

Minnesota Department of Administration Office of Grants Management

Operating Policy and Procedure

Issue Date: 12/18/08

Policy Number: 08-11

Policy on Legislatively Mandated Grants

[Minn. Stat. §16B.97](#)

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Minn. Stat. §16B.97 Subd. 4(a)(1) provides that the Commissioner of Administration shall “create general grants management policies and procedures that are applicable to all executive agencies.”

Policy

It is the policy of the State of Minnesota to manage legislatively mandated grants with the same level of oversight applied to other state grants, while respecting and maintaining the legislative intent. State agencies must require grantee organizations that are named in legislation to submit a grant work plan and budget. The grant contract agreement shall be based on the legislation, the grant work plan and budget submitted by the grantee, and negotiations between the state agency and the grantee. Legislatively made grants shall be monitored using the same standards applied to other types of state grants.

In situations in which the purpose and amount of a grant is stated in law, but the grantee organization is not stated, state agencies must use either a single/sole source or competitive process to select the grantee.

Scope of Coverage

This policy applies to grant-making at all executive branch agencies, boards, committees, councils, authorities, and task forces that make grants.

This policy applies to legislatively mandated grants, excluding bonding and capital grants.

This policy supersedes other state agency policies that concern legislatively mandated grants except when the existing state agency policy is stricter.

Grants in which monitoring terms are statutorily defined are not covered by this policy.

Grant programs that seek an exception to this policy must complete a Grants Policy Exception Request and submit it to the Office of Grants Management for the approval of the Commissioner of Administration.

Definitions

Grant Budget:

A budget is a written plan for all expenses and revenues related to a grant.

Legislatively Mandated Grant:

A legislatively mandated grant is a legislative appropriation in which the amount and purpose of a grant is named in law. In some legislatively mandated grants, the grantee organization is also named in law.

Work Plan:

A work plan is a written project or program management tool that identifies a desired project or program activities, timelines, and outcomes.

Procedures

1. If a grantee organization is named in a legislatively mandated grant, the state agency that is responsible for the grant must request that the grantee submit a grant work plan and budget. These documents should be used, along with the legislation and negotiations with the grantee, to draft the grantee's duties in the grant contract agreement.
2. If the amount and purpose of a grant program is stated in law, but the grantee organization is not named, the state agency that is responsible for the grant must conduct either a sole/single source or competitive process to select the grantee.
3. Once the grantee has been selected, legislatively mandated grants must be monitored with the same level of oversight applied to other state grants.