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Court Administrator

JUL - 1 2011

By  Deputy



MINNESOTA HISTORICAL SOCIETY

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July 1, 2011

TO: Justice Kathleen Blatz, Special Master for State Shutdown Activities

FROM: D. Stephen Elliott, Director

RE: Request for Authorization for Funding for Critical Services During State Government Shutdown

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The Minnesota Historical Society respectfully requests authorization for funding for critical services during a state government shutdown for: property protection; enterprise technology protection and maintenance; and support for critical services. Background on the Minnesota Historical Society and detail on this request follow in this memorandum, and are included in an attachment.

- The Minnesota Historical Society, (Society) created by the Territorial Legislature in 1849, has had a long-standing partnership with the State of Minnesota to preserve and interpret our state's history. These duties are carried out in accordance with various provisions included in Chapter 138 of Minnesota Statutes.
- The Society receives significant general fund dollars from the State of Minnesota to carry out these activities. Fiscal Year 2011 appropriations were approximately \$22 million.
- These statutory functions outlined in Chapter 138 of Minnesota Statutes include, but are not limited to: operation of the historic sites network; operation of the Minnesota History Center in St. Paul, including all of the programs that happen within the building; maintenance of the state archives, operation of historic preservation programs, etc.
- Operation of these programs entails operating and maintaining over 100 structures at 26 historic sites across the state, as well as at the History Center in St. Paul where the Society maintains hundreds of thousands of cubic feet of space containing historical records and materials, in special climate controlled conditions in order to protect these resources. These materials comprise the state's cultural patrimony; it is our responsibility to protect and care for these materials under all circumstances.

- The Society makes historic resources available to Minnesotans on-line and thus operates an extensive information technology network, which also must be protected in the event of a shutdown.
- The Society, which is not a cabinet agency, and sometimes known as a quasi-state agency, was neither included in the Governor's list of Critical Services that was used as a guide for the court's decisions, nor was the Society listed in the Governor's list of agencies recommended to fully close.
- Various state and federal guidelines, as described in the Ramsey County District Court's "Finding of Fact, Conclusions of Law and Order Granting Motion for Temporary Funding" describes as core or essential services: protection of property (Paragraphs 17, 18) as well as protection of computer systems, etc. (Paragraph 27) and support services, such as finance and payroll, in order to support these protective activities (Paragraph 29)
- The Court's Order, in Paragraph 11, authorizes the Commissioner of Management and Budget to make payments that are consistent with the findings of fact and conclusions of law contained in the order.
- For the reasons cited, the Minnesota Historical Society requests minimal funding for critical activities which are authorized in the Court's order. We certainly understand that during the state government shutdown, these facilities would not be open and therefore not available to the public, but rather this request is to ensure the security of the facilities and the irreplaceable historic resources contained within them.
- The attached form provides further detail of the requested minimal needs for the protection of property under the stewardship of the Minnesota Historical Society.

Finally, we would call to the Special Master's attention an additional issue that may require attention should the state government shutdown extend beyond a week to ten days: the Minnesota Historical Society operates a number of federally funded programs, most notably the Society's obligation under Minnesota Statutes 138.081 to administer the federal Historic Preservation Act, which is a federal-state regulatory partnership. Should the shutdown extend through July 11, we would request the opportunity to revisit this issue in greater detail, in order to ensure that Minnesota, via the Society, remains in compliance with its obligations under federal law.

Thank you for your consideration of this request at this difficult time.

Estimated # Critical

FTE

**Minnesota Historical Society** 16

**Activities Requested to Continue**

Protection of property at History Center and Historic Sites

Security /Inspection of facilities and historic structures and collections; care of animals  
at Oliver Kelley Farm

Protection of enterprise technology

Protection of equipment/servers with operational and historical information

Essential financial and human resources activities

Incident command and support for critical service (if needed)