

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill provides appropriations from sales tax revenues deposited in four dedicated funds under Article XI, section 15, of the Minnesota Constitution (the outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund).

### Section

#### Article 1: Outdoor Heritage Fund

### Overview

This article includes appropriations from the outdoor heritage fund for various projects and programs, including projects and programs recommended for funding by the Lessard-Sams Outdoor Heritage Council (LSOHC) that is charged with making recommendations on the use of the funds in the outdoor heritage fund.

- 1 **Outdoor heritage appropriation.** Technical.
- 2 **Outdoor heritage.**

**Subd. 1. Total appropriation.** Provides a total appropriation of \$96,421,000 from the outdoor heritage fund in fiscal year 2014, and \$51,174,000 in fiscal year 2015.

**Subd. 2. Prairies.** Provides a total appropriation of \$26,790,000 in fiscal year 2014

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and \$6,696,000 in fiscal year 2015 for the following prairie projects:

- (a) \$2,000,000 each year to the Board of Water and Soil Resources (BWSR), in cooperation with the Minnesota Land Trust and the Conservation Fund, for a pilot project to acquire conservation easements on grasslands;
- (b) \$7,960,000 in 2014 for an agreement with Pheasants Forever to acquire wildlife management areas (WMAs);
- (c) \$4,000,000 in 2014 and \$2,940,000 in 2015 to the Department of Natural Resources (DNR) to acquire land for WMAs and scientific and natural areas (SNAs), and to acquire native prairie bank easements;
- (d) \$5,310,000 in 2014 for an agreement with the Nature Conservancy to acquire native prairie, wetland, and savanna and restore and enhance grasslands, wetlands, and savanna;
- (e) \$3,520,000 in 2014 to BWSR to acquire permanent conservation easements that expand clean water fund riparian buffers on private land;
- (f) \$1,780,000 in 2014 for an agreement with the Trust for Public Land to acquire and restore lands in the Cannon River watershed for WMA or aquatic management area (AMA) purposes; and
- (g) \$2,220,000 in 2014 and \$1,756,000 in 2015 to the DNR to accelerate restoration and enhancement of WMAs, SNAs, and land under native prairie bank easements.

**Subd. 3. Forests.** Provides a total appropriation of \$8,630,000 in fiscal year 2014 and \$6,476,000 in fiscal year 2015 for the following forest projects:

- (a) \$1,180,000 in 2014 for an agreement with the American Bird Conservancy to acquire land for WMAs;
- (b) \$1,150,000 in 2014 to BWSR and \$300,000 in 2015 to the DNR to acquire land in fee and through permanent conservation easements adjacent to the Mississippi and Crow Wing Rivers and the boundaries of the Minnesota National Guard Army Compatible Use Buffer (ACUB);
- (c) \$1,180,000 in 2014 for an agreement with Pheasants Forever, in cooperation with the Minnesota Sharp-Tailed Grouse Society, to acquire and enhance lands for WMA purposes;
- (d) \$500,000 in 2014 for an agreement with Cass County to acquire land for forest wildlife habitat;
- (e) \$820,000 in 2014 for an agreement with the Minnesota Land Trust to acquire conservation easements along rivers and lakes in the northern forest region;

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(f) \$2,000,000 in 2014 for an agreement with the Minnesota Deer Hunters Association to restore and enhance public forest lands in the northern forest region for moose habitat;

(g) \$500,000 in 2014 and \$5,000,000 in 2015 for the Minnesota forests for the future program for conservation easements on forest lands in Itasca, Koochiching, and St. Louis Counties; and

(h) \$1,000,000 in 2014 and \$1,476,000 in 2016 for an agreement with the Fond du Lac Band of Lake Superior Chippewa to acquire, restore, and enhance land within the band's reservation.

