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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 1911

03/04/2021 Authored by Lillie
The bill was read for the first time and referred to the Committee on Legacy Finance

1.1 A bill for an act
1.2 relating to legacy; amending accountability rules to require funding recipients to
1.3 assess diversity; amending Minnesota Statutes 2020, sections 85.53, subdivision
1.4 2; 97A.056, subdivision 11; 114D.50, subdivision 4; 129D.17, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2020, section 85.53, subdivision 2, is amended to read:

1.7 Subd. 2. Expenditures; accountability. (a) A project or program receiving funding
1.8 from the parks and trails fund must meet or exceed the constitutional requirement to support
1.9 parks and trails of regional or statewide significance. A project or program receiving funding
1.10 from the parks and trails fund must include measurable outcomes, as defined in section
1.11 3.303, subdivision 10, and; a plan for measuring and evaluating the results; and an assessment
1.12 of whether the funding celebrates cultural diversity or reaches diverse communities in
1.13 Minnesota. A project or program must be consistent with current science and incorporate
1.14 state-of-the-art technology, except when the project or program is a portrayal or restoration
1.15 of historical significance.

1.16 (b) Money from the parks and trails fund shall be expended to balance the benefits across
1.17 all regions and residents of the state.

1.18 (c) A state agency or other recipient of a direct appropriation from the parks and trails
1.19 fund must compile and submit all information for funded projects or programs, including
1.20 the proposed measurable outcomes and all other items required under section 3.303,
1.21 subdivision 10, to the Legislative Coordinating Commission as soon as practicable or by
1.22 January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating

2.1 Commission must post submitted information on the website required under section 3.303,
2.2 subdivision 10, as soon as it becomes available.

2.3 (d) Grants funded by the parks and trails fund must be implemented according to section
2.4 16B.98 and must account for all expenditures. Proposals must specify a process for any
2.5 regranting envisioned. Priority for grant proposals must be given to proposals involving
2.6 grants that will be competitively awarded.

2.7 (e) Money from the parks and trails fund may only be spent on projects located in
2.8 Minnesota.

2.9 (f) When practicable, a direct recipient of an appropriation from the parks and trails fund
2.10 shall prominently display on the recipient's website home page the legacy logo required
2.11 under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter
2.12 361, article 3, section 5, accompanied by the phrase "Click here for more information."
2.13 When a person clicks on the legacy logo image, the website must direct the person to a web
2.14 page that includes both the contact information that a person may use to obtain additional
2.15 information, as well as a link to the Legislative Coordinating Commission website required
2.16 under section 3.303, subdivision 10.

2.17 (g) Future eligibility for money from the parks and trails fund is contingent upon a state
2.18 agency or other recipient satisfying all applicable requirements in this section, as well as
2.19 any additional requirements contained in applicable session law. If the Office of the
2.20 Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient
2.21 of money from the parks and trails fund has not complied with the laws, rules, or regulations
2.22 in this section or other laws applicable to the recipient, the recipient must be listed in an
2.23 annual report to the legislative committees with jurisdiction over the legacy funds. The list
2.24 must be publicly available. The legislative auditor shall remove a recipient from the list
2.25 upon determination that the recipient is in compliance. A recipient on the list is not eligible
2.26 for future funding from the parks and trails fund until the recipient demonstrates compliance
2.27 to the legislative auditor.

2.28 (h) Any state agency or organization requesting a direct appropriation from the parks
2.29 and trails fund must inform the house of representatives and senate committees having
2.30 jurisdiction over the parks and trails fund, at the time the request for funding is made,
2.31 whether the request is supplanting or is a substitution for any previous funding that was not
2.32 from a legacy fund and was used for the same purpose.

3.1 Sec. 2. Minnesota Statutes 2020, section 97A.056, subdivision 11, is amended to read:

3.2 Subd. 11. **Recipient requirements.** (a) A state agency or other recipient of a direct
3.3 appropriation from the outdoor heritage fund must compile and submit all information for
3.4 funded projects or programs, including the proposed measurable outcomes and all other
3.5 items required under section 3.303, subdivision 10, to the Legislative Coordinating
3.6 Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever
3.7 comes first. The Legislative Coordinating Commission must post submitted information on
3.8 the website required under section 3.303, subdivision 10, as soon as it becomes available.

