A bill for an act

relating to state government; appropriating money for environment and natural resources; providing for repayment of certain appropriations from the environment and natural resources trust fund; amending Minnesota Statutes 2006, section 116P.10.

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

Section 1. **MINNESOTA RESOURCES APPROPRIATION.**

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 general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2008" and "2009" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2008, or June 30, 2009, respectively. "The first year" is fiscal year 2008. "The second year" is fiscal year 2009. "The biennium" is fiscal years 2008 and 2009. Appropriations for the fiscal year ending June 30, 2008, are effective the day following final enactment.

	APPROPRIATIONS Available for the Year Ending June 30	
	2008	**2009**

Sec. 2. **MINNESOTA RESOURCES.**

Subdivision 1. **Total Appropriation**	**$**	**86,000**	**$**	**22,866,000**

Appropriations by Fund		
	2008	2009

Environment and Natural Resources Trust	-0-	22,866,000
Great Lakes Protection Account	86,000	-0-

Appropriations are available for two years beginning July 1, 2008, unless otherwise stated in the appropriation. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

Subd. 2. **Definitions**

(a) "Trust fund" means the Minnesota environment and natural resources trust fund referred to in Minnesota Statutes, section 116P.02, subdivision 6.

(b) "Great Lakes protection account" means the account referred to in Minnesota Statutes, section 116Q.02.

Subd. 3. **Land and Habitat** -0- 15,817,000

Appropriations by Fund		
Trust Fund	-0-	15,817,000

(a) Metro Conservation Corridors (MeCC) – Phase IV

$3,150,000 is from the trust fund to the commissioner of natural resources for the fourth appropriation for acceleration of agency programs and cooperative agreements. Of this appropriation, $1,915,000 is for Department of Natural Resources agency programs and $1,235,000 is for agreements as follows: $475,000 with the Trust for Public Land; $92,000 with Friends of the Mississippi River; $111,000 with Great River Greening; $225,000 with

Minnesota Land Trust; $225,000 with Minnesota Valley National Wildlife Refuge Trust, Inc.; and $107,000 with Friends of the Minnesota Valley for the purposes of planning, restoring, and protecting important natural areas in the metropolitan area, as defined under Minnesota Statutes, section 473.121, subdivision 2, and portions of the surrounding counties, through grants, contracted services, conservation easements, and fee title acquisition. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards as determined by the commissioner of natural resources. Expenditures are limited to the identified project corridor areas as defined in the work program. This appropriation may not be used for the purchase of residential structures, unless expressly approved in the work program. All conservation easements must be perpetual and have a natural resource management plan. Any land acquired in fee title by the commissioner of natural resources with money from this appropriation must be designated as an outdoor recreation unit under Minnesota Statutes, section 86A.07. The commissioner may similarly designate any lands acquired in less than fee title. A list of proposed restorations and fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement.

(b) Vermillion River Corridor Acquisition and Restoration in Dakota County

$400,000 is from the trust fund to the commissioner of natural resources for an agreement with Dakota County to develop and implement a comprehensive and integrated water quality, wildlife habitat, and outdoor recreational corridor plan in the Vermillion River watershed through easement and fee title acquisition and restoration. At least 90 percent of this appropriation must be spent on the implementation of the comprehensive plan. A list of proposed restorations and fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program. On January 2, 2009, the unobligated balance of the appropriation for Dakota County wildlife habitat acquisition and development in Laws 1999, chapter 231, section 16, subdivision 13, paragraph (m), is transferred and added to this appropriation.

(c) Minnesota Habitat Conservation Partnership – Phase V

$3,150,000 is from the trust fund for the fifth appropriation for acceleration of agency programs and cooperative agreements. Of this appropriation, $250,000 is to the Board of Water and Soil Resources; $733,500 is

