

Chapter 2

2019 1st Special Session

Subject Legacy Omnibus

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Overview

This act appropriates money from the outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; the four funds established by the “Legacy Amendment” passed by the voters in 2008. It also updates and modifies the state’s Clean Water Legacy Act.

Article 1: Outdoor Heritage Fund

This article contains appropriations from the outdoor heritage fund (OHF) based on the recommendations of the Lessard-Sams Outdoor Heritage Council (LSOHC).

Section	Description – Article 1: Outdoor Heritage Fund
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1	Outdoor heritage fund appropriation.
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Technical.

2	Outdoor heritage fund.
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Subd. 1. Total appropriation. Provides a total appropriation of \$127,127,000 in fiscal year 2020 and \$565,000 in fiscal year 2021 from the outdoor heritage fund.

Subd. 2. Prairies. Specifies appropriations totaling \$38,303,000 for various prairie projects.

Subd. 3. Forests. Specifies appropriations totaling \$17,032,000 for various forest projects.

Subd. 4. Wetlands. Specifies appropriations totaling \$20,753,000 for various wetland projects.

Subd. 5. Habitats. Specifies appropriations totaling \$50,119,000 for various other habitat projects and the conservation partners legacy grant program.

Subd. 6. Administration. Specifies appropriations totaling \$920,000 in fiscal year 2020 and \$565,000 in fiscal year 2021 for administration, including contract management services from the Department of Natural Resources (DNR), administrative expenses of the council, and other expenses.

Section **Description – Article 1: Outdoor Heritage Fund**

Subd. 7. Availability of appropriation. States that money appropriated may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan and may not be spent on indirect costs or other institutional overhead charges that are not directly related to a specific appropriation. Provides for the availability of funding depending on the use of the funds and whether or not federal funds are also used.

Subd. 8. Payment conditions and capital equipment expenditures. Requires all agreements to be administered on a reimbursement basis unless otherwise provided. Allows reasonable amounts to be advanced in some circumstances if approved as part of an accomplishment plan. Requires capital expenditures that exceed \$10,000 to be itemized and approved as part of an accomplishment plan.

Subd. 9. Mapping. Requires recipients of an appropriation to submit geographic information on lands acquired in fee with the appropriation that are open to the public for hunting and fishing to the DNR for mapping.

Subd. 10. Carryforwards. Extends the availability of three previous appropriations.

3 **Prairies.**

Modifies a previous appropriation for conservation easements on important bird areas to allow restoration and enhancement work as originally intended and provides an expiration date of June 30, 2021, for the appropriation. Provides a retroactive effective date.

4 **Prairies.**

Modifies a previous appropriation for conservation easements in the Anoka Sand Plain to expand the work to all areas of the ecoregion and intersecting watersheds rather than specific counties. Provides a retroactive effective date.

Article 2: Clean Water Fund

This article appropriates money in fiscal years 2020 and 2021 from the clean water fund for various projects and programs as well as updates, and modifies the state's Clean Water Legacy Act.

Section **Description – Article 2: Clean Water Fund**

1 **Clean water fund appropriations.**
Technical.

