

STATUTORY DIRECTIVES

TO THE LEGISLATIVE REFERENCE LIBRARY

1969	Ch 1130	Legislative Reference Library established	MS 3.302
1973	Ch 492 Sec 8	List of state funds deposited in Mn state Banks <u>daily report</u> from the newly created <u>Finance Department</u>	MS 16A.27(b)
	Sec 27	Copy of all post audits, reports & results of examinations made by the <u>Legislative Auditor</u> deposited with the <u>Library</u> .	MS 3.971
1974	Ch 456	State document depository law/reports by state department/agencies to be filed with LRL - 10 copies. Checklist of documents received to be published by LRL	MS 3.195
	Ch 344 Sec 7	State Register established <u>10 copies of each issue to be deposited with the LRL</u>	MS 15.05, sd 4 Renumbered MS 14.46
1975	Ch 106 Sec 6	DNR Commissioner to file annual timber report by September of each year with LRL	MS 90.172
REPEALED-- 1979 Ch 228 Sec 24	Ch 409 Sec 8 Sd 9	<u>Privacy Study Commission</u> Report findings to LRL by Nov 15, 1976 & Supplementary report by Jan 15 1977	MS 15.169 Subd 9
REPEALED-- See note	Ch 380 Sec 8	<u>Publication Advisory Board</u> established	MS 15.046
		NOTE: Membership: 5 including Sec of State, Att Gen., LRL Dir., Revisor of Statutes and the Chief Hearing Officer. Repealed by 1975 Laws, Ch 62, Sec 26 Board never met. Revisor of Statutes made decision that Board was not legally established. Repealed again by 1976 Laws, Ch 149, Sec 63. See page in MSA for information.	

STATUTORY DIRECTIVES TO THE LEGISLATIVE LIBRARY - continued

1975	Ch 380 Sec 14 Sd 4	<u>State Register</u> - Amendment re that LRL continues to receive 10 copies of each issue	MS 15.051, sd 4 Renumbered MS 14.46, sd 1-4
	Ch 235 Sec 1 Sd 2	<u>Voyageurs National Park Advisory Committee</u> - Copy of each resolution/recommendation passed by the Committee to be filed with LRL	MS 84B.11, Sd 2
1976	Ch 30	<u>State Departments/Agencies</u> 1974 state document depository law strengthened to include all state documents(not only mandated rpt as the depts interpreted the law) with LRL - 10 copies of each publication. Law also defines document.	MS 3.195 & 3.3.02 Sd 3
1977	Ch 452 Sec 35 REPEALED -1980 Laws Ch 617 Sec 45	<u>Revisor of Statutes</u> - Re a collective bargained contract with the state & state employees covering a period beginning on or after July 1, 1979, the Revisor of Statutes shall provide a copy of the contract to the LRL	MS 482.18
1978	Ch 480 Sec 2, Sd 5 Sec 2	<u>State Department/Agencies</u> Re Consultant's Reports One copy of the required three final copies of consultant's reports shall be filed with LRL <u>Administration Department</u> file a monthly list of all contracts for consultant services and for professional and technical services executed or disapproved be forwarded to the Legislature & Governor. The copy for the Legislature is being forwarded to LRL. Quarterly reports of contract review/activities also being sent to LRL.	MS 16.098, sd 5 Renumbered 1984 Laws, Ch 544 Sec 22 MS 16B.17, Sd 5 ----- MS 16.098, Sd 11 Renumbered 1984 Laws, Ch 544 Sec 22 MS 16B.17, Sd 4

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1978	Ch 563 Sec 3 Subd 2(8)	<i>Minnesota State Police & Firemen's Relief Associations - Guidelines shall include actuarial surveys of associations to be filed with LRL as of December 31, 1978 and every two years thereafter</i>	MS 69.77, Sd 2
		<i>Associations shall also procure a quadrennial experience study and file same with LRL as of December 31, 1978 and every four years thereafter.</i>	
1979	Ch 201 Sec 20	<i>State Auditor - Report on the general financial condition of the various fire-fighters relief associations/rpt from state auditor/10 copies directed to LRL commencing November 15, 1981 and every 2 years thereafter.</i>	MS 6.72
	Ch 301	<i>Boundary Waters Canoe Area Citizen's Advisory Task Force - Recommendations approved by the Task Force to be filed with LRL</i>	MS 84.524, Sd 2
REPEALED 1983	Ch 260 Sec 19		
1980	Ch 615 Sec 24	<i>Commissioner of Administration - MCAR Commissioner shall provide without cost ten copies of the manual MCAR and any supplemental material to LRL and State Law Library.</i>	MS 15.047
REPEALED 1980	Ch 615 Sec 62		

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1985 First Spl Session	Ch 13 Sec 61	Amends Subd 3 of State Document depository law to include publications from "task forces including advisory task forces."..	MS 3.302
1986 First Spl Session	Ch 471 Sec 6	Legislative Reference Library shall coop- erate with the Commissioner(education) in developing a plan for automation of state agency libraries	not coded
1987	Ch 259 section 13	Copies of State Retirement Systems/Boards transmitted to the Sec of Senate, Speaker of Hse and Legislative Reference Library as provided by section 3.195 (Copies of Professional Management survey reports SERA)	amending MS 352.03 subd 6(7)
1987	Ch 259 sec 26	Copies of Professional Management Survey reports of Mn Public Employee Associations Funds transmitted to Sec of Senate, Spkr of Hse and Legislative Reference Library as provided by section 3.195	amending MS 353.03 subd 3a Para (6)
1987	Ch 259 Section 31	Copies of Professional management Survey reports of the Mn Teachers Retirement Fund/ Board shall be transmitted to the Sec of Senate, Spkr of Hse and Legislative Reference Library as provided by section 3.195.	amending MS 354.06 subd 2a Para 6
1988	Ch 469 Art 1 Sec 1	Amended/Refined Minnesota Statutes 3.195, 3.302, 3.3025 and 3.3026 re State document depository law, reports to the LRL, Director and Information Systems Directory	amending MS 3.195, MS 3.302 MS 3.3025 MS 3.3026
1988	Ch 718 Art 7 Sec 46	Mandated State Auditor filing with LRL Financial and Compliance Audit of the Mn State High School League by 9/1 ea yr	Amending MS 129.125 subd 2

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TO THE LEGISLATIVE REFERENCE LIBRARY

1989	Chapter 336 Article 1 Section 7 Subd 3	State Court Administrator-Supreme Court reports to the Legislature a biennial report re authorized interception of communications. "The report is public and must be available for public inspection at the Legislative Reference Library.	MS 626A.17 subd 3
1989	Chapter 220 Section 4 subd 2	Changed the language in the 1988 law mandating the State Auditor to report to the Legislature re Mn State High School League...changed the word "shall" to "must" report.	MS 129.125 subd 2
1991	chapter 337 section amending MS 3.195	Defines distribution of state documents- Dfines entity-to include Metropolitan council, a metropolitan agency, the mosquito Control Commission, the legislature and the courts	amending MS 3.195 and 16B.122
1992	chapter 452	Relating to human rights; declaring a state policy of zero tolerance of violence; encouraging state agencies to act to implement the policy; proposing coding new law in Mn Statutes-And Agency statements and any plans must be filed with the Legislative Reference Library/agency must adopt of zero of tolerance of violence.	Mn Stat15.90
1993	Chapter 192 Section 40	State Agencies (State Departments) Performance Reporting for Agencies of State Government (Each Agency)	MN Stat 15.91

1993 Session

1993

Chapter 192

Section 40

State Agencies(State Departments)/PERFORMANCE REPORTING FOR AGENCIES OF STATE GOVERNMENT

Mn Stat 15.91

Sec. 40. 15.91 PERFORMANCE REPORTING FOR AGENCIES OF STATE GOVERNMENT.

Subdivision 1. DEFINITION. For purposes of sections 15.90 to 15.92, "agency" means a department or agency, as designated in section 15.01.

Subd. 2. PERFORMANCE REPORTS. (a) Each agency shall develop a performance report for its operations. The report shall include each of the following items or an explanation of why an item does not apply to the agency:

- (1) a statement of the mission, goals, and objectives of the agency including those set forth in statute;
(2) measures and goals of the output and outcome of the agency;
(3) identification of priority and other service populations, or other service measures, under current law and how those populations are expected to change within the period of the report;
(4) plans for how outcome information can be used as an incentive for improving state programs and program outcomes;
(5) requests for statutory flexibility needed to reach outcome goals;
(6) explanation of outcome information that could be available with new data collection systems; and
(7) other information that may be required.

The goals required under clause (1): (i) must be simple declarative statements of intent; (ii) should carry benchmarks for accomplishment; and (iii) should be specific enough so citizens can measure progress year to year.

(b) Each agency shall issue a draft report by November 1, 1993, a first annual report by September 1, 1994, and annual updated reports no later than September 1 of each year beginning in 1995. A report must cover a period of four years previous and two years in the future from the date that it is required to be issued, including previous forecasts versus actual measures.

(c) Each agency shall send a copy of each report issued to the governor, the speaker of the house of representatives, the president of the senate, the legislative commission on planning and fiscal policy, the legislative auditor, the commissioner of finance, and two copies to the legislative reference library.

(d) The legislative auditor shall review the drafts and give comments to agencies and the legislature before September 1, 1994, and shall review and give comments on annual reports on a rotating biennial schedule.

(e) State agency reports shall be compiled as required in this paragraph. The commissioner of finance, in consultation with the commissioner of administration, the legislative commission on planning and fiscal policy, and the finance committees and divisions of the house of representatives and senate, shall:

- (1) develop forms and instructions for the use of the agencies in the preparation of their reports;
(2) work with individual agencies to determine acceptable measures of workload, output, and outcome for use in reports; and
(3) request any needed additional information concerning any agency report submitted.

Each agency shall include citizens, agency clients, consumer and advocacy groups, worker participation committees, managers, elected officials, and contractors in its planning.

Draft rpt

11/1/93

First Annual rpt Due

Sept 1, 1994

Annual rpt not later

Sept 1

beginning 1995

1992 Session

Amended

2

AN ACT

1

2 relating to human rights; declaring a state policy of
3 zero tolerance of violence; encouraging state agencies
4 to act to implement the policy; proposing coding for
5 new law in Minnesota Statutes, chapters 1 and 15.

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

7 Section 1. [1.50] [FREEDOM FROM VIOLENCE.]

8 The state of Minnesota hereby adopts a policy of zero
9 tolerance of violence. It is state policy that every person in
10 the state has a right to live free from violence.

11 Sec. 2. [15.90] [STATE AGENCY ACTIONS.]

12 Subdivision 1. [STATEMENT OF ZERO TOLERANCE OF VIOLENCE.]

13 In furtherance of the state policy in section 1, by January 1,
14 1993, each house of the legislature, each state agency, and each
15 public corporation created in statute must adopt a goal of zero
16 tolerance of violence. Each agency is encouraged to develop a
17 plan that describes how the agency will:

18 (1) seek to eliminate any potential for violence in and
19 around the agency workplace; and

20 (2) seek to eliminate any potential for violence by
21 affecting the attitudes and behavior of people that the agency
22 serves or regulates.

23 Agency statements and any plans must be filed with the

24 legislative reference library, where they will be available for
25 public inspection.

1 Subd. 2. [WORKPLACE PLANS.] An agency plan for eliminating
2 potential for violence in and around the workplace may include:

3 (1) elimination of sexual harassment, as defined in section
4 363.01, subdivision 41; and

5 (2) assuring that areas in and around the workplace, such
6 as parking facilities and areas between the workplace and
7 parking facilities, are designed and operated in a manner that
8 provides for the safety of employees and guests.

9 Subd. 3. [CLIENT PLANS.] An agency plan for eliminating
10 violence by affecting attitudes and behavior of persons that the
11 agency serves or regulates may include, but is not limited to,
12 the following:

13 (1) educational programs;

14 (2) incorporating the policy of zero tolerance of violence
15 into the agency's direct service and regulatory programs; and

16 (3) attempting to assure that persons and businesses
17 receiving grants from or providing goods or services to the
18 agency adopt zero tolerance of violence policies.

19 Subd. 4. [LIABILITY.] This section does not create any
20 civil liability on the part of the state of Minnesota.

21 Sec. 3. [EFFECTIVE DATE.]

22 Sections 1 and 2 are effective the day following final
23 enactment.

1991 Session

DIRECTIVE TO LIBRARY

1991

Chapter 265

State Auditor/Pine Point School Report

Article 3

Section 32

amending

MS 128.10

Each even
numbered fiscal yr

10 Sec. 32. Minnesota Statutes 1990, section 128B.10,

11 subdivision 2, is amended to read:

12 Subd. 2. [STATE AUDIT.] The state auditor shall conduct an
13 audit of the school's finances for each even-numbered fiscal
14 years-1989-and-1990 year without charge to the school. A

15 ~~preliminary-or-if-completed-a-final~~ The report for-fiscal-year
16 1989 of each audit shall be submitted by ~~February-15-1990~~ to
17 the White Earth reservation tribal council, the Pine Point
18 Indian education committee, and the commissioner of education
19 ~~committees-of-the-legislature,~~ and the legislative reference
20 library.

Legislative Reference Library

1991

Chapter 337

Section 1

amending 3.195, sd 1

1 subdivision 1, is amended to read:

2 Subdivision 1. [DISTRIBUTION OF REPORTS.] (a) A report to
3 the legislature required of a department or agency shall be
4 made, unless otherwise specifically required by law, by filing
5 one copy with the secretary of the senate, one copy with the
6 chief clerk of the house of representatives, and ~~ten~~ six copies
7 with the legislative reference library. The same distribution
8 procedure shall be followed for other reports and publications
9 unless otherwise requested by a legislator or the legislative
10 reference library.

11 (b) A public entity as defined in section 16B.122, shall
12 not distribute a report or publication to a member or employee
13 of the legislature, except the secretary of the senate, the
14 chief clerk of the house of representatives, and the legislative
15 reference library, unless the entity has determined that the
16 member or employee wants the reports or publications published
17 by that entity or the member or employee has requested the
18 report or publication. This prohibition applies to both
19 mandatory and voluntary reports and publications. A report or
20 publication may be summarized in an executive summary and
21 distributed as the entity chooses. Distribution of a report to
22 legislative committee or commission members during a committee
23 or commission hearing is not prohibited by this section.

24 (c) A report or publication produced by a public entity may
25 not be sent to both the home address and the office address of a
26 representative or senator unless mailing to both addresses is
27 requested by the representative or senator.

28 (d) Reports, publications, periodicals, and summaries under
29 this subdivision must be printed in a manner consistent with
30 section 16B.122.

1 reports as may be required by law or the legislature.

2 (b) The commission shall oversee the activities of the
3 pollution control agency under sections 116.16 to 116.181
4 relating to water pollution control.

5 ~~(b)~~ (c) The commission may conduct public hearings and
6 otherwise secure data and comments.

7 ~~(c)~~ (d) The commission shall make recommendations as it
8 deems proper to assist the legislature in formulating
9 legislation.

10 ~~(d)~~ (e) Data or information compiled by the legislative
11 water commission or its subcommittees shall be made available to
12 the legislative commission on Minnesota resources and standing
13 and interim committees of the legislature on request of the
14 chair of the respective commission or committee.

15 Sec. 3. Minnesota Statutes 1990, section 16B.122, is
16 amended to read:

17 16B.122 [PURCHASE AND USE OF PAPER STOCK; PRINTING.]

18 Subdivision 1. [DEFINITIONS.] The definitions in this
19 subdivision apply to this section.

20 (a) "Office paper" means notepads, loose-leaf fillers,
21 tablets, and other paper commonly used in offices.

22 (b) "Postconsumer material" means a finished material that
23 would normally be discarded as a solid waste, having completed
24 its life cycle as a consumer item.

25 (c) "Practicable" means capable of being used, consistent
26 with performance, in accordance with applicable specifications,
27 and availability within a reasonable time.

28 ~~(c)~~ (d) "Printing paper" means paper designed for printing,
29 other than newsprint, such as offset and publication paper.

30 ~~(d)~~ (e) "Public agency entity" means the state, an office,
31 agency, or institution of the state, the metropolitan council, a
32 metropolitan agency, the metropolitan mosquito control district,
33 the legislature, the courts, a county, a statutory or home rule
34 charter city, a town, a school district, another special taxing
35 district, or any contractor acting pursuant to a contract with a
36 public agency entity.

1 ~~(e)~~ (f) "Soy-based ink" means printing ink made from soy
2 oil.

3 (g) "Uncoated" means not coated with plastic, clay, or
4 other material used to create a glossy finish.

5 Subd. 2. [PURCHASE-REQUIRED PURCHASES; PRINTING.] (a)
6 Whenever practicable, a public agency entity shall:

7 (1) purchase uncoated office paper and printing
8 paper whenever-practicable;

9 (2) purchase recycled content paper with at least ten
10 percent postconsumer material by weight;

11 (3) purchase paper which has not been dyed with colors,
12 excluding pastel colors;

13 (4) purchase recycled content paper that is manufactured
14 using little or no chlorine bleach or chlorine derivatives;

15 (5) use no more than two colored inks, standard or
16 processed, except in formats where they are necessary to convey
17 meaning;

18 (6) use reusable binding materials or staples and bind
19 documents by methods that do not use glue;

20 (7) use soy-based inks; and

21 (8) produce reports, publications, and periodicals that are
22 readily recyclable within the state resources recovery program.

23 (b) Paragraph (a), clause (1), does not apply to coated
24 paper that is made with at least 50 percent fiber that has been
25 recycled after use by a consumer.

26 (c) A public entity shall print documents on both sides of
27 the paper where commonly accepted publishing practices allow.

28 Sec. 4. Minnesota Statutes 1990, section 16B.61,
29 subdivision 3a, is amended to read:

30 Subd. 3a. [RECYCLING SPACE.] The code must require
31 suitable space for the separation, collection, and temporary
32 storage of recyclable materials within or adjacent to new or
33 significantly remodeled structures that contain 1,000 square
34 feet or more. Residential structures with ~~less~~ fewer than ~~12~~
35 four dwelling units are exempt from this subdivision.

36 Sec. 5. Minnesota Statutes 1990, section 115A.02, is

1990 Session

1989 Session

1989 Supreme Court/BIENNIAL REPORT RE AUTHORIZED
Chapter 336 INTERCEPTION OF COMMUNICATIONS

Article 1

Section 7

subd 3

amending

MS 626A.17

subd 3

State Court Administrator shall transmit to the
Legislature

by -----November 15, each

even numbered

year

a report concerning authorized interception
of communications (old report re wiretaps)

Subd. 3. REPORT TO LEGISLATURE BY STATE COURT ADMINISTRATOR. On or before November 15 of each even numbered year, the state court administrator shall transmit to the legislature a report concerning (a) all warrants and orders authorizing the interception of communications and the use of a pen register, trap and trace device, mobile tracking device, or other electronic or mechanical device during the two previous calendar years and (b) all applications that were denied during the two previous calendar years. Each such report shall include a summary and analysis of the data required to be filed under this section. The report is public and must be available for public inspection at the legislative reference library and the state court administrator's office.

1988 Session

3.195 REPORTS TO THE LEGISLATURE.

Subdivision 1. DISTRIBUTION OF REPORTS. ~~Whenever~~ A report to the legislature is required of a department or agency of government, it shall be made, unless otherwise specifically required by law, by the filing of one copy with the secretary of the senate, one copy with the chief clerk of the house of representatives, and ten copies with the legislative reference library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the legislative reference library.

Subd. 2. IDENTIFICATION OF DOCUMENTS. ~~Whenever~~ When a report or publication as defined in section 3.302, subdivision 3, is submitted by a department or agency to the legislative reference library, the department or agency shall supply to the legislative reference library the information necessary to identify the document as required in by section 3.302, subdivision 3a.

Subd. 3. CHECKLIST OF STATE DOCUMENTS. The legislative reference library shall monthly publish and distribute to legislators a checklist of state documents. ~~Additional~~ Enough copies of the checklist sufficient for distribution to all state agencies, public, university and college libraries shall be provided by the documents section, department of administration.

3.302 LEGISLATIVE REFERENCE LIBRARY.

Subdivision 1. ESTABLISHMENT. A legislative reference library is established under the ~~jurisdiction and control~~ jurisdiction and control of the legislative coordinating commission.

Subd. 2. COLLECTION; PURPOSE. The ~~legislative reference~~ library shall collect, index, and make available in suitable form information relative to governmental and

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Additions in text are indicated by underscore; deletions by ~~strikeouts~~

documents published by the state and shall receive ~~such materials from~~ such materials from ~~agencies~~ without cost. As used in this chapter, "document" ~~shall include~~ includes any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, task forces, including advisory task forces created under section 15.014 or 15.0593, or other agencies supported by state funds, or any publication prepared for the state by private individuals or organizations and issued in print, including all forms of duplicating other than by the use of carbon paper, considered to be of interest or value to the ~~legislative reference~~ library. Intraoffice or interoffice memos and forms and information concerning only the internal operation of an agency are not included.

Subd. 3a. IDENTIFICATION OF DOCUMENTS. For all documents deposited under subdivision 3, the ~~legislative reference~~ library shall require that the issuing agency supply proper bibliographic identification. The identification shall appear on the title page of each volume and ~~shall include~~ include a complete title, a statement of authorship, the name of the publisher, and the date and place of publication. ~~Whenever~~ If possible the document shall be consecutively paged. ~~Whenever applicable~~ The issuing agency shall include a statement indicating ~~citing~~ the ~~section number of statute or the chapter number and year of the session law with which the report complies,~~ section number of statute or the chapter number and year of the session law with which the report complies, if there is one.

Subd. 4. STUDIES AND REPORTS. The ~~legislative reference~~ library may ~~utilize the materials assembled~~ use its collection to prepare studies and reports providing to provide pertinent information regarding ~~about~~ subjects ~~which are or may become items of concern to members of the legislature and where warranted.~~ It may publish such the studies and reports.

3.3025 DIRECTOR OF LEGISLATIVE REFERENCE LIBRARY.

Subdivision 1. The legislative coordinating commission shall appoint a qualified director of the legislative reference library ~~who is qualified to perform the duties imposed upon the office at an annual salary which.~~ It shall fix ~~unless otherwise~~ the director's salary if it is not provided for by law. The director of the ~~legislative reference library~~ shall serve at the pleasure of the commission and shall be reimbursed for any necessary travel expenses.

Subd. 2. Subject to the approval of the ~~legislative coordinating~~ commission, the director of the ~~legislative reference library~~ shall employ and may fix the compensation of technical research, clerical, and stenographic assistants as necessary to expeditiously and efficiently discharge the duties imposed upon the office and. The director shall procure the necessary furniture and supplies.

Subd. 3. The ~~legislative reference~~ library shall be kept open during the time provided by law for other state offices. When the legislature is in session the office library shall be kept open at the hours most convenient to members of the legislature.

3.3026 INFORMATION SYSTEMS DIRECTORY.

Subdivision 1. POLICY. The state must make maximum use of its information files and data processing systems. A statewide directory of information systems will direct users to existing information systems maintained by state agencies, minimize duplication of information systems already developed, and encourage the sharing of information systems within the state. A directory will assist users ~~in contacting~~ to contact agencies about information files and about experience with hardware and software ~~configurations.~~ It will reduce overall costs, promote communication among agencies, and permit more efficient use of personnel resources for information systems development.

Subd. 2. DEFINITIONS. The terms used in this section have the meanings given them in this subdivision.

Additions in text are indicated by underscore; deletions by ~~strikeouts~~

91

25

1988 Laws
Chapter 718
Article 7
Section 46

State Auditor. Financial & Compliance Audit re
Minnesota State High School League.

Amending MS 129.121, sd 2 by adding....

September 1,
each year

13 Each year by September 1, the state auditor shall provide a
14 financial and compliance audit to the legislature detailing the
15 general financial condition and general status of the league as
16 of July 31 of the year preceding the filing of the audit.
17 Copies of the audit report must be filed with the commissioner
18 of education, the chairs of the house and senate education
19 committees and the director of the legislative reference
20 library. The audit report must include the aggregate totals for
21 all revenues and expenditures for the three preceding years and
22 the current year and the percent and dollar difference in each
23 of these four years. The following items must be audited in
24 each instance: revenues from student activities, membership
25 dues, publications, registration of officials and judges,
26 interest, automobile sales, and other revenues including medals,
27 refunds and reimbursements; and expenditures related to staff,
28 the board of directors, student activities, capital outlay,
29 office and other expenditures including membership services.
30 The league must pay the state auditor for the costs of the audit.

LEGISLATIVE REFERENCE LIBRARY -----DIRECTIVES

(Law changed mandate to a directive)

1987 Law
chapter 259
section 13

Minnesota State Retirement System/Board/Executive Director

amending
MS 352.03
subd 6(7)

Copies of ~~all~~ professional management survey reports shall be ~~sent-directly~~ transmitted to the ~~legislature-~~ secretary of the senate, the chief clerk of the house of representatives and the legislative reference library as provided by section 3.195

1987 Law
chapter 259
section 26

Minnesota Public Employees Retirement Association/Board/Executive Director

Amending
MS 353.03
subd 3a
Para (6)

Copies of ~~all~~-professional management survey reports shall be ~~sent-directly~~ transmitted to the ~~legislature-~~ secretary of senate, the chief clerk of the house of representatives, and the legislative reference library as provided by section 3.195.....

1987 Law
chapter 259
section 31

Minnesota Teachers Retirement Fund/Board/Executive Director

Amending
MS 354.06
subd 2a
Para 6

Copies of ~~all~~-professional management survey reports shall be ~~sent-directly-transmitted~~ to the ~~legislature-~~ secretary of senate, the chief clerk of the house of representatives, and the legislative reference library as provided by section 3.195.....

1986 First Spi Session

*Amended
H.R. 8 of 89
Apr 17/84*

AN ACT

471

See Section 6

1

2 relating to libraries; changing the way the department
 3 of education provides certain information and other
 4 services; allowing mayors to appoint nonresidents to
 5 city library board under certain circumstances;
 6 updating maintenance of effort exceptions; requiring
 7 the commissioner of education to cooperatively develop
 8 a plan for automation of state agency libraries;
 9 amending Minnesota Statutes 1984, sections 121.496;
 10 134.09, subdivision 1; 134.31, subdivisions 2 and 3;
 11 and 134.34, subdivision 5.

12

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

14 Section 1. Minnesota Statutes 1984, section 121.496, is
 15 amended to read:

16 121.496 [STATE DEPARTMENT OF EDUCATION TO FURNISH LIST OF
 17 BOOKS LIBRARY AND INFORMATION SERVICES DUTIES.]

18 Subdivision 1. [BOOKLISTS.] The state department of
 19 education shall from time to time prepare and amend a list of
 20 books suitable for school libraries, including dictionaries and
 21 other books of reference, histories and works of biography,
 22 literature, political economy, agriculture, travel, and science.

23 Subd. 2. [PROVIDING OTHER INFORMATION.] The department may
 24 provide library information services it considers appropriate
 25 and necessary to any state agency, governmental unit, nonprofit
 26 organization, or private entity. The department may collect
 27 reasonable fees not to exceed its actual costs for providing the
 28 information services. The department may also accept money from

1 any public or private source to defray the cost of providing the
2 information services.

3 Subd. 3. [OPEN APPROPRIATION.] The fees charged and money
4 accepted by the department under subdivision 2 shall be
5 deposited in the state treasury and credited to a special
6 account. Money in the account is appropriated to the department
7 to defray the costs of providing the information services.

8 Sec. 2. Minnesota Statutes 1984, section 134.09,
9 subdivision 1, is amended to read:

10 Subdivision 1. [APPOINTMENT.] When public library service
11 is established, except in any city of the first class operating
12 under a home rule charter, the mayor of the city with the
13 approval of the council for a city library or the board of
14 commissioners for a county library, shall appoint a board of
15 five, seven or nine members from among the residents of the city
16 or county. If the city library is a branch or a member of a
17 regional public library system, as defined in section 134.001,
18 the mayor, with the approval of the city council, may appoint to
19 the city library board, residents of the county, provided that
20 the county is participating in the regional public library
21 system and that the majority of the members of the city library
22 board are residents of the city. The number of members on the
23 board shall be determined by resolution or ordinance adopted by
24 the council or the board of commissioners. Not more than one
25 council member or county commissioner shall at any time be a
26 member of the library board. The appointments shall be made
27 before the first meeting of the library board after the end of
28 the fiscal year.

29 Sec. 3. Minnesota Statutes 1984, section 134.31,
30 subdivision 2, is amended to read:

31 Subd. 2. The department of education shall give advice and
32 instruction to the managers of any public library or to any
33 governing body maintaining a library or empowered to do so by
34 law upon any matter pertaining to the organization, maintenance,
35 or administration of libraries. The department may also give
36 advice and instruction, as requested, to ~~the-managers-of-any~~

1 ~~library-in-a~~ post-secondary educational institution
 2 institutions, state agencies, governmental units, nonprofit
 3 organizations, or private entities. It shall assist, to the
 4 extent possible, in the establishment and organization of
 5 library service in those areas where adequate services do not
 6 exist, and may aid in improving previously established library
 7 services.

8 Sec. 4. Minnesota Statutes 1984, section 134.31,
 9 subdivision 3, is amended to read:

10 Subd. 3. The department may provide, for any library in
 11 the state, books, journals, audiovisual items, **reference**
 12 information services or resource materials it deems appropriate
 13 and necessary and shall encourage the sharing of library
 14 resources and the development of interlibrary cooperation.

15 Sec. 5. Minnesota Statutes 1984, section 134.34,
 16 subdivision 5, is amended to read:

17 Subd. 5. [MAINTENANCE OF EFFORT; EXCEPTION.]

18 Notwithstanding subdivision 4, a regional library system support
 19 grant may be made in fiscal year ~~1983~~ 1987 to a regional public
 20 library system for a participating city or county which
 21 decreases the dollar amount provided by it for operating
 22 purposes of public library service below the amount provided by
 23 it for ~~1981~~ 1985 if the amount provided by the city or county in
 24 ~~1982~~ 1986 is not less than the amount provided by it in ~~1980~~
 25 1984. A regional library system support grant may be made in
 26 fiscal year ~~1984~~ 1988 to a regional public library system for a
 27 participating city or county which decreases the dollar amount
 28 provided by it for operating purposes of public library service
 29 below the amount provided by it for ~~1982~~ 1986, if the amount
 30 provided by the city or county in ~~1983~~ 1987 is not less than the
 31 amount provided by it in ~~1981~~ 1985. This subdivision shall not
 32 affect the eligibility of cities or counties to declare all or
 33 part of their library levies as special levies under the
 34 provisions of section 275.50, subdivision 5, clause (c).