**Subd. 4. Wetlands.** Provides a total appropriation of \$32,760,000 in fiscal year 2014 and \$10,000,000 in fiscal year 2015 for the following wetland projects:

(a) \$16,000,000 in 2014 and \$8,000,000 to BWSR for permanent easements and restoration of wetlands and associated uplands through the Reinvest in Minnesota (RIM) Reserve program and Wetlands Reserve Program;

(b) \$6,830,000 in 2014 for an agreement with Pheasants Forever to acquire land for waterfowl production areas;

(c) \$3,530,000 in 2014 for an agreement with Ducks Unlimited to acquire land for WMAs;

(d) \$1,630,000 in 2014 to BWSR to acquire land in fee for wild rice lake shoreland habitat;

(e) \$1,980,000 in 2014 for an agreement with the Minnesota Land Trust to acquire permanent conservation easements in high-priority wetland complexes in the prairie and forest/prairie transition areas;

(f) \$1,790,000 in 2014 and \$1,000,000 in 2015 to the DNR to enhance and restore shallow lakes; and

(g) \$1,000,000 each year for an agreement with Ducks Unlimited to construct an outlet, water control structure, and pump station to enhance aquatic habitat in Pelican Lake.

**Subd. 5. Habitat.** Provides a total appropriation of \$27,438,000 in fiscal year 2014 and \$27,250,000 in fiscal year 2015 for the following habitat projects:

(a) \$3,250,000 in 2014 and \$2,000,000 in 2015 to the DNR to acquire lands in fee for AMAs and to restore and enhance aquatic habitat;

(b) \$2,100,000 in 2014 and \$2,000,000 in 2015 for an agreement with Dakota County to acquire, restore, and enhance lands in Dakota County for fish and wildlife management purposes for WMAs and AMAs;

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- (c) \$2,750,000 in 2014 and \$1,000,000 in 2015 for agreements to acquire conservation easements and land in fee for SNA and state forest purposes;
- (d) \$1,720,000 in 2014 and \$700,000 in 2015 for agreements to acquire land in fee and through conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers;
- (e) \$1,000,000 in 2014 to the University of Minnesota to acquire land in fee surrounding Lake Tamarack for the Minnesota Landscape Arboretum;
- (f) \$1,710,000 each year to the DNR to enhance aquatic habitat;
- (g) \$2,470,000 in 2014 and \$300,000 in 2015 for an agreement with Trout Unlimited to restore and enhance coldwater fish river and stream habitats;
- (h) \$1,127,000 in 2014 for an agreement with the Shell Rock River Watershed District to construct structural deterrents and lake level controls to enhance aquatic habitat on Albert Lea Lake;
- (i) \$5,346,000 in 2014 and \$1,500,000 in 2015 to the Metropolitan Council for habitat restoration and enhancement in various parks;
- (j) \$500,000 in 2014 and \$4,500,000 in 2015 for an agreement with the South St. Louis Soil and Water Conservation District for a stream habitat repair program in the Duluth area impacted by the 2012 flood;
- (k) \$275,000 in 2014 and \$7,200,000 in 2015 to the DNR to protect aquatic habitat from aquatic invasive species, including \$3,500,000 for grants for decontamination equipment and inspection and decontamination activities and \$475,000 for grants to Hubbard and Beltrami Counties;
- (l) \$1,000,000 in 2014 and \$2,000,000 in 2015 for an agreement with the Minnehaha Creek Watershed District to protect lakes, rivers and streams in the district from aquatic invasive species;
- (m) \$200,000 in 2014 and \$350,000 in 2015 for an agreement with West Central Area School District to acquire and restore native prairie and wetlands adjacent to the district's environmental learning center.
- (n) \$4,000,000 in 2014 and \$4,000,000 in 2015 to the DNR for the Outdoor Heritage Conservation Partners Grant Program, a competitive grant program administered by the DNR. The grants are available to local, regional, state, and national organizations for enhancement, restoration, or protection of forests, wetlands, prairies, and habitat for fish, game, or wildlife. The grants may be awarded in an amount up to \$400,000 and require a nonstate cash match of ten percent.

**Subd. 6. Administration.** Provides a total appropriation of \$803,000 in fiscal year

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2014 and \$752,000 in fiscal year 2015 for administration, including: \$175,000 each year for contract management services from the DNR; \$468,000 each year for administration of the council; \$90,000 each year for a technical evaluation panel to conduct restoration audits; \$50,000 for land acquisition pre-transaction services of the DNR; and a total of \$39,000 for the Legislative Coordinating Commission's Legacy website.

**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 length of time the funds may be available. States that funds for acquisition may be used to restore, enhance, and provide for the public use of lands acquired and that public use facilities must have minimal impact on habitat.

**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 that are open to the public for hunting and fishing to the DNR for mapping.

**Subd. 10. Appropriations carryforward; fee title acquisition.** Extends a previous appropriation for a Washington County project until July 1, 2015, and allows the funding to be used for acquisition of land in fee.

