

A bill for an act
relating to natural resources; appropriating money from the parks and trails fund;
establishing the Minnesota Naturalist Corps; establishing a parks and trails grant
program; amending Minnesota Statutes 2008, section 85.53; proposing coding
for new law in Minnesota Statutes, chapters 84; 85.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **PARKS AND TRAILS FUND APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the
agencies and for the purposes specified in this act. The appropriations are from the parks
and trails fund, or another named fund, and are available for the fiscal years indicated for
each purpose. The figures "2010" and "2011" used in this act mean that the appropriations
listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011,
respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011.
"The biennium" is fiscal years 2010 and 2011. Appropriations for the fiscal year ending
June 30, 2009, are effective the day following final enactment. All appropriations in
this act are onetime only.

<u>APPROPRIATIONS</u>			
<u>Available for the Year</u>			
<u>Ending June 30</u>			
		<u>2010</u>	<u>2011</u>
Sec. 2. <u>NATURAL RESOURCES.</u>	\$	<u>9,399,000</u>	\$ <u>21,257,000</u>
(a) <u>\$6,749,000 the first year and \$14,807,000</u>			
<u>the second year are to:</u>			

2.1 (1) connect people to the outdoors by
2.2 providing access, conservation education,
2.3 and interpretative services with a goal
2.4 of attracting 350,000 additional visitors
2.5 to state parks, recreation areas, forest
2.6 campgrounds, and trails by the end of the
2.7 biennium, reaching 25 percent of all state
2.8 parks and trails visitors through education
2.9 programming, including conducting at least
2.10 500 conservation education programs, by:
2.11 (i) enhancing marketing and technology
2.12 to target new audiences and provide new
2.13 opportunities to engage citizens, including
2.14 enhancements to the department's Web
2.15 site, community assistance, and volunteer
2.16 coordination and enhancement;
2.17 (ii) increasing the number of naturalist
2.18 interns from 18 to 30 each year under the
2.19 new Minnesota Naturalist Corps established
2.20 under Minnesota Statutes, section 84.992;
2.21 (iii) adding eight new full-time
2.22 equivalent naturalists to provide expanded
2.23 programming, with a focus on families and
2.24 children;
2.25 (iv) opening or reopening visitor centers at
2.26 Lake Bronson, Blue Mounds, St. Croix, and
2.27 Grand Portage State Parks and expanding
2.28 visitor center hours at additional high profile
2.29 parks;
2.30 (v) advancing new conservation education
2.31 delivery methods reaching new and younger
2.32 audiences with 50 new MP3 audio trail
2.33 guides, educational touch screen computers,
2.34 podcasts, and videocasts;

- 3.1 (vi) constructing information centers and
3.2 kiosks in state parks, including: a pilot
3.3 project to construct information centers
3.4 that include self-registration equipment and
3.5 touch screen displays; electronic information
3.6 kiosks that include touch screen displays; and
3.7 information kiosks near campgrounds and
3.8 day use areas used to display maps, policies,
3.9 and other information;
- 3.10 (vii) providing interpretive services for
3.11 state trails, including at least five new
3.12 kiosks, signage, updating five trail maps,
3.13 and developing three new resource-oriented
3.14 brochures;
- 3.15 (viii) producing a new state map integrating
3.16 state parks, recreation areas, forest
3.17 campgrounds, trails, and regional park and
3.18 trail facilities; and
- 3.19 (ix) enhancing cross-country skiing in at
3.20 least ten state parks, recreation areas, forest
3.21 campgrounds, or trails;
- 3.22 (2) accelerate natural resource management,
3.23 restoration, and protection activities at state
3.24 parks, including:
- 3.25 (i) restoring at least 700 additional acres of
3.26 state park land;
- 3.27 (ii) conducting invasive species detection,
3.28 prevention, and response activities on at least
3.29 4,000 acres of state park lands and waters
3.30 and reestablishing native plants, shrubs, and
3.31 trees after invasive species removal;
- 3.32 (iii) providing rapid response to terrestrial
3.33 and aquatic new invasive species detections

