

A bill for an act
relating to state government finance; making supplemental appropriations and
reductions in appropriations for cultural and outdoor resources; modifying
certain statutory provisions; requiring waiver requests for limitations of certain
employment; appropriating money; amending Minnesota Statutes 2008, sections
116U.25; 116U.26.

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 act.

	<u>2010</u>	<u>2011</u>	<u>Total</u>
<u>General</u>	<u>\$ (964,000)</u>	<u>\$ (1,536,000)</u>	<u>\$ (2,500,000)</u>

Sec. 2. **APPROPRIATIONS.**

The dollar amounts in the columns under "Appropriations" are added to, or, if shown
in parentheses, subtracted from appropriations enacted in the 2009 regular legislative
session. The appropriations and reductions in appropriations are from the general fund, or
another named fund, and are for the fiscal years indicated for each purpose. The figures
"2010" and "2011" mean that the appropriations or reductions in appropriations listed
under them are 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 and reductions in appropriations for the
fiscal year ending June 30, 2010, are effective the day following final enactment.

APPROPRIATIONS
Available for the Year

2.1 2.2	<u>Ending June 30</u>		
		<u>2010</u>	<u>2011</u>
2.3	Sec. 3. <u>PUBLIC FACILITIES AUTHORITY</u>	\$ <u>(11,000)</u>	\$ <u>(7,000)</u>
2.4	Sec. 4. <u>EXPLORE MINNESOTA TOURISM</u>	\$ <u>(311,000)</u>	\$ <u>(313,000)</u>
2.5	<u>(a) \$251,000 the first year and \$300,000</u>		
2.6	<u>the second year are reductions to Explore</u>		
2.7	<u>Minnesota Tourism. Of the reduction in</u>		
2.8	<u>the first year, \$13,000 is a reduction in the</u>		
2.9	<u>carryforward from fiscal year 2009.</u>		
2.10	<u>(b) \$2,000 the first year and \$2,000 the</u>		
2.11	<u>second year are reductions to the incentive</u>		
2.12	<u>grants program.</u>		
2.13	<u>(c) \$11,000 the first year and \$11,000 the</u>		
2.14	<u>second year are reductions to the Minnesota</u>		
2.15	<u>Film and TV Board.</u>		
2.16	<u>(d) \$47,000 the first year is a reduction to the</u>		
2.17	<u>grant to the Minnesota Film and TV Board</u>		
2.18	<u>for the film jobs production program under</u>		
2.19	<u>Minnesota Statutes, section 116U.26.</u>		
2.20	Sec. 5. <u>MINNESOTA HISTORICAL</u>		
2.21	<u>SOCIETY</u>	\$ <u>(238,000)</u>	\$ <u>(554,000)</u>
2.22	<u>(a) Education and Outreach</u>		
2.23	<u>\$136,000 the first year and \$314,000 the</u>		
2.24	<u>second year are reductions to education and</u>		
2.25	<u>outreach.</u>		
2.26	<u>(b) Preservation and Access</u>		
2.27	<u>\$102,000 the first year and \$236,000 the</u>		
2.28	<u>second year are reductions to the preservation</u>		
2.29	<u>and access program.</u>		
2.30	<u>(c) Minnesota International Center</u>		

2.31 \$1,000 the second year is a reduction to the
2.32 Minnesota International Center.

3.1 (d) Minnesota Agricultural Interpretive
3.2 Center

3.3 \$2,000 the second year is a reduction to the
3.4 Minnesota Agricultural Interpretive Center.

3.5 (e) Hockey Hall of Fame Museum

3.6 \$1,000 the second year is a reduction to the
3.7 Hockey Hall of Fame Museum.

3.8 Sec. 6. BOARD OF THE ARTS \$ (284,000) \$ (284,000)

3.9 (a) Operations and Services

3.10 \$21,000 the first year and \$21,000 the
3.11 second year are reductions to operations and
3.12 services.

3.13 (b) Grants Program

3.14 \$182,000 the first year and \$182,000 the
3.15 second year are reductions to the grants
3.16 program.

3.17 (c) Regional Arts Council

3.18 \$81,000 the first year and \$81,000 the second
3.19 year are reductions to the Regional Arts
3.20 Council.

