

SENATE  
STATE OF MINNESOTA  
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 2469

(SENATE AUTHORS: ROSEN)

DATE	D-PG	OFFICIAL STATUS
03/15/2012	4473	Introduction and first reading Referred to Finance
03/30/2012	5479a 5484	Comm report: To pass as amended Second reading
04/20/2012	5967	HF substituted on General Orders HF2958
05/08/2012	7374	Chief author stricken Robling Chief author added Rosen

A bill for an act

relating to state government; requiring the Legislative Advisory Commission to consider certain requests to spend federal money; limiting the authority to spend federal money without legislative review to certain emergency management purposes; appropriating money for veterans affairs, public safety, and for disaster assistance and flood mitigation; providing for fund transfers; modifying the GI bill program; modifying certain fee deposits; providing funding to the Minnesota State Colleges and Universities for leveraged equipment acquisition; modifying Legislative Advisory Commission membership; amending Minnesota Statutes 2010, sections 3.30, subdivision 2; 3.3005, subdivisions 2a, 5, 6, by adding a subdivision; 12.22, subdivision 1; 116.03, subdivision 3; 138.668; 197.791, subdivision 6, by adding a subdivision; repealing Minnesota Statutes 2010, section 3.3005, subdivision 4.

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

ARTICLE 1

FEDERAL FUNDS SPENDING

Section 1. Minnesota Statutes 2010, section 3.30, subdivision 2, is amended to read:

Subd. 2. **Members; duties.** The majority leader of the senate or a designee, the minority leader of the senate or a designee, the chair of the senate Committee on Finance, and the chair of the senate ~~Division of Finance~~ committee responsible for overseeing the items being considered by the commission, the speaker of the house or a designee, the minority leader of the house or a designee, the chair of the house of representatives Committee on Ways and Means, and the chair of the appropriate finance committee, or division of the house of representatives committee responsible for overseeing the items being considered by the ~~commissioner~~ commission, constitute the Legislative Advisory Commission. The division chair of the Finance Committee in the senate and the division chair of the appropriate finance committee or division in the house of representatives shall

rotate according to the items being considered by the commission. If any of the members elect not to serve on the commission, the house of which they are members, if in session, shall select some other member for the vacancy. If the legislature is not in session, vacancies in the house of representatives membership of the commission shall be filled by the last speaker of the house or, if the speaker is not available, by the last chair of the house of representatives Rules Committee, and by the last senate Committee on Committees or other appointing authority designated by the senate rules in case of a senate vacancy. The commissioner of management and budget shall be secretary of the commission and keep a permanent record and minutes of its proceedings, which are public records. The commissioner of management and budget shall transmit, under section 3.195, a report to the next legislature of all actions of the commission. Members shall receive traveling and subsistence expenses incurred attending meetings of the commission. The commission shall meet from time to time upon the call of the governor or upon the call of the secretary at the request of two or more of its members. A recommendation of the commission must be made at a meeting of the commission unless a written recommendation is signed by all the members entitled to vote on the item.

Sec. 2. Minnesota Statutes 2010, section 3.3005, is amended by adding a subdivision to read:

Subd. 1a. **Application.** The review in this section applies to federal funds appropriated under section 4.07, subdivision 3, or federal funds appropriated under any other section, except for federal funds appropriated under section 12.22, subdivision 1.

Sec. 3. Minnesota Statutes 2010, section 3.3005, subdivision 2a, is amended to read:

Subd. 2a. **Review of federal funds spending request.** ~~Twenty~~ Thirty days after a governor's budget request that includes a request to spend federal money is submitted to the legislature under subdivision 2, a state agency may expend money included in that request unless, within the ~~20-day~~ 30-day period, ~~a member of the Legislative Advisory Commission requests further review. If a the Legislative Advisory Commission member~~ requests further review of a federal funds spending request, the agency may not expend the federal funds until:

(1) the commission's request has been satisfied and withdrawn;

(2) the expenditure is approved in law; or

(3) the regular session of the legislature is adjourned for the year.

