

1.1A bill for an act

1.2relating to government operations; appropriating money for the general

1.3legislative and administrative expenses of state government; raising fees;

1.4regulating state and local government operations; modifying provisions related

1.5to public employment; providing for automatic voter registration; abolishing the

1.6Department of Employee Relations;amending Minnesota Statutes 2006, sections

1.74.035, subdivision 3; 5.12, subdivision 1; 15.06, subdivisions 2, 8; 15B.17,

1.8subdivision 1; 16A.1286, subdivision 2; 16B.03; 16C.08, subdivision 2; 43A.02,

1.9by adding a subdivision; 43A.03, subdivision 3; 43A.08, subdivisions 1, 2a;

1.1043A.24, subdivision 1; 43A.346, subdivision 1; 45.013; 84.01, subdivision 3;

1.11116.03, subdivision 1; 116J.01, subdivision 5; 116J.035, subdivision 4; 174.02,

1.12subdivision 2; 201.12; 201.13, subdivision 3; 201.161; 241.01, subdivision

1.132; 270B.14, by adding a subdivision; 302A.821, subdivision 4; 321.0206;

1.14336.1-110; 336.9-525; 517.08, subdivisions 1b, 1c; Laws 2005, First Special

1.15Session chapter 1, article 4, section 121; proposing coding for new law in

1.16Minnesota Statutes, chapter 5; repealing Minnesota Statutes 2006, sections

1.1743A.03, subdivision 4; 43A.08, subdivision 1b; Laws 2006, chapter 253, section

1.1822.

1.19BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.20ARTICLE 1

1.21STATE GOVERNMENT APPROPRIATIONS

1.22 Section 1. SUMMARY OF APPROPRIATIONS.

1.23The amounts shown in this section summarize direct appropriations, by fund, made

1.24in this article.

1.25		<u>2008</u>		<u>2009</u>		<u>Total</u>
1.26	<u>General</u>	\$ 303,275,000	\$	311,133,000	\$	614,408,000
1.27	<u>Health Care Access</u>	1,825,000		1,869,000		3,694,000
1.28	<u>State Government Special</u>	6,849,000		2,124,000		10,700,000
1.29	<u>Revenue</u>					
1.30	<u>Environmental</u>	443,000		450,000		893,000
2.1	<u>Remediation</u>	250,000		250,000		500,000
2.2	<u>Special Revenue</u>	4,005,000		3,851,000		7,856,000
2.3	<u>Highway User Tax</u>	2,143,000		2,190,000		4,333,000
2.4	<u>Distribution</u>					
2.5	<u>Workers' Compensation</u>	7,640,000		7,350,000		14,990,000
2.6	<u>Total</u>	\$ 324,544,000	\$	329,217,000	\$	653,761,000

2.7 Sec. 2. **STATE GOVERNMENT APPROPRIATIONS.**

2.8The sums shown in the columns marked "Appropriations" are appropriated to the
2.9agencies and for the purposes specified in this article. The appropriations are from the
2.10general fund, or another named fund, and are available for the fiscal years indicated
2.11for each purpose. The figures "2008" and "2009" used in this article mean that the
2.12appropriations listed under them are available for the fiscal year ending June 30,
2008, or
2.13June 30, 2009, respectively. "The first year" is fiscal year 2008. "The second year" is
fiscal
2.14year 2009. "The biennium" is fiscal years 2008 and 2009. Appropriations for the
fiscal
2.15year ending June 30, 2007, are effective the day following final enactment.

2.16	<u>APPROPRIATIONS</u>	
2.17	<u>Available for the Year</u>	
2.18	<u>Ending June 30</u>	
2.19	<u>2008</u>	<u>2009</u>

2.20 Sec. 3. **LEGISLATURE**

2.21	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 66,293,000</u>	<u>\$ 67,852,000</u>
------	---	----------------------	----------------------

2.22	<u>Appropriations by Fund</u>		
------	-------------------------------	--	--

2.23		<u>2008</u>	<u>2009</u>
2.24	<u>General</u>	<u>66,165,000</u>	<u>67,724,000</u>
2.25	<u>Health Care Access</u>	<u>128,000</u>	<u>128,000</u>

2.26The amounts that may be spent for each
2.27purpose are specified in the following
2.28subdivisions.

2.29	<u>Subd. 2. Senate</u>	<u>23,158,000</u>	<u>23,677,000</u>
------	------------------------	-------------------	-------------------

2.30	<u>Subd. 3. House of Representatives</u>	<u>28,467,000</u>	<u>29,167,000</u>
------	--	-------------------	-------------------

2.31	<u>Subd. 4. Legislative Coordinating Commission</u>	<u>14,668,000</u>	<u>15,008,000</u>
------	---	-------------------	-------------------

2.32	<u>Appropriations by Fund</u>		
------	-------------------------------	--	--

2.33	<u>General</u>	<u>14,540,000</u>	<u>14,880,000</u>
2.34	<u>Health Care Access</u>	<u>128,000</u>	<u>128,000</u>

3.1\$360,000 the first year and \$360,000 the
3.2second year are for public information
3.3television, Internet, Intranet, and other
3.4transmission of legislative activities. At
3.5least one-half of those amounts must go for
3.6programming to be broadcast and transmitted
3.7to rural Minnesota.

3.8\$5,188,000 the first year and \$5,316,000 the
 3.9second year are for the Office of the Revisor
 3.10of Statutes.
 3.11\$1,182,000 the first year and \$1,211,000 the
 3.12second year are for the Legislative Reference
 3.13Library.
 3.14\$5,587,000 the first year and \$5,721,000
 3.15the second year are for the Office of the
 3.16Legislative Auditor.
 3.17\$250,000 the first year and \$250,000 the
 3.18second year are for completing the study of
 3.19state budget trends in article 2, section 35.
 3.20This is a onetime appropriation.

3.21 Sec. 4. **GOVERNOR AND LIEUTENANT**
 3.22 **GOVERNOR**

\$ 3,687,000 \$ 3,793,000

3.23This appropriation is to fund the offices of
 3.24the governor and lieutenant governor.
 3.25\$19,000 the first year and \$19,000 the
 3.26second year are for necessary expenses in
 3.27the normal performance of the governor's
 3.28and lieutenant governor's duties for which no
 3.29other reimbursement is provided.
 3.30By September 1 of each year, the
 3.31commissioner of finance shall report to
 3.32the chairs of the senate Governmental
 3.33Operations Budget Division and the house
 3.34State Government Finance Division any
 4.1personnel costs incurred by the Office of
 4.2the Governor and Lieutenant Governor that
 4.3were supported by appropriations to other
 4.4agencies during the previous fiscal year.
 4.5The Office of the Governor shall inform the
 4.6chairs of the divisions before initiating any
 4.7interagency agreements.

4.8 Sec. 5. **STATE AUDITOR**

\$ 9,234,000 \$ 9,220,000

4.9\$484,000 the first year and \$244,000 the
 4.10second year are for staff retention.

4.11 Sec. 6. **ATTORNEY GENERAL**

\$ 25,857,000 \$ 26,867,000

4.12 Appropriations by Fund

4.13		<u>2008</u>	<u>2009</u>
4.14	<u>General</u>	<u>23,743,000</u>	<u>24,748,000</u>
4.15	<u>State Government</u>	<u>1,719,000</u>	<u>1,724,000</u>
4.16	<u>Special Revenue</u>		
4.17	<u>Environmental</u>	<u>145,000</u>	<u>145,000</u>
4.18	<u>Remediation</u>	<u>250,000</u>	<u>250,000</u>

4.19 Sec. 7. **SECRETARY OF STATE** \$ 8,989,000 \$ 6,439,000

4.20 Appropriations by Fund

4.21	<u>General</u>	<u>6,145,000</u>	<u>6,439,000</u>
4.22	<u>State Government</u>		
4.23	<u>Special Revenue</u>	<u>2,844,000</u>	<u>-0-</u>

4.24 \$2,844,000 the first year is appropriated from
4.25 the Help America Vote Act account for the
4.26 purposes and uses authorized by federal law.
4.27 This appropriation is available until June 30,
4.28 2009.
4.29 Notwithstanding Laws 2005, chapter 162,
4.30 section 34, subdivision 7, any balance
4.31 remaining in the Help America Vote Act
4.32 account after previous appropriations and the
4.33 appropriations in this section is appropriated
4.34 to the secretary of state for the purposes of
5.1 the account. This appropriation is available
5.2 until June 30, 2011.
5.3 \$100,000 each year is for the safe at home
5.4 program.

5.5 Sec. 8. **CAMPAIGN FINANCE AND PUBLIC** \$ 714,000 \$ 734,000
5.6 **DISCLOSURE BOARD**

5.7 Sec. 9. **INVESTMENT BOARD** \$ 151,000 \$ 151,000

5.8 Sec. 10. **OFFICE OF ENTERPRISE** \$ 7,680,000 \$ 7,755,000
5.9 **TECHNOLOGY**

5.10 \$3,910,000 the first year and \$3,915,000
5.11 the second year are for information
5.12 technology security. The base appropriation

5.13 is \$4,675,000 in fiscal year 2010 and
5.14 \$4,675,000 in fiscal year 2011.

5.15	Sec. 11. <u>ADMINISTRATIVE HEARINGS</u>	\$	<u>7,810,000</u>	\$	<u>7,528,000</u>
------	--	----	------------------	----	------------------

5.16 Appropriations by Fund

5.17	2008	2009
------	------	------

5.18	<u>General</u>	<u>270,000</u>	<u>278,000</u>
------	----------------	----------------	----------------

5.19	<u>Workers'</u>		
5.20	Compensation	7,540,000	7,250,000

5.20	<u>Compensation</u>	<u>1,540,000</u>	<u>1,250,000</u>
------	---------------------	------------------	------------------

5.21 Sec. 12. **ADMINISTRATION**

5.22 Subdivision 1. Total Appropriation \$ 21,067,000 \$ 21,538,000

5.23 The amounts that may be spent for each
5.24 purpose are specified in the following
5.25 subdivisions.

5.26	Subd. 2.State Facilities Services	11,176,000	11,412,000
------	-----------------------------------	------------	------------

5.27 \$7,888,000 the first year and \$7,888,000 the
5.28 second year are for office space costs of the
5.29 legislature and veterans organizations, for
5.30 ceremonial space, and for statutorily free
5.31 space.

