

A bill for an act relating to state government; appropriating money for environment, natural resources, and energy; creating accounts; modifying disposition of certain receipts; modifying responsibilities and authorities; creating an advisory committee; modifying Petroleum Tank Release Cleanup Act; modifying cooperative electric association petition provisions; repealing definitions and requirements; requiring rulemaking on wild rice standards; amending Minnesota Statutes 2010, sections 85.052, subdivision 4; 89.21; 97A.055, by adding a subdivision; 97A.071, subdivision 2; 97A.075; 103G.271, subdivision 6; 103G.301, subdivision 2; 115A.1314; 115A.1320, subdivision 1; 115C.09, subdivision 3c; 115C.13; 116.07, subdivision 4h; 116P.04, by adding a subdivision; 116P.05, subdivision 2; 127A.31; 216B.026, subdivision 1; 290.431; 290.432; 357.021, subdivision 7; proposing coding for new law in Minnesota Statutes, chapters 16E; 84; 89; 97A; 103G; repealing Minnesota Statutes 2010, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 84.027, subdivision 11; 116P.09, subdivision 4; 116P.14.

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

ARTICLE 1

ENVIRONMENT AND NATURAL RESOURCES FINANCE

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

	<u>2012</u>	<u>2013</u>	<u>Total</u>
<u>General</u>	<u>\$ 71,858,000</u>	<u>\$ 71,708,000</u>	<u>143,566,000</u>
<u>State Government Special</u>			
<u>Revenue</u>	<u>75,000</u>	<u>75,000</u>	<u>150,000</u>
<u>Environmental</u>	<u>62,614,000</u>	<u>62,783,000</u>	<u>125,397,000</u>
<u>Natural Resources</u>	<u>90,792,000</u>	<u>90,492,000</u>	<u>181,284,000</u>
<u>Game and Fish</u>	<u>88,217,000</u>	<u>87,617,000</u>	<u>175,834,000</u>
<u>Remediation</u>	<u>10,596,000</u>	<u>10,596,000</u>	<u>21,192,000</u>

2.1	<u>Permanent School</u>	<u>200,000</u>	<u>200,000</u>	<u>400,000</u>
2.2	<u>Total</u>	<u>\$ 324,352,000</u>	<u>\$ 323,471,000</u>	<u>\$ 647,823,000</u>

2.3 Sec. 2. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

2.4 The sums shown in the columns marked "Appropriations" are appropriated to the
2.5 agencies and for the purposes specified in this article. The appropriations are from the
2.6 general fund, or another named fund, and are available for the fiscal years indicated
2.7 for each purpose. The figures "2012" and "2013" used in this article mean that the
2.8 appropriations listed under them are available for the fiscal year ending June 30, 2012, or
2.9 June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal
2.10 year 2013. "The biennium" is fiscal years 2012 and 2013. Appropriations for the fiscal
2.11 year ending June 30, 2011, are effective the day following final enactment.

2.12	<u>APPROPRIATIONS</u>
2.13	<u>Available for the Year</u>
2.14	<u>Ending June 30</u>
2.15	<u>2012 2013</u>

2.16 Sec. 3. POLLUTION CONTROL AGENCY

2.17	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 76,228,000</u>	<u>\$ 76,397,000</u>
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2.18	<u>Appropriations by Fund</u>		
2.19		<u>2012</u>	<u>2013</u>
2.20	<u>General</u>	<u>3,043,000</u>	<u>3,043,000</u>
2.21	<u>State Government</u>		
2.22	<u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>
2.23	<u>Environmental</u>	<u>62,614,000</u>	<u>62,783,000</u>
2.24	<u>Remediation</u>	<u>10,496,000</u>	<u>10,496,000</u>

2.25 The amounts that may be spent for each
2.26 purpose are specified in the following
2.27 subdivisions.

2.28 A recipient of a grant funded by an
2.29 appropriation under this section shall
2.30 display on its Web site detailed information
2.31 on the expenditure of the grant funds
2.32 and measurable outcomes as a result of
2.33 the expenditure of funds and submit this
2.34 information to the agency by June 30 each
2.35 year. A recipient without an active Web site

3.1 shall report to the agency by June 30 each
3.2 year detailed information on the expenditure
3.3 of the grant funds and measurable outcomes
3.4 as a result of the expenditure of funds. The
3.5 commissioner shall display the information
3.6 received by recipients under this paragraph
3.7 on the agency's Web site.

3.8 Subd. 2. Water 21,734,000 21,734,000

3.9	<u>Appropriations by Fund</u>		
3.10		<u>2012</u>	<u>2013</u>
3.11	<u>General</u>	<u>3,043,000</u>	<u>3,043,000</u>
3.12	<u>State Government</u>		
3.13	<u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>
3.14	<u>Environmental</u>	<u>18,616,000</u>	<u>18,616,000</u>

3.15 \$1,378,000 the first year and \$1,378,000
3.16 the second year are for water program
3.17 operations.

3.18 \$1,665,000 the first year and \$1,665,000
3.19 the second year are for grants to delegated
3.20 counties to administer the county feedlot
3.21 program under Minnesota Statutes, section
3.22 116.0711, subdivisions 2 and 3. Money
3.23 remaining after the first year is available for
3.24 the second year.

3.25 \$740,000 the first year and \$740,000 the
3.26 second year are from the environmental
3.27 fund to address the need for continued
3.28 increased activity in the areas of new
3.29 technology review, technical assistance
3.30 for local governments, and enforcement
3.31 under Minnesota Statutes, sections 115.55
3.32 to 115.58, and to complete the requirements
3.33 of Laws 2003, chapter 128, article 1, section
3.34 165.

3.35 Notwithstanding Minnesota Statutes, section
3.36 16A.28, the appropriations encumbered on or

4.1 before June 30, 2013, as grants or contracts
4.2 for SSTS's, surface water and groundwater
4.3 assessments, total maximum daily loads,
4.4 storm water, and local basinwide water
4.5 quality protection in this subdivision are
4.6 available until June 30, 2016.