Sec. 4. Minnesota Statutes 2010, section 3.3005, subdivision 5, is amended to read:

3.1 Subd. 5. **Legislative Advisory Commission review.** Federal money that becomes  
3.2 available under subdivision 3, 3a, or 3b, or 4 may be allotted after the commissioner of  
3.3 management and budget has submitted the request to ~~the members of the Legislative~~  
3.4 ~~Advisory Commission for their review and recommendation for further review. If~~  
3.5 ~~a recommendation is not made within ten days, no further review by the Legislative~~  
3.6 ~~Advisory Commission is required, and the commissioner shall approve or disapprove~~  
3.7 ~~the request. If a recommendation by any member is for further review the governor~~  
3.8 ~~shall submit the request to the Legislative Advisory Commission for its review and~~  
3.9 ~~recommendation. Failure or refusal of the commission to make a recommendation~~  
3.10 ~~promptly is a negative recommendation. If the commission makes a negative~~  
3.11 recommendation or a recommendation for further review on a request within 30 days after  
3.12 the date the request was submitted, the commissioner shall not approve expenditure of  
3.13 that federal money. If a request to expend federal money submitted under this subdivision  
3.14 receives a negative recommendation or a recommendation for further review, the request  
3.15 may be submitted again under subdivision 2. If the members of the commission make  
3.16 a positive recommendation or no recommendation, the commissioner shall approve or  
3.17 disapprove the request and the federal money may be allotted for expenditure.

3.18 Sec. 5. Minnesota Statutes 2010, section 3.3005, subdivision 6, is amended to read:

3.19 Subd. 6. **Interim procedures; nonurgencies.** If federal money becomes available  
3.20 to the state for expenditure after the deadline in subdivision 2 or while the legislature is  
3.21 not in session, ~~and subdivision 4 does not apply,~~ a request to expend the federal money  
3.22 may be submitted by the commissioner of management and budget to ~~members of~~  
3.23 ~~the Legislative Advisory Commission for their review and recommendation. This~~ The  
3.24 commissioner may submit a request must be submitted by October 1 to the Legislative  
3.25 Advisory Commission under this subdivision on August 1 and October 15 of any year. If  
3.26 ~~any member of the commission makes a negative recommendation or a recommendation~~  
3.27 ~~for further review on a request by October 20 of the same year~~ within 30 days after the  
3.28 date the request was submitted, the commissioner shall not approve expenditure of that  
3.29 federal money. If a request to expend federal money submitted under this subdivision  
3.30 receives a negative recommendation or a recommendation for further review, the request  
3.31 may be submitted again under subdivision 2. If the members of the commission make  
3.32 a positive recommendation or no recommendation, the commissioner shall approve or  
3.33 disapprove the request and the federal money may be allotted for expenditure.

3.34 Sec. 6. Minnesota Statutes 2010, section 12.22, subdivision 1, is amended to read:

Subdivision 1. **Federal aid.** Whenever the federal government, or an agency or officer of the federal government, offers to the state, or through the state to any political subdivision of the state, services, equipment, supplies, materials, or funds by way of gift, grant or loan, for the purposes of emergency management, the state, acting through the governor, or the political subdivision, acting with the consent of the governor and through its governing body, may accept the offer and then may authorize an officer of the state or of the political subdivision, as the case may be, to receive the services, equipment, supplies, materials, or funds on behalf of the state or the political subdivision and subject to the terms of the offer and the rules, if any, of the agency making the offer. ~~However,~~ Money received by the governor or any state agency under this subdivision is appropriated to the state agency receiving the funds to carry out the emergency management purposes for which the money is received. Section 3.3005 does not apply to money appropriated under this section. No money or other funds may be accepted or received as a loan nor any indebtedness incurred except as provided by law.

Sec. 7. Minnesota Statutes 2010, section 116.03, subdivision 3, is amended to read:

Subd. 3. **Federal funds.** The commissioner of the Pollution Control Agency is the state agent to apply for, receive, and disburse federal funds made available to the state by federal law or rules and regulations promulgated thereunder for any purpose related to the powers and duties of the Pollution Control Agency or the commissioner. The commissioner shall comply with any and all requirements of such federal law or such rules and regulations promulgated thereunder to facilitate application for, receipt, and disbursement of such funds. All such moneys received by the commissioner shall be deposited in the state treasury and are hereby annually appropriated to the commissioner for the purposes for which they are received. None of such moneys in the state treasury shall cancel and they shall be available for expenditure in accordance with the requirements of federal law.

~~The provisions of section 3.3005 shall not apply to money available under the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980, United States Code, title 42, sections 9601 to 9657, for which a state match is not required or for which a state match is available under the Environmental Response and Liability Act or from a political subdivision. The receipt of the money shall be reported to the Legislative Advisory Commission.~~

Sec. 8. **REPEALER.**

Minnesota Statutes 2010, section 3.3005, subdivision 4, is repealed.

