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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 849

02/12/2015 Authored by Cornish

The bill was read for the first time and referred to the Committee on Public Safety and Crime Prevention Policy and Finance

1.1 A bill for an act
1.2 relating to criminal justice; modifying disaster assistance; appropriating money
1.3 for courts, Guardian Ad Litem Board, Uniform Laws Commission, Board on
1.4 Judicial Standards, Board of Public Defense, sentencing guidelines, public safety,
1.5 Peace Officer Standards and Training (POST) Board, Private Detective Board,
1.6 human rights, and corrections; amending Minnesota Statutes 2014, sections
1.7 12.221, subdivision 6; 12B.15, subdivision 2, by adding a subdivision; 12B.25,
1.8 subdivision 1; 12B.40; Laws 2013, chapter 86, article 1, section 9.

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

1.10 Section 1. APPROPRIATIONS.

1.11 The sums shown in the columns marked "Appropriations" are appropriated to the
1.12 agencies and for the purposes specified in this article. The appropriations are from the
1.13 general fund, or another named fund, and are available for the fiscal years indicated
1.14 for each purpose. The figures "2016" and "2017" used in this article mean that the
1.15 appropriations listed under them are available for the fiscal year ending June 30, 2016, or
1.16 June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal
1.17 year 2017. "The biennium" is fiscal years 2016 and 2017. Appropriations for the fiscal
1.18 year ending June 30, 2015, are effective the day following final enactment.

1.19		<u>APPROPRIATIONS</u>	
1.20		<u>Available for the Year</u>	
1.21		<u>Ending June 30</u>	
1.22		<u>2016</u>	<u>2017</u>

1.23 Sec. 2. SUPREME COURT

1.24	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>47,186,000</u>	<u>\$</u>	<u>48,653,000</u>
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2.1 The amounts that may be spent for each
 2.2 purpose are specified in the following
 2.3 subdivisions.

2.4 Subd. 2. **Supreme Court Operations** 33,886,000 35,353,000

2.5 Subd. 3. **Civil Legal Services** 13,300,000 13,300,000

2.6 **Legal Services to Low-Income Clients in**
 2.7 **Family Law Matters**

2.8 \$948,000 each year is to improve the access
 2.9 of low-income clients to legal representation
 2.10 in family law matters. This appropriation
 2.11 must be distributed under Minnesota Statutes,
 2.12 section 480.242, to the qualified legal
 2.13 services program described in Minnesota
 2.14 Statutes, section 480.242, subdivision 2,
 2.15 paragraph (a). Any unencumbered balance
 2.16 remaining in the first year does not cancel
 2.17 and is available in the second year.

2.18 Sec. 3. **COURT OF APPEALS** \$ 11,603,000 \$ 12,158,000

2.19 Sec. 4. **DISTRICT COURTS** \$ 270,001,000 \$ 282,666,000

2.20 \$1,591,000 each year is to increase the juror
 2.21 per diem and mileage reimbursement.

2.22 Sec. 5. **GUARDIAN AD LITEM BOARD** \$ 14,953,000 \$ 15,613,000

2.23 Sec. 6. **TAX COURT** \$ 2,071,000 \$ 1,860,000

2.24 This appropriation includes funds for
 2.25 information technology project services
 2.26 and support subject to the provisions of
 2.27 Minnesota Statutes, section 16E.0466. Any
 2.28 ongoing information technology costs will be
 2.29 incorporated into the service level agreement
 2.30 and will be paid to the Office of MN.IT

3.1 Services by the Tax Court under the rates and
3.2 mechanism specified in that agreement.

3.3 The base appropriation for the Tax Court
3.4 shall be \$1,395,000 in fiscal year 2018 and
3.5 \$1,395,000 in fiscal year 2019.

