

S.F. No. 4002 – Supplemental budget bill for certain state agencies and constitutional officers

Author: Senator Mary Kiffmeyer

Prepared by: Stephanie James, Senate Counsel (651/296-0103)
Joan White, Senate Counsel (651/296-3814)

Date: March 22, 2022

SF 4002 reflects the governor’s proposal for a supplemental budget in the topical areas of state government, military affairs, and veterans affairs.

Article 1 State Government Appropriations

Article 1 appropriates money from the general fund, unless otherwise specified, in fiscal years 2022 and 2023 for certain state agencies and constitutional officers. These appropriations are detailed on the associated spreadsheet. In some cases, this article sets the base appropriation for fiscal years beyond 2023.

Article 2 Policy Provisions

Section 1 [13.04, subd. 4; Procedure when data is not accurate or complete] modifies the process for a person to contest the accuracy or completeness of public or private data about that person.

Section 2 [13.072, subd. 1; Opinion; when required] eliminates a requirement for a government entity or person to pay the commissioner of administration for an opinion on a question relating to public access to government data. Requires the commissioner to notify a person in writing of a decision to not issue an opinion. Extends the time allowed for issuing an opinion from 20 days to 50 days and eliminates the ability for the commissioner to extend the deadline with notice and by providing a reason for the extension.

Section 3 [16A.126, subd. 1; Set rates] adds the statewide systems account to the list of revolving funds for which the commissioner of management and budget must approve rates that an agency must pay for services. The statewide systems account is an account in the special revenue fund into

which is deposited billings from statewide systems services (i.e. the state accounting system, payroll system, human resources systems, procurement system and related information access systems).

Section 4 [16A.1286, subd. 2; Billing procedures] eliminates the cap on the amount the commissioner of management and budget can bill agencies for use of the statewide systems services (i.e. the state accounting system, payroll system, human resources systems, procurement system and related information access systems). Eliminates a requirement that the commissioner consult with the commissioner of administration, the University of Minnesota and Minnesota State Colleges and Universities in developing billing policies and procedures. Eliminates the University of Minnesota as an entity the commissioner may bill for services.

Section 5 [16B.372; Office of Enterprise Translations] requires the commissioner of administration to establish an Office of Enterprise Translations to provide translation services for written materials for agencies; to create and maintain language-specific web pages in Spanish, Hmong and Somali; and serve as a resource to agencies.

Section 6 [16BB.3721; Language Access Service Account Established] creates a language access service account in the special revenue fund for reimbursing agencies for language translation service.

Section 7 [16E.35; County and Local Cybersecurity Grants] creates a grant program for Minnesota IT Services to give grants to political subdivisions to address cybersecurity risks and treats to information systems owned or operated by state, local, or tribal governments. Requires political subdivisions to provide the remainder of the project costs. Sets criteria for selecting grant recipients.

Section 8 [307.08; Damages; Illegal Molestation of Human Remains] makes changes to the existing program for treatment of American Indian remains and cemeteries.

Subd. 1. [Legislative intent; scope] excludes federal land from the applicability of this section.

Subd. 2. [Felony; gross misdemeanor] makes no changes.

Subd. 3. [Protective posting] makes technical changes.

Subd. 3a. [Authentication] makes technical changes.

Subd. 5 [Cost] eliminates a requirement that the state archaeologist make data available that has been collected during authentication and reburial of human remains.

Subd. 7 [Remains found outside of recorded cemeteries] specifies that human remains be treated with utmost respect for all human dignity. Provides a role for the Indian Affairs Council and experts designated by the council in identifying burials of American Indians and to ascertain their tribal identity. Removes a requirement to turn remains of American Indians whose tribal identity can be ascertained over to tribal leaders. Eliminates the involvement of the state archeologist in establishing how to deal with American Indian remains for which no tribal identity cannot be determines.

Subd. 7a [Landowners responsibilities] makes technical changes.

Subd. 8 [Burial ground location] makes technical changes.

Subd. 9. [Interagency cooperation] requires the state archaeologist and the Indian Affairs Council to enter into a memorandum of understanding to coordinate their responsibilities for human remains.

