entity outside of state government to conduct the  
28.27 initial assessment and prepare the mitigation plan for a project or initiative estimated to cost  
28.28 more than ~~\$5,000,000~~ \$10,000,000. The outside entity conducting the risk assessment and  
28.29 preparing the mitigation plan must not have any other direct or indirect financial interest in  
28.30 the project or initiative. The risk assessment and risk mitigation plan must provide for  
28.31 periodic monitoring by the commissioner until the project or initiative is completed.

29.1 (b) The risk assessment and risk mitigation plan must be paid for with money appropriated  
 29.2 for the information and telecommunications technology project or initiative.

29.3 Sec. 33. Minnesota Statutes 2022, section 16E.07, is amended to read:

29.4 **16E.07 NORTH STAR ONLINE GOVERNMENT INFORMATION SERVICES.**

29.5 Subdivision 1. **Definitions** Definition. (a) The ~~definitions~~ definition in this subdivision  
 29.6 ~~apply~~ applies to this section.

29.7 ~~(b) "Core services" means accessible information system applications required to provide~~  
 29.8 ~~secure information services and online applications and content to the public from~~  
 29.9 ~~government units. Online applications may include, but are not limited to:~~

29.10 ~~(1) standardized public directory services and standardized content services;~~

29.11 ~~(2) online search systems;~~

29.12 ~~(3) general technical services to support government unit online services;~~

29.13 ~~(4) electronic conferencing and communication services;~~

29.14 ~~(5) secure electronic transaction services;~~

29.15 ~~(6) digital audio, video, and multimedia services; and~~

29.16 ~~(7) government intranet content and service development.~~

29.17 ~~(e)~~ (b) "Government unit" means a state department, agency, commission, council, board,  
 29.18 task force, or committee; a constitutional office; a court entity; the Minnesota State Colleges  
 29.19 and Universities; a county, statutory or home rule charter city, or town; a school district; a  
 29.20 special district; or any other board, commission, district, or authority created under law,  
 29.21 local ordinance, or charter provision.

29.22 Subd. 2. **Established**. The ~~office~~ department shall establish "North Star" ~~as the state's~~  
 29.23 ~~comprehensive government online information service. North Star is the state's governmental~~  
 29.24 ~~framework for coordinating and collaborating in providing online government information~~  
 29.25 ~~and services. Government agencies that provide electronic access to government information~~  
 29.26 ~~are requested to make available to North Star their most frequently requested public data~~  
 29.27 collaborate with state agencies to maintain MN.gov and associated websites that provide  
 29.28 online government information services.

29.29 Subd. 3. **Access to data**. The legislature determines that the greatest possible access to  
 29.30 certain government information and data is essential to allow citizens to participate fully in  
 29.31 a democratic system of government. Certain information and data, including, but not limited

30.1 to the following, must be provided free of charge or for a nominal cost associated with  
 30.2 reproducing the information or data:

30.3 (1) directories of government services and institutions, ~~including an electronic version~~  
 30.4 ~~of the guidebook to state agency services published by the commissioner of administration;~~

30.5 (2) legislative and rulemaking information, including an electronic version of the State  
 30.6 Register, public information newsletters, bill text and summaries, bill status information,  
 30.7 rule status information, meeting schedules, and the text of statutes and rules;

30.8 (3) supreme court and court of appeals opinions and general judicial information;

30.9 (4) opinions of the attorney general;

30.10 (5) Campaign Finance and Public Disclosure Board and election information;

30.11 (6) public budget information;

30.12 (7) local government documents, such as codes, ordinances, minutes, meeting schedules,  
 30.13 and other notices in the public interest;

30.14 (8) official documents, releases, speeches, and other public information issued by  
 30.15 government agencies; and

30.16 (9) the text of other government documents and publications that government agencies  
 30.17 determine are important to public understanding of government activities.

30.18 ~~Subd. 4. Staff. The chief information officer shall appoint the manager of the North Star~~  
 30.19 ~~online information service and hire staff to carry out the responsibilities of the service.~~

30.20 ~~Subd. 5. Participation; consultation; guidelines. The North Star staff shall consult~~  
 30.21 ~~with governmental and nongovernmental organizations to establish rules for participation~~  
 30.22 ~~in the North Star service. Government units planning, developing, or providing publicly~~  
 30.23 ~~accessible online services shall provide access through and collaborate with North Star and~~  
 30.24 ~~formally register with the office. The University of Minnesota is requested to establish~~  
 30.25 ~~online connections and collaborate with North Star. Units of the legislature shall make their~~  
 30.26 ~~services available through North Star. Government units may be required to submit~~  
 30.27 ~~standardized directory and general content for core services but are not required to purchase~~  
 30.28 ~~core services from North Star. North Star shall promote broad public access to the sources~~  
 30.29 ~~of online information or services through multiple technologies.~~

30.30 Subd. 6. Fees. The office shall may establish fees for technical and transaction services  
 30.31 for government units ~~through North Star. Fees must be credited to the North Star account.~~

31.1 The office may not charge a fee for viewing or inspecting data made available through ~~North~~  
31.2 ~~Star~~ MN.gov or linked facilities, unless specifically authorized by law.

31.3 Subd. 7. ~~North Star~~ **Online government information service account.** The ~~North Star~~  
31.4 online government information service account is created in the special revenue fund. The  
31.5 account consists of:

- 31.6 (1) grants received from nonstate entities;
- 31.7 (2) fees and charges collected by the office;
- 31.8 (3) gifts, donations, and bequests made to the office; and
- 31.9 (4) other money credited to the account by law.

31.10 Money in the account is appropriated to the office to be used to continue the development  
31.11 of ~~the North Star project~~ online government information services.

31.12 Subd. 8. **Secure transaction system.** The office shall plan and develop a secure  
31.13 transaction ~~system~~ systems to support delivery of government services electronically. A  
31.14 state agency that implements electronic government services for fees, licenses, sales, or  
31.15 other purposes ~~must use the~~ may be required to use secure transaction ~~system~~ systems  
31.16 developed in accordance with this section.

31.17 Subd. 9. **Aggregation of service demand.** The office ~~shall~~ may identify opportunities  
31.18 to aggregate demand for technical services required by government units for online activities  
31.19 and may contract with governmental or nongovernmental entities to provide services. These  
31.20 contracts are not subject to the requirements of chapters 16B and 16C, except sections  
31.21 16C.04, 16C.08, and 16C.09.