3.9 (b) When practicable, a direct recipient of an appropriation from the outdoor heritage
3.10 fund shall prominently display on the recipient's website home page the legacy logo required
3.11 under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter
3.12 361, article 3, section 5, accompanied by the phrase "Click here for more information."
3.13 When a person clicks on the legacy logo image, the website must direct the person to a web
3.14 page that includes both the contact information that a person may use to obtain additional
3.15 information, as well as a link to the Legislative Coordinating Commission website required
3.16 under section 3.303, subdivision 10.

3.17 (c) Future eligibility for money from the outdoor heritage fund is contingent upon a state
3.18 agency or other recipient satisfying all applicable requirements in this section, as well as
3.19 any additional requirements contained in applicable session law. If the Office of the
3.20 Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient
3.21 of money from the outdoor heritage fund has not complied with the laws, rules, or regulations
3.22 in this section or other laws applicable to the recipient, the recipient must be listed in an
3.23 annual report to the legislative committees with jurisdiction over the legacy funds. The list
3.24 must be publicly available. The legislative auditor shall remove a recipient from the list
3.25 upon determination that the recipient is in compliance. A recipient on the list is not eligible
3.26 for future funding from the outdoor heritage fund until the recipient demonstrates compliance
3.27 to the legislative auditor.

3.28 (d) A project or program receiving funding from the outdoor heritage fund must include
3.29 an assessment of whether the funding celebrates cultural diversity or reaches diverse
3.30 communities in Minnesota.

3.31 Sec. 3. Minnesota Statutes 2020, section 114D.50, subdivision 4, is amended to read:

3.32 Subd. 4. **Expenditures; accountability.** (a) A project receiving funding from the clean
3.33 water fund must meet or exceed the constitutional requirements to protect, enhance, and
3.34 restore water quality in lakes, rivers, and streams and to protect groundwater and drinking

4.1 water from degradation. Priority may be given to projects that meet more than one of these
4.2 requirements. A project receiving funding from the clean water fund shall include measurable
4.3 outcomes, as defined in section 3.303, subdivision 10, ~~and~~; a plan for measuring and
4.4 evaluating the results; and an assessment of whether the funding celebrates cultural diversity
4.5 or reaches diverse communities in Minnesota. A project must be consistent with current
4.6 science and incorporate state-of-the-art technology.

4.7 (b) Money from the clean water fund shall be expended to balance the benefits across
4.8 all regions and residents of the state.

4.9 (c) A state agency or other recipient of a direct appropriation from the clean water fund
4.10 must compile and submit all information for proposed and funded projects or programs,
4.11 including the proposed measurable outcomes and all other items required under section
4.12 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable
4.13 or by January 15 of the applicable fiscal year, whichever comes first. The Legislative
4.14 Coordinating Commission must post submitted information on the website required under
4.15 section 3.303, subdivision 10, as soon as it becomes available. Information classified as not
4.16 public under section 13D.05, subdivision 3, paragraph (d), is not required to be placed on
4.17 the website.

4.18 (d) Grants funded by the clean water fund must be implemented according to section
4.19 16B.98 and must account for all expenditures. Proposals must specify a process for any
4.20 regranting envisioned. Priority for grant proposals must be given to proposals involving
4.21 grants that will be competitively awarded.

4.22 (e) Money from the clean water fund may only be spent on projects that benefit Minnesota
4.23 waters.

4.24 (f) When practicable, a direct recipient of an appropriation from the clean water fund
4.25 shall prominently display on the recipient's website home page the legacy logo required
4.26 under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter
4.27 361, article 3, section 5, accompanied by the phrase "Click here for more information."
4.28 When a person clicks on the legacy logo image, the website must direct the person to a web
4.29 page that includes both the contact information that a person may use to obtain additional
4.30 information, as well as a link to the Legislative Coordinating Commission website required
4.31 under section 3.303, subdivision 10.

4.32 (g) Future eligibility for money from the clean water fund is contingent upon a state
4.33 agency or other recipient satisfying all applicable requirements in this section, as well as
4.34 any additional requirements contained in applicable session law. If the Office of the

5.1 Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient
5.2 of money from the clean water fund has not complied with the laws, rules, or regulations
5.3 in this section or other laws applicable to the recipient, the recipient must be listed in an
5.4 annual report to the legislative committees with jurisdiction over the legacy funds. The list
5.5 must be publicly available. The legislative auditor shall remove a recipient from the list
5.6 upon determination that the recipient is in compliance. A recipient on the list is not eligible
5.7 for future funding from the clean water fund until the recipient demonstrates compliance
5.8 to the legislative auditor.

