

1900.3010 PROCESS FOR RELEASING FUNDS TO REGIONAL ARTS COUNCILS.

Subpart 1. **Time for release of funds.** Within ten days of the board's acceptance of a biennial plan, the board must provide the council with a Regional Arts Council/Minnesota State Arts Board Fiscal Agent Agreement to be executed by the council and returned for execution by the board. After receipt of the signed agreement, the board shall have until the end of the third full week of July, or a date mutually agreeable to the board and the Regional Arts Council Forum, to execute its portion of the agreement, including approvals required by Minnesota Statutes, section 16B.06, subdivision 2, to release the full amount of the regional arts council block allocation.

Subp. 2. **Councils whose designation is being challenged.** If a council's biennial plan has not been filed because the council is in the process of responding to comment on its preliminary plan or if the council is in the process of being challenged for designation, the board must provide an interim payment schedule and written conditions for payments which will ensure that the council's normal operations are not impeded while the designation process is completed.

Subp. 3. Special circumstances.

A. At the beginning of a fiscal year, if negotiations for the Regional Arts Council/Minnesota State Arts Board Fiscal Agent Agreement are still in process, the board must institute a system of partial allocation payments to each council until the agreement is completed. The payments may be contingent upon the submission of reports or receipt of information requested by the board. The Regional Arts Council Forum and each of the 11 regional arts councils must be notified by the board in writing by May 31 prior to the beginning of the fiscal year, of the board's intent to make partial payments, the conditions for the board making payments, and the conditions for the board's discontinuing the contingent payment system. If a contingent payment system is instituted by the board, it must be done in a manner which ensures that the normal operations of the councils are not impeded.

B. When a region is not served by a regional arts council, the regional arts council block allocation for regions not served by a council shall be administered by the board with the advice of the regional arts advisory committee until a new council is designated, but in no case for longer than six months. If a region is without a council for longer than six months, the Regional Arts Council Forum may direct the board to redistribute the region's unexpended and unobligated regional arts council block allocation for the current fiscal year to the remaining councils in a formula to be determined by the Regional Arts Council Forum.

Statutory Authority: *MS s 129D.04*

History: *21 SR 5; 41 SR 87*

Published Electronically: *August 15, 2016*