4.1 and infestations on state park lands and
4.2 waters and state trails;
4.3 (iv) conducting prescribed burns on an
4.4 additional 6,000 acres; and
4.5 (v) restoring and managing native prairies
4.6 and woodlands along at least six percent of
4.7 the developed miles of state trails, including
4.8 removing invasive species;
4.9 (3) accelerate facility maintenance and
4.10 rehabilitation by:
4.11 (i) upgrading at least three percent of
4.12 facilities in overnight and day use areas;
4.13 (ii) improving access to parks and trails
4.14 systems for visitors of all ability levels at no
4.15 fewer than 15 sites each year;
4.16 (iii) enhancing the trail surface of at least
4.17 100 miles of state trails, resurfacing 20 to 40
4.18 miles of state trails, repairing six to ten trail
4.19 bridges, and replacing two to four bridges;
4.20 and
4.21 (iv) rehabilitating and renewing trails in
4.22 state parks, recreation areas, or forest
4.23 campgrounds for hiking, biking, and
4.24 horseback riding at the rate of at least four
4.25 percent per year; and
4.26 (4) accelerate facility energy conservation
4.27 by increasing energy conservation
4.28 and operations, promoting new
4.29 conservation-based energy sources,
4.30 reducing energy costs and installing solar
4.31 energy equipment, including solar thermal
4.32 energy equipment, as part of the following
4.33 projects:

- 5.1 (i) the design and installation of sustainable
5.2 energy features, including the use of solar
5.3 energy, at a new campground in Split Rock
5.4 Lighthouse State Park;
- 5.5 (ii) the installation of solar energy equipment
5.6 to power a new sanitation building and
5.7 campsites in St. Croix State Park;
- 5.8 (iii) the installation of solar energy equipment
5.9 to power sanitation buildings and campsites
5.10 at the Pine Ridge Campground in Itasca State
5.11 Park;
- 5.12 (iv) the installation of solar power equipment
5.13 for educational demonstration projects and
5.14 to offset the use of electricity at Jay Cooke,
5.15 Bear Head Lake, Afton, Sibley, Lake Carlos,
5.16 Glacial Lakes, Maplewood, William O'Brien,
5.17 Wild River, and Lac Qui Parle State Parks;
- 5.18 (v) the installation of solar energy equipment
5.19 at the Iron Range Off-Highway Vehicle
5.20 Recreation Area in Gilbert;
- 5.21 (vi) the installation of solar energy equipment
5.22 to power a sanitation building and lighting at
5.23 the Silver Bay Marina;
- 5.24 (vii) the installation of solar energy
5.25 equipment to power the rest area and visitor
5.26 center at Grand Portage State Park; and
- 5.27 (viii) the installation of solar energy
5.28 equipment to power sanitation buildings and
5.29 campsites at the Lake Shetek State Park and
5.30 additional solar energy projects if funding is
5.31 available.
- 5.32 The commissioner shall contract for services
5.33 with the Minnesota Conservation Corps for
5.34 restoration, maintenance, and other activities

6.1 under this paragraph for at least \$600,000 the
6.2 first year and \$1,000,000 the second year.

6.3 The commissioner shall leverage federal
6.4 stimulus funding for these purposes to the
6.5 extent possible.

6.6 To the extent possible, any prairie restoration
6.7 conducted with money appropriated in this
6.8 section must plant vegetation or sow seed
6.9 only of ecotypes native to Minnesota, and
6.10 preferably of the local ecotype, using a high
6.11 diversity of species originating from as
6.12 close to the restoration site as possible, and
6.13 protect existing native prairies from genetic
6.14 contamination.

6.15 (b) \$1,000,000 the first year and \$2,000,000
6.16 the second year are for grants for solar
6.17 energy projects in metropolitan regional
6.18 parks and trails that meet the requirements
6.19 of Minnesota Statutes, section 473.147,
6.20 and qualify for funding under Minnesota
6.21 Statutes, sections 473.301 to 473.351, and
6.22 parks and trails outside the metropolitan area
6.23 that are currently recognized as meeting the
6.24 constitutional requirement of being a park
6.25 or trail of regional or statewide significance.