6.1	Subd. 3.State and Community Services	3,072,000	3,252,000
-----	--------------------------------------	-----------	-----------

6.2(a) \$60,000 the first year and \$240,000 the
6.3second year are to fund activities to prepare
6.4for and promote the 2010 census. Base
6.5funding for this activity is \$260,000 in fiscal
6.6year 2010 and \$180,000 in fiscal year 2011.
6.7(b) \$805,000 the first year and \$805,000 the
6.8second year are for the Land Management
6.9Information Center.

6.10(c) \$196,000 the first year and \$196,000 the
6.11second year are for the Office of the State
6.12Archaeologist.

6.13 Subd. 4. Administrative Management Services	4,614,000	4,669,000
---	-----------	-----------

6.14\$74,000 the first year and \$74,000 the second
6.15year are for the Developmental Disabilities
6.16Council.

6.17	Subd. 5. Public Broadcasting	2,205,000	2,205,000
-------------	-------------------------------------	------------------	------------------

6.18 \$1,411,000 the first year and \$1,411,000
6.19 the second year are for matching grants for

6.20public television.
 6.21\$200,000 the first year and \$200,000
 6.22the second year are for public television
 6.23equipment grants.
 6.24Equipment or matching grant allocations
 6.25shall be made after considering the
 6.26recommendations of the Minnesota Public
 6.27Television Association.
 6.28\$17,000 the first year and \$17,000 the second
 6.29year are for grants to the Twin Cities regional
 6.30cable channel.
 6.31\$287,000 the first year and \$287,000 the
 6.32second year are for community service
 6.33grants and \$100,000 each year is for
 7.1equipment grants to public educational radio
 7.2stations. The grants must be allocated after
 7.3considering the recommendations of the
 7.4Association of Minnesota Public Educational
 7.5Radio Stations under Minnesota Statutes,
 7.6section 129D.14.
 7.7\$190,000 the first year and \$190,000 the
 7.8second year are for equipment grants to
 7.9Minnesota Public Radio, Inc.
 7.10Any unencumbered balance remaining the
 7.11first year for grants to public television or
 7.12radio stations does not cancel and is available
 7.13for the second year.

7.14	Sec. 13. <u>CAPITOL AREA</u>		
7.15	<u>ARCHITECTURAL AND PLANNING</u>	\$	<u>307,000</u>
7.16	<u>BOARD</u>	\$	<u>319,000</u>

7.17	Sec. 14. <u>FINANCE</u>		
7.18	<u>Subdivision 1. Total Appropriation</u>	\$	<u>15,229,000</u>
7.19	The amounts that may be spent for each		
7.20	purpose are specified in the following		
7.21	subdivisions.		
7.22	<u>Subd. 2.State Financial Management</u>		<u>8,692,000</u>
7.23	<u>Subd. 3.Information and Management</u>		<u>8,945,000</u>
7.24	<u>Services</u>		<u>6,537,000</u>

7.25	Sec. 15. <u>EMPLOYEE RELATIONS</u>	\$	<u>5,657,000</u>	\$	<u>5,613,000</u>
------	---	----	------------------	----	------------------

7.26	Sec. 16. <u>REVENUE</u>
------	--------------------------------

7.27	<u>Subdivision 1. Total Appropriation</u>	\$	<u>115,731,000</u>	\$	<u>120,186,000</u>
------	--	----	--------------------	----	--------------------

7.28	<u>Appropriations by Fund</u>
------	-------------------------------

7.29		<u>2008</u>	<u>2009</u>
7.30	<u>General</u>	<u>111,593,000</u>	<u>115,950,000</u>
7.31	<u>Health Care Access</u>	<u>1,697,000</u>	<u>1,741,000</u>
8.1	<u>Highway User Tax</u>	<u>2,143,000</u>	<u>2,190,000</u>
8.2	<u>Distribution</u>		
8.3	<u>Environmental</u>	<u>298,000</u>	<u>305,000</u>

8.4The amounts that may be spent for each
8.5purpose are specified in the following
8.6subdivisions.

8.7	<u>Subd. 2. Tax System Management</u>	<u>96,244,000</u>	<u>99,480,000</u>
-----	--	-------------------	-------------------

8.8	<u>Appropriations by Fund</u>
-----	-------------------------------

8.9	<u>General</u>	<u>92,106,000</u>	<u>95,244,000</u>
8.10	<u>Health Care Access</u>	<u>1,697,000</u>	<u>1,741,000</u>
8.11	<u>Highway User Tax</u>	<u>2,143,000</u>	<u>2,190,000</u>
8.12	<u>Distribution</u>		
8.13	<u>Environmental</u>	<u>298,000</u>	<u>305,000</u>

8.14\$5,955,000 the first year and \$6,852,000

8.15the second year are for additional activities

8.16to identify and collect tax liabilities from

8.17individuals and businesses that currently do

8.18not pay all taxes owed. This initiative is

8.19expected to result in new general revenues of

8.20\$41,200,000 for the biennium ending June

8.2130, 2009.

8.22The department must report to the chairs of

8.23the house of representatives Ways and Means

8.24and senate Finance Committees by March 1,

8.252008, and January 15, 2009, on the following

8.26performance indicators:

8.27(1) the number of corporations noncompliant

8.28with the corporate tax system each year and

8.29the percentage and dollar amounts of valid

8.30tax liabilities collected;

8.31(2) the number of businesses noncompliant

8.32with the sales and use tax system and the
 8.33percentage and dollar amount of the valid tax
 8.34liabilities collected; and
 9.1(3) the number of individual noncompliant
 9.2cases resolved and the percentage and dollar
 9.3amounts of valid tax liabilities collected.
 9.4The reports must also identify base-level
 9.5expenditures and staff positions related to
 9.6compliance and audit activities, including
 9.7baseline information as of January 1, 2006.
 9.8The information must be provided at the
 9.9budget activity level.
 9.10\$30,000 the first year and \$30,000 the second
 9.11year are for preparation of the income tax
 9.12sample.

9.13 **Subd. 3. Accounts Receivable Management**

19,487,000 20,706,000

9.14\$875,000 the first year and \$1,555,000 the
 9.15second year are for additional activities
 9.16to identify and collect tax liabilities from
 9.17individuals and businesses that currently do
 9.18not pay all taxes owed. This initiative is
 9.19expected to result in new general revenues of
 9.20\$30,000,000 for the biennium ending June
 9.2130, 2009.

9.22 Sec. 17. **GAMBLING CONTROL**

\$ 2,875,000 \$ 2,952,000

9.23These appropriations are from the lawful
 9.24gambling regulation account in the special
 9.25revenue fund.

9.26 Sec. 18. **RACING COMMISSION**

\$ 1,130,000 \$ 899,000

9.27(a) These appropriations are from the racing
 9.28and card playing regulation accounts in the
 9.29special revenue fund.
 9.30(b) \$295,000 the first year and \$64,000 the
 9.31second year and thereafter are for information
 9.32technology improvements implemented in
 10.1consultation with the Office of Enterprise
 10.2Technology.

10.3 Sec. 19. **STATE LOTTERY**

10.4 Notwithstanding Minnesota Statutes, section
10.5 349A.10, the operating budget must not
10.6 exceed \$27,378,000 in fiscal year 2008 and
10.7 \$28,141,000 in fiscal year 2009.

10.8 Sec. 20. **TORT CLAIMS** \$ 161,000 \$ 161,000

10.9 To be spent by the commissioner of finance.
10.10 If the appropriation for either year is
10.11 insufficient, the appropriation for the other
10.12 year is available for it.

10.13 Sec. 21. **MINNESOTA STATE RETIREMENT**
10.14 **SYSTEM**

10.15 Subdivision 1. **Total Appropriation** \$ 1,608,000 \$ 1,649,000

10.16 The amounts that may be spent for each
10.17 purpose are specified in the following
10.18 subdivisions.
10.19 If an appropriation in this section for either
10.20 year is insufficient, the appropriation for the
10.21 other year is available for it.

10.22 Subd. 2. **Legislators** 1,170,000 1,200,000

10.23 Under Minnesota Statutes, sections 3A.03,
10.24 subdivision 2; 3A.04, subdivisions 3 and 4;
10.25 and 3A.115.

10.26 Subd. 3. **Constitutional Officers** 438,000 449,000

10.27 Under Minnesota Statutes, section 352C.001.

10.28 Sec. 22. **MINNEAPOLIS EMPLOYEES** \$ 9,000,000 \$ 9,000,000
10.29 **RETIREMENT FUND**

11.1 These amounts are estimated to be needed
11.2 under Minnesota Statutes, section 422A.101,
11.3 subdivision 3.

11.4 Sec. 23. **TEACHERS RETIREMENT** \$ 15,800,000 \$ 15,800,000
11.5 **ASSOCIATION**

11.6 The amounts estimated to be needed are as
11.7 follows:

11.8 (a) Special direct state aid to first class city 13,300,000 13,300,000
11.9 teachers retirement funds authorized under