Section	Description – Article 2: Clean Water Fund
2	<p>Clean water.</p> <p>Subd. 1. Total Appropriation. Provides a total appropriation of \$134,518,000 from the clean water fund in fiscal year 2020, and \$126,743,000 in fiscal year 2021.</p> <p>Subd. 2. Availability of Appropriation. Requires the money to be used only for activities that are directly related to and necessary for a specific appropriation and makes the funds available for two years or, when federal funds are involved, for the time period equal to the federal funding availability.</p> <p>Subd. 3. Disability Access. Requires recipients of the money, where appropriate, to make progress toward providing people with disabilities with greater access to the programs funded.</p>
3	<p>Department of Agriculture.</p> <p>Appropriates \$11,010,000 in fiscal year 2020 and \$10,710,000 in fiscal year 2021 to the Department of Agriculture for various purposes, including money for:</p> <ul style="list-style-type: none">• increased monitoring for pesticides and pesticide degradates in surface water and groundwater;• activities to protect groundwater from nitrate contamination;• technical assistance;• a research inventory database;• the Minnesota agricultural water quality certification program;• a regional irrigation water quality specialist;• the Forever Green Agriculture Initiative; and• testing private wells for pesticides where nitrates are detected.
4	<p>Public Facilities Authority.</p> <p>Appropriates \$10,125,000 in fiscal year 2020 and \$8,125,000 in fiscal year 2021 to the Public Facilities Authority (PFA), including a total of \$18,000,000 for the point source implementation grants program, and a total of \$250,000 for grants and loans for small community wastewater treatment.</p>
5	<p>Pollution Control Agency.</p> <p>Appropriates \$23,242,000 in fiscal year 2020 and \$23,242,000 in fiscal year 2021 to the Pollution Control Agency (PCA), including money for:</p>

Section	Description – Article 2: Clean Water Fund
	<ul style="list-style-type: none">• completion of statewide surface water assessments;• the development of watershed restoration and protection strategies (WRAPS) which include TMDL studies and TMDL implementation plans;• groundwater assessment;• implementation of the St. Louis River System Area of Concern Remedial Action Plan;• national pollutant discharge elimination system (NPDES) wastewater and storm water TMDL implementation;• grants to counties for subsurface sewage treatment systems (SSTS);• grants for sanitary sewer projects in Voyageurs National Park;• activities, training, and grants to reduce chloride pollution; and• administration of the Clean Water Council.
6	<p data-bbox="355 1014 769 1041">Department of Natural Resources.</p> <p data-bbox="355 1056 1360 1125">Appropriates \$9,310,000 in fiscal year 2020 and \$9,310,000 in fiscal year 2021 to the Department of Natural Resources (DNR), including money for:</p> <ul style="list-style-type: none">• stream flow monitoring;• lake Index of Biological Integrity (IBI) assessments;• assessing mercury contamination of fish;• development of targeted, science-based WRAPS;• water supply planning, aquifer protection, and monitoring activities;• technical assistance to support local implementation of nonpoint source restoration and protection activities;• applied research and tools;• county geologic atlases; and• maintenance and updates to buffer maps and technical guidance.

Section **Description – Article 2: Clean Water Fund**

- 7** **Board of Water and Soil Resources.**
Appropriates \$71,950,000 in fiscal year 2020 and \$66,484,000 in fiscal year 2021 to the Board of Water and Soil Resources (BWSR), including money for:
- performance based grants to local units of government to implement projects identified as part of the One Watershed, One Plan, or other plans;
 - grants to local units of government for various water quality projects consistent with TMDL and WRAPS;
 - acceleration of implementation, including technical assistance;
 - state oversight and accountability of local implementation efforts;
 - grants to local units of government to ensure compliance with buffer and soil loss requirements;
 - acquisition, restoration, and preservation of riparian land adjacent to water by easement or contracts;
 - permanent conservation easements on wellhead protection areas and grants to local governments to acquire land to protect groundwater on wellhead protection areas;
 - restoration evaluations;
 - assistance to local governments to transition to a watershed approach;
 - conservation easements to treat and store water and to protect threatened public waters with good water quality;
 - data collection and estimates of soil erosion; and
 - soil and water conservation district grants.