3.6 Sec. 7. UNIFORM LAWS COMMISSION \$ 88,000 \$ 93,000

3.7 Sec. 8. BOARD ON JUDICIAL STANDARDS \$ 486,000 \$ 486,000

3.8 Major Disciplinary Actions

3.9 \$125,000 each year is for special
3.10 investigative and hearing costs for major
3.11 disciplinary actions undertaken by the
3.12 board. This appropriation does not cancel.
3.13 Any unencumbered and unspent balances
3.14 remain available for these expenditures in
3.15 subsequent fiscal years.

3.16 Sec. 9. BOARD OF PUBLIC DEFENSE \$ 77,562,000 \$ 83,115,000

3.17 Sec. 10. SENTENCING GUIDELINES \$ 595,000 \$ 604,000

3.18 Sec. 11. PUBLIC SAFETY

3.19 Subdivision 1. Total Appropriation \$ 184,110,000 \$ 179,229,000

3.20 Appropriations by Fund

	<u>2016</u>	<u>2017</u>
3.21 <u>General</u>	<u>95,823,000</u>	<u>90,652,000</u>
3.22 <u>Special Revenue</u>	<u>8,751,000</u>	<u>8,992,000</u>
3.23 <u>State Government</u>		
3.24 <u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>
3.25 <u>Environmental</u>	<u>70,000</u>	<u>72,000</u>
3.26 <u>Trunk Highway</u>	<u>2,295,000</u>	<u>2,325,000</u>
3.27 <u>911 Fund</u>	<u>77,068,000</u>	<u>77,085,000</u>

3.29 The amounts that may be spent for each
3.30 purpose are specified in the following
3.31 subdivisions.

3.32 Subd. 2. Emergency Management 3,625,000 3,301,000

4.1	<u>Appropriations by Fund</u>		
4.2	<u>General</u>	<u>2,951,000</u>	<u>2,625,000</u>
4.3	<u>Environmental</u>	<u>70,000</u>	<u>72,000</u>
4.4	<u>Special Revenue</u>		
4.5	<u>Fund</u>	<u>604,000</u>	<u>604,000</u>

4.6 **(a) Hazmat and Chemical Assessment Teams**

4.7 \$604,000 each year is from the fire safety
 4.8 account in the special revenue fund. These
 4.9 amounts must be used to fund the hazardous
 4.10 materials and chemical assessment teams.

4.11 **(b) School Safety**

4.12 \$405,000 the first year and \$410,000 the
 4.13 second year from the general fund are to
 4.14 reinstate the school safety center and to
 4.15 provide for school safety.

4.16 **Subd. 3. Criminal Apprehension** 57,754,000 52,894,000

4.17	<u>Appropriations by Fund</u>		
4.18	<u>General</u>	<u>55,452,000</u>	<u>50,562,000</u>
4.19	<u>State Government</u>		
4.20	<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>
4.21	<u>Trunk Highway</u>	<u>2,295,000</u>	<u>2,325,000</u>

4.22 **(a) DWI Lab Analysis; Trunk Highway Fund**

4.23 Notwithstanding Minnesota Statutes, section
 4.24 161.20, subdivision 3, \$1,941,000 each year
 4.25 is from the trunk highway fund for laboratory
 4.26 analysis related to driving-while-impaired
 4.27 cases.

4.28 **(b) BCA Investment Initiative**

4.29 \$5,700,000 each year is from the general fund
 4.30 for the Bureau of Criminal Apprehension:

4.31 (1) for five permanent latent fingerprint
 4.32 examiner positions;

4.33 (2) for two permanent mitochondrial DNA
 4.34 analyst positions;

- 5.1 (3) to replace equipment and instruments in
5.2 the forensic laboratory;
- 5.3 (4) to purchase supplies for the forensic
5.4 laboratory;
- 5.5 (5) for nine permanent positions to form a
5.6 digital forensics examination unit;
- 5.7 (6) for five permanent positions to form a
5.8 financial crimes unit; and
- 5.9 (7) for 13 permanent positions to increase the
5.10 capabilities of the predatory crimes section.

