

**SENATE  
STATE OF MINNESOTA  
NINETIETH SESSION**

**S.F. No. 2473**

(SENATE AUTHORS: BAKK and Newman)

DATE  
02/20/2018

D-PG

OFFICIAL STATUS  
Introduction and first reading  
Referred to Environment and Natural Resources Policy and Legacy Finance

1.1 A bill for an act  
1.2 relating to state government; appropriating money received by state as part of  
1.3 Volkswagen settlement; providing for legislative oversight of administering  
1.4 Volkswagen settlement.

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

1.6 Section 1. **DEFINITIONS.**

1.7 For purposes of this act, the following terms have the meanings given them:

1.8 (1) “appropriate legislative committees” means the house of representatives and senate  
1.9 committees having jurisdiction over transportation finance and policy and over environment  
1.10 and natural resources finance and policy.

1.11 (2) “trustee” means the trustee appointed to administer the Volkswagen settlement under  
1.12 the terms of the settlement; and

1.13 (3) “Volkswagen settlement” means the Environmental Mitigation Trust Agreement for  
1.14 State Beneficiaries described in Attachment A to the United States’ Notice of Filing of Trust  
1.15 Agreements in the case of United States v. Volkswagen AG et al., Case No. 16-cv-295  
1.16 (N.D. Cal.).

1.17 Sec. 2. **VOLKSWAGEN SETTLEMENT FUNDS; ACCOUNT; APPROPRIATION.**

1.18 Subdivision 1. **Account.** Notwithstanding Minnesota Statutes, sections 16A.013 to  
1.19 16A.016, the Volkswagen settlement is not a gift, bequest, or devise. The commissioner of  
1.20 management and budget shall create the Volkswagen settlement account in the special  
1.21 revenue fund and shall credit any money received by the state of Minnesota in connection  
1.22 with the Volkswagen settlement to the Volkswagen settlement account.

2.1 Subd. 2. **Appropriation.** All money in the Volkswagen settlement account is appropriated  
2.2 to the commissioner of the Pollution Control Agency for the purposes authorized under the  
2.3 terms of the Volkswagen settlement.

2.4 Sec. 3. **LEGISLATIVE OVERSIGHT OF ADMINISTERING VOLKSWAGEN**  
2.5 **SETTLEMENT.**

2.6 In administering the Volkswagen settlement, or undertaking any action under the  
2.7 Volkswagen settlement, the commissioner of the Pollution Control Agency must:

2.8 (1) submit to the appropriate legislative committees a copy of the initial Beneficiary  
2.9 Mitigation Plan or DERA Workplan at least 30 days before submitting it to the trustee;

2.10 (2) submit to the appropriate legislative committees a copy of any adjustment to the  
2.11 goals and specific spending plans described in the Beneficiary Mitigation Plan or DERA  
2.12 Workplan at least 30 days before submitting it to the trustee;

2.13 (3) submit to the appropriate legislative committees a copy of each Beneficiary Eligible  
2.14 Mitigation Action Certification form at least 30 days before submitting it to the trustee;

2.15 (4) report quarterly to the appropriate legislative committees on the application for,  
2.16 receipt of, expenditure of, and geographical distribution of funds received under the  
2.17 Volkswagen settlement;

2.18 (5) ensure that, to the extent feasible, funds received as part of the Volkswagen settlement  
2.19 are spent evenly across the state; and

2.20 (6) consult with the appropriate legislative committees at the request of those committees.

2.21 Sec. 4. **SEVERABILITY.**

2.22 If a court, a federal administrative agency, or the trustee determines that any one or more  
2.23 clauses or subdivisions of this act would render the state ineligible to receive any funds it  
2.24 would otherwise be eligible to receive under the Volkswagen settlement, those clauses and  
2.25 subdivisions are ineffective and declared to be severable and the balance of the act remains  
2.26 effective.

2.27 Sec. 5. **EFFECTIVE DATE.**

2.28 This act is effective the day following final enactment.