4.7 Subd. 3. Air 12,297,000 12,466,000

4.8	<u>Appropriations by Fund</u>		
4.9		<u>2012</u>	<u>2013</u>
4.10	<u>Environmental</u>	<u>12,297,000</u>	<u>12,466,000</u>

4.11 \$200,000 the first year and \$200,000 the
4.12 second year are from the environmental fund
4.13 for a monitoring program under Minnesota
4.14 Statutes, section 116.454.

4.15 Subd. 4. Land 17,412,000 17,412,000

4.16	<u>Appropriations by Fund</u>		
4.17		<u>2012</u>	<u>2013</u>
4.18	<u>Environmental</u>	<u>6,916,000</u>	<u>6,916,000</u>
4.19	<u>Remediation</u>	<u>10,496,000</u>	<u>10,496,000</u>

4.20 All money for environmental response,
4.21 compensation, and compliance in the
4.22 remediation fund not otherwise appropriated
4.23 is appropriated to the commissioners of the
4.24 Pollution Control Agency and agriculture
4.25 for purposes of Minnesota Statutes, section
4.26 115B.20, subdivision 2, clauses (1), (2),
4.27 (3), (6), and (7). At the beginning of each
4.28 fiscal year, the two commissioners shall
4.29 jointly submit an annual spending plan
4.30 to the commissioner of management and
4.31 budget that maximizes the utilization of
4.32 resources and appropriately allocates the
4.33 money between the two departments. This
4.34 appropriation is available until June 30, 2013.

5.1 \$3,616,000 the first year and \$3,616,000 the
5.2 second year are from the petroleum tank fund
5.3 to be transferred to the remediation fund for
5.4 purposes of the leaking underground storage
5.5 tank program to protect the land.

5.6 \$252,000 the first year and \$252,000 the
5.7 second year are from the remediation fund
5.8 for transfer to the commissioner of health for
5.9 private water supply monitoring and health
5.10 assessment costs in areas contaminated
5.11 by unpermitted mixed municipal solid
5.12 waste disposal facilities and drinking water
5.13 advisories and public information activities
5.14 for areas contaminated by hazardous releases.

5.15	<u>Subd. 5. Environmental Assistance and</u>		
5.16	<u>Cross-Media</u>	<u>24,785,000</u>	<u>24,785,000</u>

5.17	<u>Appropriations by Fund</u>		
5.18		<u>2012</u>	<u>2013</u>
5.19	<u>Environmental</u>	<u>24,785,000</u>	<u>24,785,000</u>

5.20 \$14,250,000 the first year and \$14,250,000
5.21 the second year are from the environmental
5.22 fund for SCORE block grants to counties.

5.23 \$119,000 the first year and \$119,000 the
5.24 second year are from the environmental
5.25 fund for environmental assistance grants
5.26 or loans under Minnesota Statutes, section
5.27 115A.0716. Any unencumbered grant and
5.28 loan balances in the first year do not cancel
5.29 but are available for grants and loans in the
5.30 second year.

5.31 \$89,000 the first year and \$89,000 the
5.32 second year are from the environmental fund
5.33 for duties related to harmful chemicals in
5.34 products under Minnesota Statutes, section
5.35 116.9401 to 116.9407. Of this amount,

6.1 \$57,000 each year is transferred to the
6.2 commissioner of health.

6.3 \$315,000 the first year and \$315,000 the
6.4 second year are from the environmental fund
6.5 for the electronics waste program under
6.6 Minnesota Statutes, sections 115A.1310 to
6.7 115A.1330.

6.8 All money deposited in the environmental
6.9 fund for the metropolitan solid waste
6.10 landfill fee in accordance with Minnesota
6.11 Statutes, section 473.843, and not otherwise
6.12 appropriated, is appropriated for the purposes
6.13 of Minnesota Statutes, section 473.844.

6.14 Notwithstanding Minnesota Statutes, section
6.15 16A.28, the appropriations encumbered on
6.16 or before June 30, 2013, as contracts or
6.17 grants for surface water and groundwater
6.18 assessments; environmental assistance
6.19 awarded under Minnesota Statutes, section
6.20 115A.0716; technical and research assistance
6.21 under Minnesota Statutes, section 115A.152;
6.22 technical assistance under Minnesota
6.23 Statutes, section 115A.52; and pollution
6.24 prevention assistance under Minnesota
6.25 Statutes, section 115D.04, are available until
6.26 June 30, 2015.

6.27 Subd. 6. **Remediation Fund**

6.28 The commissioner may transfer money from
6.29 the environmental fund to the remediation
6.30 fund for the purposes of the remediation fund
6.31 under Minnesota Statutes, section 116.155,
6.32 subdivision 2.

