

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 1730

(SENATE AUTHORS: DIBBLE and Klein)		
DATE	D-PG	OFFICIAL STATUS
02/20/2025	459	Introduction and first reading Referred to State and Local Government
03/03/2025	627	Chief author stricken, shown as co-author Klein Chief author added Dibble

1.1A bill for an act

1.2relating to state government; including the Office of Cannabis Management as an

1.3agency for the purpose of having a government-to-government relationship with

1.4Tribal governments; amending Minnesota Statutes 2024, section 10.65, subdivision

1.52.

1.6BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7Section 1. Minnesota Statutes 2024, section 10.65, subdivision 2, is amended to read:

1.8Subd. 2. **Definitions.** As used in this section, the following terms have the meanings

1.9given:

1.10(1) "agency" means the Department of Administration; Department of Agriculture;

1.11Department of Children, Youth, and Families; Department of Commerce; Department of

1.12Corrections; Department of Education; Department of Employment and Economic

1.13Development; Department of Health; Office of Higher Education; Housing Finance Agency;

1.14Department of Human Rights; Department of Human Services; Department of Information

1.15Technology Services; Department of Iron Range Resources and Rehabilitation; Department

1.16of Labor and Industry; Minnesota Management and Budget; Bureau of Mediation Services;

1.17Department of Military Affairs; Metropolitan Council; Department of Natural Resources;

1.18Pollution Control Agency; Department of Public Safety; Department of Revenue; Department

1.19of Transportation; Department of Veterans Affairs; Direct Care and Treatment; Gambling

1.20Control Board; Racing Commission; the Minnesota Lottery; the Animal Health Board; the

1.21Public Utilities Commission; ~~and~~ the Board of Water and Soil Resources; and the Office

1.22of Cannabis Management;

(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.