31.22 Subd. 10. **Outreach.** The office may promote the availability of government online  
31.23 information and services through public outreach and education. ~~Public network expansion~~  
31.24 ~~in communities through libraries, schools, colleges, local government, and other community~~  
31.25 ~~access points must include access to North Star. North Star may make materials available~~  
31.26 ~~to those public sites to promote awareness of the service.~~

31.27 Subd. 11. **Advanced development collaboration.** The office shall identify information  
31.28 ~~technology services with broad public impact and advanced development requirements.~~  
31.29 ~~Those services shall assist in the development of and utilization of core services to the~~  
31.30 ~~greatest extent possible where appropriate, cost-effective, and technically feasible. This~~  
31.31 ~~includes, but is not limited to, higher education, statewide online library, economic and~~  
31.32 ~~community development, and K-12 educational technology services. North Star shall~~  
31.33 ~~participate in electronic commerce research and development initiatives with the University~~

32.1 ~~of Minnesota and other partners. The statewide online library service shall consult,~~  
 32.2 ~~collaborate, and work with North Star to ensure development of proposals for advanced~~  
 32.3 ~~government information locator and electronic depository and archive systems.~~

32.4 Subd. 12. **Private entity services; fee authority.** (a) The department may enter into a  
 32.5 contract with a private entity to manage, maintain, support, and expand ~~North Star and~~  
 32.6 online government information services to citizens and businesses.

32.7 (b) A contract established under paragraph (a) may provide for compensation of the  
 32.8 private entity through a fee established under paragraph (c).

32.9 (c) The department, subject to the approval of the agency or department responsible for  
 32.10 the data or services involved in the transaction, may charge and may authorize a private  
 32.11 entity that enters into a contract under paragraph (a) to charge a convenience fee for users  
 32.12 of ~~North Star and~~ online government information services up to a total of \$2 per transaction,  
 32.13 provided that no fee shall be charged for viewing or inspecting data. A fee established under  
 32.14 this paragraph is in addition to any fees or surcharges authorized under other law.

32.15 (d) Receipts from the convenience fee shall be deposited in the ~~North Star~~ online  
 32.16 government information service account established in subdivision 7. Notwithstanding  
 32.17 section 16A.1285, subdivision 2, receipts credited to the account are appropriated to the  
 32.18 department for payment to the contracted private entity under paragraph (a). In lieu of  
 32.19 depositing the receipts in the ~~North Star~~ online government information service account,  
 32.20 the department can directly transfer the receipts to the private entity or allow the private  
 32.21 entity to retain the receipts pursuant to a contract established under this subdivision.

32.22 (e) ~~The department shall report~~ Information regarding any convenience fee receipts  
 32.23 collected under paragraph (d) must be reported to the chairs and ranking minority members  
 32.24 of the house of representatives and senate committees with jurisdiction over state government  
 32.25 finance by January 15 of each odd-numbered year ~~regarding the convenience fee receipts~~  
 32.26 ~~and the status of North Star projects and online government information services developed~~  
 32.27 ~~and supported by convenience fee receipts.~~

32.28 Sec. 34. **[16E.36] CYBERSECURITY INCIDENTS.**

32.29 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have  
 32.30 the meanings given.

32.31 (b) "Bureau" means the Bureau of Criminal Apprehension.



33.1 (c) "Cybersecurity incident" means an action taken through the use of an information  
33.2 system or network that results in an actual or potentially adverse effect on an information  
33.3 system, network, or the information residing therein.

33.4 (d) "Cyber threat indicator" means information that is necessary to describe or identify:

33.5 (1) malicious reconnaissance, including but not limited to anomalous patterns of  
33.6 communication that appear to be transmitted for the purpose of gathering technical  
33.7 information related to a cybersecurity threat or vulnerability;

33.8 (2) a method of defeating a security control or exploitation of a security vulnerability;

33.9 (3) a security vulnerability, including but not limited to anomalous activity that appears  
33.10 to indicate the existence of a security vulnerability;

33.11 (4) a method of causing a user with legitimate access to an information system or  
33.12 information that is stored on, processed by, or transiting an information system to unwittingly  
33.13 enable the defeat of a security control or exploitation of a security vulnerability;

33.14 (5) malicious cyber command and control;

33.15 (6) the actual or potential harm caused by an incident, including but not limited to a  
33.16 description of the data exfiltrated as a result of a particular cyber threat; and

33.17 (7) any other attribute of a cyber threat, if disclosure of such attribute is not otherwise  
33.18 prohibited by law.

33.19 (e) "Defensive measure" means an action, device, procedure, signature, technique, or  
33.20 other measure applied to an information system or information that is stored on, processed  
33.21 by, or transiting an information system that detects, prevents, or mitigates a known or  
33.22 suspected cyber threat or security vulnerability, but does not include a measure that destroys,  
33.23 renders unusable, provides unauthorized access to, or substantially harms an information  
33.24 system or information stored on, processed by, or transiting an information system not  
33.25 owned by the entity operating the measure, or another entity that is authorized to provide  
33.26 consent and has provided consent to that private entity for operation of the measure.

33.27 (f) "Government contractor" means an individual or entity that performs work for or on  
33.28 behalf of a public agency on a contract basis with access to or hosting of the public agency's  
33.29 network, systems, applications, or information.

33.30 (g) "Information resource" means information and related resources, such as personnel,  
33.31 equipment, funds, and information technology.

34.1 (h) "Information system" means a discrete set of information resources organized for  
34.2 collecting, processing, maintaining, using, sharing, disseminating, or disposing of  
34.3 information.

34.4 (i) "Information technology" means any equipment or interconnected system or subsystem  
34.5 of equipment that is used in automatic acquisition, storage, manipulation, management,  
34.6 movement, control, display, switching, interchange, transmission, or reception of data or  
34.7 information used by a public agency or a government contractor under contract with a public  
34.8 agency which requires the use of the equipment or requires the use, to a significant extent,  
34.9 of the equipment in the performance of a service or the furnishing of a product. The term  
34.10 information technology also has the meaning given to information and telecommunications  
34.11 technology systems and services in section 16E.03, subdivision 1, paragraph (b).

34.12 (j) "Private entity" means any individual, corporation, company, partnership, firm,  
34.13 association, or other entity, but does not include a public agency, or a foreign government,  
34.14 or any component thereof.

34.15 (k) "Public agency" means any public agency of the state or any political subdivision;  
34.16 school districts; charter schools; intermediate districts; cooperative units under section  
34.17 123A.24, subdivision 2; and public postsecondary education institutions.

34.18 (l) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

34.19 **Subd. 2. Report on cybersecurity incidents.** (a) Beginning December 1, 2024, the head  
34.20 of or the decision-making body for a public agency must report a cybersecurity incident  
34.21 that impacts the public agency to the commissioner. A government contractor or vendor  
34.22 that provides goods or services to a public agency must report a cybersecurity incident to  
34.23 the public agency if the incident impacts the public agency.

34.24 (b) The report must be made within 72 hours of when the public agency or government  
34.25 contractor reasonably identifies or believes that a cybersecurity incident has occurred.

34.26 (c) The commissioner must coordinate with the superintendent to promptly share reported  
34.27 cybersecurity incidents.

34.28 (d) By September 30, 2024, the commissioner, in coordination with the superintendent,  
34.29 must establish a cyber incident reporting system having capabilities to facilitate submission  
34.30 of timely, secure, and confidential cybersecurity incident notifications from public agencies,  
34.31 government contractors, and private entities to the office.