35 Sec. 6. [PLAN FOR AUTOMATION OF STATE LIBRARIES.]

36 The commissioner of education shall develop a plan to

1 address automation needs of state agency libraries. The plan
2 shall include methods to:

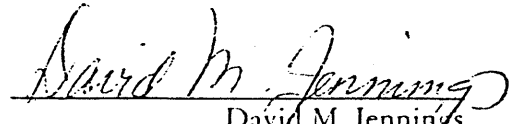
3 (1) strengthen government information services available to
4 agencies and the public;

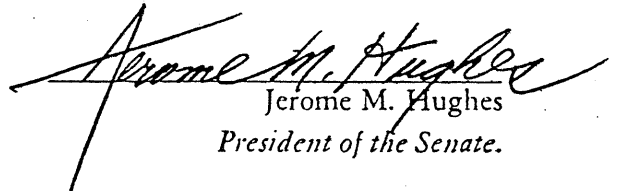
5 (2) improve coordination and cooperation among state agency
6 libraries; and

7 (3) eliminate unnecessary duplication.

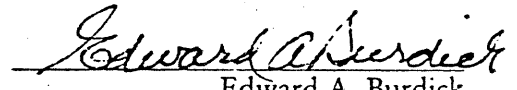
8 Other state agencies and the legislative reference library
9 shall cooperate with the commissioner in developing this plan.

10 The state law library may also cooperate. By August 15, 1986,
11 the plan shall be reported to the governor, education committees
12 of the legislature, and senate finance and house appropriations
13 committees.

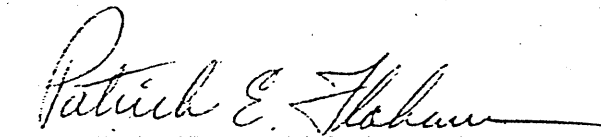

David M. Jennings
Speaker of the House of Representatives.


Jerome M. Hughes
President of the Senate.

Passed the House of Representatives this 11th day of March in the year of Our Lord one thousand nine hundred and eighty-six.

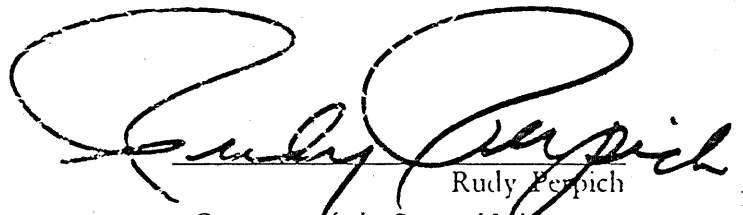

Edward A. Burdick
Chief Clerk, House of Representatives.

Passed the Senate this 21st day of March in the year of Our Lord one thousand nine hundred and eighty-six.


Patrick E. Flahaven
Secretary of the Senate.

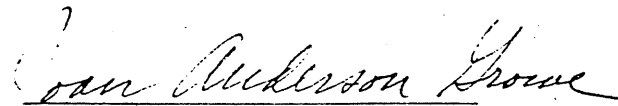
Approved

April 1, 1986


Rudy Perpich
Governor of the State of Minnesota.

Filed

4/1/86


Joan Anderson Growe
Secretary of State.

DIRECTIVE TO LEGISLATIVE REFERENCE LIBRARY
amen MS 3.302; sd 3

1985

LEGISLATIVE REFERENCE LIBRARY

First Spl Session

Chapter 13

section 61

Sec. 61. Minnesota Statutes 1984, section 3.302,
subdivision 3, is amended to read:

Subd. 3. The legislative reference library is a depository
of all documents published by the state and shall receive such
materials automatically without cost. As used in this chapter,
"document" shall include any publication issued by the state,
constitutional officers, departments, commissions, councils,
bureaus, research centers, societies, task forces, including
advisory task forces created under section 15.014 or 15.0593, or
other agencies supported by state funds, or any publication
prepared for the state by private individuals or organizations
and issued in print, including all forms of duplicating other
than by the use of carbon paper, considered to be of interest or
value to the legislative reference library. Intraoffice or
interoffice memos and forms and information concerning only the
internal operation of an agency are not included.

1984 - Statutory

Sec. 57.

3.3026. Information systems directory

Subdivision 1. Policy. The state must make maximum use of its information files and data processing systems. A statewide directory of information systems will direct users to existing information systems maintained by state agencies, minimize duplication of information systems already developed, and encourage the sharing of information systems within the state. A directory will assist users in contacting agencies about information files and about experience with hardware and software configurations. It will reduce overall costs, promote communication among agencies, and permit more efficient use of personnel resources for information systems development.

Subd. 2. Definitions. The terms used in this section have the meanings given them in this subdivision.

(a) "Directory" means an indexed listing of descriptive data about information systems. The descriptions will include agency name, information system name, contact person, software used, hardware used, and other information which in the discretion of the legislative reference library will assist users.

(b) "Information system" or "information systems" means an organized collection of data, either manually organized or automated, used by an agency in performing its duties or assisting in the making of administrative and budgetary decisions. An information system includes the data organized and any hardware or software used to process it.

Every state agency shall file a description of its existing information systems with the legislative reference library by January 31, 1984. These descriptions shall be in accordance with specifications and on forms provided by the library. Each agency shall file an updated description, noting additions, deletions, and changes by November 30 and by May 31 each year.

(c) "State agency" or "state agencies" means any office, department, agency, commission, council, bureau, research center, or society of state government, and other agencies supported by state funds.

Subd. 3. Legislative reference library; development of plan. The legislative reference library shall prepare a plan for the directory by January 1, 1984. The plan shall include a definition of the types of systems that will be included in the directory, an enumeration of the types of information required for each system reported, and a description of the method selected for production and dissemination of the directory.

*Plan
1-1-84*

Subd. 4. Legislative reference library director; duties. The legislative reference library director shall employ and fix the salary of the technical, clerical, and other assistants necessary to produce the directory. The director may enter into contracts for equipment and services necessary in the production and dissemination of the directory.

*Director
1-1-85*

Subd. 5. Publication. The legislative reference library shall prepare a directory by January 1, 1985. The directory shall be prepared in a format which the legislative reference library, in its discretion, believes is most efficient and beneficial to the user.

Subd. 6. Updating. The legislative reference library shall continually update the directory and shall reissue it at intervals it finds, in its discretion, are reasonable and cost efficient.

Subd. 7. Agency cooperation. Every state agency shall appoint one person within the agency as a data processing liaison, responsible for working with the legislative reference library. The appointment shall be made and the name forwarded to the legislative reference library by July 1, 1983. The department of administration shall provide access to its library listing of systems and programs produced under section 16.90 and shall produce this information in hardcopy form or on magnetic tape media, as requested by the legislative reference library director.

advise and consult with him the commissioner on all matters relating to education of licensees, preclicensing requirements, and such other major policy matters relating to the administration of sections 82.17 to 82.34. The council task force shall expire and the terms, compensation, and removal of members shall be as provided in section 15.059. No member of the real estate advisory council task force may establish, own, operate, invest in a course designed to fulfill any requirement of Minnesota law pertaining to licenses for real estate salespersons or brokers.

Sec. 19. Minnesota Statutes 1982, section 84.524, subdivision 1, is amended to read:

84.524. Citizen's advisory task force on the Boundary Waters Canoe Area

Subdivision 1. ~~There is created~~ The commissioner of natural resources may create a citizen's advisory task force on the Boundary Waters Canoe Area, consisting of 17 members selected as follows. If the task force is created it shall include the following members:

- (1) Three residents of St. Louis County appointed by the governor;
- (2) Three residents of Cook County appointed by the governor;
- (3) Three residents of Lake County appointed by the governor; and
- (4) Eight residents of the state residing outside of the aforementioned counties appointed by the governor.

The governor shall designate one of the appointees to serve as chairman and the advisory task force may elect such other officers as it deems necessary. The advisory task force shall be subject to the provisions of section 15.059, except that the advisory task force shall not expire until June 30, 1983.

Sec. 20. Minnesota Statutes 1982, section 84.524, subdivision 2, is amended to read:

Subd. 2. The advisory task force shall conduct meetings and research into all matters related to the establishment and operation of the Boundary Waters Canoe Area, and shall make such recommendations to the United States Forest Service and other federal and state agencies concerned, regarding operation of the area, as the advisory task force deems advisable. A copy of each recommendation shall be filed with the legislative reference library. The advisory task force shall not apply for or accept funds from public or private sources other than the legislature. Subject to the availability of legislative appropriation; the advisory task force may contract for services relating to matters within its authority.

Sec. 21. Minnesota Statutes 1982, section 84B.11, subdivision 1, is amended to read:

Subdivision 1. The governor shall appoint, except for the legislative members, a citizen's committee council on Voyageurs National Park, consisting of ~~16~~ 17 members as follows:

Underscoring and strikeouts are as shown in enrolled act

the tract shall be at least the appraised value of the tract created by combining the tract sold under this section with the adjoining parcel owned by the buyer, less the appraised value of the adjoining parcel before the sale.

Sec. 2. Conveyance of state land; Itasca County.

Notwithstanding any contrary provision of Minnesota Statutes, section 92.45, the commissioner of natural resources may offer for sale and sell, in the manner provided for the sale of trust fund lands, the following described land:

The northern 150.00 feet of the southwest quarter of the northwest quarter of section five, township one hundred forty-nine north, range twenty-eight west, in Itasca County.

Sec. 3. Sale of certain tax-forfeited land in St. Louis County.

Notwithstanding Minnesota Statutes, section 282.01, that certain tract of tax-forfeited land located and described as the Southwest Quarter of the Southeast Quarter of Section 15, Township 60N of Range 21W, St. Louis County, except for that portion north of county state aid highway 65, and subject to a 50-foot road reservation from the center line for highway 65 constituting approximately 7.3 acres, may be sold at private sale to the Northeast Perch Lake Landowners Association of Iron, Minnesota, at not less than the appraised value as determined under section 282.01, subdivision 3.

Sec. 4. Effective date.

This act is effective the day following final enactment.

Approved June 1, 1983.

LEGISLATIVE REFERENCE LIBRARY—IDENTIFICATION OF DOCUMENTS DEPOSITED

CHAPTER 255

H.F.No. 836

An Act relating to the legislative reference library; permitting the library to require certain identification of documents deposited; amending Minnesota Statutes 1982, sections 3.195; and 3.302, by adding a subdivision.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1982, section 3.195, is amended to read:

3.195. Reports to the legislature

Subdivision 1. Distribution of reports. Whenever a report to the legislature is required of a department or agency of government, it shall be

Underscoring and strikeouts are as shown in enrolled act

1982 - Statutory

XXXXXXXXXXXXXXXXXXXXXXX

1981 Laws,
ch 224
section 169
sd 3
amending
MS 356.215

- State Employees Retirement Fund
- Public Employees Retirement Fund
- Teachers Retirement Fund
- Highway Patrol Retirement Fund
- Mpls Teachers Teachers Retirement Fund Assn
- St. Paul Teachers Retirement Fund Assn
- Duluth Teachers Retirement Fund Assn
- Mpls Municipal Employees Retirement Fund
- University of Mn Faculty Retirement(no more police)
- University of Mn faculty supplemental retirement plan.
- Judges Retirement Fund
- Police or Firefighter's Relief Assn's(69.77/68.77L)
- Public Employees police and fire fund
- Mn State Retirement system correctional Officers Retirement System

annually

THE ACTUARIAL VALUATIONS required -----
shall be made as of the beginning of each fiscal
year. Two copies of each valuation shall be delivered
to -----legislative reference library
not later than the first day of the sixth month after
the end of the previous fiscal years.

XXXXXXXXXXXXXXXXXX

1981 Laws
ch 224
section 169
subd 3
amending
MS 356.215

State Employees Retirement Fund
Public Employees Retirement Fund
Teachers Retirement Fund
Highway Patrol Retirement Fund
Mpls Teachers Teachers Retirement Fund Assn
St. Paul Teachers Retirement Fund Assn
Duluth Teachers Retirement Fund Assn
Mpls Municipal Employees Retirement Fund
University of Mn Faculty Retirement (no more police)
University of Mn faculty supplemental retirement plan.
Judges Retirement Fund
Police or Firefighter's Relief Assn's (69.77/68.77L)
Public Employees police and fire fund
Mn State Retirement system correctional Officers Retirement System

The QUADRENNIAL (4 year) EXPERIENCE STUDY / every fourth year occurring after 1975, two copies of an experience study covering four fiscal years shall be filed withlegislative reference library not later than the first day of the sixth month occurring after the end of the last fiscal years of the period in which the experience study covers.

RETIREMENT/ Filing Financial reports by Retirement funds

DIRECTIVE TO LRL

XXXXXXXXXXXXXXXXXX

1981 Laws,
Ch 224
section 168
amending
MS 356.20

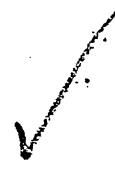
- State Employees Retirement Fund
- Public Employees Retirement Fund
- Teachers Retirement Fund
- Highway Patrol Retirement Fund
- Mpls Teachers Teachers Retirement Fund Assn
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- Duluth Teachers Retirement Fund Assn
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- University of Mn faculty supplemental retirement plan.
- Judges Retirement Fund
- Police or Firefighter's Relief Assn's(69.77/68.77l)
- Public Employees police and fire fund
- Mn State Retirement system correctional Officers Retirement System

13 Subd. 3. [FILING REQUIREMENT.] Each financial report is a
 14 public record. A copy thereof or a synopsis containing the
 15 information required by this section shall be distributed
 16 annually to each member of the fund and to the governing body of
 17 each governmental subdivision of the state which makes employers
 18 contributions thereto or in whose behalf taxes are levied for
 19 the employers' contribution. A signed copy of each report shall
 20 be delivered not later than six months after the close of each
 21 fiscal year to any interim or study committee or the executive
 22 secretary of the legislative commission of the legislature
 23 assigned to consider pension and retirement funds or plans on
 24 pensions and retirement and to the legislative reference
 25 library. In the absence of the creation of such a committee or
 26 commission a signed copy of such report shall be delivered to
 27 the secretary of the senate and the chief clerk of the house of
 28 representatives not later than ten days after the convening of
 29 the next regular session of the legislature following the close
 30 of the fiscal year for which such report is prepared.

3-1-79

Legislation

Adm
2-2-79



1980 - Statutory



1980 Session Laws - - - Directives to the Legislative Reference Library

Ch. 607, Art XIV,
sec 5, sd 4(7)
(coded as MS 11A.07)

Executive Director of the Investment Board to the L R L - prepare and file with the director of the Legislative Reference Library on or before Nov 15 of each year, a report summarizing the activities of the state board, the council and the director during the preceding year.

Ch 607, Art XIV,
sec 14, sd 11
(coded as MS 11A.15)

Investment Board to the LRL - ten copies of the Prospectus shall be filed with the director of the Legislative Reference Library by July 1 each year

Ch. 615, sec 24
(coded as MS15.047,
sd 2)

Commissioner of Administration shall provide without cost ten copies of the manual (MCAR) and any supplemental material to the Legislative Reference Library and the state Law Library etc.

1 securities transactions and official activities.

2 (5) Purchase and sell all securities on the basis of
3 competitive offerings or bids received from at least two
4 firms known to specialize in the securities being traded
5 and likely to position these securities in relevant
6 quantities. Competitive bidding shall not be required when
7 the securities to be traded are: listed or traded on a
8 major United States exchange, bound by underwriting
9 restrictions or offered as private placements and
10 offered to a specified number of institutional investors.
11 All securities acquired to be kept in the
12 custody of the state treasurer or such other depositories
13 as the state board deems appropriate.

1980 Laws, ch 607, Art XIV, s 5, sd 4(7)
Directive-Ex Dir of Investment Bd to
LRL. 10 copies re Bd Activities 11/15yr

Director

14 (7) Prepare and file with the director of the
15 legislative reference library on or before November 15 of
16 each year, a report summarizing the activities of the state
17 board, the council and the director during the preceding
18 fiscal year. The report shall be prepared so as to provide
19 the legislature and the people of the state with a clear,
20 comprehensive summary of the portfolio composition, the
21 transactions, the total annual rate of return and the yield
22 to the state treasury and to each of the funds whose assets
23 are invested by the state board, and the recipients of
24 business placed or commissions allocated among the various
25 commercial banks, investment bankers and brokerage
26 organizations. This report shall contain financial
27 statements for funds managed by the board prepared in
28 accordance with generally accepted accounting principles.

29 (8) Require state officials from any department or
30 agency to produce and provide access to any financial
31 documents the state board deems necessary in the conduct of
32 their investment activities.

1 with separate exhibits for each investment account. The
 2 exhibit for each account shall list for each security
 3 representing the current assets of the account the
 4 following items, whichever are applicable:

5 (1) The purchase price of the security;

6 (2) The current market value of the security;

7 (3) The current dividend or interest rate of the
 8 security;

9 (4) The rating of a debt security issued by a
 10 nationally recognized rating agency if it is other than a
 11 security issued or guaranteed by the United States
 12 government.

13 The prospectus shall set forth the statutory
 14 provisions governing the supplemental retirement investment
 15 account.

16 Sufficient copies of the prospectus
 17 transmitted to each public retirement
 18 participating in the supplemental retirement investment
 19 account to meet the plan or fund's distribution
 20 requirements. Ten copies of the prospectus shall be filed
 21 with the director of the legislative reference library.

22 Subd. 12. [RATE OF INTEREST FOR FIXED RETURN.] At the
 23 beginning of each fiscal year, the state board shall set an
 24 assumed interest rate for moneys invested in the account
 25 during that year, with the rate applicable to all sums
 26 invested during that 12 month period. At the end of the 12
 27 months, the state board may determine the period over which
 28 the an assumed rate is to apply to funds so invested,
 29 depending on the average yield and maturity of the

1980 Laws, ch. 607, Art XIV, sec 14, s.d.11
 Directive-Investment Bd to L R L
 10 copies of prospectus bu Jly 1, ea yr

Depository

Any earnings accrued to the account

- 1 (a) In violation of constitutional provisions; or
2 (b) In excess of the statutory authority or
3 jurisdiction of the agency; or
4 (c) Made upon unlawful procedure; or
5 (d) Affected by other error of law; or
6 (e) Unsupported by substantial evidence in view of the
7 entire record as submitted; or
8 (f) Arbitrary or capricious.

9 Sec. 23. Minnesota Statutes 1978, Section 15.0426, is
10 amended to read:

11 15.0426 [APPEALS TO SUPREME COURT.] An aggrieved
12 party, including an agency which issued a decision or and
13 order in the case, may secure a review of any final order
14 or judgment of the district court under ~~sections~~ section
15 15.0424 or ~~15.0425~~ by appeal to the supreme court. Such
16 The appeal shall be taken in the manner provided by law for
17 appeals from orders or judgments of the district court in
18 other civil cases.

19 Sec. 24. Minnesota Statutes 1978, Section 15.047,
20 Subdivision 2, is amended to read:

21 Subd. 2. Copies of rules published pursuant to this
22 section may be sold by the commissioner of administration
23 for a reasonable fee. The commissioner shall provide
24 without cost one copy ten copies of the manual and any
25 supplementary material for the manual to the legislative
26 reference library and the state law library and one copy to
27 each county library maintained pursuant to section 375.33
28 or 134.12, excepting counties containing cities of the
29 first class. If a county has not established a county
30 library pursuant to section 375.33 or 134.12, the copies

1979 - Statutory

" DIRECTIVES "

Agency	Citation 1979 Laws chapter	Report re	Report to	Report by/date	Report date recd	Documen Number
State Auditor	Ch 201, sec 20	REPORT on the general financial condition of the various firefighters, relief associations.	10 copies direct to L R L	Commencing Nov 15, 1981 and every 2 yrs after		
Citizen's Advisory Task Force on Boundary Waters Canoe Area	ch 301, sec 11 sd 2	<u>Recommendations shall be filed with the Legislative Reference Library.</u>				

Statute
Miscellaneous

for LKL
P45

Zanni

AN ACT

S.F.No. 961
CHAPTER No.

201

1

2 relating to retirement; volunteer firefighters'

3 relief associations and independent nonprofit

4 firefighting corporations; providing for a

5 flexible statutory service pension maximum;

6 providing a procedure for the recognition of a

7 funding surplus in the calculation of the

8 financial requirements of a relief association and

9 the minimum obligation of a municipality;

10 clarifying the calculation of the time period for

11 the amortization of unfunded accrued liabilities

12 of volunteer firefighters' relief associations;

13 clarifying and updating various ambiguous and

14 obsolete provisions regarding the fire state aid

15 program, the authorization of retirement benefits

16 for volunteer firefighters and the mandated

17 guidelines for the financing of volunteer

18 firefighters' relief associations; amending

19 Minnesota Statutes 1978, Sections 69.771; 69.772,

20 Subdivisions 1, 2, 3, 4, 5, 6, and by adding a

21 subdivision; 69.773; and 69.774; and Laws 1963,

22 Chapter 429, Section 1; Laws 1967, Chapters 575,

23 Sections 1, Subdivision 1; and 2; 829, Section 1;

24 Laws 1969, Chapters 526, Section 2a, as added;

25 664, Section 1; Laws 1971, Chapters 114, Section

26 10; 127, Section 1; 140, Section 7; and 214,

27 Sections 1, as amended, and 2; Laws 1973, Chapters

28 304, Section 4; and 472, Section 1, as amended;

29 Laws 1975, Chapter 237, Sections 1 and 2; Laws

30 1976, Chapter 209, Section 1; Laws 1977, Chapter

31 374, Sections 41; 50, Subdivision 2; 51; and 57;

32 Laws 1978, Chapter 685, Sections 1 and 4;

33 repealing Minnesota Statutes 1978, Sections 69.04;

34 69.055; 69.06; 69.22; 69.23; 69.24; 69.66; 69.67;

35 69.68; 69.691; 424.30; and 424.31; Laws 1959,

36 Chapter 324; Laws 1965, Chapters 592, Section 1;

37 and 598, Section 1; Laws 1967, Chapters 575,

38 Section 1, Subdivision 2; 742, Section 1; 815,

39 Sections 1 and 2, Subdivision 1; and 831; Laws

40 1969, Chapters 252, Section 1, Subdivisions 1 and

1 to the legislature on the general financial condition of
 2 the various volunteer firefighters' relief associations in
 3 the state as of December 31 of the year preceding the
 4 filing of the report. Two copies of the report shall be
 5 filed with the executive secretary of the legislative
 6 commission on pensions and retirement and ten copies of the
 7 report shall be filed with the director of the legislative
 8 reference library.

9 Subd. 2. [CONTENTS OF REPORT.] The report shall
 10 include the aggregate totals for all volunteer
 11 firefighters' relief associations directly associated with
 12 the municipal fire departments and all volunteer
 13 firefighters' relief associations subsidiary to independent
 14 nonprofit firefighting corporations, the aggregate totals
 15 by the various benefit types and the individual results for
 16 each volunteer firefighters' relief association listed by
 17 various benefit types specified in subdivision 3. The
 18 following items shall be reported in each instance:

- 19 (1) amount of accrued liability,
- 20 (2) amount of assets,
- 21 (3) amount of surplus or unfunded accrued liability,
- 22 (4) funding ratio,
- 23 (5) amount of annual accruing liability or normal
 24 cost,
- 25 (6) amount of annual required contribution to amortize
 26 the unfunded accrued liability,
- 27 (7) amount of total required contribution,
- 28 (8) amount of fire state aid,
- 29 (9) amount of any municipal contributions,
- 30 (10) amount of administrative expenses,
- 31 (11) amount of service pension disbursements,
- 32 (12) amount of other retirement benefit disbursements,
- 33 (13) number of active members,

(14) number of retired members,

(15) number of deferred members,

(16) amount of fidelity bond of secretary and

treasurer,

(17) amount of service pension,

(18) minimum retirement age required for commencement

of a service pension,

(19) minimum years of active service credit required

for commencement of service pension,

(20) minimum years of active membership credit

required for commencement of service pension,

(21) type and amount of other retirement benefits.

Subd. 3. [BENEFIT CATEGORIES.] For purposes of

compiling the report required by this section, the various

benefit types shall be as follows:

(1) volunteer firefighters' relief associations paying

a lump sum service pension of: -----

(a) less than \$50 per year of service,

(b) \$50 or more, but less than \$100 per year of

service,

(c) \$100 or more, but less than \$200 per year of

service,

(d) \$200 or more, but less than \$300 per year of

service,

(e) \$300 or more per year of service;

(2) volunteer firefighters' relief associations paying

a monthly benefit service pension of: -----

(a) less than \$2 per month per year of service,

(b) \$2 or more per month per year of service;

(3) volunteer firefighters' relief associations paying

a defined contribution service pension;

(4) volunteer firefighters' relief associations paying

no service pension.

AN ACT

301

Handwritten: H.F. 1253 p. 3

Handwritten: Minnesota
to R.W.L.
p. 4

Handwritten in blue circle: Adv. Task Force
Boundary Waters Canoe Area
DWC
8-4

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relating to open space and recreation; providing for the acquisition and betterment of open space lands, state trails, forests, fish and wildlife management, natural and scientific areas, and accesses to public waters; payments to counties in lieu of taxes on public hunting grounds and game refuges; establishing Tettegouche State Park; prescribing the powers and duties of the commissioner of natural resources in relation to Tettegouche State Park; establishing a citizen's advisory task force on the Boundary Waters Canoe Area; authorizing the issuance of bonds; appropriating money; amending Minnesota Statutes 1978, Section 97.49, Subdivision 3; and Laws 1977, Chapter 421, Section 13, Subdivision 3.

17

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

19 Section 1. [OUTDOOR RECREATION BONDING.] To provide
20 the money appropriated by this act from the state building
21 fund, the commissioner of finance, upon request of the
22 governor, shall sell and issue bonds of the state in the
23 amount of \$48,065,000 in the manner and upon the terms
24 prescribed by Minnesota Statutes, Sections 16A.63 to
25 16A.67, and the Minnesota Constitution, Article XI,
26 Sections 4 to 7.

27 Sec. 2. [METROPOLITAN AREA RECREATION OPEN SPACE;
28 APPROPRIATION FOR ACQUISITION AND DEVELOPMENT.] \$27,000,000

1 held in the city of Silver Bay. Following the public
2 meeting or meetings, the commissioner shall determine
3 whether to proceed with the acquisition and issue a written
4 order stating that decision.

5 Sec. 11. [CITIZEN'S ADVISORY TASK FORCE ON THE
6 BOUNDARY WATERS CANOE AREA.] Subdivision 1. There is
7 created a citizen's advisory task force on the Boundary
8 Waters Canoe Area, consisting of 17 members selected as
9 follows:

10 (1) Three residents of St. Louis County appointed by
11 the governor;

12 (2) Three residents of Cook County appointed by the
13 governor;

14 (3) Three residents of Lake County appointed by the
15 governor; and

16 (4) Eight residents of the state residing outside of
17 the aforementioned counties appointed by the governor.

18 The governor shall designate one of the appointees to
19 serve as chairman and the advisory task force may elect
20 such other officers as it deems necessary. The advisory
21 task force shall be subject to the provisions of Minnesota
22 Statutes, Section 15.059, except that the advisory task
23 force shall not expire until June 30, 1983.

24 Subd. 2. The advisory task force shall conduct
25 meetings and research into all matters related to the
26 establishment and operation of the Boundary Waters Canoe
27 Area, and shall make such recommendations to the United
28 States Forest Service and other federal and state agencies
29 concerned, regarding operation of the area, as the advisory
30 task force deems advisable. A copy of each recommendation
31 shall be filed with the legislative reference library. The
32 advisory task force shall not apply for or accept funds
33 from public or private sources other than the legislature.

New

Amended

3
AN ACT

24
Director
of
Report

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relating to the operation of state government;
centralizing the management and review of all
state contracts in the office of the commissioner
of administration; distinguishing consultant,
professional and technical contracts; amending
Minnesota Statutes 1976, Section 15.061; and
Chapter 16, by adding a section; repealing
Minnesota Statutes 1976, Sections 16.10; and
161.35.

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

13 Section 1. Minnesota Statutes 1976, Section 15.061, is
14 amended to read:

15 15.061 CONSULTANT, PROFESSIONAL AND TECHNICAL
16 SERVICES. ~~Notwithstanding the provisions of any other law~~
17 Pursuant to the provisions of section 2, the head of a
18 ~~state departments and agencies~~ department or agency may,
19 with the approval of the commissioner of administration, ~~use~~
20 ~~salary appropriations to~~ contract for consultant ~~services~~
21 and professional and technical services in connection with
22 the operation of the ~~departments and agencies~~ department or
23 agency. ~~Such contracts~~ A contract negotiated under this
24 section shall not be subject to the competitive bidding
25 requirements of chapter 16.

1 No agency shall execute a state contract without receiving
 2 the prior approval of the commissioner pursuant to this
 3 subdivision. All agencies shall afford full cooperation to
 4 the commissioner in the management and review of state
 5 contracts.

6 Subd. 3. [DUTIES OF CONTRACTING AGENCY.] Before an
 7 agency may seek approval of a consultant or professional and
 8 technical services contract valued in excess of \$2,000, it
 9 shall certify to the commissioner that:

10 (1) no state employee is competent to perform the
 11 services called for by the contract;

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

14 (3) the services are not available as a product of a
 15 prior consultant or professional and technical services
 16 contract, and the contractor has certified that the product
 17 of his services will be original in character;

18 (4) reasonable efforts were made to publicize the
 19 availability of the contract;

20 (5) the agency has received, reviewed and accepted a
 21 detailed work plan from the contractor for performance under
 22 the contract; and

23 (6) the agency has developed, and fully intends to
 24 implement, a written plan providing for (a) the assignment
 25 of specific agency personnel to a monitoring and liaison
 26 function, (b) the periodic review of interim reports or
 27 other indicia of part performance and (c) the ultimate
 28 utilization of the final product of the services.