11.10	<u>Minnesota Statutes, section 354A.12, subdivisions</u>			
11.11	<u>3a and 3c.</u>			
11.12	<u>(b) Special direct state matching aid to</u>			
11.13	<u>Minneapolis Teachers Retirement Fund</u>		<u>2,500,000</u>	<u>2,500,000</u>
11.14	<u>Association authorized under Minnesota Statutes,</u>			
11.15	<u>section 354A.12, subdivision 3b.</u>			
11.16	Sec. 24. <u>ST. PAUL TEACHERS</u>	\$	<u>2,967,000</u>	\$ <u>2,967,000</u>
11.17	<u>RETIREMENT FUND</u>			
11.18	<u>The amounts estimated to be needed for</u>			
11.19	<u>special direct state aid to first class city</u>			
11.20	<u>teachers retirement funds authorized under</u>			
11.21	<u>Minnesota Statutes, section 354A.12,</u>			
11.22	<u>subdivisions 3a and 3c.</u>			
11.23	Sec. 25. <u>AMATEUR SPORTS COMMISSION</u>	\$	<u>303,000</u>	\$ <u>306,000</u>
11.24	<u>The amount available for appropriation to</u>			
11.25	<u>the commission under Laws 2005, chapter</u>			
11.26	<u>156, article 2, section 43, is reduced in the</u>			
11.27	<u>first year and the second year by the amounts</u>			
11.28	<u>appropriated in this section.</u>			
11.29	<u>The base appropriation is \$221,000 in fiscal</u>			
11.30	<u>year 2010 and \$221,000 in fiscal year 2011.</u>			
11.31	Sec. 26. <u>COUNCIL ON BLACK</u>	\$	<u>285,000</u>	\$ <u>292,000</u>
11.32	<u>MINNESOTANS</u>			
11.33	Sec. 27. <u>COUNCIL ON CHICANO/LATINO</u>	\$	<u>277,000</u>	\$ <u>283,000</u>
11.34	<u>AFFAIRS</u>			
12.1	Sec. 28. <u>COUNCIL ON ASIAN-PACIFIC</u>	\$	<u>247,000</u>	\$ <u>254,000</u>
12.2	<u>MINNESOTANS</u>			
12.3	Sec. 29. <u>INDIAN AFFAIRS COUNCIL</u>	\$	<u>485,000</u>	\$ <u>495,000</u>
12.4	Sec. 30. <u>GENERAL CONTINGENT</u>	\$	<u>1,000,000</u>	\$ <u>500,000</u>

12.5 **ACCOUNTS**

12.6		<u>Appropriations by Fund</u>	
12.7		<u>2008</u>	<u>2009</u>
12.8	<u>General</u>	<u>500,000</u>	<u>-0-</u>
12.9	<u>State Government</u>		
12.10	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
12.11	<u>Workers'</u>		
12.12	<u>Compensation</u>	<u>100,000</u>	<u>100,000</u>

12.13 The appropriations in this section may only
12.14 be spent with the approval of the governor
12.15 after consultation with the Legislative
12.16 Advisory Commission under Minnesota
12.17 Statutes, section 3.30.
12.18 If an appropriation in this section for either
12.19 year is insufficient, the appropriation for the
12.20 other year is available for it.
12.21 If a contingent account appropriation is made
12.22 in one fiscal year, it should be considered a
12.23 biennial appropriation.

12.24 Sec. 31. **COMPENSATION INCREASES**

12.25 The appropriations in this article, and any
12.26 statutory appropriations from which state
12.27 employee compensation is paid from any
12.28 fund, include an amount sufficient to fund
12.29 compensation increases of at least 3.25
12.30 percent of the 2007 compensation base for
12.31 the first year, compounded at the rate of 3.25
12.32 percent for the second year. This amount
12.33 must be used for that purpose and no other.

13.1 Sec. 32. **SALARY SAVINGS**

13.2 The commissioner of finance shall determine
13.3 the costs of salaries and economic benefits
13.4 attributable to the positions eliminated by
13.5 article 2 and reduce the appropriation to
13.6 each affected agency accordingly. The total
13.7 reduction to general fund appropriations
13.8 must be at least \$3,646,000 for the fiscal year
13.9 ending June 30, 2008, and \$3,646,000 for the
13.10 fiscal year ending June 30, 2009.

13.11 ARTICLE 2

13.12 STATE GOVERNMENT OPERATIONS

13.13 Section 1. Minnesota Statutes 2006, section 4.035, subdivision 3, is amended to read:

13.14 Subd. 3. **Expiration date.** Unless an earlier date is specified by statute or by
13.15 executive order, an executive order shall expire 90 days after the date that the
governor

13.16 who issued the order ~~vacates~~ leaves office.

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

13.18 Sec. 2. Minnesota Statutes 2006, section 5.12, subdivision 1, is amended to read:

13.19 Subdivision 1. **Fees.** The secretary of state shall charge a fee of \$5 for each
13.20 certificate or certification of a copy of any document filed in the Office of the
Secretary

13.21 of State. The secretary of state shall charge a fee of \$3 for a copy of an original
filing of

13.22 a corporation, limited partnership, assumed name, or trade or service mark, ~~or for~~
~~the~~

13.23 ~~complete record of a certificate of assumed name.~~ The secretary of state shall
charge a

13.24 fee of \$3 for a copy of any or all subsequent filings of a corporation, limited
partnership,

13.25 assumed name, or trade or service mark. The secretary of state shall charge a fee of
\$1 per

13.26 page for copies of other nonuniform commercial code documents filed with the
secretary of

13.27 state. At the time of filing, the secretary of state may provide at the public counter,
without

13.28 charge, a copy of a filing, ten or fewer pages in length, to the person making the
filing.

13.29 Sec. 3. **[5.32] TEMPORARY TECHNOLOGY SURCHARGE.**

13.30 Subdivision 1. **Surcharge.** For fiscal years 2008 and 2009, the following
technology

13.31 surcharges are imposed on the filing fees required under the following statutes:

13.32 (1) \$25 for articles of incorporation filed under section 302A.151;

14.1 (2) \$25 for articles of organization filed under section 322B.17;

14.2 (3) \$25 for applications for certificates of authority to transact business in
Minnesota

14.3 filed under section 303.06;

14.4 (4) \$20 for annual reports filed by non-Minnesota corporations under section

14.5 303.14; and

14.6 (5) \$50 for reinstatements to authority to transact business in Minnesota filed

under

14.7section 303.19.

14.8 Subd. 2. **Deposit.** The surcharges listed in subdivision 1 shall be deposited into the
14.9uniform commercial code account.

14.10 Subd. 3. **Expiration.** This section expires June 30, 2009.

14.11 Sec. 4. Minnesota Statutes 2006, section 15.06, subdivision 2, is amended to
read:

14.12 Subd. 2. **Term of office; successor.** The term of a commissioner shall end with
the

14.13term of the office of governor. ~~If the appointing authority is the governor~~ In
addition, the

14.14term shall end ~~on the date the governor who appointed the commissioner~~ if the
governor

14.15vacates office. The appointing authority shall submit to the president of the senate

14.16the name of an appointee as permanent commissioner as provided by section
15.066,

14.17subdivision 2 , within 45 legislative days after the end of the term of a
commissioner

14.18and within 45 legislative days after the occurrence of a vacancy. The appointee
shall

14.19take office as permanent commissioner when the senate notifies the appointing
authority

14.20that it has consented to the appointment. A commissioner shall serve at the pleasure
of

14.21the appointing authority.

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

14.23 Sec. 5. Minnesota Statutes 2006, section 15.06, subdivision 8, is amended to
read:

14.24 Subd. 8. **Number of deputy commissioners.** ~~Unless specifically authorized by~~
14.25statute, other than section 43A.08, subdivision 2, No department or agency
specified in

14.26subdivision 1 shall have more than one deputy commissioner.

14.27 Sec. 6. Minnesota Statutes 2006, section 15B.17, subdivision 1, is amended to
read:

14.28 Subdivision 1. **Proposals.** (a) Before a state agency or other public body
develops,

14.29to submit to the legislature and the governor, a budget proposal or plans for capital

14.30improvements within the Capitol Area to submit to the legislature and the governor,

14.31it must consult with the board.

14.32(b) The public body must provide enough money for the board's review and
planning

14.33if the board decides its review and planning services are necessary. Money received
by the

15.1board under this subdivision is deposited in the special revenue fund and
15.2appropriated to
15.2the board.

15.3 Sec. 7. Minnesota Statutes 2006, section 16A.1286, subdivision 2, is amended to read:

15.4 Subd. 2. **Billing procedures.** The commissioner may bill up to \$7,520,000 in
15.5each fiscal year for statewide systems services provided to state agencies, judicial
branch
15.6agencies, the University of Minnesota, the Minnesota State Colleges and
Universities,
15.7and other entities. ~~Billing must be based only on usage of services relating to~~
15.8~~statewide~~
15.8~~systems provided by the Intertechnologies Division.~~ Each agency shall transfer from
15.9agency operating appropriations to the statewide systems account the amount billed
by
15.10the commissioner. Billing policies and procedures related to statewide systems
services
15.11must be developed by the commissioner in consultation with the commissioners of
15.12employee relations and administration, the University of Minnesota, and the
Minnesota
15.13State Colleges and Universities.

15.14 Sec. 8. Minnesota Statutes 2006, section 16B.03, is amended to read:

15.15**16B.03 APPOINTMENTS.**

15.16The commissioner is authorized to appoint staff, including ~~two~~ one deputy
15.17~~commissioners~~ commissioner, in accordance with chapter 43A.

15.18 Sec. 9. Minnesota Statutes 2006, section 16C.08, subdivision 2, is amended to read:

15.19 Subd. 2. **Duties of contracting agency.** (a) Before an agency may seek approval
of

15.20a professional or technical services contract valued in excess of \$5,000, it must
provide

15.21the following:

15.22 (1) a description of how the proposed contract or amendment is necessary and
15.23reasonable to advance the statutory mission of the agency;

15.24 (2) a description of the agency's plan to notify firms or individuals who may be
15.25available to perform the services called for in the solicitation; and

15.26 (3) a description of the performance measures or other tools that will be used to
15.27monitor and evaluate contract performance.

