

May 5, 2023

**HF 1830 (Sec. 15 – Municipal Building Commission Dissolution)**

**Black = Senate Version**

**Red = Two Year Employment Amendment**

Sec. 15 **MUNICIPAL BUILDING COMMISSION DISSOLUTION.**

Subdivision 1. **Preemption.** This section supersedes any other law, home rule charter provision, and city ordinance to the contrary.

Subd. 2. **Definitions.** (a) For the purposes of this section, the terms defined in this subsection have the meanings given unless the context indicates otherwise.

(b) “Benefits” means all of the health insurance, health savings, sick leave, vacation time, deferred compensation, retirement benefits, Public Employees Retirement Association benefits, and all other employee benefits, monies, balances, accounts, allowances, accruals and credits of the Municipal Building Commission Employees.

(c) “City hall and courthouse” means the city hall building and courthouse owned by the city of Minneapolis and Hennepin County and under the care and control of the Municipal Building Commission pursuant to Minnesota Statutes, sections 383B.75 to 383B.754.

(d) “Dissolution date” means the day after the Municipal Building Commission, the city of Minneapolis, and Hennepin County fully execute the transactional documents.

(e) “Municipal Building Commission” means the entity created by Minnesota Statutes, section 383B.75.

(f) “Municipal Building Commission Employees” means all employees of the Municipal Building Commission including employees represented by unions and employees unrepresented by unions.

(g) “Representatives of the Municipal Building Commission Employees” means the person or entity selected by each Municipal Building Commission Employee to represent that employee pursuant to subdivision 6, paragraph (b).

(h) “Transactional documents” means the agreements and documents, including the agreement between the city of Minneapolis, Hennepin County and representatives of the Municipal Building Commission Employees required by subdivision 6, paragraph (b), any real estate ownership structure or joint powers agreement under Minnesota Statutes, section 471.59, needed to effectuate the efficient dissolution of the Municipal Building Commission pursuant to this section.

Subd. 3. **Transfer of assets.** Notwithstanding any other law to the contrary, the transactional documents shall provide for the transfer of all assets of the Municipal Building Commission including but not limited to all furniture, fixtures, equipment, and other personal property of the Municipal Building Commission to the city of Minneapolis or other legal entity as necessary and appropriate for the use of the assets in the ongoing operation and management of the city hall and courthouse.

Subd. 4. **Continued employment of Municipal Building Commission employees.** (a) Notwithstanding any other law to the contrary, immediately upon the full execution of the transactional documents, all Municipal Building Commission Employees shall be employees of the city of Minneapolis or Hennepin County for a minimum period of two years employed in equivalent positions at their current salaries and wages with all of their current benefits, and shall continue to have all rights, remedies and privileges under Minnesota Statutes 2022, section 383B.751 and applicable law.

(b) The city of Minneapolis and Hennepin County shall not retaliate against or create a hostile work environment for any non-union MBC employee for any position taken by a non-union MBC employee, or by anyone representing or speaking on behalf of a non-union MBC employee, regarding this section.

Subd. 5. **Municipal Building Commission dissolution.** (a) Notwithstanding any other law or home rule charter provision to the contrary, the Municipal Building Commission and all its functions will be dissolved upon the dissolution date.

(b) The transactional documents must include how the city of Minneapolis and Hennepin County will manage the outstanding liabilities of the Municipal Building Commission that exist as of the dissolution date.

Subd. 6. **Transactional documents; agreements.** (a) The Municipal Building Commission, city of Minneapolis, and Hennepin County may execute transactional documents to effectuate the transfer of assets and dissolution provided for in this section.

(b) The Municipal Building Commission, city of Minneapolis, and the representatives of the Municipal Building Commission Employees must reach an agreement addressing the impact of a dissolution on Municipal Building Commission Employees before fully executing the transactional documents.

(c) The Municipal Building Commission, city of Minneapolis, and Hennepin County must fully execute the transactional documents before the filing of a certificate of local approval of this section.

Subd. 7. **Ongoing statutory rights of Municipal Building Commission employees.** (a) Notwithstanding any other law or home rule charter provision to the contrary, Municipal Building Employees shall continue to have all rights, remedies and privileges under Minnesota Statutes 2022, section 383B.751.

(b) This section shall not be construed to invalidate the ongoing rights, remedies and privileges of the Municipal Building Employees under Minnesota Statutes 2022, section 383B.751 after section 383B.751 is repealed.

#### **EFFECTIVE DATE.**

This section is effective the day after the governing body of the city of Minneapolis and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

#### Sec. 17 **REPEALER.**

(b) Minnesota Statutes 2022, sections 383B.75; 83B.751; 383B.752; 383B.753; and 383B.754, are repealed.