



## Legislative Coordinating Commission

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### House

Representative Kurt Zellers, Chair  
Representative Matt Dean  
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Representative Morrie Lanning  
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Representative Tom Tillberry

### Senate

Senator Michelle Fischbach, Vice Chair  
Senator Tom Bakk  
Senator Michelle Benson  
Senator Gary Dahms  
Senator Barb Goodwin  
Senator Amy Koch

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Date: September 27, 2011

To: Directors of certain state agencies and offices

From: Greg Hubinger, Legislative Coordinating Commission

RE: Sunset Advisory Commission agency review process

The 2011 Legislature established the Sunset Advisory Commission to review state agencies and make recommendations on the abolition, continuation, or reorganization of each affected state agency and on the need for the performance of the functions of the agency. This legislation will be codified in Minnesota Statutes, Chapter 3D. The codified version is not yet available, so for now the best place to find the language is in Laws 2011, First Special Session, Chapter 10, article 3, sections 2 to 22:

<https://www.revisor.mn.gov/laws/?id=10&doctype=Chapter&year=2011&type=1> The Commission includes four members of the House of Representatives, four members of the Senate, and four members appointed by the Governor.

Because the new law requires the Legislative Coordinating Commission to provide administrative support for the work of the Sunset Commission, we are contacting agencies involved in the review process this year.

The Commission's statute specifies the criteria the Commission is to use in its deliberations, section 3D.10. Section 3D.06 requires agencies being reviewed to submit a report to the Commission responding to the application of these criteria to your agencies. The statute also requires agencies to provide a priority-based budget, an inventory of all boards, commissions and other entities related to the agency, and any other information your agency considers appropriate or is requested by the Sunset Commission.

Your agency was one of many scheduled for review this year. This will have two implications for your agency:

(1) Your agency will need to submit information to the Commission meeting the requirements above.

(2) The legislation provides that each of the agencies to be reviewed in this cycle will expire on June 30, 2012 if it is not continued through a law passed during the 2012 session. This means the agency may continue to exist until June 30, 2013, but will then be terminated and cease all activities.

Background information on the Sunset Commission and the criteria it will use to review agencies is available in a brief posted on the House Research Department's web site at:

<http://www.house.leg.state.mn.us/hrd/pubs/ss/sssunsetact.pdf>

The Sunset Commission has not met (nor have all of the members been appointed) to provide more direction to agencies about what will be needed for the commission's review. However, given the limited amount of time that will be available before the Commission is to make its recommendations on February 1, legislative staff suggest that you begin developing your agency's responses to the requirements specified in the statute.

Without guidance from the Commission, we suggest agencies focus on identifying existing sources of data that could be used to support the work of the Commission. Because of the statutory deadlines provided in the Commission's statute, the Commission will likely need to move quickly once its review process begins. As a result, we suggest you plan to have your responses and reports prepared by November 1<sup>st</sup>.

Please feel free to contact me at [greg.hubinger@lcc.leg.mn](mailto:greg.hubinger@lcc.leg.mn) or 651.296.2963 if you have questions. Also, Mark Shepard from the House of Representatives Research Department worked on this legislation during the 2011 session and, at least until the Sunset Commission meets and other staff are involved, has offered to try to provide some preliminary answers to questions from agencies. Mark can be reached at [mark.shepard@house.mn](mailto:mark.shepard@house.mn) or 651.296.5051.

We will certainly contact you when the Commission begins its work.