15.28 (b) In addition to paragraph (a), the agency must certify that:

15.29 (1) no current state employee is able and available to perform the services called
15.30for by the contract;

15.31 (2) the normal competitive bidding mechanisms will not provide for adequate
15.32performance of the services;

16.1 (3) reasonable efforts will be made to publicize the availability of the contract to
16.2the public;
16.3 (4) the agency will develop and implement a written plan providing for the
16.4assignment of specific agency personnel to manage the contract, including a
monitoring
16.5and liaison function, the periodic review of interim reports or other indications of
past
16.6performance, and the ultimate utilization of the final product of the services;
16.7 (5) the agency will not allow the contractor to begin work before the contract is
fully
16.8executed unless an exception under section 16C.05, subdivision 2a, has been granted
by
16.9the commissioner and funds are fully encumbered;
16.10 (6) the contract will not establish an employment relationship between the state
or
16.11the agency and any persons performing under the contract; ~~and~~
16.12 (7) in the event the results of the contract work will be carried out or continued
by
16.13state employees upon completion of the contract, the contractor is required to
include
16.14state employees in development and training, to the extent necessary to ensure that
after
16.15completion of the contract, state employees can perform any ongoing work related
to the
16.16same function; and
16.17 (8) the agency will not contract out its previously eliminated jobs for four years
16.18without first considering the same former employees who are on the seniority unit
layoff
16.19list who meet the minimum qualifications determined by the agency.
16.20 (c) A contract establishes an employment relationship for purposes of paragraph
(b),
16.21clause (6), if, under federal laws governing the distinction between an employee
and an
16.22independent contractor, a person would be considered an employee.

16.23 Sec. 10. Minnesota Statutes 2006, section 43A.02, is amended by adding a
subdivision
16.24to read:
16.25 Subd. 18a. **Domestic partner.** "Domestic partner" means a person who has
entered
16.26into a committed interdependent relationship with another adult of the same sex,
where
16.27the partners:
16.28(1) are responsible for each other's basic common welfare;
16.29(2) share a common residence and intend to do so indefinitely;
16.30(3) are not related by blood or adoption to an extent that would prohibit marriage in

16.31this state; and
16.32(4) are legally competent and qualified to enter into a contract.
16.33For purposes of this subdivision, domestic partners may share a common residence,
16.34even if:
16.35(1) they do not each have a legal right to possess the residence; or
17.1(2) one or both domestic partners possess additional real property.
17.2If one domestic partner temporarily leaves the common residence with the intention
17.3to return, the domestic partners continue to share a common residence for the
purposes
17.4of this subdivision.

17.5 Sec. 11. Minnesota Statutes 2006, section 43A.03, subdivision 3, is amended to read:

17.6 Subd. 3. **Organization.** The department shall be organized into two bureaus which
17.7shall be designated the Personnel Bureau and the Labor Relations Bureau. Each
bureau
17.8shall be responsible for administering the duties and functions assigned to it by law.
17.9When the duties of the bureaus are not mandated by law, the commissioner may
establish
17.10and revise the assignments of either bureau. ~~Each bureau shall be under the~~
~~direction of~~
17.11~~a deputy commissioner.~~

17.12 Sec. 12. Minnesota Statutes 2006, section 43A.08, subdivision 1, is amended to read:

17.13 Subdivision 1. **Unclassified positions.** Unclassified positions are held by
employees
17.14who are:
17.15 (1) chosen by election or appointed to fill an elective office;
17.16 (2) heads of agencies required by law to be appointed by the governor or other
17.17elective officers, and the executive or administrative heads of departments, bureaus,
17.18divisions, and institutions specifically established by law in the unclassified service;
17.19 (3) deputy ~~and assistant~~ agency heads and one confidential secretary in the
agencies
17.20listed in ~~subdivision 1a and in the Office of Strategic and Long Range Planning~~
~~section~~
17.21~~15.06, subdivision 1;~~
17.22 (4) the confidential secretary to each of the elective officers of this state and, for
the
17.23secretary of state and state auditor, an additional deputy, clerk, or employee;
17.24 (5) intermittent help employed by the commissioner of public safety to assist in
17.25the issuance of vehicle licenses;
17.26 (6) employees in the offices of the governor and of the lieutenant governor and
one
17.27confidential employee for the governor in the Office of the Adjutant General;
17.28 (7) employees of the Washington, D.C., office of the state of Minnesota;

17.29 (8) employees of the legislature and of legislative committees or commissions;
17.30 provided that employees of the Legislative Audit Commission, except for the
legislative
17.31 auditor, the deputy legislative auditors, and their confidential secretaries, shall be
17.32 employees in the classified service;
17.33 (9) presidents, vice-presidents, deans, other managers and professionals in
17.34 academic and academic support programs, administrative or service faculty,
teachers,
18.1 research assistants, and student employees eligible under terms of the federal
Economic
18.2 Opportunity Act work study program in the Perpich Center for Arts Education and
the
18.3 Minnesota State Colleges and Universities, but not the custodial, clerical, or
maintenance
18.4 employees, or any professional or managerial employee performing duties in
connection
18.5 with the business administration of these institutions;
18.6 (10) officers and enlisted persons in the National Guard;
18.7 (11) attorneys, legal assistants, and three confidential employees appointed by the
18.8 attorney general or employed with the attorney general's authorization;
18.9 (12) judges and all employees of the judicial branch, referees, receivers, jurors,
and
18.10 notaries public, except referees and adjusters employed by the Department of Labor
18.11 and Industry;
18.12 (13) members of the State Patrol; provided that selection and appointment of
State
18.13 Patrol troopers must be made in accordance with applicable laws governing the
classified
18.14 service;
18.15 (14) examination monitors and intermittent training instructors employed by the
18.16 Departments of Employee Relations and Commerce and by professional examining
boards
18.17 and intermittent staff employed by the technical colleges for the administration of
practical
18.18 skills tests and for the staging of instructional demonstrations;
18.19 (15) student workers;
18.20 (16) executive directors or executive secretaries appointed by and reporting to
any
18.21 policy-making board or commission established by statute;
18.22 (17) employees unclassified pursuant to other statutory authority;
18.23 (18) intermittent help employed by the commissioner of agriculture to perform
18.24 duties relating to pesticides, fertilizer, and seed regulation;
18.25 (19) the administrators and the deputy administrators at the State Academies for
the
18.26 Deaf and the Blind; and
18.27 (20) chief executive officers in the Department of Human Services.

18.28 Sec. 13. Minnesota Statutes 2006, section 43A.08, subdivision 2a, is amended to read:

18.29 Subd. 2a. **Temporary unclassified positions.** The commissioner, upon request of

18.30an appointing authority, may authorize the temporary designation of a position in the

18.31unclassified service. The commissioner may make this authorization only for professional,

18.32managerial or supervisory positions which are fully anticipated to be of limited duration.

18.33An individual may not be employed by an appointing authority under this subdivision

18.34for more than 18 months.

19.1**EFFECTIVE DATE.**For individuals who are employed under section 43A.08,

19.2subdivision 2a, on the effective date of this section, the 18-month time limit under this

19.3section commences the day following final enactment.

19.4 Sec. 14. Minnesota Statutes 2006, section 43A.24, subdivision 1, is amended to read:

19.5 Subdivision 1. **General.** Employees, including persons on layoff from a civil

19.6service position, and employees who are employed less than full time, shall be eligible

19.7for state paid life insurance and hospital, medical and dental benefits as provided in

19.8collective bargaining agreements or plans established pursuant to section 43A.18. If a

19.9collective bargaining agreement or plan provides state paid health insurance for spouses of

19.10employees, the insurance must be made available to domestic partners of state employees

19.11on the same terms and conditions.

19.12 Sec. 15. Minnesota Statutes 2006, section 43A.346, subdivision 1, is amended to read:

19.13 Subdivision 1. **Definition.** For purposes of this section, "state employee" means a

19.14person currently occupying a civil service position in the executive or legislative

19.15state government, the Minnesota State Retirement System, or the Office of the Legislative

19.16Auditor, or a person employed by the Metropolitan Council.

19.17 Sec. 16. Minnesota Statutes 2006, section 45.013, is amended to read:

19.18**45.013 POWER TO APPOINT STAFF.**

19.19 The commissioner of commerce may appoint ~~four~~ one deputy ~~commissioners,~~

19.20~~assistant commissioners, and an assistant to the commissioner. Those positions, as~~

well as

~~19.21~~that of and a confidential secretary, ~~are~~ in the unclassified service. The commissioner may

~~19.22~~appoint other employees necessary to carry out the duties and responsibilities entrusted to

~~19.23~~the commissioner.

~~19.24~~ Sec. 17. Minnesota Statutes 2006, section 84.01, subdivision 3, is amended to read:

~~19.25~~ Subd. 3. **Employees; delegation.** ~~Subject to the provisions of Laws 1969, chapter 19.26-129, and to other applicable laws~~ The commissioner shall organize the department and

~~19.27~~employ up to three assistant commissioners, each of whom shall serve at the pleasure of

~~19.28~~the commissioner in the unclassified service, one of whom shall have responsibility for

~~19.29~~coordinating and directing the planning of every division within the agency, and such other

~~19.30~~officers, employees, and agents as the commissioner may deem necessary to discharge the

~~19.31~~functions of the department, define the duties of such officers, employees, and agents and

~~19.32~~to delegate to them any of the commissioner's powers, duties, and responsibilities subject

~~20.1~~to the control of, and under the conditions prescribed by, the commissioner.

Appointments

~~20.2~~to exercise delegated power shall be by written order filed with the secretary of state.

~~20.3~~ Sec. 18. Minnesota Statutes 2006, section 116.03, subdivision 1, is amended to read:

~~20.4~~ Subdivision 1. **Office.** (a) The office of commissioner of the Pollution Control

~~20.5~~Agency is created and is under the supervision and control of the commissioner, who is

~~20.6~~appointed by the governor under the provisions of section 15.06.

~~20.7~~ (b) The commissioner may appoint a deputy commissioner ~~and assistant~~

~~20.8~~commissioners who shall be in the unclassified service.