6.33 Sec. 4. **NATURAL RESOURCES**

6.34 Subdivision 1. **Total Appropriation** \$ 221,809,000 \$ 220,904,000

7.1	<u>Appropriations by Fund</u>		
7.2		<u>2012</u>	<u>2013</u>
7.3	<u>General</u>	<u>48,520,000</u>	<u>48,515,000</u>
7.4	<u>Natural Resources</u>	<u>84,772,000</u>	<u>84,472,000</u>
7.5	<u>Game and Fish</u>	<u>88,217,000</u>	<u>87,617,000</u>
7.6	<u>Remediation</u>	<u>100,000</u>	<u>100,000</u>
7.7	<u>Permanent School</u>	<u>200,000</u>	<u>200,000</u>
7.8	<u>The amounts that may be spent for each</u>		
7.9	<u>purpose are specified in the following</u>		
7.10	<u>subdivisions.</u>		
7.11	<u>Subd. 2. Land and Mineral Resources</u>		
7.12	<u>Management</u>	<u>8,963,000</u>	<u>8,963,000</u>
7.13	<u>Appropriations by Fund</u>		
7.14		<u>2012</u>	<u>2013</u>
7.15	<u>General</u>	<u>2,500,000</u>	<u>2,500,000</u>
7.16	<u>Natural Resources</u>	<u>4,861,000</u>	<u>4,861,000</u>
7.17	<u>Game and Fish</u>	<u>1,402,000</u>	<u>1,402,000</u>
7.18	<u>Permanent School</u>	<u>200,000</u>	<u>200,000</u>
7.19	<u>\$2,696,000 the first year and \$2,696,000</u>		
7.20	<u>the second year are from the minerals</u>		
7.21	<u>management account in the natural resources</u>		
7.22	<u>fund for use as provided in Minnesota</u>		
7.23	<u>Statutes, section 93.2236, paragraph (c),</u>		
7.24	<u>for mineral resource management, projects</u>		
7.25	<u>to enhance future mineral income, and</u>		
7.26	<u>projects to promote new mineral resource</u>		
7.27	<u>opportunities.</u>		
7.28	<u>\$68,000 the first year and \$68,000 the</u>		
7.29	<u>second year are for minerals cooperative</u>		
7.30	<u>environmental research, of which \$34,000</u>		
7.31	<u>the first year and \$40,000 the second year are</u>		
7.32	<u>available only as matched by \$1 of nonstate</u>		
7.33	<u>money for each \$1 of state money. The</u>		
7.34	<u>match may be cash or in-kind.</u>		
7.35	<u>\$251,000 the first year and \$251,000 the</u>		
7.36	<u>second year are for iron ore cooperative</u>		

8.1 research. Of this amount, \$200,000 each year
8.2 is from the minerals management account
8.3 in the natural resources fund. \$51,000 the
8.4 first year and \$51,000 the second year are
8.5 available only as matched by \$1 of nonstate
8.6 money for each \$1 of state money. The
8.7 match may be cash or in-kind.

8.8 Subd. 3. **Ecological and Water Resources** 20,107,000 20,107,000

8.9	<u>Appropriations by Fund</u>		
8.10		<u>2012</u>	<u>2013</u>
8.11	<u>General</u>	<u>6,728,000</u>	<u>6,728,000</u>
8.12	<u>Natural Resources</u>	<u>9,680,000</u>	<u>9,680,000</u>
8.13	<u>Game and Fish</u>	<u>3,699,000</u>	<u>3,699,000</u>

8.14 \$2,142,000 the first year and \$2,142,000 the
8.15 second year are from the invasive species
8.16 account in the natural resources fund and
8.17 \$1,674,000 the first year and \$1,674,000 the
8.18 second year are from the general fund for
8.19 management, public awareness, assessment
8.20 and monitoring research, law enforcement,
8.21 and water access inspection to prevent the
8.22 spread of invasive species; management
8.23 of invasive plants in public waters; and
8.24 management of terrestrial invasive species
8.25 on state-administered lands.

8.26 \$5,000,000 the first year, and \$5,000,000 the
8.27 second year are from the water management
8.28 account in the natural resources fund for only
8.29 the purposes specified in Minnesota Statutes,
8.30 section 103G.27, subdivision 2.

8.31 \$264,000 the first year and \$264,000 the
8.32 second year are for grants for up to 50
8.33 percent of the cost of implementation of
8.34 the Red River mediation agreement. The
8.35 commissioner shall submit a report to the
8.36 chairs of the legislative committees having

9.1 primary jurisdiction over environment and
9.2 natural resources policy and finance on the
9.3 accomplishments achieved with the grants
9.4 by January 15, 2014.

9.5 \$1,636,000 the first year and \$1,636,000
9.6 the second year are from the heritage
9.7 enhancement account in the game and
9.8 fish fund for only the purposes specified
9.9 in Minnesota Statutes, section 297A.94,
9.10 paragraph (e), clause (1).

9.11 \$1,223,000 the first year and \$1,223,000 the
9.12 second year are from the nongame wildlife
9.13 management account in the natural resources
9.14 fund for the purpose of nongame wildlife
9.15 management. Notwithstanding Minnesota
9.16 Statutes, section 290.431, \$100,000 the first
9.17 year and \$100,000 the second year may
9.18 be used for nongame wildlife information,
9.19 education, and promotion.

9.20 Subd. 4. Forest Management 32,211,000 32,211,000

9.21	<u>Appropriations by Fund</u>		
9.22		<u>2012</u>	<u>2013</u>
9.23	<u>General</u>	<u>17,854,000</u>	<u>17,854,000</u>
9.24	<u>Natural Resources</u>	<u>13,093,000</u>	<u>13,093,000</u>
9.25	<u>Game and Fish</u>	<u>1,264,000</u>	<u>1,264,000</u>

9.26 \$7,145,000 the first year and \$7,145,000
9.27 the second year are for prevention,
9.28 presuppression, and suppression costs of
9.29 emergency firefighting and other costs
9.30 incurred under Minnesota Statutes, section
9.31 88.12. The amount necessary to pay for
9.32 presuppression and suppression costs during
9.33 the biennium is appropriated from the general
9.34 fund.

