

CHAPTER 4--S.F.No. 1

*An act relating to the operation of state government; appropriating money for the legislature, governor's office, state auditor, attorney general, secretary of state, certain agencies, boards, councils, and retirement funds; changing provisions in state government operations; changing provisions in military affairs and veterans affairs, campaign finance, and elections; providing for the sale and regulation of intoxicating liquor; amending Minnesota Statutes 2016, sections 3.305, subdivision 1; 3.8843, subdivision 7; 3.971, subdivisions 2, 6; 3.972, by adding a subdivision; 3.98, subdivisions 1, 4; 3.987, subdivision 1; 6.481, subdivisions 3, 6; 6.56, subdivision 2; 6.581, subdivision 4; 10A.01, subdivisions 12, 16; 10A.025, subdivision 1a; 10A.04, by adding a subdivision; 10A.071, subdivision 1; 10A.09, subdivisions 5, 6; 10A.15, by adding a subdivision; 10A.20, subdivision 3; 10A.25, subdivision 2; 10A.27, by adding subdivisions; 10A.31, by adding a subdivision; 10A.323; 15.0145, subdivision 5; 15A.083, subdivisions 6a, 7; 16A.90; 16B.055, subdivision 1; 16B.2405; 16B.4805, subdivision 2; 16E.0466; 43A.17, subdivision 11; 43A.24, by adding a subdivision; 85.0505, by adding a subdivision; 138.081; 138.665, subdivisions 2, 3; 138.69; 155A.30, subdivision 5; 190.19, subdivisions 2, 2a; 196.05, subdivision 1; 197.236, subdivision 9; 197.791, subdivisions 2, 3, 4, 5, 5a; 270.44; 270.45; 290.0681, subdivisions 1, 2, 7, 9; 340A.22, subdivisions 1, 2; 340A.24, subdivision 3; 340A.28, subdivision 1; 340A.301, by adding a subdivision; 340A.315, subdivision 7; 340A.504, subdivision 6; 349A.08, subdivision 2; 349A.10, subdivision 6; 352D.06, subdivision 1; 353.27, subdivision 3c; 353.505; 471.193, subdivision 6; 508.12, subdivision 1; 518A.79, by adding a subdivision; Laws 1999, chapter 202, section 13, as amended; Laws 2016, chapter 127, section 8; Laws 2017, **chapter 21, sections 1, subdivision 2; 3, subdivision 2**; proposing coding for new law in Minnesota Statutes, chapters 3; 6; 10A; 15; 16B; 118A; 134A; 197; 206; 270; 340A; repealing Minnesota Statutes 2016, sections 6.581, subdivision 1; 204B.48; 349A.08, subdivision 3; Laws 2001, chapter 193, section 10, as amended; Laws 2013, chapter 137, article 4, section 6; Minnesota Rules, parts 4501.0300, subpart 3; 4501.0500, subpart 2; 4503.0200, subpart 6; 4503.0300, subpart 4; 4503.0400, subpart 1; 4503.0500, subparts 5, 8; 4503.0700, subparts 2, 3; 4503.1300, subpart 5; 4503.1400, subparts 8, 9; 4503.1450, subparts 1, 3; 4503.1600; 4503.1700; 4503.1800; 4505.0100, subpart 3; 4505.0900, subparts 2, 3, 4, 5, 6, 7; 4511.0500, subpart 2; 4512.0100, subparts 2, 4, 5; 4525.0210, subpart 1.*

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

ARTICLE 1**STATE GOVERNMENT APPROPRIATIONS****Section 1. APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2018" and "2019" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively. "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium" is fiscal years 2018 and 2019.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2018</u>	<u>2019</u>

Department of Administration, who shall review and comment on the proposal within 60 days. By October 31 of each year, each commission shall submit an annual report to the state historic preservation officer. The report must summarize the commission's activities, including designations, reviews, and other activities during the previous 12 months.

EFFECTIVE DATE. This section is effective March 1, 2018.

Sec. 47. Minnesota Statutes 2016, section 508.12, subdivision 1, is amended to read:

Subdivision 1. **Examiner and deputy examiner.** The judges of the district court shall appoint a competent attorney in each county within their respective districts to be an examiner of titles and legal adviser to the registrar in said county, to which examiner all applications to register title to land are referred without further order, and may appoint attorneys to serve as deputy examiners who shall act in the name of the examiner and under the examiner's supervision and control, and the deputy's acts shall be the acts of the examiners. The examiner of titles and deputy examiners shall hold office subject to the will and discretion of the district court by whom appointed. The examiner's compensation and that of the examiner's deputies shall be fixed and determined by the court and paid in the same manner as the compensation of other county employees is paid except that in all counties having fewer than 75,000 inhabitants, and in Stearns, Dakota, Scott, Wright, Sherburne, and Olmsted Counties the fees and compensation of the examiners for services as legal adviser to the registrar shall be determined by the judges of the district court and paid in the same manner as the compensation of other county employees is paid, but in every other instance shall be paid by the person applying to have the person's title registered or for other action or relief which requires the services, certification or approval of the examiner.

Sec. 48. Minnesota Statutes 2016, section 518A.79, is amended by adding a subdivision to read:

Subd. 3a. **Open meetings.** Except as otherwise provided in this section, the task force is subject to chapter 13D. A meeting of the task force occurs when a quorum is present and the members receive information, discuss, or take action on any matter relating to the duties of the task force. The task force may conduct meetings as provided in section 13D.015 or 13D.02. The task force may conduct meetings at any location in the state that is appropriate for the purposes of the task force as long as the location is open and accessible to the public. For legislative members of the task force, enforcement of this subdivision is governed by section 3.055, subdivision 2. For nonlegislative members of the task force, enforcement of this subdivision is governed by section 13D.06, subdivisions 1 and 2.