~~20.9~~ (c) The commissioner shall make all decisions on behalf of the agency that are not

~~20.10~~required to be made by the agency under section 116.02.

~~20.11~~ Sec. 19. Minnesota Statutes 2006, section 116J.01, subdivision 5, is amended to read:

~~20.12~~ Subd. 5. **Departmental organization.** (a) The commissioner shall organize the ~~20.13~~department as provided in section 15.06.

~~20.14~~ (b) The commissioner may establish divisions and offices within the department.

~~20.15~~The commissioner may employ four deputy commissioners in the unclassified service.

20.16 (c) The commissioner shall:

20.17 (1) employ assistants and other officers, employees, and agents that the commissioner

20.18considers necessary to discharge the functions of the commissioner's office;

20.19 (2) define the duties of the officers, employees, and agents, and delegate to them any

20.20of the commissioner's powers, duties, and responsibilities, subject to the commissioner's

20.21control and under conditions prescribed by the commissioner.

20.22 (d) The commissioner shall ensure that there are at least three employment and

20.23economic development officers in state offices in nonmetropolitan areas of the state who

20.24will work with local units of government on developing local employment and economic

20.25development.

20.26 Sec. 20. Minnesota Statutes 2006, section 116J.035, subdivision 4, is amended to read:

20.27 Subd. 4. **Delegation of powers.** The commissioner may delegate, in written orders

20.28filed with the secretary of state, any powers or duties subject to the commissioner's

20.29control to officers and employees in the department. Regardless of any other law, the

20.30commissioner may delegate the execution of specific contracts or specific types of

20.31contracts to the commissioner's ~~deputies~~ deputy, an assistant commissioner, or a program

20.32director if the delegation has been approved by the commissioner of administration and

20.33filed with the secretary of state.

21.1 Sec. 21. Minnesota Statutes 2006, section 174.02, subdivision 2, is amended to read:

21.2 Subd. 2. **Unclassified positions.** The commissioner may ~~establish four positions~~

21.3~~in the unclassified service at the~~ appoint a deputy and assistant commissioner;
assistant

21.4~~to commissioner or and a personal secretary levels. No more than two of these~~
positions

21.5~~shall be at the deputy commissioner level~~ in the unclassified service.

21.6 Sec. 22. Minnesota Statutes 2006, section 201.12, is amended to read:

21.7**201.12 PROPER REGISTRATION; VERIFICATION BY MAIL;**

21.8**CHALLENGES.**

21.9 Subdivision 1. **Notice of registration.** To prevent fraudulent voting and to eliminate

21.10excess names, the county auditor may mail to any registered voter a notice stating the

21.11 voter's name and address as they appear in the registration files. The notice shall request

21.12 the voter to notify the county auditor if there is any mistake in the information.

21.13 Subd. 2. ~~Challenges~~ **Moved within state.** If the notice is returned as undeliverable

21.14 ~~but with a permanent forwarding address in this state, the county auditor shall notify the~~

21.15 auditor of the county where the voter resides. Upon receipt of the notice, the county

21.16 auditor shall update the voter's address in the statewide voter registration system and mail

21.17 to the voter the notice of registration required by section 201.121, subdivision 2. The

21.18 notice must advise the voter that the voter's voting address has been changed and that the

21.19 voter must notify the county auditor within 21 days if the new address is not what the

21.20 voter intended to be their permanent address.

21.21 Subd. 3. **Moved out of state.** If the notice is returned as undeliverable but with a

21.22 permanent forwarding address outside this state, the county auditor shall promptly mail

21.23 to the voter at the forwarding address a notice advising the voter that the voter's

21.24 registration in this state will be deleted unless the voter notifies the county auditor within

21.25 21 days that the voter intends to retain the former address as the voter's permanent address.

21.26 If the notice is not received by the deadline, the county auditor shall delete the registration.

21.27 Subd. 4. **Challenges.** ~~Upon return of any nonforwardable mailing from an~~

21.28 ~~election official, the county auditor or the auditor's staff shall ascertain the name and~~

21.29 ~~address of that individual. If the individual is no longer at the address recorded in the~~

21.30 ~~statewide registration system~~ If the notice is returned as undeliverable but with no

21.31 forwarding address, the county auditor shall change the registrant's status to "challenged"

21.32 in the statewide registration system. An individual challenged in accordance with this

21.33 subdivision shall comply with the provisions of section 204C.12, before being allowed to

21.34 vote. If a notice mailed at least 60 days after the return of the first nonforwardable mailing

22.1 is also returned by the postal service, the county auditor shall change the registrant's status

22.2 to "inactive" in the statewide registration system.

22.3 **EFFECTIVE DATE.** This section is effective August 1, 2007.

22.4 Sec. 23. Minnesota Statutes 2006, section 201.13, subdivision 3, is amended to read:

22.5 Subd. 3. **Use of change of address system.** ~~The county auditor may delete the~~
22.6~~records in the statewide registration system of voters whose change of address can be~~
22.7~~confirmed by the United States Postal Service. The secretary of state may provide the~~
22.8~~county auditors with periodic reports on voters whose change of address can be~~
~~confirmed~~

22.9~~by the United States Postal Service.~~ (a) At least once each month the secretary of
state

22.10shall obtain a list of individuals in this state who have filed with the United States
Postal

22.11Service a change of their permanent address. If an individual is registered as a voter
in the

22.12statewide voter registration system and the change is to another address in this state,
the

22.13secretary of state shall transmit the registration by electronic means to the county
auditor

22.14of the county where the voter resides. Upon receipt of the registration, the county
auditor

22.15shall update the voter's address in the statewide voter registration system and mail
to the

22.16voter the notice of registration required by section 201.121, subdivision 2. The
notice

22.17must advise the voter that the voter's permanent address has been changed and that
the

22.18voter must notify the county auditor within 21 days if the new address is not what
the voter

22.19intended to be the voter's permanent address.

22.20 (b) If the change of permanent address is to a forwarding address outside this
state,

22.21the secretary of state shall notify by electronic means the auditor of the county
where the

22.22voter formerly resided that the voter has left the state. The county auditor shall
promptly

22.23mail to the voter at the forwarding address a notice advising the voter that the
voter's voter

22.24registration in this state will be deleted unless the voter notifies the county auditor
within

22.2521 days that the voter intends to retain the former address as the voter's permanent
address.

22.26If the notice is not received by the deadline, the county auditor shall delete the
registration.

22.27**EFFECTIVE DATE.** This section is effective March 1, 2008.

22.28 Sec. 24. Minnesota Statutes 2006, section 201.161, is amended to read:

**22.29201.161 AUTOMATIC REGISTRATION OF DRIVER'S LICENSE,
22.30INSTRUCTION PERMIT, AND IDENTIFICATION CARD APPLICATIONS
22.31APPLICANTS.**

22.32 Subdivision 1. **Automatic registration.** An individual who properly completes
22.33an application for a new or renewed Minnesota driver's license, instruction permit,
or

23.1identification card, and who is eligible to vote under section 201.014, must be
registered to

23.2vote as provided in this section, unless the applicant declines to be registered.

23.3 Subd. 2. **Applications.** The Department commissioner of public safety, in
23.4consultation with the secretary of state, shall change its the applications for an
original,

23.5duplicate, or change of address driver's license, instruction permit, or identification
card so

23.6that the forms may also serve as voter registration applications. The forms must
contain

23.7spaces for all information collected by voter registration applications prescribed by
the

23.8secretary of state and a box for the applicant to decline to be registered to vote.

~~Applicants~~

23.9for driver's licenses or identification cards must be asked if they want to register to
vote

23.10at the same time and that Unless the applicant has declined to be registered to vote,
the

23.11commissioner shall transmit the information ~~must be transmitted at least weekly~~
daily by

23.12electronic means to the secretary of state. Pursuant to the Help America Vote Act of
2002,

23.13Public Law 107-252, the computerized driver's license record containing the voter's
name,

23.14address, date of birth, citizenship, driver's license number or state identification
number,

23.15county, town, and city or town, and signature must be made available for access by
the

23.16secretary of state and interaction with the statewide voter registration system.

23.17 Subd. 3. **Registration.** (a) The secretary of state shall determine whether the

23.18applicant is currently registered in the statewide voter registration system. For each

23.19currently registered voter whose registration is not changed, the secretary of state
shall

23.20update the voter's registration date in the statewide voter registration system. For
each

23.21currently registered voter whose registration is changed, the secretary of state shall

23.22transmit the registration daily by electronic means to the county auditor of the
county

23.23where the voter resides.

23.24 (b) If the applicant is not currently registered in the statewide voter registration

23.25system, the secretary of state shall determine whether the applicant is 18 years of age or
23.26older and a citizen of the United States and compare the voter registration information
23.27received from the commissioner of public safety with the information on wards,
23.28incompetents, and felons received from the state court administrator under sections
201.15
23.29and 201.155, to determine whether the applicant is eligible to vote. If an applicant is
23.30less than 18 years of age, the secretary of state shall wait until the applicant has
turned
23.3118 years of age to determine whether the applicant is eligible to vote. For each
applicant
23.32the secretary of state determines is an eligible voter, the secretary of state shall
transmit
23.33the registration daily by electronic means to the county auditor of the county where
the
23.34voter resides.
23.35 Subd. 4. **Notice.** Upon receipt of the registration, the county auditor shall mail to
23.36the voter the notice of registration required by section 201.121, subdivision 2.
24.1 Subd. 5. **Registrations dated 20 days or less before election.** An application for
24.2registration that is dated during the 20 days before an election in any jurisdiction
within
24.3which the voter resides is not effective until the day after the election.
24.4**EFFECTIVE DATE.** An applicant for a Minnesota driver's license, instruction
24.5permit, or identification card must not be registered to vote under this section until
the
24.6secretary of state has certified that the system for automatic registration of those
applicants
24.7has been tested and shown to properly determine whether an applicant is eligible to
vote.

