

A bill for an act

relating to Minnesota heritage and outdoor resources finance; amending grant provisions for public stations; appropriating money for tourism, historical, arts, Public Facility Authority, public broadcasting, amateur sports, public libraries, children's museums, and zoological purposes; for the Councils on Black Minnesotans, Chicano/Latino Affairs, and Asian-Pacific Minnesotans and the Indian Affairs Council; for the Science Museum of Minnesota; amending Minnesota Statutes 2008, sections 129D.13; 129D.14, subdivisions 4, 5, 6; 129D.155; repealing Minnesota Statutes 2008, section 240A.08.

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

Section 1. **SUMMARY OF APPROPRIATIONS.**

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

		<u>2010</u>	<u>2011</u>	<u>Total</u>
1.14				
1.15	<u>General</u>	\$ <u>69,862,000</u>	\$ <u>72,674,000</u>	\$ <u>142,536,000</u>
1.16	<u>Natural Resources</u>	\$ <u>138,000</u>	\$ <u>138,000</u>	\$ <u>276,000</u>
1.17	Total	\$ 70,000,000	\$ 72,812,000	\$ 142,812,000

Sec. 2. APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this act. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2010" and "2011" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. Appropriations for the fiscal year ending June 30, 2009, are effective the day following final enactment.

		<u>APPROPRIATIONS</u>	
		<u>Available for the Year</u>	
		<u>Ending June 30</u>	
		<u>2010</u>	<u>2011</u>
2.5	Sec. 3. <u>PUBLIC FACILITIES AUTHORITY</u>	<u>\$ 100,000</u>	<u>\$ 100,000</u>
2.6	\$100,000 the first year and \$100,000 the		
2.7	second year are for the small community		
2.8	wastewater treatment program under		
2.9	Minnesota Statutes, chapter 446A. This		
2.10	appropriation is available until spent.		
2.11	Sec. 4. <u>EXPLORE MINNESOTA TOURISM</u>	<u>\$ 10,311,000</u>	<u>\$ 10,311,000</u>
2.12	(a) Of this amount, \$12,000 each year is for a		
2.13	grant to the Upper Minnesota Film Office.		
2.14	(b) To develop maximum private sector		
2.15	involvement in tourism, \$500,000 the first		
2.16	year and \$500,000 the second year must		
2.17	be matched by Explore Minnesota Tourism		
2.18	from nonstate sources. Each \$1 of state		
2.19	incentive must be matched with \$3 of private		
2.20	sector funding. Cash match is defined as		
2.21	revenue to the state or documented cash		
2.22	expenditures directly expended to support		
2.23	Explore Minnesota Tourism programs. Up		
2.24	to one-half of the private sector contribution		
2.25	may be in-kind or soft match. The incentive		
2.26	in the first year shall be based on fiscal		
2.27	year 2009 private sector contributions. The		
2.28	incentive in the second year will be based on		
2.29	fiscal year 2010 private sector contributions.		
2.30	This incentive is ongoing.		
2.31	Funding for the marketing grants is available		
2.32	either year of the biennium. Unexpended		
2.33	grant funds from the first year are available		
2.34	in the second year.		

3.1 Unexpended money from the general fund
3.2 appropriations made under this section
3.3 does not cancel but must be placed in a
3.4 special marketing account for use by Explore
3.5 Minnesota Tourism for additional marketing
3.6 activities.

3.7 (c) \$325,000 the first year and \$325,000 the
3.8 second year are for the Minnesota Film and
3.9 TV Board. The appropriation in each year
3.10 is available only upon receipt by the board
3.11 of \$1 in matching contributions of money or
3.12 in-kind contributions from nonstate sources
3.13 for every \$3 provided by this appropriation.

3.14 (d) \$650,000 the first year and \$650,000
3.15 the second year are appropriated for a grant
3.16 to the Minnesota Film and TV Board for
3.17 the film jobs production program under
3.18 Minnesota Statutes, section 116U.26. These
3.19 appropriations are available in either year
3.20 of the biennium and are available until
3.21 expended.