**Subd. 11. Conservation Corps Minnesota.** Requires a recipient of money appropriated in the article to consider using the Conservation Corps Minnesota for restoration and enhancement services.

- 3 Duties; recommendations and oversight.** Amends § 97A.056, subd. 3. Requires recommendations of the LSOHC to be submitted on a biennial basis in odd-numbered years (they are currently done annually) and allows the council to submit supplemental recommendations in even-numbered years. Requires the council to provide oversight of funded projects, including evaluating outcomes. Requires proposals submitted to the council to be evaluated in a certain manner and that the council provide written reasons a project was not selected for a hearing, if all proposals were not selected for a hearing.
- 4 Restoration evaluations.** Amends § 97A.056, subd. 10. Removes the cap on the number of restoration evaluations that may be conducted each year (currently the maximum is ten).

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- 5 Recipient requirements.** Amends § 97A.056, subd. 11. States that if the legislative auditor determines that a recipient of outdoor heritage funds has not complied with applicable laws, rules or regulations that they are not eligible for future funding until demonstrating compliance. Restricts the use of outdoor heritage funds for travel outside of the state to allow the use only if the travel is directly related to and necessary for a project based in the state.
- 6 Acquisitions of lands or interest in lands; commissioner approval.** Adds § 97A.056, subd. 20. Requires all interests in lands, except conservation easements to be held by BWSR, to be approved by the commissioner of natural resources prior to acquisition, and establishes criteria the commissioner must use when approving an acquisition.
- 7 Value assessment.** Adds § 97A.056, subd. 21. Requires a recipient of outdoor heritage funds to submit the most recent tax assessed value, property tax statement and the amount the recipient plans to offer for an interest in real property prior to acquiring the interest to the DNR and LSOHC. Exempts conservation easements held by BWSR from these requirements and instead requires the board to keep a record of the tax assessed value (at the time of acquisition) and the most recent tax statement.

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## Article 2: Clean Water Fund

### Overview

This article includes appropriations from the clean water fund for various projects and programs, including projects and programs recommended for funding by the Clean Water Council that is charged with making recommendations on the use of the funds in the clean water fund.

- 9 Clean water fund appropriations.** Technical.
- 10 Clean water.** Provides a total appropriation of \$95,108,000 from the clean water fund in fiscal year 2014, and \$96,096,000 in fiscal year 2015. States that money appropriated in the article may not be spent on activities unless they are directly related to and necessary for a specific appropriation and must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Makes the funds available for two years or, when federal funds are involved, for the time period equal to the federal funding availability.
- 11 Department of Agriculture.** Appropriates \$7,895,000 each year to the Department of Agriculture, including money:
- to monitor pesticides and pesticide degradates in ground and surface waters;
  - to increase monitoring and evaluation of trends in nitrate concentrations;
  - for the agricultural best management loan account for low-interest septic system

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loans;

- for research, including pilot projects;
- for a research inventory database;
- for implementation of the agricultural water quality certification program; and
- for a regional irrigation water quality specialist.

**12 Public Facilities Authority.** Appropriates \$11,000,000 each year to the Public Facilities Authority (PFA), including \$9,000,000 each year for the total maximum daily load (TMDL) grant program, and \$2,000,000 each year for grants and loans for small community wastewater treatment.

**13 Pollution Control Agency.** Appropriates \$30,315,000 in fiscal year 2014 and \$30,265,000 in fiscal year 2015 to the Pollution Control Agency (PCA), including money for:

- completion of 20 percent of the needed statewide surface water assessments;
- the development of watershed restoration and protection strategies (WRAPS) which include TMDL studies and TMDL implementation plans;
- groundwater assessment;
- a restoration project in the lower St. Louis River and Duluth harbor;
- the clean water partnership program;
- TMDL research and database development;
- development of a multiagency watershed database reporting portal;
- national pollutant discharge elimination system (NPDES) wastewater and storm water TMDL implementation;
- grants to counties for subsurface sewage treatment systems (SSTS);
- water quality monitoring in watersheds with participants in the agricultural water quality certification program;
- development of wastewater treatment system designs and practices and for providing technical assistance;
- grants to the Red River Watershed Management Board for the river watch program;
- grants to local units of government to address the impacts of polycyclic aromatic hydrocarbons resulting from the use of coal tar; and
- administration expenses of the Clean Water Council.