5.11 **(c) Livescan Replacement**

- 5.12 \$1,300,000 each year is from the general fund
5.13 for the Bureau of Criminal Apprehension
5.14 to replace electronic fingerprint capture
5.15 equipment in criminal justice agencies
5.16 around the state. The equipment is to be used
5.17 to automatically submit the fingerprints to
5.18 the bureau for identification of the person
5.19 and processing. For each of fiscal years 2018
5.20 and 2019, \$1,300,000 is added to the base for
5.21 livescan replacement.

5.22 **(d) Report**

- 5.23 If the vehicle services special revenue account
5.24 accrues an unallocated balance in excess
5.25 of 50 percent of the previous fiscal year's
5.26 expenditures, the commissioner of public
5.27 safety shall submit a report to the chairs
5.28 and ranking minority members of the house
5.29 of representatives and senate committees
5.30 with jurisdiction over transportation and
5.31 public safety policy and finance. The report
5.32 must contain specific policy and legislative
5.33 recommendations for reducing the fund
5.34 balance and avoiding future excessive fund

6.1 balances. The report is due within three
 6.2 months of the fund balance exceeding the
 6.3 threshold established in this paragraph.

6.4 **Subd. 4. Fire Marshal** 7,433,000 7,647,000

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>18,000</u>	<u>-0-</u>
<u>Special Revenue</u>	<u>7,415,000</u>	<u>7,647,000</u>

6.8 This appropriation is from the fire safety
 6.9 account in the special revenue fund and is for
 6.10 activities under Minnesota Statutes, section
 6.11 299F.012.

6.12 **Subd. 5. Alcohol and Gambling Enforcement** 2,338,000 2,373,000

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>1,606,000</u>	<u>1,632,000</u>
<u>Special Revenue</u>	<u>732,000</u>	<u>741,000</u>

6.16 \$662,000 the first year and \$671,000 the
 6.17 second year are from the alcohol enforcement
 6.18 account in the special revenue fund. Of this
 6.19 appropriation, \$500,000 each year shall be
 6.20 transferred to the general fund.

6.21 \$70,000 each year is appropriated from the
 6.22 lawful gambling regulation account in the
 6.23 special revenue fund.

6.24 **Subd. 6. Office of Justice Programs** 35,892,000 35,929,000

	<u>Appropriations by Fund</u>	
<u>General</u>	<u>35,796,000</u>	<u>35,833,000</u>
<u>State Government</u>		
<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>

6.29 **(a) OJP Administration Costs**

6.30 Up to 2.5 percent of the grant funds
 6.31 appropriated in this subdivision may be used
 6.32 by the commissioner to administer the grant
 6.33 program.

6.34 **(b) Crime Victim Programs**

7.1 \$1,500,000 each year must be distributed
 7.2 through an open and competitive grant
 7.3 process for existing crime victim programs.
 7.4 The funds must be used to meet the needs
 7.5 of underserved and unserved areas and
 7.6 populations.

7.7 **(c) Youth Intervention Programs**

7.8 \$1,000,000 each year is for youth intervention
 7.9 programs under Minnesota Statutes, section
 7.10 299A.73. The appropriations must be
 7.11 used to create new programs statewide
 7.12 in underserved areas and to help existing
 7.13 programs serve unmet needs in program
 7.14 communities. These appropriations are
 7.15 available until expended. This amount must
 7.16 be added to the department's base budget for
 7.17 grants to youth intervention programs.

7.18	<u>Subd. 7. Emergency Communication Networks</u>	<u>77,068,000</u>	<u>77,085,000</u>
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7.19 This appropriation is from the state
 7.20 government special revenue fund for 911
 7.21 emergency telecommunications services.

7.22 **(a) Public Safety Answering Points**

7.23 \$13,664,000 each year is to be distributed
 7.24 as provided in Minnesota Statutes, section
 7.25 403.113, subdivision 2.