6.26 Up to 2-1/2 percent of this appropriation
6.27 may be used for administering the grants. Of
6.28 this appropriation, at least \$1,000,000 shall
6.29 be designated for projects utilizing solar
6.30 thermal technology and equipment. The
6.31 commissioner shall give priority to projects
6.32 that:

6.33 (1) would be visible to park or trail visitors
6.34 and that demonstrate the use of solar energy;

7.1 (2) would provide on-site information
7.2 explaining the installation, its benefits, and
7.3 the benefits of renewable energy;
7.4 (3) would reduce the use of energy from
7.5 fossil fuels;
7.6 (4) incorporate designs that reflect the
7.7 aesthetics of the installation site; or
7.8 (5) provide education to visitors on energy
7.9 conservation or climate change.
7.10 (c) \$1,650,000 the first year and \$4,450,000
7.11 the second year are for grants under
7.12 Minnesota Statutes, section 85.535, to
7.13 metropolitan regional parks and trails that
7.14 meet the requirements of Minnesota Statutes,
7.15 section 473.147, and qualify for funding
7.16 under Minnesota Statutes, sections 473.301
7.17 to 473.351, and parks and trails outside
7.18 the metropolitan area that are currently
7.19 recognized as meeting the constitutional
7.20 requirement of being a park or trail of
7.21 regional or statewide significance. Grants
7.22 under this section must only be used for
7.23 acquisition, restoration, and maintenance.
7.24 Up to 2-1/2 percent of this appropriation may
7.25 be used for administering the grants.
7.26 (d) The commissioner shall develop a
7.27 ten-year strategic state parks and trails
7.28 plan considering traditional funding and
7.29 the funding available under the Minnesota
7.30 Constitution, article XI, section 15.
7.31 (e) The commissioner, in consultation
7.32 with the commissioner of the Pollution
7.33 Control Agency, the Board of Water and Soil
7.34 Resources, the Lessard Outdoor Heritage
7.35 Council, the Minnesota Board of the Arts,

8.1 and the Minnesota Historical Society, shall
8.2 develop a logo to be used in signage required
8.3 of projects and programs receiving funds
8.4 from the outdoor heritage fund, clean water
8.5 fund, parks and trails fund, and arts and
8.6 cultural heritage fund.

8.7 (f) The commissioner shall submit a report
8.8 on the expenditure and use of money
8.9 appropriated under this section to the
8.10 legislature by March 1 of each year. The
8.11 report must relate the expenditure of funds
8.12 by the categories established and detail the
8.13 outcomes in terms of additional use of parks
8.14 and trails resources, user satisfaction surveys,
8.15 and other appropriate outcomes.

8.16 Sec. 3. METROPOLITAN COUNCIL. \$ \$7,500,000 \$ \$14,600,000

8.17 (a) \$7,500,000 the first year and \$14,600,000
8.18 the second year are from the parks and
8.19 trails fund to be distributed as required
8.20 under Minnesota Statutes, section 85.53,
8.21 subdivision 2.

8.22 (b) The Metropolitan Council shall submit
8.23 a report on the expenditure and use of
8.24 money appropriated under this section to
8.25 the legislature by March 10 of each year.
8.26 The report must detail the outcomes in
8.27 terms of additional use of parks and trails
8.28 resources, user satisfaction surveys, and
8.29 other appropriate outcomes.

8.30 Sec. 4. LEGISLATURE. \$ 51,000 \$ 43,000

8.31 (a) \$23,000 in fiscal year 2010 and
8.32 \$15,000 in fiscal year 2012 are for the
8.33 Legislative Coordinating Commission to
8.34 establish and operate the new Office of

9.1 Public Accountability for Constitutionally
9.2 Dedicated Funding as required under
9.3 Minnesota Statutes, section 3.303,
9.4 subdivision 10.
9.5 (b) \$28,000 in fiscal year 2010 and \$28,000
9.6 in fiscal year 2012 are for the legislative
9.7 auditor to conduct restoration audits
9.8 under Minnesota Statutes, section 3.971,
9.9 subdivision 9.

9.10 Sec. 5. **[84.992] MINNESOTA NATURALIST CORPS.**

9.11 Subdivision 1. **Establishment.** The Minnesota Naturalist Corps is established under
9.12 the direct control and supervision of the commissioner of natural resources.

9.13 Subd. 2. **Program.** The commissioner of natural resources shall develop a program
9.14 for the Minnesota Naturalist Corps that supports state parks in providing interpretation
9.15 of the natural and cultural features of state parks in order to enhance visitors' awareness,
9.16 understanding, and appreciation of those features and encourages the wise and sustainable
9.17 use of the environment.