3.22 Sec. 5. **MINNESOTA HISTORICAL**
3.23 **SOCIETY**

3.24 Subdivision 1. **Total Appropriation** \$ 22,719,000 \$ 22,613,000

3.25 The amounts that may be spent for each
3.26 purpose are specified in the following
3.27 subdivisions.

3.28 Subd. 2. **Education and Outreach** 12,870,000 12,870,000

3.29 Notwithstanding Minnesota Statutes, section
3.30 138.668, the Minnesota Historical Society
3.31 may not charge a fee for its general tours at
3.32 the Capitol, but may charge fees for special
3.33 programs other than general tours.

3.34 Subd. 3. **Preservation and Access** 9,585,000 9,585,000

4.1 Subd. 4. Fiscal Agent

4.2	<u>(a) Minnesota International Center</u>	<u>40,000</u>	<u>40,000</u>
4.3	<u>(b) Minnesota Air National Guard Museum</u>	<u>14,000</u>	<u>0</u>
4.4	<u>(c) Minnesota Military Museum</u>	<u>92,000</u>	<u>0</u>
4.5	<u>(d) Farmamerica</u>	<u>118,000</u>	<u>118,000</u>
4.6	<u>(e) Balances Forward</u>		

4.7 Any unencumbered balance remaining in
4.8 this subdivision the first year does not cancel
4.9 but is available for the second year of the
4.10 biennium.

4.11 The general fund base for the Minnesota Air
4.12 National Guard Museum in fiscal year 2012
4.13 is \$16,000.

4.14 The general fund base for the Minnesota
4.15 Military Museum in fiscal year 2012 is
4.16 \$100,000.

4.17 Subd. 5. Fund Transfer

4.18 The Minnesota Historical Society may
4.19 reallocate funds appropriated in and between
4.20 subdivisions 2 and 3 for any program
4.21 purposes and the appropriations are available
4.22 in either year of the biennium.

4.23 Sec. 6. **BOARD OF THE ARTS**

4.24	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>9,530,000</u>	<u>\$</u>	<u>9,530,000</u>
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4.25 The amounts that may be spent for each
4.26 purpose are specified in the following
4.27 subdivisions.

4.28	<u>Subd. 2. Operations and Services</u>	<u>600,000</u>	<u>600,000</u>
4.29	<u>Subd. 3. Grants Program</u>	<u>6,202,000</u>	<u>6,202,000</u>
4.30	<u>Subd. 4. Regional Arts Councils</u>	<u>2,728,000</u>	<u>2,728,000</u>

5.1	Sec. 7. <u>MINNESOTA HUMANITIES</u>			
5.2	<u>CENTER</u>	\$	<u>238,000</u>	<u>\$ 238,000</u>
5.3	Sec. 8. <u>PUBLIC BROADCASTING</u>	\$	<u>1,955,000</u>	<u>\$ 1,955,000</u>
5.4	<u>(a) \$1,161,000 the first year and \$1,161,000</u>			
5.5	<u>the second year are for matching grants for</u>			
5.6	<u>public television.</u>			
5.7	<u>(b) \$200,000 the first year and \$200,000</u>			
5.8	<u>the second year are for public television</u>			
5.9	<u>equipment grants. Equipment or matching</u>			
5.10	<u>grant allocations shall be made after</u>			
5.11	<u>considering the recommendations of the</u>			
5.12	<u>Minnesota Public Television Association.</u>			
5.13	<u>(c) \$17,000 the first year and \$17,000 the</u>			
5.14	<u>second year are for grants to the Twin Cities</u>			
5.15	<u>regional cable channel.</u>			
5.16	<u>(d) \$287,000 the first year and \$287,000 the</u>			
5.17	<u>second year are for community service grants</u>			
5.18	<u>to public educational radio stations.</u>			
5.19	<u>(e) \$100,000 the first year and \$100,000</u>			
5.20	<u>the second year are for equipment grants to</u>			
5.21	<u>public educational radio stations.</u>			
5.22	<u>(f) The grants in paragraphs (d) and (e)</u>			
5.23	<u>must be allocated after considering the</u>			
5.24	<u>recommendations of the Association of</u>			
5.25	<u>Minnesota Public Educational Radio Stations</u>			
5.26	<u>under Minnesota Statutes, section 129D.14.</u>			
5.27	<u>(g) \$190,000 the first year and \$190,000</u>			
5.28	<u>the second year are for equipment grants to</u>			
5.29	<u>Minnesota Public Radio, Inc.</u>			
5.30	<u>(h) Any unencumbered balance remaining</u>			
5.31	<u>the first year for grants to public television or</u>			
5.32	<u>radio stations does not cancel and is available</u>			
5.33	<u>for the second year.</u>			

