

SENATE

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION

S.F. No. 2824

(SENATE AUTHORS: SENJEM and Nelson)

DATE	D-PG	OFFICIAL STATUS
03/20/2014	6409	Introduction and first reading Referred to Finance
03/26/2014	6867	Author added Nelson

1.1

A bill for an act

1.2

relating to finance; prohibiting the use of certain constitutionally dedicated funds

1.3

to acquire property by eminent domain; amending Minnesota Statutes 2012,

1.4

sections 85.53, subdivision 2; 97A.056, subdivision 1; 129D.17, subdivision 2.

1.5

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

1.6

Section 1. Minnesota Statutes 2012, 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

1.9

support parks and trails of regional or statewide significance. A project or program

1.10

receiving funding from the parks and trails fund must include measurable outcomes, as

1.11

defined in section 3.303, subdivision 10, and a plan for measuring and evaluating the

1.12

results. A project or program must be consistent with current science and incorporate

1.13

state-of-the-art technology, except when the project or program is a portrayal or restoration

1.14

of historical significance.

1.15

(b) Money from the parks and trails fund shall be expended to balance the benefits

1.16

across all regions and residents of the state.

1.17

(c) A state agency or other recipient of a direct appropriation from the parks and

1.18

trails fund must compile and submit all information for funded projects or programs,

1.19

including the proposed measurable outcomes and all other items required under section

1.20

3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable

1.21

or by January 15 of the applicable fiscal year, whichever comes first. The Legislative

1.22

Coordinating Commission must post submitted information on the Web site required

1.23

under section 3.303, subdivision 10, as soon as it becomes available.

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

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

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

(g) Future eligibility for money from the parks and trails fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law.

(h) Money appropriated from the parks and trails fund shall not be spent to acquire property by eminent domain or to acquire property that has previously been acquired by eminent domain.

Sec. 2. Minnesota Statutes 2012, section 97A.056, subdivision 1, is amended to read:

Subdivision 1. **Outdoor heritage fund.** An outdoor heritage fund, under article XI, section 15, of the Minnesota Constitution, is established as an account in the state treasury. All money earned by the outdoor heritage fund must be credited to the fund. At least 99 percent of the money appropriated from the fund must be expended to restore, protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife. Money appropriated from the outdoor heritage fund shall not be spent to acquire property by eminent domain or to acquire property that has previously been acquired by eminent domain.

Sec. 3. Minnesota Statutes 2012, section 129D.17, subdivision 2, is amended to read:

Subd. 2. **Expenditures; accountability.** (a) Funding from the arts and cultural heritage fund may be spent only for arts, arts education, and arts access, and to preserve Minnesota's history and cultural heritage. A project or program receiving funding from the arts and cultural heritage fund must include measurable outcomes, and a plan for

measuring and evaluating the results. A project or program must be consistent with current scholarship, or best practices, when appropriate and must incorporate state-of-the-art technology when appropriate.

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

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

(d) A state agency or other recipient of a direct appropriation from the arts and cultural heritage fund must compile and submit all information for funded projects or programs, including the proposed measurable outcomes and all other items required under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever comes first. The Legislative Coordinating Commission must post submitted information on the Web site required under section 3.303, subdivision 10, as soon as it becomes available.

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

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

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

(h) Future eligibility for money from the arts and cultural heritage fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law.

(i) Money appropriated from the arts and cultural heritage fund shall not be spent to acquire property by eminent domain or to acquire property that has previously been acquired by eminent domain.