24.8 Sec. 25. Minnesota Statutes 2006, section 241.01, subdivision 2, is amended to
read:

24.9 Subd. 2. ~~**Divisions; deputies**~~ **Deputy.** The commissioner of corrections may
24.10appoint and employ ~~no more than two~~ a deputy ~~commissioners~~ commissioner. The
24.11commissioner may also appoint a personal secretary, who shall serve at the
commissioner's
24.12pleasure in the unclassified civil service.

24.13 Sec. 26. Minnesota Statutes 2006, section 270B.14, is amended by adding a
24.14subdivision to read:

24.15 Subd. 19. **Disclosure to Department of Finance.** The commissioner may
disclose
24.16to the commissioner of finance returns or return information necessary in order to
prepare
24.17a revenue forecast under section 16A.103.

24.18 Sec. 27. Minnesota Statutes 2006, section 302A.821, subdivision 4, is amended to read:

24.19 Subd. 4. **Penalty; reinstatement.** (a) A corporation that has failed to file a
24.20 registration pursuant to the requirements of subdivision 2 must be dissolved by the
24.21 secretary of state as described in paragraph (b).

24.22 (b) If the corporation has not filed the registration ~~for two consecutive~~ during
24.23 any calendar year, the secretary of state must issue a certificate of
administrative

24.24 dissolution and the certificate must be filed in the Office of the Secretary of State.
The

24.25 ~~secretary of state shall send notice to the corporation that the corporation has been~~
24.26 ~~dissolved and that the corporation may be reinstated by filing a registration and a~~
~~\$25 fee.~~

24.27 ~~The notice must be given by United States mail unless the company has indicated to~~
the

24.28 ~~secretary of state that they are willing to receive notice by electronic notification, in~~
which

24.29 ~~case the secretary of state may give notice by mail or the indicated means. The~~
secretary

24.30 ~~of state shall annually inform the attorney general and the commissioner of revenue~~
of

24.31 ~~the methods by which the names of corporations dissolved under this section during~~
the

24.32 ~~preceding year may be determined. The secretary of state must also make available~~
in

24.33 an electronic format the names of the dissolved corporations. A corporation
dissolved in

25.1 this manner is not entitled to the benefits of section 302A.781. The liability, if any, of
the

25.2 shareholders of a corporation dissolved in this manner shall be determined and
limited in

25.3 accordance with section 302A.557, except that the shareholders shall have no
liability to

25.4 any director of the corporation under section 302A.559, subdivision 2.

25.5 (c) After administrative dissolution, filing a registration and the \$25 fee with the
25.6 secretary of state:

25.7 (1) returns the corporation to good standing as of the date of the dissolution;

25.8 (2) validates contracts or other acts within the authority of the articles, and the
25.9 corporation is liable for those contracts or acts; and

25.10 (3) restores to the corporation all assets and rights of the corporation to the extent
25.11 they were held by the corporation before the dissolution occurred, except to the
extent that

25.12 assets or rights were affected by acts occurring after the dissolution or sold or
otherwise

25.13 distributed after that time.

25.14EFFECTIVE DATE. This section is effective January 1, 2008.

25.15 Sec. 28. Minnesota Statutes 2006, section 321.0206, is amended to read:

**25.16321.0206 DELIVERY TO AND FILING OF RECORDS BY SECRETARY OF
25.17STATE; EFFECTIVE TIME AND DATE.**

25.18 (a) A record authorized or required to be delivered to the secretary of state for filing

25.19under this chapter must be captioned to describe the record's purpose, be in a medium

25.20permitted by the secretary of state, and be delivered to the secretary of state. Unless the

25.21secretary of state determines that a record does not comply with the filing requirements

25.22of this chapter, and if the appropriate filing fees have been paid, the secretary of state

25.23shall file the record and:

25.24 (1) for a statement of dissociation, send:

25.25 (A) a copy of the filed statement to the person which the statement indicates has
25.26dissociated as a general partner; and

25.27 (B) a copy of the filed statement to the limited partnership;

25.28 (2) for a statement of withdrawal, send:

25.29 (A) a copy of the filed statement to the person on whose behalf the record was
25.30filed; and

25.31 (B) if the statement refers to an existing limited partnership, a copy of the filed
25.32statement to the limited partnership; and

25.33 (3) for all other records, send a copy of the filed record to the person on whose
25.34behalf the record was filed.

26.1 (b) Upon request and payment of a fee, the secretary of state shall send to the
26.2requester a certified copy of the requested record.

26.3 (c) Except as otherwise provided in sections 321.0116 and 321.0207, a record
26.4delivered to the secretary of state for filing under this chapter may specify an effective

26.5time and a delayed effective date. Except as otherwise provided in this chapter, a record

26.6filed by the secretary of state is effective:

26.7 (1) if the record does not specify an effective time and does not specify a delayed
26.8effective date, on the date and at the time the record is filed as evidenced by the secretary

26.9of state's endorsement of the date and time on the record;

26.10 (2) if the record specifies an effective time but not a delayed effective date, on the

26.11date the record is filed at the time specified in the record;

26.12 (3) if the record specifies a delayed effective date but not an effective time, at 12:01

26.13a.m. on the earlier of:

26.14 (A) the specified date; or

26.15 (B) the 30th day after the record is filed; or
26.16 (4) if the record specifies an effective time and a delayed effective date, at the
26.17 specified time on the earlier of:
26.18 (A) the specified date; or
26.19 (B) the 30th day after the record is filed.
26.20 (d) The appropriate fees for filings under this chapter are:
26.21 (1) for filing a certificate of limited partnership, \$100;
26.22 (2) for filing an amended certificate of limited partnership, \$50;
26.23 (3) for filing any other record, other than the annual report required by section
26.24 321.0210, for which no fee must be charged, required or permitted to be delivered
for
26.25 filing, \$35;
26.26 (4) for filing a certificate requesting authority to transact business in Minnesota
as a
26.27 foreign limited partnership, \$85;
26.28 (5) for filing an application of reinstatement, \$25; ~~and~~
26.29 (6) for filing a name reservation for a foreign limited partnership name, \$35; and
26.30 (7) for filing any other record, other than the annual report required by section
26.31 321.0210, for which no fee must be charged, required or permitted to be delivered
for
26.32 filing on a foreign limited partnership authorized to transact business in Minnesota,
\$50.

26.33 Sec. 29. Minnesota Statutes 2006, section 336.1-110, is amended to read:
26.34 **336.1-110 UNIFORM COMMERCIAL CODE ACCOUNT.**
27.1 The Uniform Commercial Code account is established as an account in the state
27.2 treasury. Fees that are not expressly set by statute but are charged by the secretary of
state
27.3 to offset the costs of providing a service under this chapter must be deposited in the
state
27.4 treasury and credited to the Uniform Commercial Code account.
27.5 Fees that are not expressly set by statute but are charged by the secretary of state
27.6 to offset the costs of providing information contained in the computerized records
27.7 maintained by the secretary of state must be deposited in the state treasury and
credited to
27.8 the Uniform Commercial Code account.
27.9 Money in the Uniform Commercial Code account is continuously appropriated to
the
27.10 secretary of state to implement and maintain the central filing system under this
chapter,
27.11 to provide, improve, and expand other online or remote lien and business entity
filing,
27.12 retrieval, and payment method services provided by the secretary of state, and to
provide
27.13 electronic access to other computerized records maintained by the secretary of state.

27.14 Sec. 30. Minnesota Statutes 2006, section 336.9-525, is amended to read:

27.15336.9-525 FEES.

27.16 (a) Initial financing statement or other record: general rule. Except as otherwise

27.17provided in subsection (d), the fee for filing and indexing a record under this part
delivered

27.18on paper is \$20 and for a record delivered by any electronic means is \$15. \$5 of the
27.19fee collected for each filing made online must be deposited in the uniform
commercial

27.20code account.

27.21 (b) Number of names. The number of names required to be indexed does not

27.22affect the amount of the fee in subsection (a).

27.23 (c) Response to information request. The fee for responding to a request for

27.24information from the filing office, including for issuing a certificate showing
whether there

27.25is on file any financing statement naming a particular debtor, ~~delivered on paper~~ is
\$20

27.26and for a record delivered by any electronic means is \$15. \$5 of the fee collected for
each

27.27request delivered online must be deposited in the uniform commercial code
account.

27.28 (d) Record of mortgage. This section does not require a fee with respect to a
record

27.29of a mortgage which is effective as a financing statement filed as a fixture filing or
as a

27.30financing statement covering as-extracted collateral or timber to be cut under
section

27.31336.9-502(c) . However, the recording and satisfaction fees that otherwise would be
27.32applicable to the record of the mortgage apply.

27.33 Sec. 31. Minnesota Statutes 2006, section 517.08, subdivision 1b, is amended to
read:

28.1 Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar

28.2shall examine upon oath the party applying for a license relative to the legality of the

28.3contemplated marriage. If at the expiration of a five-day period, on being satisfied
that

28.4there is no legal impediment to it, including the restriction contained in section
259.13, the

28.5local registrar shall issue the license, containing the full names of the parties before
and

28.6after marriage, and county and state of residence, with the county seal attached, and
make a

28.7record of the date of issuance. The license shall be valid for a period of six months.
In case

28.8of emergency or extraordinary circumstances, a judge of the district court of the
county in

28.9which the application is made, may authorize the license to be issued at any time

before

28.10the expiration of the five days. Except as provided in paragraph (b), the local registrar shall

28.11collect from the applicant a fee of ~~\$100~~ \$110 for administering the oath, issuing, recording,

28.12and filing all papers required, and preparing and transmitting to the state registrar of vital

28.13statistics the reports of marriage required by this section. If the license should not be used

28.14within the period of six months due to illness or other extenuating circumstances, it may

28.15be surrendered to the local registrar for cancellation, and in that case a new license shall

28.16issue upon request of the parties of the original license without fee. A local registrar who

28.17knowingly issues or signs a marriage license in any manner other than as provided in this

28.18section shall pay to the parties aggrieved an amount not to exceed \$1,000.

