Approved by
Revisor of Statutes

JRM

1.1   Nelson, M., from the State Government Finance Division to which was referred:

1.2   H. F. No. 1740, A bill for an act relating to state government; establishing a Capitol flag
1.3   program for families of military service members and first responders who die in the line
1.4   of duty; proposing coding for new law in Minnesota Statutes, chapter 16B.

1.5   Reported the same back with the following amendments:

1.6   Delete everything after the enacting clause and insert:

1.7   "Section 1. **[16B.276] CAPITOL FLAG PROGRAM.**

1.8   Subdivision 1. **Definitions.** (a) The terms used in this section have the meanings given

1.9   them.

1.10   (b) "Active service" has the meaning given in section 190.05, subdivision 5.

1.11   (c) "Eligible family member" means a surviving spouse, parent or legal guardian, child,

1.12   or sibling of (1) a public safety officer killed in the line of duty, or (2) a person who has

1.13   died while serving honorably in active service in the United States armed forces. For purposes

1.14   of this section, an eligibility relationship may be established by birth or adoption.

1.15   (d) "Killed in the line of duty" has the meaning given in section 299A.41, subdivision

1.16   3.

1.17   (e) "Public safety officer" has the meaning given in section 299A.41, subdivision 4.

1.18   Subd. 2. **Establishment.** A Capitol flag program is established. The purpose of the

1.19   program is to make a Minnesota state flag and an American flag that were flown over the

1.20   Minnesota State Capitol available to the family members of a public safety officer killed

1.21   in the line of duty or a member of the United States armed forces who died while in active

1.22   service. In addition to appropriations provided by law, the commissioner of management

1.23   and budget may receive gifts to support the program as authorized in sections 16A.013 to

2.1   16A.016. The program established by this section is required only to the extent that sufficient

2.2   funds are available through appropriations or gifts to support its operations.

2.3   Subd. 3. **Submission of request; presentation.** (a) A flag request may only be made

2.4   by a legislator or state constitutional officer on behalf of an eligible family member, after

2.5   verification of the family member's eligibility under the procedures adopted under subdivision

2.6   4. The request must be made to the commissioner of administration, and must indicate the

2.7   type of flag requested, a certification that the family member's eligibility has been verified,

2.8   special requests for the date the flag is requested to be flown over the Capitol, and the

2.9   method of presentment. The commissioner may adopt a form to be used for this purpose.

2.10   With at least 30 days' notice, the commissioner must honor a request that a flag be flown

2.11   on a specific commemorative date.

2.12   (b) Upon receipt of a request, the commissioner must present a flag to the eligible family

2.13   member, or to the requesting legislator or constitutional officer for coordination of a later

2.14   presentment ceremony. If relevant information is made available, the commissioner shall

2.15   provide a certificate memorializing the details of the occasion and the date the flag was

2.16   flown with each flag presented.

2.17   Subd. 4. **Verification of eligibility.** The house of representatives, the senate, and each

2.18   constitutional officer must adopt procedures for the administration of flag requests received

2.19   from eligible family members, including a procedure for verification of a family member's

2.20   eligibility to receive a flag.

2.21   Subd. 5. **No fee for first flag.** The family of a public safety officer killed in the line of

2.22   duty or service member of the United States armed forces who died in active service is

2.23   entitled to receive one United States flag and one Minnesota state flag free of charge under

2.24   this section. If multiple flags of the same type are requested to be flown in honor of the

2.25   same decedent, the commissioner may charge a reasonable fee that does not exceed the

2.26   actual cost of flying each flag and preparing a certificate memorializing the occasion.

2.27   **EFFECTIVE DATE.** This section is effective July 1, 2021.

2.28   Sec. 2. **CAPITOL FLAG PROGRAM STUDY; PILOT PROGRAM.**

2.29   (a) The commissioner of administration, in consultation with the Legislative Coordinating

2.30   Commission and the commissioners of veterans affairs, military affairs, and public safety,

2.31   must study and develop recommendations to implement a Capitol flag program consistent

2.32   with the program enacted in Minnesota Statutes, section 16B.276. The study must include

2.33   recommendations to address any expected challenges in implementing the program, including

3.1　the uncertainty of sufficient funding to serve all families that may be eligible for a flag, and

3.2　challenges in verifying a family member's eligibility.

3.3　(b) By September 1, 2020, the commissioner of administration shall implement a pilot

3.4　program to fly up to 50 flags for eligible family members as part of the study required in

3.5　paragraph (a). Flags used in the pilot program shall be provided by the sponsoring party,

3.6　the family requesting the flag, or a third party and match the size specifications for flags

3.7　the state routinely displays over the Capitol.

3.8　(c) The commissioner must report the results of the study and pilot program, including

3.9　any recommendations, to the chairs and ranking minority members of the legislative

3.10　committees with jurisdiction over state government finance and veterans affairs no later

3.11　than January 15, 2021."

3.12　Amend the title as follows:

3.13　Page 1, line 3, after the semicolon, insert "providing a Capitol flag program study and

3.14　pilot program;"

3.15　With the recommendation the bill as amended be returned to the Committee on Ways

3.16　and Means with a recommended placement on the General Register.

3.17　This Division action taken February 18, 2020

3.18　..., Chair