

A bill for an act relating to Minnesota heritage finance; appropriating money for tourism, historical, arts, humanities, public broadcasting, amateur sports, and zoological purposes; for the Councils on Black Minnesotans, Chicano/Latino Affairs, and Asian-Pacific Minnesotans and the Indian Affairs Council; and for the Science Museum of Minnesota; changing certain provisions related to care and control of battle flags; amending Minnesota Statutes 2006, section 190.096.

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

ARTICLE 1
MINNESOTA HERITAGE FINANCE APPROPRIATIONS

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations by fund made in this article.

		<u>2008</u>		<u>2009</u>		<u>Total</u>
<u>General</u>	\$	<u>64,538,000</u>	\$	<u>60,839,000</u>	\$	<u>125,377,000</u>
<u>Natural Resources</u>		<u>137,000</u>		<u>138,000</u>		<u>275,000</u>
<u>Total</u>	\$	<u>64,675,000</u>	\$	<u>60,977,000</u>	\$	<u>125,652,000</u>

Sec. 2. MINNESOTA HERITAGE APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2008" and "2009" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2008, or June 30, 2009, respectively. "The first year" is fiscal year 2008. "The second year" is fiscal

year 2009. "The biennium" is fiscal years 2008 and 2009. Appropriations for the fiscal year ending June 30, 2007, are effective the day following final enactment.

		<u>APPROPRIATIONS</u>	
		<u>Available for the Year</u>	
		<u>Ending June 30</u>	
		<u>2008</u>	<u>2009</u>
Sec. 3.	<u>EXPLORE MINNESOTA TOURISM</u>	\$ <u>11,669,000</u>	\$ <u>12,587,000</u>

(a) To develop maximum private sector involvement in tourism, \$1,000,000 in the first year and \$2,000,000 in the second year must be matched by Explore Minnesota Tourism from nonstate sources. Each \$1 of state incentive must be matched with \$3 of private sector funding. Cash match is defined as revenue to the state or documented cash expenditures directly expended to support Explore Minnesota Tourism programs. Up to one-half of the private sector contribution may be in-kind or soft match. The incentive in the first year shall be based on fiscal year 2007 private sector contributions as prescribed in Laws 2005, First Special Session chapter 1, article 3, section 6. The incentive increase in the second year will be based on fiscal year 2008 private sector contributions. This incentive is ongoing.

(b) Funding for the marketing grants is available either year of the biennium. Unexpended grant funds from the first year are available in the second year.

(c) Any unexpended money from the general fund appropriations made under this section does not cancel but must be placed in a special marketing account for use by Explore

3.1 Minnesota Tourism for additional marketing
3.2 activities.

3.3 (d) \$250,000 the first year and \$250,000
3.4 the second year are for operating costs of
3.5 the Minnesota Film and TV Board. The
3.6 appropriation in each year is available
3.7 only upon receipt by the board of \$1 in
3.8 matching contributions of money or in-kind
3.9 contributions from nonstate sources for every
3.10 \$3 provided by this appropriation.

3.11 (e) \$750,000 is appropriated each year for a
3.12 grant to the Minnesota Film and TV Board
3.13 for the film jobs production program under
3.14 Minnesota Statutes, section 116U.26. Of
3.15 this amount, up to \$25,000 each year may
3.16 be used for administration. The budget base
3.17 for the film jobs production program shall be
3.18 \$500,000 in fiscal year 2010 and \$500,000 in
3.19 fiscal year 2011.

3.20 (f) \$150,000 in the first year is for a onetime
3.21 grant to St. Louis County to be used for
3.22 feasibility studies and planning activities
3.23 concerning additional uses for the St. Louis
3.24 County Heritage and Arts Center at the
3.25 Duluth depot. The studies and planning
3.26 activities must include:

3.27 (1) examining the costs and benefits of
3.28 relocating the Northeast Minnesota Office of
3.29 Tourism to the Duluth depot;

3.30 (2) establishing a heritage tourism center at
3.31 the Duluth depot;

3.32 (3) developing a multimodal operational plan
3.33 integrating railroad and bus service; and

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4.1 (4) identifying additional services and
4.2 activities that would contribute toward
4.3 returning the Duluth depot to being a
4.4 working railroad station and cultural gateway
4.5 to Duluth and St. Louis County.

