

MINNESOTA STATUTES 1979 SUPPLEMENT

DEPARTMENT OF FINANCE 16A.055

16.97 Criminal and juvenile defense grants.

Subdivision 1. Money appropriated for the provision of criminal and juvenile defense to indigent individuals shall be distributed by the judicial council to the non-profit criminal and juvenile defense corporations designated by law. Money may not be disbursed to a corporation in the Leech Lake reservation area or the White Earth reservation area without prior approval by the respective reservation business committee. Within its geographic area of responsibility each corporation shall accept cases involving felony, gross misdemeanor, and misdemeanor charges, and juvenile cases, where financial eligibility standards are met, unless there is a legal reason for rejecting a case. A corporation may accept cases arising outside of its geographic area of responsibility, as it deems appropriate. Each corporation, in order to insure broad support, shall provide matching money received from nonstate sources, which may include money from federal agencies, local governments, private agencies, and community groups, equal to ten percent of its state appropriation. The judicial council shall give notice 30 days in advance and conduct a hearing if it has reasonable grounds to believe money appropriated for this purpose is being improperly used, or if it has reasonable cause to believe criminal and juvenile defense of proper quality is not being supplied. Payment shall cease from the date of notice until either the judicial council determines that the money appropriated will be properly handled, or the judicial council determines that criminal and juvenile defense of proper quality will be provided. A participating corporation may give notice at any time of its withdrawal from this program of financial assistance.

Subd. 2. An employee, administrator, or officer of a recipient of the money provided by this section who discriminates on the basis of sex, race, color, national origin, religion, or creed is guilty of a gross misdemeanor.

Subd. 3. Each corporation shall submit to the judicial council twice each year a report on a form supplied by the council showing the number of clients served; the number of charges brought; the number of cases of each kind, such as felonies, gross misdemeanors, misdemeanors, and juvenile delinquencies; the number of dispositions of each kind, such as jury trials, court trials, plea bargains, and dismissals; and the number of court appearances. This information shall be summarized for each corporation in the budget documents submitted to the legislature.

[1979 c 333 s 69]

CHAPTER 16A. DEPARTMENT OF FINANCE

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16A.055 Duties of commissioner.

The commissioner of finance shall exercise the rights, powers, and duties vested in and imposed upon his office. He shall have charge of the administration of the financial affairs of the state. He shall keep the general books of account of the state. The general books of account shall be on a double entry control basis, with such revenue, expenditure, asset and liability accounts as will give complete control over all financial and expenditure operations of the state and over all officials, departments, and agencies of the state government. Accounts shall be set both as to expenditures and revenue according to generally accepted practice in governmental accounting. The commissioner of finance shall formulate and prescribe for all departments and other state agencies a system of uniform records, accounts, financial statements, estimates, revenue receipt forms, vouchers, bills, and demands with suitable instructions governing the installation and use thereof. The accounting system and form so prescribed shall be adopted and employed by all officials, departments, and agencies of the state government. The commissioner of finance shall exercise constant supervision and control thereof. He shall provide state officials, departments and agencies the expertise necessary to assure that all state funds are

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accounted for in a manner consistent with generally accepted accounting principles. All accounting and financial records shall be kept on the fiscal year basis of 12 months ending at midnight between June 30 and July 1. The commissioner of finance and his designated agents shall at all times have free access to the books, records, accounts, and papers of the several departments and agencies.

To accomplish the above duties, the commissioner may assign a designee to any department or agency of the state to monitor the fiscal activities therein, insure compliance with statutes and administrative requirements promulgated by the commissioner and provide any additional assistance he deems appropriate. Development of a budget consistent with a department or agency's goals, responsibilities and priorities and supervision of a department or agency's personnel shall be the responsibility of the department or agency head.

Nothing in this section shall be construed as authorizing the commissioner of finance to require any public retirement fund to adopt or implement financial or actuarial reporting practices or procedures that do not conform with the provisions of section 356.20 or 356.215.

[1979 c 314 s 1]

16A.123 Approved complement.

The approved complement set for an agency by law limits the number of personnel positions in the agency at any one time. The approved complement does not apply to independent contractors. In addition to the approved complement, part-time employees, seasonal or intermittent employees as defined by the commissioner of personnel, summer student help, service workers, preservice trainees employed pursuant to affirmative action programs approved by the commissioner of personnel, CETA employees, or employees engaged in repair or construction projects may be employed with the advance approval of the commissioner of finance who shall determine the need for them and that money is available. The approved complement applies to positions in the agency regardless of the fund or appropriation from which they are paid. If more than one approved complement figure for an agency is shown in a law, the figures may be taken as cumulative, or a larger figure may be taken as a total or subtotal of related smaller figures, as the context indicates. Approved complement figures for an agency shown in separate laws enacted at the same biennial session of the legislature are cumulative.

