

ATTACHMENT

2007 Minnesota Statutes chapter 113, sections 15 through 17 Authorizing the Establishment of a Nonprofit Regional Parks Foundation

Sec. 15. **NONPROFIT FOUNDATION.**

Subdivision 1. **Nonprofit foundation may be established.** Under Minnesota Statutes, section 465.717, subdivision 1, the Metropolitan Council established by Minnesota Statutes, section 473.123, may incorporate, create, or otherwise establish a foundation. The purpose of the foundation shall be to help acquire or finance the acquisition of lands and other assets for public recreation and open space within the metropolitan area defined in Minnesota Statutes, section 473.121, subdivision 2, in order to preserve and develop regional parks and related facilities. The foundation shall be a private nonprofit organization and tax exempt under appropriate federal and state laws. The foundation may accept gifts, donations, money, property, and other assets and may transfer, donate, or otherwise provide such gifts, donations, money, property, and other assets consistent with its dedicated purpose. The foundation is subject to the application of other laws provisions of Minnesota Statutes, section 465.719, subdivision 9.

Subd. 2. **Formation; board of directors; employees.** The foundation's initial board of directors must include business leaders, representatives of civic and nonprofit organizations, and at least one representative from each of the following: the Metropolitan Council, the Metropolitan Parks and Open Space Commission, the Department of Natural Resources, and conservation and parks and trails advocacy organizations like the Trust for Public Land and the Parks and Trails Council of Minnesota. The members of the initial board must not be compensated by the foundation for their services but may be reimbursed for reasonable expenses incurred in connection with their duties as board members. Persons employed by the foundation are not public employees and must not participate in retirement, deferred compensation, insurance, or other plans that apply to public employees generally.

Subd. 3. **Advisory committee.** The foundation may appoint an advisory committee to help establish the foundation. The advisory committee should include one or more representatives of the following: the regional park implementing agencies within the metropolitan area, the National Park Service, the United States Fish and Wildlife Service, the Metropolitan Council, the Department of Natural Resources, existing public park organizations, and other organizations as the foundation deems appropriate. Advisory committee members shall not be compensated for their membership on the advisory committee but may be reimbursed for reasonable expenses incurred in connection with their duties as advisory committee members. The advisory committee may be dissolved by the foundation when the foundation determines the advisory committee's work is complete.

Sec. 16. **METROPOLITAN COUNCIL ASSISTANCE.**

The Metropolitan Council may provide from its general fund up to \$500,000 to help create and establish the foundation. Until the foundation is established and functioning, the council may provide, from the funding made available under this section, office space and administrative support. The council may accept gifts, donations, money, property, and other assets for purposes consistent with the foundation's purposes and shall, when the foundation is established and functioning, transfer such gifts, donations, money, property, and other assets to the foundation. The use of council funds and resources for these purposes is a public purpose.

Sec. 17. **REPORT.**

On or before January 15, 2009, the council shall prepare and submit to the chairs of the legislative committees and divisions with jurisdiction over metropolitan and local government, a report on the creation and establishment of the foundation, including a description of the public and private funds and resources used to help create and establish the foundation.

Source: Office of Revisor of Statutes, State of Minnesota (2007)