3.21 Sec. 7. MINNESOTA HUMANITIES
3.22 CENTER \$ -0- \$ (7,000)

3.23 Sec. 8. PUBLIC BROADCASTING \$ (65,000) \$ (83,000)

3.24 (a) \$38,000 the first year and \$48,000 the
3.25 second year are reductions to matching
3.26 grants for public television.

3.27 (b) \$7,000 the first year and \$10,000
3.28 the second year are reductions to public
3.29 television equipment grants.

4.1 (c) \$1,000 the second year is a reduction to
4.2 the grant to the Twin Cities regional cable
4.3 channel.

4.4 (d) \$9,000 the first year and \$9,000 the
4.5 second year are reductions to the community
4.6 service grants to public educational radio
4.7 stations.

4.8 (e) \$3,000 the first year and \$3,000 the
4.9 second year are reductions to the equipment
4.10 grants to public educational radio stations.

4.11 (f) \$8,000 the first year and \$12,000 the
4.12 second year are reductions to the equipment
4.13 grants to Minnesota Public Radio, Inc.

4.14 Sec. 9. AMATEUR SPORTS COMMISSION \$ (4,000) \$ (9,000)

4.15 Sec. 10. COUNCIL ON BLACK
4.16 MINNESOTANS \$ (5,000) \$ (9,000)

4.17 Sec. 11. COUNCIL ON CHICANO/LATINO
4.18 AFFAIRS \$ (6,000) \$ (9,000)

4.19 Sec. 12. COUNCIL ON ASIAN-PACIFIC
4.20 MINNESOTANS \$ (5,000) \$ (8,000)

4.21 Sec. 13. INDIAN AFFAIRS COUNCIL \$ (9,000) \$ (14,000)

4.22 Sec. 14. ZOOLOGICAL BOARD \$ (26,000) \$ (216,000)

4.23 Sec. 15. SCIENCE MUSEUM OF
4.24 MINNESOTA \$ -0- \$ (18,000)

4.25 Sec. 16. DEPARTMENT OF EDUCATION \$ -0- \$ (5,000)

4.26 (a) \$4,000 is a reduction to the second-year
4.27 appropriation for the Minnesota Children's
4.28 Museum.

5.1 (b) \$1,000 is a reduction to the second-year
5.2 appropriation for the Duluth Children's
5.3 Museum.

5.4 Sec. 17. Minnesota Statutes 2008, section 116U.25, is amended to read:

5.5 **116U.25 EXPLORE MINNESOTA TOURISM COUNCIL.**

5.6 (a) The director shall be advised by the Explore Minnesota Tourism Council
5.7 consisting of up to 28 voting members appointed by the governor for four-year terms,
5.8 including:

5.9 (1) the director of Explore Minnesota Tourism who serves as the chair;

5.10 (2) eleven representatives of statewide associations representing bed and breakfast
5.11 establishments, golf, festivals and events, counties, convention and visitor bureaus,
5.12 lodging, resorts, trails, campgrounds, restaurants, and chambers of commerce;

5.13 (3) one representative from each of the ~~four~~ tourism marketing regions of the state as
5.14 designated by the office;

5.15 (4) six representatives of the tourism business representing transportation, retail,
5.16 travel agencies, tour operators, travel media, and convention facilities;

5.17 (5) one or more ex officio nonvoting members including at least one from the
5.18 University of Minnesota Tourism Center;

5.19 (6) four legislators, two from each house, one each from the two largest political
5.20 party caucuses in each house, appointed according to the rules of the respective houses; and

5.21 (7) other persons, if any, as designated from time to time by the governor.

5.22 (b) The council shall act to serve the broader interests of tourism in Minnesota
5.23 by promoting activities that support, maintain, and expand the state's domestic and
5.24 international travel market, thereby generating increased visitor expenditures, tax revenue,
5.25 and employment.

5.26 (c) Filling of membership vacancies is as provided in section 15.059. The terms of
5.27 one-half of the members shall be coterminous with the governor and the terms of the
5.28 remaining one-half of the members shall end on the first Monday in January one year after
5.29 the terms of the other members. Members may serve until their successors are appointed
5.30 and qualify. Members are not compensated. A member may be reappointed.

