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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 679

02/01/2017 Authored by Pierson and Quam
The bill was read for the first time and referred to the Committee on Legacy Funding Finance

1.1 A bill for an act
1.2 relating to natural resources; prohibiting use of money from parks and trails fund
1.3 to acquire property by eminent domain; amending Minnesota Statutes 2016, section
1.4 85.53, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2016, 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. A project or
1.12 program must be consistent with current science and incorporate state-of-the-art technology,
1.13 except when the project or program is a portrayal or restoration of historical significance.

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

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

2.1 (d) Grants funded by the parks and trails fund must be implemented according to section
2.2 16B.98 and must account for all expenditures. Proposals must specify a process for any
2.3 regranting envisioned. Priority for grant proposals must be given to proposals involving
2.4 grants that will be competitively awarded.

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

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

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

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

2.31 (i) Money appropriated from the parks and trails fund must not be spent to acquire
2.32 property by eminent domain or to acquire property that has previously been acquired by
2.33 eminent domain.