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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE NO. 2037

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Authored by Solberg

The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to state government; moving appropriations of general fund dedicated
1.3 revenues to other funds; amending Minnesota Statutes 2008, sections 8.15,
1.4 subdivision 3; 13.03, subdivision 10; 16C.23, subdivision 6; 103B.101,
1.5 subdivision 9; 116J.551, subdivision 1; 190.32; 260C.331, subdivision 6; 270.97;
1.6 299C.48; 299E.02; 446A.086, subdivision 2; 469.177, subdivision 11; 611.20,
1.7 subdivision 3; Laws 1994, chapter 531, section 1.

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

1.9 Section 1. Minnesota Statutes 2008, section 8.15, subdivision 3, is amended to read:

1.10 Subd. 3. **Agreements.** (a) To facilitate the delivery of legal services, the attorney
1.11 general may:

1.12 (1) enter into agreements with executive branch agencies, political subdivisions, or
1.13 quasi-state agencies to provide legal services for the benefit of the citizens of Minnesota;
1.14 and

1.15 (2) in addition to funds otherwise appropriated by the legislature, accept and spend
1.16 funds received under any agreement authorized in clause (1) for the purpose set forth in
1.17 clause (1), subject to a report of receipts to the chairs of the senate Finance Committee and
1.18 the house of representatives Ways and Means Committee by October 15 each year.

1.19 (b) When entering into an agreement for legal services, the attorney general must
1.20 notify the committees responsible for funding the Office of the Attorney General. When
1.21 the attorney general enters into an agreement with a state agency, the attorney general
1.22 must also notify the committees responsible for funding that agency.

1.23 Funds received under this subdivision must be deposited in ~~the general~~ an account in
1.24 the special revenue fund and are appropriated to the attorney general for the purposes set
1.25 forth in this subdivision.

2.1 Sec. 2. Minnesota Statutes 2008, section 13.03, subdivision 10, is amended to read:

2.2 Subd. 10. **Costs for providing copies of data.** Money collected by a responsible
2.3 authority in a state agency for the actual cost to the agency of providing copies or
2.4 electronic transmittal of government data is to be deposited in an account in the special
2.5 revenue fund and is appropriated to the agency and added to the appropriations from
2.6 which the costs were paid.

2.7 Sec. 3. Minnesota Statutes 2008, section 16C.23, subdivision 6, is amended to read:

2.8 Subd. 6. **State surplus property.** The commissioner may do any of the following to
2.9 dispose of state surplus property:

2.10 (1) transfer it to or between state agencies;

2.11 (2) transfer it to a governmental unit or nonprofit organization in Minnesota; or

2.12 (3) sell it and charge a fee to cover expenses incurred by the commissioner in the
2.13 disposal of the surplus property.

2.14 The proceeds of the sale less the fee must be deposited in an account in the special
2.15 revenue fund and are appropriated to the agency for whose account the sale was made, to
2.16 be used and expended by that agency to purchase similar state property.

2.17 Sec. 4. Minnesota Statutes 2008, section 103B.101, subdivision 9, is amended to read:

2.18 Subd. 9. **Powers and duties.** In addition to the powers and duties prescribed
2.19 elsewhere, the board shall:

2.20 (1) coordinate the water and soil resources planning activities of counties, soil and
2.21 water conservation districts, watershed districts, watershed management organizations,
2.22 and any other local units of government through its various authorities for approval of
2.23 local plans, administration of state grants, and by other means as may be appropriate;

2.24 (2) facilitate communication and coordination among state agencies in cooperation
2.25 with the Environmental Quality Board, and between state and local units of government,
2.26 in order to make the expertise and resources of state agencies involved in water and soil
2.27 resources management available to the local units of government to the greatest extent
2.28 possible;

2.29 (3) coordinate state and local interests with respect to the study in southwestern
2.30 Minnesota under United States Code, title 16, section 1009;

2.31 (4) develop information and education programs designed to increase awareness
2.32 of local water and soil resources problems and awareness of opportunities for local
2.33 government involvement in preventing or solving them;

3.1 (5) provide a forum for the discussion of local issues and opportunities relating
3.2 to water and soil resources management;

3.3 (6) adopt an annual budget and work program that integrate the various functions
3.4 and responsibilities assigned to it by law; and

3.5 (7) report to the governor and the legislature by October 15 of each even-numbered
3.6 year with an assessment of board programs and recommendations for any program
3.7 changes and board membership changes necessary to improve state and local efforts
3.8 in water and soil resources management.

3.9 The board may accept grants, gifts, donations, or contributions in money, services,
3.10 materials, or otherwise from the United States, a state agency, or other source to achieve
3.11 an authorized purpose. The board may enter into a contract or agreement necessary or
3.12 appropriate to accomplish the transfer. The board may receive and expend money to
3.13 acquire conservation easements, as defined in chapter 84C, on behalf of the state and
3.14 federal government consistent with the Camp Ripley's Army Compatible Use Buffer
3.15 Project.