10.1	<u>By January 15 of each year, the commissioner</u>		
10.2	<u>of natural resources shall submit a report to</u>		
10.3	<u>the chairs and ranking minority members</u>		
10.4	<u>of the house and senate committees</u>		
10.5	<u>and divisions having jurisdiction over</u>		
10.6	<u>environment and natural resources finance,</u>		
10.7	<u>identifying all firefighting costs incurred</u>		
10.8	<u>and reimbursements received in the prior</u>		
10.9	<u>fiscal year. These appropriations may</u>		
10.10	<u>not be transferred. Any reimbursement</u>		
10.11	<u>of firefighting expenditures made to the</u>		
10.12	<u>commissioner from any source other than</u>		
10.13	<u>federal mobilizations shall be deposited into</u>		
10.14	<u>the general fund.</u>		
10.15	<u>\$13,093,000 the first year and \$13,093,000</u>		
10.16	<u>the second year are from the forest</u>		
10.17	<u>management investment account in the</u>		
10.18	<u>natural resources fund for only the purposes</u>		
10.19	<u>specified in Minnesota Statutes, section</u>		
10.20	<u>89.039, subdivision 2.</u>		
10.21	<u>\$580,000 the first year and \$580,000 the</u>		
10.22	<u>second year are for the Forest Resources</u>		
10.23	<u>Council for implementation of the</u>		
10.24	<u>Sustainable Forest Resources Act.</u>		
10.25	<u>\$250,000 in the first year and \$250,000 in the</u>		
10.26	<u>second year are reductions for the FORIST</u>		
10.27	<u>system.</u>		
10.28	<u>\$1,000,000 the first year and \$1,000,000</u>		
10.29	<u>the second year are from the heritage</u>		
10.30	<u>enhancement account in the game and fish</u>		
10.31	<u>fund to maintain and expand the ecological</u>		
10.32	<u>classification system program. This is a</u>		
10.33	<u>onetime appropriation.</u>		
10.34	<u>Subd. 5. Parks and Trails Management</u>	<u>66,529,000</u>	<u>66,224,000</u>

11.1	<u>Appropriations by Fund</u>	
11.2	<u>2012</u>	<u>2013</u>
11.3	<u>General</u>	<u>18,135,000</u>
11.4	<u>Natural Resources</u>	<u>46,200,000</u>
11.5	<u>Game and Fish</u>	<u>2,194,000</u>

11.6 \$1,000,000 the first year and \$1,000,000 the
11.7 second year are from the water recreation
11.8 account in the natural resources fund to
11.9 enable the department to develop and
11.10 implement best management practices for
11.11 public water access facilities to implement
11.12 aquatic invasive species prevention
11.13 strategies.

11.14 The appropriation in Laws 2003, chapter
11.15 128, article 1, section 5, subdivision 6, from
11.16 the water recreation account in the natural
11.17 resources fund for a cooperative project with
11.18 the United States Army Corps of Engineers
11.19 to develop the Mississippi Whitewater Park
11.20 is available until June 30, 2013. The project
11.21 must be designed to prevent the spread of
11.22 aquatic invasive species.

11.23 \$5,731,000 the first year and \$5,731,000 the
11.24 second year are from the natural resources
11.25 fund for state trail, park, and recreation area
11.26 operations. This appropriation is from the
11.27 revenue deposited in the natural resources
11.28 fund under Minnesota Statutes, section
11.29 297A.94, paragraph (e), clause (2).

11.30 \$8,424,000 the first year and \$8,424,000
11.31 the second year are from the snowmobile
11.32 trails and enforcement account in the
11.33 natural resources fund for the snowmobile
11.34 grants-in-aid program. Any unencumbered
11.35 balance does not cancel at the end of the first
11.36 year and is available for the second year.

12.1 \$1,360,000 the first year and \$1,360,000
12.2 the second year are from the natural
12.3 resources fund for the off-highway vehicle
12.4 grants-in-aid program. Of this amount,
12.5 \$1,110,000 each year is from the all-terrain
12.6 vehicle account; \$150,000 each year is from
12.7 the off-highway motorcycle account; and
12.8 \$100,000 each year is from the off-road
12.9 vehicle account. Any unencumbered balance
12.10 does not cancel at the end of the first year
12.11 and is available for the second year.

12.12 \$805,000 the first year and \$805,000 the
12.13 second year are from the natural resources
12.14 fund for trail grants to local units of
12.15 government on land to be maintained for at
12.16 least 20 years for the purposes of the grants.
12.17 This appropriation is from the revenue
12.18 deposited in the natural resources fund
12.19 under Minnesota Statutes, section 297A.94,
12.20 paragraph (e), clause (4).

12.21 \$200,000 the first year from the off-highway
12.22 vehicle damage account in the natural
12.23 resources fund is for all-terrain vehicle
12.24 grants-in-aid.

12.25 \$100,000 the first year is from the all-terrain
12.26 vehicle account in the natural resources fund
12.27 for a pass-through grant to Lake County for
12.28 completion of the Lake County Regional
12.29 All-Terrain Vehicle Trail. This is a onetime
12.30 appropriation and is available until spent.

12.31 \$400,000 each year is from the all-terrain
12.32 vehicle account in the natural resources
12.33 fund. Of this amount, \$100,000 the first
12.34 year is for developing a comprehensive
12.35 all-terrain vehicle trail plan under current

13.1 forest designation. The plan shall be
13.2 provided to the chairs and ranking minority
13.3 members of the house of representatives and
13.4 senate committees having jurisdiction over
13.5 environment and natural resources policy
13.6 and finance by January 15, 2012. \$200,000
13.7 the first year and \$300,000 the second year
13.8 are for the all-terrain vehicle grant-in-aid
13.9 program for trail building. \$100,000 each
13.10 year is to provide downloadable trail maps on
13.11 the Internet and is a onetime appropriation.

13.12 Subd. 6. Fish and Wildlife Management 60,761,000 60,161,000

13.13	<u>Appropriations by Fund</u>		
13.14		<u>2012</u>	<u>2013</u>
13.15	<u>General</u>	<u>199,000</u>	<u>199,000</u>
13.16	<u>Natural Resources</u>	<u>1,899,000</u>	<u>1,899,000</u>
13.17	<u>Game and Fish</u>	<u>58,663,000</u>	<u>58,063,000</u>

13.18 \$100,000 the first year and \$100,000 the
13.19 second year are from the nongame wildlife
13.20 account in the natural resources fund for gray
13.21 wolf research.

13.22 \$120,000 the first year and \$120,000 the
13.23 second year are from the game and fish fund
13.24 for gray wolf management.