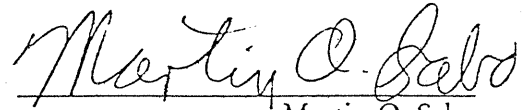
29 Subd. 4. [PROCEDURE FOR CONSULTANT AND PROFESSIONAL
 30 AND TECHNICAL SERVICES CONTRACTS.] Before approving a
 31 proposed state contract for consultant services or
 32 professional and technical services the commissioner shall

1 contract. The commissioner may require an agency to report
2 to him at any time on the status of any outstanding state
3 contract to which the agency is a party. After completion
4 of performance under a consultant or professional and
5 technical services contract, the agency shall evaluate the
6 performance under the contract and the utility of the final
7 product. This evaluation shall be delivered to the
8 commissioner who shall retain all such evaluations for
9 future reference.

10 Subd. 7. [DELEGATION.] The commissioner may delegate a
11 part or all of his contract management and review functions
12 to the head of another agency including the contracting
13 agency when he deems it appropriate. Delegations shall be
14 filed with the secretary of state and shall not, except with
15 respect to delegations within the department of
16 administration, exceed two years in duration.

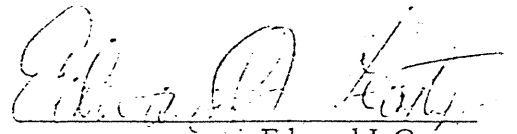
17 Subd. 8. [RULEMAKING AUTHORITY.] The commissioner may
18 adopt and enforce rules as he deems necessary regarding the
19 management and review of state contracts.

20 Subd. 9. [INVALIDITY OF STATE CONTRACTS.] No state
21 contracts shall be valid, nor shall the state be bound by
22 the contract until it has first been executed by the head of
23 the agency which is a party to the contract and has been
24 approved in writing by the commissioner or his delegate
25 pursuant to this section, by the attorney general or his
26 delegate as to form and execution and by the commissioner of
27 finance or his delegate that the appropriation and allotment
28 have been encumbered for the full amount of the contract
29 liability. The head of the agency may delegate the
30 execution of specific contracts or specific types of
31 contracts to a deputy or assistant head within his agency if
32 the delegation has been approved by the commissioner of



Martin O. Sabo

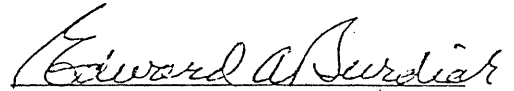
Speaker of the House of Representatives.



Edward J. Gearty

President of the Senate.

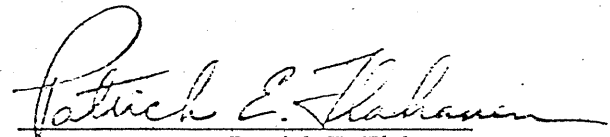
Passed the House of Representatives this 9th day of March in the year of Our Lord one thousand nine hundred and seventy eight



Edward A. Burdick

Chief Clerk, House of Representatives.

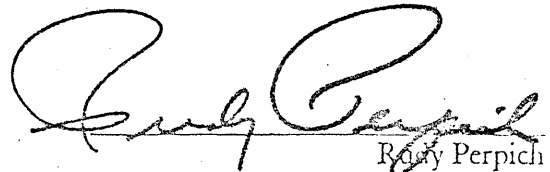
Passed the Senate this 6th day of March in the year of Our Lord one thousand nine hundred and seventy eight



Patrick E. Flahaven

Secretary of the Senate.

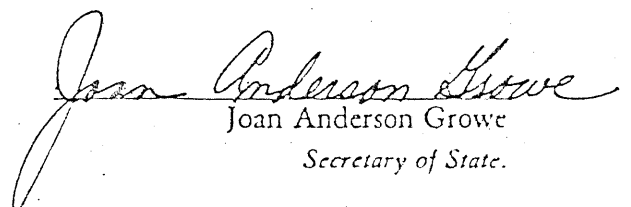
Approved March 14th, 1978



Rudy Perpich

Governor of the State of Minnesota.

Filed March 14, 1978



Joan Anderson Growe

Secretary of State.

1928

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H.F.No. 1864
CHAPTER No.

AN ACT

563

See page 7.
Public Law
Reports

2 relating to retirement; providing for biennial
 3 local police and paid fire fund actuarial
 4 valuations; amending Minnesota Statutes 1976,
 5 Sections 69.77, Subdivisions 1, 2 and by adding a
 6 subdivision; 69.773, Subdivision 2; 69.78; 356.20,
 7 Subdivisions 1, 2 and 4; 356.215, Subdivisions 2
 8 and 4; Chapter 356, by adding a section; Laws
 9 1955, Chapter 75, Section 9, as added and Section
 10 12, as amended; Laws 1959, Chapter 131, Section
 11 10, Subdivision 1, as amended; Laws 1965, Chapter
 12 446, Section 7, Subdivision 1; Laws 1965, Chapter
 13 458, Section 3, Subdivision 2; Laws 1965, Chapter
 14 498, Section 1, Subdivision 1; Laws 1967, Chapter
 15 736, Section 11, Subdivision 1; Laws 1967, Chapter
 16 775, Section 8; Laws 1967, Chapter 798, Section 1,
 17 Subdivisions 1 and 2; Laws 1969, Chapter 576,
 18 Section 1; Laws 1969, Chapter 641, Section 2,
 19 Subdivision 1; Laws 1971, Chapter 51, Section 9,
 20 and Section 10, Subdivisions 1 and 2; Laws 1971,
 21 Chapter 810, Section 7; Laws 1973, Chapter 587,
 22 Section 1; Laws 1975, Chapter 424, Sections 10 and
 23 11; repealing Minnesota Statutes 1976, Sections
 24 69.71; 69.72; 69.73; 69.74; 69.75; 69.76; 490.131;
 25 and Laws 1963, Chapter 643, Section 27.

26

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

28 Section 1. Minnesota Statutes 1976, Section 69.77,

29 Subdivision 1, is amended to read:

30 69.77 [POLICE AND FIREMEN'S RELIEF ASSOCIATION

31 GUIDELINES ACT.] Subdivision 1. -Commencing July 1, 1971, It

32 shall be unlawful for any governmental subdivision to

Reports
p 19
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1 receive compensation for services rendered and which provide
2 for benefits based on the compensation paid to members for
3 their service;

4 (4) Any pension fund or relief association established
5 and operating under special legislation which provides
6 benefits based on compensation paid to members for service
7 as police officers or firefighters but not covered by
8 clauses (1), (2) or (3); and

9 (5) Any governmental subdivision retirement fund
10 established pursuant to any law providing for the payment of
11 benefits to police officers or firefighters or their
12 dependents as retirement or survivorship benefits and not
13 otherwise described in this subdivision.

14 Sec. 3. Minnesota Statutes 1976, Section 69.77,
15 Subdivision 2, is amended to read:

16 Subd. 2. Subdivision 1 does not apply to an
17 association-described enumerated in subdivision-1 1a under
18 the following circumstances:

19 (1) Each member of the association pays into the
20 retirement funds of the association during his term of
21 covered employment from and after January 1, 1970, a
22 contribution for retirement and survivorship benefits of not
23 less than six percent of the maximum rate of salary from
24 which retirement and survivorship credits and amounts of
25 benefits are determined, and that such contributions of a
26 member are deducted from his salary by his governmental
27 employer, transmitted to the association, and deposited to
28 the credit of the proper fund thereof, provided that to
29 avoid undue increase in the amount of employee contributions
30 in any one year, any increase in the amount of contributions
31 required by this section may be spread over several years,
32 but the increase in rate of contribution in each year

1 percent on the amount of the (deficit) unfunded liability
2 found by the actuarial survey of the fund.

3 The total of these two amounts represents the financial
4 requirements of the association for the following year.

5 Except as otherwise provided in this paragraph, the
6 minimum obligation of the governmental subdivision shall be
7 the financial requirements of the association less member
8 contributions herein provided from covered salary and less
9 one year's estimated receipts expected from the state of
10 Minnesota through state collected insurance premium taxes or
11 other state aids. The minimum obligation may, by vote of
12 the governing body of the governmental subdivision, be
13 reduced to the amount levied in the preceding year for
14 purposes of the association, plus the following percentage
15 of the difference between that levy and the amount of the
16 minimum obligation determined without benefit of this
17 sentence: for the levy made in 1971, 10 percent; in 1972,
18 20 percent; in 1973, 30 percent; in 1974, 40 percent; in
19 1975, 50 percent; in 1976, 60 percent; in 1977, 70 percent;
20 in 1978, 80 percent; and in 1979, 90 percent. Commencing
21 with the levy made in 1980, there shall be no reduction in
22 the minimum obligation pursuant to this paragraph.

23 (3) The foregoing determination of the obligation of a
24 governmental subdivision shall be submitted to its governing
25 body not later than September 1 of each year so that it may
26 ascertain if it has been prepared in accordance with law.

27 (4) The governmental subdivision shall provide and pay
28 as promptly as funds are available to the association at
29 least the amount of the minimum obligation each year. Any
30 portion of this amount not paid to the association at the
31 end of any calendar year shall be increased at the rate of
32 six percent per annum until so paid. On September 1 of any

1 28, 1969 . The governing board of the association may
 2 select and appoint investment agencies to act for and in its
 3 behalf or may certify funds for investment by the state
 4 board of investment under the provisions of section 11.21,
 5 provided that there be no limit to the amount which may be
 6 invested in the income share account described in section
 7 11.18, subdivision 2, or in the fixed-return account
 8 described in section 11.18, subdivision 3a, and that up to
 9 20 percent of that portion of the assets of the association
 10 invested in the Minnesota supplemental retirement fund may
 11 be invested in the growth share account described in section
 12 11.18, subdivision 3.

13 (8) The association shall procure an actuarial survey
 14 showing the condition of its fund pursuant to section 11 of
 15 this act as of December 31, ~~1970~~ 1978 , and ~~not less~~
 16 ~~frequently than each four~~ shall procure an actuarial survey
 17 every two years thereafter. ~~such~~ The association shall
 18 also procure a quadrennial experience study pursuant to
 19 section 11 of this act as of December 31, 1978, and shall
 20 procure a quadrennial experience study every four years
 21 thereafter. A copy of the actuarial survey and the
 22 quadrennial experience study shall be filed with the ~~chief~~
 23 ~~clerk of the house of representatives, the secretary of the~~
 24 ~~senate~~ director of the legislative reference library , the
 25 governing body of the municipality in which the association
 26 is organized, ~~and the executive secretary of any the~~
 27 ~~legislative committee or commission duly created and having~~
 28 ~~within its jurisdiction the study of pension plans and~~
 29 ~~pension funds~~ on pensions and retirement, and the
 30 commissioner of insurance , not later than June 1 of the
 31 following year ~~in the manner described in sections 69.71 to~~
 32 69.76 .

✓ Dec 31-78

✓ Dec 31-82

June 1 1979
June 1 1983

1977 - Statutory

1977 DIRECTIVE TO THE LEGISLATIVE REFERENCE LIBRARY

(Name of Agency, Department, etc.)

Report Required	Citation	Filing Date	No. of copies recd	Date Re
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AN ACT

S.F.No. 1337

CHAPTER No.

452

1977

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MS 482.181

relating to the operation of state government; providing for wage and fringe benefits for certain state employees; ratifying collective bargaining agreements; providing emergency rule making authority; increasing salary ranges; limiting salary increases of certain political subdivision employees; placing time limitations on the execution of negotiated agreements; appropriating money; amending Minnesota Statutes 1976, Sections 43.067, Subdivisions 3 and 4, as amended; 43.09, Subdivision 3; 43.12, Subdivisions 2, 3, 5, 6, 7, Sec. 35, (REVISOR'S INSTRUCTIONS.) In respect to a

collectively bargained contract with the state covering a period beginning on and after July 1, 1979, the revisor of statutes shall provide the chairpersons of the main policy committee in each body of the legislature charged with the responsibility of legislative oversight of state employee contract provisions and the legislative reference library with a copy of the contract showing additions and deletions from contract language in effect for the immediately preceding contract period. Where appropriate, the revisor shall consolidate provisions which are identical from contracts of two or more bargaining units.

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1976 - Statutory

SENATE

A N A C T

relating to the legislature; providing for the filing of state documents with the legislature; establishing duties of legislative reference library; amending Minnesota Statutes 1974, Sections 3.195; and 3.302, Subdivision 3.

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

Section 1. Minnesota Statutes 1974, Section 3.195, is amended to read:

3.195 REPORTS TO THE LEGISLATURE. Whenever a report to the legislature is required of a department or agency of government, it shall be made, unless otherwise specifically required by law, by the filing of one copy with the secretary of the senate, one copy with the chief clerk of the house of representatives, and ten copies with the legislative reference library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the legislative reference library. The legislative reference library shall monthly ~~give notice to each legislator of each publication filed pursuant to this section~~ publish and distribute to legislators a checklist of state documents. Additional copies of the checklist sufficient for distribution to all state agencies, public, university and college libraries shall be provided by the documents section, department of administration.

Sec. 2. Minnesota Statutes 1974, Section 3.302, Subdivision 3, is amended to read:

Subd. 3. The legislative reference library is a depository of all documents published by the state and shall receive such materials automatically without cost in the same manner as other depositories. As used in this chapter, "document" shall include any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, or other agencies supported by state funds, or any publication prepared for the state by private individuals or organizations and issued in print, including all forms of duplicating other than by the use of carbon paper, considered to be of interest or value to the legislative reference library. Intraoffice or interoffice memos and forms and information concerning only the internal operation of the agency are not included.

1975 - Statutory

AN ACT

see p 3

1
2 relating to Voyageurs National Park; establishing
3 and empowering an advisory committee thereon.

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

5 Section 1. [CITIZEN'S COMMITTEE ON VOYAGEURS NATIONAL
6 PARK.] subdivision 1. The governor shall appoint, except
7 for the legislative members, a citizen's committee on
8 Voyageurs National Park, consisting of 16 members as
9 follows:

10 Four residents of Koochiching county, two of whom shall
11 be appointed to terms ending January 1, 1979, and two of
12 whom shall be appointed to terms ending January 7, 1980;

13 Four residents of St. Louis county, two of whom shall
14 be appointed to terms ending January 7, 1980, and two of
15 whom shall be appointed to terms ending January 1, 1979;

16 Four residents of the state at large from outside
17 Koochiching and St. Louis counties, two of whom shall be
18 appointed to terms ending January 1, 1979, and two of whom
19 shall be appointed to terms ending January 7, 1980;

20 Two members of the state senate to be appointed by the
21 committee on committees;

22 Two members of the state house of representatives to be

1 appointed by the speaker of the house.

2 The governor shall designate one of the appointees to
3 serve as chairman and the committee may elect such other
4 officers as it deems necessary. Members shall be appointed
5 so as to represent differing viewpoints and interest groups
6 on the facilities included in and around the park.
7 Legislator members shall serve for the term of the
8 legislative office to which they were elected. Successor
9 members to the non-legislator members shall serve until the
10 first Monday in January four years after the end of the
11 prior term. Members may serve until their successors are
12 appointed and qualify. If a successor has not been
13 appointed by the July 1 after the scheduled end of a
14 member's term, the term of the member for whom a successor
15 has not been appointed shall be extended until the first
16 Monday in January four years after the scheduled end of the
17 term.

18 Members of the committee shall be compensated at the
19 rate of \$25 per day spent on committee activities plus
20 expenses in the same manner and amount as state employees.
21 Members who are full-time state employees or full-time
22 employees of political subdivisions shall not receive the
23 \$25 per day, but they shall suffer no loss in compensation
24 from the state or political subdivision as a result of their
25 services on the committee. Members who are state employees
26 or employees of the political subdivisions of the state may
27 receive the expenses provided for in this section unless
28 such expenses are reimbursed by another source.

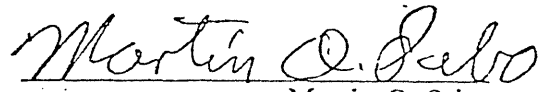
29 A member may be removed by the appointing authority at
30 any time (1) for cause after notice and hearing, or (2)
31 after missing three consecutive meetings. The chairman of
32 the committee shall inform the appointing authority of a

1 member missing the three consecutive meetings. After the
2 second consecutive missed meeting and before the next
3 meeting, the secretary of the committee shall notify the
4 member in writing that he may be removed if he misses the
5 next meeting.

6 Subd. 2. The committee shall conduct meetings and
7 research into all matters related to the establishment and
8 operation of Voyageurs National Park, and shall make such
9 recommendations to the United States National Park Service
10 and other federal and state agencies concerned, regarding
11 operation of the park as the committee deems advisable. A
12 copy of each recommendation shall be filed with the
13 legislative reference library. The committee may apply for
14 and accept funds from public or private sources and expend
15 the same in furtherance of its duties under this section.
16 Subject to the availability of legislative appropriation or
17 other funding therefor, the committee may employ staff and
18 may contract for consulting services relating to matters
19 within its authority.

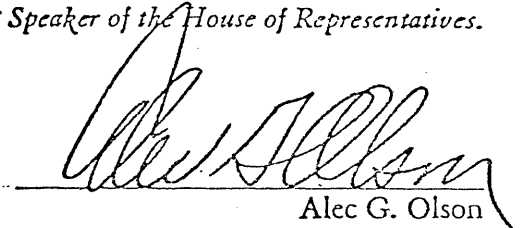
20 Subd. 3. Such moneys as may be appropriated to provide
21 the payments as prescribed by this act shall be appropriated
22 to the commissioner of administration.

23 Sec. 2. This act is effective July 1, 1975 and shall
24 expire June 30, 1983.



Martin O. Sabo

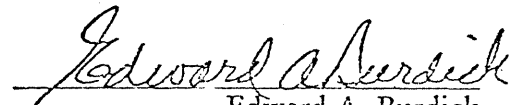
Speaker of the House of Representatives.



Alec G. Olson

President of the Senate.

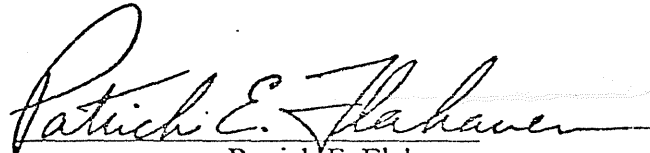
Passed the House of Representatives this 16th day of May in the year of Our Lord one thousand nine hundred and seventy-five



Edward A. Burdick

Chief Clerk, House of Representatives.

Passed the Senate this 13th day of May in the year of Our Lord one thousand nine hundred and seventy-five

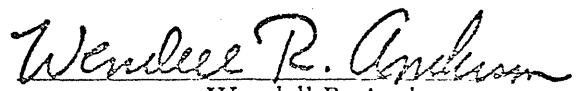


Patrick E. Flahaven

Secretary of the Senate.

Approved JUNE 2

1975



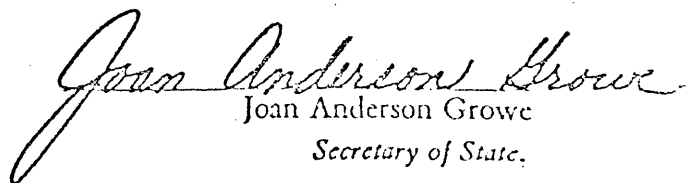
Wendell R. Anderson

Governor of the State of Minnesota.

Filed

June 2,

1975



Joan Anderson Growe

Secretary of State.

§ 15.0426 DEPARTMENTS OF STATE

nesota Water Resources Bd. v. Travers County, 1970, 287 Minn. 130, 177 N.W.2d 44.

3. Standing

One trucking company which had opposed application of second trucking company for certificate of public convenience and necessity for intra-

state transportation of freight did not have standing to attack portion of Public Service Commission order which required the second trucking company to cancel certain arbitrary rates within six months of the date of the order. Murphy Motor Freight Lines, Inc. v. Witte Transp. Co., 1976, 239 N.W.2d 926.

15.043, 15.044 Repealed by Laws 1957, c. 806, § 13, eff. Jan. 1, 1958

Historical Note

See note following section 15.041.

15.045 Repealed by Laws 1955, c. 603, § 4

Historical Note

This section, derived from Laws 1945, c. 590, § 1, required administrative agencies to file copies of rules

with the district court and the revisor and prepare additional copies for distribution. See, now § 15.047.

15.046 Repealed by Laws 1975, c. 61, § 26; Laws 1976, c. 149, § 63, eff. July 1, 1976

Historical Note

Following repeal this section was amended by Laws 1975, c. 380 § 8, as follows: There is hereby created a publication advisory board which shall consist of the secretary of state, the attorney general, the director of the legislative reference library, the revisor of statutes, and the chief hearing officer. Each member may designate one of his assistants to act in his stead as a member of the board. Such designation shall be filed in the office of the secretary of

state. The board shall select a chairman and a secretary from its members. The board shall meet, from time to time, upon the call of the chairman. The board shall advise the commission of administration on matters relating to the publication of the state register and the manual of state agency rules.

Laws 1976, c. 149, § 63, repealed this section as it was amended by Laws 1975, c. 380, § 8.

Library References

States ↻45.

C.J.S. States §§ 52, 66.

15.047 Manual of state agency rules, publication

Subdivision 1. The commissioner of administration shall publish a manual of state agency rules, which shall include all agency rules currently in effect. The manual shall be so designed as to allow for economic publication and distribution and efficient use.

X

AN ACT

Amended
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relating to state administrative procedures; redefining certain terms; prescribing a method for the adoption, amendment, suspension or repeal of rules; providing for the publication of a manual of state agency rules; providing for the publication of the state register; creating an office of hearing examiners; appropriating money; amending Minnesota Statutes 1974, Sections 15.0411; 15.0412; 15.0413, Subdivisions 1, 2 and 3; 15.0415; 15.0421; 15.046; 15.047, Subdivision 1; 15.048; 15.049; 15.051, Subdivisions 1 and 2, and by adding a subdivision; 16.80, Subdivision 1; and Chapters 5, by adding a section; and 15, by adding sections; and Laws 1974, Chapter 344, Section 9; repealing Minnesota Statutes 1974, Section 15.0413, Subdivisions 4, 5 and 6.

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

Section 1. Minnesota Statutes 1974, Section 15.0411, is amended to read:

15.0411 [DEFINITIONS.] Subdivision 1. For the purposes of sections 15.0411 to ~~15.0422~~ 15.051 and section 16 of this act the terms defined in this section have the meanings ascribed to them.

Subd. 2. "Agency" means any state officer, board, commission, bureau, division, department, or tribunal, other than a court, having a statewide jurisdiction and authorized by law to make rules or to adjudicate contested cases.

Sections 15.0411 to ~~15.0422~~ 15.051 and section 16 of this

1 act do not apply to (a) agencies directly in the legislative
 2 or judicial branches, (b) emergency powers in Laws 1951,
 3 Chapter 694, Title III, Sections 301 to 307, (c) Minnesota
 4 Corrections Authority and Pardon Board, (d) the Department
 5 of Employment Services, (e) the Director of Mediation
 6 Services, (f) the workmen's compensation division in the
 7 department of labor and industry, (g) the workmen's
 8 compensation commission , or (h) the department of military
 9 affairs. Sections 15,0418 to 15,0426 do not apply to the
 10 Minnesota municipal commission ,

11 Subd. 3. "Rule" includes every regulation agency
 12 statement of general applicability and future effect ,
 13 including the amendment, suspension, or repeal thereof,
 14 ~~adopted by an agency, whether with or without prior hearing,~~
 15 made to implement or make specific the law enforced or
 16 administered by it or to govern its organization or
 17 procedure, but does not include (a) regulations rules
 18 concerning only the internal management of the agency or
 19 other agencies, and which do not directly affect the rights
 20 of or procedure available to the public; or (b) rules and
 21 ~~regulations relating to the management, discipline, or~~
 22 ~~release of any person committed to any state penal~~
 23 ~~institution, or (c) rules of the division of game and fish~~
 24 published in accordance with ~~Minnesota Statutes,~~ section
 25 97.53; or ~~(d)~~ (c) regulations rules relating to weight
 26 limitations on the use of highways when the substance of
 27 ~~such regulations rules~~ is indicated to the public by means
 28 of signs ; or (d) opinions of the attorney general .

29 Subd. 4. "Contested Case" means a proceeding before an
 30 agency in which the legal rights, duties, or privileges of
 31 specific parties are required by law or constitutional right
 32 to be determined after an agency hearing.

1 Sec. 2. Minnesota Statutes 1974, Section 15,0412, is
2 amended to read:

3 15,0412 [RULES, PROCEDURES,] Subdivision 1. ~~In~~
4 ~~addition to other rule-making powers or requirements~~
5 ~~provided by law each agency may adopt rules governing the~~
6 ~~formal or informal procedures prescribed or authorized by~~
7 ~~sections 15,0411 to 15,6422, such rules shall include rules~~
8 ~~of practice before the agency and may include forms and~~
9 ~~instructions. For the purpose of carrying out the duties~~
10 ~~and powers imposed upon and granted to it, an agency may~~
11 ~~promulgate reasonable substantive rules and regulations and~~
12 ~~may amend, suspend or repeal the same, but such action shall~~
13 ~~not exceed the powers vested in the agency by statute. Each~~
14 agency shall adopt, amend, suspend or repeal its rules in
15 accordance with the procedures specified in sections 15,0411
16 to 15,051 and section 16 of this act, and only pursuant to
17 authority delegated by law and in full compliance with its
18 duties and obligations .

19 Subd. 2. To assist interested persons dealing with it,
20 each agency shall, ~~so far as deemed practicable, supplement~~
21 ~~its rules with descriptive statements of its procedures,~~
22 ~~which shall be kept current~~ in a manner prescribed by the
23 commissioner of administration, prepare a description of its
24 organization, stating the process whereby the public may
25 obtain information or make submissions or requests. The
26 commissioner of administration shall annually publish these
27 descriptions in the state register .

28 Subd. 3. ~~Prior to the adoption of any rule authorized~~
29 ~~by law or the suspension, amendment or repeal thereof~~
30 ~~unless the agency follows the procedure of subdivision 4~~
31 ~~the adopting agency shall publish notice of its intended~~
32 ~~action in the state register as described in section 15,051~~

1 ~~and afford interested persons opportunity to submit data or~~
2 ~~views orally or in writing.~~ Each agency shall adopt rules
3 setting forth the nature and requirements of all formal and
4 informal procedures related to the administration of
5 official agency duties, Procedures concerning only internal
6 management which do not directly affect the rights of or
7 procedures available to the public need not be adopted as
8 rules.

9 Subd. 4. No rule shall be adopted by any agency unless
10 the agency first holds a public hearing thereon, ~~following~~
11 ~~the giving of at least 30 days prior to the hearing of~~
12 ~~notice of the intention to hold such hearing,~~ affording all
13 affected interests an opportunity to participate, and gives
14 notice of its intention to hold such a hearing at least 30
15 days prior to the date set for the hearing by United States
16 mail, to representatives of associations or other interested
17 groups or persons who have registered their names with the
18 secretary of state for that purpose and in the state
19 ~~register as described in section 15,051 . Every rule~~
20 ~~hereafter proposed by an administrative agency, before being~~
21 ~~adopted, must be based upon a showing of need for the rule,~~
22 ~~and shall be submitted as to form and legality, with reasons~~
23 ~~therefor, to~~ The notice in the state register shall include
24 the full text of the rule proposed for adoption, The agency
25 shall make available at least one free copy of the proposed
26 rule to any person requesting it, At the public hearing the
27 agency shall make an affirmative presentation of facts
28 establishing the need for and reasonableness of the rule
29 proposed for adoption and fulfilling any relevant
30 substantive or procedural requirements imposed on the agency
31 by law or rule, After allowing written material to be
32 submitted and recorded in the hearing record for 20 days

1 after the public hearing ends, the hearing examiner assigned
 2 to the hearing shall proceed to write a report as provided
 3 for in section 16, subdivision 3 of this act, which report
 4 shall be completed as promptly as possible. The report
 5 shall be available to all affected persons upon request for
 6 at least ten days before the agency takes any final action
 7 on the rule. If the agency adopts the rule, it shall be
 8 submitted with the complete hearing record to the attorney
 9 general, who shall review the rule as to form and legality.
 10 The attorney general, ~~who shall~~, within 20 days, ~~shall~~
 11 either approve or disapprove the rule. If he approves the
 12 rule, he shall promptly file it in the office of the
 13 secretary of state. If he disapproves the rule, he shall
 14 state in writing his reasons therefor, and the rule shall
 15 not be filed in the office of the secretary, nor published,
 16 ~~if he fails to approve or disapprove any rule with the~~
 17 ~~20 day period, the agency may file the rule in the office of~~
 18 ~~the secretary of state and publish the same.~~ A rule shall
 19 become effective after it has been subjected to all
 20 requirements described in this subdivision and 20 days after
 21 its publication in the state register ~~as described in~~
 22 ~~section 15.05~~ unless a later date is required by statutes
 23 or specified in the rule. Any rule adopted after July 1,
 24 ~~1975~~ 1976 which is not published in the state register
 25 shall be of no effect.

26 Subd. 5. Where statutes governing the agency permit
 27 the agency to exercise emergency powers, or when the agency
 28 is compelled to act by court order or a federal law or rule,
 29 ~~emergency rules and regulations~~ may be established without
 30 compliance with the provisions of subdivision 4. These
 31 rules are to be effective for not longer than ~~60~~ 75 days
 32 and may ~~not immediately~~ be reissued or continued in effect

1 for an additional 75 days, but may not immediately be
 2 reissued thereafter without following the procedure of
 3 subdivision 4. Emergency rules or regulations shall be
 4 published in the state register as soon as practicable.

5 Subd. 6. When an agency seeks to obtain information or
 6 opinions in preparing to propose the adoption, amendment,
 7 suspension, or repeal of a rule from sources outside of the
 8 agency, the agency shall publish notice of its action in the
 9 state register and shall afford all interested persons an
 10 opportunity to submit data or views on the subject of
 11 concern in writing or orally. Such notice and any written
 12 material received by the agency shall become a part of the
 13 hearing record to be submitted to the attorney general under
 14 subdivision 4.