**14 Department of Natural Resources.** Appropriates \$14,360,000 in fiscal year 2014 and \$14,075,000 in fiscal year 2015 to the DNR, including money for:

- stream flow monitoring;
- lake Index of Biological Integrity (IBI) assessments;
- assessing mercury contamination of fish;

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- TMDL development and implementation plans;
- 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;
- best management practices for public water access sites;
- development and designation of groundwater management areas;
- grants to counties who have adopted advanced shoreland protection measures; and
- hosting groundwater management workshops.

**15 Board of Water and Soil Resources.** Appropriates \$22,711,000 in fiscal year 2014 and \$24,534,000 in fiscal year 2015 to BWSR, including money for:

- grants to watershed districts, watershed management organizations, and other joint powers organizations that have multiyear plans that will result in significant water pollution reduction;
- grants to local units of government for riparian buffers, water storage practices, stream bank stabilization; implementation of feedlot best management practices and others activities;
- targeted local resource protection and enhancement grants;
- state oversight and accountability of local implementation efforts;
- grants to local units of government to ensure compliance with drainage and soil erosion requirements, and funds for the update of the Minnesota Public Drainage Manual;
- acquisition and restoration of permanent conservation easements on riparian buffers;
- permanent conservation easements on wellhead protection areas;
- restoration audits;
- grants to Area II Minnesota River Basin for floodplain management; and
- implementation of changes to the Clean Water Legacy Act contained in this article.

Requires the board to contract with the Conservation Corps Minnesota for \$500,000 each year under the programs funded in this section.



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- 16 Department of Health.** Appropriates \$6,198,000 each year to the Department of Health, including money for:
- addressing public health concerns related to drinking water contaminants of emerging concern;
  - drinking water source protection;
  - cost-share assistance to public and private well owners;
  - expansion of the county well index;
  - study of the occurrence and magnitude of contaminants in private wells;
  - monitoring recreational beaches on Lake Superior for pollutants that may pose a health risk;
  - a biomonitoring program; and
  - development and implementation of a groundwater virus monitoring plan.
- 17 Metropolitan Council.** Appropriates \$2,000,000 each year to the Metropolitan Council for:
- grants or loans for local inflow and infiltration reduction programs;
  - an investigation of the groundwater and surface water interaction in and around White Bear Lake and the surrounding lakes; and
  - metropolitan regional groundwater planning.
- 18 University of Minnesota.** Appropriates \$615,000 each year to the University of Minnesota for developing county geologic atlases.
- 19 Legislature.** Appropriates \$14,000 each year to the Legislative Coordinating Commission for the costs of the commission's Legacy website.
- 20 Purpose.** Adds § 17.9891. Authorizes the Department of Agriculture (MDA), in consultation with named state agencies, to implement a new voluntary agricultural water quality certification program. Requires an initial pilot program in selected watersheds until MDA determines the program is ready for expansion.
- 21 Definitions.** Adds § 17.9892. Defines key terms for purposes of the agricultural water quality certification program.
- 22 Certification instrument.** Adds § 17.9893. Requires MDA, in consultation with named state agencies, to develop a certification instrument to determine whether a farmer's water quality and management practices are consistent with state water quality goals and standards.
- 23 Certifying agent license.** Adds § 17.9894. Requires a license for each person who performs the required farm certification services. MDA would set the license fee. A licensed certifying agent could not certify a farmer if the certifying agent previously provided technical assistance to the farmer. To be eligible for licensure, a person must be an agricultural conservation professional employed by the state, a local soil and water conservation district, or the United States Department of Agriculture's Natural Resources

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Conservation Service. Alternatively, the person could be a Minnesota certified crop advisor. In addition, a person must pass an exam and meet continuing education requirements.