- 8** **Department of Health.**
Appropriates \$6,497,000 in fiscal year 2020 and \$6,497,000 in fiscal year 2021 to the Department of Health, including money for:
- addressing public health concerns related to unregulated drinking water contaminants;
 - drinking water source protection;
 - development and delivery of groundwater restoration and protection strategies;

Section	Description – Article 2: Clean Water Fund
	<ul style="list-style-type: none">• study of the occurrence and magnitude of contaminants in private wells;• evaluating and addressing risks from certain pathogens in groundwater supplies;• development of public health policies and an action plan to address threats to safe drinking water; and• creation of a road map for water reuse implementation and addressing related research gaps.
9	<p>Metropolitan Council.</p> <p>Appropriates \$1,375,000 in fiscal year 2020 and \$1,375,000 in fiscal year 2021 to the Metropolitan Council for:</p> <ul style="list-style-type: none">• projects that address emerging drinking water supply threats; and• the water demand reduction grant program.
10	<p>University of Minnesota.</p> <p>Appropriates \$1,000,000 in fiscal year 2020 and \$1,000,000 in fiscal year 2021 to the University of Minnesota for:</p> <ul style="list-style-type: none">• developing county geologic atlases; and• storm water performance evaluation and technology transfer program.
11	<p>Legislature.</p> <p>Appropriates \$9,000 in fiscal year 2020 to the Legislative Coordinating Commission (LCC) for the Legacy Web site.</p>

Article 3: Parks and Trails Fund

This article appropriates money in fiscal years 2020 and 2021 from the parks and trails fund. The article provides appropriations to: the Department of Natural Resources (DNR) for state parks, state trails, and state recreation areas and for regional parks and trails in greater Minnesota through the parks and trails legacy grant program; and the Metropolitan Council for metropolitan regional parks and trails.

Section	Description – Article 3: Parks and Trails Fund
1	<p>Parks and trails fund appropriations.</p> <p>Technical.</p>

Section	Description – Article 3: Parks and Trails Fund
2	<p>Parks and trails.</p> <p>Provides a total appropriation of \$50,052,000 from the parks and trails fund in fiscal year 2020, and \$51,205,000 in fiscal year 2021. States that the money appropriated may not be spent on activities unless they are directly related to and necessary for a specific appropriation and must be spent in accordance with Minnesota Management and Budget’s Guidance to Agencies on Legacy Fund Expenditure. Makes the funds available for two years or, when federal funds are involved, for the time period equal to the federal funding availability. Requires recipients of an appropriation to make progress towards providing greater access to programs, print publications, and digital media for people with disabilities related to programs funded with the appropriations, where appropriate.</p>
3	<p>Department of Natural Resources.</p> <p>Appropriates \$30,229,000 in fiscal year 2020 and \$30,928,000 in fiscal year 2021 to the DNR for the following parks and trails purposes:</p> <ul data-bbox="407 831 1425 1276" style="list-style-type: none">• \$19,819,000 in 2020 and \$20,277,000 in 2021 for state parks and trails to connect people to the outdoors, acquire land and create opportunities, maintain existing holdings, and coordinating with partners;• \$9,910,000 in 2020 and \$10,139,000 in 2021 for grants for regional parks and trails in greater Minnesota under the parks and trails legacy grant program, based on recommendations of the Greater Minnesota Regional Parks and Trails Commission, and for operation costs of the Greater Minnesota Regional Parks and Trails Commission; and• \$500,000 in 2020 and \$512,000 in 2021 for coordination between the DNR, Greater Minnesota Regional Parks and Trails Commission, and the Metropolitan Council and other activities. <p>Requires the commissioner to contract with the Conservation Corps Minnesota for at least \$1,000,000 each year and requires implementing agencies receiving funds to give consideration to contracting with the Conservation Corps Minnesota.</p> <p>Requires the commissioner to convene a nine-member working group to develop consensus recommendations for future allocation of money in the parks and trails fund.</p>
4	<p>Metropolitan Council.</p> <p>Appropriates \$19,819,000 in fiscal year 2020 and \$20,277,000 in fiscal year 2021 for metropolitan regional parks and trails to be distributed to implementing agencies according to the parks and trails fund metropolitan park distribution formula under current law. The appropriation must be used to fund the projects approved by the elected representatives of each implementing agency. Requires grant agreements to ensure that funds are used to supplement (not substitute) traditional sources of funding. Requires implementing agencies receiving funds to give consideration to contracting with the Conservation Corps Minnesota.</p>

Section	Description – Article 3: Parks and Trails Fund
5	Legislature. Appropriates \$4,000 in fiscal year 2020 to the Legislative Coordinating Commission (LCC) for the Legacy website.
6	St. Louis and Lake Counties Regional Railroad Authority; grant extension. Extends the availability of a portion of a previous appropriation that provided a grant to the St. Louis and Lake Counties Regional Railroad Authority for a segment of the Mesabi Trail.

