

Minnesota Attorney General: Administrative Rules Proceedings

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Barbara Phillips
Special Assistant
Attorney General

May 2, 1977

-Minnesota State Arts Board - Rules relating to the receiving and reviewing of requests for and distribution of grants, loans and other forms of assistance - MSAB 1-8

P.S. Would you please send me one copy of all file documents herein. I would have waited for copies from the Arts Board, but knew you needed the rule filed as soon as possible.

MINNESOTA STATE ARTS BOARD
PROPOSED RULES RELATING TO
THE RECEIVING AND REVIEWING OF
REQUESTS FOR AND DISTRIBUTION OF
GRANTS, LOANS AND OTHER FORMS OF ASSISTANCE

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MSAB 1: Authority for the Rules. These rules are adopted pursuant to Minn. Stat. § 139.10, subds. (e) and (f) (Svpp 1975).

MSAB 2: Purpose of the Rules. The purpose of these Rules is to set forth procedures to be followed by the Board in receiving and reviewing requests for and distribution of grants, loans and other forms of assistance.

MSAB 3: Whom the Rules Govern. These Rules govern the Board; advisory committees; and all individuals, sponsoring organizations, departments, and agencies of the state and political subdivisions who wish to receive grants, loans or other forms of assistance.

MSAB 4: Definitions. For the purpose of these Rules, the following terms shall have the meanings given them:

A. "Advisory Committee" means a group of citizens selected and convened by the Board to review and recommend on policy and distribution of forms of assistance offered by the Board.

B. "Applicant" means (1) any individual who submits an application for a grant, loan or other form of assistance, or (2) any sponsoring organization, department or agency of the state or political subdivision on whose behalf an application for a grant, loan or other forms of assistance is submitted.

C. "Authorizing Official" means the person who signs the grant application of a sponsoring organization, political subdivision, or department or agency of the state.

D. "Board" means the Minnesota State Arts Board.

E. "Certified Audit Report" means a document prepared and signed by a Certified Public Accountant showing the total fiscal activity of a project or program.

F. "Grant Contract" means the grant notification letter signed by grantee or grantee's authorizing official.

G. "Grantee" means an applicant whose application is accepted by the Board and who signed the grant contract.

H. "Grant Notification Letter" means the letter notifying an applicant of acceptance or rejection of his application.

I. "Guidelines" means statements issued and published periodically by the Board containing a description of available grant categories, deadlines, review dates, suggested project starting dates, and general criteria to be met by all applicants.

J. "Loans" means monies given to an applicant which are to be repaid to the Board according to the conditions specified in the grant contract.

K. "Matching Funds" means grantee's share of the financial support for a project or program. All grantees, other than individuals, are required to match grants dollar for dollar. The source of matching funds may be one or more of the following:

1. Cash. Applicant must be able to prove availability of cash matching funds by bank statements, etc.

2. In Kind. In kind means items such as materials, labor, space, etc., which can be given a dollar value. Applicant must be able to prove that in kind match is committed to the project or program.

3. Revenue. Revenue means anticipated receipts from sale of tickets or products.

L. "Other Form of Assistance" means staff consultation or workshops with individuals or groups who have developed or are interested in developing projects or programs in the arts, but need advice on such matters as budgeting, administration, production, technology, etc.

M. "Project Director" means person designated by a sponsoring organization, political subdivision or department or agency of the state as the individual responsible for the implementation of the project or program for which the application is made.

N. "Regional Arts Task Force" means an advisory committee which reviews applications originating within its district. The state is divided into thirteen regional development commission districts.

O. "Subsidy Grants" means grants to sponsoring organizations for general purposes as opposed to a special project.

MSAB 5: Requests for Information. All requests for information concerning the grant application process may be made at the offices of the Board, in person, by phone or letter. Upon such a request, the Board will provide a copy of these Rules, an official application form, a copy of the current guidelines and any other information which may be helpful.

MSAB 6: Grant Application and Review Procedure.

A. All applications for grants and loans must be made on official application forms available at the offices of the Board. Requests for other forms of assistance may be made directly to MSAB staff in person or by telephone or by letter.

B. A copy of these Rules and the current guidelines will be included with each application form.

C. All applications must be made by the deadlines and according to the instructions and conditions set forth in the guidelines.

D. All applications of a sponsoring organization, political subdivision or agency or department of the state must name a project director.