34.32 (e) By September 30, 2024, the commissioner must develop, in coordination with the  
34.33 superintendent, and prominently post instructions for submitting cybersecurity incident

35.1 reports on the department and bureau websites. The instructions must include, at a minimum,  
35.2 the types of cybersecurity incidents to be reported and a list of other information to be  
35.3 included in a report made through the cyber incident reporting system.

35.4 (f) The cyber incident reporting system must permit the commissioner, in coordination  
35.5 with the superintendent, to:

35.6 (1) securely accept a cybersecurity incident notification from any individual or private  
35.7 entity, regardless of whether the entity is a public agency or government contractor;

35.8 (2) track and identify trends in cybersecurity incidents reported through the cyber incident  
35.9 reporting system; and

35.10 (3) produce reports on the types of incidents, cyber threat, indicators, defensive measures,  
35.11 and entities reported through the cyber incident reporting system.

35.12 (g) Any cybersecurity incident report submitted to the commissioner is security  
35.13 information pursuant to section 13.37, is not discoverable in a civil or criminal action absent  
35.14 a court order or a search warrant, and is not subject to subpoena.

35.15 (h) Notwithstanding the provisions of paragraph (g), the commissioner may anonymize  
35.16 and share cyber threat indicators and relevant defensive measures to help prevent attacks  
35.17 and share cybersecurity incident notifications with potentially impacted parties through  
35.18 cybersecurity threat bulletins or relevant law enforcement authorities.

35.19 (i) Information submitted to the commissioner through the cyber incident reporting  
35.20 system is subject to privacy and protection procedures developed and implemented by the  
35.21 office, which shall be based on the comparable privacy protection procedures developed  
35.22 for information received and shared pursuant to the federal Cybersecurity Information  
35.23 Sharing Act of 2015, United States Code, title 6, section 1501, et seq.

35.24 Subd. 3. **Annual report to the governor and legislature.** Beginning January 31, 2026,  
35.25 and annually thereafter, the commissioner, in coordination with the superintendent, must  
35.26 submit a report on its cyber security incident report collection and resolution activities to  
35.27 the governor and to the legislative commission on cybersecurity. The report must include,  
35.28 at a minimum:

35.29 (1) information on the number of notifications received and a description of the  
35.30 cybersecurity incident types during the one-year period preceding the publication of the  
35.31 report;

35.32 (2) the categories of reporting entities that submitted cybersecurity reports; and

36.1 (3) any other information required in the submission of a cybersecurity incident report,  
36.2 noting any changes from the report published in the previous year.

36.3 Sec. 35. Minnesota Statutes 2022, section 43A.316, subdivision 5, is amended to read:

36.4 Subd. 5. **Public employee participation.** (a) Participation in the program is subject to  
36.5 the conditions in this subdivision.

36.6 (b) Each exclusive representative for an eligible employer determines whether the  
36.7 employees it represents will participate in the program. The exclusive representative shall  
36.8 give the employer notice of intent to participate at least 30 days before the expiration date  
36.9 of the collective bargaining agreement preceding the collective bargaining agreement that  
36.10 covers the date of entry into the program. The exclusive representative and the eligible  
36.11 employer shall give notice to the commissioner of the determination to participate in the  
36.12 program at least 30 days before entry into the program. Entry into the program is governed  
36.13 by a schedule established by the commissioner.

36.14 (c) Employees not represented by exclusive representatives may become members of  
36.15 the program upon a determination of an eligible employer to include these employees in  
36.16 the program. Either all or none of the employer's unrepresented employees must participate.  
36.17 The eligible employer shall give at least 30 days' notice to the commissioner before entering  
36.18 the program. Entry into the program is governed by a schedule established by the  
36.19 commissioner.

36.20 (d) Participation in the program is for a ~~two-year~~ four-year term. Participation is  
36.21 automatically renewed for an additional ~~two-year~~ four-year term unless the exclusive  
36.22 representative, or the employer for unrepresented employees, gives the commissioner notice  
36.23 of withdrawal at least 30 days before expiration of the participation period. A group that  
36.24 withdraws must wait two years before rejoining. An exclusive representative, or employer  
36.25 for unrepresented employees, may also withdraw if premiums increase ~~50~~ 20 percent or  
36.26 more from one insurance year to the next.

36.27 (e) The exclusive representative shall give the employer notice of intent to withdraw to  
36.28 the commissioner at least 30 days before the expiration date of a collective bargaining  
36.29 agreement that includes the date on which the term of participation expires.

36.30 (f) Each participating eligible employer shall notify the commissioner of names of  
36.31 individuals who will be participating within two weeks of the commissioner receiving notice  
36.32 of the parties' intent to participate. The employer shall also submit other information as  
36.33 required by the commissioner for administration of the program.

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

37.2 Sec. 36. Minnesota Statutes 2022, section 211B.33, subdivision 2, is amended to read:

37.3 Subd. 2. **Recommendation.** (a) If the administrative law judge determines that the  
37.4 complaint does not set forth a prima facie violation of chapter 211A or 211B, the  
37.5 administrative law judge must dismiss the complaint.

37.6 ~~(b) If the administrative law judge determines that the complaint sets forth a prima facie~~  
37.7 ~~violation of section 211B.06 and was filed within 60 days before the primary or special~~  
37.8 ~~election or within 90 days before the general election to which the complaint relates, the~~  
37.9 ~~administrative law judge must conduct an expedited probable cause hearing under section~~  
37.10 ~~211B.34.~~

37.11 ~~(e)~~ (b) If the administrative law judge determines that the complaint sets forth a prima  
37.12 facie violation of a provision of chapter 211A or 211B, ~~other than section 211B.06,~~ and that  
37.13 the complaint was filed within 60 days before the primary or special election or within 90  
37.14 days before the general election to which the complaint relates, the administrative law judge,  
37.15 on request of any party, must conduct an expedited probable cause hearing under section  
37.16 211B.34.

37.17 ~~(d)~~ (c) If the administrative law judge determines that the complaint sets forth a prima  
37.18 facie violation of chapter 211A or 211B, and was ~~filed more than~~ not filed within 60 days  
37.19 before the primary or special election or ~~more than~~ 90 days before the general election to  
37.20 which the complaint relates, the administrative law judge must schedule an evidentiary  
37.21 hearing under section 211B.35.

37.22 Sec. 37. Minnesota Statutes 2022, section 211B.34, subdivision 1, is amended to read:

37.23 Subdivision 1. **Time for review.** The assigned administrative law judge must hold a  
37.24 probable cause hearing on the complaint no later than three business days after ~~receiving~~  
37.25 ~~the assignment if~~ determining the complaint sets forth a prima facie violation of chapter  
37.26 211A or 211B, an expedited hearing is required by section 211B.33, except that for good  
37.27 cause the administrative law judge may hold the hearing no later than seven days after  
37.28 ~~receiving the assignment~~ the prima facie determination. If an expedited hearing is not  
37.29 required by section 211B.33, because no party requested one under section 211B.33,  
37.30 subdivision 2, paragraph (b), the administrative law judge must hold the hearing not later  
37.31 than 30 days after ~~receiving the assignment~~ determining the complaint sets forth a prima  
37.32 facie violation of chapter 211A or 211B.