EFFECTIVE DATE. This section is effective January 1, 2018.

Sec. 49. Laws 2016, chapter 127, section 8, is amended to read:

Sec. 8. **EFFECTIVE DATE; APPLICATION.**

Sections 1 to 7 are effective the day following final enactment. With respect to eyelash technicians, the Board of Cosmetologist Examiners must not enforce sections 1 to 7 until ~~July 1, 2017~~ February 1, 2018. Any educational or training requirements developed by the board regarding eyelash technicians must be 14 hours.

Sec. 50. Laws 2017, chapter 21, section 1, subdivision 2, is amended to read:

Subd. 2. **Exemption; legislature may waive.** (a) This section does not apply to contracts with a value of less than ~~\$1,000~~ \$50,000.

(b) The legislature may waive application of this section on a contract if the legislature determines that compliance is not practicable or in the best interests of the state.

Sec. 51. Laws 2017, chapter 21, section 3, subdivision 2, is amended to read:

Subd. 2. **Exemption; commissioner may waive.** (a) This section does not apply to contracts with a value of less than ~~\$1,000~~ \$50,000.

(b) The commissioner may waive application of this section on a contract if the commissioner determines that compliance is not practicable or in the best interests of the state.

Sec. 52. SMALL AGENCY ASSISTANCE PROGRAM; LEGISLATIVE AUDITOR REVIEW.

No later than February 1, 2018, the legislative auditor is requested to conduct a program evaluation of the small agency assistance program authorized under Minnesota Statutes, section 16B.371. The program evaluation must be conducted according to the standards provided for a program evaluation in Minnesota Statutes, section 3.971, subdivision 7.

Sec. 53. HISTORIC PRESERVATION; LEGISLATIVE AUDITOR REVIEW.

The legislative auditor is requested to conduct a program evaluation of the State Historic Preservation Office no later than January 1, 2018. The program evaluation must be consistent with the standards provided in Minnesota Statutes, section 3.971, subdivision 7, and include consideration of the office's consistency in its responsiveness to project proposals, and in its treatment of historic sites in the state, including those that are listed on the national register, those that are eligible for the national register, and those that are registered as state historic sites by the Minnesota Historical Society. The evaluation should also include a review of approaches to state historic preservation governance in other states, in comparison to Minnesota's governance structure, with emphasis on the impact of those approaches on the timeliness and consistency of preservation work in those states.

Sec. 54. HISTORIC PRESERVATION; TRANSFER.

(a) The powers, duties, responsibilities, personnel, assets, and unexpended funds relating to functions assigned to the Minnesota State Historic Preservation Office are transferred to the Department of Administration effective March 1, 2018. For the purpose of this section, the Minnesota State Historical Society is considered a state agency under Minnesota Statutes, sections 15.039 and 16B.37.

(b) The commissioner of the Department of Administration in consultation with the Minnesota Historical Society must transfer functions from the Minnesota Historical Preservation Office to the Department of Administration. The transfer must provide for the full transition of all State Historic Preservation Office functions to the Department of Administration.

(c) A transferred employee's length of service remains uninterrupted as if the employee had been employed by the Department of Administration during the employee's time of employment by the Minnesota Historical Society.

The employee shall have all accumulated unliquidated vacation and sick leave hours transferred to the employee's credit, up to the maximum accumulations permitted by the state collective bargaining agreement or compensation plan adopted under Minnesota Statutes, section 43A.18, governing the transferred position. Vacation and sick leave hours are not transferred if the transferred position does not provide for the leave.

The salary rate of employees transferred under this section may not decrease as a result of the transfer to state employment. If an employee's salary rate is above the maximum of the class to which the transferred position is allocated, so long as the employee remains in the transferred position, the employee shall not be eligible to receive any increase in salary until the employee's salary is within the range of the class to which the transferred position is allocated, unless such increases are specifically provided in the state collective bargaining agreement or compensation plan governing the transferred position.

EFFECTIVE DATE. This section is effective upon approval by the Sartell City Council and compliance with Minnesota Statutes, section 645.021.

Sec. 18. **SPECIAL CLOSING TIMES; 2018 SUPER BOWL.**

During the 2018 National Football League Super Bowl at U.S. Bank Stadium, licensing jurisdictions that issue on-sale intoxicating liquor licenses under Minnesota Statutes, chapter 340A, may, at their discretion, issue special permits for service of alcohol through extended hours lasting until 4:00 a.m. each day. This section is subject to the following conditions:

(1) only holders of an existing on-sale intoxicating liquor license or a 3.2 malt liquor license are eligible for later closing hours;

(2) later closing hours apply only during the period from 12:00 p.m. on February 2, 2018, through 4:00 a.m. on February 5, 2018;

(3) local licensing jurisdictions issuing special permits to operate with extended hours during the days listed in clause (2) may charge a fee up to but not to exceed \$250 for a permit. In the process of issuing a permit under this section, the licensing jurisdiction may limit approval to specified geographic, zoning, or license classifications within its jurisdiction; and

(4) this section expires at 4:01 a.m. on February 5, 2018.

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

Sec. 19. **REPEALER.**

Laws 2001, chapter 193, section 10, as amended by Laws 2013, chapter 137, article 4, section 6; and Laws 2013, chapter 137, article 4, section 6, are repealed.

Presented to the governor May 26, 2017

Signed by the governor May 30, 2017, 4:40 p.m.