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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. 3138

February 18, 2008

Authored by Bigham, DeLaForest, Hilstrom, Lillie and Lanning

The bill was read for the first time and referred to the Committee on Governmental Operations, Reform, Technology and Elections

February 28, 2008

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to state government; ratifying state labor contracts; amending Minnesota
1.3 Statutes 2006, section 85A.02, subdivision 5a.

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

1.5 Section 1. Minnesota Statutes 2006, section 85A.02, subdivision 5a, is amended to read:

1.6 Subd. 5a. **Employees.** (a) The board shall appoint an administrator who shall serve
1.7 as the executive secretary and principal administrative officer of the board and, subject
1.8 to its approval, shall operate the Minnesota Zoological Garden and enforce all rules and
1.9 policy decisions of the board. The administrator must be chosen solely on the basis of
1.10 training, experience, and other qualifications appropriate to the field of zoo management
1.11 and development. The board shall set the salary of the administrator. ~~The salary of the~~
1.12 ~~administrator may not exceed 130 percent of the salary of the governor;~~ however, any
1.13 amount exceeding 95 percent of the salary of the governor must consist of nonstate funds.
1.14 The administrator shall perform duties assigned by the board and serves in the unclassified
1.15 service at the pleasure of the board. The administrator, with the participation of the
1.16 board, shall appoint a development director in the unclassified service or contract with a
1.17 development consultant to establish mechanisms to foster community participation in and
1.18 community support for the Minnesota Zoological Garden. The board may employ other
1.19 necessary professional, technical, and clerical personnel. Employees of the Zoological
1.20 Garden are eligible for salary supplement in the same manner as employees of other state
1.21 agencies. The commissioner of finance shall determine the amount of salary supplement
1.22 based on available funds.

1.23 (b) The board may contract with individuals to perform professional services
1.24 and may contract for the purchases of necessary species exhibits, supplies, services,

2.1 and equipment. The board may also contract for the construction and operation of
2.2 entertainment facilities on the zoo grounds that are not directly connected to ordinary
2.3 functions of the Zoological Garden. The zoo board may not enter into a final agreement
2.4 for construction of an entertainment facility that is not directly connected to the ordinary
2.5 functions of the zoo until after final construction plans have been submitted to the chairs
2.6 of the senate Finance and house Ways and Means Committees for their recommendations.

2.7 The zoo may not contract for entertainment during the period of the Minnesota State
2.8 Fair that would directly compete with entertainment at the Minnesota State Fair.

2.9 **Sec. 2. LABOR AGREEMENTS AND COMPENSATION PLANS.**

2.10 **Subdivision 1. American Federation of State, County, and Municipal**
2.11 **Employees, Council 5.** The labor agreements between the state of Minnesota and the
2.12 American Federation of State, County, and Municipal Employees, Council 5, approved
2.13 by the Legislative Coordinating Commission Subcommittee on Employee Relations on
2.14 August 28, 2007, is ratified.

2.15 **Subd. 2. Minnesota Association of Professional Employees.** The labor agreement
2.16 between the state of Minnesota and the Minnesota Association of Professional Employees,
2.17 approved by the Legislative Coordinating Commission Subcommittee on Employee
2.18 Relations on August 28, 2007, is ratified.

2.19 **Subd. 3. American Federation of State, County, and Municipal Employees,**
2.20 **Council 5, Unit 8.** The labor agreement between the state of Minnesota and the American
2.21 Federation of State, County, and Municipal Employees, Council 5, Unit 8, approved
2.22 by the Legislative Coordinating Commission Subcommittee on Employee Relations on
2.23 August 28, 2007, is ratified.

2.24 **Subd. 4. American Federation of State, County, and Municipal Employees,**
2.25 **Council 5, Unit 225.** The labor agreement between the state of Minnesota and the
2.26 American Federation of State, County, and Municipal Employees, Council 5, Unit 225,
2.27 approved by the Legislative Coordinating Commission Subcommittee on Employee
2.28 Relations on December 17, 2007, is ratified.

2.29 **Subd. 5. State Residential Schools Education Association.** The labor agreement
2.30 between the state of Minnesota and the State Residential Schools Education Association,
2.31 approved by the Legislative Coordinating Commission Subcommittee on Employee
2.32 Relations on December 17, 2007, is ratified.

2.33 **Subd. 6. Minnesota Government Engineers Council.** The labor agreement
2.34 between the state of Minnesota and the Minnesota Government Engineers Council,

3.1 approved by the Legislative Coordinating Commission Subcommittee on Employee
3.2 Relations on December 17, 2007, is ratified.

3.3 Subd. 7. **Middle Management Association.** The labor agreement between the state
3.4 of Minnesota and the Middle Management Association, approved by the Legislative
3.5 Coordinating Commission Subcommittee on Employee Relations on December 17, 2007,
3.6 is ratified.

3.7 Subd. 8. **State Board of Investment.** The salary administration plan for the
3.8 Minnesota State Board of Investment, as amended and approved by the Legislative
3.9 Coordinating Commission Subcommittee on Employee Relations on December 17, 2007,
3.10 is ratified.

3.11 Subd. 9. **Commissioner's plan.** The commissioner of employee relations' plan for
3.12 unrepresented employees, as amended and approved by the Legislative Coordinating
3.13 Commission Subcommittee on Employee Relations on December 17, 2007, is ratified.

3.14 Subd. 10. **Managerial plan.** The managerial plan, as amended and approved by
3.15 the Legislative Coordinating Commission Subcommittee on Employee Relations on
3.16 December 17, 2007, is ratified.

3.17 **Sec. 3. EFFECTIVE DATE.**

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