38.1 Sec. 38. Minnesota Statutes 2022, section 211B.34, subdivision 2, is amended to read:

38.2 Subd. 2. **Disposition.** ~~At~~ After the probable cause hearing, the administrative law judge  
38.3 must make one of the following determinations within three business days after the hearing  
38.4 record closes:

38.5 (a) The complaint is frivolous, or there is no probable cause to believe that the violation  
38.6 of law alleged in the complaint has occurred. If the administrative law judge makes either  
38.7 determination, the administrative law judge must dismiss the complaint.

38.8 (b) There is probable cause to believe that the violation of law alleged in the complaint  
38.9 has occurred. If the administrative law judge so determines, the chief administrative law  
38.10 judge must schedule the complaint for an evidentiary hearing under section 211B.35.

38.11 Sec. 39. Minnesota Statutes 2022, section 211B.35, subdivision 1, is amended to read:

38.12 Subdivision 1. **Deadline for hearing.** When required by section 211B.33, subdivision  
38.13 2, paragraph (c), or by section 211B.34, subdivision 2 or 3, the chief administrative law  
38.14 judge must assign the complaint to a panel of three administrative law judges for an  
38.15 evidentiary hearing. The hearing must be held within the following times:

38.16 (1) ten days after the complaint was assigned to the panel, if an expedited probable cause  
38.17 hearing was requested or required under section 211B.33;

38.18 (2) 30 days after the complaint was filed, if it was filed within 60 days before the primary  
38.19 or special election or within 90 days before the general election to which the complaint  
38.20 relates; or

38.21 (3) 90 days after the complaint was filed, if it was filed at any other time.

38.22 For good cause shown, the panel may extend the deadline set forth in clause (2) or (3)  
38.23 by 60 days.

38.24 Sec. 40. Minnesota Statutes 2022, section 211B.35, subdivision 3, is amended to read:

38.25 Subd. 3. **Time for disposition.** The panel must dispose of the complaint:

38.26 (1) within three business days after the hearing record closes, if an expedited probable  
38.27 cause hearing was required by section 211B.33; and

38.28 (2) within 14 days after the hearing record closes, if an expedited probable cause hearing  
38.29 was not required by section 211B.33.

39.1 Sec. 41. Minnesota Statutes 2022, section 299E.01, subdivision 2, is amended to read:

39.2 Subd. 2. **Responsibilities.** (a) The division shall be responsible and shall utilize state  
39.3 employees for security and public information services in state-owned buildings and state  
39.4 leased-to-own buildings in the Capitol Area, as described in section 15B.02. It shall provide  
39.5 personnel as are required by the circumstances to insure the orderly conduct of state business  
39.6 and the convenience of the public. It shall provide emergency assistance and security escorts  
39.7 at any location within the Capitol Area, as described in section 15B.02, when requested by  
39.8 a state constitutional officer.

39.9 (b) As part of the division permanent staff, the director must establish the position of  
39.10 emergency manager that includes, at a minimum, the following duties:

39.11 (1) oversight of the consolidation, development, and maintenance of plans and procedures  
39.12 that provide continuity of security operations;

39.13 (2) the development and implementation of tenant training that addresses threats and  
39.14 emergency procedures; and

39.15 (3) the development and implementation of threat and emergency exercises.

39.16 (c) The director must provide a minimum of one state trooper assigned to the Capitol  
39.17 complex at all times.

39.18 (d) The director, in consultation with the advisory committee under section 299E.04,  
39.19 shall, at least annually, hold a meeting or meetings to discuss, among other issues, Capitol  
39.20 complex security, emergency planning, public safety, and public access to the Capitol  
39.21 complex. The meetings must include, at a minimum:

39.22 (1) Capitol complex tenants and state employees;

39.23 (2) nongovernmental entities, such as lobbyists, vendors, and the media; and

39.24 (3) the public and public advocacy groups.

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

39.26 Sec. 42. Minnesota Statutes 2023 Supplement, section 307.08, subdivision 3a, is amended  
39.27 to read:

39.28 Subd. 3a. **Cemeteries; records and condition assessments.** (a) Cemeteries shall be  
39.29 assessed according to this subdivision.

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

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

40.7 (d) The cemetery condition assessment of American Indian cemeteries is at the discretion  
40.8 of the Indian Affairs Council based on the needs identified in this section or upon request  
40.9 by an agency, a landowner, or other appropriate authority. If the Indian Affairs Council has  
40.10 possession or takes custody of remains they may follow United States Code, title 25, sections  
40.11 3001 to 3013.

40.12 (e) The cemetery condition assessment of cemeteries that include American Indian and  
40.13 non-American Indian remains or include remains whose ancestry cannot be determined  
40.14 shall be assessed at the discretion of the state archaeologist in collaboration with the Indian  
40.15 Affairs Council based on the needs identified in this section or upon request by an agency,  
40.16 a landowner, or other appropriate authority.

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

40.20 (g) The state archaeologist and the Indian Affairs Council may retain the services of a  
40.21 qualified professional archaeologist, a qualified forensic anthropologist, or other appropriate  
40.22 experts for the purpose of gathering information that the state archaeologist or the Indian  
40.23 Affairs Council can use to assess or identify cemeteries. If probable American Indian  
40.24 cemeteries are to be disturbed or probable American Indian remains analyzed, the Indian  
40.25 Affairs Council must approve the professional archaeologist, qualified anthropologist, or  
40.26 other appropriate expert.

40.27 Sec. 43. Minnesota Statutes 2022, section 326.10, subdivision 8, is amended to read:

40.28 Subd. 8. **Expiration and renewal.** (a) All licenses and certificates, other than in-training  
40.29 certificates, issued by the board expire at midnight on June 30 of each even-numbered  
40.30 calendar year if not renewed. A holder of a license or certificate issued by the board may  
40.31 renew it by completing and filing with the board an application for renewal consisting of a  
40.32 fully completed form provided by the board and the fee specified in section 326.105. Both  
40.33 the fee and the application must be submitted at the same time and by June 30 of each



41.1 even-numbered calendar year. The form must be signed by the applicant, contain all of the  
41.2 information requested, and clearly show that the licensee or certificate holder has completed  
41.3 the minimum number of required professional development hours or has been granted an  
41.4 exemption under section 326.107, subdivision 4. An application for renewal that does not  
41.5 comply with the requirements of this subdivision is an incomplete application and must not  
41.6 be accepted by the board.