- 24 Duties of a certifying agent.** Adds § 17.9895. Requires an agent to use the certification instrument to assess whether a farmer is eligible for the program. If the agent concludes the farmer is eligible, the agent must notify MDA and request that MDA issue a certificate to the farmer. If a certifying agent violates any provision or an MDA order, the commissioner may issue a warning or suspend or revoke the agent's license. The agent could appeal to an administrative law judge.
- 25 Certification procedures.** Adds § 17.9896. Requires a farmer who wishes to be certified to conduct an initial assessment, obtain necessary technical assistance, achieve a satisfactory score on the certification instrument, and apply for certification to a certifying agent. If a certified farmer obtains control of additional farmland, the farmer must notify the certifying agent and certify the new farmland within one year. MDA may terminate the farmer's certification for failure to do so. MDA could revoke certification and seek monetary reimbursement from a certified farmer who fails to maintain certification criteria. A farmer could appeal under a process similar to the appeals process established for certifying agents above.
- 26 Certification certainty.** Adds § 17.9897. States the benefits and obligations of a participating farmer. A certified farmer would be (1) certified even if the farmer does not comply with new water protection laws that take effect during the certification period, and (2) considered to be meeting their contribution to any targeted pollution reduction (as in a total maximum daily load plan issued for an impaired water body pursuant to the federal Clean Water Act). A certified farmer would be required to (3) continue implementation of practices that maintain certification, and (4) retain all certification records.
- 27 Audits.** Adds § 17.9898. Requires MDA to randomly audit certifying agents and certified farmers.
- 28 Data.** Adds § 17.9899. Classifies all data that identifies farmers or their location as nonpublic or private data on individuals. Requires MDA to make summary data of program outcomes available.
- 29 Rulemaking.** Adds § 17.991. Authorizes MDA to issue rules to implement the program.
- 30 Reports.** Adds § 17.992. Requires MDA to report biennially to the legislature.
- 31 Financial assistance.** Adds § 17.993. Authorizes MDA to use gifts or other state accounts to issue grants, loans, or other financial assistance.
- 32 Watershed restoration and protection strategy or WRAPS.** Adds § 114D.15, subd. 13. Establishes a definition for watershed restoration and protection strategy or "WRAPS" for purposes of the Clean Water Legacy Act.

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- 33 Watershed restoration and protection strategies.** Adds § 114D.26. Requires the PCA to develop watershed restoration and protection strategies requirements for them. Requires the PCA to report on its Web site the progress towards implementing milestones and water quality goals for all adopted TMDLs and WRAPs every two years. Requires the WRAPs to be completed without one year of TMDL approval.
- 34 Nonpoint priority funding plan.** Adds § 114D.50, subd. 3a. Requires the PCA to develop a priority funding plan, every other year, to prioritize nonpoint restoration and protection actions and post the plan on the agency's Web site.
- 35 Expenditures; accountability.** Amends § 114D.50, subd. 4. States that if the legislative auditor determines that a recipient of clean water funds has not complied with applicable laws, rules or regulations that they are not eligible for future funding until demonstrating compliance. Restricts the use of clean water funds for travel outside of the state to allow the use only if the travel is directly related to and necessary for a project the directly benefits Minnesota waters.
- 36 Riparian buffer payments; reporting.** Adds § 114D.50, subd. 4a. Restricts the amount that may be paid for riparian buffer easements purchased with clean water funds when the first 50 feet of the buffer are out of compliance with riparian buffer requirements established in rule and requires BWSR to report on the money spent on easement on buffers that are not compliant.
- 37 Restoration evaluations.** Amends § 114D.50, subd. 6. Removes the cap on the number of restoration evaluations that may be conducted each year on restoration funded by the clean water fund (currently the maximum is ten).
- 38 Public water access site design and best management practices.** Requires the DNR to utilize design standards and best management practices developed with funds appropriated in this article when constructing and renovating public water access sites beginning March 1, 2014.

## Article 3: Parks and Trails Fund

### Overview

This article provides appropriations from the parks and trails fund. The article provides appropriations to the Department of Natural Resources (DNR) for state parks, trails, recreation areas; for regional parks and trails in greater Minnesota through the parks and trails legacy grant program and through specific project appropriations; and to the Metropolitan Council for specific metropolitan regional parks and trails and for land acquisition grants.

- 1 Parks and trails fund appropriations.** Technical.