13.25 \$8,167,000 the first year and \$8,167,000
13.26 the second year are from the heritage
13.27 enhancement account in the game and
13.28 fish fund only for activities specified in
13.29 Minnesota Statutes, section 297A.94,
13.30 paragraph (e), clause (1). Notwithstanding
13.31 Minnesota Statutes, section 297A.94, five
13.32 percent of this appropriation may be used for
13.33 expanding hunter and angler recruitment and
13.34 retention.

- 14.1 Notwithstanding Minnesota Statutes, section
- 14.2 84.943, \$13,000 the first year and \$13,000
- 14.3 the second year from the critical habitat
- 14.4 private sector matching account may be used
- 14.5 to publicize the critical habitat license plate
- 14.6 match program.
- 14.7 \$199,000 the first year and \$199,000 the
- 14.8 second year are for preserving, restoring, and
- 14.9 enhancing grassland and wetland complexes
- 14.10 on public or private lands.
- 14.11 \$600,000 the first year is from the game and
- 14.12 fish fund for land acquisition.
- 14.13 Notwithstanding Minnesota Statutes, section
- 14.14 16A.28, the appropriations encumbered
- 14.15 under contract on or before June 30, 2013, for
- 14.16 aquatic restoration grants and wildlife habitat
- 14.17 grants are available until June 30, 2014.
- 14.18 Subd. 7. **Enforcement**

30,928,00030,928,000
- 14.19 Appropriations by Fund
- 14.20

	<u>2012</u>	<u>2013</u>
14.21 <u>General</u>	<u>2,216,000</u>	<u>2,216,000</u>
14.22 <u>Natural Resources</u>	<u>8,558,000</u>	<u>8,558,000</u>
14.23 <u>Game and Fish</u>	<u>20,054,000</u>	<u>20,054,000</u>
14.24 <u>Remediation</u>	<u>100,000</u>	<u>100,000</u>
- 14.25 \$1,204,000 the first year and \$1,307,000
- 14.26 the second year are from the heritage
- 14.27 enhancement account in the game and
- 14.28 fish fund for only the purposes specified
- 14.29 in Minnesota Statutes, section 297A.94,
- 14.30 paragraph (e), clause (1). The base
- 14.31 appropriation in 2014 is \$1,297,000.
- 14.32 Notwithstanding Minnesota Statutes, section
- 14.33 84.780, \$100,000 the first year is from the
- 14.34 game and fish fund to fund a conservation

15.1 officer academy in 2011. This is a onetime
15.2 appropriation.

15.3 \$315,000 the first year and \$315,000 the
15.4 second year are from the snowmobile
15.5 trails and enforcement account in the
15.6 natural resources fund for grants to local
15.7 law enforcement agencies for snowmobile
15.8 enforcement activities. Any unencumbered
15.9 balance does not cancel at the end of the first
15.10 year and is available for the second year.

15.11 \$250,000 the first year and \$250,000 the
15.12 second year are from the all-terrain vehicle
15.13 account for grants to qualifying organizations
15.14 to assist in safety and environmental
15.15 education and monitoring trails on public
15.16 lands under Minnesota Statutes, section
15.17 84.9011. Grants issued under this paragraph:
15.18 (1) must be issued through a formal
15.19 agreement with the organization; and (2)
15.20 must not be used as a substitute for traditional
15.21 spending by the organization. By December
15.22 15 each year, an organization receiving a
15.23 grant under this paragraph shall report to the
15.24 commissioner with details on expenditures
15.25 and outcomes from the grant. By January
15.26 15, 2013, the commissioner shall report on
15.27 the expenditures and outcomes of the grants
15.28 to the chairs and ranking minority members
15.29 of the legislative committees and divisions
15.30 having jurisdiction over natural resources
15.31 policy and finance. Of this appropriation,
15.32 \$25,000 each year is for administration of
15.33 these grants. Any unencumbered balance
15.34 does not cancel at the end of the first year
15.35 and is available for the second year.

16.1 \$510,000 the first year and \$510,000
16.2 the second year are from the natural
16.3 resources fund for grants to county law
16.4 enforcement agencies for off-highway
16.5 vehicle enforcement and public education
16.6 activities based on off-highway vehicle use
16.7 in the county. Of this amount, \$498,000 each
16.8 year is from the all-terrain vehicle account;
16.9 \$11,000 each year is from the off-highway
16.10 motorcycle account; and \$1,000 each year
16.11 is from the off-road vehicle account. The
16.12 county enforcement agencies may use
16.13 money received under this appropriation
16.14 to make grants to other local enforcement
16.15 agencies within the county that have a high
16.16 concentration of off-highway vehicle use.
16.17 Of this appropriation, \$25,000 each year
16.18 is for administration of these grants. Any
16.19 unencumbered balance does not cancel at the
16.20 end of the first year and is available for the
16.21 second year.

16.22 \$1,082,000 the first year and \$1,082,000 the
16.23 second year are from the water recreation
16.24 account in the natural resources fund for
16.25 grants to counties for boat and water safety.
16.26 Any unencumbered balance does not cancel
16.27 at the end of the first year and is available for
16.28 the second year.

16.29 Subd. 8. Operations Support

16.30	<u>Appropriations by Fund</u>		
16.31	<u>2012</u>	<u>2013</u>	
16.32	<u>General</u>	<u>888,000</u>	<u>888,000</u>
16.33	<u>Natural Resources</u>	<u>481,000</u>	<u>481,000</u>
16.34	<u>Game and Fish</u>	<u>941,000</u>	<u>941,000</u>

16.35 \$320,000 the first year and \$320,000 the
16.36 second year are from the natural resources

2,310,000 2,310,000

17.1 fund for grants to be divided equally between
17.2 the city of St. Paul for the Como Park Zoo
17.3 and Conservatory and the city of Duluth
17.4 for the Duluth Zoo. This appropriation
17.5 is from the revenue deposited to the fund
17.6 under Minnesota Statutes, section 297A.94,
17.7 paragraph (e), clause (5).