41.7 (b) No later than 30 days before the expiration of a license or certificate, the board must  
41.8 send the holder of the license or certificate a notice by email that the license or certificate  
41.9 is about to expire. The notice must include information on the process and requirements for  
41.10 renewal. The application form for a new or renewed license or certificate issued by the  
41.11 board must request that the applicant provide an email address for the purpose of providing  
41.12 this notice. If the board does not have a record of a license or certificate holder's email  
41.13 address, the board must send the notice to the holder by standard mail.

41.14 **EFFECTIVE DATE.** This section is effective August 1, 2024, and applies to licenses  
41.15 and renewals scheduled to expire on or after that date.

41.16 Sec. 44. Minnesota Statutes 2022, section 326A.04, subdivision 4, is amended to read:

41.17 Subd. 4. **Program of learning.** Each licensee shall participate in a program of learning  
41.18 designed to maintain professional competency. The program of learning must comply with  
41.19 rules adopted by the board. The board may by rule create an exception to this requirement  
41.20 for licensees who do not perform or offer to perform for the public one or more kinds of  
41.21 services involving the use of auditing skills, including issuance of reports on: attest or  
41.22 compilation engagements, management advisory services, financial advisory services, or  
41.23 consulting services. A licensee granted such an exception by the board must place the word  
41.24 "inactive" or "retired," if applicable, adjacent to the CPA title on any business card, letterhead,  
41.25 or any other document or device, with the exception of the licensee's certificate on which  
41.26 the CPA title appears. The board must not conduct an audit of a licensee's compliance with  
41.27 these requirements during the 60 days prior to the deadline for filing an individual income  
41.28 tax return under section 289A.18, subdivision 1.

41.29 Sec. 45. Minnesota Statutes 2022, section 336.1-110, is amended to read:

41.30 **336.1-110 UNIFORM COMMERCIAL CODE ACCOUNT.**

41.31 The Uniform Commercial Code account is established as an account in the state treasury.  
41.32 Fees that are not expressly set by statute but are charged by the secretary of state to offset

42.1 the costs of providing a service under this chapter must be deposited in the state treasury  
42.2 and credited to the Uniform Commercial Code account.

42.3 Fees that are not expressly set by statute but are charged by the secretary of state to  
42.4 offset the costs of providing information contained in the computerized records maintained  
42.5 by the secretary of state must be deposited in the state treasury and credited to the Uniform  
42.6 Commercial Code account.

42.7 Money in the Uniform Commercial Code account is continuously appropriated to the  
42.8 secretary of state to implement and maintain the central filing system under this chapter, to  
42.9 provide, improve, and expand other online or remote lien and business entity filing, retrieval,  
42.10 and payment method services provided by the secretary of state, and to provide electronic  
42.11 access and to support, maintain, and expand all other computerized records and systems  
42.12 maintained by the secretary of state.

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

42.14 Sec. 46. Minnesota Statutes 2022, section 358.645, subdivision 2, is amended to read:

42.15 Subd. 2. **Qualifications; registration required.** (a) A remote online notary public:

42.16 (1) is a notary public for purposes of chapter 359 and is subject to and must be appointed  
42.17 and commissioned under that chapter;

42.18 (2) may perform notarial acts as provided by this chapter and chapter 359 in addition to  
42.19 performing remote online notarizations; and

42.20 (3) may perform remote online notarizations authorized under this section.

42.21 (b) A notary public commissioned in this state may apply for remote online notarization  
42.22 registration according to this section. Before a notary performs a remote online notarization,  
42.23 the notary must register the capability to perform notarial acts pursuant to section 358.645  
42.24 with the secretary of state according to section 359.01, subdivision 5, and must certify that  
42.25 the notary intends to use communication technology that conforms to this section.

42.26 (c) Unless terminated under this section, the term of registration to perform remote online  
42.27 notarial acts begins on the registration starting date set by the secretary of state and continues  
42.28 as long as the notary public's current commission to perform notarial acts remains valid.

42.29 (d) Upon the applicant's fulfillment of the requirements for remote online notarization  
42.30 registration under this section, the secretary of state shall record the registration under the  
42.31 applicant's notary public commission number.

43.1 (e) The secretary of state may reject a registration application if the applicant fails to  
 43.2 comply with paragraphs (a) to (d). The commissioner of commerce may revoke a registration  
 43.3 if the applicant fails to comply with subdivisions 2 to 6.

43.4 Sec. 47. Minnesota Statutes 2022, section 358.71, is amended to read:

43.5 **358.71 DATABASE OF NOTARIES PUBLIC.**

43.6 The secretary of state shall maintain an electronic database of notaries public:

43.7 ~~(1)~~ through which a person may verify the authority of a notary public to perform notarial  
 43.8 acts, including notarial acts pursuant to section 358.645~~;~~ and to perform notarial acts on  
 43.9 electronic records.

43.10 ~~(2) which indicates whether a notary public has applied to the commissioning officer or~~  
 43.11 ~~agency to perform notarial acts on electronic records or to perform notarial acts pursuant~~  
 43.12 ~~to section 358.645.~~

43.13 Sec. 48. Minnesota Statutes 2022, section 359.01, subdivision 5, is amended to read:

43.14 Subd. 5. **Registration to perform electronic notarizations.** Before performing electronic  
 43.15 notarial acts, a notary public shall register the capability to notarize electronically with the  
 43.16 secretary of state. ~~Before performing electronic notarial acts after recommissioning, a notary~~  
 43.17 ~~public shall reregister with the secretary of state.~~ Unless terminated for any reason, the term  
 43.18 of registration to perform electronic notarial acts begins on the registration starting date set  
 43.19 by the secretary of state and continues as long as the notary public has a valid commission  
 43.20 to perform notarial acts. The requirements of this chapter relating to electronic notarial acts  
 43.21 do not apply to notarial acts performed under sections 358.15, paragraph (a), clause (4),  
 43.22 and 358.60, subdivision 1, clause (2).

43.23 Sec. 49. Minnesota Statutes 2022, section 359.03, subdivision 3, is amended to read:

43.24 Subd. 3. **Specifications.** (a) The official notarial stamp consists of the seal of the state  
 43.25 of Minnesota, the name of the notary as it appears on the commission or the name of the  
 43.26 ex officio notary, the words "Notary Public," or "Notarial Officer" in the case of an ex  
 43.27 officio notary, and the words "My commission expires ..... (or where applicable) My  
 43.28 term is indeterminate," with the expiration date shown on it and must be able to be reproduced  
 43.29 in any legibly reproducible manner. The official notarial stamp shall be a rectangular form  
 43.30 of not more than three-fourths of an inch vertically by 2-1/2 inches horizontally, with a  
 43.31 serrated or milled edge border, and shall contain the information required by this subdivision.

44.1 (b) A notarial stamp that complied with these requirements at the time of issuance may  
 44.2 continue to be used during the remainder of the current term of the notary even if changes  
 44.3 to any of these requirements subsequently become effective.