<u>to the commissioner of natural resources for agency programs; and $2,166,500 is for agreements as follows: $420,000 with Pheasants Forever; $30,000 with Minnesota Deer Hunters Association; $597,500 with Ducks Unlimited, Inc.; $85,000 with National Wild Turkey Federation; $317,000 with the Nature Conservancy; $210,000 with Minnesota Land Trust; $350,000 with the Trust for Public Land; $50,000 with Minnesota Valley National Wildlife Refuge Trust, Inc.; $30,000 with U. S. Fish and Wildlife Service; $30,000 with the Leech Lake Band of Chippewa; $27,000 with the Fond du Lac Band of Chippewa; and $20,000 with Friends of Detroit Lakes Watershed Management District to plan, restore, and acquire fragmented landscape corridors that connect areas of quality habitat to sustain fish, wildlife, and plants. The USDA-Natural Resources Conservation Service is a cooperating partner in the appropriation. Expenditures are limited to the project corridor areas as defined in the work program. Land acquired with this appropriation must be sufficiently improved to meet at least minimum habitat and facility management standards as determined by the commissioner of natural resources. This appropriation may not be used for the purchase of residential structures, unless expressly approved in the work program. All conservation easements must be perpetual and have a natural resource management plan. Any land acquired in fee title by the commissioner of natural resources with</u>

money from this appropriation must be designated as an outdoor recreation unit under Minnesota Statutes, section 86A.07. The commissioner may similarly designate any lands acquired in less than fee title. A list of proposed restorations and fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement.

(d) Preserving the Avon Hills Landscape

$337,000 is from the trust fund to the commissioner of natural resources for a grant to Saint John's Arboretum and University for community outreach, in cooperation with the Minnesota Land Trust; conservation easements, in cooperation with the Minnesota Land Trust; and local ordinance reviews and recommendations for the Avon Hills landscape in Stearns County. A list of proposed fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and appropriate funding for monitoring. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(e) Minnesota River Valley Green Corridor Land Protection

$1,000,000 is from the trust fund to the commissioner of natural resources for an agreement with the Southwest Initiative Foundation for planning, acquisition, and easements in the Minnesota River Valley. The priority for acquisition must be on lands with native prairies, unique geological features, fens, and wetlands not currently under a permanent protection program. A list of proposed restorations and fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement. No more than ten percent may be spent on planning and management.

(f) Scientific and Natural Area Acquisition

$1,000,000 is from the trust fund to the commissioner of natural resources for acquisition of scientific and natural areas in the southern two-thirds of Minnesota. A list of proposed acquisitions must be provided as part of the required work program.

(g) State Land Acquisition Consolidation

$500,000 is from the trust fund to the commissioner of natural resources to consolidate state land ownership through acquisition and sale to reduce forest fragmentation and enhance management efficiency. A list of proposed fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement. Minnesota Statutes, sections 94.16 and 94.165, apply to the proceeds from the sale of land. For this appropriation, the Department of Natural Resources must establish a separate revolving account under Minnesota Statutes, section 94.165, for the use and accounting of trust fund money. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(h) State Park and Trail Land Acquisition

$1,500,000 is from the trust fund to the commissioner of natural resources to acquire land for designated state trail alignments and in-holdings for state parks. Land acquired with this appropriation must be sufficiently improved to meet at least minimum management standards as determined by the commissioner of natural resources. A list of proposed acquisitions must be provided as part of the required work program.

(i) Metropolitan Regional Park System Land Acquisition

$1,500,000 is from the trust fund to the Metropolitan Council for subgrants for the acquisition of lands within the approved park unit boundaries of the metropolitan regional park system. This appropriation may not be used for the purchase of residential structures. Subdivision 12 applies to grants awarded in the approved work program. A list of proposed fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement. This appropriation must be matched by at least 40 percent of nonstate money and must be committed by December 31, 2008, or the appropriation cancels. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(j) Local Initiative Grants – Regional Parks and Natural Areas

$1,000,000 is from the trust fund to the commissioner of natural resources for a grant to Wright County for land acquisition for a proposed regional park on the Bertram Chain of Lakes in Wright County. If the acquisition for a proposed regional park on the Bertram Chain of Lakes is not completed by June 30, 2010, then the appropriation is available for matching grants to other local governments for acquisition of regional parks and natural and scenic areas as provided in Minnesota Statutes, section 85.019, subdivisions 2, paragraph (b), and 4a. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(k) Conservation Partners/Environmental Partnerships Matching Grant Program

$150,000 is from the trust fund to the commissioner of natural resources to provide matching grants to local governments and private, nonprofit organizations for projects that enhance fish, wildlife, and native plant habitat, provide related research or surveys, and protect and enhance the state's natural environment.

(l) County Trail System Design

$175,000 is from the trust fund to the Board of Regents of the University of Minnesota to design recreational trail systems for Lyon, Brown, Redwood, and Renville Counties.