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- 2 Parks and trails.** Provides a total appropriation of \$42,429,000 from the parks and trails fund in fiscal year 2014, and \$41,762,000 in fiscal year 2015. States that money appropriated in the article may not be spent on activities unless they are directly related to and necessary for a specific appropriation and must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Makes the funds available for two years or, when federal funds are involved, for the time period equal to the federal funding availability.
- 3 Natural resources.** Appropriates \$24,669,000 in fiscal year 2014 and \$23,669,000 in fiscal year 2015 to the DNR for the following parks and trails purposes:
- \$7,975,000 in 2014 and \$5,695,000 in 2015 for various state parks and trails projects;
  - \$1,549,000 each year for education and interpretive services at state parks and trails;
  - \$643,000 each year for public outreach;
  - \$2,500,000 in 2014 and \$2,140,000 in 2015 for land acquisition, development and design at state parks and trails;
  - \$1,933,000 in 2014 and \$4,654,000 in 2015 for rehabilitation and renewal at state parks and trails;
  - \$829,000 in 2014 and \$830,000 in 2015 for restoration and enhancement activities at state parks and trails;
  - \$350,000 each year for grants for veterans memorials in parks and trails of regional or statewide significance;
  - \$4,425,000 in 2014 and \$4,438,000 in 2015 for grants for regional parks and trails in greater Minnesota under the parks and trails legacy grant program;
  - \$4,465,000 in 2014 and \$3,370,000 in 2015 for grants for various regional parks and trails projects in greater Minnesota; and
  - Requires the commissioner to contract with the Conservation Corps Minnesota for at least \$1,000,000 each year.
- 4 Metropolitan Council.** Appropriates \$17,755,000 in fiscal year 2014 and \$18,088,000 in fiscal year 2015 for metropolitan regional parks and trails to be distributed to implementing agencies for various projects and activities and for grants for land acquisition.
- 5 Legislature.** Appropriates \$5,000 each year to the Legislative Coordinating Commission for the costs of the commission's Legacy Web site.
- 6 Public official.** Amends § 10A.01, subd. 35. Includes members of the Greater Minnesota Regional Parks and Trails Commission in the definition of "public official" for purposes of Minnesota Statutes, chapter 10A (conflict of interest, gift ban, statement of economic interest).

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- 7 Expenditures; accountability.** Amends § 85.53, subd. 2. States that if the legislative auditor determines that a recipient of parks and trails funds has not complied with applicable laws, rules or regulations that they are not eligible for future funding until demonstrating compliance. Restricts the use of parks and trails funds for travel outside of the state to allow the use only if the travel is directly related to and necessary for a project based in the state.
- 8 Greater Minnesota Regional Parks and Trails Commission.** Adds § 85.536. Creates a Greater Minnesota Regional Parks and Trails Commission to undertake system planning and to provide recommendations to the legislature for grants funded by the parks and trails fund to counties and cities outside of the seven-county metropolitan area for parks of regional significance.
- The commission consists of 12 members appointed by the governor representing each of the regional parks and trails districts. Requires the commissioner of natural resources, in consultation with the Greater Minnesota Regional Parks and Trails coalition, to establish these districts by combining counties.
- Authorizes counties within each district to jointly prepare and submit to the Commission a master plan for acquisition and development of parks and trails of regional significance located within the district. Specifies procedures for public hearings. Requires the Commission to review each master plan.
- Specifies criteria for determining of a park or trail is considered of regional significance under this section. Requires the Commission to review each master plan submitted by counties to determine if the plan meets these criteria.
- Requires the Commission to make recommendations consistent with master plans. Specifies criteria that govern the Commission's recommendations.
- Requires the DNR to provided administrative support for the Commission.
- Provides for membership terms, compensation and removal of members, filling of vacancies, selection of a chair, conflicts of interest, and openness of meetings.
- 9 Mississippi Whitewater Park.** Extends the availability of an appropriation for the Mississippi Whitewater Park until June 30, 2018.

## **Article 4: Arts and Cultural Heritage Fund**

### **Overview**

This article provides appropriations from the arts and cultural heritage Fund.

- 1 Arts and Cultural Heritage Fund Appropriation.** Provides the appropriation language for the arts and cultural heritage fund. The total appropriation is \$57,365,000 for fiscal year 2014 and \$57,429,000 for fiscal year 2015.

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### 2 Arts and Cultural Heritage

**Subd. 1. Arts and Cultural Heritage Fund.** Provides that \$57,365,000 shall be spent in the first year of the biennium, 2014, and \$57,329,000 shall be spent in the second year of the biennium, 2015.

**Subd. 2. Availability of Appropriation.** Directs that the appropriations must be spent on necessary and direct costs related to the specific appropriation.