15 Sec. 3. Minnesota Statutes 1974, Section 15.0413,
 16 Subdivision 1, is amended to read:

17 15.0413 [EFFECT OF ADOPTION OF RULES; PUBLICATION;
 18 APPROPRIATION.] Subdivision 1. Every rule ~~or regulation~~
 19 approved by the attorney general and filed in the office of
 20 the secretary of state as provided in section 15.0412 shall
 21 have the force and effect of law upon 20 days after its
 22 publication in the state register and upon its further
 23 filing in the office of the commissioner of administration on
 24 standards or statements of policy or interpretations of
 25 general application and future effect shall not have the
 26 effect of law unless they are adopted as a rule in the
 27 manner prescribed in section 15.0412. This section does not
 28 apply to opinions of the attorney general unless a later
 29 date is required by statute or specified in the rule. The
 30 secretary of state shall keep a permanent record of rules
 31 filed with that office open to public inspection.

32 Sec. 4. Minnesota Statutes 1974, Section 15.0413,

1 Subdivision 2, is amended to read:

2 Subd. 2. Each rule hereafter ~~adopted,~~ amended,
 3 suspended, or repealed shall become ~~effective~~ amended,
 4 suspended, or ~~be repealed upon publication of~~ 20 days after
 5 the new or amended rule or notice of suspension or repeal is
 6 published in the state register ~~as provided in section~~
 7 ~~15.051 and upon their filing in the office of the secretary~~
 8 ~~of state and the further filing in the office of the~~
 9 ~~commissioner of administration unless a later date is~~
 10 required by statute or specified in the rule. ~~The secretary~~
 11 ~~of state shall endorse on each rule the time and date of~~
 12 ~~filing and the commissioner of administration shall do~~
 13 ~~likewise. The commissioner of administration shall maintain~~
 14 ~~a permanent record of all dates of publication of the rules.~~

15 Sec. 5. Minnesota Statutes 1974, Section 15.0413,
 16 Subdivision 3, is amended to read:

17 Subd. 3. Rules ~~and regulations~~ hereafter promulgated,
 18 amended, suspended, or repealed of ~~each~~ any state officer,
 19 board, commission, bureau, division, department, or tribunal
 20 other than a court, having statewide jurisdiction and
 21 authorized by law to make rules ~~and regulations~~, but not
 22 ~~defined as an~~ excluded from the definition of "agency" in
 23 section 15.0411 shall ~~not~~ have the force and effect of law
 24 unless if they are filed in the office of the ~~commissioner~~
 25 ~~of administration~~ secretary of state in the same manner as
 26 rules ~~and regulations~~ of an agency are so filed and ~~unless~~
 27 if they are submitted to the commissioner of administration
 28 in a manner he shall prescribe and published in the state
 29 register. This subdivision, however, shall not apply to
 30 rules ~~and regulations~~ of the regents of the University of
 31 Minnesota.

32 Sec. 6. Minnesota Statutes 1974, Section 15.0415, is

1 amended to read:

2 15.0415 [PETITION FOR ADOPTION OF RULE.] Any interested
 3 person may petition an agency requesting the adoption,
 4 suspension, amendment or repeal of any rule. ~~Each agency~~
 5 ~~may~~ The petition shall be specific as to what action is
 6 requested and the need for the action. Upon receipt of such
 7 a petition an agency shall have 60 days in which to make a
 8 specific and detailed reply in writing as to its planned
 9 disposition of the request. If the agency states its
 10 intention to hold a public hearing on the subject of the
 11 request, it shall proceed according to section 15.0412. The
 12 attorney general shall prescribe by rule the form for such
 13 all petitions under this section and the may prescribe
 14 further ~~procedure~~ procedures for their submission,
 15 consideration, and disposition.

16 Sec. 7. Minnesota Statutes 1974, Section 15.0421, is
 17 amended to read:

18 15.0421 [PROPOSAL FOR DECISION IN CONTESTED CASE.]
 19 ~~Whenever in a~~ In all contested case a majority of the
 20 ~~officials of the agency who are to render the final decision~~
 21 ~~have not heard or read the evidence,~~ cases the decision
 22 ~~if adverse to a party~~ of the officials of the agency who
 23 are to render the final decision shall not be made until the
 24 report of the hearing examiner as required by section 16 of
 25 this act, has been made available to parties to the
 26 ~~proceeding other than the agency itself, shall not be made~~
 27 ~~until a proposal for decision, including the statement of~~
 28 ~~reasons therefor, has been served on the parties,~~ for at
 29 least ten days and an opportunity has been afforded to each
 30 party adversely affected to file exceptions and present
 31 argument to a majority of the officials who are to render
 32 the decision.

1 Sec. 8, Minnesota Statutes 1974, Section 15,046, is
2 amended to read:

3 15,046 [PUBLICATION ADVISORY BOARD.] There is hereby
4 created a publication advisory board which shall consist of
5 ~~the commissioner of administration, the~~ secretary of state,
6 and the attorney general, the director of the legislative
7 reference library, the revisor of statutes, and the chief
8 hearing officer. Each member may designate one of his
9 assistants to act in his stead as a member of the board.
10 Such designation shall be filed in the office of the
11 secretary of state. The board shall select a chairman and a
12 secretary from its members. The board shall meet, from time
13 to time, upon the call of ~~the commissioner of administration~~
14 ~~or his duly designated assistant~~ chairman. The board shall
15 advise the commissioner of administration on matters
16 relating to the publication of the state register and the
17 manual of state agency rules.

18 Sec. 9, Minnesota Statutes 1974, Section 15,047,
19 Subdivision 1, is amended to read:

20 15,047 [MANUAL OF STATE AGENCY RULES, PUBLICATION.]
21 Subdivision 1. ~~The publication board shall prescribe~~
22 ~~regulations for carrying out the provisions of sections~~
23 ~~15,046 to 15,049. Among other things, such regulations~~
24 ~~shall provide for:~~
25 ~~(1) periodic publication of all rules and regulations~~
26 ~~filed with the secretary of state in accordance with~~
27 ~~sections 15,046 to 15,049;~~
28 ~~(2) the selection, compilation and publication of such~~
29 ~~orders of administrative agencies as it may deem necessary;~~
30 ~~(3) a uniform manner and form for the preparation~~
31 ~~printing and indexing of regulations and compilations to the~~
32 ~~end that all regulations and compilations be published~~

1 ~~uniformly at the earliest practicable date,~~

2 ~~(4) the commissioner of administration shall prepare~~
 3 ~~the compilation and indexing of the rules and regulations~~
 4 ~~for publication.~~

5 The commissioner of administration shall publish a
 6 manual of state agency rules, which shall include all agency
 7 rules currently in effect. The manual shall be so designed
 8 as to allow for economic publication and distribution and
 9 efficient use.

10 Sec. 10. Minnesota Statutes 1974, Section 15,048, is
 11 amended to read:

12 15,048 [EFFECT OF PUBLICATION OF RULES OR ORDERS.] The
 13 ~~filing or~~ publication of a rule ~~or regulation~~ or order in
 14 the state register raises a rebuttable presumption that:

15 (1) The rule or ~~regulation~~ order was duly adopted,
 16 issued, or promulgated;

17 (2) The rule or ~~regulation~~ order was duly filed with
 18 the secretary of state and available for public inspection
 19 at the day and hour endorsed thereon; and

20 (3) The copy of the rule or ~~regulation~~ order published
 21 in the state register is a true copy of the original ~~rule or~~
 22 ~~regulation~~ and

23 ~~(4) All requirements of sections 15,046 to 15,049 and~~
 24 ~~regulations prescribed thereunder relative to such~~
 25 ~~regulations have been complied with .~~

26 Sec. 11. Minnesota Statutes 1974, Section 15,049, is
 27 amended to read:

28 15,049 [JUDICIAL NOTICE TAKEN.] Judicial notice ~~of any~~
 29 ~~rule, regulation, or order duly filed or published under the~~
 30 ~~provisions of sections 15,046 to 15,049~~ shall be taken of
 31 material published in the state register .

32 Sec. 12. Minnesota Statutes 1974, Section 15,051,

1 subdivision 1, is amended to read:

2 15.051 [STATE REGISTER.] Subdivision 1, [PURPOSE,] The
 3 commissioner of administration shall publish a state
 4 register containing all notices for hearings concerning
 5 ~~rules or regulations~~, giving time, place and purpose of the
 6 hearing and the full text of the action being proposed.
 7 Further, the register shall contain all ~~rules or regulations~~
 8 , amendments ~~thereof~~, suspensions, or repeals thereof, ~~as~~
 9 ~~adopted under~~ pursuant to the provisions of this chapter,
 10 The commissioner shall further publish any executive order
 11 issued by the governor which shall become effective upon
 12 such publication. ~~The commissioner may~~ shall further
 13 publish any official notices in the register which he deems
 14 ~~to be of significant interest to the public~~ a state agency
 15 requests him to publish, Such notices shall include, but
 16 shall not be limited to, the date on which a new agency
 17 becomes operational, the assumption of a new function by an
 18 existing state agency, or the appointment of commissioners.
 19 The commissioner may prescribe the form and manner in which
 20 agencies submit any material for publication in the state
 21 register, and he may withhold publication of any material
 22 not submitted according to the form or procedures he has
 23 prescribed.

24 The commissioner of administration ~~shall ascertain that~~
 25 may organize and distribute the ~~content~~ contents of the
 26 ~~register is clearly ordered by the ~~four~~~~ according to such
 27 ~~categories described in this subdivision in order to~~ as
 28 will provide economic publication and distribution and will
 29 offer easy access to ~~this~~ information by any interested
 30 party.

31 Sec. 13. Minnesota Statutes 1974, Section 15,051,
 32 Subdivision 2, is amended to read:

1 Subd. 2. [PUBLICATION.] The commissioner of
2 administration shall publish the state register whenever he
3 deems necessary, except that ~~no notice for hearings or~~
4 ~~adopted rules or changes thereof, or executive order~~
5 material properly submitted to him for publication shall
6 remain unpublished for more than ten calendar working days.

7 The state register shall have a distinct and permanent
8 masthead with the title "state register" and the words
9 "state of Minnesota" prominently displayed. All issues of
10 the state register shall be numbered and dated,

11 Sec. 14. Minnesota Statutes 1974, Section 15.051, is
12 amended by adding a subdivision to read:

13 Subd. 4. [COST; DISTRIBUTION.] When an agency properly
14 submits a rule, proposed rule, notice, or other material to
15 the commissioner of administration, the commissioner shall
16 then be accountable for the publication of the same in the
17 state register. The commissioner of administration shall
18 require each agency which requests the publication of rules,
19 proposed rules, notices, or other material in the state
20 register to pay its proportionate cost of the state register
21 unless other funds are provided and are sufficient to cover
22 the cost of the state register.

23 The state register shall be offered for public sale at
24 a location centrally located as determined by the
25 commissioner of administration and at a price as the
26 commissioner of administration shall determine. The
27 commissioner of administration shall further provide for the
28 mailing of the state register to any person, agency, or
29 organization if so requested, provided that reasonable costs
30 are borne by the requesting party. The supply and expense
31 appropriation to any state agency is deemed to include funds
32 to purchase the state register. Ten copies of each issue of

1 the state register, however, shall be provided without cost
2 to the legislative reference library and ten copies to the
3 state law library.

4 Sec. 15. Minnesota Statutes 1974, Chapter 15, is
5 amended by adding a section to read:

6 [15.05] [PUBLICATION ACCOUNT.] An administrative rules
7 and state register publication account is created in the
8 state treasury. All receipts from the sale of rules and the
9 state register shall be deposited in the account. All funds
10 in the administrative rules and state register publication
11 account in the state treasury are appropriated annually to
12 the commissioner of administration to carry out the
13 provisions of sections 15,047 and 15,051,

14 Sec. 16. Minnesota Statutes 1974, Chapter 15, is
15 amended by adding a section to read:

16 [15.052] [OFFICE OF HEARING EXAMINERS.] Subdivision 1.
17 A state office of hearing examiners is created. The office
18 shall be under the direction of a chief hearing examiner,
19 who shall be learned in the law and appointed by the
20 governor, with the advice and consent of the senate, for a
21 term ending on June 30 of the sixth calendar year after
22 appointment. The chief hearing examiner shall appoint
23 additional hearing examiners to serve in his office as
24 necessary to fulfill the duties prescribed in this section.
25 All hearing examiners shall be in the classified service
26 except that the chief hearing examiner shall be in the
27 unclassified service, but may be removed from his position
28 only for cause. Additionally, all hearing examiners shall
29 have demonstrated knowledge of administrative procedures and
30 shall be free of any political or economic association that
31 would impair their ability to function officially in a fair
32 and objective manner.

1 Subd. 2. When regularly appointed hearing examiners
2 are not available, the chief hearing examiner may contract
3 with qualified individuals to serve as hearing examiners for
4 specific assignments. Such temporary hearing examiners
5 shall not be employees of the state and shall be remunerated
6 for their service at a rate not to exceed \$150 per day.

7 Subd. 3. All hearings of state agencies required to be
8 conducted under this chapter shall be conducted by a hearing
9 examiner assigned by the chief hearing examiner. In
10 assigning hearing examiners to conduct such hearings, the
11 chief hearing examiner shall attempt to utilize personnel
12 having expertise in the subject to be dealt with in the
13 hearing. Only hearing examiners learned in the law shall be
14 assigned to contested case hearings. It shall be the duty
15 of the hearing examiner to: (1) advise an agency as to the
16 location at which and time during which a hearing should be
17 held so as to allow for participation by all affected
18 interests; (2) conduct only hearings for which proper notice
19 has been given; (3) see to it that all hearings are
20 conducted in a fair and impartial manner; and (4) make a
21 report on each proposed agency action in which the hearing
22 examiner functioned in an official capacity, stating his
23 findings of fact and his conclusions and recommendations,
24 taking notice of the degree to which the agency has (i)
25 documented its statutory authority to take the proposed
26 action, (ii) fulfilled all relevant substantive and
27 procedural requirements of law or rule, and (iii)
28 demonstrated the need for and reasonableness of its proposed
29 action with an affirmative presentation of facts.

30 Subd. 4. The chief hearing examiner shall promulgate
31 rules to govern the procedural conduct of all hearings,
32 relating to both rule adoption, amendment, suspension or

1 repeal hearings and contested case hearings, Such
2 procedural rules for hearings shall be binding upon all
3 agencies and shall supersede any other agency procedural
4 rules with which they may be in conflict, The procedural
5 rules for hearings shall include in addition to normal
6 procedural matters provisions relating to recessing and
7 reconvening new hearings when the proposed final rule of an
8 agency is substantially different from that which was
9 proposed at the public hearing, The procedural rules shall
10 establish a procedure whereby the proposed final rule of an
11 agency shall be reviewed by the chief hearing examiner to
12 determine whether or not a new hearing is required because
13 of substantial changes or failure of the agency to meet the
14 requirements of section 15,0412, subdivision 4,

15 Subd. 5. The office of hearing examiner shall maintain
16 a court reporter system, Unless the chief hearing examiner
17 determines that the use of an audio magnetic recording
18 device is more appropriate, a court reporter shall keep a
19 record at any hearing which takes place under this chapter
20 and may additionally be utilized as a chief hearing examiner
21 directs,

22 Court reporters shall be in the classified service and
23 all initial appointments to the position of court reporter
24 shall be filled by individuals who acted in this capacity
25 for individual state agencies prior to the enactment of this
26 section,

27 Subd. 6. In consultation with the commissioner of
28 administration the chief hearing examiner shall assess
29 agencies the cost of services rendered to them in the
30 conduct of hearings, All agencies shall include in their
31 budgets provisions for such assessments,

32 Subd. 7. A state office of hearing examiner account is

1 hereby created in the state treasury. All receipts from
 2 services rendered by the state office of hearing examiner
 3 shall be deposited in the account, and all funds in the
 4 account shall be annually appropriated to the state office
 5 of hearing examiner for carrying out the duties specified in
 6 this section.

7 Subd. 8. The chief hearing examiner may enter into
 8 contracts with political subdivisions of the state and such
 9 political subdivisions of the state may contract with the
 10 chief hearing examiner for the purpose of providing hearing
 11 examiners and reporters for administrative proceedings. For
 12 such services there shall be an assessment in the manner
 13 provided in subdivision 6.

14 Subd. 9. In consultation and agreement with the chief
 15 hearing examiner, the commissioner of administration shall,
 16 pursuant to authority vested in him by Minnesota Statutes,
 17 Section 16.13, transfer from state agencies, such employees
 18 as he deems necessary to the state office of hearing
 19 examiners. Such action shall include the transfer of any
 20 state employee currently employed as a hearing examiner, if
 21 the employee qualifies under this section.

22 Sec. 17. Minnesota Statutes 1974, Section 16.80,
 23 subdivision 1, is amended to read:

24 16.80 [CENTRAL SERVICES REVOLVING FUND.] Subdivision 1.
 25 There is appropriated to the commissioner of administration
 26 annually all moneys in the central services revolving fund
 27 in the state treasury, which fund is hereby created. The
 28 following enumerated items are hereby transferred to and
 29 deposited in such revolving fund:

30 The balances of moneys heretofore appropriated and
 31 originating with:

32 \$5,000 from the state institutions contingent fund (in

1 1918) for the purposes of Laws 1917, Chapter 174.

2 \$5,000 from the state institutions contingent fund (in
3 1920) for the purposes of Laws 1917, Chapter 174.

4 \$15,000 by Laws 1941, Chapter 548, Section 22(5).

5 \$20,000 by Extra Session Laws 1951, Chapter 1, Section
6 24(3).

7 \$17,500 by Laws 1957, Chapter 929, Section 17(6) and
8 fees of the commissioner of administration for copies of
9 documents and records appropriated by Minnesota Statutes,
10 section 16;026.

11 \$10,000 from the general contingent fund to the state
12 department revolving fund on June 7, 1960.

13 \$30,000 for the Minnesota administrative rules
14 revolving fund by Minnesota Statutes, Section 15.047,
15 Subdivision 3.

16 \$1,500 for a revolving fund for republishing the
17 official state capitol guide books and history by Laws 1937,
18 Chapter 396.

19 \$250,000 for a state department revolving fund by Laws
20 1957, Chapter 929, Section 17(11).

21 Deposits for postage obligations appropriated by
22 Minnesota statutes, Section 16.56.

23 All fees prescribed by Laws 1955, Chapter 847, and
24 other provisions of the law not inconsistent therewith for
25 the rendering of the services therein provided shall be
26 deposited in the state treasury by the collecting department
27 or agency and credited to the central services revolving
28 fund,

29 All moneys in the state treasury credited to the
30 central services revolving fund and any moneys which may
31 hereafter be deposited therein are hereby appropriated
32 annually to the commissioner of administration for the

1 following purposes:

2 (a) The operation of a central store and equipment
3 service;

4 (b) The operation of a central duplication and
5 reproduction service;

6 (c) The purchase of postage and related items, and the
7 refund of postage deposits, necessary to the operation of a
8 central mailing service;

9 (d) The operation of a documents service as prescribed
10 by section 16.026;

11 ~~(e) The publication of administrative rules and~~
12 ~~regulations as prescribed by section 15.047.~~

13 ~~(f)~~ The publication of the official state capitol guide
14 books and history as prescribed by Laws 1937, Chapter 396,
15 as amended;

16 ~~(g)~~ (f) The performing of services for any other state
17 department or agency in conformity with Laws 1957, Chapter
18 929, section 17(11).

19 The portions of the central services revolving fund
20 utilized for computer services and heretofore transferred to
21 the computer services revolving fund in the state treasury
22 in accordance with the provisions of Extra Session Laws
23 1967, Chapter 48, Section 20, Subdivision 13, Clause c shall
24 continue to be part of such computer services revolving
25 fund. All moneys in the computer services revolving fund
26 are appropriated annually to the commissioner of
27 administration for the operation of the division of computer
28 services.

29 The remaining portions of the central services
30 revolving fund heretofore transferred to the general
31 services revolving fund in the state treasury at the time
32 the computer services revolving fund was established shall

1 continue to be part of such general services revolving fund,
2 All moneys in the general services revolving fund are
3 appropriated annually to the commissioner of administration
4 for the operation of the division of publications and
5 central services.

6 The payroll clearance revolving fund in the state
7 treasury established at the time the computer services and
8 general services revolving funds were established shall
9 continue to be used for the purpose of paying the salaries
10 and wages of officers and employees of the state government.
11 The payments made from the payroll clearance revolving fund
12 shall be reimbursed from the salary accounts against which
13 the payments are a proper charge. The state treasurer may
14 borrow from other public funds in the state treasury such
15 sums of money as are necessary to make the payments from the
16 payroll clearance revolving fund until such fund is
17 reimbursed from the appropriate salary accounts; provided,
18 however, that no fund shall be so impaired thereby that all
19 proper demands cannot be met.

20 Except as specifically provided for by other statutory
21 provisions, each department or agency shall reimburse the
22 computer services and general services revolving funds for
23 the cost of all services, supplies, materials, labor and
24 depreciation of equipment including reasonable overhead
25 costs which the commissioner of administration is authorized
26 and directed to furnish a department or agency. The cost of
27 all publications or any other materials which may be
28 produced by the commissioner of administration and financed
29 from the general services revolving fund shall include
30 reasonable overhead costs. The commissioner of finance
31 shall make appropriate transfers to the revolving funds
32 described in this section when requested by the commissioner

1 of administration. The commissioner of administration may
 2 make allotments, encumbrances, and, with the approval of the
 3 commissioner of finance, disbursements in anticipation of
 4 such transfers. In addition, the commissioner of
 5 administration may require a department or agency to make
 6 advance payments to any of the aforesaid revolving funds
 7 sufficient to cover the department's or agency's estimated
 8 obligation for a period of at least 60 days. All such
 9 reimbursements and any other moneys received by the
 10 commissioner of administration under this section shall be
 11 deposited in the appropriate revolving fund.

12 Sec. 18. The commissioner of administration shall
 13 provide adequate office space and supply necessary equipment
 14 and materials to the office of hearing examiners. Where
 15 appropriate, hearing examiners shall be assigned office
 16 space within the department they most frequently serve.

17 Sec. 19. [APPROPRIATION,] Subdivision 1. There is
 18 appropriated from the general fund to the office of hearing
 19 examiners the sum of \$167,000 to be deposited in the state
 20 office of hearing examiners account and utilized for the
 21 initial costs of establishing the state office of hearing
 22 examiners. It is intended that this not be a reoccurring
 23 appropriation.

24 Subd. 2. The sum of \$189,000 is appropriated from the
 25 general fund to the department of administration publication
 26 account created by section 15 for the purposes specified
 27 therein.

28 Sec. 20. Minnesota Statutes 1974, Chapter 5, is
 29 amended by adding a section to read;

30 [5.21] [NOTICE OF RULE HEARINGS LISTS.] The secretary
 31 of state shall maintain lists of persons and associations
 32 who, pursuant to section 15.0412, subdivision 4, register

1 their names for the purpose of receiving a notice of a rule
2 hearing. A separate list shall be kept for each agency and
3 shall be supplied upon request to the appropriate agency,
4 Once each year the secretary of state shall inquire as to
5 whether those persons and associations on the lists wish to
6 maintain their names thereon and shall remove names for
7 which there is a negative reply or no reply within 60 days.

8 Sec. 21. Laws 1974, Chapter 344, Section 9, is amended
9 to read:

10 Sec. 9. This act is effective on July 1, ~~1975~~ 1976 .

11 Sec. 22. [REPEALER.] Minnesota Statutes 1974, Section
12 15,0413, Subdivisions 4, 5 and 6 are repealed,

13 Sec. 23. [EFFECTIVE DATE.] This act is effective on
14 July 1, 1975, and the chief hearing examiner shall be
15 appointed not more than 30 days thereafter and he may
16 proceed to adopt rules pursuant to section 16, subdivision
17 4, of this act and otherwise organize his office; however,
18 section 16, subdivision 3, and other provisions of this act
19 requiring agency use of hearing examiners shall be effective
20 on January 1, 1976, and provisions relating to the state
21 register shall be effective on July 1, 1976,

Martin O. Sabo
Martin O. Sabo
Speaker of the House of Representatives.

Alec G. Olson
Alec G. Olson
President of the Senate.

Passed the House of Representatives this 17th day of May in the year of Our Lord one thousand nine hundred and seventy-five

Edward A. Burdick
Edward A. Burdick
Chief Clerk, House of Representatives.

Passed the Senate this 17th day of May in the year of Our Lord one thousand nine hundred and seventy-five

Patrick E. Flahaven
Patrick E. Flahaven
Secretary of the Senate.

Approved *JUNE 4* 1975

Wendell R. Anderson
Wendell R. Anderson
Governor of the State of Minnesota.

Filed *June 5,* 1975

Joan Anderson Growe
Joan Anderson Growe
Secretary of State.

AN ACT

S.F.No. 451
CHAPTER No.

106

Revisor of Statutes
Room 3
State Capitol
St. Paul, Minnesota 55155

1

2 relating to natural resources; raising limitations
3 on values of timber which may be sold by informal
4 sale; reducing the value of timber which may be
5 sold at auction; altering certain sale procedures;
6 amending Minnesota Statutes 1974, Chapter 90, by
7 adding a section; Sections 90.02; 90.101; 90.151,
8 Subdivisions 1 and 13; and 90.191, Subdivision 1;
9 repealing Minnesota Statutes 1974, Section 9.051.

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

11 Section 1. Minnesota Statutes 1974, Section 90.02, is
12 amended to read:

13 90.02 [CITATION, STATEMENT OF POLICY.] This chapter may
14 be cited as the state timber act.

15 It is the intent and desire of the Minnesota
16 legislature to provide equal opportunity for all segments of
17 our society to participate in the sale process; and attempt
18 to prevent the purchase or acquisition of excessive volumes
19 of the state's timber resources by any one individual or
20 corporation.

21 The department of natural resources is directed to
22 enact regulations to reach this objective; including
23 provision for sale of all timber species by both the
24 informal and the auction sale method; and maintaining
25 reasonable proportions of volume in each method of sale.

1 Sec. 2. Minnesota Statutes 1974, Section 90.101, is
2 amended to read:

3 90.101 [TIMBER SOLD AT PUBLIC AUCTION, MAXIMUM LOTS OF
4 \$7,500.] Subdivision 1. The commissioner may sell the
5 timber on any tract of state land in lots not exceeding
6 ~~\$15,000~~ \$7,500 in appraised value and may determine the
7 number of sections or fractional sections of land to be
8 covered by any one permit issued to the purchaser of timber
9 on state lands, or in any one contract or other instrument
10 relating thereto. No timber shall be sold, except to the
11 highest bidder at public auction, and the minimum price
12 shall be the appraised value as fixed by the report of the
13 state appraiser. All sales shall be held in the county in
14 which the tract is located and no sale shall be held in more
15 than one location on any one day .

16 Subd. 2. At least 30 days before the date of sale the
17 commissioner shall compile a list containing a description
18 of each tract of land upon which any timber to be offered is
19 situated and a statement of the quantity of timber and of
20 the appraised price of each kind of timber thereon as shown
21 by the report of the state appraiser. The commissioner may
22 also list the quantity of timber of doubtful market value
23 and the appraised price of each kind of such timber located
24 in other timber types within the sale area that may be cut
25 at the discretion of the purchaser. Optional timber will
26 not be considered a part of the sale contract until the
27 permit holder has advised the commissioner of his intent to
28 cut such timber. No description shall be added after the
29 list is posted as herein provided and no timber shall be
30 sold from land not described therein. Copies of the list
31 shall be furnished to all interested applicants. A copy of
32 the list shall be conspicuously posted in the office of the

1 commissioner and in the office of the auditor of the county
 2 in which the lands are situated at least 30 days prior to
 3 the date of sale, and extra copies of the list shall be
 4 furnished to the county auditor for distribution to
 5 applicants. The commissioner shall cause ~~the list~~ a notice
 6 to be published for three consecutive weeks in a legal
 7 newspaper in the county where the land is situated. The
 8 notice shall state the time and place of the sale and the
 9 location at which further information regarding the sale may
 10 be obtained. He may give such other published or posted
 11 notice as he deems proper to reach prospective bidders.

12 ~~Subd. 3. There can be a maximum of three such sales as~~
 13 ~~authorized by this section in any one year in any one~~
 14 ~~county.~~

15 Sec. 3. Minnesota Statutes 1974, Section 90.151,
 16 Subdivision 1, is amended to read:

17 90.151 [PERMITS TO CUT AND REMOVE TIMBER SOLD AT PUBLIC
 18 AUCTION.] Subdivision 1. Following receipt of the down
 19 payment for state timber sold at public auction, the
 20 commissioner shall issue a numbered permit to the purchaser,
 21 in a form approved by the attorney general, by the terms of
 22 which he shall be authorized to enter upon the land, and to
 23 cut and remove the timber therein described, according to
 24 the provisions of this chapter. The permit shall be
 25 correctly dated and executed by the commissioner or his
 26 agent and signed by the purchaser. The permit shall ~~cover~~
 27 ~~one or more logging seasons~~ expire no later than two years
 28 after the date of sale as the commissioner shall specify,
 29 and the timber shall be cut within the time specified
 30 therein. All cut timber, equipment, and buildings not
 31 removed from the land within 90 days after expiration of the
 32 permit shall become the property of the state. The

1 commissioner may grant an additional period of time not to
2 exceed 120 days for the removal of cut timber, equipment,
3 and buildings upon receipt of such request by the permit
4 holder for good and sufficient reasons. No permit shall be
5 issued to any person other than the purchaser in whose name
6 the bid was made.

7 Sec. 4. Minnesota Statutes 1974, Section 90.151,
8 Subdivision 13, is amended to read:

9 Subd. 13. The commissioner may grant extensions of
10 timber permits and contracts, whether issued before or after
11 July 1, 1967, for such periods as the commissioner deems
12 advisable, ~~not to provided that exceed a total of ten~~
13 ~~years from date of issuance, but otherwise~~ (1) for permits
14 issued on or after the effective date of this act the total
15 of such extensions shall not exceed three years from the
16 date of the expiration of the original permit, and (2) for
17 permits issued prior to the effective date of this act the
18 total of such extensions and the original permit term shall
19 not exceed ten years from date of issuance of the permit,
20 All extensions granted pursuant to this subdivision shall be
21 subject to all the provisions of chapter 90. The
22 commissioner shall include in each extension a condition
23 that the purchaser shall pay to the state interest at the
24 rate of six percent of the unpaid purchase price for each
25 year of such extension or portion thereof to the date of the
26 seasonal scale report of products cut as computed on the
27 sale price of the timber cut, or if not cut, upon the
28 official estimate thereof; however, the purchaser is not
29 required to pay interest totaling \$1 or less.