5.31 (d) The council shall meet at least four times per year and at other times determined
5.32 by the council. Notwithstanding section 15.059, the council does not expire.

5.33 (e) If compliance with section 13D.02 is impractical, the Explore Minnesota Tourism
5.34 Council may conduct a meeting of its members by telephone or other electronic means so
5.35 long as the following conditions are met:

(1) all members of the council participating in the meeting, wherever their physical location, can hear one another and can hear all discussion and testimony;

(2) members of the public present at the regular meeting location of the council can hear clearly all discussion and testimony and all votes of members of the council and, if needed, receive those services required by sections 15.44 and 15.441;

(3) at least one member of the council is physically present at the regular meeting location; and

(4) all votes are conducted by roll call, so each member's vote on each issue can be identified and recorded.

(f) Each member of the council participating in a meeting by telephone or other electronic means is considered present at the meeting for purposes of determining a quorum and participating in all proceedings.

(g) If telephone or other electronic means is used to conduct a meeting, the council, to the extent practical, shall allow a person to monitor the meeting electronically from a remote location. The council may require the person making such a connection to pay for documented marginal costs that the council incurs as a result of the additional connection.

(h) If telephone or other electronic means is used to conduct a regular, special, or emergency meeting, the council shall provide notice of the regular meeting location, of the fact that some members may participate by telephone or other electronic means, and of the provisions of paragraph (g). The timing and method of providing notice is governed by section 13D.04.

Sec. 18. Minnesota Statutes 2008, section 116U.26, is amended to read:

116U.26 FILM PRODUCTION JOBS PROGRAM.

(a) The film production jobs program is created. The program shall be operated by the Minnesota Film and TV Board with administrative oversight and control by the director of Explore Minnesota Tourism. The program shall make payment to producers of feature films, national television or Internet programs, documentaries, music videos, and commercials that directly create new film jobs in Minnesota. To be eligible for a payment, a producer must submit documentation to the Minnesota Film and TV Board of expenditures for production costs incurred in Minnesota that are directly attributable to the production in Minnesota of a film product.

The Minnesota Film and TV Board shall make recommendations to the director of Explore Minnesota Tourism about program payment, but the director has the authority to make the final determination on payments. The director's determination must be based on proper documentation of eligible production costs submitted for payments. No more

than five percent of the funds appropriated for the program in any year may be expended for administration.

(b) For the purposes of this section:

(1) "production costs" means the cost of the following:

(i) a story and scenario to be used for a film;

(ii) salaries of talent, management, and labor, including payments to personal services corporations for the services of a performing artist;

(iii) set construction and operations, wardrobe, accessories, and related services;

(iv) photography, sound synchronization, lighting, and related services;

(v) editing and related services;

(vi) rental of facilities and equipment; or

(vii) other direct costs of producing the film in accordance with generally accepted entertainment industry practice; and

(2) "film" means a feature film, television or Internet show, documentary, music video, or television commercial, whether on film, video, or digital media. Film does not include news, current events, public programming, or a program that includes weather or market reports; a talk show; a production with respect to a questionnaire or contest; a sports event or sports activity; a gala presentation or awards show; a finished production that solicits funds; or a production for which the production company is required under United States Code, title 18, section 2257, to maintain records with respect to a performer portrayed in a single-media or multimedia program.

(c) Notwithstanding any other law to the contrary, the Minnesota Film and TV Board may make reimbursements of: (1) up to 20 percent of film production costs for films that locate production outside the metropolitan area, as defined in section 473.121, subdivision 2, or that incur production costs in excess of \$5,000,000 in Minnesota the metropolitan area within a 12-month period; or (2) up to 15 percent of film production costs for films that incur production costs of \$5,000,000 or less in the metropolitan area within a 12-month period.

Sec. 19. DEPARTMENT OF EDUCATION; WAIVER REQUEST.

The commissioner of the Department of Education shall formally request a waiver of any executive order or executive branch requirement that employment be frozen, delayed, or otherwise limited. The waiver shall request an ability to proceed with hiring with respect to federally funded positions at the Minnesota Braille and Talking Book Library. A copy of this requested waiver shall be given to the chairs of the legislative committees with jurisdiction over state government and education.