7.26 This appropriation includes funds for
 7.27 information technology project services
 7.28 and support subject to the provisions of
 7.29 Minnesota Statutes, section 16E.0466. Any
 7.30 ongoing information technology costs will be
 7.31 incorporated into the service level agreement
 7.32 and will be paid to the Office of MN.IT
 7.33 Services by the Department of Public Safety

8.1 under the rates and mechanism specified in
8.2 that agreement.

8.3 **(b) Medical Resource Communication Centers**

8.4 \$683,000 each year is for grants to the
8.5 Minnesota Emergency Medical Services
8.6 Regulatory Board for the Metro East
8.7 and Metro West Medical Resource
8.8 Communication Centers that were in
8.9 operation before January 1, 2000.

8.10 **(c) ARMER Debt Service**

8.11 \$22,261,000 each year is to the commissioner
8.12 of management and budget to pay debt
8.13 service on revenue bonds issued under
8.14 Minnesota Statutes, section 403.275.

8.15 Any portion of this appropriation not needed
8.16 to pay debt service in a fiscal year may be
8.17 used by the commissioner of public safety to
8.18 pay cash for any of the capital improvements
8.19 for which bond proceeds were appropriated
8.20 by Laws 2005, chapter 136, article 1, section
8.21 9, subdivision 8; or Laws 2007, chapter 54,
8.22 article 1, section 10, subdivision 8.

8.23 **(d) ARMER State Backbone Operating**
8.24 **Costs**

8.25 \$9,650,000 each year is to the commissioner
8.26 of transportation for costs of maintaining and
8.27 operating the first and third phases of the
8.28 statewide radio system backbone.

8.29 **(e) ARMER Improvements**

8.30 \$1,000,000 each year is to the Statewide
8.31 Radio Board for costs of design, construction,
8.32 and maintenance of, and improvements
8.33 to, those elements of the statewide public
8.34 safety radio and communication system

9.1 that support mutual aid communications
 9.2 and emergency medical services or provide
 9.3 interim enhancement of public safety
 9.4 communication interoperability in those
 9.5 areas of the state where the statewide public
 9.6 safety radio and communication system is
 9.7 not yet implemented.

9.8 **Sec. 12. PEACE OFFICER STANDARDS**
 9.9 **AND TRAINING (POST) BOARD** **\$ 3,887,000 \$ 3,904,000**

9.10 **(a) Excess Amounts Transferred**

9.11 This appropriation is from the peace officer
 9.12 training account in the special revenue fund.
 9.13 Any new receipts credited to that account in
 9.14 the first year in excess of \$3,887,000 must be
 9.15 transferred and credited to the general fund.
 9.16 Any new receipts credited to that account in
 9.17 the second year in excess of \$3,904,000 must
 9.18 be transferred and credited to the general
 9.19 fund.

9.20 **(b) Peace Officer Training**
 9.21 **Reimbursements**

9.22 \$2,734,000 each year is for reimbursements
 9.23 to local governments for peace officer
 9.24 training costs.

9.25 **Sec. 13. PRIVATE DETECTIVE BOARD** **\$ 122,000 \$ 124,000**

9.26 **Sec. 14. HUMAN RIGHTS** **\$ 4,677,000 \$ 4,732,000**

9.27 \$900,000 each year is for the acceleration
 9.28 of the investigation, enforcement, and
 9.29 final disposition of cases as well as the
 9.30 department's capacity in the area of legal
 9.31 analysis and fiscal management.