E. The staff will review all applications for accuracy and completeness. The staff will also convene advisory committee meetings for purposes of reviewing individual and program grant applications and will convey pertinent information regarding each application to the advisory committee.

F. Applicants will be notified of the receipt of the applications and the need, if any, for changes or supplementary material.

G. Applications, when complete, will be submitted to the appropriate advisory committee for review.

H. After its review, the advisory committee will submit its recommendations to the Board along with a statement explaining its reasons for recommending acceptance or rejection of the application.

I. The Board will receive comments and recommendations from the professional staff on all aspects of applications, with the exception of artistic merit.

J. The Board shall give considerable weight to the recommendations of the advisory committees.

K. The Board shall make all final decisions as to acceptance or rejection of grant applications.

L. The Board may request a revised budget and/or project description before taking final action.

M. All applicants will receive a grant notification letter of acceptance or rejection within 30 days of final review of the

application by the Board except when a revised budget is necessary. In that case, applicants will receive a grant notification letter within 30 days of receipt of the revised budget by the Board.

N. Applications and supplementary materials will not be returned unless requested.

MSAB 7: Responsibilities of Grantee.

A. Grantee or authorizing official must sign or return to the Board within 30 days, one copy of the grant notification letter.

B. Grantee must acknowledge assistance by the Board on all written materials relating to the project or program such as programs, news releases, posters, etc.

C. Grantee must notify the Board in writing if the program or project is changed in any way, at any time from the way in which it was described in the grant application.

D. Grantee must permit the Board a reasonable opportunity to view the project or program at any time for purposes of evaluation.

E. Grantee must submit, upon request by the Board, a certified audit report at any time during the project or after completion of the project.

F. Grantee must submit a fiscal report, within 30 days of the completed project or program, to be completed by grantee or authorizing official on forms provided by the Board.

MSAB 8: Advisory Committees.

A. The Board shall appoint advisory committees in each of the following areas of the arts to review applications in those areas:

1. architecture
2. dance
3. music
4. literature
5. theatre
6. visual arts
7. special projects
8. film/video
9. regional arts task force

B. The Board may appoint advisory committees in additional areas of the arts or discontinue the advisory committees in any of the above listed areas as it deems necessary.

C. The Board will appoint an advisory committee to review applications for subsidy grants.

D. Members of each advisory committee shall be individuals with special expertise in that particular area of the arts. Committee members will be selected by the Board from among practitioners, administrators, educators, volunteer directors of arts organizations, trustees of arts organizations and consumers of arts forms.

E. Appointments to advisory committees shall be made by majority vote of the Board. Members shall serve at the pleasure of the Board for three year terms. One-third of the terms of the members of each committee shall expire each year.

F. Sixty days prior to expiration of terms of advisory committee members, the Board will publish and post notice of such openings. Nominations will be actively solicited and accepted by the Board. Nominations should be in writing and should include all pertinent information including nominees' qualifications and experience in the arts generally and in the particular area of the arts of the advisory committee on which the nominee will serve.

G. Advisory committees will, insofar as reasonably possible, be geographically balanced.

H. The Board and advisory committees, in reviewing applications, will consider the following factors generally as well as specific factors or conditions set by guidelines.

1. merit and quality of project generally. Of necessity this must be a subjective recommendation by committee members.

2. technical skills of applicant or ability of applicant to retain individual with the necessary technical skills.

3. if matching funds are required of an applicant, whether applicant has obtained those funds from local community or region. Support from local community or region is highly desirable.

4. demand or need for project. Applicants may include market studies, surveys, endorsements, etc.

I. Members of the advisory committees shall be compensated for expenses incurred to attend advisory committee meetings as provided in S 15.059, subd. 3, except that they shall not be eligible for the per diem.

APPROVED AS TO FORM AND LEGALITY
APR 2 8 1977
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WARREN SPANNAUS, ATTORNEY GENERAL

BY /s/ Michael B. Miller

SPECIAL ASSISTANT ATTORNEY GENERAL

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
APR 29 1977

Joan Anderson Growe

Secretary of State

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April 15, 1977

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Dear Mr. Miller,

Enclosed please find a copy of the report issued by the Hearing Examiner on the establishment of MSAB rules and regulations file SAB- 77 - 001 - BS that is needed to complete your review.

Sincerely,

Doug Bruce

Doug Bruce
Public Information Officer

DB:rs

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