3.16 Any money received is ~~hereby~~ deposited in an account in the special revenue fund
3.17 and is appropriated and dedicated for the purpose for which it is granted.

3.18 Sec. 5. Minnesota Statutes 2008, section 116J.551, subdivision 1, is amended to read:

3.19 Subdivision 1. **Grant account.** A contaminated site cleanup and development grant
3.20 account is created in the ~~general~~ special revenue fund. Money in the account may be used,
3.21 as appropriated by law, to make grants as provided in section 116J.554 and to pay for the
3.22 commissioner's costs in reviewing applications and making grants. Notwithstanding
3.23 section 16A.28, money appropriated to the account for this program from any source
3.24 is available until spent.

3.25 Sec. 6. Minnesota Statutes 2008, section 190.32, is amended to read:

3.26 **190.32 FEDERAL REIMBURSEMENT RECEIPTS.**

3.27 The Department of Military Affairs may deposit federal reimbursement receipts into
3.28 ~~the general fund~~ an account in the special revenue fund, maintenance of military training
3.29 facilities. These receipts are for services, supplies, and materials initially purchased by the
3.30 Camp Ripley maintenance account.

3.31 Sec. 7. Minnesota Statutes 2008, section 260C.331, subdivision 6, is amended to read:

3.32 Subd. 6. **Guardian ad litem fees.** (a) In proceedings in which the court appoints a
3.33 guardian ad litem pursuant to section 260C.163, subdivision 5, clause (a), the court may

4.1 inquire into the ability of the parents to pay for the guardian ad litem's services and,
 4.2 after giving the parents a reasonable opportunity to be heard, may order the parents to
 4.3 pay guardian fees.

4.4 (b) In each fiscal year, the commissioner of finance shall deposit guardian ad litem
 4.5 reimbursements in the ~~general~~ special revenue fund and credit them to a separate account
 4.6 with the trial courts. The balance of this account is appropriated to the trial courts
 4.7 and does not cancel but is available until expended. Expenditures by the state court
 4.8 administrator's office from this account must be based on the amount of the guardian ad
 4.9 litem reimbursements received by the state from the courts in each judicial district.

4.10 Sec. 8. Minnesota Statutes 2008, section 270.97, is amended to read:

4.11 **270.97 DEPOSIT OF REVENUES.**

4.12 The commissioner shall deposit all revenues derived from the tax, interest, and
 4.13 penalties received from the county in the contaminated site cleanup and development
 4.14 account in the ~~general~~ special revenue fund.

4.15 Sec. 9. Minnesota Statutes 2008, section 299C.48, is amended to read:

4.16 **299C.48 CONNECTION BY AUTHORIZED AGENCY; FEE,**
 4.17 **APPROPRIATION.**

4.18 (a) An agency authorized under section 299C.46, subdivision 3, may connect with
 4.19 and participate in the criminal justice data communications network upon approval
 4.20 of the commissioner of public safety; provided, that the agency shall first agree to pay
 4.21 installation charges as may be necessary for connection and monthly operational charges
 4.22 as may be established by the commissioner of public safety. Before participation by a
 4.23 criminal justice agency may be approved, the agency must have executed an agreement
 4.24 with the commissioner providing for security of network facilities and restrictions on
 4.25 access to data supplied to and received through the network.

4.26 (b) In addition to any fee otherwise authorized, the commissioner of public safety
 4.27 shall impose a fee for providing secure dial-up or Internet access for criminal justice
 4.28 agencies and noncriminal justice agencies. The following monthly fees apply:

4.29 (1) criminal justice agency accessing via Internet, \$15;

4.30 (2) criminal justice agency accessing via dial-up, \$35;

4.31 (3) noncriminal justice agency accessing via Internet, \$35; and

4.32 (4) noncriminal justice agency accessing via dial-up, \$35.

4.33 (c) The installation and monthly operational charges collected by the commissioner
 4.34 of public safety under paragraphs (a) and (b) must be deposited in an account in the special

5.1 revenue fund and are annually appropriated to the commissioner to administer sections
5.2 299C.46 to 299C.50.

5.3 Sec. 10. Minnesota Statutes 2008, section 299E.02, is amended to read:

5.4 **299E.02 CONTRACT SERVICES; APPROPRIATION.**

5.5 Fees charged for contracted security services provided by the Capitol Complex
5.6 Security Division of the Department of Public Safety must be deposited in an account in
5.7 the special revenue fund and are annually appropriated to the commissioner of public
5.8 safety to administer and provide these services.

5.9 Sec. 11. Minnesota Statutes 2008, section 446A.086, subdivision 2, is amended to read:

5.10 Subd. 2. **Application.** (a) This section provides a state guarantee of the payment of
5.11 principal and interest on debt obligations if:

5.12 (1) the obligations are issued after June 30, 2000;

5.13 (2) application to the Public Facilities Authority is made before issuance; and

5.14 (3) the obligations are covered by an agreement meeting the requirements of
5.15 subdivision 3.