30 Sec. 5. Minnesota Statutes 1974, Section 90.191,
31 Subdivision 1, is amended to read:

32 90.191 [INFORMAL SALES OF STATE TIMBER.] Subdivision 1.

1 The commissioner may sell the timber on any tract of state
 2 land in lots not exceeding ~~500~~ 81,500 in appraised value,
 3 without formalities but for not less than the full appraised
 4 value thereof, to any individual. No sale shall be made
 5 under this section to any person holding two permits issued
 6 hereunder which are still in effect.

7 Before issuing a permit or contract under this section
 8 the purchaser shall file an affidavit with the commissioner
 9 stating under oath, that if the permit is issued the
 10 purchaser will not hold more than two permits which are in
 11 effect.

12 Sec. 6. Minnesota Statutes 1974, Chapter 90, is
 13 amended by adding a section to read:

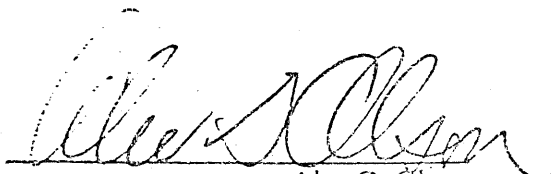
14 [90.172] [ANNUAL REPORT.] The commissioner shall file
 15 an annual report on or before September 30 of each year with
 16 the legislative reference library providing detailed
 17 information on all auctions and informal sales made in the
 18 previous fiscal year. The report shall include but not be
 19 limited to the names and addresses of all purchasers,
 20 volumes of timber purchased, species, appraised value and
 21 sale price. The commissioner shall make copies of the
 22 report available to the public upon request.

23 Sec. 7. Minnesota Statutes 1974, Section 9.051, is
 24 repealed.

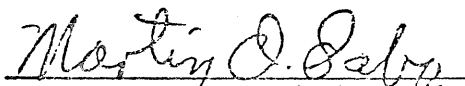
25 Sec. 8. [EFFECTIVE DATE.] This act is effective the
 26 day following its final enactment.

*Chap
186*

S. F. No. 451.

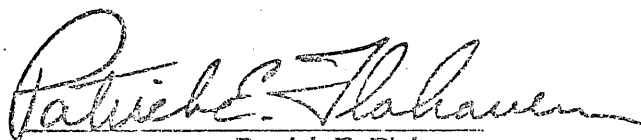


Alec G. Olson
President of the Senate.



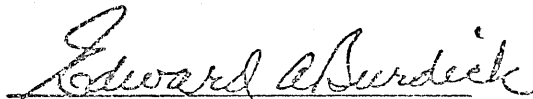
Martin O. Sabo
Speaker of the House of Representatives.

Passed the Senate this 1st day of May in the year of Our Lord one thousand nine hundred and seventy-five



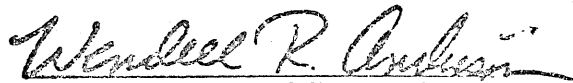
Patrick E. Flahaven
Secretary of the Senate.

Passed the House of Representatives this 28th day of April in the year of Our Lord one thousand nine hundred and seventy-five



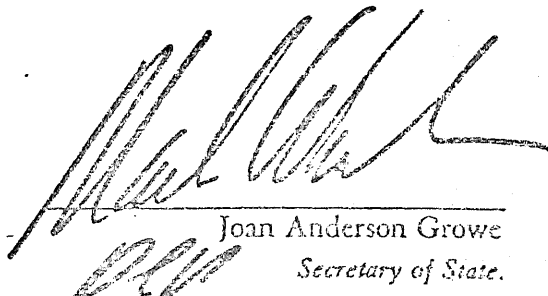
Edward A. Burdick
Chief Clerk, House of Representatives.

Approved MAY 14 1975



Wendell R. Anderson
Governor of the State of Minnesota.

Filed May 14, 1975



Joan Anderson Growe
Secretary of State.

AN ACT

H.F.No. 1014
CHAPTER No.

401

*See Sec 8
Sub 2 9
Directive to
Leg. 10 11*

1

2 relating to the collection; security and
3 dissemination of data on individuals by the state
4 and its political subdivisions; clarifying
5 necessary definitions; changing reporting
6 requirements; restructuring the duties of
7 responsible authorities and the rights of subjects
8 of data; providing for issuance of rules relating
9 to the implementation of the act by the
10 commissioner of administration; providing for the
11 establishment of a privacy study commission;
12 providing penalties; appropriating money; amending
13 Minnesota Statutes 1974, Sections 15.162; 15.163;
14 15.165; 15.166; 15.167; and Chapter 15, by adding
15 sections; repealing Minnesota Statutes 1974,
16 Sections 15.164 and 15.168.

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

18 Section 1. Minnesota Statutes 1974, Section 15.162, is
19 amended to read:

20 15.162 [COLLECTION, SECURITY AND DISSEMINATION OF
21 RECORDS; DEFINITIONS.] Subdivision 1. As used in sections
22 15.162 to 15.168 the terms defined in this section have the
23 meanings given them.

24 Subd. 2. "Commissioner" means the commissioner of the
25 department of administration.

26 Subd. 2a. "Confidential data on individuals" means
27 data which is not public but is (a) expressly made
28 confidential by law as to the individual subject of that

1 the provisions of sections 15.162 to ~~15.166~~ 15.168 or any
 2 lawful rules and regulations promulgated thereunder is
 3 guilty of a misdemeanor. ~~Any public employee who willfully~~
 4 ~~violates sections 15.162 to 15.166 may be suspended without~~
 5 ~~pay or discharged after a hearing as prescribed by law~~
 6 Willful violation of sections 15.162 to 15.168 by any public
 7 employee constitutes just cause for suspension without pay
 8 or dismissal of the public employee .

9 Sec. 7. Minnesota Statutes 1974, Chapter 15, is
 10 amended by adding a section to read:

11 [15.1671] [DUTIES OF THE COMMISSIONER.] The
 12 commissioner shall with the advice of the intergovernmental
 13 information services advisory council promulgate rules, in
 14 accordance with the rulemaking procedures in the
 15 administrative procedures act which shall apply to state
 16 agencies, statewide systems and political subdivisions to
 17 implement the enforcement and administration of sections
 18 15.162 to 15.169. The rules shall not affect section
 19 15.165, relating to rights of subjects of data, and section
 20 15.169, relating to the powers and duties of the privacy
 21 study commission. Prior to the adoption of rules authorized
 22 by this section the commissioner shall give notice to all
 23 state agencies and political subdivisions in the same manner
 24 and in addition to other parties as required by section
 25 15.0412, subdivision 3, of the date and place of hearing,
 26 enclosing a copy of the rules and regulations to be adopted,

27 Sec. 8. Minnesota Statutes 1974, Chapter 15, is
 28 amended by adding a section to read:

29 [15.169] [PRIVACY STUDY COMMISSION,] subdivision 1.
 30 There is hereby created a privacy study commission
 31 consisting of six members, three of whom shall be appointed
 32 by the committee on committees, and three of whom shall be

1 appointed by the speaker of the house. The commission shall
2 act from the time its members are appointed until the
3 commencement of the 1977 regular session of the legislature.

4 Any vacancy shall be filled by the appointing power,

5 Subd. 2. [ORGANIZATION AND PROCEDURE.] At its first
6 meeting the commission shall elect a chairman, a
7 vice-chairman and such other officers from its membership as
8 it may deem necessary. The commission shall adopt rules
9 governing its operation and the conduct of its meetings and
10 hearings, which rules are not subject to the provisions of
11 the administrative procedures act.

12 Subd. 3. [DUTIES AND POWERS.] The commission shall
13 make a continuing study and investigation of data on
14 individuals collected, stored, used and disseminated by
15 political subdivisions, state agencies, statewide systems
16 and any other public or private entity in the state of
17 Minnesota the commission may deem appropriate for such study
18 and investigation. The powers and duties of the commission
19 shall include, but are not limited to the following:

20 (1) the holding of meetings at times and places it
21 designates to accomplish the purposes set forth in this act.
22 The commission may hold hearings at times and places
23 convenient for the purpose of taking evidence and testimony
24 to effectuate the purposes of this act, and for those
25 purposes the commission may, through its chairman by a
26 three-fourths vote of its members, issue subpoenas,
27 including subpoenas duces tecum, requiring the appearance of
28 persons, production of relevant records and the giving of
29 relevant testimony. In the case of contumacy or refusal to
30 obey a subpoena issued under authority herein provided, the
31 district court in the county where the refusal or contumacy
32 occurred may, upon complaint of the commission, punish as

1 for contempt the person guilty thereof.

2 (2) the study of all data on individuals collected,
3 stored, used or disseminated in the state of Minnesota
4 including, but not limited to that collected, stored, used
5 or disseminated by any political subdivision, state agency
6 or statewide system in order to determine the standards and
7 procedures in force for the protection of private and
8 confidential data on individuals. In conducting such study,
9 the commission shall:

10 (a) determine what executive orders, attorney general
11 opinions, regulations, laws or judicial decisions govern the
12 activities under study and the extent to which they are
13 consistent with the rights of public access to data on
14 individuals, privacy, due process of law and other
15 guarantees in the Constitution,

16 (b) determine to what extent the collection, storage,
17 use or dissemination of data on individuals is affected by
18 the requirements of federal law.

19 (c) examine the standards and criteria governing
20 programs, policies and practices relating to the collection,
21 storage, use or dissemination of data on individuals in the
22 state of Minnesota.

23 (d) collect and utilize to the maximum extent
24 practicable, all findings, reports, studies, hearing
25 transcripts, and recommendations of governmental
26 legislature, and private bodies, institutions, organizations
27 and individuals which pertain to the problems under study by
28 the commission.

29 (3) the recommendation to the legislature of the
30 extent, if any, to which the requirements and principles of
31 this act should be applied to information practices in
32 existence in the state of Minnesota by legislation,

1 administrative action or voluntary adoption of such
2 requirements and principles, and report on such other
3 legislative recommendations as it may determine to be
4 necessary to protect the privacy of individuals while
5 meeting the legitimate needs of government and society for
6 information.

7 Subd. 4. [OFFICE.] The commission shall maintain an
8 office in the capitol group of buildings in space provided
9 by the commissioner of administration.

10 Subd. 5. [SUPPLIES; STAFF.] The commission may
11 purchase equipment and supplies and employ such
12 professional, clerical, and technical assistants from the
13 senate and house staff as it deems necessary in order to
14 perform the duties herein prescribed. The commission may
15 invite consultants and other knowledgeable persons to appear
16 before it and offer testimony and compensate them
17 appropriately.

18 Subd. 6. [ASSISTANCE OF OTHER AGENCIES.] The
19 commission may request any information including any data on
20 individuals from any political subdivision, statewide
21 system, or state agency or any employee thereof in order to
22 assist in carrying out the purposes of the act, and
23 notwithstanding any law to the contrary, such employee or
24 agency is authorized and directed to promptly furnish any
25 such data or information requested.

26 Subd. 7. [EXPENSES, REIMBURSEMENT.] Members of the
27 commission shall be compensated as provided in Minnesota
28 Statutes, Section 3.102.

29 Subd. 8. [PENALTIES FOR DISCLOSURE.] (1) Any member,
30 assistant or staff of the commission who, by virtue of his
31 employment or official position, has possession of, or
32 access to, agency records which contain private or

1974 - Statutory

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1975

H.F.No. 1187
CHAPTER No.

AN ACT

413

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relating to the operation of state government;
providing for implementation of a state register
for official notices by state departments;
amending Minnesota Statutes 1974, Section 15,0412,
Subdivision 4; and Laws 1974, Chapter 344, Section
9.

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

9 Section 1. Minnesota Statutes 1974, Section 15,0412,
10 Subdivision 4, is amended to read:

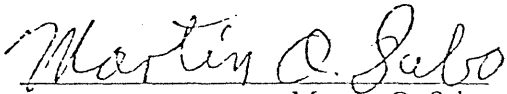
11 Subd. 4. No rule shall be adopted by any agency unless
12 the agency first holds a public hearing thereon, following
13 the giving of at least 30 days prior to the hearing of
14 notice of the intention to hold such hearing, by United
15 States mail, to representatives of associations or other
16 interested groups or persons who have registered their names
17 with the secretary of state for that purpose and in the
18 state register as described in section 15,051. Every rule
19 hereafter proposed by an administrative agency, before being
20 adopted, must be based upon a showing of need for the rule,
21 and shall be submitted as to form and legality, with reasons
22 therefor, to the attorney general, who, within 20 days,
23 shall either approve or disapprove the rule. If he approves
24 the rule, he shall promptly file it in the office of the

1 secretary of state. If he disapproves the rule, he shall
2 state in writing his reasons therefor, and the rule shall
3 not be filed in the office of the secretary, nor published.
4 If he fails to approve or disapprove any rule within the
5 20-day period, the agency may file the rule in the office of
6 the secretary of state and publish the same. A rule shall
7 become effective after it has been subjected to all
8 requirements described in this subdivision and after its
9 publication in the state register as described in section
10 15,051. Any rule adopted after July 1, ~~1975~~ 1976 which is
11 not published in the state register shall be of no effect.

12 Sec. 2. Laws 1974, Chapter 344, Section 9, is amended
13 to read:

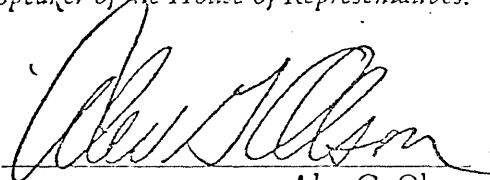
14 Sec. 9. This act is effective on July 1, ~~1975~~ 1976 .

15 Sec. 3. This act is effective the day following its
16 final enactment.



Martin O. Sabo

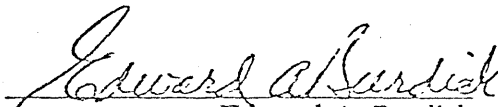
Speaker of the House of Representatives.



Alec G. Olson

President of the Senate.

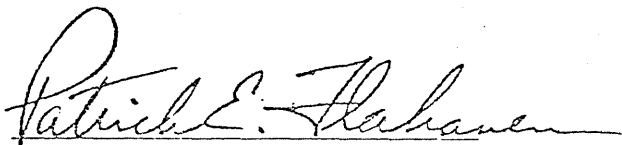
Passed the House of Representatives this 21st day of April in the year of Our Lord one thousand nine hundred and seventy-five



Edward A. Burdick

Chief Clerk, House of Representatives.

Passed the Senate this 17th day of May in the year of Our Lord one thousand nine hundred and seventy-five

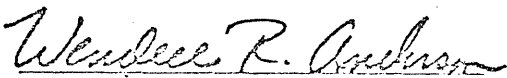


Patrick E. Flahaven

Secretary of the Senate.

Approved JUNE 4

1975

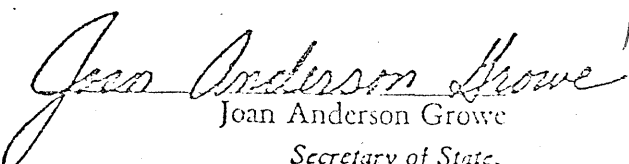


Wendell R. Anderson

Governor of the State of Minnesota.

Filed June 5,

1975



Joan Anderson Growe

Secretary of State.

1974

AN ACT

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relating to the operation of state government; establishing a "state register" for official notices by state departments; amending Minnesota Statutes 1971, Sections 15,0412, Subdivisions 3, 4 and 5; and 15,0413, Subdivisions 1, 2, 3 and 5; and Chapter 15, by adding a section.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA;

11 Section 1. Minnesota Statutes 1971, Section 15,0412,
12 Subdivision 3, is amended to read:

13 Subd. 3. Prior to the adoption of any rule authorized
14 by law, or the suspension, amendment or repeal thereof,
15 unless the agency follows the procedure of subdivision 4,
16 the adopting agency shall ~~as far as practicable~~ publish
17 ~~or otherwise circulate~~ notice of its intended action in the
18 state register as described in section 8 and afford
19 interested persons opportunity to submit data or views
20 orally or in writing.

21 Sec. 2. Minnesota Statutes 1971, Section 15,0412,
22 Subdivision 4, is amended to read:

23 Subd. 4. No rule shall be adopted by any agency
24 ~~subsequent to the effective date of sections 15,0411 to~~
25 ~~15,0422~~ unless the agency first holds a public hearing
26 thereon, following the giving of at least 30 days prior to
27 the hearing of notice of the intention to hold such hearing,
28 by United States mail, to representatives of associations or
29 other interested groups or persons who have registered their
30 names with the secretary of state for that purpose and in
31 the state register as described in section 8 . Every rule
32 hereafter proposed by an administrative agency, before being

1 adopted, must be based upon a showing of need for the rule,
2 and shall be submitted as to form and legality, with reasons
3 therefor, to the attorney general, who, within 20 days,
4 shall either approve or disapprove the rule. If he approves
5 the rule, he shall promptly file it in the office of the
6 secretary of state. If he disapproves the rule, he shall
7 state in writing his reasons therefor, and the rule shall
8 not be filed in the office of the secretary, nor published.
9 If he fails to approve or disapprove any rule within the
10 20-day period, the agency may file the rule in the office of
11 the secretary of state and publish the same. A rule shall
12 become effective after it has been subjected to all
13 requirements described in this subdivision and after its
14 publication in the state register as described in section 8.
15 Any rule adopted after July 1, 1975 which is not published
16 in the state register shall be of no effect.

17 Sec. 3. Minnesota Statutes 1971, Section 15.0412,
18 Subdivision 5, is amended to read:

19 Subd. 5. Where statutes governing the agency permit
20 the agency to exercise emergency powers, emergency rules and
21 regulations may be established without compliance with the
22 provisions of subdivision 4. These rules are to be
23 effective for not longer than 60 days and may not
24 immediately be reissued or continued in effect thereafter
25 without following the procedure of subdivision 4. Emergency
26 rules or regulations shall be published in the state
27 register as soon as practicable.

28 Sec. 4. Minnesota Statutes 1971, Section 15.0413,

1 Subdivision 1, is amended to read:

2 15,0413 [EFFECT OF ADOPTION OF RULES; PUBLICATION;
3 APPROPRIATION.] Subdivision 1, Every rule or regulation
4 filed in the office of the secretary of state as provided in
5 section 15,0412 shall have the force and effect of law upon
6 its publication in the state register and upon its further
7 filing in the office of the commissioner of administration,
8 Standards or statements of policy or interpretations of
9 general application and future effect shall not have the
10 effect of law unless they are adopted as a rule in the
11 manner prescribed in section 15,0412. This section does not
12 apply to opinions of the attorney general. The secretary of
13 state shall keep a permanent-~~register~~ record of rules filed
14 with that office open to public inspection.

15 Sec. 5. Minnesota Statutes 1971, Section 15,0413,
16 Subdivision 2, is amended to read:

17 Subd. 2. Each rule hereafter adopted, amended, or
18 repealed shall become effective or be repealed ~~upon filing~~
19 publication of the new or amended rule or notice of repeal
20 in the state register as provided in section 8 and upon
21 their filing in the office of the secretary of state and the
22 further filing in the office of the commissioner of
23 administration unless a later date is required by statute or
24 specified in the rule. The secretary of state shall endorse
25 on each rule the time and date of filing and the
26 commissioner of administration shall do likewise. The
27 commissioner of administration shall maintain a permanent
28 record of all dates of publication of the rules.

1 Sec. 6. Minnesota Statutes 1971, Section 15,0413,
2 Subdivision 3, is amended to read:

3 Subd. 3. Rules and regulations hereafter promulgated,
4 amended or repealed of each state officer, board,
5 commission, bureau, division, department, or tribunal other
6 than a court, having statewide jurisdiction and authorized
7 by law to make rules and regulations, but not defined as an
8 "agency" in section 15,0411 shall not have the effect of law
9 unless they are filed in the office of the commissioner of
10 administration in the same manner as rules and regulations
11 of an agency are so filed and unless they are published in
12 the state register . This subdivision, however, shall not
13 apply to rules and regulations of the regents of the
14 University of Minnesota.

15 Sec. 7. Minnesota Statutes 1971, Section 15,0413,
16 Subdivision 5, is amended to read:

17 Subd. 5. ~~Not later than January 1, 1965 and annually~~
18 ~~thereafter but not later than January 1 of each year the~~
19 ~~commissioner of administration shall arrange for publication~~
20 ~~and distribution of all rules and regulations in such form~~
21 ~~and at such prices to be charged as he may determine. No~~
22 ~~such published rules and regulations shall be distributed~~
23 ~~without charge except to the official depositories of state~~
24 ~~publications. The appropriation to any agency for supplies~~
25 ~~and expenses shall be deemed to include sufficient moneys~~
26 ~~for its purchase of necessary published rules and~~
27 ~~regulations.~~ Upon proper notification by the agency which
28 issues a rule or regulation or notice, the commissioner of

1 administration shall be accountable for the publication of
2 the state register under the provisions of section 8. The
3 commissioner of administration shall require each agency
4 which requests the publication of rules, regulations, or
5 notices in the state register to pay for the proportionate
6 cost of the state register unless other funds are provided
7 and are sufficient to cover the cost of the state register.

8 The state register shall be for public sale at a
9 location centrally located as determined by the commissioner
10 of administration and at a price as the commissioner of
11 administration shall determine. The commissioner of
12 administration shall further provide for the regular mailing
13 of the state register to any person, agency, or organization
14 if so requested provided that the total cost of the mailing
15 is borne by the requesting party. The supply and expense
16 appropriation to any state agency is deemed to include funds
17 to purchase the state register. Ten copies each of the
18 state register, however, shall be provided without cost to
19 the legislative reference library and to the state law
20 library.

21 Sec. 8. Minnesota Statutes 1971, Chapter 15, is
22 amended to adding a section to read:

23 [15,051] [STATE REGISTER.] Subdivision 1, [PURPOSE.]
24 The commissioner of administration shall publish a state
25 register containing all notices for hearings concerning
26 rules or regulations, giving time, place and purpose of the
27 hearing. Further, the register shall contain all rules or
28 regulations, amendments thereof or repeals, as adopted under

1 the provisions of this chapter. The commissioner shall
2 further publish any executive order issued by the governor
3 which shall become effective upon such publication. The
4 commissioner may further publish official notices in the
5 register which he deems to be of significant interest to the
6 public. Such notices shall include, but shall not be
7 limited to, the date on which a new agency becomes
8 operational, the assumption of a new function by an existing
9 state agency, or the appointment of commissioners.

10 The commissioner of administration shall ascertain that
11 the content of the register is clearly ordered by the four
12 categories described in this subdivision in order to provide
13 easy access to this information by any interested party.

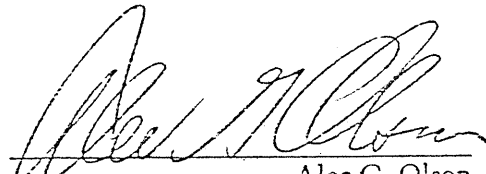
14 Subd. 2. [PUBLICATION.] The commissioner of
15 administration shall publish the state register whenever he
16 deems necessary, except that no notice for hearings or
17 adopted rules or changes thereof, or executive order shall
18 remain unpublished for more than ten calendar days.

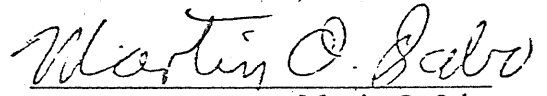
19 The state register shall have a distinct and permanent
20 masthead with the title "state register" and the words
21 "state of Minnesota" prominently displayed. All issues of
22 the state register shall be numbered and dated.

23 Subd. 3. [SUBMISSION OF ITEMS FOR PUBLICATION.] Any
24 state agency which desires to publish a notice of hearing,
25 rule or regulation or change thereof, or an executive order,
26 shall submit a copy of the entire document, including dates
27 when adopted, and filed with the secretary of state, to the
28 commissioner of administration in addition to any other


1 copies which may be required to be filed with the
2 commissioner by other law.

3 Sec. 9. This act is effective on July 1, 1975.

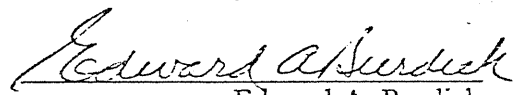

Alec G. Olson
President of the Senate.


Martin O. Sabo
Speaker of the House of Representatives.


Passed the Senate this 8th day of March in the year of Our Lord one thousand nine hundred and seventy - four


Patrick E. Flahaven
Secretary of the Senate.

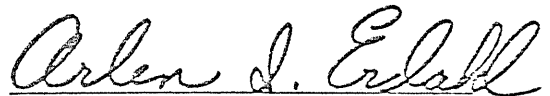
Passed the House of Representatives this 14th day of March in the year of Our Lord one thousand nine hundred and seventy - four


Edward A. Burdick
Chief Clerk, House of Representatives.

Approved *MARCH 28* 1974


Wendell R. Anderson
Governor of the State of Minnesota.

Filed *March 28,* 1974


Arlen I. Erdahl
Secretary of State.

agency to which the functions, powers, and duties of a previously existing department or other agency are by Laws 1939, Chapter 431, assigned and transferred shall be deemed and held to constitute a continuation of the former department or agency as to matters within the jurisdiction of the former department or agency, and not a new authority, for the purpose of succession to all rights, powers, duties, and obligations of the former department or agency as constituted at the time of such assignment or transfer, except as otherwise provided by Laws 1939, Chapter 431, with the same force and effect as if such functions, powers, and duties had not been assigned or transferred.

[1939 c 431 art 8 s 8] (53-1i)

15.041 [Repealed, 1957 c 806 s 13]

15.0411 **DEFINITIONS.** Subdivision 1. For the purposes of sections 15.0411 to 15.0422 the terms defined in this section have the meanings ascribed to them.

Subd. 2. "Agency" means any state officer, board, commission, bureau, division, department, or tribunal, other than a court, having a statewide jurisdiction and authorized by law to make rules or to adjudicate contested cases. Sections 15.0411 to 15.0422 do not apply to (a) agencies directly in the legislative or judicial branches, (b) emergency powers in Laws 1951, Chapter 694, Title III, Sections 301 to 307, (c) Adult Corrections Commission and Pardon Board, (d) the Youth Conservation Commission, (e) the Department of Manpower Services, (f) the Director of Mediation Services, (g) the department of labor and industry, (h) workmen's compensation commission.

Subd. 3. "Rule" includes every regulation, including the amendment, suspension, or repeal thereof, adopted by an agency, whether with or without prior hearing, to implement or make specific the law enforced or administered by it or to govern its organization or procedure, but does not include (a) regulations concerning only the internal management of the agency or other agencies, and which do not directly affect the rights of or procedure available to the public; or (b) rules and regulations relating to the management, discipline, or release of any person committed to any state penal institution; or (c) rules of the division of game and fish published in accordance with Minnesota Statutes, section 97.53; or (d) regulations relating to weight limitations on the use of highways when the substance of such regulations is indicated to the public by means of signs.

Subd. 4. "Contested Case" means a proceeding before an agency in which the legal rights, duties, or privileges of specific parties are required by law or constitutional right to be determined after an agency hearing.

[1957 c 806 s 1; 1959 c 263 s 3; 1961 c 136 s 1; 1963 c 633 s 1; Ex 1967 c 1 s 6; 1969 c 9 s 6; 1969 c 567 s 3; 1969 c 1129 art 2 s 1, art 3 s 1]

15.0412 **RULES, PROCEDURES.** Subdivision 1. In addition to other rule-making powers or requirements provided by law each agency may adopt rules governing the formal or informal procedures prescribed or authorized by sections 15.0411 to 15.0422. Such rules shall include rules of practice before the agency and may include forms and instructions. For the purpose of carrying out the duties and powers imposed upon and granted to it, an agency may promulgate reasonable substantive rules and regulations and may amend, suspend or repeal the same, but such action shall not exceed the powers vested in the agency by statute.

Subd. 2. To assist interested persons dealing with it, each agency shall, so far as deemed practicable, supplement its rules with descriptive statements of its procedures, which shall be kept current.

Subd. 3. Prior to the adoption of any rule authorized by law, or the suspension, amendment or repeal thereof, unless the agency follows the procedure of subdivision 4, the adopting agency shall, as far as practicable, publish or otherwise circulate notice of its intended action and afford interested persons opportunity to submit data or views orally or in writing.

Subd. 4. No rule shall be adopted by any agency subsequent to the effective date of sections 15.0411 to 15.0422 unless the agency first holds a public hearing thereon, following the giving of at least 30 days prior to the hearing of notice of the intention to hold such hearing, by United States mail, to representatives of associations or other interested groups or persons who have registered their names with the secretary of state for that purpose. Every rule hereafter proposed by an administrative agency, before being adopted, must be based upon a showing of need for the rule, and shall be submitted as to form and legality, with reasons therefor, to the attorney general, who, within 20 days, shall either approve or disapprove the rule. If he approves the rule, he shall promptly file it in the office of

the secretary of state. If he disapproves the rule, he shall state in writing his reasons therefor, and the rule shall not be filed in the office of the secretary, nor published. If he fails to approve or disapprove any rule within the 20-day period, the agency may file the rule in the office of the secretary of state and publish the same.

Subd. 5. Where statutes governing the agency permit the agency to exercise emergency powers, emergency rules and regulations may be established without compliance with the provisions of subdivision 4. These rules are to be effective for not longer than 60 days and may not immediately be reissued or continued in effect thereafter without following the procedure of subdivision 4.

[1957 c 806 s 2]

15.0413 EFFECT OF ADOPTION OF RULES; PUBLICATION; APPROPRIATION. Subdivision 1. Every rule or regulation filed in the office of the secretary of state as provided in section 15.0412 shall have the force and effect of law upon its further filing in the office of the commissioner of administration. Standards or statements of policy or interpretations of general application and future effect shall not have the effect of law unless they are adopted as a rule in the manner prescribed in section 15.0412. This section does not apply to opinions of the attorney general. The secretary of state shall keep a permanent register of rules filed with that office open to public inspection.