9.32 **Sec. 15. CORRECTIONS**

10.1	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>533,012,000</u>	<u>\$</u>	<u>544,063,000</u>
10.2	<u>The amounts that may be spent for each</u>				
10.3	<u>purpose are specified in the following</u>				
10.4	<u>subdivisions.</u>				
10.5	<u>Subd. 2. Correctional Institutions</u>		<u>386,611,000</u>		<u>396,195,000</u>
10.6	<u>\$2,871,000 in fiscal year 2016 and</u>				
10.7	<u>\$2,742,000 in fiscal year 2017 are to expand</u>				
10.8	<u>offender medical services including an</u>				
10.9	<u>electronic health records system.</u>				
10.10	<u>This appropriation includes funds for</u>				
10.11	<u>information technology project services</u>				
10.12	<u>and support subject to the provisions of</u>				
10.13	<u>Minnesota Statutes, section 16E.0466. Any</u>				
10.14	<u>ongoing information technology costs will be</u>				
10.15	<u>incorporated into the service level agreement</u>				
10.16	<u>and will be paid to the Office of MN.IT</u>				
10.17	<u>Services by the Department of Corrections</u>				
10.18	<u>under the rates and mechanism specified in</u>				
10.19	<u>that agreement.</u>				
10.20	<u>\$541,000 in fiscal year 2016 and \$670,000 in</u>				
10.21	<u>fiscal year 2017 are to increase the number</u>				
10.22	<u>of full-time equivalent positions in the</u>				
10.23	<u>department's fugitive apprehension unit. The</u>				
10.24	<u>base for this item is \$642,000 in each of</u>				
10.25	<u>fiscal years 2018 and 2019.</u>				
10.26	<u>Subd. 3. Community Services</u>		<u>120,589,000</u>		<u>121,603,000</u>
10.27	<u>\$1,000,000 each year is to increase the</u>				
10.28	<u>number of supervision agents for offenders</u>				
10.29	<u>on intensive supervised release as described</u>				
10.30	<u>in Minnesota Statutes, section 244.13,</u>				
10.31	<u>subdivision 2.</u>				
10.32	<u>\$250,000 each year is to increase the</u>				
10.33	<u>number of supervision agents for offenders</u>				
10.34	<u>participating in the department's challenge</u>				

11.1 incarceration program as described in
 11.2 Minnesota Statutes, section 244.172,
 11.3 subdivisions 2 and 3.

11.4 \$1,550,000 each year is added to the
 11.5 Community Corrections Act subsidy, as
 11.6 described in Minnesota Statutes, section
 11.7 401.14.

11.8 \$200,000 each year is added to the county
 11.9 probation officers reimbursement, as
 11.10 described in Minnesota Statutes, section
 11.11 244.19, subdivision 6.

11.12 <u>Subd. 4. Operations Support</u>	<u>25,812,000</u>	<u>26,265,000</u>
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11.13 \$1,500,000 each year is to support technology
 11.14 needs.

11.15 This appropriation includes funds for
 11.16 information technology project services
 11.17 and support subject to the provisions of
 11.18 Minnesota Statutes, section 16E.0466. Any
 11.19 ongoing information technology costs will be
 11.20 incorporated into the service level agreement
 11.21 and will be paid to the Office of MN.IT
 11.22 Services by the Department of Corrections
 11.23 under the rates and mechanism specified in
 11.24 that agreement.

11.25 Sec. 16. Minnesota Statutes 2014, section 12.221, subdivision 6, is amended to read:

11.26 Subd. 6. **Disaster assistance contingency account; appropriation.** (a) A disaster
 11.27 assistance contingency account is created in the special revenue fund in the state treasury.
 11.28 Money in the disaster assistance contingency account is appropriated to the commissioner
 11.29 of public safety to provide:

- 11.30 (1) cost-share for federal assistance under section 12A.15, subdivision 1; ~~and~~
- 11.31 (2) state public disaster assistance to eligible applicants under chapter 12B;₂
- 11.32 (3) cost-share for federal assistance from the Federal Highway Administration
- 11.33 emergency relief program under United States Code, title 23, section 125; and

12.1 (4) cost-share for federal assistance from the United States Department of
12.2 Agriculture, Natural Resources Conservation Service emergency watershed protection
12.3 program under United States Code, title 16, sections 2203 to 2205.