4.6 This appropriation is available until June 30,
4.7 2009.

4.8 Sec. 4. MINNESOTA HISTORICAL
4.9 SOCIETY

4.10	Subdivision 1. Total Appropriation	\$ 29,031,000	\$ 24,441,000
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4.11 The amounts that may be spent for each
4.12 purpose are specified in the following
4.13 subdivisions.

4.14 \$500,000 the first year and \$500,000 the
4.15 second year are for increased rent costs. This
4.16 amount is added to the society's base budget.

4.17	<u>Subd. 2. Education and Outreach</u>	<u>17,307,000</u>	<u>13,765,000</u>
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4.18 (a) Of this amount, \$1,700,000 the first year
4.19 is a onetime appropriation for the Minnesota
4.20 Sesquicentennial Commission. Of this
4.21 appropriation, \$750,000 is for competitive
4.22 matching grants for local events and projects;
4.23 \$750,000 is for planning and support of
4.24 statewide activities, and up to \$200,000 may
4.25 be used for administration.

4.26 (b) The Minnesota Historical Society, the
4.27 State Arts Board, and Explore Minnesota
4.28 Tourism may assist the commission in
4.29 designing and implementing the grants
4.30 program.

4.31 (c) The commission shall encourage private
4.32 contributions to match the state funds to
4.33 the greatest extent possible. Contributions

5.1 received by the commission are appropriated
5.2 to the commission.
5.3 \$1,500,000 in the first year is for a
5.4 grant-in-aid program for county and local
5.5 historical societies. The Minnesota Historical
5.6 Society shall establish program guidelines
5.7 and grant evaluation and award criteria for
5.8 the program. Each dollar of state funds
5.9 awarded to a grantee must be matched with
5.10 nonstate funds on a dollar-for-dollar basis by
5.11 a grantee. This is a onetime appropriation
5.12 and is available until expended.

5.13 \$500,000 in the first year is for a grant-in-aid
5.14 program for county and local historical
5.15 societies for the repair, restoration, and
5.16 preservation of historic sites and buildings
5.17 in Minnesota. The Minnesota Historical
5.18 Society shall establish program guidelines
5.19 and grant evaluation and award criteria for
5.20 the program. This is a onetime appropriation
5.21 and is available until expended.

5.22 (d) \$60,000 each year is to offset the revenue
5.23 loss from not charging fees for general tours
5.24 at the Capitol. This appropriation is added to
5.25 the society's base budget.

5.26 (e) Notwithstanding Minnesota Statutes,
5.27 section 138.668, the Minnesota Historical
5.28 Society may not charge a fee for its general
5.29 tours at the Capitol, but may charge fees for
5.30 special programs other than general tours.

5.31	<u>Subd. 3. Preservation and Access</u>	<u>10,953,000</u>	<u>10,271,000</u>
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5.32 \$500,000 in the first year is to conduct a
5.33 conservation survey and for restoration,
5.34 treatment, moving, and storage of the 1905
5.35 historic furnishings and works of art in the

6.1 Minnesota State Capitol. This is a onetime
 6.2 appropriation and is available until June 30,
 6.3 2009.

6.4 \$308,000 the first year is for the preservation
 6.5 of battle flags. This is a onetime appropriation
 6.6 and is available until June 30, 2009.

6.7	<u>Subd. 4. Pass-Through Appropriations</u>	<u>771,000</u>	<u>405,000</u>
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6.8	<u>(a) Minnesota International Center</u>	<u>43,000</u>	<u>43,000</u>
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6.9	<u>(b) Minnesota Air National Guard Museum</u>	<u>16,000</u>	<u>-0-</u>
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6.10	<u>(c) Minnesota Military Museum</u>	<u>234,000</u>	<u>234,000</u>
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6.11	<u>(d) Farmamerica</u>	<u>128,000</u>	<u>128,000</u>
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6.12	<u>(e) Balances Forward</u>		
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6.13 Any unencumbered balance remaining in
 6.14 this subdivision the first year does not cancel
 6.15 but is available for the second year of the
 6.16 biennium.

