

Consolidated Fiscal Note

2023-2024 Legislative Session

SF3428 - 5A - Public Employee Labor Relation Provisions Modified

Chief Author: **Jennifer McEwen**
 Committee: **Finance**
 Date Completed: **3/26/2024 5:47:42 PM**
 Lead Agency: **Mediation Services Bureau**
 Other Agencies:
 Administrative Hearings

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings	-	-	-	-	-	-
Administrative Hearings	-	-	-	-	-	-
Mediation Services Bureau	-	-	-	-	-	-
General Fund	-	-	-	-	-	-
State Total						
Administrative Hearings	-	-	-	-	-	-
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Mediation Services Bureau	-	-	-	-	-
General Fund	-	-	-	-	-
Total	-	-	-	-	-

Lead LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karl Palm **Date:** 3/26/2024 5:47:42 PM
Phone: 651-296-6055 **Email:** karl.palm@lbo.mn.gov

State Cost (Savings) Calculation Details

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions are shown in parentheses.

*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2	Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	-	-	-
Mediation Services Bureau	-	-	-	-	-
General Fund	-	-	-	-	-
Total	-	-	-	-	-
Biennial Total			-		-
1 - Expenditures, Absorbed Costs*, Transfers Out*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	1	-	-
Mediation Services Bureau	-	-	-	-	-
General Fund					
Expenditures	-	-	11	-	-
Absorbed Costs	-	-	(11)	-	-
Total	-	-	1	-	-
Biennial Total			1		-
2 - Revenues, Transfers In*					
Administrative Hearings	-	-	-	-	-
Administrative Hearings	-	-	1	-	-
Mediation Services Bureau	-	-	-	-	-
General Fund	-	-	-	-	-
Total	-	-	1	-	-
Biennial Total			1		-

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Chief Author: **Jennifer McEwen**
 Committee: **Finance**
 Date Completed: **3/26/2024 5:47:42 PM**
 Agency: **Mediation Services Bureau**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings		X
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
General Fund	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Karl Palm **Date:** 3/24/2024 9:36:27 PM
Phone: 651-296-6055 **Email:** karl.palm@lbo.mn.gov

State Cost (Savings) Calculation Details

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*Transfers In/Out and Absorbed Costs are only displayed when reported.

State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
General Fund						
Expenditures	-	-	11	-	-	-
Absorbed Costs	-	-	(11)	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-
2 - Revenues, Transfers In*						
General Fund	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Bill Description

This bill makes technical changes to PELRA to make the law more readable and citable. The bill requires rulemaking regarding petitions for majority verification. Other changes fall within the scope of agency responsibility and budget allocations.

Assumptions

The BMS anticipates an expedited rulemaking in FY25 at the total cost of \$10,936. The BMS recommends the expedited rulemaking process due to the limited scope (Majority Verification) and technical nature to update the rule to match the statutory change to majority verification. For the expedited rulemaking process, the Bureau will publish notice of the proposed rule and mail notice to those that have requested notice. A 30-day comment period follows this notice. The rule will be adopted following the comment period and after the form and legality are approved by an administrative law judge. It is assumed that 4 hours of administrative law judge time will be required for approval of this rulemaking at the rate of \$245 per hour, totaling \$980. This cost will be absorbed by the Bureau. The BMS staffing and posting costs involved with the rulemaking process will be absorbed by the agency.

Expenditure and/or Revenue Formula

Total costs for the expedited rulemaking are estimated at \$10,936. These costs will be absorbed by the Bureau.

Long-Term Fiscal Considerations

N/A

Local Fiscal Impact

N/A

References/Sources

SF 3428 - 5A

Agency Contact:

Agency Fiscal Note Coordinator Signature: Johnny Villarreal

Phone: 651-649-5435

Date: 3/19/2024 7:26:24 PM

Email: johnny.villarreal@state.mn.us

SF3428 - 5A - Public Employee Labor Relation Provisions Modified

Chief Author: **Jennifer McEwen**
 Committee: **Finance**
 Date Completed: **3/26/2024 5:47:42 PM**
 Agency: **Administrative Hearings**

State Fiscal Impact	Yes	No
Expenditures	X	
Fee/Departmental Earnings	X	
Tax Revenue		X
Information Technology		X
Local Fiscal Impact		
		X

This table shows direct impact to state government only. Local government impact, if any, is discussed in the narrative. Reductions shown in the parentheses.

State Cost (Savings)	Biennium			Biennium		
	Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-

Full Time Equivalent Positions (FTE)	Biennium			Biennium	
	FY2023	FY2024	FY2025	FY2026	FY2027
Administrative Hearings	-	-	-	-	-
Total	-	-	-	-	-

LBO Analyst's Comment

I have reviewed this fiscal note for reasonableness of content and consistency with the LBO's Uniform Standards and Procedures.

LBO Signature: Chloe Burns **Date:** 3/26/2024 2:03:16 PM
Phone: 651-297-1423 **Email:** chloe.burns@lbo.mn.gov

State Cost (Savings) Calculation Details

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State Cost (Savings) = 1-2		Biennium			Biennium	
Dollars in Thousands	FY2023	FY2024	FY2025	FY2026	FY2027	
Administrative Hearings	-	-	-	-	-	-
Total	-	-	-	-	-	-
Biennial Total			-			-
1 - Expenditures, Absorbed Costs*, Transfers Out*						
Administrative Hearings	-	-	1	-	-	-
Total	-	-	1	-	-	-
Biennial Total			1			-
2 - Revenues, Transfers In*						
Administrative Hearings	-	-	1	-	-	-
Total	-	-	1	-	-	-
Biennial Total			1			-

Bill Description

SF3428-5A provides for the Bureau of Mediation Services (BMS) to adopt rules on petitions for majority verification using the expedited rulemaking process to implement the provisions of Sec. 20, Rulemaking.

Assumptions

The Office of Administrative Hearings (OAH) has used the BMS assumption that a small noncontroversial rulemaking will be needed to meet the requirements of Section 20, Rulemaking. Based on past practices, OAH assumes that a rulemaking of this size under chapter 14 will require an estimated four hours of administrative law judge (ALJ) time for activity related to rulemaking procedures. Of the total rulemaking amount of \$10,936 estimated by BMS, \$980 is for the four hours of ALJ time for a small noncontroversial rulemaking.

OAH currently bills ALJ time for rulemaking at the MMB-approved billable rate of \$245 per hour (see Minn. Stat. § 16A.126, subd. 1 (2022)).

Expenditure and/or Revenue Formula

Estimated four hours of ALJ time for rulemaking activities related to implementing the requirements of Sec. 20 = 4 hours x \$245/hr = \$980 charged to BMS in FY2025 pursuant to the requirements of Minn. Stat. § 14.53.

Long-Term Fiscal Considerations

Costs associated with rulemaking activities are a one-time occurrence.

Local Fiscal Impact

References/Sources

Agency Contact: Denise Collins

Agency Fiscal Note Coordinator Signature: Denise Collins

Date: 3/20/2024 10:55:19 AM

Phone: 651-3617875

Email: denise.collins@state.mn.us