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Minnesota Senate Environment, Climate and Legacy Committee
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Dear Members:

SF1682, the 2023 Omnibus Legacy bill, contains items of concern. Legacy is to be used to supplement a goal or project, not substitute. There are issues that do not follow that goal.

The most significant issue is found in **Article 1 Section 2 (a) at line 18.3** Upper Sioux Community Habitat Restoration. Upper Sioux Community Habitat. This provision provides \$966,000 for buckthorn removal within a tribal reservation. The reservation boundaries are contested by the Tribe with the DNR. There are additional concerns regarding where these funds will be used as a result of the dispute. Federal funds have been used for the same procedure and are available to the Tribe as documented by the Tribe's application. Legacy funds are to supplement and not substitute. In this matter, the use of \$966,000 of public funds is a misuse as the funds are to substitute federal funds and are not a supplement.

Minnesota Historical Society is appropriated funds within the Arts and Cultural Heritage section. Nonprofit MN Historical Society is given funds "to preserve and enhance access to Minnesota's history and its cultural and historical resources." Lines 67.27 to 67.30. This is not happening. MNHS has failed to provide access to Minnesota's historical sites and in so doing has not abided by its responsibility to "preserve" Minnesota history. There is no physical access for visitors due to MNHS's sale of historic sites and closure of others. In 2021, MNHS conveyed (sold for \$1) the Lower Sioux Agency Historic Site claiming the Site would be better operated by the Tribe; however in transfer documents submitted to the National Parks Service, the reason given was not for site operation but for Indian Trust, thereby closing the site to the public. For more than a decade prior to that, MNHS contracted with the Tribe for operation creating inaccurate historical interpretation of the Historic Site. MNHS did not "preserve" history as it is required to in order to receive funds.

Legislation proposed this session transfers another historic site, Upper Sioux Agency Historic Site, to another Indian tribe, effective closing access to the site by September, 2023. This again is another lost opportunity to "preserve" Minnesota's historic sites. There is no way to recover these opportunities for exploration and experience that MNHS CEO and Director Kent Whitworth notes there is no other way to live in history.

These transfers are unrelated to covid as are other closures. MNHS has permanently closed other historic sites and mothballed exhibits with no intention of reopening them according to meetings with local entities. Fort Ridgely, the site of the only military Fort to be attacked by hostile forces during the Civil War in Minnesota has been permanently emptied of its exhibits and all activities and events have been cancelled, including outdoor only events. This has been devastating to the local tourism economy as it was a central location for reenactor weekends and a meeting place for U.S. – Dakota War victim descendants and students from the area. The area is substantial what is referred to as the Second Civil War in American history.

MNHS deserves nothing as it cannot abide by its statutory requirement of preservation of Minnesota history. In an effort to find compromise, MNHS should be afforded heavy supervision of all funds: no affordance of partnership funds due to the nonprofit's data privacy permissions of no reporting under MN's Chapter 13 provisions (MNHS is not required to report who it partners with) **removing \$2,820,000**

from the provision yearly; yearly \$3,750,000 programming with not less than \$1,250,000 dedicated to U.S. – Dakota War programming with multiple viewpoints and strenuous scholarship, removing \$3,750,000 from the appropriation for programs; \$5,000,000 in statewide competitive grants as MNHS has interceded the Legacy program grants with its own rules and procedures including questioning applicants about minority impact not included within the 2008 Legacy Amendment put before Minnesota Voters; and completing the appropriation with removal of the \$1,000,000 total for Survey going directly to the Department of Administration for distribution by the State Historic Preservation Office, and wording changed to show Minitex in complete decision making control of the \$800,000 appropriation. The specialty grants on lines 70.5 through 70.19 should be carefully reviewed to ensure supplement is the goal rather than substitute.

Changes appear between lines 68.18 and 70.23.

Supplement is to be the priority with Legacy and these situations prove Legacy is being abused by Minnesota Historical Society and a federally recognized Indian tribe that have either not abided by the application requirement for Legacy or have failed to utilize Legacy funds correctly for preservation.

Thank you for removing these items from the Legacy Omnibus bill.

Sincerely,


Stephanie Chappell