Subd. 2. Each rule hereafter adopted, amended, or repealed shall become effective or be repealed upon filing the new or amended rule or notice of repeal in the office of the secretary of state and the further filing in the office of the commissioner of administration unless a later date is required by statute or specified in the rule. The secretary of state shall endorse on each rule the time and date of filing and the commissioner of administration shall do likewise. The commissioner of administration shall maintain a permanent record of all dates of publication of the rules.

Subd. 3. Rules and regulations hereafter promulgated, amended or repealed of each state officer, board, commission, bureau, division, department, or tribunal other than a court, having statewide jurisdiction and authorized by law to make rules and regulations, but not defined as an "agency" in section 15.0411 shall not have the effect of law unless they are filed in the office of the commissioner of administration in the same manner as rules and regulations of an agency are so filed. This subdivision, however, shall not apply to rules and regulations of the regents of the University of Minnesota.

Subd. 4. Rules and regulations heretofore promulgated by an agency or a state officer, board, commission, bureau, division, department, or tribunal other than a court, including those governmental bodies referred to in subdivision 3, shall not have the effect of law unless filed in such form as the commissioner of administration shall prescribe on or before July 1, 1964 in the office of the commissioner of administration.

Subd. 5. Not later than January 1, 1965 and annually thereafter but not later than January 1 of each year the commissioner of administration shall arrange for publication and distribution of all rules and regulations in such form and at such prices to be charged as he may determine. No such published rules and regulations shall be distributed without charge except to the official depositories of state publications. The appropriation to any agency for supplies and expenses shall be deemed to include sufficient moneys for its purchase of necessary published rules and regulations.

Subd. 6. An administrative rules publication account is hereby created in the state treasury. All receipts from the sale of rules and regulations authorized by this section shall be deposited in such account. The sum of \$26,000 is appropriated from the general fund in the state treasury to such account. All moneys in the administrative rules publication account in the state treasury are appropriated annually to the commissioner of administration to carry out the terms and provisions of this section.

[1957 c 806 s 3; 1963 c 822 s 1; 1969 c 399 s 1]

15.0414 [Repealed, 1963 c 822 s 4]

15.0415 PETITION FOR ADOPTION OF RULE. Any interested person may petition an agency requesting the adoption, suspension, amendment or repeal of any rule. Each agency may prescribe by rule the form for such petitions and the procedure for their submission, consideration, and disposition.

[1957 c 806 s 5]

1974

H.F.No. 3571
CHAPTER No.

456

AN ACT

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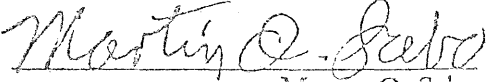
relating to the legislature; providing
for the filing of reports with the
legislature; amending Minnesota Statutes
1971, Chapter 3, by adding a section,

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

Section 1. Minnesota Statutes 1971, Chapter 3, is

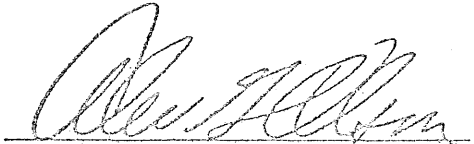
amended by adding a section to read:

[3,195] [REPORTS TO THE LEGISLATURE.] Whenever a report
to the legislature is required of a department or agency of
government, it shall be made, unless otherwise specifically
required by law, by the filing of one copy with the
secretary of the senate, one copy with the chief clerk of
the house of representatives, and ten copies with the
legislative reference library. The same distribution
procedure shall be followed for other reports and
publications unless otherwise requested by a legislator or
the legislative reference library. The legislative
reference library shall monthly give notice to each
legislator of each publication filed pursuant to this act.



Martin O. Sabo

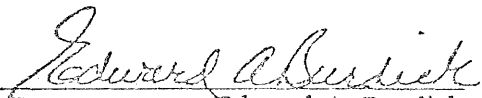
Speaker of the House of Representatives.



Alec G. Olson

President of the Senate.

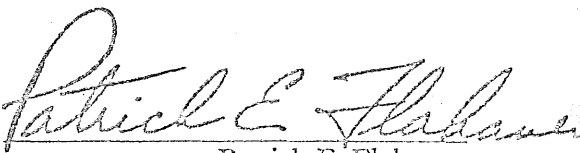
Passed the House of Representatives this 21st day of March in the year of Our Lord one thousand nine hundred and seventy-four



Edward A. Burdick

Chief Clerk, House of Representatives.

Passed the Senate this 22nd day of March in the year of Our Lord one thousand nine hundred and seventy-four



Patrick E. Flahaven

Secretary of the Senate.

Approved APRIL 10

1974



Wendell R. Anderson

Governor of the State of Minnesota.

Filed April 11,

1974

Mr. _____ moves to amend the Joint Rules by adding a new Joint Rule as follows:

"Rule 25. [Reports to the Legislature]. Whenever a report to the legislature is required of a department or agency of government, it shall be made, unless otherwise specifically required by law, by the filing of one copy with the Secretary of the Senate, one copy with the Chief Clerk of the House of Representatives, and ten copies with the Legislative Reference Library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the Legislative Reference Library. The Legislative Reference Library shall monthly give notice to each legislator of each publication filed pursuant to this rule."

Adopted by the Joint Coordinating Committee on February 11, 1974

MAR 5 X 1974

JOINT COORDINATING COMMITTEE MEETING

February 11, 1974

The meeting was called to order at 5:30 p.m.

The following members were present:

Olson, A.G., Chairman	Coleman
Anderson	Conzemius
Pavlak	Davies
Norton	Krieger
Dirlam	Ogdahl

Members absent: Sabo
Newcome

Mr. Robert Duckstad supplied the Committee with a memo regarding usage of the Xerox machines and indicated the need for an additional machine for use during the session.

A motion was made that the Office of Legislative Research be authorized to rent a Xerox machine, Model 3600-III, subject to review after the 1974 session. The motion prevailed.

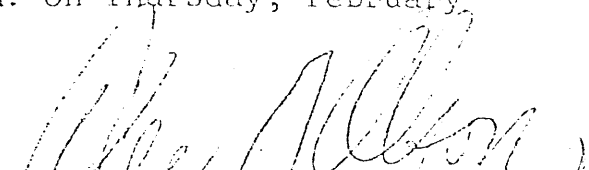
A discussion was held regarding reports to the Legislature. Mr. Duckstad supplied the Committee with a proposed new Joint Rule (Rule 25). Mr. Uhlig of the Governmental Advisory Committee reiterated his position of the December 13th meeting. Mr. Lindquist of the Legislative Library stated his staff would attempt to absorb the added duties, i.e. preparing a list of the reports formerly mailed direct to the legislators. A legislator would then be able to select and receive only those reports he was interested in.

Chairman Olson proposed an amendment to the proposed new Joint Rule 25: "The Legislative Reference Library shall monthly give notice to each legislator of each publication filed pursuant to this rule unless otherwise requested by a legislator."

Representative Pavlak moved that Joint Rule 25 as amended be passed. The motion prevailed.

Mr. Duckstad supplied the Committee with proposed deadlines for the 1974 Session. After the matter had been discussed, it was decided that a decision should be delayed until a study of pending bills could be made.

The next meeting was scheduled for 5:00 p.m. on Thursday, February 14, 1974. The meeting was then adjourned.


Alice G. Olson, Chairman

December 12, 1973

MEMORANDUM

TO: Joint Coordinating Committee
FROM: Robert J. Duckstad, Director of Legislative Research
RE: Distribution of reports and periodicals to the Legislature

Attached is a list of reports required by statute or the Minnesota Constitution to be delivered to the Legislature. In addition, the various departments have either periodic or one of a kind reports on various aspects of their activities. The Governmental Advisory Committee, Subcommittee on Legislative Communications, chaired by Arthur C. Roemer, Commissioner of Revenue, has recommended an alternative system of distribution of these various reports. It would involve the sending of ten copies of each item to the Legislative Reference Library, with the library making known to Legislators what was available, giving out copies as they are requested, and obtaining further copies where needed. The system would also involve the maintenance of an index system by the Legislative Reference Library.

Subject to the following conditions, there is no objection to the implementation of this system on a trial basis:

(a) The Secretary of the Senate and Chief Clerk of the House should continue to receive directly from the departments concerned copies of all reports required by statute or the Minnesota Constitution. This

would allow them to make journal entries where appropriate.

(b) Where an individual Legislator or legislative staff member would expressly request from a particular department to be given a copy of a particular document or kept on a mailing list of a particular publication, that this continue to be done.

(c) That the cost to cover staff time necessary to prepare, maintain, and distribute materials and the appropriate lists indicating what would be available would be provided the Legislative Reference Library. It is estimated that the combined part-time staff and office supplies necessary would cost approximately \$5,000 per year.

If deemed appropriate, the recommendation could be implemented by a joint rule defining report to the legislature. The rule could provide in substance:

". . . Whenever a report to the legislature is required of a department or agency of government, it may be made by the filing of a copy with the secretary of the senate, a copy with the chief clerk of the house of representatives, and ten copies with the legislative reference library . . ."

DEPARTMENTAL REPORTS REQUIRED BY LAW

<u>DEPARTMENT OR AGENCY</u>	<u>MINNESOTA STATUTES SECTION</u>	<u>DATE REQUIRED*</u>
ADMINISTRATION, Department of Report on Disposition of Surplus State Lands	94.09, Subd. 5	January 15 - Odd Years
AERONAUTICS, Department of	360.015, Subd. 17	"As Soon As Practicable" After October 1 - Even Years
AGRICULTURE, Department of	17.10	December - Even Years
ATHLETIC COMMISSION	341.14	November 15 - Even Years
CIVIL SERVICE BOARD	43.06 (10)	Next Session of Legislature Following Adopt of Regulations
COMMERCE COMMISSION	45.033	December 1 - Every Year
COMMISSION ON MINNESOTA'S FUTURE	Laws 1973, Chapter 741, Section 4	At Regular Intervals
COUNCIL ON QUALITY EDUCATION	3.925	Each Session
ECONOMIC DEVELOPMENT, Department of	362.15	Each Regular Session, Special Sessions on Request of Governor
EDUCATION, State Board of	121.13	No Date Specified
EMPLOYMENT SERVICES, Department of	268.12	When Commissioner Believes a Change in C tribution or Benefit Rates is Necessary
ENVIRONMENTAL QUALITY COUNCIL GOVERNOR	Laws 1973, Chapter 591, Section 19	Biennially
Budget Message	16.15	Three Weeks After First Monday in January Odd Years
State of the State Address	Minnesota Constitution, Article V, Section 4	Each Session, As He Deems Expedient

DEPARTMENT OR AGENCYMINNESOTA STATUTES
SECTIONDATE REQUIRED*

GREAT LAKES COMMISSION	1.21, Article IV (O.)	Annually
HEALTH, State Board of	144.05	Each Regular Session
HIGHER EDUCATION COORDINATING COMMISSION	136A.07	January 15 - Odd Years
HIGHWAYS, Department of	161.10	November 15 - Even Years
HUMAN RIGHTS, Department of	363.05, Subd. 1 (15)	Each Session
INDIAN AFFAIRS COMMISSION	3.922	November 15 - Even Years
INTERDEPARTMENTAL TRANSPORTATION TASK FORCE	4.20, Subd. 7	From Time to Time
INTERSTATE COOPERATION, Commission on	3.29	November 15 - Even Years
IRON RANGE RESOURCES AND REHABILITATION COMMISSION	298.22, Subd. 2	Prior to Convening of Each Regular Session
JUDICIAL COUNCIL	483.03	November 15 - Even Years
LABOR AND INDUSTRY, Department of	175.17; 175.171	October 1 - Even Years
LAND EXCHANGE REVIEW BOARD	Laws 1967, Chapter 909, Sec. 1, Subd. 2	From Time to Time
LEGISLATIVE RETIREMENT STUDY COMMISSION	3.85, Subd. 9	Each Regular Session
METROPOLITAN COUNCIL	473B.04	January 15 - Odd Years
METROPOLITAN TRANSIT COMMISSION	473A.12	Annually and at Opening of Each Regular Session
MIDWESTERN BOARD FOR MEDICAL AND ALLIED HEALTH EDUCATION	Laws 1971, Chapter 634, Sec. 2, Subd. 2	December 1 - Each Year
MINNESOTA RESOURCES COMMISSION	86.11	December 1 - Even Years
MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION	1.31, Sec. 5, Subd. 2	January 15 - Odd Years
MINNESOTA ZOOLOGICAL BOARD	85A.03, Subd. 12	January 15 - Odd Years
NATURAL RESOURCES, Department of	84.03	Biennially

<u>DEPARTMENT OR AGENCY</u>	<u>MINNESOTA STATUTES SECTION</u>	<u>DATE REQUIRED*</u>
POLLUTION CONTROL AGENCY		
Biennial Report on Water Pollution	115.42	Beginning of Each Regular Session
Biennial Report on Air and Solid Waste Pollution	116.10	November 15 - Even Years
PUBLIC SAFETY, Department of	299A.01, Subd. 5	On A Regular Basis
Bureau of Criminal Apprehension	299C.18	November 15 - Even Years
PUBLIC WELFARE, Department of	246.06	November 15 - Even Years
PENSION FUNDS	356.21, Subd. 3	
Annual Actuarial Valuation		5 Months After End of Fiscal Year
or		
Actuarial Survey		5 Months After End of Every Fourth Fiscal Year
PENSION FUNDS, Police and Fire	69.71	July 1, 1968 and Every Four Years Thereafter
REVISOR OF STATUTES, Report on Certain Opinions of Supreme Court	482.09	Each Regular Biennial Session
STATE AUDITOR	6.18	Third Day of Each Regular Session
STATE COLLEGE BOARD	136.14	November 15 - Even Years
STATE COURT ADMINISTRATOR	480.15	No Date Specified
Report on Wiretaps	626A.17	January - Odd Years
STATE PLANNING AGENCY	4.12	January 15 - Odd Years
STATE TREASURER	7.05	Third Day of Each Regular Session
STATE URBAN AFFAIRS COUNCIL AND URBAN ACTION CENTER	4.25	No Date Specified
TAXATION, Department of	270.06 (11)	January 1 - Odd Years

DEPARTMENT OR AGENCY

MINNE SOTA STATUTES
SECTION

DATE REQUIRED *

9

VETERANS HOME BOARD

198,073

November 15 - Even Years

WORKMEN'S COMPENSATION, Advisory
Committee

175,007

November 15 - Even Years

* NOTE: Minnesota Statutes 1971, Section 15.063, provides:

Notwithstanding any law to the contrary, biennial reports required to be submitted to the legislature by various departments and agencies shall be submitted by November 15 of each even numbered year.

DEPARTMENTAL REPORTS REQUIRED BY LAW

<u>DEPARTMENT OR AGENCY</u>	<u>MINNESOTA STATUTES SECTION</u>	<u>DATE REQUIRED</u>
ADMINISTRATION, Department of Report on Disposition of Surplus State Lands	94.09, Subd. 5	November 15 - Even Years
AERONAUTICS, Department of	360.015, Subd. 17	November 15 - Even Years
AGRICULTURE, Department of Shade Tree Disease Report	17.10 Laws 1974, Ch. 355, Section 66, Subd 11	November 15 - Even Years January 31 - Each Year
ATHLETIC COMMISSION	341.14	November 15 - Even Years
COMMERCE COMMISSION	45.033	December 1 - Every Year
COMMISSION ON MINNESOTA'S FUTURE	Laws 1973, Chapter 741, Section 4	At Regular Intervals
COUNCIL ON QUALITY EDUCATION	3.925	November 15 - Even Years
ECONOMIC DEVELOPMENT, Department of	362.15	November 15 - Even Years Special Sessions on Request of Governor
ENERGY AGENCY	Laws 1974, Chapter 307, Section 11	January 1 - Even Years
ENERGY, LEGISLATIVE COMMISSION ON	Laws 1974, Chapter 307, Section 4	Annually
ENVIRONMENTAL QUALITY COUNCIL POWER PLANT SITING	166C.07 166C.69	November 15 - Even Years Biennially
GOVERNOR Budget Message	16.15	Three Weeks After First Monday in January of Odd Years
State of the State Address	Minnesota Constitution, Article V, Section 4	Each Session, As He Deems Expedient

<u>DEPARTMENT OR AGENCY</u>	<u>MINNESOTA STATUTES SECTION</u>	<u>DATE REQUIRED</u>
ENVIRONMENTAL QUALITY REPORT	1160.07	November 15 - Every Year
GREAT LAKES COMMISSION	1.21, Article IV (O).	Annually
HIGHER EDUCATION COORDINATING COMMISSION	136A.07	November 15 - Even Years
HIGHWAYS, Department of	161.10	November 15 - Even Years
HUMAN RIGHTS, Department of	363.05, Subd. 1 (15)	November 15 - Even Years
INDIAN AFFAIRS COMMISSION	3.922	November 15 - Even Years
INTERDEPARTMENTAL TRANSPORTATION TASK FORCE	4.20, Subd. 7	From Time to Time
INTERSTATE COOPERATION, Commission on	3.29	November 15 - Even Years
IRON RANGE RESOURCES AND REHABILITATION	298.22, Subd. 2	November 15 - Even Years
JUDICIAL COUNCIL	483.03	November 15 - Even Years
LABOR AND INDUSTRY, Department of	175.171 (3)	November 15 - Even Years
LAND EXCHANGE REVIEW BOARD	Laws 1967, Chapter 909, Sec. 1, Subd. 2	From Time to Time
LEGISLATIVE RETIREMENT STUDY COMMISSION	3.85, Subd. 9	November 15 - Even Years
METROPOLITAN COUNCIL	473B.04	November 15 - Even Years
METROPOLITAN TRANSIT COMMISSION	473A.12	November 15 - Even Years and Annually
MIDWESTERN BOARD FOR MEDICAL AND ALLIED HEALTH EDUCATION	Laws 1971, Chapter 634, Sec. 2, Subd. 2	December 1 - Each Year
MINNESOTA HOUSING FINANCE AGENCY	462A.06, Subd. 15	January 15 - Odd Years
MINNESOTA RESOURCES COMMISSION	86.11, Subd. 5	November 15 - Even Years
MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION	1.31, Sec. 5, Subd. 2	January 15 - Odd Years

<u>DEPARTMENT OR AGENCY</u>	<u>MINNESOTA STATUTES SECTION</u>	<u>DATE REQUIRED</u>
MINNESOTA ZOOLOGICAL BOARD	85A.02, Subd. 12	November 15 - Even Years
NATURAL RESOURCES, Department of	84.03	November 15 - Even Years
POLLUTION CONTROL AGENCY		
Biennial Report on Water Pollution	115.42	November 15 - Even Years
Biennial Report on Air and Solid Waste Pollution	116.10	November 15 - Even Years
PUBLIC SAFETY, Department of		
Bureau of Criminal Apprehension	299C.18	November 15 - Even Years
PUBLIC WELFARE, Department of	246.06	November 15 - Even Years
REGIONAL DEVELOPMENT COMMISSIONS (11)	462.393	February 1 - Each Year
RETIREMENT FUNDS		
Annual Actuarial Valuation or Actuarial Survey	356.21, Subd. 3	5 Months After End of Fiscal Year 5 Months After End of Every Fourth Fiscal Year
RETIREMENT FUNDS, Police and Fire	69.71	July 1, 1968 and Every Four Years Thereafter
REVISOR OF STATUTES, Report on Certain Opinions of Supreme Court	482.09 (a)	November 15 - Even Years
STATE AUDITOR	6.18	November 15 - Even Years
STATE COLLEGE BOARD	136.14	November 15 - Even Years
STATE COURT ADMINISTRATOR		
Report on Wiretaps	480.15, Subd. 9 626A.17, Subd. 3	No Date Specified November 15 - Even Years
STATE PLANNING AGENCY	4.12, Subd. 2 (2)	November 15 - Even Years
STATE TREASURER	7.05	November 15 - Even Years
STATE URBAN AFFAIRS COUNCIL AND URBAN ACTION CENTER	4.25, Subd. 2	No Date Specified

<u>DEPARTMENT OR AGENCY</u>	<u>MINNESOTA STATUTES SECTION</u>	<u>DATE REQUIRED</u>
TAXATION, Department of	270.06 (11)	November 15 - Even Years
VETERANS HOME BOARD	198.073	November 15 - Even Years
WORKMEN'S COMPENSATION, Advisory Committee	175.007	November 15 - Even Years
WORKMEN'S COMPENSATION COMMISSION	175.17	October 1 - Even Years

1973 - Statutory

Sept. 1947
Effective Date

AN ACT

Sept 18 1947
Legislative Reference Library

H. F. No. 303
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relating to the organization and operation of the state government; creating a department of finance; transferring the powers of the public examiner to the state auditor; creating a legislative audit commission and legislative auditor; appropriating money; amending Minnesota Statutes 1971, Sections 6.21; 9.031, by adding a subdivision; 11.10, Subdivisions 1 and 2; 16.141, Subdivisions 2 and 3; 16.16, Subdivisions 1, 3, 4, 5, 6, 7, 8, and 8a; 215.04; 215.05; 215.06; 215.07; 215.08; and 215.09; repealing Minnesota Statutes 1971, Sections 16.02, Subdivisions 11 and 12; 215.02; and 215.18.

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

20 section 1. [DEPARTMENT OF FINANCE; CREATION.]

21 Subdivision 1. The department of finance is hereby created
22 under the control and supervision of the commissioner of
23 finance, which office is hereby established. The
24 commissioner is the chief accounting officer, the principal
25 financial officer and the state controller.

26 Subd. 2. The commissioner of finance is appointed by
27 the governor by and with the advice and consent of the
28 senate. The commissioner so appointed shall have broad
29 experience as an executive financial manager. The
30 commissioner shall serve at the pleasure of the governor. A
31 vacancy in the office of the commissioner shall be filled by
32 the governor, with the advice and consent of the senate.

33 Subd. 3. The commissioner may appoint two deputy
34 commissioners, and a confidential secretary, each of whom
35 shall serve at the pleasure of the commissioner in the
36 unclassified service. Except as may be otherwise provided

1 for by law, the commissioner shall fix the compensation of
2 each deputy. A deputy may perform and exercise a power,
3 duty, or responsibility imposed by law on the commissioner
4 when authorized so to do by the commissioner.

5 Subd. 4. Subject to the provisions of this act and to
6 other applicable laws governing a state department or
7 agency, the commissioner shall organize the department and
8 employ such other officers, employees, and agents as he may
9 deem necessary to discharge the functions of his department,
10 define the duties of such officers, employees, and agents
11 and to delegate to them any of his powers, duties, and
12 responsibilities subject to his control and under such
13 conditions as he may prescribe. Personnel employed pursuant
14 to this subdivision are in the classified service of the
15 state civil service.

16 Sec. 2. [TRANSFER OF DUTIES FROM STATE AUDITOR.]
17 Subdivision 1. Except as otherwise provided for in this
18 section, all the powers, duties, and responsibilities now
19 vested in and imposed upon the state auditor are hereby
20 transferred to, vested in, and imposed upon the department
21 of finance.

22 Subd. 2. The state auditor shall continue to exercise
23 the powers, duties, and responsibilities which heretofore
24 have been or which may hereafter be by law vested in, and
25 imposed upon him relating to certifying the state tax to the
26 several county auditors, certifying the tax necessary to be
27 levied in connection with the repayment of moneys borrowed
28 by the state or its department and agencies or moneys loaned

1 by the state as authorized by law; he shall also continue to
2 exercise such powers, duties and responsibilities prescribed
3 by the constitution and as a member of a governmental
4 council, board or association.

5 Sec. 3. Minnesota Statutes 1971, Section 6.21, is
6 amended to read:

7 6.21 [DUTIES.] The state auditor, commissioner of
8 finance shall continue to exercise the rights, powers, and
9 duties vested in and imposed upon his office. He shall have
10 charge of the administration of the financial affairs of the
11 state. He shall keep the general books of account of the
12 state. The general books of account shall be on a double
13 entry control basis, with such revenue, expenditure, asset
14 and liability accounts as will give complete control over
15 all financial and expenditure operations of the state and
16 over all officials, departments, and agencies of the state
17 government. Accounts shall be set both as to expenditures
18 and revenue according to generally accepted practice in
19 governmental accounting. ~~The auditor, with the advice and~~
20 ~~assistance of the commissioner of administration and the~~
21 ~~public examiner,~~ commissioner of finance shall formulate
22 and prescribe for all departments and other state agencies a
23 system of uniform records, accounts, statements, estimates,
24 revenue receipt forms, vouchers, bills, and demands with
25 suitable instructions governing the installation and use
26 thereof. The accounting system and form so prescribed shall
27 be adopted and employed by all officials, departments, and
28 agencies of the state government. ~~The auditor, with the~~

1 ~~assistance of the public examiner,~~ commissioner of finance
 2 shall exercise constant supervision and control thereof,
 3 All accounting and financial records shall be kept on the
 4 fiscal year basis of 12 months ending at midnight between
 5 June 30 and July 1. ~~The auditor~~ commissioner of finance
 6 and his designated agents shall at all times have free
 7 access to the books, records, accounts, and papers of the
 8 several departments and agencies, ~~the commissioner of~~
 9 ~~administration and his designated employees shall have free~~
 10 ~~access at all times to the books, records, accounts, and~~
 11 ~~papers of the state auditor and the auditor shall allow the~~
 12 ~~commissioner and his agents sufficient desk space for using~~
 13 ~~and inspecting the same.~~

14 Sec. 4. [TRANSFER OF POWERS FROM DEPARTMENT OF
 15 ADMINISTRATION.] Subdivision 1. The department of finance
 16 shall prepare a biennial budget and a ten year cash receipts
 17 and disbursement projection in consultation with the
 18 commissioner of administration under the supervision of the
 19 governor. In even numbered years immediately before the
 20 inauguration of a new governor, such budget and a ten year
 21 cash receipts and disbursement projection shall be prepared
 22 under the supervision of the governor-elect.

23 Subd. 2. All the powers, duties, and responsibilities
 24 now vested in and imposed upon the commissioner of
 25 administration by Minnesota Statutes, Sections 3.30,
 26 relating to the contingent fund; 16.027, relating to
 27 payrolls; 16.138, relating to reimbursements; 16.14, 16.15,
 28 and 16.155 relating to budgets and the budget, are

1 transferred to, vested in and imposed upon the department of
2 finance.

3 Subd. 3. All the powers, duties, and responsibilities
4 now vested in and imposed upon the commissioner of
5 administration by Minnesota Statutes, Sections 16,20,
6 16,245, 16,25, 16,62, 16,63, 16,64 and any other law
7 relating to the supervision and control of accounts and
8 expenditures of the state government, its departments and
9 agencies including but not limited to fees, payroll
10 deductions, tax withholding, and compensation schedules, are
11 hereby transferred to, vested in, and imposed upon the
12 department of finance.

13 Subd. 4. The department of finance may make rules and
14 regulations governing the powers, duties, and
15 responsibilities transferred to it under the terms of this
16 act.

17 Sec. 5. [TRANSFER OF CERTAIN APPROPRIATIONS.] The
18 moneys heretofore appropriated to the commissioner of
19 administration in the payroll clearance revolving fund in
20 the state treasury is hereby reappropriated to the
21 department of finance for the same purposes and uses as set
22 forth in Minnesota Statutes, Section 16,80, Subdivision 1,
23 Clause(g). Any accumulation in said fund from profits or
24 otherwise is also reappropriated to the department of
25 finance for such purposes.

26 Sec. 6. [DEPARTMENT OF FINANCE OTHER POWERS.] The
27 commissioner of finance:

28 (1) Shall require each department in the executive

1 branch to prepare financial reports in such form, and to be
2 made at such intervals, as he may prescribe which will
3 permit administrative and legislative comparisons of
4 spending plans in relation to appropriations for programs
5 and activities;

6 (2) Shall formulate and prescribe a system of measuring
7 the effect of fund expenditures which will permit the
8 evaluation and comparisons of the cost of functions or
9 programs;

10 (3) Shall require each department to state in writing
11 objectives of each activity or function authorized against
12 which performance may be measured. The objectives shall be
13 specific as to amount and time and for a period including
14 the current and the following biennium and reported at such
15 times and in such form as the commissioner shall direct;

16 (4) Shall require the department of taxation and other
17 departments in the executive branch to report at his
18 designated intervals concerning estimates of income and
19 receipts whether from taxes or otherwise, and use such
20 information in evaluating the financial condition and
21 affairs of the state;

22 (5) Shall make such reports concerning the financial
23 affairs of the state as the governor or the commissioner of
24 administration may direct in addition to such reporting as
25 may be otherwise prescribed by law.

26 (6) Shall require such reports and other information of
27 the state treasurer and other departments and agencies in
28 the executive branch as will permit formulation of policy on

1 all fiscal and financial matters of state government,

2 Sec. 7. [TRANSFER OF POWERS TO STATE AUDITOR.] Except
3 as otherwise provided for in this act relating to the
4 legislative auditor, all the powers, duties and
5 responsibilities of the public examiner relating to audits
6 of cities of all classes, villages, counties, towns, school
7 districts, and other governmental subdivisions or bodies
8 corporate and politic as contained in Minnesota Statutes,
9 Sections 215.10, 215.11, 215.12, 215.13, 215.14, 215.16,
10 215.17, 215.19, 215.20, 215.21, 215.22, 215.225, 215.23,
11 215.24, 215.25, 215.26, 215.261, 215.31, 215.32, 215.33,
12 215.34, 215.35, 215.36, 215.37, 215.38, or any other law are
13 hereby transferred to, vested in, and imposed upon the state
14 auditor.

15 Sec. 8, Minnesota Statutes 1971, Section 9.031, is
16 amended by adding a subdivision to read:

17 Subd. 13. [DEPOSIT OF FUNDS.] (a) Deposit of state
18 funds in depositories by the treasurer under section 9.031
19 is subject to regulation by the commissioner of finance. He
20 may determine the amount of funds to deposit in a depository
21 and any other matter which he deems in the public interest.
22 The treasurer shall comply with such regulations.

23 (b) All depositories with various noninterest bearing
24 deposits which, as a group, total over \$100,000 shall report
25 such balances as of the close of the previous business day
26 by 9:00 a.m. daily to the treasurer and the commissioner of
27 finance. The commissioner of finance shall record these
28 daily balances, which shall be a matter of public record at

1 the legislative reference library and reported monthly to
2 the legislative audit commission.