28.19 (b) The marriage license fee for parties who have completed at least 12 hours of

28.20premarital education is ~~\$30~~ \$40. In order to qualify for the reduced license fee, the

28.21parties must submit at the time of applying for the marriage license a signed and dated

28.22statement from the person who provided the premarital education confirming that it was

28.23received. The premarital education must be provided by a licensed or ordained minister

28.24or the minister's designee, a person authorized to solemnize marriages under section

28.2517.18 , or a person authorized to practice marriage and family therapy under section

28.26148B.33 . The education must include the use of a premarital inventory and the teaching of

28.27communication and conflict management skills.

28.28 (c) The statement from the person who provided the premarital education under

28.29paragraph (b) must be in the following form:

28.30 "I, (name of educator), confirm that (names of both parties) received at least 12

28.31hours of premarital education that included the use of a premarital inventory and the

28.32teaching of communication and conflict management skills. I am a licensed or ordained

28.33minister, a person authorized to solemnize marriages under Minnesota Statutes, section

28.3417.18 , or a person licensed to practice marriage and family therapy under Minnesota

28.35Statutes, section 148B.33."

29.1 The names of the parties in the educator's statement must be identical to the legal

29.2names of the parties as they appear in the marriage license application.

Notwithstanding

29.3section 138.17, the educator's statement must be retained for seven years, after which
29.4time it may be destroyed.

29.5 (d) If section 259.13 applies to the request for a marriage license, the local
29.6registrar

29.6shall grant the marriage license without the requested name change. Alternatively,
29.7the local

29.7registrar may delay the granting of the marriage license until the party with the
29.8conviction:

29.8 (1) certifies under oath that 30 days have passed since service of the notice for a
29.9name change upon the prosecuting authority and, if applicable, the attorney general
29.10and no

29.10objection has been filed under section 259.13; or

29.11 (2) provides a certified copy of the court order granting it. The parties seeking the
29.12marriage license shall have the right to choose to have the license granted without
29.13the

29.13name change or to delay its granting pending further action on the name change
29.14request.

29.14 Sec. 32. Minnesota Statutes 2006, section 517.08, subdivision 1c, is amended to
29.15read:

29.15 Subd. 1c. **Disposition of license fee.** (a) Of the marriage license fee collected
29.16pursuant to subdivision 1b, paragraph (a), ~~\$15~~ \$25 must be retained by the county.
29.17The

29.17local registrar must pay \$85 to the commissioner of finance to be deposited as
29.18follows:

29.18 (1) \$50 in the general fund;

29.19 (2) \$3 in the special revenue fund to be appropriated to the commissioner of
29.20education for parenting time centers under section 119A.37;

29.21 (3) \$2 in the special revenue fund to be appropriated to the commissioner of
29.22health

29.22for developing and implementing the MN ENABL program under section
29.23145.9255;

29.23 (4) \$25 in the special revenue fund is appropriated to the commissioner of
29.24employment and economic development for the displaced homemaker program
29.25under

29.25section 116L.96; and

29.26 (5) \$5 in the special revenue fund is appropriated to the commissioner of human
29.27services for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative
29.28under

29.28section 256.742.

29.29 (b) Of the ~~\$30~~ \$40 fee under subdivision 1b, paragraph (b), ~~\$15~~ \$25 must be
29.30retained

29.30by the county. The local registrar must pay \$15 to the commissioner of finance to
29.31be

29.31deposited as follows:

29.32 (1) \$5 as provided in paragraph (a), clauses (2) and (3); and

29.33 (2) \$10 in the special revenue fund is appropriated to the commissioner of
29.34employment and economic development for the displaced homemaker program
under

29.35section 116L.96.

30.1 (c) The increase in the marriage license fee under paragraph (a) provided for in
Laws

30.22004, chapter 273, and disbursement of the increase in that fee to the special fund for
the

30.3Minnesota Healthy Marriage and Responsible Fatherhood Initiative under paragraph
(a),

30.4clause (5), is contingent upon the receipt of federal funding under United States
Code, title

30.542, section 1315, for purposes of the initiative.

30.6 Sec. 33. Laws 2005, First Special Session chapter 1, article 4, section 121, is
amended

30.7to read:

30.8 Sec. 121. **SESQUICENTENNIAL COMMISSION.**

30.9 Subdivision 1. **Commission; purpose.** The Minnesota Sesquicentennial

30.10Commission is established to plan for activities relating to Minnesota's 150th
anniversary

30.11of statehood. The commission shall create a plan for capital improvements,
celebratory

30.12activities, and public engagement in every county in the state of Minnesota.

30.13 Subd. 2. **Membership.** The commission shall consist of 17 members who shall
30.14serve until the completion of the sesquicentennial year of statehood, appointed as
follows:

30.15 (1) nine members appointed by the governor, representing major corporate,
30.16nonprofit, and public sectors of the state, selected from all parts of the state;

30.17 (2) two members appointed by the speaker of the house of representatives;

30.18 (3) two members appointed by the minority leader of the house of
representatives;

30.19 (4) two members from the majority party in the senate, appointed by the
30.20Subcommittee on Committees; and

30.21 (5) two members from the minority party in the senate, appointed by the
30.22Subcommittee on Committees.

30.23 Subd. 3. **Compensation; operation.** Members shall select a chair from the
30.24membership of the commission. The chair shall convene all meetings and set the
agenda

30.25for the commission. The Minnesota Historical Society shall provide office space
and staff

30.26support for the commission, and shall cooperate with the University of Minnesota
and

30.27Minnesota State Colleges and Universities to support the programs of the
commission.

30.28Meetings shall be at the call of the chair. The commission may appoint an advisory

30.29 council to advise and assist the commission with its duties. Members shall receive no

30.30 compensation for service on the Sesquicentennial Commission. Members appointed by

30.31 the governor may be reimbursed for expenses under Minnesota Statutes, section 15.059,

30.32 subdivision 3 .

30.33 Subd. 4. **Duties.** The commission shall have the following duties:

31.1 (1) to present to the governor and legislature a plan for capital grants to pay for
31.2 capital improvements on Minnesota's historic public and private buildings, to be known as

31.3 sesquicentennial grants;

31.4 (2) to seek funding for activities to celebrate the 150th anniversary of statehood, and

31.5 to form partnerships with private parties to further this mission; and

31.6 (3) to present an annual report to the governor and legislature outlining progress
31.7 made towards the celebration of the sesquicentennial.

31.8 Subd. 4a. **Powers.** (a) The commission may accept gifts, grants, and other donations

31.9 and revenues, either in cash or in-kind. These gifts, grants, and donations are accepted on

31.10 behalf of the state and constitute donations to the state of Minnesota. Funds received under

31.11 this subdivision are appropriated to the commission for the purpose of commemorating

31.12 the Minnesota sesquicentennial.

31.13 (b) The commission may enter into contracts and award grants to carry out its
31.14 purposes.

31.15 Subd. 5. **Commemorative coin.** The commission may arrange for design,
31.16 production, distribution, marketing, and sale of a commemorative coin. Proceeds from

31.17 sale of the commemorative coin are appropriated to the commission.

31.18 Subd. 6. **Expiration.** The commission shall continue to operate until January 30,
31.19 2009, at which time it shall expire.

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

31.21 Sec. 34. **DEPARTMENT OF EMPLOYEE RELATIONS ABOLISHED; DUTIES**

31.22 **TRANSFERRED.**

31.23 (a) The Department of Employee Relations and the position of the commissioner
31.24 of employee relations are abolished as of June 1, 2008. Duties of the Department of
31.25 Employee Relations and the commissioner of employee relations are transferred on
or

31.26 before June 1, 2008, to the commissioner of finance, except as follows:

31.27 (1) duties relating to administration of the state employees workers' compensation
31.28 program are transferred on or before June 1, 2008, to the commissioner of

administration;

31.29and

31.30(2) duties relating to health care purchasing improvement under Minnesota Statutes,

31.31section 43A.312, are transferred on or before June 1, 2008, to the commissioner of health.

31.32 (b) The commissioner of employee relations, in consultation with the commissioner

31.33of finance, may specify one or more dates before June 1, 2008, on which any or all of the

31.34transfers provided in paragraph (a) will occur.

32.1(c) The governor may, in consultation with the commissioner of employee relations,

32.2the commissioner of finance, the commissioner of administration, and the director of the

32.3Office of Enterprise Technology, transfer other duties of the Department of Employee

32.4Relations to other state agencies in order to most effectively and efficiently accomplish the

32.5reorganization required by this act.

32.6(d) Transfer of duties under this section is subject to Minnesota Statutes, section

32.715.039.

32.8(e) In addition to any other protection, no employee in the classified service shall

32.9suffer job loss, have a salary reduced, or have employment benefits reduced as a result of

32.10a reorganization mandated or recommended under authority of this section. No action

32.11taken after June 1, 2009, shall be considered a result of reorganization for the purposes

32.12of this section.

32.13EFFECTIVE DATE.This section is effective the day following final enactment.

32.14 Sec. 35. **STATE BUDGET TRENDS STUDY COMMISSION.**

32.15 (a) The State Budget Trends Study Commission is established for the purpose

32.16of completing a study of the implications of state demographic trends for future state

32.17budget conditions, including both expected revenue collections and spending for state

32.18government services and local services supported by state revenues. The commission

32.19shall consist of 15 public members, including five members appointed by the governor;

32.20five members appointed by the senate Subcommittee on Committees of the Committee

32.21on Rules and Administration; four members appointed by the speaker of the house of

32.22representatives; and one member appointed by the minority leader of the house of

32.23representatives. The respective appointing authorities must complete their

appointments

32.24 under this section within 30 days of the effective date of this section. The commissioner of

32.25 finance must convene the commission within 30 days of the completion of appointments

32.26 under this section. The members shall select their chair at the first meeting. When making

32.27 appointments under this section, the appointing authorities must consider the education

32.28 and expertise of appointees in fields such as public finance, demography, and public

32.29 administration.

