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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 784

- 02/04/2021 Authored by Thompson, Mariani, Frazier, Keeler, Xiong, J., and others
- 03/11/2021 The bill was read for the first time and referred to the Committee on State Government Finance and Elections
- 03/11/2021 Adoption of Report: Amended and re-referred to the Committee on Judiciary Finance and Civil Law
- 03/25/2021 By motion, recalled and re-referred to the Committee on Workforce and Business Development Finance and Policy
- 03/25/2021 Adoption of Report: Amended and re-referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy
- 04/06/2021 By motion, recalled and re-referred to the Committee on Housing Finance and Policy

1.1 A bill for an act

1.2 relating to state government; appropriating money directed at ending systemic

1.3 racism; adopting provisions that address racial injustice and systemic racism;

1.4 requiring reports.

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

ARTICLE 1

APPROPRIATIONS

1.8 Section 1. APPROPRIATION; MINNESOTA DEPARTMENT OF HUMAN RIGHTS.

1.9 \$20,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner

1.10 of human rights to:

1.11 (1) fully implement all the functions and duties of the commissioner under Minnesota

1.12 Statutes, chapter 363A;

1.13 (2) increase staffing levels; and

1.14 (3) create and staff regional human rights offices throughout the state.

1.15 This is a onetime appropriation and is available until June 30, 2024.

1.16 Sec. 2. APPROPRIATION; CULTURE AND HERITAGE PRESERVATION.

1.17 \$70,000,000 in fiscal year 2022 is appropriated from the general fund to the Minnesota

1.18 Arts Board to establish an African American Advisory Committee to establish grants for

1.19 established and emerging African American cultural and arts organizations throughout the

1.20 state that will:

- 2.1 (1) develop and sustain African American cultural arts programming;
2.2 (2) preserve and expand African American cultural facilities in communities; and
2.3 (3) develop and preserve public and private places in the state that are significant to
2.4 African Americans.

2.5 This is a onetime appropriation and is available until June 30, 2024.

2.6 Sec. 3. **APPROPRIATION; ENTREPRENEURIAL AND BUSINESS TRAINING**
2.7 **AND ASSISTANCE.**

2.8 (a) \$50,000,000 in fiscal year 2022 is appropriated from the general fund to the
2.9 commissioner of the Department of Employment and Economic Development for grants to
2.10 African American organizations to:

- 2.11 (1) strengthen entrepreneurial and business training and technical support;
2.12 (2) establish African American-controlled business developments in St. Paul,
2.13 Minneapolis, St. Cloud, Duluth, Rochester, and Mankato; and
2.14 (3) provide financial assistance in a usable form to African American businesses
2.15 throughout the state.

2.16 (b) No later than January 15, 2023, the commissioner must submit a report to the chairs
2.17 and ranking minority members of the legislative committees with jurisdiction over economic
2.18 development detailing the grants awarded under this section, including information on the
2.19 geographic distribution of grants and how the grant funds are expected to be used.

2.20 (c) This is a onetime appropriation and is available until June 30, 2024. The grants made
2.21 under this section must be allocated to organizations located in the cities listed in paragraph
2.22 (a), clause (2), on a per capita basis.

2.23 Sec. 4. **APPROPRIATION; HOUSING STABILITY INITIATIVE.**

2.24 \$80,000,000 in fiscal year 2022 is appropriated from the general fund to the Minnesota
2.25 Housing Finance Agency for grants to African American organizations to:

- 2.26 (1) increase available, affordable housing and homeownership; and
2.27 (2) provide tenant and landlord mediation services in communities throughout the state.

2.28 This is a onetime appropriation and is available until June 30, 2024.

3.1 Sec. 5. **APPROPRIATION; PHILANDO CASTILE FAMILY AND COMMUNITY**
3.2 **SERVICE CENTERS.**

3.3 \$30,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
3.4 of human services to establish five African American-run family and community service
3.5 centers to be named for Philando Castile in Minneapolis, St. Paul, Duluth, St. Cloud, and
3.6 Rochester. The service centers shall provide:

3.7 (1) trauma-informed care;

3.8 (2) foster care and adoption placement;

3.9 (3) tutorial services;

3.10 (4) guidance counseling;

3.11 (5) family therapy; and

3.12 (6) family advocacy.

3.13 This is a onetime appropriation and is available until June 30, 2024.

3.14 Sec. 6. **APPROPRIATION; CULTURALLY COMPETENT HEALTH SERVICES.**

3.15 \$50,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
3.16 of health to establish and support regional health clinics operated by African Americans
3.17 that focus on services to African Americans and to eradicate health disparities. This is a
3.18 onetime appropriation and is available until June 30, 2024.

3.19 Sec. 7. **APPROPRIATION; SCHOOL BREAKFAST AND LUNCH DEBT**
3.20 **FORGIVENESS.**

3.21 \$40,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
3.22 of education to create a school breakfast and lunch debt forgiveness fund for school districts
3.23 so that no child will go hungry while in school. This is a onetime appropriation and is
3.24 available until June 30, 2024.

3.25 Sec. 8. **APPROPRIATION; GUIDANCE COUNSELING AND TUTORIAL**
3.26 **SERVICES.**

3.27 \$20,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
3.28 of education to provide school districts to establish guidance counseling and tutorial services
3.29 for African American students using retired African American teachers and administrators

4.1 and African American college students to provide these services. This is a onetime
4.2 appropriation and is available until June 30, 2024.