(m) Accelerated Prairie Management, Survey, Acquisition, and Evaluation

$1,250,000 is from the trust fund to the commissioner of natural resources to provide for a rapid assessment of remaining native prairie, accelerate the Minnesota county biological survey in the prairie region, provide technical assistance to private prairie landowners, accelerate management of public and private prairie lands, evaluate and monitor prairie conditions and associated wildlife, and acquire prairie natural areas, prairie bank easements, and buffers. At least $475,000 of this appropriation must be spent on acquisition. A list of proposed restorations and fee title and easement acquisitions must be provided as part of the required work program. All funding for conservation easements must include a long-term stewardship plan and funding for monitoring and enforcing the agreement.

(n) Prairie Ecosystem Restoration

$80,000 is from the trust fund to the Board of Water and Soil Resources for an agreement with the Martin County Soil and

Water Conservation District to collect and propagate local ecotype native plant materials from prairie remnants for establishment on lands with perpetual conservation protection in Martin County. If the Martin County Soil and Water Conservation District sells seeds or plants that were collected or propagated using money from this appropriation, the net proceeds of the sale must be repaid to the trust fund.

(o) Best Practices for Native Prairie Management

$45,000 is from the trust fund to the commissioner of natural resources for an agreement with the Minnesota Recreation and Park Association to provide information on best practices for native prairie management through field demonstrations, regional workshops, and the Web.

(p) Impacts of Climate Change and CO_2 on Prairie and Forest Production

$330,000 is from the trust fund to the Board of Regents of the University of Minnesota to accelerate research simulating future changing CO_2, rainfall, and temperature level impacts on biomass production, carbon sequestration, and water quality in prairie and tree species. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(q) Biofuel Production and Wildlife Conservation in Working Prairies

$250,000 is from the trust fund to the Board of Regents of the University of Minnesota to research and evaluate methods of managing diverse working prairies for wildlife and renewable bioenergy production. On June 1, 2008, the $500,000 appropriation for the Phillips biomass community energy system under Laws 2006, chapter 243, section 20, subdivision 3, is transferred and added to this appropriation. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

Subd. 4. **Water Resources** 86,000 3,480,000

Appropriations by Fund

Trust Fund	-0-	3,480,000
Great Lakes Protection Account	86,000	-0-

(a) Future of Energy and Minnesota Water Resources

$270,000 is from the trust fund to the Board of Regents of the University of Minnesota to spatially model water demand in Minnesota under differing energy production scenarios and develop a Web-based tool for comparing policy scenarios impacts on water resources in the state.

(b) Accelerating Plans for Integrated Control of the Common Carp

$550,000 is from the trust fund to the Board of Regents of the University of Minnesota to accelerate research on new approaches to control the invasive common carp. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(c) Testing Pesticides and Degradates in Public Drinking Water

$368,000 is from the trust fund to the commissioner of agriculture, in cooperation with the commissioner of health, to purchase equipment and supplies to accelerate the sampling of public water supplies for the presence and concentration of pesticides and their degradates for health risk assessments.

(d) Assessment of Riparian Buffers in the Whitewater River Watershed

$52,000 is from the trust fund to the Board of Water and Soil Resources for an agreement with the Whitewater Joint Powers Board to inventory streams and adjacent land use and survey riparian landowners to assist in the prioritization of restoration efforts to improve water quality, habitat, and future enforcement of riparian buffers in the southeast ten-county region of the Southeast Minnesota Water Resources Board.

(e) Intralake Zoning to Protect Sensitive Lakeshore Areas

$125,000 is from the trust fund to the commissioner of natural resources for the second appropriation for a cooperative effort with Cass County to identify sensitive shorelines for the highest priority lakes and develop innovative zoning in Cass County to protect water quality and near-shore habitat. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(f) Native Shoreland Buffer Incentives Program

$225,000 is from the trust fund to the commissioner of natural resources to accelerate the native shoreland buffer incentive program through market research, technical assistance, and competitive grants to local governments for creating and implementing shoreland buffer incentive programs. Grant recipients must have current shoreline management requirements and effective enforcement. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(g) Southeast Minnesota Stream Restoration Projects