Article 4: Arts and Cultural Heritage Fund

Appropriates \$69 million dollars in 2020 and \$70.5 million dollars in 2021 from the arts and cultural heritage fund to a number of state agencies in Minnesota for operations activities related to arts, cultural heritage, and history, as well as providing grants to individuals and organizations throughout Minnesota.

Section	Description – Article 4: Arts and Cultural Heritage Fund
1	Arts and cultural heritage fund appropriation. Provides technical information related to the appropriation; provides this money is appropriated for the 2020-2021 biennium; provides that fiscal year 2020 begins July 1, 2019, and fiscal year 2021 ends on June 30, 2021.
2	Arts and cultural heritage. Provides appropriations to the following state agencies for a variety of activities: <ul style="list-style-type: none">• \$65.6 million to the Minnesota State Arts Board for grants to artists and art organizations, arts education, and diverse cultural arts traditions, and to provide 30 percent of this total funding to the Regional Arts Council throughout the state• \$32.9 million to the Minnesota Historical Society for their statewide programs, and to provide grants and funding toward the following activities:<ul style="list-style-type: none">▪ grants to local and regional historical societies and partners in programming;▪ the digital library and historical surveys;▪ funding for the Isanti County Moody School and Grandy Union Church;▪ funding for historical book for students;▪ funding for the Minnesota Military Museum and General John Vessey Catalog; and

Section Description – Article 4: Arts and Cultural Heritage Fund

- funding for the Grindstone River Dam.
- \$5.1 million to the Department of Education for the regional library grants program and \$50,000 each year for water safety grants
- \$21.6 million to the Department of Administration for grants to the following organizations:
 - \$3.475 million to the Minnesota Public Radio and \$3.475 million to the Association of Minnesota Public Educational Radio Stations (AMPERS) including funding for the Veterans’ Voices Korean War project;
 - \$8.920 million to the Minnesota Public Television stations;
 - \$750,000 to the Wilderness Inquiry connecting youth to natural resources;
 - \$2.7 million to the Como Park Zoo;
 - \$1.3 million to the Science Museum;
 - \$150,000 to the Duluth Aquarium;
 - \$150,000 to the Lake Superior Zoo in Duluth;
 - \$50,000 to the Midwest Outdoors Unlimited to provide access to persons with disabilities to outdoor hunting and fishing activities;
 - \$400,000 to the China Garden in Phalen Park; and
 - \$141,000 to Green Giant Museum in Blue Earth for programs and activities.
- \$3.5 million to the Minnesota Zoo for access and education on zoo exhibits and programming
- \$6.4 million to the Minnesota Humanities Center for the following activities:
 - \$2.1 million to the Humanities Center for their programing related to K-12 educator professional development, the Veterans’ Voices Program, and the Why Treaties Matter program;
 - \$2.35 million to the Children’s Museums for grants on exhibits and outreach; and
 - \$1.7 million for Community Identity and Heritage Grants.
- \$3.5 million to the Indian Affairs Council for competitive language grant programs for both tribes and language immersion programs and the language working group, and funding for the council to work with the Minnesota State Archeologist on graves and the Native American Grave Protection and Repatriation Act

Section **Description – Article 4: Arts and Cultural Heritage Fund**

- \$100,000 to the University of Minnesota for the Bell Museum for access and outreach
- \$800,000 to the Department of Agriculture for grants to state fairs on arts and cultural heritage
- \$6,000 to the Legislative Coordinating Commission to maintain the Legacy website for agencies and grantees to report to on arts and cultural heritage funding



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