44.4 Sec. 50. **STATE CAPITOL; MANAGEMENT OF SPACE.**

44.5 Notwithstanding any law or space use agreements to the contrary, the commissioner of  
 44.6 administration must allocate the first floor, North corridor adjoining rooms 107 and 112 of  
 44.7 the State Capitol building to the use and management of the house of representatives during  
 44.8 any period in which the legislature is convened in regular or special session. During these  
 44.9 periods, public use of the space must not interfere with the conduct of legislative business  
 44.10 or the security of legislators or legislative staff, and events and other programs scheduled  
 44.11 within the space must only be permitted if approved by the speaker of the house.

44.12 Sec. 51. **REPEALER; FALSE POLITICAL AND CAMPAIGN MATERIAL.**

44.13 Minnesota Statutes 2022, section 211B.06, is repealed.

44.14 Sec. 52. **REPEALER; FEDERAL EDUCATION LAW IMPLEMENTATION**  
 44.15 **REPORT.**

44.16 Minnesota Statutes 2022, section 127A.095, subdivision 3, is repealed.

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

44.18 Sec. 53. **REPEALER; DEPARTMENT OF INFORMATION TECHNOLOGY**  
 44.19 **SERVICES PROVISIONS.**

44.20 Minnesota Statutes 2022, sections 16E.035; 16E.0465, subdivisions 1 and 2; 16E.055;  
 44.21 and 16E.20, are repealed.

## 44.22 **ARTICLE 3**

### 44.23 **LOCAL GOVERNMENT POLICY**

44.24 Section 1. Minnesota Statutes 2022, section 383B.145, subdivision 5, is amended to read:

44.25 Subd. 5. **Set-aside contracts.** (a) Notwithstanding any other law to the contrary, the  
 44.26 board may set aside an amount, for each fiscal year, for awarding contracts to businesses  
 44.27 and social services organizations ~~which have a majority of employees that employ persons~~  
 44.28 who would be eligible for public assistance or who would require rehabilitative services in  
 44.29 the absence of their employment. The set-aside amount may not exceed two percent of the

45.1 amount appropriated by the board in the budget for the preceding fiscal year. Failure by the  
45.2 board to designate particular procurements for the set-aside program shall not prevent  
45.3 vendors from seeking the procurement award through the normal solicitation and bidding  
45.4 processes pursuant to the provisions of the Uniform Municipal Contracting Act, section  
45.5 471.345.

45.6 (b) The board may elect to use a negotiated price or bid contract procedure in the awarding  
45.7 of a procurement contract under the set-aside program. The amount of the award shall not  
45.8 exceed by more than five percent the estimated price for the goods or services, if they were  
45.9 to be purchased on the open market and not under the set-aside program.

45.10 (c) Before contracting with a business or social service organization under the set-aside  
45.11 program, the board or authorized person shall conduct an investigation of the business or  
45.12 social service organization with whom it seeks to contract and shall make findings, to be  
45.13 contained in the provisions of the contract, that:

45.14 (1) the vendor either:

45.15 (i) has in its employ at least 50 percent of its employees who would be eligible to receive  
45.16 some form of public assistance or other rehabilitative services in the absence of the award  
45.17 of a contract to the vendor; or

45.18 (ii) if the vendor is a business providing construction services, has in its employ to deliver  
45.19 the set-aside contract as many employees who would be eligible to receive some form of  
45.20 public assistance or other rehabilitative services in the absence of the award of a contract  
45.21 to the vendor as is practicable in consideration of industry safety standards, established  
45.22 supervisory ratios for apprentices, and requirements for licensed persons to perform certain  
45.23 work;

45.24 (2) the vendor has elected to apply to the board for a contract under the set-aside  
45.25 provisions; and

45.26 (3) the vendor is able to perform the set-aside contract.

45.27 (d) The board shall publicize the provisions of the set-aside program, attempt to locate  
45.28 vendors able to perform set-aside procurement contracts and otherwise encourage  
45.29 participation therein.

46.1 Sec. 2. Minnesota Statutes 2023 Supplement, section 473.145, is amended to read:

46.2 **473.145 DEVELOPMENT GUIDE.**

46.3 (a) The Metropolitan Council must prepare and adopt, after appropriate study and such  
46.4 public hearings as may be necessary, a comprehensive development guide for the  
46.5 metropolitan area. It must consist of a compilation of policy statements, goals, standards,  
46.6 programs, and maps prescribing guides for the orderly and economical development, public  
46.7 and private, of the metropolitan area. The comprehensive development guide must recognize  
46.8 and encompass physical, social, or economic needs of the metropolitan area and those future  
46.9 developments which will have an impact on the entire area including but not limited to such  
46.10 matters as land use, climate mitigation and adaptation, parks and open space land needs,  
46.11 the necessity for and location of airports, highways, transit facilities, public hospitals,  
46.12 libraries, schools, and other public buildings.

46.13 (b) For the purposes of this section, "climate mitigation and adaptation" includes  
46.14 mitigation goals and strategies that meet or exceed the greenhouse gas emissions-reduction  
46.15 goals established by the state under section 216H.02, subdivision 1, and transportation  
46.16 targets established by the commissioner of transportation, including vehicle miles traveled  
46.17 reduction targets established in the statewide multimodal transportation plan under section  
46.18 174.03, subdivision 1a, as well as plans and policies to address climate adaptation in the  
46.19 region. The commissioner of transportation must consult with the Metropolitan Council on  
46.20 transportation targets prior to establishing the targets.

46.21 (c) The adoption or amendment of a comprehensive plan, fiscal device, or official control  
46.22 that is consistent with or approved in connection with sections 473.858 to 473.865 shall not  
46.23 constitute conduct that causes or is likely to cause pollution, impairment, or destruction, as  
46.24 defined under section 116B.02, subdivision 5. Nothing in this paragraph prevents a challenge  
46.25 under chapter 116B to an individual project, as defined under Minnesota Rules, part  
46.26 4410.0200, subpart 65.

46.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
46.28 applies to all comprehensive plans and amendments authorized by the Metropolitan Council  
46.29 during the most recent decennial review under section 473.864, and local controls approved  
46.30 in accordance with those comprehensive plans and amendments.

47.1 Sec. 3. **ANOKA COUNTY; JAIL AND CRIMINAL JUSTICE CENTER.**

47.2 **Subdivision 1. Jail and criminal justice center.** Notwithstanding Minnesota Statutes,  
47.3 section 373.05, Anoka County may build a jail and criminal justice center in any city located  
47.4 within the county to replace the current jail located in the city of Anoka.

47.5 **Subd. 2. Sheriff's office.** Notwithstanding Minnesota Statutes, section 382.04, the sheriff  
47.6 of Anoka County may keep the sheriff's office in the jail and criminal justice center  
47.7 authorized under subdivision 1 instead of in the county seat.