3 (c) All state accounts shall be established by
4 competitive bid among the designated depositories. The
5 commissioner of finance shall send written notice of his
6 intent to accept bids for the handling of the state account,
7 or accounts, to all designated depositories. The notice
8 shall specify such considerations, fiscal activities, and
9 conditions as the commissioner may require. All such
10 deposits shall be awarded by competitive bid to the lowest
11 bidding depository which, in the opinion of the
12 commissioner, has the capacity to discharge the required
13 considerations, fiscal activities, and conditions.

14 (d) In exceptional cases, the commissioner may dispense
15 with the bid procedure. In such event, he shall report the
16 circumstances and reasons therefor to the legislative audit
17 commission within five days after establishing the account.

18 (e) All presently existing state accounts shall be
19 closed, and new accounts shall be established in compliance
20 with the bid procedure established in clause (c) no later
21 than one year after the effective date of this act.

22 (f) Notwithstanding any provision in section 9,031 to
23 the contrary, the commissioner of finance may agree to pay a
24 depository a reasonable charge or keep appropriate
25 compensating balances for handling state funds, for cashing
26 state warrants, vouchers and the like. Such moneys as may
27 be necessary for such purpose are hereby appropriated
28 annually to the commissioner of finance.

1 Sec. 9. Minnesota Statutes 1971, Section 11.10,
2 subdivision 1, is amended to read:

3 11.10 [INVESTMENT OF MONEY IN STATE TREASURY NOT
4 CURRENTLY NEEDED.] Subdivision 1. [INVESTMENT OF TREASURY
5 FUND.] The state treasurer shall make a report to the
6 commissioner of finance daily or at such other times as the
7 commissioner of finance shall determine of the moneys in the
8 state treasury together with such other information which
9 the commissioner may prescribe. When there ~~shall be any~~ is
10 money in the state treasury ~~that~~ over and above the amount
11 that the commissioner of finance has advised the treasurer
12 is ~~not~~ currently needed, the state treasurer shall certify
13 to the state board of investment the amount thereof. The
14 board of investment may then invest said amount, or any part
15 thereof, in the following:

16 (a) Treasury bonds, certificates of indebtedness, bonds
17 or notes of the United States of America or bonds, notes or
18 certificates of indebtedness of the state of Minnesota, all
19 of which must mature not later than three years from date of
20 purchase,

21 (b) Bonds, notes, debentures or other obligations
22 issued by any agency or instrumentality of the United States
23 or any securities guaranteed by the United States
24 government, or for which the credit of the United States is
25 pledged for the payment of the principal and interest
26 thereof, all of which must mature not later than three years
27 from date of purchase.

28 (c) Commercial paper of prime quality, or rated among

1 the top third of the quality categories, not applicable to
2 defaulted paper, as defined by a nationally recognized
3 organization which rates such securities as eligible for
4 investment in the state employees retirement fund except
5 that any non-banking issuing corporation, or parent company
6 in the case of paper issued by operating utility or finance
7 subsidiaries, must have total assets exceeding \$500,000,000.
8 Such commercial paper may constitute no more than 30 percent
9 of the book value of the fund at the time of purchase, and
10 the commercial paper of any one corporation shall not
11 constitute more than four percent of the book value of the
12 fund at the time of such investment.

13 (d) Any securities eligible under the preceding
14 provisions, purchased with simultaneous repurchase agreement
15 under which the securities will be sold to the particular
16 dealer on a specified date at a predetermined price. In
17 such instances, all maturities of United States government
18 securities, or securities issued or guaranteed by the United
19 States government or an agency thereof, may be purchased so
20 long as any such securities which mature later than three
21 years from the date of purchase have a current market value
22 exceeding the purchase price by at least five percent on the
23 date of purchase, and so long as such repurchase agreement
24 involving securities extending beyond three years in
25 maturity be limited to a period not exceeding 45 days.

26 (e) Shares of an investment company registered under
27 the investment company act of 1940, whose shares are
28 registered under the securities act of 1933, provided that

1 the only investments of that company are in obligations of
 2 the United States government, in obligations fully
 3 guaranteed by the United States government or in obligations
 4 of instrumentalities of the United States government such as
 5 treasury bonds, certificates of indebtedness, bonds or notes
 6 of the United States of America, all of which must mature
 7 not later than three years from date of purchase; bonds,
 8 notes, debentures or other obligations issued by any agency
 9 or instrumentality of the United States or any securities
 10 guaranteed by the United States government, or for which the
 11 credit of the United States is pledged for the payment of
 12 the principal and interest thereof, all of which must mature
 13 not later than three years from date of purchase.

14 Sec. 10. Minnesota Statutes 1971, Section 11.10,
 15 subdivision 2, is amended to read:

16 Subd. 2. [COMMISSIONER OF FINANCE TO CERTIFY.] When it
 17 shall appear to the ~~state auditor~~ commissioner of finance
 18 that any invested funds are needed for current purposes
 19 before the maturity dates of the securities held, he shall
 20 so certify and it shall then be the duty of the board of
 21 investment to order the sale or conversion into cash of
 22 securities of the amount so certified.

23 Sec. 11. [COMMISSIONER OF ADMINISTRATION; ADDITIONAL
 24 POWERS.] Subdivision 1. In addition to the other powers,
 25 duties and responsibilities of the commissioner of
 26 administration, he may appoint two deputy commissioners, and
 27 a confidential secretary, each of whom shall serve at the
 28 pleasure of the commissioner in the unclassified service.

1 Subd. 2. The governor, unless otherwise provided by
2 law, may delegate to the commissioner of administration the
3 administration of such programs and projects of the office
4 of the governor directed by either state or federal law, or
5 which may be made available to the state under a grant of
6 funds either public or private. Unless specifically
7 prohibited by law, the governor may delegate to the
8 commissioner of administration general supervision of any
9 program or activity of any state department or agency the
10 head of which is either appointed by the governor or by a
11 gubernatorially appointed board. The provisions of this
12 subdivision shall not be construed as authority to transfer
13 programs or activities, or part of them, from one department
14 to another.

15 Sec. 12. [AUDIT POLICY.] Subdivision 1. Continuous
16 legislative review of the effect of grant-in-aid programs,
17 the spending of public funds and their financing at all
18 levels of government is required in the public interest to
19 enable the enactment of appropriate legislation.

20 Subd. 2. [LEGISLATIVE AUDIT COMMISSION CREATION.] A
21 legislative commission to be known as the legislative audit
22 commission, designated herein as "the commission" is hereby
23 created. The commission shall consist of the majority
24 leader of the senate and the president pro-tempore of the
25 senate, or their respective designees; the chairman of the
26 senate committee on taxes or his designee, who shall be a
27 member of the senate tax committee; the chairman of the
28 senate committee on governmental operations or his designee,

1 who shall be a member of the governmental operations
2 committee; the chairman of the senate committee on finance
3 or his designee, who shall be a member of the senate finance
4 committee; and three members of the senate appointed by the
5 senate minority leader; the speaker of the house and the
6 chairman of the house committee on rules, or their
7 respective designees; the chairman of the house committee on
8 taxes or his designee, who shall be a member of the house
9 tax committee; the chairman of the house committee on
10 governmental operations or his designee, who shall be a
11 member of the house governmental operations committee; the
12 chairman of the house appropriations committee or his
13 designee, who shall be a member of the house appropriations
14 committee; and three members of the house appointed by the
15 house minority leader. The appointed members of the
16 commission shall serve for a term commencing upon
17 appointment and expiring at the opening of the next regular
18 session of the legislature in the odd numbered year and
19 until a successor is appointed. A vacancy in the membership
20 of the commission shall be filled for the unexpired term in
21 such a manner as to preserve the representation established
22 by this subdivision.

23 The commission shall elect its chairman and such other
24 officers as it may determine necessary. It shall meet at
25 the call of the chairman or at the call of its executive
26 secretary. The members of the commission shall serve
27 without compensation but shall be reimbursed for their
28 reasonable expenses as members of the legislature. The

1 commission may exercise the powers prescribed by Minnesota
2 Statutes, Section 3,153.

3 Subd. 3. The department of public examiner is
4 transferred from the executive to the legislative branch,

5 Subd. 4. Until the expiration of his term the
6 incumbent public examiner upon the effective date of this
7 section shall continue in the legislative branch but as the
8 legislative auditor. Thereafter, the commission shall
9 appoint a legislative auditor. The legislative auditor is
10 the executive secretary of the commission. After the
11 expiration of the term of the incumbent public examiner the
12 legislative auditor shall serve at the pleasure of the
13 commission until May 1, 1977. Thereafter, the legislative
14 auditor shall be appointed by the commission for a six year
15 term. He shall serve in the unclassified service. He shall
16 not at any time while in office hold any other public
17 office. The legislative auditor appointed on May 2, 1977,
18 shall not be removed from his office before the expiration
19 of his term of service except for cause after public
20 hearing.

21 Subd. 5. The legislative auditor may appoint a deputy
22 legislative auditor and a confidential secretary each of
23 whom shall serve at his pleasure in the unclassified
24 service. Except as may be otherwise provided for by law the
25 legislative auditor shall fix their salaries. The deputy
26 may perform and exercise the powers, duties and
27 responsibilities imposed by law on the legislative auditor
28 and is authorized so to do by the legislative auditor. All

1 other officers and employees of the legislative auditor
2 shall continue to be in the classified civil service.

3 Subd. 6. All the powers, duties and responsibilities
4 of the department of public examiner relating to the state
5 of Minnesota, its departments and agencies as described in
6 Minnesota Statutes 1971, Section 215.03, and any other law
7 concerning powers, duties and responsibilities of the public
8 examiner not otherwise dealt with by this act are hereby
9 transferred to the legislative auditor. Nothing in this
10 subdivision shall be deemed to supersede the powers
11 conferred upon the commissioner of finance under Minnesota
12 Statutes, Section 6.21,

13 Subd. 7. In addition to the legislative auditing
14 duties concerning state financial matters, the legislative
15 auditor shall also exercise and perform such duties as may
16 be prescribed by rule or regulation of the legislature or
17 either body thereof or by the commission. The legislative
18 auditor shall review department policies and evaluate
19 projects or programs requested by the commission. Any
20 standing legislative committee having legislative
21 jurisdiction may request the commission to review projects
22 or programs.

23 Subd. 8. The legislature may provide by rule or
24 regulation such testimonial powers as are conferred by law
25 on legislative standing commissions or committees on the
26 legislative auditor.

27 Sec. 13. [EFFECT OF TRANSFER OF FUNCTIONS.] Subdivision
28 1. With reference to the powers, duties, and

1 responsibilities which by this act have been transferred to
2 the department of finance, the department of finance is
3 deemed to be the successor of the state auditor, and the
4 commissioner of administration and the matters within the
5 jurisdiction of such former offices shall not be deemed to
6 be a new authority.

7 Subd. 2. ANY proceeding, court action, prosecution, or
8 other business or matter undertaken or commenced prior to
9 the passage of this act with reference to powers, duties,
10 and responsibilities of the state auditor, or the
11 commissioner of administration which by this act are
12 transferred to the commissioner of finance are hereby
13 assigned to the department of finance, and such pending
14 matters may be continued and completed by the department of
15 finance in the same manner and under the same terms and
16 conditions and with the same effect as if such matters were
17 undertaken, commenced and completed prior to the time of
18 such transfer.

19 Subd. 3. With reference to the powers, duties, and
20 responsibilities transferred by this act from the state
21 auditor, and the department of administration to the
22 department of finance, the state auditor, the state
23 treasurer and the commissioner of administration shall
24 transfer and deliver to the department of finance all
25 contracts, books, maps, papers, notes, bonds, cash,
26 securities, money, records, and other property of every
27 description within their jurisdiction or control relating
28 thereto. The commissioner of finance is directed to take

1 possession of such matters which have been transferred to
2 his department. The commissioner of finance may require the
3 public examiner to make such audits as he may deem necessary
4 in addition to those required by law in connection with this
5 section.

6 Subd. 4. Whenever in any other general law, heretofore
7 or hereafter adopted, or any document, record, or proceeding
8 authorized by the same, any word or phrase is used in
9 reference to or descriptive of any power, duty, or
10 responsibility which by this act is transferred from the
11 state auditor, or the commissioner of administration to the
12 department of finance, such word, phrase, or reference shall
13 hereafter, unless the context or provision of this act
14 otherwise requires, be deemed to refer to, include, or
15 describe the department of finance.

16 Subd. 5. All unexpended funds appropriated to the
17 state auditor, or the commissioner of administration for the
18 purposes of any of the powers, duties, and responsibilities
19 which by this act are transferred to the department of
20 finance are hereby transferred and reappropriated to such
21 department. Where unexpended funds appropriated to the
22 state auditor or the department of administration include
23 funds for powers, duties, and responsibilities which are not
24 transferred, the governor shall allocate the appropriation
25 between the state auditor, and the department of finance and
26 the commissioner of administration and the department of
27 finance, and the money so allocated is hereby reappropriated
28 to the department of finance.

1 Subd. 6. Except as otherwise provided in this act, all
2 persons in the classified service of the state and employed
3 by the state auditor or the department of administration for
4 the purposes of any of the powers, duties or
5 responsibilities which are transferred by this act to the
6 department of finance are hereby transferred to the
7 department of finance.

8 Subd. 7. The state auditor is the successor of the
9 public examiner as to such powers, duties, and
10 responsibilities as have been transferred to him from the
11 public examiner and not a new authority, The legislative
12 auditor is the public examiner as to such powers, duties,
13 and responsibilities which the public examiner will continue
14 to perform but as the legislative auditor.

15 Subd. 8. All persons in the classified service of the
16 state and employed by the public examiner in performing the
17 duties transferred to the state auditor are transferred to
18 the state auditor without loss of any right or privilege.
19 All persons in the classified service of the state and
20 employed by the public examiner in performing duties which
21 will be performed by the public examiner as legislative
22 auditor will continue in the classified service without loss
23 of right or privilege.

24 Subd. 9. All unexpended funds appropriated to the
25 public examiner shall be allocated by the governor between
26 the state auditor and the legislative auditor to carry out
27 the divisions of authority prescribed by this act governing
28 such officers and such reallocated funds are appropriated

1 accordingly.

2 Sec. 14. [INSTRUCTIONS TO REVISOR.] In the next and
3 subsequent editions of Minnesota Statutes, the revisor of
4 statutes shall make such changes in terminology so as to
5 record the powers, duties, and responsibilities which are
6 transferred by this act.

7 Sec. 15. [APPROPRIATION.] The sum of \$50,000 is
8 appropriated to the department of finance from the general
9 fund of the state treasury for the purpose of organizing the
10 department of finance, to be available for expenditure as
11 soon as a commissioner of finance is appointed.

12 Notwithstanding the provisions of any other law, such
13 appropriation is for salaries, supplies and expenses, shall
14 not cancel and shall be available until expended.

15 Sec. 16. [OFFICE FACILITIES.] The commissioner of
16 administration if necessary shall rearrange the offices and
17 space allotted therefor to the state auditor, the state
18 treasurer and the commissioner of administration in order to
19 provide the department of finance with adequate and proper
20 offices, and to that end may move the office facilities.

21 Sec. 17. Minnesota Statutes 1971, Section 16.141,
22 Subdivision 2, is amended to read:

23 Subd. 2. [ESTABLISHMENT OF PROGRAM.] The commissioner
24 of administration in consultation with the commissioner of
25 finance shall develop ~~and implement a system of program~~
26 budgeting the budget process to accomplish the policy as
27 stated in subdivision 1 for state departments and agencies
28 , provided, that such ~~program-budgets~~ process need not

1 comply with other provisions of law relating to the setting
2 forth of expenditures by ~~agency~~ organizational units,
3 character and objects of expenditure. The commissioner of
4 finance shall promulgate regulations and instructions
5 applicable to ~~program~~ budget preparation governing the
6 classification of expenditures and the content, ~~preparation~~
7 and submission of budget requests and appropriation
8 measures. In order to assure an orderly development of
9 sound budgeting methods, the commissioner of administration
10 may continue to select agencies and departments to implement
11 the ~~program~~ budget system. The commissioner of
12 ~~administration~~ finance shall make recommendations to the
13 legislature on the subject of any legislation or special
14 appropriations which may be required for implementation of
15 the ~~program~~ budgeting system for all state departments and
16 agencies. Such ~~program~~ budget system shall, to the greatest
17 extent practicable, emphasize alternative approaches in the
18 program development and criteria for performance evaluation
19 and measurement. All state departments and agencies shall
20 cooperate with the ~~commissioner~~ commissioners of
21 administration and finance to assure implementation of
22 ~~program~~ budgets which meet the requirements of the
23 commissioner of administration and which give due regard to
24 the requirements of the various departments and agencies
25 involved. No state agency shall begin or install any system
26 of program or programmatic budgeting until they have first
27 secured the explicit permission of the commissioner of
28 administration.

1 Sec. 18. Minnesota Statutes 1971, Section 16.141,
2 Subdivision 3, is amended to read:

3 Subd. 3. Notwithstanding any other law to the
4 contrary, the commissioner of ~~administration~~ finance may
5 waive the requirement for submitting a budget by object of
6 expenditure for ~~not more than three~~ agencies and departments
7 which are requesting programmatic appropriation.

8 Sec. 19. Minnesota Statutes 1971, Section 16.16,
9 Subdivision 1, is amended to read:

10 16.16 [ALLOTMENT AND ENCUMBRANCE.] Subdivision 1.
11 [ALLOTMENT PERIOD.] For the purposes of operation of the
12 ~~quarterly~~ allotment system, each fiscal year shall be
13 ~~divided into four quarterly allotment periods beginning~~
14 ~~respectively, on the first days of July, October, January,~~
15 ~~and April,~~ one fiscal year of 12 months which shall end at
16 midnight between each June 30 and July 1, provided, that in
17 ~~any case where the quarterly allotment period is~~
18 ~~impracticable,~~ the commissioner of finance may prescribe a
19 different period suited to the circumstances, not exceeding
20 12 months nor extending beyond the end of the fiscal year.
21 This provision does not apply to allotments made with
22 respect to appropriations made for constructions or
23 permanent improvement.

24 Sec. 20. Minnesota Statutes 1971, Section 16.16,
25 Subdivision 3, is amended to read:

26 Subd. 3. [APPROPRIATIONS AVAILABLE FOR ALLOTMENT;
27 SPENDING PLANS.] No appropriation to any agency shall become
28 available for expenditure thereby during any allotment

1 period until such agency shall have submitted to the
 2 commissioner of administration ~~an estimate~~ a spending plan
 3 in advance, in such form as the commissioner of finance
 4 shall prescribe, for such allotment period next ensuing, of
 5 the amount required for each activity to be carried on and
 6 each purpose for which money is to be expended during that
 7 period, and until such ~~estimate~~ spending plan shall have
 8 been approved, increased, or decreased by the commissioner
 9 of administration and funds allotted therefor, ~~as provided~~
 10 ~~in Law 1939, Chapter 431~~ .

11 Sec. 21. Minnesota Statutes 1971, Section 16.16,
 12 Subdivision 4, is amended to read:

13 Subd. 4. [SPENDING PLANS WITHIN APPROPRIATION;
 14 APPROVAL; PROCEDURE.] If the ~~estimate~~ spending plan is
 15 within the terms of the appropriation as to amount and
 16 purposes, having due regard for the probable further needs
 17 of the agency for the remainder of the fiscal year or other
 18 term for which the appropriation was made, and if there is a
 19 need for such appropriation for the next ensuing allotment
 20 period, the commissioner of administration shall approve
 21 after consultation with the commissioner of finance ~~the~~
 22 ~~same and give~~ the estimated amount for expenditure.
 23 otherwise the commissioner of administration shall modify
 24 the ~~estimate~~ spending plan so as to conform with the terms
 25 of the appropriation and the prospective needs of the
 26 agency, and shall reduce the amount allotted accordingly.
 27 The commissioner of administration shall act promptly upon
 28 all ~~estimates~~ spending plans , and shall notify every

1 agency of its allotments at least five days before the
2 beginning of each allotment period, and shall notify the
3 ~~state auditor~~ commissioner of finance. The total amount
4 allotted to any agency for the fiscal year or other terms
5 for which the appropriation was made shall not exceed the
6 amount appropriated for such year or term.

7 Sec. 22. Minnesota Statutes 1971, Section 16.16,
8 Subdivision 5, is amended to read:

9 Subd. 5. [MODIFICATION.] The commissioner of
10 administration shall also have authority at any time to
11 modify or amend any allotment spending plan previously made
12 approved by him, upon application of or upon notice to the
13 agency concerned, and upon a showing of emergency or other
14 cause; provided, no deficit or undue reduction of funds to
15 meet future needs of such agency will result therefrom.

16 Sec. 23. Minnesota Statutes 1971, Section 16.16,
17 Subdivision 6, is amended to read:

18 Subd. 6. [REDUCTION.] In case the commissioner of
19 finance shall discover at any time that the probable
20 receipts from taxes or other sources for any appropriation,
21 fund, or item will be less than was anticipated, and that
22 consequently the amount available for the remainder of the
23 term of the appropriation or for any allotment period will
24 be less than the amount estimated or allotted therefor, he
25 shall notify the commissioner of administration who
26 shall, with the approval of the governor, and after notice
27 to the agency concerned, request the commissioner of finance
28 to reduce the amount allotted or to be allotted so as to

1 prevent a deficit. In like manner he shall ~~reduce~~ request
2 reduction of the amount allotted or to be allotted to any
3 agency by the amount of any saving which can be effected
4 upon previous ~~estimates~~ spending plans through a reduction
5 in prices or other cause.

6 Sec. 24. Minnesota Statutes 1971, Section 16.16,
7 Subdivision 7, is amended to read:

8 Subd. 7. [COMMISSIONER OF FINANCE; ACCOUNTING SYSTEM,]
9 There shall be kept in the office of the ~~state auditor~~
10 commissioner of finance an accounting system showing at all
11 times, by funds and items, the amounts appropriated for and
12 the estimated revenues of such agency, the amounts allotted
13 and available for expenditure, the amounts of expenditures
14 or obligations authorized to be incurred, actual receipts
15 and disbursements, actual balances on hand, and the
16 unencumbered balances after deduction of all actual and
17 authorized expenditures.

18 Sec. 25. Minnesota Statutes 1971, Section 16.16,
19 Subdivision 8, is amended to read:

20 Subd. 8. [PAYMENT WITHIN ALLOTMENT AND ENCUMBRANCE;
21 EXCEPTIONS.] No payment shall be made and no obligation
22 shall be incurred against any fund, allotment, or
23 appropriation unless the ~~state auditor~~ commissioner of
24 finance shall first certify that there is a sufficient
25 unencumbered balance in such fund, allotment, or
26 appropriation to meet the same. Every expenditure or
27 obligation authorized or incurred in violation of the
28 provisions of Laws 1939, Chapter 431, shall be presumed

1 invalid and shall be inelegible for payment until its
2 validity is established as hereinafter provided. Every
3 payment made in violation of the provisions of Laws 1939,
4 Chapter 431, shall be deemed illegal, and every official
5 authorizing or making such payment, or taking part therein,
6 and every person receiving such payment, or any part
7 thereof, shall be jointly and severally liable to the state
8 for the full amount so paid or received. If any appointive
9 officer or employee of the state shall knowingly incur any
10 obligation or shall authorize or make any expenditure in
11 violation of the provisions of Laws 1939, Chapter 431, or
12 take part therein, it shall be grounds for his removal by
13 the officer appointing him, and, if the appointing officer
14 be other than the governor and shall fail to remove such
15 officer or employee, the governor may exercise such power of
16 removal, after giving notice of the charges and opportunity
17 for hearing thereon to the accused officer or employee and
18 to the officer appointing him. Claims presented against
19 existing appropriations without prior allotment or
20 encumbrance may, upon investigation, review, and approval by
21 the commissioner of ~~administration~~ finance be determined
22 valid where the services, materials, and supplies for which
23 payment is claimed have been actually rendered or furnished
24 to the state in good faith without collusion and without
25 intent to defraud. Thereafter the ~~state auditor~~
26 commissioner of finance may draw his warrant in payment of
27 such claims in the same manner in which other claims,
28 properly allotted and encumbered prior to inception thereof,

1 are paid.

2 Sec. 26. Minnesota Statutes 1971, Section 16.16,
3 Subdivision 8a, is amended to read:

4 Subd. 8a. [PERIODIC ALLOTMENT.] In the case of
5 appropriations made for construction or other permanent
6 improvement, including acquisition of real estate,
7 equipment, repair, rehabilitation, appurtenances or utility
8 systems, which appropriations do not lapse until the
9 purposes for which the appropriations were made shall have
10 been accomplished or abandoned, the commissioner of
11 ~~administration~~ finance may dispense with periodic allotment
12 and shall prescribe such regulations as will insure proper
13 application and encumbrance of funds.

14 Sec. 27. Minnesota Statutes 1971, Section 215.04, is
15 amended to read:

16 215.04 [POWERS AND DUTIES OF LEGISLATIVE AUDITOR.] ~~The~~
17 ~~public examiner shall keep such books of account as shall be~~
18 ~~necessary to properly carry out the provisions of this~~
19 ~~chapter and formulate and prescribe for all departments a~~
20 ~~system of uniform records, accounts, statements, estimates,~~
21 ~~vouchers, bills, and demands, with suitable books of~~
22 ~~instruction covering the installation and use thereof. The~~
23 ~~accounting system and forms so prescribed shall be adopted~~
24 ~~and employed in all such departments. The public examiner~~
25 legislative auditor shall post-audit and make a complete
26 examination and verification of all accounts, records,
27 inventories, vouchers, receipts, funds, securities, and
28 other assets of all state departments, boards, commissions,

1 and other state agencies at least once a year, if funds and
 2 personnel permit, and oftener if deemed necessary or as
 3 ~~directed by the governor or~~ by the legislature or the
 4 legislative audit commission. Audits may include detailed
 5 checking of every transaction or test checking as the ~~public~~
 6 ~~examiner~~ legislative auditor deems best. The books of the
 7 state treasurer and ~~state auditor~~ commissioner of finance
 8 may be examined monthly. The ~~public examiner~~ legislative
 9 auditor shall see that all provisions of law respecting the
 10 ~~installation and use of accounting systems, books, records,~~
 11 ~~and forms~~ appropriate and economic use of public funds are
 12 complied with by all departments and agencies of the state
 13 government.

14 ~~The powers and duties of the board of audit and of the~~
 15 ~~former public examiner heretofore transferred to, vested in,~~
 16 ~~and imposed upon the comptroller, are hereby transferred to,~~
 17 ~~vested in, and imposed upon the public examiner.~~ A copy of
 18 all post-audits, reports and results of examinations made by
 19 the legislative auditor shall be deposited with the
 20 legislative reference library.

21 Sec. 28. Minnesota Statutes 1971, Section 215.05, is
 22 amended to read:

23 215.05 [DUTIES AS TO STATE AGENCIES AND SEMI-STATE
 24 AGENCIES.] ~~The public examiner~~ legislative auditor shall
 25 ~~exercise~~ make a constant audit ~~supervision over the books~~
 26 ~~and accounts of the several public offices, institutions,~~
 27 ~~properties, industries, and improvements~~ of all financial
 28 affairs of all departments and agencies of the state, and

1 over of the financial records and transactions of public
2 boards, associations, and societies supported, wholly or in
3 part, by state funds. ~~in all offices where the records of~~
4 ~~such public affairs are kept and the finances thereof~~
5 ~~handled, he shall enforce correct methods of accountancy~~
6 ~~and, in his discretion, prescribe and install systems of~~
7 ~~accounts and financial reports.~~ Once in each year, if funds
8 and personnel permit, without previous notice, he shall
9 visit each of such ~~offices, institutions, and industries~~
10 state departments and agencies, associations or societies
11 and, so far as practicable, inspect such ~~properties and~~
12 improvements agencies, thoroughly examine the books and
13 accounts thereof, verifying the funds, securities and other
14 assets, check the items of receipts and disbursements with
15 the voucher records thereof, ascertain the character of the
16 official bonds for the officers thereof and the financial
17 ability of the bondsmen, inspect the sources of revenue
18 thereof, the use and disposition of state appropriations and
19 property, investigate the methods of purchase and sale, the
20 character of contracts on public account, ~~enforce a~~
21 ascertain proper custody and depository for the funds and
22 securities thereof, verify the inventory of public property
23 and other assets held in trust, and ascertain that all
24 financial transactions and operations involving the public
25 funds and property of the state comply with the spirit and
26 purpose of the law, ~~and~~ are sound by modern standards of
27 financial management and are for the best protection of the
28 public interest.

1 Sec. 29. Minnesota Statutes 1971, Section 215.06, is
2 amended to read:

3 215.06 [TO FILE WRITTEN REPORTS.] ~~The public examiner~~
4 legislative auditor shall file a written report covering his
5 audits with the department , agency, society, or association
6 concerned, ~~the governor, and the legislature, and, if he~~
7 ~~deems necessary, present special reports to the legislative~~
8 ~~advisory committee~~ and the legislative audit commission for
9 its consideration and action.

10 Such audit reports shall set forth:

11 (1) Whether all funds have been expended for the
12 purposes authorized in the appropriations therefor;

13 (2) Whether all receipts have been accounted for and
14 paid into the state treasury as required by law;

15 (3) All illegal and unbusinesslike practices, if any;

16 (4) ~~recommendations for greater simplicity, accuracy,~~
17 ~~efficiency, and economy, and~~ Assessment of the financial
18 control practices used in the agency, measurement of
19 performance and recommendations for improved effectiveness;
20 and

21 (5) Such other data, information, and recommendations
22 as the ~~public examiner~~ legislative auditor may deem
23 advisable and necessary.

24 Sec. 30. Minnesota Statutes 1971, Section 215.07, is
25 amended to read:

26 215.07 [DUTIES WHEN VIOLATIONS ARE DISCOVERED.] If any
27 such ~~public examiner's~~ legislative auditor's examinations
28 shall disclose malfeasance, misfeasance, or non-feasance in

1 office on the part of any officer or employee, a copy of
2 such report shall be signed and verified, and it shall be
3 the duty of the ~~public examiner~~ legislative auditor to file
4 such report with the ~~secretary of the legislative advisory~~
5 ~~committee~~ audit commission and the attorney general. It
6 shall be the duty of the attorney general to institute and
7 prosecute such civil proceedings against such delinquent
8 officer or employee, or upon his official bond, or both, as
9 may be appropriate to secure to the state the recovery of
10 any funds or other assets misappropriated, and he shall
11 cause such criminal proceedings to be instituted by the
12 proper authorities as the evidence may warrant.