Additional full-time positions over the number of the approved complement may be created on the basis of public necessity or emergency. If the position is to be paid from an appropriation of money other than federal money, the addition shall not be made without the written approval of the governor. The governor shall not approve the addition until after he has consulted with the legislative advisory commission and the commission has made its recommendation on the matter. The recommendation is advisory only. Failure or refusal to make a recommendation promptly is deemed a negative recommendation. If the position is to be paid from an appropriation of federal money, the addition may be made with the written approval of the commissioner of finance who shall determine the need for it and that money is available. The commissioner of finance shall promptly notify the committee on finance of the senate and the committee on appropriations of the house of representatives of the additions.

[1979 c 332 art 1 s 10]

16A.126 Commissioner to approve billing rates for revolving funds.

The commissioner of finance shall approve the rates at which services are billed state departments or agencies by any revolving fund. In order to reduce revolving fund reserves maintained for unforeseen needs and thereby reduce the rates which using agencies must pay, the commissioner may transfer moneys not otherwise appropriated in the general fund to a revolving fund if, in the commissioner's judgment, a bona fide, immediate expenditure is necessary and if there are insufficient moneys in the revolving fund to meet the expenditure. Any moneys so transferred shall be repaid to the general fund on a schedule established by the commissioner of finance but within a period not to exceed five years.

[1979 c 333 s 72]

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DEPARTMENT OF FINANCE 16A.751

16A.50 Report to legislature.

On or before November 15 of each year the commissioner of finance shall prepare and submit to the legislature and make available to the public a financial report covering the operations of all state funds during the preceding fiscal year. The report shall contain financial statements and disclosures which present the state's financial position and the fiscal results of state operations. This report shall be in conformity with generally accepted accounting principles.

[1979 c 314 s 2]

16A.55 Grouping of bookkeeping accounts.

Subdivision 1. **Commissioner of finance's duty.** The commissioner of finance, in maintaining the general books of account and in reflecting all revenues deposited in the state treasury and expenditures appropriated therefrom, shall group the various bookkeeping accounts in accordance with generally accepted accounting principles.

Subd. 2. [Repealed, 1979 c 314 s 5]

Subd. 3. [Repealed, 1979 c 314 s 5]

Subd. 4. [Repealed, 1979 c 314 s 5]

Subd. 5. [Repealed, 1979 c 314 s 5]

Subd. 6. [Repealed, 1979 c 314 s 5]

Subd. 7. [Repealed, 1979 c 314 s 5]

Subd. 8. [Repealed, 1979 c 314 s 5]

Subd. 9. [Repealed, 1979 c 314 s 5]

[1979 c 314 s 3]

16A.71 Taconite municipal aid account; creation; function.

A taconite municipal aid account in the apportionment fund of the state treasury is hereby created in the state treasury. All funds available to the credit of such account under section 298.28, subdivision 1, clause (2) shall be deposited therein. All moneys to be paid from such account pursuant to the provisions of sections 298.282 and 298.283 are hereby appropriated annually from said account for the purpose for which payment is to be made.

[1979 c 50 s 4]

16A.75 Definitions.

Subdivision 1. As used in sections 16A.75 to 16A.754, the terms defined in this section have the meanings given them.

Subd. 2. "State agency" means every department and agency in the executive branch of state government having more than 40 state funded positions, but not including the constitutional officers, the state university system, the community college system nor the University of Minnesota.

Subd. 3. "State-funded positions" means all full-time equivalent personnel positions however authorized, except those funded entirely by federal money and those which provide direct care to residents at state hospitals.

Subd. 4. "Normal attrition" means vacancies occurring due to voluntary resignations, retirements, and deaths. It does not include vacancies due to involuntary dismissals and terminations.

[1979 c 332 art 1 s 3]

NOTE: This section is effective July 1, 1981. See Laws 1979, Chapter 332, Article 1, Section 116.

16A.751 Reduction of state labor force.

Subdivision 1. **Plan preparation.** The commissioner of finance shall submit to the chairmen of the senate finance and house appropriations committees, and the legisla-

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16A.751 DEPARTMENT OF FINANCE

tive commission on employee relations by October 1, 1980, a plan for reducing the number of state funded positions pursuant to sections 16A.75 to 16A.754 during the 1981-1983 biennium. The plan shall include (1) a description of the number and types of reductions in positions, (2) an analysis of how the reductions coordinate with departmental long range program plans, and (3) an analysis of the ratio of supervisory to non-supervisory employees in the agency.

The commissioner of finance shall, in consultation with the commissioner of personnel, prescribe procedures by which each state agency shall submit to the commissioner of finance the information necessary for him to comply with sections 16A.75 to 16A.754. The position reduction program shall be integrated to the extent possible with the program budgeting system and the evaluation of program functions conducted as part of the budgeting process.

Subd. 2. **Plan approval.** Notwithstanding the provisions of sections 16A.752 to 16A.754, the plan prepared pursuant to subdivision 1 shall not be implemented until it has been reviewed by the senate finance committee and the house appropriations committees. The senate finance and house appropriations committees may accept, reject, or modify the plan. Any provisions of the plan which are accepted shall be submitted to the entire legislature for its approval.

