

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 3404

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DATE	D-PG	OFFICIAL STATUS
03/31/2016	5429	Introduction and first reading Referred to State and Local Government

1.1 A bill for an act
1.2 relating to the legislature; reforming legislative practices; requiring joint budget
1.3 targets; requiring the Legislative Commission on Data Practices and Personal
1.4 Data Privacy to study and recommend options for expanding access to legislative
1.5 records and meetings; prohibiting certain public officials from engaging in
1.6 lobbying activities for one year after leaving office; amending Minnesota Statutes
1.7 2014, sections 3.885, subdivision 5; 10A.03, subdivision 2; proposing coding
1.8 for new law in Minnesota Statutes, chapters 3; 10.

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

1.10 Section 1. **[3.193] JOINT BUDGET TARGETS.**

1.11 The house of representatives and senate shall adopt annual joint budget targets at
1.12 least 14 days before the constitutional date for adjournment in each annual session. Public
1.13 comments must be allowed on these targets. Joint targets are binding on each body, and
1.14 changes may only be made publicly by published agreement of the speaker of the house
1.15 and majority leader of the senate.

1.16 **EFFECTIVE DATE.** This section is effective June 30, 2016.

1.17 Sec. 2. Minnesota Statutes 2014, section 3.885, subdivision 5, is amended to read:

1.18 Subd. 5. **Duties.** (a) The commission shall:

1.19 (1) provide the legislature with research and analysis of current and projected state
1.20 revenue, state expenditures, and state tax expenditures;

1.21 (2) provide the legislature with a report analyzing the governor's proposed levels of
1.22 revenue and expenditures for biennial budgets submitted under section 16A.11 as well as
1.23 other supplemental budget submittals to the legislature by the governor;

(3) provide an analysis of the impact of the governor's proposed revenue and expenditure plans for the next biennium;

(4) conduct research on matters of economic and fiscal policy and report to the legislature on the result of the research;

(5) provide economic reports and studies on the state of the state's economy, including trends and forecasts for consideration by the legislature;

(6) conduct budget and tax studies and provide general fiscal and budgetary information;

(7) review and make recommendations on the operation of state programs in order to appraise the implementation of state laws regarding the expenditure of funds and to recommend means of improving their efficiency;

(8) recommend to the legislature changes in the mix of revenue sources for programs, in the percentage of state expenditures devoted to major programs, and in the role of the legislature in overseeing state government expenditures and revenue projections;

(9) make a continuing study and investigation of the building needs of the government of the state of Minnesota, including, but not limited to the following: the current and future requirements of new buildings, the maintenance of existing buildings, rehabilitating and remodeling of old buildings, the planning for administrative offices, and the exploring of methods of financing building and related costs; and

(10) conduct a continuing study of state-local finance, analyzing and making recommendations to the legislature on issues including levels of state support for political subdivisions, basic levels of local need, balances of local revenues and options, relationship of local taxes to individuals' ability to pay, and financial reporting by political subdivisions. In conducting this study, the commission shall consult with the governor, the staff of executive branch agencies, and the governor's Advisory Commission on State-Local Relations; and

(11) adopt joint budget and revenue targets pursuant to section 3.193 to enable completion of a joint budget at the end of each annual session.

(b) In performing its duties under paragraph (a), the commission shall consider, among other things:

(1) the relative dependence on state tax revenues, federal funds, and user fees to support state-funded programs, and whether the existing mix of revenue sources is appropriate, given the purposes of the programs;

(2) the relative percentages of state expenditures that are devoted to major programs such as education, assistance to local government, aid to individuals, state agencies and institutions, and debt service; and

(3) the role of the legislature in overseeing state government expenditures, including legislative appropriation of money from the general fund, legislative appropriation of money from funds other than the general fund, state agency receipt of money into revolving and other dedicated funds and expenditure of money from these funds, and state agency expenditure of federal funds.

(c) The commission's recommendations must consider the long-term needs of the state. The recommendations must not duplicate work done by standing committees of the senate and house of representatives.

The commission shall report to the legislature on its activities and recommendations by January 15 of each odd-numbered year.

The commission shall provide the public with printed and electronic copies of reports and information for the legislature. Copies must be provided at the actual cost of furnishing each copy.

(d) In adopting joint targets under paragraph (a), clause (11), the commission shall schedule a public hearing and take public comment at least 14 days before the constitutional date of adjournment each year.

EFFECTIVE DATE. This section is effective June 30, 2016.

Sec. 3. **[10.375] CERTAIN PUBLIC OFFICIALS; LOBBYING ACTIVITY PROHIBITED AFTER DEPARTURE FROM OFFICE.**

(a) Except as otherwise provided in this section, "lobbyist" has the meaning provided in section 10A.01, subdivision 21.

(b) The following individuals may not accept pay or other consideration, in any amount, for the performance of services as a lobbyist for the period described in paragraph (c):

(1) a former member of the legislature;

(2) a former judge of the district court or the Court of Appeals, or former justice of the Supreme Court;

(3) a former state constitutional officer; and

(4) a former commissioner, deputy commissioner, or assistant commissioner of any state department or agency as listed in section 15.01 or 15.06.

(c) The restriction in paragraph (b) applies to an individual for a period of one year following the date of the individual's departure from the office or position, or for the duration of the first regular annual session of the legislature beginning after the individual's departure, whichever is longer.

4.1 Sec. 4. Minnesota Statutes 2014, section 10A.03, subdivision 2, is amended to read:

4.2 Subd. 2. **Form.** The board must prescribe a registration form, which must include:

4.3 (1) the name, address, and e-mail address of the lobbyist;

4.4 (2) the principal place of business of the lobbyist;

4.5 (3) the name and address of each individual, association, political subdivision, or
4.6 public higher education system, if any, by whom the lobbyist is retained or employed
4.7 or on whose behalf the lobbyist appears;

4.8 (4) the Web site address of each association, political subdivision, or public higher
4.9 education system identified under clause (3), if the entity maintains a Web site; ~~and~~

4.10 (5) a general description of the subject or subjects on which the lobbyist expects
4.11 to lobby; and

4.12 (6) a certification that, if the lobbyist is a former public official, the lobbyist is acting
4.13 in compliance with the restrictions on lobbyists provided by section 10.375.

4.14 If the lobbyist lobbies on behalf of an association, the registration form must include
4.15 the name and address of the officers and directors of the association.

4.16 Sec. 5. **EXPANDED PUBLIC ACCESS TO LEGISLATIVE RECORDS AND**
4.17 **MEETINGS; STUDY AND RECOMMENDATIONS.**

4.18 (a) No later than December 15, 2016, the Legislative Commission on Data Practices
4.19 and Personal Data Privacy must study and recommend options for expanding public access
4.20 to legislative records and meetings. The recommendations must facilitate increased public
4.21 access, participation, and accountability in the legislative process, while also preserving
4.22 the rights and duties of the legislature and its members to function as a constitutional
4.23 coequal branch of government.

4.24 (b) The study and recommendations should consider:

4.25 (1) current laws, rules, and customs and practices of the legislature that provide
4.26 public access to legislative records and meetings;

4.27 (2) the experiences of other state legislatures in providing public access to their
4.28 records and meetings;

4.29 (3) the potential benefits and risks to the legislative process in expanded public
4.30 access to records and meetings;

4.31 (4) the potential benefits and risks to constituents and other individual members of
4.32 the public in expanded access to legislative records and meetings; and

4.33 (5) impacts on the administrative operations of the legislature in implementing any
4.34 recommended change, including the potential for increased costs or staffing needs.