Subd. 10. [Construction and development plan review] requires that construction plans be submitted to the state archaeologist earlier in a project development (when a development is proposed) than current law requires (when bids are advertised) when burials are suspected to exist. Extends the time, from 30 days to 45 days, the archaeologist and the Indian Affairs Council may take to review the plans.

Subd. 11 [Burial sites data] clarifies the status of data held by the state archaeologist and makes the provision applicable to data under the authority of the Indian Affairs Council.

Subd. 12 [Right of entry] authorizes a designee of the state archaeologist to enter property to authenticate burial sites. Authorizes a designated representative of the Indian Affairs Council to enter property to identify or authenticate American Indian cemeteries.

Subd. 13 [Definitions] modifies the definition of “human remains.”

Section 9 [Laws 2021, First Special Session ch. 12, art. 5, sec. 2, subd. 1; Account created] increases the amount, from \$425 million to \$574,931,000, transferred from the state fiscal recovery federal fund to the COVID-19 flexible response account that is then appropriated to the commissioner of management and budget for transfer to state agencies as necessary. Changes the date on which unallocated funds cancels to the state fiscal recovery federal fund to be appropriated to the commissioner of management and budget to be expended subject to the Legislative COVID-19 Response Commission review process.

Section 10 [Office of Small Agencies Study] requires the commissioner of administration to review unique issues faced by small agencies. The commissioner must examine whether the current support model is adequate and must examine how other states support small agencies. The commissioner must provide recommendations on how to most effectively support small agencies. The commissioner must report to the governor and the legislature by February 1, 2023.

Section 11 [Covid-19 Response and Recovery; Appropriations] appropriates \$350,069,000 in fiscal year 2022 from the general fund to the commissioner of management and budget for COVID-19 response and recovery. The commissioner must transfer funds to state agencies. The appropriation is onetime and is available until June 30, 2025. Expenditures are subject to the Legislative COVID-19 Response Commissioner review process.

Article 3 Veterans Policy

Sections 1 and 2 (197.608, subdivisions 4 and 6) amend the veterans services office grant program, which provides grants to counties for their veterans service offices. Section 1 authorizes the commissioner of veterans affairs to use unexpended funds to provide additional grants on a competitive basis for the counties that propose new and innovative ways to serve veterans and their families, in addition to using funds for training and education for county veterans service officers,

which is existing law. Section 2 increases the annual grant for which the Minnesota Association of County Veteran Services Officers is eligible from \$50,000 to \$100,000.

Section 3 (197.61) establishes the Veterans Services Organizations (VSO) Grant Program.

Subd 1 establishes the program, which provides grants to congressionally chartered veterans service organizations to enhance to effectiveness of veterans services.

Subd 2 defines terms for purposes of the program.

Subd 3 provides the eligibility criteria to receive a grant.

Subd 4 establishes the grant process, in which the commissioner approves grants for qualifying uses.

Subd 5 requires the commissioner to develop a list of qualifying uses of grant funds.

Subd 6 specifies the calculation for the annual grant amount VSOs.

Subd 7 provides that if a VSO fails to use the grant for qualified uses and does not spend the funds allocated, the commissioner shall seek recovery and the organization must repay the grant amount and any unused grant money.

Sections 4 to 8 (197.79) modify the Veterans Service Bonus Program.

Section 4 (197.79, subd 1) expands the service bonuses to post 9/11 Veterans and Gold Star families, who currently don't receive these bonuses. This section also replaces the term "incompetent" with "incapacitated" and defines the term. The definitions of the terms "Resident Veteran" and "Veteran" are modified.

Section 5 (197.79, subd 2) specifies the bonus amounts for post 9/11 veterans.

Section 6 (197.79, subd 3) imposes a timeline of 120 days for which the application will remain on awaiting information from a veteran who submitted an incomplete application.

Section 7 (197.79, subd 5) allows notices and correspondence to the applicant to be sent electronically.

Section 8 (197.79, subd 10) specifies the application period for the bonus program, which is 7/1/22 to 6/30/24. Prohibits the department from receiving new applications after 6/30/24.