**Subd. 3. Minnesota State Arts Board.** Provides \$23,565,000 to the Minnesota Arts Board in 2014 and \$23,865,000 to the Arts Board in 2015. Of this appropriation, 30 percent of the money is to be provided to the regional state arts boards. There is a prohibition on using the money to fund either the Minnesota Orchestra or the Saint Paul Chamber Orchestra unless they have solved the labor dispute with their musicians. There is also a directive that provides the Arts Board will provide a census of Minnesota Artists and organizations. The appropriation is broken as follows:

- Arts and Arts Access Initiatives: \$18,902,000 the first year and \$19,152,000 the second year for creating arts activities and reducing barriers to accessing those activities.
- Arts Education: \$3,422,250,000 each year for arts education.
- Arts and Cultural Heritage: \$1,240,750 in the first year and \$1,290,750 the second year for events and activities that represent diverse cultural and arts traditions.

**Subd. 4. Department of Education.** Provides \$3,000,000 each year for grants to the state's regional library system to create educational opportunities related to arts, history, literary arts, and cultural heritage. Provides language on how the funds shall be divided and distributed and how long the funds are available.

**Subd. 5. Minnesota Historical Society.** Provides \$13,475,000 in the first year and \$13,450,000 in the second year to the Historical Society to supplement traditional funding. Requires the Historical Society to give consideration to the Conservation Corp Minnesota and the Northern Bedrock Conservation Corp, and similar organization, for historical preservation projects. The appropriation is broken down as follows:

- Statewide Historic and Cultural Grants: \$5,300,000 each year for history programs through local or regional historical or cultural organizations and for activities to preserve historic and cultural resources.
- Programs: \$5,300,000 each year for historical and cultural heritage programs conducted by the Minnesota Historical Society.
- History Partnerships: \$2,000,000 each year for the historical society to partner with other organizations to enhance access to Minnesota's history and cultural

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heritage.

- Statewide Survey of Historical and Archaeological Sites: \$300,000 each year for competitive contacts for a statewide survey of Minnesota's historical sites.
- Digital Library: \$300,000 each year for preserving historical materials in digital formats.
- Civil War Task Force: \$25,000 in the first year for activities to commemorate the sesquicentennial of the American Civil War and Dakota Conflict.
- Civil Education Grants: \$250,000 each year for competitive grants for civics education programs for youth 18 and under

**Subd. 6. Department of Administration.** Provides the appropriations to the Department of Administration to administer grants to individual programs. Each of these programs, except for AMPERS, has a priority for projects with a 25 percent nonstate cash match by the recipients.

- Minnesota Public Radio: \$1,500,000 each year
- AMPERS: \$1,650,000 each year
- Lake Superior Center Authority: \$200,000 in fiscal year 2014
- Lake Superior Zoo: \$300,000 in fiscal year 2014
- Como Park Zoo: \$500,000 each year
- Science Museum: \$500,000 each year for programs, increase access, and the American Indian initiatives; \$400,000 in the first year and \$800,000 in the second year to upgrade the omnitheater, must have a 25 percent nonstate cash match
- Public Television: \$3,950,000 each year
- Minnesota Film and TV Board: \$500,000 each year
- Small Theater Grants: \$100,000 in the first year and \$50,000 in the second year for grants to theaters to upgrade from 35 millimeter projection to digital projection
- Historic Memorial Busts: \$80,000 in the first year for busts of Nellie Stone Johnson, former U.S. Supreme Court Justice Harry Blackmun, and former U.S. Supreme Court Justice Pierce Butler in the state capitol.

**Subd. 7. Minnesota Humanities Center.** Provides an appropriation of \$2,325,000 in the first year and \$2,275,000 in the second year to the Humanities Center to run programs and administer grants to other programs.

- Programs and Purposes: \$425,000 each year for programs for the Humanities

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Center or for grants to museums and organizations; of that \$100,000 each year is for the Veteran's Voices Awards Program

- Children's Museum Grants: \$500,000 each year for competitive grants to children's museums, with a priority for programs with a 25 percent nonstate cash match
- Minnesota Children's Museum: \$500,000 each year for the Minnesota Children's Museum programs, with a priority for a 25 percent nonstate cash match
- Southern Minnesota Children's Museum: \$200,000 in the first year and \$100,000 in the second year for new exhibits, with a priority for a 25 percent nonstate cash match
- Councils of Color: \$500,000 the first year and \$550,000 the second year for competitive grants to the four member groups for programs and events, with a priority for a 25 percent nonstate cash match
- Council on Disability: \$200,000 each year for grants for education and events for the 25th Anniversary of the Americans with Disabilities Act

**Subd. 8. Perpich Center for Arts Education.** Provides an appropriation of \$956,000 in the first year and \$1,089,000 in the second year for administration and programs.