$240,000 is from the trust fund to the commissioner of natural resources for an agreement with Trout Unlimited to accelerate stream bank stabilization projects on at least six miles of streams through restoration, providing technical assistance, and conducting workshops. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(h) South-Central Minnesota Groundwater Monitoring and County Geologic Atlases

$1,600,000 is from the trust fund for collection and interpretation of subsurface geological information and acceleration of the county geologic atlas program. $706,000 of this appropriation is to the Board of

Regents of the University of Minnesota for the Geological Survey to begin county geologic atlases in three counties. $894,000 of this appropriation is to the commissioner of natural resources to investigate the physical and recharge characteristics of the Mt. Simon aquifer. This appropriation represents a continuing effort to complete the county geologic atlases throughout the state. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(i) Lake Superior Research

$86,000 is from the Great Lakes protection account to the Board of Regents of the University of Minnesota for the Large Lakes Observatory for research on Lake Superior waters. This appropriation is added to Laws 2006, chapter 243, section 20, subdivision 6, Lake Superior research. This appropriation is effective the day following final enactment and is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(j) Eurasian Water Milfoil Control Research

$50,000 is from the trust fund to the Board of Regents of the University of Minnesota to accelerate research on new approaches to control Eurasian water milfoil to be tested on Green Lake in Kandiyohi County. Up to $50,000 in additional funds from nonstate sources may be used for this study. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

Subd. 5. **Natural Resource Information**	-0-	2,365,000

Appropriations by Fund

Trust Fund	-0-	2,365,000

(a) Updating the National Wetlands Inventory for Minnesota

$550,000 is from the trust fund to the commissioner of natural resources to begin updating the National Wetlands Inventory through standards development, mapping, training, and imagery acquisition. This is the first phase of an overall effort to update the inventory statewide. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(b) Soil Survey

$400,000 is from the trust fund to the Board of Water and Soil Resources for soil survey mapping and interpretation efforts in areas of the state, including Crow Wing, Pine, Cook, Lake, and Isanti Counties, and to accelerate the delivery of soils data through the Internet as a Web-based soil survey. The new soil surveys must be done on a cost-share basis with local and federal funds.

(c) Updating Precipitation Intensities for Runoff Estimation and Infrastructure Designs

$100,000 is from the trust fund to the commissioner of the Pollution Control Agency for a cooperative agreement with the National Oceanic and Atmospheric Administration to partially fund a multistate effort to obtain updated climate change related rainfall frequencies to enhance engineering of storm water conveyance and treatment systems and roads. The acquired data shall be distributed free of charge. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(d) Minnesota Breeding Bird Atlas

$270,000 is from the trust fund to develop a statewide survey of Minnesota breeding bird distribution and create related publications, including a book and online atlas with distribution maps and breeding status. Of this appropriation, $169,000 is to the commissioner of natural resources for an agreement with Audubon Minnesota and $101,000 is to the Board of Regents of the University of Minnesota for the Natural Resources Research Institute. The atlas must be available for downloading on the Internet free of charge.

(e) Restorable Wetlands Inventory

$245,000 is from the trust fund to the commissioner of natural resources for an agreement with Ducks Unlimited, Inc., to continue the inventory, mapping, and digitizing of drained restorable wetlands in the southwest prairie region of Minnesota. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(f) Wildlife Disease Data Surveillance and Analysis

$100,000 is from the trust fund to the Board of Regents of the University of Minnesota for the Raptor Center to develop a GIS-based database that catalogs symptoms and conditions observed in injured wildlife.

(g) Conservation Easement Stewardship, Oversight, and Maintenance

$180,000 is from the trust fund to the Board of Water and Soil Resources to enhance long-term stewardship, oversight, and maintenance of conservation easements held by the board and to update the current easement database. This effort must be done in cooperation with the Department of Natural Resources. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(h) Conservation Easement Stewardship and Enforcement Program Plan

$520,000 is from the trust fund to the commissioner of natural resources to inventory and digitize the department's conservation easements and prepare a plan for monitoring, stewardship, and enforcement. This effort must be done in cooperation with the Board of Water and Soil Resources. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

Subd. 6. **Environmental Education**		-0-	1,099,000

Appropriations by Fund

Trust Fund	-0-	1,099,000

(a) Waters of Minnesota Documentary on Watersheds

$349,000 is from the trust fund to the Board of Regents of the University of Minnesota for the Bell Museum of Natural History to begin the development of an educational documentary television series on the waters of Minnesota designed to promote watershed understanding and citizen action in protecting, restoring, and conserving water resources. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(b) Global Warming - Reducing Carbon Footprint of Minnesota Schools

$750,000 is from the trust fund to the commissioner of the Pollution Control Agency to provide student-focused grants to high schools, colleges, and universities to identify their carbon footprints and develop and implement innovative plans to reduce carbon emissions. This appropriation is available until June 30, 2011, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

Subd. 7. **Emerging Issues Account**		-0-	105,000

$105,000 is from the trust fund for an emerging issues account as authorized under Minnesota Statutes, section 116P.08, subdivision 4, paragraph (d).