12.4 (b) For appropriations under paragraph (a), clause (1), the amount appropriated is
12.5 100 percent of any nonfederal share for state agencies and local governments. Money
12.6 appropriated under paragraph (a), clause (1), may be used to pay all or a portion of the
12.7 nonfederal share for publicly owned capital improvement projects.

12.8 (c) For appropriations under paragraph (a), clause (2), the amount appropriated
12.9 is the amount required to pay eligible claims under chapter 12B, as certified by the
12.10 commissioner of public safety.

12.11 (d) By January 15 of each year, the commissioner of management and budget shall
12.12 submit a report to the chairs and ranking minority members of the house of representatives
12.13 Ways and Means Committee and the senate Finance Committee detailing state disaster
12.14 assistance appropriations and expenditures under this subdivision during the previous
12.15 calendar year.

12.16 (e) The governor's budget proposal submitted to the legislature under section 16A.11
12.17 must include recommended appropriations to the disaster assistance contingency account.
12.18 The governor's appropriation recommendations must be informed by the commissioner of
12.19 public safety's estimate of the amount of money that will be necessary to:

12.20 (1) provide 100 percent of the nonfederal share for state agencies and local
12.21 governments that will receive federal financial assistance from FEMA during the next
12.22 biennium; and

12.23 (2) fully pay all eligible claims under chapter 12B.

12.24 (f) Notwithstanding section 16A.28:

12.25 (1) funds appropriated or transferred to the disaster assistance contingency account
12.26 do not lapse but remain in the account until appropriated; and

12.27 (2) funds appropriated from the disaster assistance contingency account do not lapse
12.28 and are available until expended.

12.29 Sec. 17. Minnesota Statutes 2014, section 12B.15, subdivision 2, is amended to read:

12.30 Subd. 2. **Applicant.** "Applicant" means a local government or state government
12.31 agency that applies for state disaster assistance under this chapter.

12.32 Sec. 18. Minnesota Statutes 2014, section 12B.15, is amended by adding a subdivision
12.33 to read:

13.1 Subd. 3a. **County.** "County" or "county government" means each county in which
 13.2 a governmental unit is located in whole or in part, or a county board of commissioners
 13.3 as defined in chapter 375.

13.4 Sec. 19. Minnesota Statutes 2014, section 12B.25, subdivision 1, is amended to read:

13.5 Subdivision 1. **Payment required; eligibility criteria.** The director, serving as
 13.6 the governor's authorized representative, may enter into grant agreements with eligible
 13.7 applicants to provide state financial assistance made available as a result of a disaster
 13.8 that satisfies all of the following criteria:

13.9 (1) the state or applicable ~~local~~ county government declares a disaster or emergency
 13.10 during the incident period;

13.11 (2) damages suffered and eligible costs incurred are the direct result of the disaster;

13.12 (3) federal disaster assistance is not available to the applicant because the governor
 13.13 did not request a presidential declaration of major disaster, the president denied the
 13.14 governor's request, or the applicant is not eligible for federal disaster assistance because
 13.15 the state or county did not meet the per capita impact indicator under FEMA's Public
 13.16 Assistance Program;

13.17 (4) the applicant incurred eligible damages that, on a per capita basis, equal or
 13.18 exceed 50 percent of the countywide per capita impact indicator under FEMA's Public
 13.19 Assistance Program;

13.20 (5) the applicant assumes responsibility for 25 percent of the applicant's total
 13.21 eligible costs; and

13.22 (6) the applicant satisfies all requirements in this chapter.

13.23 Sec. 20. Minnesota Statutes 2014, section 12B.40, is amended to read:

13.24 **12B.40 APPLICATION PROCESS.**

13.25 (a) The director must develop application materials and may update the materials as
 13.26 needed. Application materials must include instructions and requirements for assistance
 13.27 under this chapter.