5.16 (b) Applications to be covered by the provisions of this section must be made in a
5.17 form and contain the information prescribed by the authority. Applications are subject to
5.18 either a fee of \$500 for each bond issue requested by a county or governmental unit or the
5.19 applicable fees under section 446A.087.

5.20 (c) Application fees paid under this section must be deposited in a separate credit
5.21 enhancement bond guarantee account in the ~~general~~ special revenue fund. Money in the
5.22 credit enhancement bond guarantee account is appropriated to the authority for purposes
5.23 of administering this section.

5.24 (d) Neither the authority nor the commissioner is required to promulgate
5.25 administrative rules under this section and the procedures and requirements established by
5.26 the authority or commissioner under this section are not subject to chapter 14.

5.27 Sec. 12. Minnesota Statutes 2008, section 469.177, subdivision 11, is amended to read:

5.28 Subd. 11. **Deduction for enforcement costs; appropriation.** (a) The county
5.29 treasurer shall deduct an amount equal to 0.25 percent of any increment distributed
5.30 to an authority or municipality. The county treasurer shall pay the amount deducted to
5.31 the commissioner of finance for deposit in ~~the state general~~ an account in the special
5.32 revenue fund.

6.1 (b) The amounts deducted and paid under paragraph (a) are appropriated to the state
6.2 auditor for the cost of (1) the financial reporting of tax increment financing information
6.3 and (2) the cost of examining and auditing of authorities' use of tax increment financing
6.4 as provided under section 469.1771, subdivision 1. Notwithstanding section 16A.28 or
6.5 any other law to the contrary, this appropriation does not cancel and remains available
6.6 until spent.

6.7 (c) For taxes payable in 2002 and thereafter, the commissioner of revenue shall
6.8 increase the percent in paragraph (a) to a percent equal to the product of the percent in
6.9 paragraph (a) and the amount that the statewide tax increment levy for taxes payable in
6.10 2002 would have been without the class rate changes in this act and the elimination of
6.11 the general education levy in this act divided by the statewide tax increment levy for
6.12 taxes payable in 2002.

6.13 Sec. 13. Minnesota Statutes 2008, section 611.20, subdivision 3, is amended to read:

6.14 Subd. 3. **Reimbursement.** In each fiscal year, the commissioner of finance shall
6.15 deposit the payments in the ~~general~~ special revenue fund and credit them to a separate
6.16 account with the Board of Public Defense. The amount credited to this account is
6.17 appropriated to the Board of Public Defense.

6.18 The balance of this account does not cancel but is available until expended.
6.19 Expenditures by the board from this account for each judicial district public defense office
6.20 must be based on the amount of the payments received by the state from the courts in
6.21 each judicial district. A district public defender's office that receives money under this
6.22 subdivision shall use the money to supplement office overhead payments to part-time
6.23 attorneys providing public defense services in the district. By January 15 of each year,
6.24 the Board of Public Defense shall report to the chairs and ranking minority members of
6.25 the senate and house of representatives divisions having jurisdiction over criminal justice
6.26 funding on the amount appropriated under this subdivision, the number of cases handled
6.27 by each district public defender's office, the number of cases in which reimbursements
6.28 were ordered, the average amount of reimbursement ordered, and the average amount of
6.29 money received by part-time attorneys under this subdivision.

6.30 Sec. 14. Laws 1994, chapter 531, section 1, is amended to read:

6.31 Section 1. **SALE OF WILDLIFE LANDS.**

6.32 Notwithstanding Minnesota Statutes, sections 84.027, subdivision 10; 92.45; 94.09
6.33 to 94.165; 97A.135; 103F.535, or any other law, the commissioner of administration may
6.34 sell lands located in the Gordy Yaeger wildlife management area in Olmsted county. The

7.1 consideration for the lands described in sections 2 and 3 shall be \$950 per acre. The
7.2 conveyances shall be by ~~quitclaim~~ quitclaim deed in a form approved by the attorney
7.3 general and shall reserve to the state all minerals and mineral rights. The proceeds received
7.4 from the sales are to be deposited in an account in the ~~general~~ natural resources fund and
7.5 are appropriated to the commissioner of natural resources for acquisition of replacement
7.6 wildlife management area lands. These sales are pursuant to the recommendation of the
7.7 Gordy Yaeger wildlife management area advisory committee.

7.8 Sec. 15. **DIRECTION TO COMMISSIONER OF FINANCE.**

7.9 The commissioner of finance must identify all other appropriations of dedicated
7.10 revenues that are part of the general fund. Prior to the time the legislature convenes in
7.11 2010, the commissioner must submit recommendations for changes in Minnesota Statutes
7.12 and law that would be required to transfer receipt and spending authority for remaining
7.13 general fund dedicated revenue from the general fund to other appropriate funds.

7.14 Sec. 16. **EFFECTIVE DATE.**

7.15 Sections 1 to 14 are effective July 1, 2010.