32.30 (b) Per diem and expense payments to members, removal of members, and vacancies

32.31 are governed by Minnesota Statutes, section 15.059.

32.32 (c) The commissioners of finance and revenue must provide data, analysis, and staff

32.33 support required by the commission to complete the study, including, but not limited to,

32.34 the effect of expected demographic changes over the next 25 years on state tax bases and

32.35 on existing state programs and appropriations. In preparing the study, the commission

33.1 shall consult with and use the services of the state demographer to estimate the changing

33.2 profile of the Minnesota population by age and other factors relevant to the study. The

33.3 commission may also contract with appropriate consultants and experts as needed to

33.4 complete the study.

33.5 (d) In completing the study, the commission must consider:

33.6 (1) the effect of expected demographic changes over the next 25 years on the tax

33.7 base and revenue collections for state income and sales tax, or other state taxes;

33.8 (2) estimates of tax revenue collections for the years 2012, 2017, 2022, 2027, and

33.9 2032, taking into account the sensitivity of the results for changes in estimated migration

33.10 rates, labor force participation by older individuals, and other shares of capital versus labor;

33.11 (3) the effect of demographic trends on entitlement programs and other large state

33.12 appropriations relative to current budget commitments;

33.13 (4) relative trends in spending for state programs including trends identified in the

33.14 fast growing expenditures report completed under Minnesota Statutes, section 16A.103,

33.15 subdivision 4; and

33.16 (5) the structure of the state budget with regard to budget stability and flexibility.

33.17 (e) The commission may make recommendations for state tax or budget policy

33.18 changes, including recommendations for changes in tax base, mix of tax types, state
33.19 and local finance relationships, entitlements, or budget structure. The commission
shall

33.20 present preliminary results to the chairs of the legislative committees with
jurisdiction

33.21 over finance and taxes by February 1, 2008, and a final written report to the same
chairs by

33.22 January 15, 2009, in compliance with Minnesota Statutes, sections 3.195 and 3.197.

33.23 (f) This section expires on June 30, 2009.

33.24 Sec. 36. **MINNESOTA COMMISSION ON NEW AMERICANS.**

33.25 Subdivision 1. **Commission established.** The Minnesota Commission on New

33.26 Americans is established to identify the strengths of the immigrant community in

33.27 Minnesota. The commission shall identify the underutilized resources within the

33.28 immigrant community and make recommendations to the legislature and state
agencies

33.29 to facilitate the full participation of immigrants in social, cultural, and economic life
in

33.30 this state.

33.31 Subd. 2. **Membership.** (a) The Minnesota Commission on New Americans
consists

33.32 of ten members. The governor shall appoint two public members; the Subcommittee
on

33.33 Committees of the Committee on Rules and Administration of the senate shall
appoint

33.34 two public members and two senators, one from the majority party and one from the

33.35 minority party; and the speaker of the house of representatives shall appoint two
public

34.1 members and two members of the house of representatives, one from the majority
party

34.2 and one from the minority party.

34.3 (b) Public members must have experience in working with the immigrant

34.4 community, including training, special skills, and experience that would benefit the

34.5 commission, such as training and experience in business, management, economics,
public

34.6 policy, legal affairs, and social work. The appointing authorities are encouraged to
consult

34.7 with business and business trade organizations in the state and appoint public
members

34.8 who include:

34.9 (1) a business executive or employer with policy making or hiring authority,

34.10 including the owner, chief executive, or operating officer of a business in this state;

or

34.11 (2) a representative of a private business with employment opportunities that

reflect

34.12 the employment opportunities available within the state.

34.13 The appointing authorities shall seek to collaborate with each other and with the councils

34.14 established in Minnesota Statutes, sections 3.9223, 3.9225, and 3.9226, to ensure that the

34.15 public membership of the commission is ethnically and geographically diverse and is

34.16 reasonably balanced by gender.

34.17 (c) Compensation and expenses for public members are as provided in Minnesota
34.18 Statutes, section 15.0575.

34.19 (d) The appointments required under this subdivision must be completed no later
34.20 than September 1, 2007.

34.21 Subd. 3. **Organization.** As soon as possible after the appointments under
34.22 subdivision 2 have been completed, the executive director of the Legislative
Coordinating

34.23 Commission shall convene the first meeting of the commission. The members of the
34.24 commission shall select their chairperson at the first meeting.

34.25 Subd. 4. **Duties.** The Minnesota Commission on New Americans shall study and
34.26 consider opportunities to:

34.27 (1) take steps to address the underutilization of the New American workforce in
34.28 the state's economy;

34.29 (2) develop entrepreneurial and business opportunities to enhance and promote
the

34.30 current and future economic endeavors of New Americans;

34.31 (3) identify means to enhance and expand the state's trade relations with other
34.32 regions and countries through the relationship, language, and cultural assets of New
34.33 Americans; and

34.34 (4) improve the economic and social condition of Minnesota's newest Americans
34.35 including, but not limited to, education for New American children and adults,
access to

34.36 state and nonprofit programs and services, and integration into civic life in the state.

35.1 By December 1, 2008, the commission shall report to the chairs of the legislative
35.2 committees and divisions with jurisdiction over issues affecting immigrants. The
35.3 report must include a discussion of the items listed in this subdivision together with
35.4 recommendations for state agencies and the legislature, including any proposed
legislation

35.5 necessary to accomplish the recommendations. The executive director of the
Legislative

35.6 Coordinating Commission shall ensure that copies of the report are available on the
35.7 Legislative Coordinating Commission's Web site.

35.8 Subd. 5. **Expiration.** This section expires on June 30, 2009.

35.9 Sec. 37. **ELECTRONIC DATA STUDY AND REPORT.**

35.10 Subdivision 1. **Study.** The chief information officer, in consultation with the
35.11 state archivist and the legislative reference librarian, shall study how government
data

35.12 as defined in Minnesota Statutes, section 13.02, hardware, software, and media can

be

35.13 created, maintained, exchanged, and preserved by the state to ensure access, competition,

35.14 and interoperability. The evaluation must consider, but not be limited to, the policies of

35.15 other states and nations with regard to electronic records management guidelines for

35.16 state archives, including policies and procedures needed to preserve all state data no

35.17 matter what its medium of storage, public access to information, expected storage life of

35.18 electronic data, costs of implementation, and potential cost savings. The chief information

35.19 officer shall solicit comments from stakeholders, including, but not limited to: the

35.20 legislative auditor, the attorney general, records management professionals, librarians,

35.21 the media, state services for the blind, and historians, including representatives of the

35.22 Minnesota Historical Society. The chief information officer shall also solicit comments

35.23 from members of the public. The chief information officer shall, in consultation with

35.24 stakeholders, identify what changes, if any, should be made to the government records

35.25 management provisions in Minnesota Statutes, sections 138.17 to 138.226.

35.26 Subd. 2. **Report.** The chief information officer shall report the officer's findings

35.27 and recommendations to the chairs of the senate State and Local Government Operations

35.28 and Oversight Committee, house of representatives Governmental Operations, Reform,

35.29 Technology and Elections Committee, and the senate and house of representatives State

35.30 Government Finance Divisions by January 15, 2008.

35.31 Sec. 38. **VOLUNTARY UNPAID LEAVE OF ABSENCE.**

35.32(a) Appointing authorities in state government may allow each employee to take

35.33 unpaid leaves of absence for up to 1,040 hours between July 1, 2007, and June 30, 2009.

35.34 Each appointing authority approving such a leave shall allow the employee to continue

36.1 accruing vacation and sick leave, be eligible for paid holidays and insurance benefits,

36.2 accrue seniority, and, if payments are made under paragraph (b), accrue service credit

36.3 and credited salary in the state retirement plans as if the employee had actually been

36.4 employed during the time of leave. An employee covered by the unclassified plan may

36.5 voluntarily make the employee contributions to the unclassified plan during the leave of

36.6absence. If the employee makes these contributions, the appointing authority must make
36.7the employer contribution. If the leave of absence is for one full pay period or longer,
36.8any holiday pay shall be included in the first payroll warrant after return from the
leave of
36.9absence. The appointing authority shall attempt to grant requests for the unpaid
leaves of
36.10absence consistent with the need to continue efficient operation of the agency.
However,
36.11each appointing authority shall retain discretion to grant or refuse to grant requests
for
36.12leaves of absence and to schedule and cancel leaves, subject to the applicable
provisions
36.13of collective bargaining agreements and compensation plans.
36.14(b) To receive eligible service credit and credited salary in a defined benefit plan,
the
36.15member shall pay an amount equal to the applicable employee contribution rates. If
an
36.16employee pays the employee contribution for the period of the leave under this
section,
36.17the appointing authority must pay the employer contribution. The appointing
authority
36.18may, at its discretion, pay the employee contributions. Contributions must be made
in a
36.19time and manner prescribed by the executive director of the applicable pension
plan.
36.20**EFFECTIVE DATE.**This section is effective the day following final enactment.

36.21 Sec. 39. **REVISOR'S INSTRUCTION.**

36.22In the next and subsequent editions of Minnesota Statutes and Minnesota Rules, the
36.23revisor of statutes must replace references to the Department of Employee Relations
and
36.24commissioner of employee relations with references to the appropriate department
and
36.25commissioner specified in section 8. The revisor of statutes, in consultation with
affected
36.26commissioners of state agencies, must prepare a bill for introduction in the 2008
legislative
36.27session making other statutory changes needed to implement or conform with
section 8.
36.28**EFFECTIVE DATE.**This section is effective the day following final enactment.

36.29 Sec. 40. **REPEALER.**

36.30(a) Minnesota Statutes 2006, sections 43A.03, subdivision 4; and 43A.08,
36.31subdivision 1b, are repealed.
36.32(b) Laws 2006, chapter 253, section 22, is repealed.

