

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 5192

(SENATE AUTHORS: DIBBLE, Boldon, Gustafson, Kunesh and Mohamed)

DATE	D-PG	OFFICIAL STATUS
03/25/2024	12885	Introduction and first reading Referred to Jobs and Economic Development
04/02/2024	13343	Withdrawn and re-referred to Capital Investment

1.1 A bill for an act

1.2 relating to economic development; modifying the public skate park construction

1.3 and renovation program; modifying an earlier appropriation; appropriating money;

1.4 amending Laws 2023, chapter 71, article 1, section 14, subdivision 1, by adding

1.5 a subdivision; proposing coding for new law in Minnesota Statutes, chapter 116J;

1.6 repealing Minnesota Statutes 2022, section 240A.20, subdivisions 2, 4, 5; Minnesota

1.7 Statutes 2023 Supplement, section 240A.20, subdivisions 1, 3, 6, 7; Laws 2023,

1.8 chapter 71, article 1, section 7.

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

1.10 Section 1. 116J.9927 PROMOTING CONSTRUCTION AND RENOVATION OF

1.11 PUBLIC SKATE PARKS THROUGHOUT THE STATE.

1.12 Subdivision 1. Definition. For purposes of this section, "skate" or "skate sports" means

1.13 wheeled nonmotorized recreation, including skateboarding, roller blading, roller skating,

1.14 and BMX biking.

1.15 Subd. 2. Nonprofit organization. By July 1, 2024, and every three years thereafter, the

1.16 commissioner must enter into a three-year contract with a tax-exempt organization under

1.17 section 501(c)(3) of the Internal Revenue Code with a primary purpose to facilitate and

1.18 promote skate sports for the organization to evaluate applications from local units of

1.19 government for grants under this section and to select recipients for grants from available

1.20 appropriations. The commissioner may pay the nonprofit organization up to four percent

1.21 of the funds appropriated for grants under this section to compensate the nonprofit

1.22 organization for its work evaluating grant applications and selecting grant recipients.

1.23 Subd. 3. Grants. The commissioner must use money appropriated for this purpose to

1.24 make grants to local units of government to construct or renovate public skate parks

1.25 throughout the state. The grants must be made to local units of government for projects

2.1 selected by the nonprofit organization for an amount determined by the nonprofit
2.2 organization. Grants may be for the full cost of the project or may supplement local funding
2.3 as necessary to complete funding for a project.

2.4 Subd. 4. **Application process.** The commissioner must facilitate a process for soliciting
2.5 applications for grants from local governments and provide the applications to the nonprofit
2.6 organization responsible to select grantees.

2.7 Subd. 5. **Grant selection process.** (a) The nonprofit organization must consider the
2.8 following criteria in selecting projects for funding:

2.9 (1) the demonstrated interest of the community in a skate park project, including the
2.10 commitment of local government money and private donations for the project;

2.11 (2) the accessibility of the proposed site to an arterial highway, transit, or pedestrian or
2.12 bike path;

2.13 (3) equitable geographic dispersion to maximize potential for full utilization;

2.14 (4) commitment to accommodate noncompetitive family and community skating for all
2.15 ages and to encourage use of skate parks by a diverse population; and

2.16 (5) whether the project is requested by more than one local government unit.

2.17 (b) The nonprofit organization must give priority to applicants that propose projects
2.18 designed by experts in the field of concrete skate park design and are to be constructed by
2.19 professionals with experience in the construction of concrete skate parks.

2.20 Subd. 6. **Skate park requirements.** To be eligible for a grant under this section, a skate
2.21 park must be:

2.22 (1) accessible to the public without charge for personal use;

2.23 (2) constructed of concrete; and

2.24 (3) developed and programmed with input from youth during the planning, design, and
2.25 programming for the skate park.

2.26 Subd. 7. **Agreements with local governments and cooperative purchasing**
2.27 agreements. The commissioner may enter into cooperative purchasing agreements under
2.28 section 471.59 with local governments to purchase skate park equipment and services
2.29 through state contracts. The cooperative skate park equipment purchasing revolving fund
2.30 is created as a separate account in the state treasury. The commissioner may charge a fee
2.31 to cover the commissioner's administrative expenses to government units that have joint or
2.32 cooperative purchasing agreements with the state under section 471.59. The fees collected

3.1 must be deposited in the revolving fund established by this subdivision. Money in the fund
 3.2 is appropriated to the commissioner to administer the programs and services covered by
 3.3 this section.

3.4 Subd. 8. Awarding a design-build contract. Notwithstanding section 471.345, cities,
 3.5 towns, counties, park boards, and school districts may solicit and award a design-build or
 3.6 construction manager at-risk contract for a construction or upgrade project funded under
 3.7 this section on the basis of a best value selection process. The city, town, county, park board,
 3.8 or school district must consider at least two proposals when awarding a design-build contract
 3.9 under this section.

3.10 Subd. 9. Availability of funds. A grant of money from an appropriation under this
 3.11 program is available to each grantee until the project that is the subject of the grant is
 3.12 completed or abandoned, subject to section 16A.642.