13.28 (b) ~~An applicant~~ A county government has 30 days from the end of the incident
 13.29 period or the president's official denial of the governor's request for a declaration of a
 13.30 major disaster to ~~provide the director with written notice of intent to apply~~ request that
 13.31 the governor declare a state disaster. The director may deny ~~an application due to a late~~
 13.32 ~~notice of intent to apply~~ a late request. The county government's request for a state
 13.33 disaster declaration must include:

13.34 (1) the cause, location of damage, and incident period;

14.1 (2) documentation of a local, tribal, county, or state disaster or emergency
 14.2 declaration in response to the disaster;

14.3 (3) a description of damages, an initial damage assessment, and the amount of
 14.4 eligible costs incurred by the applicant;

14.5 (4) a statement or evidence that the applicant has the ability to pay for at least 25
 14.6 percent of total eligible costs incurred from the disaster; and

14.7 (5) a statement or evidence that the local government has incurred damages equal to
 14.8 or exceeding 50 percent of the federal countywide threshold in effect during the incident
 14.9 period.

14.10 ~~(c) Within An applicant has 60 days after the end of the incident period or the~~
 14.11 ~~president's official denial of from the governor's request for a declaration of a major state~~
 14.12 ~~disaster, the applicant must to submit a complete application for state public disaster~~
 14.13 ~~assistance to the director. A complete application includes the following:~~

14.14 ~~(1) the cause, location of damage, and incident period;~~

14.15 ~~(2) documentation of a local, tribal, county, or state disaster or emergency~~
 14.16 ~~declaration in response to the disaster;~~

14.17 ~~(3) a description of damages, an initial damage assessment, and the amount of~~
 14.18 ~~eligible costs incurred by the applicant;~~

14.19 ~~(4) a statement or evidence that the applicant has the ability to pay for at least 25~~
 14.20 ~~percent of total eligible costs incurred from the disaster; and~~

14.21 ~~(5) a statement or evidence that the local government has incurred damages equal to~~
 14.22 ~~or exceeding 50 percent of the federal countywide threshold in effect during the incident~~
 14.23 ~~period.~~

14.24 (d) The director must review the application and supporting documentation for
 14.25 completeness and may return the application with a request for more detailed information.
 14.26 The director may consult with local public officials to ensure the application reflects the
 14.27 extent and magnitude of the damage and to reconcile any differences. The application is
 14.28 not complete until the director receives all requested information.

14.29 (e) If the director returns an application with a request for more detailed information
 14.30 or for correction of deficiencies, the applicant must submit all required information within
 14.31 30 days of the applicant's receipt of the director's request. The applicant's failure to
 14.32 provide the requested information in a timely manner without a reasonable explanation
 14.33 may be cause for denial of the application.

14.34 (f) The director has no more than 60 days from the receipt of a complete application
 14.35 to approve or deny the application, or the application is deemed approved. If the director
 14.36 denies an application, the director must send a denial letter. If the director approves an

15.1 application or the application is automatically deemed approved after 60 days, the director
 15.2 must notify the applicant of the steps necessary to obtain reimbursement of eligible
 15.3 costs, including submission of invoices or other documentation substantiating the costs
 15.4 submitted for reimbursement.

15.5 Sec. 21. Laws 2013, chapter 86, article 1, section 9, is amended to read:

15.6 Sec. 9. **BOARD ON JUDICIAL STANDARDS** \$ **756,000** \$ **456,000**

15.7 **(a) Deficiencies**

15.8 \$300,000 the first year is for deficiencies
 15.9 occurring in fiscal year 2013. This
 15.10 appropriation is available for expenditure the
 15.11 day following final enactment.

15.12 **(b) Major Disciplinary Actions**

15.13 \$125,000 each year is for special
 15.14 investigative and hearing costs for major
 15.15 disciplinary actions undertaken by the
 15.16 board. This appropriation does not cancel.
 15.17 Any ~~encumbered~~ unencumbered and
 15.18 unspent balances remain available for these
 15.19 expenditures in subsequent fiscal years.

15.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.