6.17 \$150,000 in the first year is for a onetime
 6.18 grant to the Nicollet County Historical
 6.19 Society for renovation of the center exhibit
 6.20 gallery in the Treaty Site History Center
 6.21 in St. Peter, including additions to the
 6.22 center's infrastructure and state-of-the-art
 6.23 interpretive elements. This appropriation is
 6.24 available until the project is completed or
 6.25 abandoned, subject to Minnesota Statutes,
 6.26 section 16A.642.

6.27 \$200,000 in the first year is for a grant to
 6.28 the Hmong Studies Center at Concordia
 6.29 University in St. Paul, Minnesota, to be
 6.30 used for preservation of Hmong historical
 6.31 artifacts and documents. Any part of the
 6.32 appropriation not used in fiscal year 2008 is
 6.33 available for use in fiscal year 2009. This is

7.1 a onetime appropriation and is available until
7.2 expended.

7.3 **Subd. 5. Fund Transfer**

7.4 The Minnesota Historical Society may
7.5 reallocate funds appropriated in and between
7.6 subdivisions 2 and 3 for any program
7.7 purposes.

7.8 **Subd. 6. Minnesota River Valley Study Group**

7.9 The Minnesota Historical Society in
7.10 cooperation with Explore Minnesota Tourism
7.11 shall establish and coordinate a Minnesota
7.12 River Valley study group. The Minnesota
7.13 River Valley study group shall be comprised
7.14 of representatives of the Minnesota Valley
7.15 Scenic Byway Alliance, the Department
7.16 of Natural Resources, the Department
7.17 of Transportation, the Minnesota Indian
7.18 Affairs Council, the Region 6 West, Region
7.19 6 East, Region 8 and Region 9 Regional
7.20 Development Commissions, the Minnesota
7.21 Historical Society, Explore Minnesota
7.22 Tourism, State Arts Board, and other
7.23 interested parties. The study group must
7.24 develop a plan for coordinated activities
7.25 among organizations represented on the
7.26 study group to enhance and promote historic
7.27 sites, and historic, scenic, and natural
7.28 features of the Minnesota River Valley
7.29 area. Study topics shall include, but are
7.30 not limited to, historic sites related to the
7.31 Dakota Conflict of 1862 and the state and
7.32 local preparations for the sesquicentennial of
7.33 this event. The Minnesota Historical Society
7.34 and Explore Minnesota Tourism shall report
7.35 on the findings and recommendations of

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8.1 the Minnesota River Valley study group to
8.2 the standing committees of the house of
8.3 representatives and senate with jurisdiction
8.4 over historic sites and tourism by March 1,
8.5 2008. The Minnesota River Valley study
8.6 group shall serve without compensation.

8.7 **Sec. 5. BOARD OF THE ARTS**

8.8	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 9,975,000</u>	<u>\$ 9,982,000</u>
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8.9 The amounts that may be spent for each
8.10 purpose are specified in the following
8.11 subdivisions.

8.12	<u>Subd. 2. Operations and Services</u>	<u>637,000</u>	<u>644,000</u>
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8.13	Subd. 3. Grants Programs	<u>6,452,000</u>	<u>6,452,000</u>
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8.14 The base budget for the grants program
8.15 shall be \$5,924,000 in fiscal year 2010 and
8.16 \$5,924,000 in fiscal year 2011.

8.17	<u>Subd. 4. Regional Arts Councils</u>	<u>2,886,000</u>	<u>2,886,000</u>
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8.18 The base budget for the regional arts councils
8.19 shall be \$2,539,000 in fiscal year 2010 and
8.20 \$2,539,000 in fiscal year 2011.

8.21 Sec. 6. MINNESOTA HUMANITIES
8.22 COMMISSION

8.23 Of this amount, ten percent in each
8.24 year is for lifelong learning programs in
8.25 greater Minnesota communities that do not
8.26 receive financial support from other large
8.27 educational institutions. The base budget
8.28 for the Minnesota Humanities Commission
8.29 is \$500,000 each year in the 2010-2011
8.30 biennium.

8.31	Sec. 7. PUBLIC BROADCASTING	\$	3,103,000	\$	3,103,000
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9.1 (a) \$1,613,000 the first year and \$1,613,000
9.2 the second year are for matching grants
9.3 for public television. The base budget for
9.4 matching grants shall be \$1,161,000 in fiscal
9.5 year 2010 and \$1,161,000 in fiscal year 2011.