5.9 (h) Money from the clean water fund may be used to leverage federal funds through
5.10 execution of formal project partnership agreements with federal agencies consistent with
5.11 respective federal agency partnership agreement requirements.

5.12 (i) Any state agency or organization requesting a direct appropriation from the clean
5.13 water fund must inform the Clean Water Council and the house of representatives and senate
5.14 committees having jurisdiction over the clean water fund, at the time the request for funding
5.15 is made, whether the request is supplanting or is a substitution for any previous funding that
5.16 was not from a legacy fund and was used for the same purpose.

5.17 Sec. 4. Minnesota Statutes 2020, section 129D.17, subdivision 2, is amended to read:

5.18 Subd. 2. **Expenditures; accountability.** (a) Funding from the arts and cultural heritage
5.19 fund may be spent only for arts, arts education, and arts access, and to preserve Minnesota's
5.20 history and cultural heritage. A project or program receiving funding from the arts and
5.21 cultural heritage fund must include measurable outcomes, ~~and~~ a plan for measuring and
5.22 evaluating the results, and an assessment of whether the funding celebrates cultural diversity
5.23 or reaches diverse audiences in Minnesota. A project or program must be consistent with
5.24 current scholarship, or best practices, when appropriate and must incorporate state-of-the-art
5.25 technology when appropriate.

5.26 (b) Funding from the arts and cultural heritage fund may be granted for an entire project
5.27 or for part of a project so long as the recipient provides a description and cost for the entire
5.28 project and can demonstrate that it has adequate resources to ensure that the entire project
5.29 will be completed.

5.30 (c) Money from the arts and cultural heritage fund shall be expended for benefits across
5.31 all regions and residents of the state.

5.32 (d) A state agency or other recipient of a direct appropriation from the arts and cultural
5.33 heritage fund must compile and submit all information for funded projects or programs,

6.1 including the proposed measurable outcomes and all other items required under section
6.2 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable
6.3 or by January 15 of the applicable fiscal year, whichever comes first. The Legislative
6.4 Coordinating Commission must post submitted information on the website required under
6.5 section 3.303, subdivision 10, as soon as it becomes available.

6.6 (e) Grants funded by the arts and cultural heritage fund must be implemented according
6.7 to section 16B.98 and must account for all expenditures of funds. Priority for grant proposals
6.8 must be given to proposals involving grants that will be competitively awarded.

6.9 (f) All money from the arts and cultural heritage fund must be for projects located in
6.10 Minnesota.

6.11 (g) When practicable, a direct recipient of an appropriation from the arts and cultural
6.12 heritage fund shall prominently display on the recipient's website home page the legacy
6.13 logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws
6.14 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more
6.15 information." When a person clicks on the legacy logo image, the website must direct the
6.16 person to a web page that includes both the contact information that a person may use to
6.17 obtain additional information, as well as a link to the Legislative Coordinating Commission
6.18 website required under section 3.303, subdivision 10.

6.19 (h) Future eligibility for money from the arts and cultural heritage fund is contingent
6.20 upon a state agency or other recipient satisfying all applicable requirements in this section,
6.21 as well as any additional requirements contained in applicable session law. If the Office of
6.22 the Legislative Auditor, in the course of an audit or investigation, publicly reports that a
6.23 recipient of money from the arts and cultural heritage fund has not complied with the laws,
6.24 rules, or regulations in this section or other laws applicable to the recipient, the recipient
6.25 must be listed in an annual report to the legislative committees with jurisdiction over the
6.26 legacy funds. The list must be publicly available. The legislative auditor shall remove a
6.27 recipient from the list upon determination that the recipient is in compliance. A recipient
6.28 on the list is not eligible for future funding from the arts and cultural heritage fund until the
6.29 recipient demonstrates compliance to the legislative auditor.

6.30 (i) Any state agency or organization requesting a direct appropriation from the arts and
6.31 cultural heritage fund must inform the house of representatives and senate committees
6.32 having jurisdiction over the arts and cultural heritage fund, at the time the request for funding
6.33 is made, whether the request is supplanting or is a substitution for any previous funding that
6.34 was not from a legacy fund and was used for the same purpose.