6.1	Sec. 9. <u>AMATEUR SPORTS COMMISSION</u>	\$	<u>270,000</u>	\$	<u>270,000</u>
6.2	<u>The amount available for appropriation to</u>				
6.3	<u>the commission under Laws 2005, chapter</u>				
6.4	<u>156, article 2, section 43, is reduced in the</u>				
6.5	<u>first year and the second year by the amounts</u>				
6.6	<u>appropriated in this section.</u>				
6.7	Sec. 10. <u>COUNCIL ON BLACK</u>				
6.8	<u>MINNESOTANS</u>	\$	<u>316,000</u>	\$	<u>316,000</u>
6.9	Sec. 11. <u>COUNCIL ON CHICANO/LATINO</u>				
6.10	<u>AFFAIRS</u>	\$	<u>298,000</u>	\$	<u>298,000</u>
6.11	Sec. 12. <u>COUNCIL ON ASIAN-PACIFIC</u>				
6.12	<u>MINNESOTANS</u>	\$	<u>275,000</u>	\$	<u>275,000</u>
6.13	Sec. 13. <u>INDIAN AFFAIRS COUNCIL</u>	\$	<u>500,000</u>	\$	<u>500,000</u>
6.14	<u>\$32,000 each year is for activities of the</u>				
6.15	<u>council relating to Indian burial sites,</u>				
6.16	<u>including activities relating to unfunded</u>				
6.17	<u>federal mandates.</u>				
6.18	Sec. 14. <u>ZOOLOGICAL BOARD</u>	\$	<u>6,839,000</u>	\$	<u>6,839,000</u>
6.19	<u>Appropriations by Fund</u>				
6.20		<u>2010</u>	<u>2011</u>		
6.21	<u>General</u>	<u>6,701,000</u>	<u>6,701,000</u>		
6.22	<u>Natural Resources</u>	<u>138,000</u>	<u>138,000</u>		
6.23	<u>\$138,000 the first year and \$138,000 the</u>				
6.24	<u>second year are from the natural resources</u>				
6.25	<u>fund from the revenue deposited under</u>				
6.26	<u>Minnesota Statutes, section 297A.94,</u>				
6.27	<u>paragraph (e), clause (5).</u>				
6.28	Sec. 15. <u>SCIENCE MUSEUM OF</u>				
6.29	<u>MINNESOTA</u>	\$	<u>1,187,000</u>	\$	<u>1,187,000</u>
6.30	Sec. 16. <u>DEPARTMENT OF EDUCATION; LIBRARY APPROPRIATIONS.</u>				

7.1 Subdivision 1. Department of Education. The sums indicated in this section are
7.2 appropriated from the general fund to the Department of Education for the fiscal years
7.3 designated.

7.4 Subd. 2. Basic system support. For basic system support grants under Minnesota
7.5 Statutes, section 134.355:

7.6 \$ 11,264,000 2010
7.7 \$ 13,570,000 2011

7.8 The 2010 appropriation includes \$1,357,000 for 2009 and \$9,907,000 for 2010.

7.9 The 2011 appropriation includes \$3,663,000 for 2010 and \$9,907,000 for 2011.

7.10 Subd. 3. Multicounty, multitype library systems. For grants under Minnesota
7.11 Statutes, sections 134.353 and 134.354, to multicounty, multitype library systems:

7.12 \$ 1,079,000 2010
7.13 \$ 1,300,000 2011

7.14 The 2010 appropriation includes \$130,000 for 2009 and \$949,000 for 2010.

7.15 The 2011 appropriation includes \$351,000 for 2010 and \$949,000 for 2011.

7.16 Subd. 4. Electronic library for Minnesota. For statewide licenses to online
7.17 databases selected in cooperation with the Minnesota Office of Higher Education for
7.18 school media centers, public libraries, state government agency libraries, and public
7.19 or private college or university libraries:

