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State of Minnesota  
HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2320

03/01/2023

Authored by Pinto

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration

For reference and coding, the first  
page of the bill has been provided.

For a complete copy of the bill, visit the  
House website at: [www.house.mn.gov](http://www.house.mn.gov)

- 1.1 A bill for an act
- 1.2 relating to state government; modifying the children's cabinet; establishing the
- 1.3 Department of Children, Youth, and Families; transferring responsibilities from
- 1.4 the Department of Education, Department of Human Services, and Department of
- 1.5 Public Safety to the Department of Children, Youth, and Families; requiring reports;
- 1.6 authorizing rulemaking; appropriating money; amending Minnesota Statutes 2022,
- 1.7 sections 4.045; 10.65, subdivision 2; 15.01; 15.06, subdivision 1; 15A.0815,
- 1.8 subdivision 2; 43A.08, subdivision 1a; 256.014, subdivisions 1, 2; proposing
- 1.9 coding for new law as Minnesota Statutes, chapter 143.
- 1.10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.11 Section 1. Minnesota Statutes 2022, section 4.045, is amended to read:
- 1.12 **4.045 CHILDREN'S CABINET.**
- 1.13 The Children's Cabinet shall consist of the commissioners of education; human services;
- 1.14 employment and economic development; public safety; corrections; management and
- 1.15 budget; health; administration; Housing Finance Agency; and transportation; and the
- 1.16 ~~director of the Office of Strategic and Long-Range Planning~~ children, youth, and families.
- 1.17 The governor shall designate one member to serve as cabinet chair. The chair is responsible
- 1.18 for ensuring that the duties of the Children's Cabinet are performed.
- 1.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 1.20 Sec. 2. Minnesota Statutes 2022, section 10.65, subdivision 2, is amended to read:
- 1.21 Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings
- 1.22 given:

(1) "agency" means the Department of Administration; Department of Agriculture; Department of Children, Youth, and Families; Department of Commerce; Department of Corrections; Department of Education; Department of Employment and Economic Development; Department of Health; Office of Higher Education; Housing Finance Agency; Department of Human Rights; Department of Human Services; Department of Information Technology Services; Department of Iron Range Resources and Rehabilitation; Department of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services; Department of Military Affairs; Metropolitan Council; Department of Natural Resources; Pollution Control Agency; Department of Public Safety; Department of Revenue; Department of Transportation; Department of Veterans Affairs; Gambling Control Board; Racing Commission; the Minnesota Lottery; the Animal Health Board; and the Board of Water and Soil Resources;

(2) "consultation" means the direct and interactive involvement of the Minnesota Tribal governments in the development of policy on matters that have Tribal implications. Consultation is the proactive, affirmative process of identifying and seeking input from appropriate Tribal governments and considering their interest as a necessary and integral part of the decision-making process. This definition adds to statutorily mandated notification procedures. During a consultation, the burden is on the agency to show that it has made a good faith effort to elicit feedback. Consultation is a formal engagement between agency officials and the governing body or bodies of an individual Minnesota Tribal government that the agency or an individual Tribal government may initiate. Formal meetings or communication between top agency officials and the governing body of a Minnesota Tribal government is a necessary element of consultation;

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

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

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