9.6 (b) \$398,000 the first year and \$398,000
9.7 the second year are for public television
9.8 equipment grants. Equipment or matching
9.9 grant allocations shall be made after
9.10 considering the recommendations of the
9.11 Minnesota Public Television Association.
9.12 The base budget for public television
9.13 equipment grants shall be \$200,000 in fiscal
9.14 year 2010 and \$200,000 in fiscal year 2011.

9.15 (c) \$17,000 the first year and \$17,000 the
9.16 second year are for grants to the Twin Cities
9.17 regional cable channel.

9.18 (d) \$350,000 in fiscal year 2008 and \$350,000
9.19 in fiscal year 2009 are for community service
9.20 grants to public educational radio stations.
9.21 The base budget for the community service
9.22 grants shall be \$287,000 in fiscal year 2010
9.23 and \$287,000 in fiscal year 2011.

9.24 (e) \$250,000 in fiscal year 2008 and \$250,000
9.25 in fiscal year 2009 are for equipment grants
9.26 to public educational radio stations. The
9.27 general fund base funding for equipment
9.28 grants is increased by \$125,000 each year in
9.29 the fiscal 2010-2011 biennium.

9.30 (f) The grants in paragraphs (d) and (e)
9.31 must be allocated after considering the
9.32 recommendations of the Association of
9.33 Minnesota Public Educational Radio Stations
9.34 under Minnesota Statutes, section 129D.14.

10.1	<u>(g) \$475,000 the first year and \$475,000</u>			
10.2	<u>the second year are for equipment grants to</u>			
10.3	<u>Minnesota Public Radio, Inc. The budget</u>			
10.4	<u>base for the Minnesota Public Radio, Inc.</u>			
10.5	<u>equipment grants shall be \$190,000 in fiscal</u>			
10.6	<u>year 2010 and \$190,000 in fiscal year 2011.</u>			
10.7	<u>(h) Any unencumbered balance remaining</u>			
10.8	<u>the first year for grants to public television or</u>			
10.9	<u>radio stations does not cancel and is available</u>			
10.10	<u>for the second year.</u>			
10.11	Sec. 8. <u>AMATEUR SPORTS COMMISSION</u>	\$	<u>371,000</u>	\$ <u>376,000</u>
10.12	<u>Of this amount, \$67,000 each year is to be</u>			
10.13	<u>used for an additional event development</u>			
10.14	<u>position. This is a onetime appropriation.</u>			
10.15	<u>The base budget for the Amateur Sports</u>			
10.16	<u>Commission shall be \$215,000 in fiscal year</u>			
10.17	<u>2010 and \$215,000 in fiscal year 2011.</u>			
10.18	<u>The amount available for appropriation to</u>			
10.19	<u>the commission under Laws 2005, chapter</u>			
10.20	<u>156, article 2, section 43, is reduced in the</u>			
10.21	<u>first year and the second year by the amounts</u>			
10.22	<u>appropriated in this section.</u>			
10.23	Sec. 9. <u>COUNCIL ON BLACK</u>			
10.24	<u>MINNESOTANS</u>	\$	<u>322,000</u>	\$ <u>328,000</u>
10.25	<u>\$25,000 the first year and \$25,000 the second</u>			
10.26	<u>year are for expenses related to the state's</u>			
10.27	<u>annual Martin Luther King, Jr. holiday</u>			
10.28	<u>celebration.</u>			
10.29	Sec. 10. <u>COUNCIL ON CHICANO/LATINO</u>			
10.30	<u>AFFAIRS</u>	\$	<u>306,000</u>	\$ <u>310,000</u>
10.31	Sec. 11. <u>COUNCIL ON ASIAN-PACIFIC</u>			
10.32	<u>MINNESOTANS</u>	\$	<u>287,000</u>	\$ <u>285,000</u>