ARTICLE 2

STATE GOVERNMENT

Section 1. Minnesota Statutes 2010, section 138.668, is amended to read:

**138.668 ADMISSION FEES.**

The Minnesota Historical Society may establish and collect reasonable fees for admission to state-owned historic sites in the state historic site network in section 138.661 ~~for deposit in an account in the state treasury.~~ These fees shall be available to the society.

Sec. 2. **FUND TRANSFER; DEPARTMENT OF ADMINISTRATION.**

Subdivision 1. **Transfer of funds; plant management fund.** \$80,000 in fiscal year 2012 is transferred from the plant management fund to the general fund. The amount represents proceeds from the sale of assets and other revenues related to resource recovery activities. This is a onetime transfer.

Subd. 2. **Transfer of funds; special revenue fund.** \$6,512 in fiscal year 2012 is transferred from the special revenue fund to the general fund. The amount represents remaining funds in an account for a completed savings monitoring energy program. This is a onetime transfer.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

ARTICLE 3

VETERANS AFFAIRS

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2012</u></b>	<b><u>2013</u></b>

6.1      Sec. 2. **VETERANS AFFAIRS**

6.2	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>400,000</u>
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6.3 The amounts that may be spent for each  
6.4 purpose are specified in the following  
6.5 subdivisions.

6.6	<u>Subd. 2. Veterans Services</u>	<u>-0-</u>	<u>400,000</u>
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6.7 \$100,000 the second year is for a grant to the  
6.8 Minnesota Assistance Council for Veterans.

6.9 This is a onetime appropriation.

6.10 \$100,000 the second year is for compensation  
6.11 for honor guards at the funerals of veterans  
6.12 in accordance with the program under  
6.13 Minnesota Statutes, section 197.231.

6.14 \$200,000 the second year is for the  
6.15 Veterans Service Office grant program under  
6.16 Minnesota Statutes, section 197.608. This is  
6.17 a onetime appropriation.

6.18       Sec. 3. Minnesota Statutes 2010, section 197.791, is amended by adding a subdivision  
6.19       to read:

6.20 Subd. 5a. **Apprenticeship and on-the-job training.** (a) The commissioner, in  
6.21 consultation with the commissioners of employment and economic development and labor  
6.22 and industry, shall develop and implement an apprenticeship and on-the-job training  
6.23 program to administer a portion of the Minnesota GI Bill program to pay benefit amounts  
6.24 to eligible applicants, as provided in this subdivision.

6.25 (b) An "eligible employer" means an employer operating a qualifying apprenticeship  
6.26 or on-the-job training program that has been approved by the commissioner.

6.27 (c) A person is eligible for apprenticeship and on-the-job training assistance under  
6.28 this subdivision if the person meets the criteria established under subdivision 4, paragraphs  
6.29 (a), clause (1), and (c) to (e). The amount of assistance paid to or on behalf of an eligible  
6.30 individual under this subdivision must not exceed the following:

6.31 (1) \$2,000 per fiscal year for apprenticeship expenses;

6.32 (2) \$2,000 per fiscal year for on-the-job training;

(3) \$1,000 for a job placement credit payable to an eligible employer upon hiring a person receiving assistance under this subdivision; and

(4) \$1,000 for a job placement credit payable to an eligible employer after a person receiving assistance under this subdivision has been employed by the eligible employer for at least 12 consecutive months as a full-time employee.

No more than \$3,000 in aggregate benefits under this paragraph may be paid to or on behalf of an individual in one fiscal year.

(d) Assistance for apprenticeship expenses and on-the-job training is available for qualifying programs, which must, at a minimum, meet the following criteria:

- (1) the training must be with an eligible employer;
- (2) the training must be documented and reported;
- (3) the training must reasonably be expected to lead to an entry-level position; and
- (4) the position must require at least six months of training to become fully trained.

Sec. 4. Minnesota Statutes 2010, section 197.791, subdivision 6, is amended to read:

Subd. 6. **Appropriation.** The amount necessary to pay the benefit amounts in ~~subdivision 5~~ subdivisions 5 and 5a is appropriated from the general fund to the commissioner. During any fiscal year beginning on or after July 1, 2013, the amount paid under this subdivision must not exceed \$6,000,000.