17.8	Sec. 5. <u>BOARD OF WATER AND SOIL</u>			
17.9	<u>RESOURCES</u>	\$	<u>11,532,000</u>	\$ <u>11,532,000</u>

17.10 \$2,996,000 the first year and \$2,996,000 the
17.11 second year are for natural resources block
17.12 grants to local governments. The board may
17.13 reduce the amount of the natural resources
17.14 block grant to a county by an amount equal to
17.15 any reduction in the county's general services
17.16 allocation to a soil and water conservation
17.17 district from the county's previous year
17.18 allocation when the board determines that
17.19 the reduction was disproportionate. Grants
17.20 must be matched with a combination of local
17.21 cash or in-kind contributions. The base
17.22 grant portion related to water planning must
17.23 be matched by an amount as specified by
17.24 Minnesota Statutes, section 103B.3369.

17.25 \$2,707,000 the first year and \$2,707,000
17.26 the second year are for grants requested
17.27 by soil and water conservation districts for
17.28 general purposes, nonpoint engineering, and
17.29 implementation of the reinvest in Minnesota
17.30 reserve program. Upon approval of the
17.31 board, expenditures may be made from these
17.32 appropriations for supplies and services
17.33 benefiting soil and water conservation
17.34 districts. Any district requesting a grant
17.35 under this paragraph shall maintain a Web

18.1 page that publishes, at a minimum, its annual
18.2 plan, annual report, annual audit, annual
18.3 budget, including membership dues, and
18.4 meeting notices and minutes.

18.5 \$1,797,000 the first year and \$1,797,000
18.6 the second year are for grants to soil and
18.7 water conservation districts for cost-sharing
18.8 contracts for erosion control, water quality
18.9 management, feedlot water quality projects,
18.10 and establishing and maintaining riparian
18.11 vegetation buffers of restored native
18.12 prairie and for county cooperative weed
18.13 management programs.

18.14 \$386,000 the first year and \$386,000 the
18.15 second year are for implementation and
18.16 enforcement of the Wetland Conservation
18.17 Act.

18.18 \$51,000 the first year and \$51,000 the second
18.19 year are for staff to monitor and enforce
18.20 wetland replacement, wetland bank sites,
18.21 and the Wetland Conservation Act. The
18.22 board must include in its biennial report to
18.23 the legislature information on all state and
18.24 local units of government, including special
18.25 purpose districts, and impacts on wetlands
18.26 in the state.

18.27 \$166,000 the first year and \$166,000 the
18.28 second year are to provide assistance to local
18.29 drainage management officials and for the
18.30 costs of the Drainage Work Group.

18.31 \$84,000 the first year and \$84,000 the second
18.32 year are for a grant to the Red River Basin
18.33 Commission for water quality and floodplain
18.34 management, including administration of
18.35 programs. If the appropriation in either year

19.1 is insufficient, the appropriation in the other
19.2 year is available for it.
19.3 \$120,000 the first year and \$120,000
19.4 the second year are for grants to Area
19.5 II Minnesota River Basin Projects for
19.6 floodplain management.
19.7 Notwithstanding Minnesota Statutes, section
19.8 103C.501, the board may shift cost-share
19.9 funds in this section and may adjust the
19.10 technical and administrative assistance
19.11 portion of the grant funds to leverage
19.12 federal or other nonstate funds or to address
19.13 high-priority needs identified in local water
19.14 management plans.
19.15 The appropriations for grants in this
19.16 section are available until expended. If an
19.17 appropriation for grants in either year is
19.18 insufficient, the appropriation in the other
19.19 year is available for it.

19.20 Sec. 6. METROPOLITAN COUNCIL \$ 8,226,000 \$ 8,226,000

19.21	<u>Appropriations by Fund</u>		
19.22		<u>2012</u>	<u>2013</u>
19.23	<u>General</u>	<u>2,856,000</u>	<u>2,856,000</u>
19.24	<u>Natural Resources</u>	<u>5,370,000</u>	<u>5,370,000</u>

19.25 \$2,856,000 the first year and \$2,856,000
19.26 the second year are for metropolitan area
19.27 regional parks operation and maintenance
19.28 according to Minnesota Statutes, section
19.29 473.351.
19.30 \$5,370,000 the first year and \$5,370,000 the
19.31 second year are from the natural resources
19.32 fund for metropolitan area regional parks
19.33 and trails maintenance and operations. This
19.34 appropriation is from the revenue deposited

20.1 in the natural resources fund under Minnesota
20.2 Statutes, section 297A.94, paragraph (e),
20.3 clause (3).

20.4 Sec. 7. **CONSERVATION CORPS**
20.5 **MINNESOTA** \$ 790,000 \$ 645,000

20.6	<u>Appropriations by Fund</u>		
20.7		<u>2012</u>	<u>2013</u>
20.8	<u>General</u>	<u>300,000</u>	<u>155,000</u>
20.9	<u>Natural Resources</u>	<u>490,000</u>	<u>490,000</u>

20.10 Conservation Corps Minnesota may receive
20.11 money appropriated from the natural
20.12 resources fund under this section only
20.13 as provided in an agreement with the
20.14 commissioner of natural resources.

20.15 Sec. 8. **ZOOLOGICAL BOARD** \$ 5,767,000 \$ 5,767,000

20.16	<u>Appropriations by Fund</u>		
20.17		<u>2012</u>	<u>2013</u>
20.18	<u>General</u>	<u>5,607,000</u>	<u>5,607,000</u>
20.19	<u>Natural Resources</u>	<u>160,000</u>	<u>160,000</u>

20.20 \$160,000 the first year and \$160,000 the
20.21 second year are from the natural resources
20.22 fund from the revenue deposited under
20.23 Minnesota Statutes, section 297A.94,
20.24 paragraph (e), clause (5).