Subd. 8. **Availability of Appropriations**

Unless otherwise provided, the amounts in this section are available until June 30, 2010, when projects must be completed and final products delivered. For acquisition of real property, the amounts in this section are available until June 30, 2011, if a binding contract is entered into by June 30, 2010, and closed not later than June 30, 2011. The time period for the amounts available in this section may be extended by up to one year through an approved work program. If a project receives a federal grant, the time period of the appropriation is extended to equal the federal grant period.

Subd. 9. **Leveraged Funds for Real Property Interest Requirement**

The work program for every appropriation under this section for acquisition of a real property interest shall identify nonstate leveraged funds and a plan for expenditure of funds to maximize the benefit of the trust fund allocation. Any work program that proposes materially less leverage than the proposal shall be brought to the Legislative-Citizen Commission on Minnesota Resources for review and approval or disapproval. The final report of each project shall identify all leverage obtained. Leveraged funds shall be spent concurrently with trust fund appropriations to the extent possible.

Subd. 10. **Data Availability Requirements**

Data collected by the projects funded under this section that have value for planning and management of natural resource, emergency preparedness, and infrastructure investments must conform to the enterprise information architecture developed by the Office of Enterprise Technology. Spatial data must conform to geographic information system guidelines and standards outlined in that architecture and adopted by the Minnesota Geographic Data Clearinghouse at the Land Management Information Center. A description of these data that adheres to the Office of Enterprise Technology geographic metadata standards must be submitted to the Land Management Information Center to be made available online through the clearinghouse and the data must be accessible and free to the public unless made private under the Data Practices Act, Minnesota Statutes, chapter 13.

To the extent practicable, summary data and results of projects funded under this section should be readily accessible on the Internet and identified as an environment and natural resources trust fund project.

Subd. 11. **Project Requirements**

As a condition of accepting an appropriation in this section, any agency or entity receiving the appropriation must, for any project funded in whole or in part with funds from this appropriation:

(1) comply with Minnesota Statutes, chapter 116P;

(2) plant vegetation only of native ecotypes to Minnesota and preferably of the local ecotype using a high diversity of species grown as close to the restoration site as possible;

(3) when restoring prairies:

(i) the seeds and plant materials must originate in the same county as the restoration site or within 25 miles of the county border, but not across the boundary of an ecotype region. Ecotype regions are defined by the Department of Natural Resources map, "Minnesota Ecotype Regions Map - County Landscape Groupings Based on Ecological Subsections," dated February 15, 2007;

(ii) if seeds and plant material described in item (i) are not available, then the restoration must use seeds and plant materials from within the same ecotype region; or

(iii) if seeds and plant material described in item (i) or (ii) are not available, then the restoration must use seeds and plant material from within the same ecotype region or within 25 miles of the ecotype region boundary.

Use of seeds and plant materials from beyond the geographic areas described in this clause must be expressly approved in the work program;

(4) provide that all conservation easements:

(i) are perpetual;

(ii) specify the parties to an easement in the easement;

(iii) specify all of the provisions of an agreement that are perpetual;

(iv) are sent to the commission office in an electronic format; and

(v) include a long-term stewardship plan and funding for monitoring and enforcing the easement agreement;

(5) give priority in any acquisition of land or interest in land to high quality natural resources or conservation lands that provide natural buffers to water resources; and

(6) provide documentation to the Legislative-Citizen Commission on Minnesota Resources of the selection process used to identify parcels acquired and provide documentation of all related transaction costs, including but not limited to appraisals, legal fees, recording fees, commissions, other similar costs, and donations. This information must be provided for all parties involved in the transaction. The recipient shall also report to the Legislative-Citizen Commission on Minnesota Resources any difference between the acquisition amount paid to the seller and the state certified or state reviewed appraisal. Appropriate data such as appraisals may remain private during negotiations but must ultimately be made public according to Minnesota Statutes, chapter 13.