ARTICLE 4

DEPARTMENT OF PUBLIC SAFETY

Section 1. **APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013.

<b>APPROPRIATIONS</b>	
<b>Available for the Year</b>	
<b>Ending June 30</b>	
<b>2012</b>	<b>2013</b>

Sec. 2. **DEPARTMENT OF PUBLIC SAFETY**

8.1	Subdivision 1. <u>Total Appropriation</u>	\$	<u>250,000</u>	\$	<u>-0-</u>
8.2	<u>The amounts that may be spent for each</u>				
8.3	<u>purpose are specified in the following</u>				
8.4	<u>subdivision.</u>				
8.5	Subd. 2. <u>Public Safety Support</u>		<u>250,000</u>		<u>-0-</u>
8.6	<u>\$250,000 the first year is for soft body armor</u>				
8.7	<u>reimbursements under Minnesota Statutes,</u>				
8.8	<u>section 299A.38.</u>				

ARTICLE 5

MINNESOTA STATE COLLEGES AND UNIVERSITIES

Section 1. MINNESOTA STATE COLLEGES AND UNIVERSITIES.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013.

8.19	<u>APPROPRIATIONS</u>			
8.20	<u>Available for the Year</u>			
8.21	<u>Ending June 30</u>			
8.22		<u>2012</u>		<u>2013</u>

8.23	Sec. 2. <u>MINNESOTA STATE COLLEGES</u>			
8.24	<u>AND UNIVERSITIES LEVERAGED</u>			
8.25	<u>EQUIPMENT ACQUISITION</u>	\$	<u>500,000</u>	
8.26	<u>\$500,000 the second year is for leveraged</u>			
8.27	<u>equipment acquisition. For the purposes of</u>			
8.28	<u>this section, "equipment" means equipment</u>			
8.29	<u>for instructional purposes for programs that</u>			
8.30	<u>the board has determined would produce</u>			
8.31	<u>graduates with skills for which there is a</u>			
8.32	<u>high employer need within the state. An</u>			
8.33	<u>equipment acquisition may be made using</u>			
8.34	<u>this appropriation only if matched by cash or</u>			



9.1 in-kind contributions from nonstate sources.

9.2 This is a onetime appropriation.

9.3 **ARTICLE 6**

9.4 **FLOOD-RELATED APPROPRIATIONS**

9.5 Section 1. **APPROPRIATIONS.**

9.6 (a) The appropriation in Laws 2010, Second Special Session chapter 1, article 1,  
9.7 section 11, is reduced by \$285,000.

9.8 (b) \$235,000 is appropriated from the general fund in fiscal year 2012 to the  
9.9 commissioner of public safety to provide a match for Federal Emergency Management  
9.10 Agency (FEMA) disaster assistance to state agencies and political subdivisions under  
9.11 Minnesota Statutes, section 12.221, in the area designated under Presidential Declaration  
9.12 of Major Disaster, FEMA-1900-DR, for the flooding in Minnesota in the spring of 2010,  
9.13 whether included in the original declaration or added later by federal government action.  
9.14 This is a onetime appropriation and is available until expended.

9.15 (c) \$50,000 is appropriated from the general fund in fiscal year 2012 to the  
9.16 commissioner of natural resources for a grant to the Mankato Water Resources Center to  
9.17 prepare a report to identify potential flood mitigation measures and projects within the  
9.18 Zumbro River watershed as a result of the 2010 flood. By January 15 of each year, until  
9.19 this appropriation has been spent, the commissioner shall submit a report regarding the  
9.20 use of this appropriation to the chairs of the legislative committees with jurisdiction over  
9.21 natural resources policy and finance. This is a onetime appropriation and is available  
9.22 until expended.

9.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.

APPENDIX  
Article locations in S2469-1

ARTICLE 1    FEDERAL FUNDS SPENDING ..... Page.Ln 1.15

ARTICLE 2    STATE GOVERNMENT ..... Page.Ln 5.1

ARTICLE 3    VETERANS AFFAIRS ..... Page.Ln 5.18

ARTICLE 4    DEPARTMENT OF PUBLIC SAFETY ..... Page.Ln 7.19

ARTICLE 5    MINNESOTA STATE COLLEGES AND UNIVERSITIES ..... Page.Ln 8.9

ARTICLE 6    FLOOD-RELATED APPROPRIATIONS ..... Page.Ln 9.3