7.20 \$ 900,000 2010
7.21 \$ 900,000 2011

7.22 Any balance in the first year does not cancel but is available in the second year.

7.23 Subd. 5. Regional library telecommunications aid. For regional library
7.24 telecommunications aid under Minnesota Statutes, section 134.355:

7.25 \$ 1,909,000 2010
7.26 \$ 2,300,000 2011

7.27 The 2010 appropriation includes \$230,000 for 2009 and \$1,679,000 for 2010.

7.28 The 2011 appropriation includes \$621,000 for 2010 and \$1,679,000 for 2011.

7.29 **Sec. 17. APPROPRIATIONS; DEPARTMENT OF EDUCATION.**

7.30 Unless otherwise indicated, the sums indicated in this section are appropriated from
7.31 the general fund to the Department of Education for the fiscal years designated.

8.1 \$ 310,000 2010
8.2 \$ 310,000 2011

8.3 Any balance in the first year does not cancel but is available in the second year.

8.4 (a) \$260,000 each year is for the Minnesota Children's Museum.

8.5 (b) \$50,000 each year is for the Duluth Children's Museum.

8.6 Sec. 18. Minnesota Statutes 2008, section 129D.13, is amended to read:

8.7 **129D.13 GRANTS.**

8.8 Subdivision 1. **Distribution.** The commissioner shall distribute the money provided
8.9 by sections 129D.11 to 129D.13. ~~Twice~~ Annually the commissioner shall make block
8.10 grants which shall be distributed in equal amounts to public stations for operational costs.
8.11 The commissioner shall allocate money appropriated for the purposes of sections 129D.11
8.12 to 129D.13 in such a manner that each eligible public station receives a block grant. In
8.13 addition, the commissioner shall make matching grants to public stations. Matching grants
8.14 shall be used for operational costs and shall be allocated using the procedure developed
8.15 for distribution of state money under this section for grants made in fiscal year 1979. No
8.16 station's matching grant in any fiscal year shall exceed the amount of Minnesota-based
8.17 contributions received by that station in the previous fiscal year. Grants made pursuant to
8.18 this subdivision may only be given to those federally licensed stations that are certified as
8.19 eligible for community service grants through the Corporation for Public Broadcasting.
8.20 Grant funds not expended by a station during the first year of the biennium do not cancel
8.21 and may be carried over into the second fiscal year.

8.22 Subd. 2. **Exclusions from contribution amount.** In calculating the amount of
8.23 contributions received by a public station pursuant to subdivision 1, there shall be
8.24 excluded: contributions, whether monetary or in kind, from the Corporation for Public
8.25 Broadcasting; tax generated funds, including payments by public or private elementary
8.26 and secondary schools; that portion of any foundation or corporation donation in excess
8.27 of ~~\$500~~ \$2,500 from any one contributor in ~~a calendar~~ the previous station fiscal year;
8.28 contributions from any source if made for the purpose of capital expenditures; and
8.29 contributions from all sources based outside the state.

8.30 Subd. 3. **Report.** Each ~~educational~~ station receiving a grant shall ~~annually~~ report
8.31 ~~by July 1~~ annually by August 1 to the commissioner the purposes for which the money
8.32 was used in the past ~~fiscal~~ year and the anticipated use of the money in the next ~~fiscal~~
8.33 year. This report shall be submitted along with a new grant request submission. ~~The report~~
8.34 ~~shall be certified by an independent auditor or a certified public accountant.~~ If the report
8.35 is not submitted ~~by September 1~~, the commissioner ~~may withhold from the educational~~

9.1 station 45 percent of the amount to which it was entitled based upon the contribution of
9.2 the previous fiscal year, and may redistribute that money to other educational stations.

9.3 **Subd. 4. Program categories and funding programs.** The Board of the Arts
9.4 may develop program categories and funding programs in television, film and other
9.5 public media.