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

47.9 Sec. 4. **REPEALER.**

47.10 **(a) Minnesota Statutes 2022, section 471.9998, is repealed.**

47.11 **(b) Laws 1979, chapter 189, sections 1; 2, as amended by Laws 1984, chapter 548,**  
47.12 **section 8; and 3, are repealed.**

47.13 **EFFECTIVE DATE.** Paragraph (a) is effective the day following final enactment.  
47.14 Paragraph (b) is effective the day after the governing body of the city of St. Paul and its  
47.15 chief clerical officer timely complete their compliance with Minnesota Statutes, section  
47.16 645.021, subdivisions 2 and 3.

47.17 **ARTICLE 4**

47.18 **MILITARY AND VETERANS AFFAIRS**

47.19 Section 1. Minnesota Statutes 2022, section 161.14, is amended by adding a subdivision  
47.20 to read:

47.21 **Subd. 105. Gopher Gunners Memorial Bridge.** (a) The bridge on marked Trunk  
47.22 Highway 55 and Trunk Highway 62, crossing the Minnesota River, commonly known as  
47.23 the Mendota Bridge, is named and designated as "Gopher Gunners Memorial Bridge."  
47.24 Notwithstanding section 161.139, the commissioner must adopt a suitable marking design  
47.25 to mark this bridge and erect appropriate signs.

47.26 **(b) The adjutant general of the Department of Military Affairs must reimburse the**  
47.27 **commissioner of transportation for costs incurred under this subdivision.**

48.1 Sec. 2. Minnesota Statutes 2022, section 193.143, is amended to read:

48.2 **193.143 STATE ARMORY BUILDING COMMISSION, POWERS.**

48.3 Such corporation, subject to the conditions and limitations prescribed in sections 193.141  
48.4 to 193.149, shall possess all the powers of a body corporate necessary and convenient to  
48.5 accomplish the objectives and perform the duties prescribed by sections 193.141 to 193.149,  
48.6 including the following, which shall not be construed as a limitation upon the general powers  
48.7 hereby conferred:

48.8 (1) To acquire by lease, purchase, gift, or condemnation proceedings all necessary right,  
48.9 title, and interest in and to the lands required for a site for a new armory and all other real  
48.10 or personal property required for the purposes contemplated by the Military Code and to  
48.11 hold and dispose of the same, subject to the conditions and limitations herein prescribed;  
48.12 provided that any such real or personal property or interest therein may be so acquired or  
48.13 accepted subject to any condition which may be imposed thereon by the grantor or donor  
48.14 and agreed to by such corporation not inconsistent with the proper use of such property by  
48.15 the state for armory or military purposes as herein provided.

48.16 (2) To exercise the power of eminent domain in the manner provided by chapter 117,  
48.17 for the purpose of acquiring any property which such corporation is herein authorized to  
48.18 acquire by condemnation; provided, that the corporation may take possession of any such  
48.19 property so to be acquired at any time after the filing of the petition describing the same in  
48.20 condemnation proceedings; provided further, that this shall not preclude the corporation  
48.21 from abandoning the condemnation of any such property in any case where possession  
48.22 thereof has not been taken.

48.23 (3) To construct and equip new armories as authorized herein; to pay therefor out of the  
48.24 funds obtained as hereinafter provided and to hold, manage, and dispose of such armory,  
48.25 equipment, and site as hereinafter provided. The total amount of bonds issued on account  
48.26 of such armories shall not exceed the amount of the cost thereof; provided also, that the  
48.27 total bonded indebtedness of the commission shall not at any time exceed the aggregate  
48.28 sum of ~~\$15,000,000~~ \$45,000,000.

48.29 (4) To provide partnerships with federal and state governments and to match federal and  
48.30 local funds, when available.

48.31 (5) To sue and be sued.

48.32 (6) To contract and be contracted with in any matter connected with any purpose or  
48.33 activity within the powers of such corporations as herein specified; provided, that no officer



49.1 or member of such corporation shall be personally interested, directly or indirectly, in any  
49.2 contract in which such corporation is interested.

49.3 (7) To employ any and all professional and nonprofessional services and all agents,  
49.4 employees, workers, and servants necessary and proper for the purposes and activities of  
49.5 such corporation as authorized or contemplated herein and to pay for the same out of any  
49.6 portion of the income of the corporation available for such purposes or activities. The officers  
49.7 and members of such corporation shall not receive any compensation therefrom, but may  
49.8 receive their reasonable and necessary expenses incurred in connection with the performance  
49.9 of their duties; provided however, that whenever the duties of any member of the commission  
49.10 require full time and attention the commission may compensate the member therefor at such  
49.11 rates as it may determine.

49.12 (8) To borrow money and issue bonds for the purposes and in the manner and within  
49.13 the limitations herein specified, and to pledge any and all property and income of such  
49.14 corporation acquired or received as herein provided to secure the payment of such bonds,  
49.15 subject to the provisions and limitations herein prescribed, and to redeem any such bonds  
49.16 if so provided therein or in the mortgage or trust deed accompanying the same.

49.17 (9) To use for the following purposes any available money received by such corporation  
49.18 from any source as herein provided in excess of those required for the payment of the cost  
49.19 of such armory and for the payment of any bonds issued by the corporation and interest  
49.20 thereon according to the terms of such bonds or of any mortgage or trust deed accompanying  
49.21 the same:

49.22 (a) to pay the necessary incidental expenses of carrying on the business and activities  
49.23 of the corporation as herein authorized;

49.24 (b) to pay the cost of operating, maintaining, repairing, and improving such new armories;

49.25 (c) if any further excess money remains, to purchase upon the open market at or above  
49.26 or below the face or par value thereof any bonds issued by the corporation as herein  
49.27 authorized, provided that any bonds so purchased shall thereupon be canceled.

49.28 (10) To adopt and use a corporate seal.

49.29 (11) To adopt all needful bylaws and rules for the conduct of business and affairs of  
49.30 such corporation and for the management and use of all armories while under the ownership  
49.31 and control of such corporation as herein provided, not inconsistent with the use of such  
49.32 armory for armory or military purposes.

49.33 (12) Such corporation shall issue no stock.

50.1 (13) No officer or member of such corporation shall have any personal share or interest  
 50.2 in any funds or property of the corporation or be subject to any personal liability by reason  
 50.3 of any liability of the corporation.

50.4 (14) The Minnesota State Armory Building Commission created under section 193.142  
 50.5 shall keep all money and credits received by it as a single fund, to be designated as the  
 50.6 "Minnesota State Armory Building Commission fund," with separate accounts for each  
 50.7 armory; and the commission may make transfers of money from funds appertaining to any  
 50.8 armory under its control for use for any other such armory; provided such transfers shall  
 50.9 be made only from money on hand, from time to time, in excess of the amounts required  
 50.10 to meet payments of interest or principal on bonds or other obligations appertaining to the  
 50.11 armory to which such funds pertain and only when necessary to pay expenses of construction,  
 50.12 operation, maintenance, and debt service of such other armory; provided further, no such  
 50.13 transfer of any money paid for the support of any armory by the municipality in which such  
 50.14 armory is situated shall be made by the commission.