20.25 **ARTICLE 2**
20.26 **ENERGY FINANCE**

20.27 Section 1. **SUMMARY OF APPROPRIATIONS.**

20.28 The amounts shown in this section summarize direct appropriations, by fund, made
20.29 in this article.

20.30		<u>2012</u>	<u>2013</u>	<u>Total</u>
20.31	<u>General</u>	<u>\$ 25,171,000</u>	<u>\$ 25,179,000</u>	<u>50,350,000</u>
20.32	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>	<u>800,000</u>
20.33	<u>Petroleum Tank Cleanup</u>	<u>1,052,000</u>	<u>1,052,000</u>	<u>2,104,000</u>

21.1	<u>Workers' Compensation</u>	<u>751,000</u>	<u>751,000</u>	<u>1,502,000</u>
21.2	<u>Total</u>	<u>\$ 27,374,000</u>	<u>\$ 27,382,000</u>	<u>\$ 54,756,000</u>

21.3 Sec. 2. **ENERGY FINANCE APPROPRIATIONS.**

21.4 The sums shown in the columns marked "Appropriations" are appropriated to the
21.5 agencies and for the purposes specified in this article. The appropriations are from the
21.6 general fund, or another named fund, and are available for the fiscal years indicated
21.7 for each purpose. The figures "2012" and "2013" used in this article mean that the
21.8 appropriations listed under them are available for the fiscal year ending June 30, 2012, or
21.9 June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal
21.10 year 2013. "The biennium" is fiscal years 2012 and 2013. Appropriations for the fiscal
21.11 year ending June 30, 2011, are effective the day following final enactment.

21.12		<u>APPROPRIATIONS</u>
21.13		<u>Available for the Year</u>
21.14		<u>Ending June 30</u>
21.15		<u>2012</u> <u>2013</u>

21.16 Sec. 3. **DEPARTMENT OF COMMERCE**

21.17	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 21,542,000</u>	<u>\$ 21,550,000</u>
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21.18	<u>Appropriations by Fund</u>		
21.19		<u>2012</u>	<u>2013</u>
21.20	<u>General</u>	<u>19,739,000</u>	<u>19,747,000</u>
21.21	<u>Petroleum Cleanup</u>	<u>1,052,000</u>	<u>1,052,000</u>
21.22	<u>Workers'</u>		
21.23	<u>Compensation</u>	<u>751,000</u>	<u>751,000</u>

21.24 The amounts that may be spent for each
21.25 purpose are specified in the following
21.26 subdivisions.

21.27	<u>Subd. 2. Financial Institutions</u>	<u>6,774,000</u>	<u>6,778,000</u>
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21.28 \$138,000 the first year and \$142,000
21.29 the second year are for the regulation of
21.30 mortgage originators and servicers under
21.31 Minnesota Statutes, chapters 58 and 58A.

21.32	<u>Subd. 3. Petroleum Tank Release Cleanup</u>		
21.33	<u>Board</u>	<u>1,052,000</u>	<u>1,052,000</u>

21.34 This appropriation is from the petroleum
21.35 tank release cleanup fund.

22.1	Subd. 4. <u>Administrative Services</u>	3,465,000	3,465,000
22.2	Subd. 5. <u>Telecommunications</u>	1,010,000	1,010,000
22.3	Subd. 6. <u>Market Assurance</u>	6,251,000	6,255,000
22.4	<u>Appropriations by Fund</u>		
22.5		<u>2012</u>	<u>2013</u>
22.6	<u>General</u>	<u>5,500,000</u>	<u>5,504,000</u>
22.7	<u>Workers'</u>		
22.8	<u>Compensation</u>	<u>751,000</u>	<u>751,000</u>
22.9	Subd. 7. <u>Office of Energy Security</u>	2,990,000	2,990,000
22.10	Subd. 8. <u>Transfer</u>		
22.11	<u>\$300,000 first year and \$300,000 the second</u>		
22.12	<u>year are for transfer to the commissioner of</u>		
22.13	<u>human services to supplement the ongoing</u>		
22.14	<u>operational expenses of the Commission</u>		
22.15	<u>of Deaf, DeafBlind, and Hard-of-Hearing</u>		
22.16	<u>Minnesotans. This appropriation is from the</u>		
22.17	<u>telecommunication access Minnesota fund.</u>		
22.18	Sec. 4. <u>TELECOMMUNICATIONS ACCESS</u>		
22.19	<u>MINNESOTA FUND</u>	<u>\$ 400,000</u>	<u>\$ 400,000</u>
22.20	<u>In addition to the appropriation authorized in</u>		
22.21	<u>Minnesota Statutes, section 237.52, \$400,000</u>		
22.22	<u>the first year and \$400,000 the second year</u>		
22.23	<u>are from the telecommunications access</u>		
22.24	<u>Minnesota fund as follows:</u>		
22.25	<u>(1) \$230,000 each year is to the Office of</u>		
22.26	<u>Enterprise Technology;</u>		
22.27	<u>(2) \$20,000 each year is to the Commission</u>		
22.28	<u>of Deaf, DeafBlind, and Hard-of-Hearing</u>		
22.29	<u>Minnesotans to provide information on their</u>		
22.30	<u>Web site in American Sign Language and to</u>		
22.31	<u>provide technical assistance to state agencies;</u>		
22.32	<u>and</u>		

23.1 (3) \$150,000 each year is to the Legislative
23.2 Coordinating Commission to provide
23.3 captioning of live streaming of legislative
23.4 activity on the commission's Web site and
23.5 for a consolidated access fund for other state
23.6 agencies.
23.7 These appropriations are onetime.

