



Minnesota Management & Budget Statewide Operating Policy

Minnesota Management and Budget, Budget Division
Issued: January 16, 2014

Number 0306-01
Revised: N/A

Legislative Advisory Commission (LAC) Approval

Objective

To ensure the executive branch has an opportunity to act after timely consultation with the legislative branch when an agency makes an emergency funding request from the contingent appropriation accounts or receives unanticipated federal funds, in accordance with [Minnesota Statute 3.30](https://www.revisor.mn.gov/statutes/?id=3.30) (<https://www.revisor.mn.gov/statutes/?id=3.30>).

Policy

A. Other LAC Review Requests

Agencies may request supplemental appropriations of dollars or other actions as authorized in law from the LAC. The LAC will review a request only if it meets the following criteria:

- Need arose between legislative sessions that was beyond the control of the agency;
- Agency explored all other funding alternatives before submitting the request;
- Request was not previously considered and rejected by the House Ways and Means or the Senate Finance Committees; and
- LAC review is a requirement prior to a given action as stated in statute or law.

B. Contingent Fund Transfer Requests

Review and approval of each contingent fund request depends on the dollar amount requested. Approval can be authorized as follows:

- Commissioner of Minnesota Management & Budget (MMB), without review by the LAC, if the request does not exceed \$5,000;
- Governor, without review by the LAC, if the request is for more than \$5,000 and less than or equal to \$10,000; or
- Governor, with the advice of the LAC if the request is for more than \$10,000.
- MMB cannot process contingent fund transfers in excess of \$5,000 without a signed order from the Governor.

C. LAC Federal Funds request

If an agency receives federal funds outside of the legislative session, it may request approval to spend the funds from the LAC using one of the interim procedures for 20-day reviews or 10-day reviews.

See MMB Federal Funds Approval Policy 0303-01 Policy and MMB Federal Funds Approval Procedures 0303-01.1 for additional details.

Legislative Advisory Commission Membership

The commission has four standing members and two additional members, one from each the House and the Senate, depending on the committee jurisdiction of the item under consideration.

Four standing members:

Majority Leader of the Senate or designee
Senate Finance Chair
Speaker of the House or designee
Chair of House Ways and Means

Forms

[Federal Funds Review Form 7250-01](http://mn.gov/mmb-stat/documents/accounting/forms/7250-01-form.doc) (<http://mn.gov/mmb-stat/documents/accounting/forms/7250-01-form.doc>)

[Non-Federal Funds Request Form MMB 7260-01](http://mn.gov/mmb-stat/documents/accounting/forms/7260-01-lac-non-fed-request-form.docx) (<http://mn.gov/mmb-stat/documents/accounting/forms/7260-01-lac-non-fed-request-form.docx>)

Related Policies and Procedures

[MMB Statewide Operating Procedure 0306-01.1, Legislative Advisory Commission \(LAC\) Approval](http://mn.gov/mmb-stat/documents/accounting/fin-policies/chapter-3/0306-01-01-lac-approval-procedure.pdf) (<http://mn.gov/mmb-stat/documents/accounting/fin-policies/chapter-3/0306-01-01-lac-approval-procedure.pdf>)

[MMB Statewide Operating Policy 0303-01, Federal Funds Review and Approval](http://mn.gov/mmb-stat/documents/accounting/fin-policies/chapter-3/0303-01-federal-funds-review-policy.pdf) (<http://mn.gov/mmb-stat/documents/accounting/fin-policies/chapter-3/0303-01-federal-funds-review-policy.pdf>)

[MMB Statewide Operating Procedure 0303-01.1, Federal Funds Review and Approval](http://mn.gov/mmb-stat/documents/accounting/fin-policies/chapter-3/0303-01-01-federal-funds-review-procedure.pdf) (<http://mn.gov/mmb-stat/documents/accounting/fin-policies/chapter-3/0303-01-01-federal-funds-review-procedure.pdf>)

See Also

[Minnesota Statute 3.30](https://www.revisor.mn.gov/statutes/?id=3.30) (<https://www.revisor.mn.gov/statutes/?id=3.30>)