13 Sec. 31. Minnesota Statutes 1971, Section 215.08, is
14 amended to read:

15 215.08 [INFORMATION COLLECTED FROM LOCAL GOVERNMENTS.]
16 The ~~public examiner~~ state auditor, or his designated
17 agent, shall collect annually from all city, village,
18 county, and other local units of government, ~~except to the~~
19 information as to the assessment of property, collection of
20 taxes, receipts from licenses and other sources, the
21 expenditure of public funds for all purposes, borrowing,
22 debts, principal and interest payments on debts, and such
23 other information as may be needful. The data shall be
24 supplied upon blanks prescribed by the ~~public examiner~~
25 state auditor, and all public officials so called upon shall
26 fill out properly and return promptly all blanks so
27 transmitted. The ~~public examiner~~ state auditor or his
28 assistants, may examine local records in order to complete

1 or verify the information. Copies of all reports so
2 received shall be forwarded by the state auditor to the
3 legislative auditor.

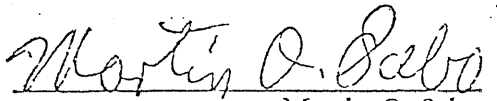
4 Sec. 32. Minnesota Statutes 1971, Section 215.09, is
5 amended to read:

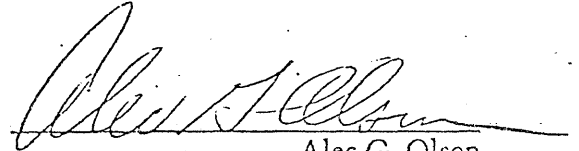
6 215.09 [ANNUAL REPORT.] ~~The public examiner~~ state
7 auditor shall make and file, annually, in his office a
8 summary report of the information collected, with such
9 compilations and analyses and interpretations as may be
10 deemed helpful. Copies of such report may be made and
11 distributed to interested persons and governmental units. A
12 copy of the report shall be forwarded to the legislative
13 auditor.

14 Sec. 33. [REPEALER.] Minnesota Statutes 1971, Sections
15 16.02, Subdivisions 11 and 12; 215.02 and 215.18 are hereby
16 repealed.

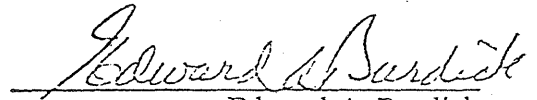
17 Sec. 34. [EFFECTIVE DATE.] Except as otherwise
18 provided herein, this act is in effect upon the appointment
19 by the governor of a commissioner of finance. The transfer
20 of powers, duties, and responsibilities from the state
21 auditor, the state treasurer or the commissioner of
22 administration, shall be accomplished as soon as the
23 commissioner of finance advises the secretary of state in
24 writing that his department is organized and ready to begin
25 functioning. Until then the state auditor, the state
26 treasurer and the commissioner of administration shall
27 continue to exercise the powers, duties, and
28 responsibilities which by this act are transferred to the

1 department of finance. The sections creating a legislative
2 audit commission, a legislative auditor and transferring
3 powers of the public examiner to the state auditor are in
4 effect September 1, 1973.

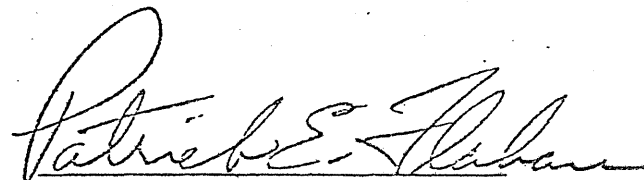

Martin O. Sabo
Speaker of the House of Representatives.


Alec G. Olson
President of the Senate.

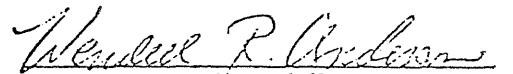
Passed the House of Representatives this 14th day of May in the year of Our Lord one thousand nine hundred and seventy-three.


Edward A. Burdick
Chief Clerk, House of Representatives.

Passed the Senate this 16th day of May in the year of Our Lord one thousand nine hundred and seventy-three.


Patrick E. Flahaven
Secretary of the Senate.

Approved *May 21,* 1973


Wendell R. Anderson
Governor of the State of Minnesota.

Filed *May 21,* 1973


Arlen I. Erdahl
Secretary of State.

BOUNDARY WATERS CANOE AREA CITIZEN'S ADVISORY TASK FORCE

1982 Minnesota Statutes 84.254, sd 2

Recommendations from the Task Force filed with LRL.

1979 Laws, Chapter 301, section 11, sd 2

Subd. 2. The advisory task force shall conduct meetings and research into all matters related to the establishment and operation of the Boundary Waters Canoe Area, and shall make such recommendations to the United States Forest Service and other federal and state agencies concerned, regarding operation of the area, as the advisory task force deems advisable. A copy of each recommendation shall be filed with the legislative reference library. The advisory task force shall not apply for or accept funds from public or private sources other than the legislature. Subject to the availability of legislative appropriation, the advisory task force may contract for services relating to matters within its authority.

LEGISLATURE AUDITOR

Copy of all post-audits, reports and results of examinations made by the Legislative Auditor files with the LRL.

Minnesota Statutes 1982, 3.971

1973 Laws, Chapter 492, Section 27

LEGISLATIVE AUDITOR

3.971 POWERS AND DUTIES OF LEGISLATIVE AUDITOR.

Subdivision 1. To perform financial audits the legislative auditor shall post-audit and make a complete examination and verification of all accounts, records, inventories, vouchers, receipts, funds, securities, and other assets of all state departments, boards, commissions, and other state agencies at least once a year, if funds and personnel permit, and oftener if deemed necessary or as directed by the legislature or the legislative audit commission. Audits may include detailed checking of every transaction or test checking as the legislative auditor deems best. The books of the state treasurer and commissioner of finance may be examined monthly. The legislative auditor shall see that all provisions of law respecting the appropriate and economic use of public funds are complied with by all departments and agencies of the state government.

A copy of all post-audits, reports and results of examinations made by the legislative auditor shall be deposited with the legislative reference library.

Subd. 2. To perform program evaluation, the legislative auditor shall determine the degree to which the activities and programs entered into or funded by the state are accomplishing their goals and objectives, including an evaluation of goals and objectives, measurement of program results and effectiveness, alternative means of achieving the same results, and efficiency in the allocation of resources.

History: 1925 c 426 art 3 s 10; 1939 c 431 art 4 s 2,9; 1949 c 33 s 1; 1973 c 492 s 27; 1975 c 204 s 91 (53-13,3286-9,3286-16)

STATE DEPARTMENTS/AGENCIES

Ten copies of publications filed with the LRL

MINNESOTA STATUTES 1976

3.195 REPORTS TO THE LEGISLATURE. Whenever a report to the legislature is required of a department or agency of government, it shall be made, unless otherwise specifically required by law, by the filing of one copy with the secretary of the senate, one copy with the chief clerk of the house of representatives, and ten copies with the legislative reference library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the legislative reference library. The legislative reference library shall monthly publish and distribute to legislators a checklist of state documents. Additional copies of the checklist sufficient for distribution to all state agencies, public, university and college libraries shall be provided by the documents section, department of administration.

3.302 Subd 3 LEGISLATIVE REFERENCE LIBRARY. The legislative reference library is a depository of all documents published by the state and shall receive such materials automatically without cost. As used in this chapter, "document" shall include any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, or other agencies supported by state funds, or any publication prepared for the state by private individuals or organizations and issued in print, including all forms of duplicating other than by the use of carbon paper, considered to be of interest or value to the legislative reference library. Intraoffice or interoffice memos and forms and information concerning only the internal operation of an agency are not included.

STATE REGISTER

Ten copies of each issue to be deposited with the LRL

Mn Stat 15.05, sd 4

Renumbered - - - - 1982 Minnesota Statutes 14.46

1974 Laws, Chapter 344, Section 7

1975 Laws, Chapter 14, sd 4

Subd. 4. **Cost; distribution.** When an agency properly submits a rule, proposed rule, notice, or other material to the commissioner of administration, the commissioner shall then be accountable for the publication of the same in the state register. The commissioner of administration shall require each agency which requests the publication of rules, proposed rules, notices, or other material in the state register to pay its proportionate cost of the state register unless other funds are provided and are sufficient to cover the cost of the state register.

The state register shall be offered for public sale at a location centrally located as determined by the commissioner of administration and at a price as the commissioner of administration shall determine. The commissioner of administration shall further provide for the mailing of the state register to any person, agency, or organization if so requested, provided that reasonable costs are borne by the requesting party. The supply and expense appropriation to any state agency is deemed to include funds to purchase the state register. Ten copies of each issue of the state register, however, shall be provided without cost to the legislative reference library and ten copies to the state law library. One copy shall be provided without cost to a public library in each county seat in the state or, if there is no public library in a county seat, to a public library in the county as designated by the county board. The commissioner shall advise the recipient libraries of the significance and content of the state register and shall encourage efforts to promote its usage.

Subd. 5. **Publication account.** A state register publication account is created in the state treasury. All receipts from the sale of the state register shall be deposited in the account. All funds in the state register publication account in the state treasury are appropriated annually to the commissioner of administration to carry out the provisions of subdivisions 1 to 4.

History: 1974 c 344 s 8; 1975 c 380 s 12-15; 1977 c 305 s 3,4; 1977 c 323 s 1; 1977 c 443 s 7; 1980 c 615 s 25,52-54; 1982 c 424 s 130

Department of Natural Resources/Commissioner

Annual Timber Report filed with the LRL

1982 Minnesota Statutes 90.172

1975 Laws, Chapter 106, Section 6

✓ 90.172 ANNUAL REPORT.

The commissioner shall file an annual report on or before September 30 of each year with the legislative reference library providing detailed information on all auctions and informal sales made in the previous fiscal year. The report shall include but not be limited to the names and addresses of all purchasers, volumes of timber purchased, species, appraised value and sale price. The commissioner shall make copies of the report available to the public upon request.

History: 1975 c 106 s 6

PRIVACY STUDY COMMISSION

1976 Minnesota Statutes 15.169, sd 9

REPEALEDby 1979 Laws, ch 228
section 24

Report findings to LRL.

1975 Laws, Chapter 409, Section 8, subd 9

1362

LAWS of MINNESOTA for 1975

Ch. 401

✓

Subd. 9. REPORT TO THE LEGISLATURE. The commission shall report its findings and recommendations to the legislature as soon as they are available, in any case not later than November 15, 1976, and may supplement them thereafter until January 15, 1977. One copy of the report shall be filed with the secretary of the senate, one copy with the chief clerk of the house of representatives and ten copies with the legislative reference library.

STATE REGISTER

Ten copies of each issue to be deposited with the LRL

Mn Stat 15.05, sd 4

Renumbered - - - - 1982 Minnesota Statutes 14.46

1974 Laws, Chapter 344, Section 7

1975 Laws, Chapter 14, sd 4

Subd. 4. **Cost; distribution.** When an agency properly submits a rule, proposed rule, notice, or other material to the commissioner of administration, the commissioner shall then be accountable for the publication of the same in the state register. The commissioner of administration shall require each agency which requests the publication of rules, proposed rules, notices, or other material in the state register to pay its proportionate cost of the state register unless other funds are provided and are sufficient to cover the cost of the state register.

The state register shall be offered for public sale at a location centrally located as determined by the commissioner of administration and at a price as the commissioner of administration shall determine. The commissioner of administration shall further provide for the mailing of the state register to any person, agency, or organization if so requested, provided that reasonable costs are borne by the requesting party. The supply and expense appropriation to any state agency is deemed to include funds to purchase the state register. Ten copies of each issue of the state register, however, shall be provided without cost to the legislative reference library and ten copies to the state law library. One copy shall be provided without cost to a public library in each county seat in the state or, if there is no public library in a county seat, to a public library in the county as designated by the county board. The commissioner shall advise the recipient libraries of the significance and content of the state register and shall encourage efforts to promote its usage.

Subd. 5. **Publication account.** A state register publication account is created in the state treasury. All receipts from the sale of the state register shall be deposited in the account. All funds in the state register publication account in the state treasury are appropriated annually to the commissioner of administration to carry out the provisions of subdivisions 1 to 4.

History: 1974 c 344 s 8; 1975 c 380 s 12-15; 1977 c 305 s 3,4; 1977 c 323 s 1; 1977 c 443 s 7; 1980 c 615 s 25,52-54; 1982 c 424 s 130

PUBLICATIONS ADVISORY BOARD established.

REPEALED

Minnesota Statutes 15.046

Note: Membership of the Board: 5 including Secretary of State, Attorney General, Director of Legislative Reference Library, Revisor of Statutes and the Chief Hearing Officer

REPEALED BY 1975 Laws, Chapter 62, Section 26

Note: Board never met. Revisor of Statutes made decision that Board was legally established.

REPEALED A G A I N by 1976 Laws, chapter 149, section 62

1975 Laws, Chapter 308, Section 8

Sec. 8. Minnesota Statutes 1974, Section 15.046, is amended to read:

✓ 15.046 **PUBLICATION ADVISORY BOARD.** There is hereby created a publication advisory board which shall consist of the ~~commissioner of administration, the~~ secretary of state, ~~and the~~ attorney general, the director of the legislative reference library, the revisor of statutes, and the chief hearing officer. Each member may designate one of his assistants to act in his stead as a member of the board. Such designation shall be filed in the office of the secretary of state. The board shall select a chairman and a secretary from its members. The board shall meet, from time to time, upon the call of the ~~commissioner of administration or his duly designated assistant~~ chairman. The board shall advise the commissioner of administration on matters relating to the publication of the state register and the manual of state agency rules.

RECOMMENDATIONS from the Voyageurs National Park

Advisory Committee

1975 Laws, ch 235, sec 1, sd 2

1982 - 195

MINNESOTA STATUTES 84B.11, sd 2

VOYAGEURS NATIONAL PARK 84B.11

facilities included in and around the park. Legislator members shall serve for the term of the legislative office to which they were elected. The committee shall expire and the terms, compensation and removal of non-legislator members shall be as provided in section 15.059.

Subd. 2. The committee shall conduct meetings and research into all matters related to the establishment and operation of Voyageurs National Park, and shall make such recommendations to the United States National Park Service and other federal and state agencies concerned, regarding operation of the park as the committee deems advisable. A copy of each recommendation shall be filed with the legislative reference library. The committee shall not apply for and accept money from public or private sources other than the legislature, except that the committee may apply for and receive up to \$25,000 per biennium in money from private sources. Subject to the availability of legislative appropriation or other funding therefor, the committee may employ staff and may contract for consulting services relating to matters within its authority.

Subd. 3. Such moneys as may be appropriated to provide the payments as prescribed by this section shall be appropriated to the commissioner of administration.

History: 1975 c 235 s 1; 1976 c 149 s 17; 1979 c 337 s 12

NOTE: This section shall expire June 30, 1983. See Laws 1975, Chapter 235, Section 2.

REVISOR OF STATUTES

REPEALED

Minnesota Statutes 482.18

File copy of the state collectively bargaining contract with the LRL

REPEALED BY 1980 Laws, Chapter 617, section 45

1977 Laws, Chapter 452, Section 35

✓
Sec. 35. [482.18] REVISOR'S INSTRUCTIONS. In respect to a collectively bargained contract with the state covering a period beginning on and after July 1, 1979, the revisor of statutes shall provide the chairpersons of the main policy committee in each body of the legislature charged with the responsibility of legislative oversight of state employee contract provisions and the legislative reference library with a copy of the contract showing additions and deletions from contract language in effect for the immediately preceding contract period. Where appropriate, the revisor shall consolidate provisions which are identical from contracts of two or more bargaining units.

STATE DEPARTMENTS/AGENCIES

Ten copies of publications filed with the LRL.

MINNESOTA STATUTES 1976

3.195 REPORTS TO THE LEGISLATURE. Whenever a report to the legislature is required of a department or agency of government, it shall be made, unless otherwise specifically required by law, by the filing of one copy with the secretary of the senate, one copy with the chief clerk of the house of representatives, and ten copies with the legislative reference library. The same distribution procedure shall be followed for other reports and publications unless otherwise requested by a legislator or the legislative reference library. The legislative reference library shall monthly publish and distribute to legislators a checklist of state documents. Additional copies of the checklist sufficient for distribution to all state agencies, public, university and college libraries shall be provided by the documents section, department of administration.

3.302 Subd 3 LEGISLATIVE REFERENCE LIBRARY. The legislative reference library is a depository of all documents published by the state and shall receive such materials automatically without cost. As used in this chapter, "document" shall include any publication issued by the state, constitutional officers, departments, commissions, councils, bureaus, research centers, societies, or other agencies supported by state funds, or any publication prepared for the state by private individuals or organizations and issued in print, including all forms of duplicating other than by the use of carbon paper, considered to be of interest or value to the legislative reference library. Intraoffice or interoffice memos and forms and information concerning only the internal operation of an agency are not included.

STATE DEPARTMENTS/AGENCIES

One copy of consultant's reports filed with the LRL.

1978 Session Law, Chapter 480

AN ACT

relating to the operation of state government; centralizing the management and review of all state contracts in the office of the commissioner of administration; distinguishing consultant, professional and technical contracts; amending Minnesota Statutes 1976, Section 15.061; and Chapter 16, by adding a section; repealing Minnesota Statutes 1976, Section 16.10; and 161.35.

Sec. 2. Minnesota Statutes 1976, Chapter 16, is amended by adding a section to read:

(16.0981) (CONTRACT MANAGEMENT AND REVIEW.) Subdivision

1. (DEFINITIONS.) For the purpose of this section:

(4), "Consultant services" means services which are intellectual in character; which do not involve the provision of supplies or materials; which include analysis, evaluation, prediction, planning or recommendation; and which result in the production of a report.

Subd. 5. (CONTRACT TERMS.) A consultant of technical and professional services contract shall by its terms permit the agency to unilaterally terminate the contract prior to completion, upon payment of just compensation, if the agency determines that further performances under the contract would not serve agency purposes. If the final product of the contract is to be a report, no more than three copies of the report, one in camera ready form, shall be submitted to the agency. One of the copies shall be filed with the legislative reference library. The form of the report shall be as the commissioner may by rule or order provide.

STATE DEPARTMENTS/AGENCIES - - - Consultant's Reports

One copy of each Consultant's Reports be filed with the LRL.

1982 Minnesota Statutes 16.098, subd 6

1978 Laws, Chapter 480, Section 2, Subd 5

Subd. 4. Procedure for consultant and professional and technical services contracts. Before approving a proposed state contract for consultant services or professional and technical services the commissioner shall have at least determined that:

- (1) all provisions of subdivisions 2 and 3 have been verified or complied with;
- (2) the work to be performed under the contract is necessary to the agency's achievement of its statutory responsibilities, and that there is statutory authority to enter into the contract;
- (3) the contract will not establish an employer/employee relationship between the state or the agency and any persons performing under the contract;
- (4) no current state employees will engage in the performance of the contract;
- (5) no state agency has previously performed or contracted for the performance of tasks which would be substantially duplicated under the proposed contract;
- (6) the contracting agency has specified a satisfactory method of evaluating and utilizing the results of the work to be performed.

Subd. 5. Contract terms. A consultant or technical and professional services contract shall by its terms permit the agency to unilaterally terminate the contract prior to completion, upon payment of just compensation, if the agency determines that further performance under the contract would not serve agency purposes. If the final product of the contract is to be a report, no more than three copies of the report, one in camera ready form, shall be submitted to the agency. One of the copies shall be filed with the legislative reference library. The form of the report shall be as the commissioner may by rule or order provide.

✓ Note: Minnesota Statutes 16.098, subd 11
1980 Laws, Chapter 480, Section 2, subd 11

Administration Depart file a monthly list of all contract for consultant services and for pressional and technical serv ices executed or disapproved be forwarded to the Legislature and Governor. The copy for the Legislature is being forwarded to the Library. Quarterly summary reports of contract review activities also sent to the LRL.

MINNESOTA STATE POLICE AND FIREMEN'S RELIEF ASSOCIATIONS

1982 Minnesota Statutes 69.77, sd 2

Reports of Actuarial Surveys/ Biennial and Quadrennial Experience Studies

1978 Laws, Chapter 563, Section 3, subd 2(8)

(8) The association shall procure an actuarial valuation showing the condition of the special fund of the relief association pursuant to sections 356.215 and 356.216 as of December 31 as of every even numbered year. The association shall also procure a quadrennial experience study pursuant to sections 356.215 and 356.216, as of December 31, 1978, and shall procure a quadrennial experience study every four years thereafter. A copy of the actuarial survey and the quadrennial experience study shall be filed with the director of the legislative reference library, the governing body of the municipality in which the association is organized, the executive secretary of the legislative commission on pensions and retirement, and the commissioner of insurance, not later than June 1 of the following year.

STATE AUDITOR - Report on general financial condition of Minnesota
Firefighters Relief Associations

1982 Minnesota Statutes 69.77, sd 2

1979 Laws, Chapter 201, section 20

6.72 STATE AUDITOR; REPORT TO THE LEGISLATURE ON VOLUNTEER FIREFIGHTERS' RELIEF ASSOCIATIONS.

Subdivision 1. **Reporting requirements.** Commencing November 15, 1981 and every two years thereafter, the state auditor shall report to the legislature on the general financial condition of the various volunteer firefighters' relief associations in the state as of December 31 of the year preceding the filing of the report. Two copies of the report shall be filed with the executive secretary of the legislative commission on pensions and retirement and ten copies of the report shall be filed with the director of the legislative reference library.

Subd. 2. **Contents of report.** The report shall include the aggregate totals for all volunteer firefighters' relief associations directly associated with the municipal fire departments and all volunteer firefighters' relief associations subsidiary to independent nonprofit firefighting corporations, the aggregate totals by the various benefit types and the individual results for each volunteer firefighters' relief association listed by various benefit types specified in subdivision 3. The following items shall be reported in each instance:

- (1) amount of accrued liability,
- (2) amount of assets,
- (3) amount of surplus or unfunded accrued liability,
- (4) funding ratio,
- (5) amount of annual accruing liability or normal cost,
- (6) amount of annual required contribution to amortize the unfunded accrued liability,
- (7) amount of total required contribution,
- (8) amount of fire state aid,
- (9) amount of any municipal contributions,
- (10) amount of administrative expenses,
- (11) amount of service pension disbursements,
- (12) amount of other retirement benefit disbursements,
- (13) number of active members,
- (14) number of retired members,
- (15) number of deferred members,
- (16) amount of fidelity bond of secretary and treasurer,

INVESTMENT BOARD-EXECUTIVE DIRECTOR

Annual Activities Report of the State Investment Board, the Investment Advisory Council and the Executive Director

1982 Minnesota Statutes 11A.07

1980 Laws, Chapter 607, Article XIV, Section 5, subd 4(7)

183

INVESTMENT OF STATE AND PENSION ASSETS 11A.08

(4) Maintain accurate and complete records of securities transactions and official activities.

(5) Purchase and sell all securities on the basis of competitive offerings or bids received from at least two firms known to specialize in the securities being traded and likely to position these securities in relevant quantities. Competitive bidding shall not be required when the securities to be traded are: listed or traded on a major United States exchange, bound by underwriting restrictions or classified as private placements and offered only to a limited number of institutional investors.

(6) Cause all securities acquired to be kept in the custody of the state treasurer or such other depositories as the state board deems appropriate.

(7) Prepare and file with the director of the legislative reference library on or before November 15 of each year, a report summarizing the activities of the state board, the council and the director during the preceding fiscal year. The report shall be prepared so as to provide the legislature and the people of the state with a clear, comprehensive summary of the portfolio composition, the transactions, the total annual rate of return and the yield to the state treasury and to each of the funds whose assets are invested by the state board, and the recipients of business placed or commissions allocated among the various commercial banks, investment bankers and brokerage organizations. This report shall contain financial statements for funds managed by the board prepared in accordance with generally accepted accounting principles.

(8) Require state officials from any department or agency to produce and provide access to any financial documents the state board deems necessary in the conduct of their investment activities.

(9) Receive and expend legislative appropriations.

(10) Undertake any other activities necessary to implement the duties and powers set forth in this subdivision.

History: 1980 c 607 art 14 s 5; 1982 c 560 s 3

INVESTMENT BOARD

File ten copies of the PROSPECTUS by July 1 each year.

1982 Minnesota Statutes 11A.17

1980 Laws, Chapter 607, Article XIV, Section 5, subd 4(7)

Subd. 11. Prospectus. Annually, on or before July 1, the state board shall prepare and shall issue a prospectus for the supplemental investment fund with separate exhibits for each investment account. The exhibit for each account shall list for each security representing the current assets of the account the following items, whichever are applicable:

- (1) The purchase price of the security;
- (2) The current market value of the security;
- (3) The current dividend or interest rate of the security;
- (4) The rating of a debt security issued by a nationally recognized rating agency if it is other than a security issued or guaranteed by the United States government.

The prospectus shall set forth the statutory provisions governing the supplemental investment fund.

Sufficient copies of the prospectus shall be transmitted to each public retirement plan or fund participating in the supplemental investment account to meet the plan or fund's distribution requirements. Ten copies of the prospectus shall be filed with the director of the legislative reference library.

✓ Subd 12. Deferred ...

Commissioner of Administration - MCAR

1982 Minnesota Statutes 15.047, subd 2

1980 Laws, Chapter 615, section 24

Sec. 24. Minnesota Statutes 1978, Section 15.047, Subdivision 2, is amended to read:

Subd. 2. Copies of rules published pursuant to this section may be sold by the commissioner of administration for a reasonable fee. The commissioner shall provide without cost ~~one copy~~ ten copies of the manual and any supplementary material for the manual to the legislative reference library and the state law library and one copy to each county library maintained pursuant to section 375.33 or 134.12, excepting counties containing cities of the first class. If a county has not established a county library pursuant to section 375.33 or 134.12, the copies shall be provided to a public library designated by the county board after consultation with the regional library, if any, established pursuant to section 375.335 for the region in which the county is located.

NOTE: The above law appears in the 1980 edition of the Minnesota Statutes and although the repealer is in the same 1980 law the statute is not shown as repealed until the 1982 edition of the Minnesota Statutes.

1980 Laws, Chapter 615, section 62

Sec. 62. REPEALER. Minnesota Statutes 1978, Section 15.047, is repealed.

RETIREMENT/ Filing Financial reports by Retirement funds

DIRECTIVE TO LRL
XXXXXXXXXXXXXXXXXX
1981 Laws,
Ch 224
section 168
amending
MS 356.20

- State Employees Retirement Fund
- Public Employees Retirement Fund
- Teachers Retirement Fund
- Highway Patrol Retirement Fund
- Mpls Teachers Teachers Retirement Fund Assn
- St. Paul Teachers Retirement Fund Assn
- Duluth Teachers Retirement Fund Assn
- Mpls Municipal Employees Retirement Fund
- University of Mn Faculty Retirement(no more police)
- University of Mn faculty supplemental retirement plan.
- Judges Retirement Fund
- Police or Firefighter's Relief Assn's(69.77/68.77L)
- Public Employees police and fire fund
- Mn State Retirement system correctional Officers Retirement System

13 Subd. 3. [FILING REQUIREMENT.] Each financial report is a
 14 public record. A copy thereof or a synopsis containing the
 15 information required by this section shall be distributed
 16 annually to each member of the fund and to the governing body of
 17 each governmental subdivision of the state which makes employers
 18 contributions thereto or in whose behalf taxes are levied for
 19 the employers' contribution. A signed copy of each report shall
 20 be delivered not later than six months after the close of each
 21 fiscal year to any interim or study committee or the executive
 22 secretary of the legislative commission of the legislature
 23 assigned to consider pension and retirement funds or plans on
 24 pensions and retirement and to the legislative reference
 25 library. In the absence of the creation of such a committee or
 26 commission a signed copy of such report shall be delivered to
 27 the secretary of the senate and the chief clerk of the house of
 28 representatives not later than ten days after the convening of
 29 the next regular session of the legislature following the close
 30 of the fiscal year for which such report is prepared-

35730

Amended

Amended



XXXXXXXXXXXXXXXXXX

1981 Laws
ch 224
section 169
subd 3
amending
MS 356.215

State Employees Retirement Fund
Public Employees Retirement Fund
Teachers Retirement Fund
Highway Patrol Retirement Fund
Mpls Teachers Teachers Retirement Fund Assn
St. Paul Teachers Retirement Fund Assn
Duluth Teachers Retirement Fund Assn
Mpls Municipal Employees Retirement Fund
University of Mn Faculty Retirement (no more police)
University of Mn faculty supplemental retirement plan.
Judges Retirement Fund
Police or Firefighter's Relief Assn's (69.77/68.77L)
Public Employees police and fire fund
Mn State Retirement system correctional Officers Retirement System

The QUADRENNIAL (4 year) EXPERIENCE STUDY / every fourth year occurring after 1975, two copies of an experience study covering four fiscal years shall be filed withlegislative reference library not later than the first day of the sixth month occurring after the end of the last fiscal years of the period in which the experience study covers.

XXXXXXXXXXXXXXXXXXXXXXXXXX

1981 Laws,
ch 224
section 169
sd 3
amending
MS 356.215

- State Employees Retirement Fund
- Public Employees Retirement Fund
- Teachers Retirement Fund
- Highway Patrol Retirement Fund
- Mpls Teachers Teachers Retirement Fund Assn
- St. Paul Teachers Retirement Fund Assn
- Duluth Teachers Retirement Fund Assn
- Mpls Municipal Employees Retirement Fund
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- University of Mn faculty supplemental retirement plan.
- Judges Retirement Fund
- Police or Firefighter's Relief Assn's (69.77/68.77L)
- Public Employees police and fire fund
- Mn State Retirement system correctional Officers Retirement System

annually

THE ACTUARIAL VALUATIONS required -----
shall be made as of the beginning of each fiscal
year. Two copies of each valuation shall be delivered
to -----legislative reference library
not later than the first day of the sixth month after
the end of the previous fiscal years.