9.18 Subd. 3. **Training and mentoring.** The commissioner must develop and implement
9.19 a training program that adequately prepares Minnesota Naturalist Corps members for the
9.20 tasks assigned. Each corps member shall be assigned a state park naturalist as a mentor.

9.21 Subd. 4. **Uniform patch.** Uniforms worn by members of the Minnesota Naturalist
9.22 Corps must have a patch that includes the name of the Minnesota Naturalist Corps and
9.23 information that the program is funded by the clean water, land, and legacy amendment to
9.24 the Minnesota Constitution adopted by the voters in November 2008.

9.25 Subd. 5. **Eligibility.** A person is eligible to enroll in the Minnesota Naturalist
9.26 Corps if the person:

9.27 (1) is a permanent resident of the state;

9.28 (2) is a participant in an approved college internship program or has a postsecondary
9.29 degree in a natural resource or conservation related field; and

9.30 (3) has completed at least one year of postsecondary education.

9.31 Subd. 6. **Corps member status.** Minnesota Naturalist Corps members are not
9.32 eligible for unemployment benefits if their services are excluded under section 268.035,
9.33 subdivision 20, and are not eligible for other benefits except workers' compensation. The
9.34 corps members are not employees of the state within the meaning of section 43A.02,
9.35 subdivision 21.

Subd. 7. **Employee displacement.** The commissioner must certify that the assignment of Minnesota Naturalist Corps members will not result in the displacement of currently employed workers or workers on seasonal layoff or layoff from a substantially equivalent position, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. The department may not terminate, lay off, reduce the seasonal hours, or reduce the working hours of any employee for the purpose of using a corps member with available funds.

Sec. 6. Minnesota Statutes 2008, section 85.53, is amended to read:

85.53 PARKS AND TRAILS FUND.

Subdivision 1. **Fund established; purpose.** The parks and trails fund is established in the Minnesota Constitution, article XI, section 15. All money earned by the parks and trails fund must be credited to the fund.

Subd. 2. **Metropolitan area distribution formula.** Money appropriated from the parks and trails fund to the Metropolitan Council shall be distributed to implementing agencies, as defined in section 473.351, subdivision 1, paragraph (a), as grants according to the following formula:

(1) 45 percent of the money must be disbursed according to the allocation formula in section 473.351, subdivision 3, to each implementing agency;

(2) 31.5 percent of the money must be distributed based on each implementing agency's relative share of the most recent estimate of the population of the metropolitan area;

(3) 13.5 percent of the money must be distributed based on each implementing agency's relative share of nonlocal visits based on the most recent user visitation survey conducted by the Metropolitan Council; and

(4) ten percent of the money must be distributed as grants to implementing agencies for land acquisition within Metropolitan Council approved regional parks and trails master plan boundaries under the council's park acquisition opportunity grant program. The Metropolitan Council must provide a match of \$2 of the council's park bonds for every \$3 of state funds for the park acquisition opportunity grant program.

Sec. 7. **[85.535] PARKS AND TRAILS GRANT PROGRAM.**

Subdivision 1. **Establishment.** The commissioner of natural resources shall administer a program to provide grants from the parks and trails fund to support parks and trails of regional or statewide significance.

Subd. 2. **Eligibility.** To be eligible for grants under this section, a park or trail must:

11.1 (1) be a metropolitan regional park or trail that meets the requirements of section
11.2 473.147 and that qualifies for funding under sections 473.301 to 473.351; or

11.3 (2) be a park or trail outside the metropolitan area, as defined in section 473.121,
11.4 subdivision 2, that is currently recognized as meeting the constitutional requirement of
11.5 being a park or trail of regional or statewide significance.

11.6 Subd. 3. **Priorities.** In awarding trails grants under this section, the commissioner
11.7 shall give priority to:

11.8 (1) trail projects that provide connectivity;

11.9 (2) trail projects that provide enhanced opportunities for commuters; and

11.10 (3) trail projects that provide enhanced safety.

11.11 Subd. 4. **Match.** Recipients must provide a nonstate cash match of at least 25
11.12 percent of the total eligible project costs.

11.13 Subd. 5. **Rule exemption.** The commissioner is not subject to the rulemaking
11.14 provisions of chapter 14 in implementing this section, and section 14.386 does not apply.