9.6 Sec. 19. Minnesota Statutes 2008, section 129D.14, subdivision 4, is amended to read:

9.7 **Subd. 4. Application.** To be eligible for a grant under this section, a licensee
9.8 shall submit an application to the commissioner ~~within the deadline prescribed by the~~
9.9 ~~commissioner according to state grant policies.~~ Each noncommercial radio station
9.10 receiving a grant shall report annually ~~within the deadline prescribed by~~ August 1 to the
9.11 commissioner the purposes for which the money was used in the past ~~fiscal~~ year and the
9.12 anticipated use of the money for the next ~~fiscal~~ year. This report shall be submitted along
9.13 with a new grant request submission. If the application and report are not submitted within
9.14 the deadline prescribed by the commissioner, the grant may be redistributed to the other
9.15 noncommercial radio stations eligible for a grant under this section.

9.16 Sec. 20. Minnesota Statutes 2008, section 129D.14, subdivision 5, is amended to read:

9.17 **Subd. 5. State community service block grants.** (a) The commissioner shall
9.18 determine eligibility for block grants and the allocation of block grant money on the basis
9.19 of audited financial records of the station to receive the block grant funds for the station's
9.20 fiscal year preceding the year in which the grant is made, as well as on the basis of the
9.21 other requirements set forth in this section. The commissioner shall annually distribute
9.22 block grants equally to all stations that comply with the eligibility requirements and for
9.23 which a licensee applies for a block grant. Grant funds not expended by a station during
9.24 the first year of the biennium do not cancel and may be carried over into the second fiscal
9.25 year. The commissioner may promulgate rules to implement this section.

9.26 (b) A station may use grant money under this section for any radio station expenses.

9.27 Sec. 21. Minnesota Statutes 2008, section 129D.14, subdivision 6, is amended to read:

9.28 **Subd. 6. Audit.** A station that receives a grant under this section shall have an
9.29 audit of its financial records made by an independent auditor or Corporation for Public
9.30 Broadcasting accepted audit ~~at the end of for the fiscal year for which~~ it received the grant.
9.31 ~~The audit shall include a review of station promotion, operation, and management and an~~
9.32 ~~analysis of the station's use of the grant money.~~ A copy of the most recent audit shall be

10.1 filed with the commissioner. ~~If neither is available,~~ The commissioner may accept a letter
10.2 of negative assurance from an independent auditor or a certified public accountant.

10.3 Sec. 22. Minnesota Statutes 2008, section 129D.155, is amended to read:

10.4 **129D.155 REPAYMENT OF FUNDS.**

10.5 State funds distributed to public television or noncommercial radio stations and used
10.6 to purchase equipment assets must be repaid to the state, without interest, if the assets
10.7 purchased with these funds are sold within five years or otherwise converted to a person
10.8 other than a nonprofit or municipal corporation. The amount due to the state shall be the
10.9 net amount realized from the sale of the assets, but shall not exceed the amount of state
10.10 funds advanced for the purchase of the asset. ~~Public television and noncommercial radio~~
10.11 ~~stations receiving state funds must report biennially to the legislature on the location and~~
10.12 ~~usage of assets purchased with state funds.~~

10.13 Sec. 23. **COLOCATION REPORT.**

10.14 The Management Analysis Division of the Department of Finance must study and
10.15 report to the legislature by January 15, 2010, on possible colocation of the offices of the
10.16 Council on Black Minnesotans, the Council on Affairs of Chicano/Latino People, the
10.17 Council on Asian-Pacific Minnesotans, and the metropolitan area office of the Indian
10.18 Affairs Council. The report must include analysis of potential cost savings, when those
10.19 savings could be realized, and the effect of potential colocation on operations of the
10.20 councils.

10.21 Sec. 24. **REVISOR'S INSTRUCTION.**

10.22 In Minnesota Statutes, the revisor of statutes shall change the term "commission" to
10.23 "center" wherever the term appears as part of or in reference to "Minnesota Humanities
10.24 Commission."

10.25 Sec. 25. **EFFECTIVE DATE.**

10.26 Sections 18 to 22 are effective the day following final enactment.

10.27 Sec. 26. **REPEALER.**

10.28 Minnesota Statutes 2008, section 240A.08, is repealed.