3.13 EFFECTIVE DATE. This section is effective the day following final enactment.

3.14 Sec. 2. Laws 2023, chapter 71, article 1, section 14, subdivision 1, is amended to read:

3.15		395,567,000
3.16	Subdivision 1. Total Appropriation	\$ 398,067,000

3.17 To the commissioner of employment and
 3.18 economic development for the purposes
 3.19 specified in this section.

3.20 EFFECTIVE DATE. This section is effective the day following final enactment.

3.21 Sec. 3. Laws 2023, chapter 71, article 1, section 14, is amended by adding a subdivision
 3.22 to read:

3.23	<u>Subd. 3a. Skate Parks</u>	<u>2,500,000</u>
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3.24 For grants to cities, towns, counties, park
 3.25 boards, and school districts to plan, predesign,
 3.26 design, and construct public skate parks under
 3.27 Minnesota Statutes, section 116J.9927.

3.28 EFFECTIVE DATE. This section is effective the day following final enactment.

3.29 Sec. 4. REPEALER.

3.30 (a) Laws 2023, chapter 71, article 1, section 7, is repealed.

4.1 (b) Minnesota Statutes 2022, section 240A.20, subdivisions 2, 4, and 5, are repealed.

4.2 (c) Minnesota Statutes 2023 Supplement, section 240A.20, subdivisions 1, 3, 6, and 7,
4.3 are repealed.

4.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

240A.20 PROMOTING CONSTRUCTION AND RENOVATION OF PUBLIC SKATE PARKS THROUGHOUT THE STATE.

Subdivision 1. **Definition.** For purposes of this section, "skate" means wheeled, nonmotorized recreation, including skateboarding, roller blading, roller skating, and BMX biking.

Subd. 2. **Promotion of public skate parks.** The Minnesota Amateur Sports Commission shall:

(1) develop new public skate parks statewide; and

(2) provide matching grants to local units of government for public skate parks based on the criteria in this section.

Subd. 3. **Criteria for grants to local units of government for public skate parks.** (a) The commission shall administer a site selection process for the skate parks. The commission shall invite proposals from cities, towns, counties, consortia of cities, park boards, and school districts that are eligible to receive a grant under this program. A proposal for a skate park must include matching contributions including in-kind contributions of land, access roadways and access roadway improvements, and necessary utility services, landscaping, and parking.

(b) The skate park must be accessible to the public without charge for personal use.

(c) The skate park must be constructed of concrete.

(d) The location for all proposed facilities must be in areas of maximum demonstrated interest and must maximize accessibility to an arterial highway, transit, or pedestrian or bike path.

(e) To the extent possible, all proposed facilities must be dispersed equitably, must be located to maximize potential for full utilization, must accommodate noncompetitive family and community skating for all ages, and must encourage use of skate parks by a diverse population.

(f) The commission will give priority to proposals that come from more than one local government unit.

(g) The commission may also use the money to upgrade current facilities.

(h) To the extent possible, 50 percent of all grants must be awarded to communities in greater Minnesota.

(i) A grant awarded under subdivision 2, clause (2), may not exceed \$500,000 unless the grantee demonstrates that the facility will have a regional or statewide draw. A grant awarded under subdivision 2, clause (2), may be for up to \$1,000,000 for a skate park with regional impact. A grant awarded under subdivision 2, clause (2), may be for up to \$2,000,000 for a skate park that has or will have more than 40,000 square feet.

(j) In selecting projects to be awarded grants under this section, the commission must give priority to those projects that are designed by experts in the field of concrete skate park design and are to be constructed by professionals with experience in the construction of concrete skate parks.

(k) To be eligible for a grant under this section, a local government must have engaged or must commit to engage youth in the planning, design, and programming for the concrete skate park.

Subd. 4. **Technical assistance.** To the extent possible, the commission shall provide technical assistance on skate park planning, design, and operation to communities.

Subd. 5. **Agreements with local governments and cooperative purchasing agreements.** (a) The Minnesota Amateur Sports Commission may enter into agreements with local units of government and provide financial assistance in the form of grants for the construction of skate parks that, in the determination of the commission, conform to its criteria.

(b) The commission may enter into cooperative purchasing agreements under section 471.59 with local governments to purchase skate park equipment and services through state contracts. The cooperative skate park equipment purchasing revolving fund is a separate account in the state treasury. The commission may charge a fee to cover the commission's administrative expenses to government units that have joint or cooperative purchasing agreements with the state under section 471.59. The fees collected must be deposited in the revolving fund established by this subdivision. Money in the fund is appropriated to the commission to administer the programs and services covered by this subdivision.

Subd. 6. **Awarding a design-build contract.** Notwithstanding section 471.345, cities, towns, counties, park boards, and school districts may solicit and award a design-build or construction

APPENDIX
Repealed Minnesota Statutes: 24-07694

manager at-risk contract for a construction or upgrade project funded under this section on the basis of a best value selection process. The city, town, county, park board, or school district must consider at least three proposals when awarding a design-build contract under this section.

Subd. 7. **Availability of funds.** A grant of money from an appropriation under this program is available to each grantee until the project that is the subject of the grant is completed or abandoned, subject to section 16A.642.

Laws 2023, chapter 71, article 1, section 7

Sec. 7. AMATEUR SPORTS COMMISSION

\$ 4,000,000

(a) To the Minnesota Amateur Sports Commission for grants to cities, towns, counties, park boards, and school districts for the planning and building of public skate parks under Minnesota Statutes, section 240A.20, subdivision 3, with the assistance of the nonprofit consultant hired under paragraph (b).

(b) Of this appropriation, up to \$100,000 may be used to hire a Minnesota nonprofit consultant with expertise in public skate park development to assist the commission in developing and applying the criteria for awarding grants under Minnesota Statutes, section 240A.20, subdivision 3.