

Chapter 77

2022 Regular Session

Subject Legacy
Bill H.F. 3438
Analyst Janelle Taylor (Articles 1-3)
Mary Mullen (Article 4)
Date July 12, 2022

Overview

This act contains fiscal year 2023 appropriations from the outdoor heritage fund as well as extensions of appropriations from the three other funds established by the “Legacy” amendment which raised the state’s sales tax 3/8 of one percent and dedicated the receipts. It also modifies reporting provisions of the Clean Water Council.

Article 1: Outdoor Heritage Fund

This article contains appropriations totaling \$159,049,000 from the outdoor heritage fund (OHF) based upon recommendations made by the Lessard-Sams Outdoor Heritage Council (LSOHC). The LSOHC is a 12-member council made up of four legislators and eight citizens tasked with making annual recommendations to the legislature on how to spend money in the OHF. The OHF receives 33 percent of the receipts from the sales tax increase and may be spent only “to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife.”

Section Description – Article 1: Outdoor Heritage Fund

- 1 **Outdoor heritage fund appropriation.**
Technical.
- 2 **Outdoor heritage fund.**
 - Subd. 1. Total appropriation.** Provides total appropriations of \$159,049,000 in fiscal year 2023 from the outdoor heritage fund.
 - Subd. 2. Prairies.** Specifies appropriations totaling \$35,033,000 for various projects restoring, enhancing, and protecting the state’s prairies.
 - Subd. 3. Forests.** Specifies appropriations totaling \$13,261,000 for various projects restoring, enhancing, and protecting the state’s forests.

Section Description – Article 1: Outdoor Heritage Fund

Subd. 4. Wetlands. Specifies appropriations totaling \$26,771,000 for various projects restoring, enhancing, and protecting the state’s wetlands.

Subd. 5. Habitats. Specifies appropriations totaling \$83,361,000 for various other habitat projects and the conservation partners legacy grant program.

Subd. 6. Administration. Specifies appropriations totaling \$623,000 for administration, including contract management services from the Department of Natural Resources (DNR), restoration and enhancement evaluations, and an initial development plan coordinator.

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, one for the Buffalo River Watershed Stream Habitat Program, one for the Carnelian Creek Conservation Corridor, and one for Fisheries Habitat Protection on Strategic North Central Minnesota Lakes.

Article 2: Clean Water Fund

This article contains an extension of a previous appropriation from the clean water fund (CWF). The CWF receives 33 percent of the revenues from the sales tax increase and must be spent “only to protect, enhance, and restore water quality in lakes, rivers, and streams and to protect groundwater from degradation.” It also modifies reporting requirements of the Clean Water Council which is tasked with making annual recommendations on how to use the money in the CWF.

Section Description – Article 2: Clean Water Fund

1 Reports to legislature.

Provides additional time to the Clean Water Council to make their recommendations for how to spend money in the CWF by changing the reporting requirement to January 15 each odd-numbered year rather than December 1 each even-numbered year. Allows the Clean Water Council to submit supplemental recommendations in even-numbered years.

2 Voyageurs National Park grant; extension.

Extends a previous appropriation from the CWF for the Ash River Sanitary Sewer Collection and Treatment Facility Planning project until June 30, 2023.

Article 3: Parks and Trails Fund

This article contains extensions of two previous appropriations from the parks and trails fund. The parks and trails fund receives 14.25 percent of the revenues from the sales tax increase and must be spent to “support parks and trails of regional or statewide significance.” The extensions are for an appropriation for coordination between parks and trails legacy partners and an appropriation for a city of Crookston project.

Article 4: Arts and Cultural Heritage Fund

This article contains an extension of a previous appropriation from the arts and cultural heritage fund to the Historical Society. The arts and cultural heritage fund receives 19.75 percent of the revenues from the sales tax increase and must be spent to support the arts and preserve Minnesota’s history and cultural heritage.



Minnesota House Research Department provides nonpartisan legislative, legal, and information services to the Minnesota House of Representatives. This document can be made available in alternative formats.

www.house.mn/hrd | 651-296-6753 | 155 State Office Building | St. Paul, MN 55155