11.1	Sec. 12. <u>INDIAN AFFAIRS COUNCIL</u>	\$	<u>661,000</u>	\$	<u>487,000</u>
11.2	<u>\$80,000 in the first year is for the acquisition</u>				
11.3	<u>of an Indian burial site in Becker County. The</u>				
11.4	<u>Indian Affairs Council shall solicit donations</u>				
11.5	<u>from federal, state, nonprofit, private, and</u>				
11.6	<u>tribal sources for this purpose. This is a</u>				
11.7	<u>onetime appropriation and is available for</u>				
11.8	<u>expenditure until June 30, 2009.</u>				
11.9	<u>\$100,000 in the first year is for transfer to the</u>				
11.10	<u>director of the Minnesota Office of Higher</u>				
11.11	<u>Education for a grant for the Dakota/Ojibwe</u>				
11.12	<u>Language Revitalization Project to expand</u>				
11.13	<u>an existing pilot project to promote activities</u>				
11.14	<u>and programs that are specific to promoting</u>				
11.15	<u>revitalization of indigenous language for</u>				
11.16	<u>American Indian children who do not live</u>				
11.17	<u>on an Indian reservation. The pilot project</u>				
11.18	<u>shall focus on developing programs that</u>				
11.19	<u>meet the language needs of children in</u>				
11.20	<u>prekindergarten through grade 12. This is a</u>				
11.21	<u>onetime appropriation.</u>				
11.22	Sec. 13. <u>SCIENCE MUSEUM OF</u>				
11.23	<u>MINNESOTA</u>	\$	<u>1,250,000</u>	\$	<u>1,250,000</u>
11.24	<u>The base budget for the Science Museum</u>				
11.25	<u>of Minnesota is \$1,000,000 each year in the</u>				
11.26	<u>2010-2011 biennium.</u>				
11.27	Sec. 14. <u>ZOOLOGICAL BOARD</u>	\$	<u>7,200,000</u>	\$	<u>7,328,000</u>
11.28	<u>Appropriations by Fund</u>				
11.29	<u>2008</u>	<u>2009</u>			
11.30	<u>General</u>	<u>7,063,000</u>	<u>7,190,000</u>		
11.31	<u>Natural Resources</u>	<u>137,000</u>	<u>138,000</u>		
11.32	<u>\$137,000 the first year and \$138,000 the</u>				
11.33	<u>second year are from the natural resources</u>				
11.34	<u>fund from the revenue deposited under</u>				

12.1 Minnesota Statutes, section 297A.94,
12.2 paragraph (e), clause (5). This is a onetime
12.3 appropriation.
12.4 The general fund base budget for the
12.5 Zoological Board is \$6,940,000 each year in
12.6 the 2010-2011 biennium.

12.7 **ARTICLE 2**
12.8 **POLICY**

12.9 Section 1. Minnesota Statutes 2006, section 190.096, is amended to read:

12.10 **190.096 BATTLE FLAGS; REPAIR.**

12.11 Subdivision 1. **Authority to repair.** Notwithstanding the provisions of Minnesota
12.12 Statutes 1961, chapters 16 and 43, the adjutant general or the Minnesota Historical
12.13 Society may contract for the repair, restoration, and preservation of regimental battle flags,
12.14 standards, and guidons with persons or corporations skilled in such repair, restoration, and
12.15 preservation, upon terms or conditions the adjutant general or the Minnesota Historical
12.16 Society deems proper, ~~subject to the approval of the commissioner of administration.~~

12.17 Subd. 2. **Surrender.** Notwithstanding the provisions of this section or section
12.18 190.09, the adjutant general or the Minnesota Historical Society may, for the purposes
12.19 of this section, surrender the immediate custody and control of regimental battle flags,
12.20 standards, and guidons under conditions and safeguards the adjutant general or the
12.21 Minnesota Historical Society deems necessary and proper, for such time as is reasonably
12.22 necessary for their restoration, after which they shall at once be again properly stored
12.23 or displayed. The adjutant general or the Minnesota Historical Society shall provide
12.24 adequate storage and display space for flags, standards, and guidons which have been
12.25 repaired and restored.

12.26 Subd. 3. **Battle flags; care and control.** (a) The flags and colors carried by
12.27 Minnesota troops in the Civil War, Indian Wars, and the Spanish-American War shall be
12.28 preserved under the care and control of the Minnesota Historical Society. They shall be
12.29 suitably encased and marked, and, so far as the historical society may deem it consistent
12.30 with the safety of the flags and colors, they shall be publicly displayed in the capitol.

12.31 (b) The flags and colors carried by Minnesota troops in subsequent wars shall be
12.32 preserved under the care and control of the adjutant general. They shall be suitably
12.33 encased and marked, and, so far as the adjutant general may deem it consistent with the
12.34 safety of the flags and colors, shall be publicly displayed.