50.15 (15) The corporation created under section 193.142 may designate one or more state or  
 50.16 national banks as depositories of its funds, and may provide, upon such conditions as the  
 50.17 corporation may determine, that the treasurer of the corporation shall be exempt from  
 50.18 personal liability for loss of funds deposited in any such depository due to the insolvency  
 50.19 or other acts or omissions of such depository.

50.20 (16) The governor is empowered to apply for grants of money, equipment, and materials  
 50.21 which may be made available to the states by the federal government for leasing, building,  
 50.22 and equipping armories for the use of the military forces of the state which are reserve  
 50.23 components of the armed forces of the United States, whenever the governor is satisfied  
 50.24 that the conditions under which such grants are offered by the federal government, are for  
 50.25 the best interests of the state and are not inconsistent with the laws of the state relating to  
 50.26 armories, and to accept such grants in the name of the state. The Minnesota State Armory  
 50.27 Building Commission is designated as the agency of the state to receive such grants and to  
 50.28 use them for armory purposes as prescribed in this chapter, and by federal laws, and  
 50.29 regulations not inconsistent therewith.

50.30 Sec. 3. Laws 2023, chapter 38, article 1, section 3, subdivision 3, is amended to read:

50.31	Subd. 3. <b>Veterans Health Care</b>	90,025,000	100,797,000
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50.32 (a) The base for this appropriation in fiscal  
 50.33 year 2026 is \$93,387,000 and \$94,435,000 in  
 50.34 fiscal year 2027 and each fiscal year thereafter.

51.1 (b) \$88,885,000 the first year and \$99,847,000  
51.2 the second year may be transferred to a  
51.3 veterans homes special revenue account in the  
51.4 special revenue fund in the same manner as  
51.5 other receipts are deposited according to  
51.6 Minnesota Statutes, section 198.34, and are  
51.7 appropriated to the commissioner of veterans  
51.8 affairs for the operation of veterans homes  
51.9 facilities and programs. If the amount available  
51.10 in fiscal year 2024 is insufficient, the amount  
51.11 appropriated in fiscal year 2025 is available  
51.12 in fiscal year 2024. The base for this transfer  
51.13 is \$92,437,000 in fiscal year 2026 and  
51.14 \$93,485,000 in fiscal year 2027.

51.15 (c) The department shall seek opportunities to  
51.16 maximize federal reimbursements of  
51.17 Medicare-eligible expenses and provide annual  
51.18 reports to the commissioner of management  
51.19 and budget on the federal Medicare  
51.20 reimbursements that are received. Contingent  
51.21 upon future federal Medicare receipts,  
51.22 reductions to the veterans homes' general fund  
51.23 appropriation may be made.

51.24 (d) \$400,000 each year is for the department  
51.25 to staff Veteran Community Health Navigators  
51.26 in community-based hospitals.

51.27 (e) \$190,000 the first year is for the working  
51.28 group established under article 2, section 8.

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

**16E.035 TECHNOLOGY INVENTORY.**

The chief information officer must prepare a financial inventory of technology owned or leased by the Department of Information Technology Services. The inventory must include: (1) information on how the technology fits into the state's information technology architecture; and (2) a projected replacement schedule. The chief information officer must report the inventory to the legislative committees with primary jurisdiction over state technology issues by July 1 of each even-numbered year.

**16E.0465 TECHNOLOGY APPROVAL.**

Subdivision 1. **Application.** This section applies to an appropriation of more than \$1,000,000 of state or federal funds to a state agency for any information and telecommunications technology project or for any phase of such a project, device, or system. For purposes of this section, an appropriation of state or federal funds to a state agency includes an appropriation:

- (1) to a constitutional officer;
- (2) for a project that includes both a state agency and units of local government; and
- (3) to a state agency for grants to be made to other entities.

Subd. 2. **Required review and approval.** (a) A state agency receiving an appropriation for an information and telecommunications technology project subject to this section must divide the project into phases.

(b) An encumbrance or expenditure may not be made for any phase of a state agency information and telecommunications technology project subject to this section unless the Department of Information Technology Services has reviewed each phase of the project and based on this review, the chief information officer has determined for each phase that:

- (1) the project is compatible with the state information architecture and other policies and standards established by the chief information officer;
- (2) the agency is able to accomplish the goals of the phase of the project with the funds appropriated; and
- (3) the project supports the enterprise information technology strategy.

**16E.055 ELECTRONIC GOVERNMENT SERVICES.**

A state agency that implements electronic government services for fees, licenses, sales, or other purposes must use the single entry site created by the chief information officer for all agencies to use for electronic government services.

**16E.20 ELECTRONIC CONDUCT OF STATE BUSINESS.**

The chief information officer shall develop and implement a system under which:

- (1) state business can be conducted and permits or licenses obtained through electronic communication with the appropriate state agencies; and
- (2) applications for grants can be made electronically to state agencies when feasible.

**127A.095 IMPLEMENTATION OF ELEMENTARY AND SECONDARY EDUCATION ACT.**

Subd. 3. **Department of Management and Budget certification.** The commissioner of management and budget shall certify and report to the legislature annually beginning January 1, 2008, the amount of federal revenue, if any, that the federal government may withhold as a result of a potential state decision to discontinue implementation of the Elementary and Secondary Education Act. The report shall also specify the intended purpose of the federal revenue and the amount of revenue that the federal government may withhold from the state, each school district, and each charter school in each fiscal year.

**211B.06 FALSE POLITICAL AND CAMPAIGN MATERIAL.**

Subdivision 1. **Gross misdemeanor.** (a) A person is guilty of a gross misdemeanor who intentionally participates in the preparation, dissemination, or broadcast of paid political advertising or campaign material with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat a candidate for nomination or election to a public office or to promote or defeat a ballot

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question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

(b) A person is guilty of a misdemeanor who intentionally participates in the drafting of a letter to the editor with respect to the personal or political character or acts of a candidate, or with respect to the effect of a ballot question, that is designed or tends to elect, injure, promote, or defeat any candidate for nomination or election to a public office or to promote or defeat a ballot question, that is false, and that the person knows is false or communicates to others with reckless disregard of whether it is false.

Subd. 2. **Exception.** Subdivision 1 does not apply to any person or organization whose sole act is, in the normal course of their business, the printing, manufacturing, or dissemination of the false information.

**471.9998 MERCHANT BAGS.**

Subdivision 1. **Merchant option.** All merchants, itinerant vendors, and peddlers doing business in this state shall have the option to provide customers a paper, plastic, or reusable bag for the packaging of any item or good purchased, provided such purchase is of a size and manner commensurate with the use of paper, plastic, or reusable bags.

Subd. 2. **Prohibition; bag ban.** Notwithstanding any other provision of law, no political subdivision shall impose any ban upon the use of paper, plastic, or reusable bags for packaging of any item or good purchased from a merchant, itinerant vendor, or peddler.