Subd. 12. **Payment Conditions and Capital Equipment Expenditures**

All agreements, grants, or contracts referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures made on or after July 1, 2008, or the date the work program is approved, whichever is later, are eligible for reimbursement unless otherwise provided in this section. Periodic payment must be made upon receiving documentation that the deliverable items articulated in the approved work program have been achieved, including partial achievements as evidenced by approved progress reports. Reasonable amounts may be advanced to projects to accommodate cash flow needs or match federal money. The advances must be approved as part of the work program. No expenditures for capital equipment are allowed unless expressly authorized in the project work program.

Subd. 13. **Purchase of Recycled and Recyclable Materials**

A political subdivision, public or private corporation, or other entity that receives an appropriation in this section must use the appropriation in compliance with Minnesota Statutes, sections 16B.121 and 16B.122, requiring the purchase of recycled, repairable, and durable materials; the purchase of uncoated paper stock; and the use of soy-based ink.

Subd. 14. **Energy Conservation and Sustainable Building Guidelines**

A recipient to whom an appropriation is made in this section for a capital improvement project shall ensure that the project complies with the applicable energy conservation and sustainable building guidelines and standards contained in law, including Minnesota Statutes, sections 16B.325, 216C.19, and 216C.20, and rules adopted thereunder. The recipient may use the energy planning, advocacy, and State Energy Office units of the Department of Commerce to obtain information and technical assistance on energy conservation and alternative energy development relating to the planning and construction of the capital improvement project.

Subd. 15. **Accessibility**

Structural and nonstructural facilities must meet the design standards in the Americans with Disability Act (ADA) accessibility guidelines.

Subd. 16. **Carryforward**

(a) The availability of the appropriations for the following projects are extended to June 30, 2009:

(1) Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 6, paragraph (h), as extended by Laws 2007, chapter 57, article 1, section 4, subdivision 6, Paul Bunyan State Trail connection; and

(2) Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 7, paragraph (j), improving impaired watersheds conservation drainage research.

(b) The availability of the appropriations for the following projects are extended to June 30, 2010:

(1) Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 6, paragraph (e), metropolitan regional parks acquisition, rehabilitation, and development;

(2) Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 6, paragraph (p), land acquisition, Minnesota Landscape Arboretum;

(3) Laws 2005, First Special Session chapter 1, article 2, section 11, subdivision 7, paragraph (i), improving water quality on the central sands; and

(4) Laws 2003, chapter 128, article 1, section 9, subdivision 6, paragraph (l), as amended by Laws 2005, First Special Session chapter 1, article 2, section 150, as extended by Laws 2006, chapter 243, section 16, land acquisition, Minnesota Landscape Arboretum.

Sec. 3. Minnesota Statutes 2006, section 116P.10, is amended to read:

116P.10 ROYALTIES, COPYRIGHTS, PATENTS, AND SALE OF PRODUCTS AND ASSETS.

(a) This section applies to projects supported by the trust fund and the oil overcharge money referred to in section 4.071, subdivision 2, each of which is referred to in this section as a "fund."

(b) The fund owns and shall take title to the percentage of a royalty, copyright, or patent resulting from a project supported by the fund equal to the percentage of the project's total funding provided by the fund. Cash receipts resulting from a royalty, copyright, or patent, or the sale of the fund's rights to a royalty, copyright, or patent, must be credited immediately to the principal of the fund. Receipts from Minnesota future resources fund projects must be credited to the trust fund. ~~Before a project is included~~

~~in the budget plan,~~ The commission may ~~vote~~ include in its annual legislative bill a recommendation to relinquish the ownership or rights to a royalty, copyright, or patent resulting from a project supported by the fund to the project's proposer when the amount of the original grant or loan, plus interest, has been repaid to the fund.

(c) If a project supported by the fund results in net income from the sale of products or assets developed or acquired by an appropriation from the fund, the appropriation must be repaid to the fund in an amount equal to the percentage of the project's total funding provided by the fund. The commission may include in its annual legislative bill a recommendation to relinquish the income if a plan is approved for reinvestment of the income in the project or when the amount of the original grant or loan, plus interest, has been repaid to the fund.