[1979 c 332 art 1 s 4]

16A.752 Position reductions.

Subdivision 1. **Vacant positions.** The commissioner of finance shall cancel every state funded position that has remained vacant for more than 90 days, unless (a) the commissioner of personnel has certified that the position has not been filled because the department of personnel was unable to certify any names pursuant to section 43.18, or (b) an exception has been requested pursuant to subdivision 4. If the exception is denied, the position shall be cancelled.

Subd. 2. **Normal attrition.** The total number of state funded positions authorized on July 1, 1981, shall be reduced by up to four percent. Reductions shall be accomplished solely by cancellation pursuant to subdivision 1 and normal attrition. Subject to the needs of the state agency, the reductions shall be distributed among salary schedules in approximate proportion to the number of employees in each schedule. Positions providing custodial control of inmates of state correctional institutions, maintenance of state highways, or enforcement of state laws on state highways or public lands and waters shall not be eliminated unless the agency shows that it has no other feasible and prudent alternative. To the maximum extent feasible, one-half of the reduction shall be accomplished by June 30, 1982, and the remainder by June 30, 1983.

Subd. 3. **Transfers.** A state agency may transfer positions to another agency pursuant to section 16.125, but the number of positions on July 1, 1981 for each agency affected shall be adjusted to reflect the transfer. A position that is eliminated by transferring an employee to part-time, seasonal, or other status of employment by the same state agency does not count as a position reduction for purposes of meeting the goals set by this section.

Subd. 4. **Exceptions; shifts.** Where the position cancellations and reductions required by this section would unduly impair the ability of a state agency to perform the duties assigned to it, the state agency may apply to the commissioner of finance for an exception permitting the agency to avoid the cancellation or make a lesser reduction than would otherwise be required.

[1979 c 332 art 1 s 5]

NOTE: This section is effective July 1, 1981. See Laws 1979, Chapter 332, Article 1, Section 116.

16A.753 Spending plans.

Subdivision 1. **Transfers.** A state agency shall not transfer any money to or from personal services as shown on the official worksheets of the conferees of the senate and house of representatives, a true copy of which is on file in the office of the commissioner of finance, without the written approval of the commissioner of finance.

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GRAIN INSPECTION; WEIGHING, SAMPLING, AND ANALYSIS ACT 17B.13

Subd. 2. **Salary savings.** The commissioner of finance shall reduce the amount allotted or to be allotted to each state agency by the amount of any saving that can be effected upon previous spending plans through the position reductions required by section 16A.752.

[1979 c 332 art 1 s 6]

NOTE: This section is effective July 1, 1981. See Laws 1979, Chapter 332, Article 1, Section 116.

16A.754 Reporting and review.

Subdivision 1. The commissioner of personnel shall report monthly to the commissioner of finance the number of vacancies occurring in each state agency due to normal attrition.

Subd. 2. The commissioner of finance shall report monthly to the chairmen of the senate finance and house appropriations committees and to the legislative commission on employee relations the number of vacancies occurring in each state agency due to normal attrition, the number of state funded positions that have been eliminated as required by section 16A.752, and a summary of personnel employed by each state agency showing by fund the number of full-time and full-time equivalent state funded and federal positions and the number of persons actually employed by the agency.

Subd. 3. The legislative commission on employee relations shall periodically review the progress of the state agencies in meeting the requirements of section 16A.752.

[1979 c 332 art 1 s 7]

NOTE: This section is effective July 1, 1981. See Laws 1979, Chapter 332, Article 1, Section 116.

CHAPTER 17. DEPARTMENT OF AGRICULTURE

Sec.
17.102 Minnesota products, state logo or label.

17.102 Minnesota products, state logo or label.

Subdivision 1. The commissioner shall establish a logo or labeling statement for use in identifying food products which are Minnesota grown, processed, or manufactured. The commissioner shall promulgate rules authorizing and governing the use of the logo or labeling statement.

Subd. 2. The logo or labeling statement shall not supersede or replace any federal label or grade standard which is required by law and its use shall be discretionary with a grower, processor, or manufacturer.

[1979 c 36 s 1]

CHAPTER 17B. GRAIN INSPECTION; WEIGHING, SAMPLING, AND ANALYSIS ACT

Sec.
17B.08 Repealed.
17B.09 Repealed.

Sec.
17B.13 Weighers, restrictions, bonding.

17B.08 [Repealed, 1979 c 68 s 6]

17B.09 [Repealed, 1979 c 68 s 6]

17B.13 Weighers, restrictions, bonding.

Subdivision 1. The commissioner shall appoint at each designated export terminal point weighers as may be necessary to control the weighing of all grain received at or shipped from each designated export terminal point, except when the shipment is specifically exempted by the administrator of the federal grain inspection service. These weighers shall have the supervision or control of the other weighing of grain at other terminal points when requested by the operator of the facility desiring the service.

[For text of subd 2, see M.S.1978]

[1979 c 68 s 1]