4.3 **Sec. 9. APPROPRIATION; STEM TRAINING AND TECHNOLOGY ACCESS.**

4.4 \$20,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
4.5 of education to provide grants to African American organizations to develop and operate
4.6 STEM training programs targeted to African American students and to develop and
4.7 implement strategies that expand technology access in African American communities. This
4.8 is a onetime appropriation and is available until June 30, 2024.

4.9 **Sec. 10. APPROPRIATION; URBAN AGRICULTURE.**

4.10 \$10,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
4.11 of agriculture to provide grants to fund African American urban agriculture initiatives that
4.12 will address fresh food access and food deserts in African American communities. This is
4.13 a onetime appropriation and is available until June 30, 2024.

4.14 **Sec. 11. APPROPRIATION; AUDITS OF EQUAL OPPORTUNITY.**

4.15 \$1,000,000 in fiscal year 2022 is appropriated from the general fund to the state auditor
4.16 to establish a citizen oversight committee to conduct audits of the state and all its agencies
4.17 and departments to:

4.18 (1) evaluate the state's affirmative action program and equal opportunity programs in
4.19 the state procurement process and to determine compliance;

4.20 (2) analyze the state's investment in human rights enforcement administration to assess
4.21 financial, social, and community impact; and

4.22 (3) report findings and recommendations to the governor and the legislature for the
4.23 beginning of the 2023 legislative session.

4.24 This is a onetime appropriation.

4.25 **Sec. 12. APPROPRIATION; JUDICIAL FAIRNESS AUDIT.**

4.26 \$1,000,000 in fiscal year 2022 is appropriated from the general fund to the state auditor
4.27 to establish a citizen oversight committee to:

4.28 (1) conduct audits of the state's judicial branch administrative application of the state's
4.29 affirmative action program and equal opportunity program in the provision of the state's
4.30 procurement act;

5.1 (2) analyze the state's changes to criminal and civil procedures related to the state's
 5.2 demographics to determine financial, human, and community impacts; and

5.3 (3) report findings and recommendations to the governor and legislature for the beginning
 5.4 of the 2023 legislative session.

5.5 This is a onetime appropriation.

5.6 **Sec. 13. APPROPRIATION; CRIME AND VIOLENCE PREVENTION.**

5.7 \$15,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
 5.8 of public safety for grants to African American organizations to implement police-community
 5.9 relationship initiatives and build proactive community-based crime and violence prevention
 5.10 initiatives in African American communities throughout the state. This is a onetime
 5.11 appropriation and is available until June 30, 2024.

5.12 **Sec. 14. APPROPRIATION; RECIDIVISM REDUCTION SERVICES.**

5.13 \$50,000,000 in fiscal year 2022 is appropriated from the general fund to the commissioner
 5.14 of corrections to provide grants to African American organizations to provide recidivism
 5.15 reduction services for African American ex-inmates returning to their communities. This
 5.16 is a onetime appropriation and is available until June 30, 2024.

5.17 **ARTICLE 2**

5.18 **POLICY PROVISIONS**

5.19 **Section 1. AFFIRMATIVE ACTION.**

5.20 Subdivision 1. **Duties of commissioner.** The commissioner of management and budget
 5.21 shall provide oversight and enforcement to all state agencies, departments, and offices by:

5.22 (1) directing all state agencies, departments, and offices to implement current and future
 5.23 layoffs, furloughs, pay cuts, or freezes of job vacancies in all job categories so as not to
 5.24 result in a disparate impact on each protected group;

5.25 (2) implementing actions to prevent regression in each protected group of employees
 5.26 the state has gained in recent years that addressed, to some extent, the historic underutilization
 5.27 of each protected group; and

5.28 (3) auditing the use of the statewide affirmative action program by state agencies,
 5.29 departments, and offices for the filling of all current vacancies where underutilization of
 5.30 each protected group exists.

6.1 Subd. 2. **Quarterly progress report.** On a quarterly basis beginning October 1, 2021,
6.2 the commissioner must prepare a report detailing progress in implementing the duties
6.3 required by this section. The report must be published on the commissioner's website and
6.4 provided to the chairs and ranking minority members of the legislative committees with
6.5 jurisdiction over state government finance and policy.

6.6 Sec. 2. **CONTRACT PROCUREMENT.**

6.7 Subdivision 1. **Duties of commissioner.** The commissioner of administration shall:

6.8 (1) enhance a narrowly tailored race-based, business-conscious contract procurement
6.9 program that emphasizes utilizing African American-owned businesses that is designed to
6.10 ensure equal participation of all businesses based on the proportion of their availability by
6.11 race, gender, disability, and veteran status; and

6.12 (2) utilize a race-conscious approach to remedy the statistical disparities identified in
6.13 the state's disparity studies included in Mason Tillman, 1999; MGT America, 2009; and
6.14 Keenen Research Group, 2018.

6.15 Subd. 2. **Quarterly progress report.** On a quarterly basis beginning October 1, 2021,
6.16 the commissioner must prepare a report detailing progress in implementing the duties
6.17 required by this section. The report must be published on the commissioner's website and
6.18 provided to the chairs and ranking minority members of the legislative committees with
6.19 jurisdiction over state government finance and policy.

6.20 Sec. 3. **CULTURAL COMPETENCY IN LAW ENFORCEMENT.**

6.21 The commissioner of public safety in collaboration with the Board of Peace Officer
6.22 Standards and Training shall propose legislation that is aimed at requiring a public safety
6.23 officer as defined in Minnesota Statutes section 299A.41, subdivision 4, to pass a
6.24 psychological evaluation and a written examination on cultural competency before being
6.25 allowed to serve as a public safety officer in the state.