- Administrative Costs: \$28,000 in the first year and \$29,000 in the second year for administrative costs
- Arts Integration Networks: \$808,000 each year for the Arts Integration program to assist teachers in designing and implementing collaborative arts in Minnesota schools and improve students learning
- Arts-Integrated High School Course: \$20,000 the first year and \$152,000 the second year are for the development of arts-integration courses.
- Statewide Study on Status of Arts Education: \$100,000 each year for a study on art education in Minnesota.

**Subd. 9. Department of Agriculture.** Provides for \$1,400,000 each year to the commissioner of agriculture for competitive grants to county fairs. \$700,000 each year for competitive grants to enhance arts access and preserve and promote Minnesota's cultural history, with a priority for projects that work with their regional arts councils or create traveling exhibits, and \$700,000 each year for competitive grants to enhance facilities and provide programming.

**Subd. 10. Minnesota Zoo.** Provides for \$1,750,000 each year for the Minnesota Zoo for arts and heritage educational programming and improved access.



## Section

**Subd. 11. Indian Affairs Council.** Provides an appropriation for grant programs to the Indian Affairs Council of \$1,150,000 each year.

- Grants to Preserve Dakota and Ojibwe Language: \$650,000 each year for programs to preserve Dakota and Ojibwe language
- Language Immersion: \$250,000 each year for grants to two Ojibwe language schools
- Competitive Grants: \$250,000 each year for competitive grants to native language immersion schools

**Subd. 12. Legislature.** Provides that \$14,000 in the first year will go to the Legislative Coordinating Commission to operate the Legacy Web site.

**Subd. 13. Motion picture production investment incentive program.** Provides that \$50,000 in the first year goes to the commissioner of DEED to enter into an agreement with an reputable organization in the motion picture industry to establish and administer a motion picture investment incentive program.

**3 Expenditures; accountability.** Adds two new provisions requiring arts and cultural heritage money used to travel outside Minnesota be directly related to and necessary for a project based in Minnesota and prohibiting future funding for past recipients who have not complied with the laws, rules, or regulations governing the arts and cultural heritage fund until the recipient has demonstrated compliance.

**4 Association of Minnesota Public Educational Radio Stations.** Adds the Association of Minnesota Public Educational Radio Stations to the statute and therefore allows them to execute the programs and receive appropriations with their member stations.

**5 Association of Minnesota Public Educational Radio Stations.** Adds the Association of Minnesota Public Educational Radio Stations to the statute and therefore allows them to execute the programs and receive appropriations with their member stations.

**6 Capitol cafeteria; wine and beer license.** Amends previous law allowing the city of St. Paul to issue on-sale wine and beer licenses for the capitol cafeteria for special events by requiring St. Paul to issue a license.

**Effective Date.** This section is effective after the city of St. Paul has come into compliance.

**7 Minnesota Orchestra; Saint Paul Chamber Orchestra.** Requires the commissioner of management and budget to recapture funds expended and cancel grant agreements between state agencies and the orchestras if they are still in a labor dispute. Provides that if money is returned to the Arts and Cultural Heritage Fund that money shall be appropriated to the Minnesota Arts Board for programs that employ orchestra musicians.

**Section**

- 8**      **Economic impact study; motion picture industry.** Requires the commissioner of DEED to conduct a study to look at the economic impact of the film industry in Minnesota and determine the potential economic growth from film incentive programs that could be made available in Minnesota and report the results to the legislature.

**Article 5: General Provisions; All Legacy Funds**

- 1**      **Legacy funds.** Amends previous language that each legacy fund is liable to the auditor for the cost of examining the funds financial activities. Adds provisions to appropriate legacy money to the auditor to recover the costs of the audits.

**Effective date.** This section is effective the day following final enactment.

- 2**      **Commissioner determination; fund availability.** Requires the commissioner of management and budget to reduce appropriations from legacy funds when there is a short fall in available revenues in equal or equitable amounts and to report those reductions to the Legislative Advisory Commission.

**Effective date.** This section is effective the day following final enactment.