23.8 Sec. 5. **PUBLIC UTILITIES COMMISSION** \$ **5,432,000** \$ **5,432,000**

23.9 Sec. 6. **TRANSFERS.**

23.10 (a) By June 30, 2013, the commissioner
23.11 of management and budget shall transfer
23.12 \$3,000,000 from the special revenue fund to
23.13 the general fund. The transfers must be from
23.14 the following appropriation reductions and
23.15 accounts with the special revenue fund:

23.16 (1) \$250,000 is from the telecommunications
23.17 access Minnesota fund established in
23.18 Minnesota Statutes, section 237.52;

23.19 (2) \$250,000 is from the Department of
23.20 Commerce license technology surcharge
23.21 account established in Minnesota Statutes,
23.22 section 45.24;

23.23 (3) \$300,000 is from the energy and
23.24 conservation account established in
23.25 Minnesota Statutes, section 216B.241;

23.26 (4) \$500,000 is from the insurance fraud
23.27 prevention account established in Minnesota
23.28 Statutes, section 45.0135;

23.29 (5) \$1,500,000 is from the automobile theft
23.30 prevention account established in Minnesota
23.31 Statutes, section 168A.40; and

24.1 (6) \$200,000 is from the real estate education,
24.2 research and recovery fund established in
24.3 Minnesota Statutes, section 82.86.

24.4 (b) By June 30, 2013, the commissioner
24.5 of management and budget shall transfer
24.6 \$15,000,000 in assets of the workers'
24.7 compensation assigned risk plan created
24.8 under Minnesota Statutes, section 79.252, to
24.9 the general fund.

24.10 Sec. 7. Minnesota Statutes 2010, section 216B.026, subdivision 1, is amended to read:

24.11 Subdivision 1. **Election.** ~~(a)~~ A cooperative electric association may elect to become
24.12 subject to rate regulation by the commission pursuant to sections 216B.03 to 216B.23.

24.13 The election shall be approved by a majority of members or stockholders voting by mail
24.14 ballot initiated by petition of not less than five percent of the members or stockholders of
24.15 the association, as determined by membership figures submitted by the association to the
24.16 Rural Electric Administration for the month in which the petition was submitted.

24.17 ~~(b) For a cooperative electric association that is the product of a merger or~~
24.18 ~~consolidation of three or more associations between December 30, 1996, and January 1,~~
24.19 ~~2001, the number of members or stockholders necessary to initiate the petition shall be no~~
24.20 ~~less than one percent of the members or stockholders of the association.~~

24.21 **ARTICLE 3**

24.22 **STATUTORY CHANGES**

24.23 Section 1. **[16E.0475] ADVISORY COMMITTEE FOR TECHNOLOGY**
24.24 **STANDARDS FOR ACCESSIBILITY AND USABILITY.**

24.25 Subdivision 1. **Membership.** (a) The Advisory Committee for Technology
24.26 Standards for Accessibility and Usability consists of ten members, appointed as follows:

24.27 (1) the state chief information officer, or the state chief information officer's designee;

24.28 (2) a representative from State Services for the Blind, appointed by the commissioner
24.29 of employment and economic development;

24.30 (3) the commissioner of administration, or the commissioner's designee;

24.31 (4) a representative selected by the Minnesota system of technology to achieve
24.32 results program;

- 25.1 (5) a representative selected by the Commission of Deaf, DeafBlind, and
25.2 Hard-of-Hearing Minnesotans;
- 25.3 (6) the commissioner of education, or the commissioner's designee;
25.4 (7) the commissioner of health, or the commissioner's designee;
25.5 (8) the commissioner of human services, or the commissioner's designee;
25.6 (9) one representative from the Minnesota judicial system designated by the chief
25.7 justice; and
- 25.8 (10) one staff member from the legislature, appointed by the chair of the Legislative
25.9 Coordinating Commission.
- 25.10 (b) The appointing authorities under this subdivision must use their best efforts to
25.11 ensure that the membership of the advisory committee includes at least one representative
25.12 who is deaf, hard-of-hearing, or deafblind and at least one representative who is blind.
- 25.13 (c) The advisory committee shall elect a chair from its membership.
- 25.14 Subd. 2. **Duties.** (a) The advisory committee shall:
- 25.15 (1) recommend review processes to be used for the evaluation or certification of
25.16 accessibility of technology against accessibility standards;
- 25.17 (2) recommend an exception process and thresholds for any deviation from the
25.18 accessibility standards;
- 25.19 (3) identify, in consultation with state agencies serving Minnesotans with disabilities,
25.20 resources for training and technical assistance for state agency staff, including instruction
25.21 regarding compliance with accessibility standards;
- 25.22 (4) convene customer groups composed of individuals with disabilities to assist in
25.23 implementation of accessibility standards;
- 25.24 (5) review customer comments about accessibility and usability issues collected by
25.25 State Services for the Blind; and
- 25.26 (6) develop proposals for funding captioning of live videoconferencing, live
25.27 Webcasts, Web streaming, podcasts, and other emerging technologies.
- 25.28 (b) The advisory committee shall report to the chairs and ranking minority members
25.29 of the legislative committees with jurisdiction over state technology systems by January
25.30 15 each year regarding the findings, progress, and recommendations made by the advisory
25.31 committee under this subdivision. The report shall include any draft legislation necessary
25.32 to implement the committee's recommendations.
- 25.33 Subd. 3. **Terms, compensation, and removal.** The terms, compensation, and
25.34 removal of members are governed by section 15.059.
- 25.35 Subd. 4. **Expiration.** This section expires June 30, 2013.

Sec. 2. Minnesota Statutes 2010, section 85.052, subdivision 4, is amended to read:

Subd. 4. **Deposit of fees.** (a) Fees paid for providing contracted products and services within a state park, state recreation area, or wayside, and for special state park uses under this section shall be deposited in the natural resources fund and credited to a state parks account.

(b) Gross receipts derived from sales, rentals, or leases of natural resources within state parks, recreation areas, and waysides, other than those on trust fund lands, must be deposited in the state treasury and credited to the state parks working capital account.

~~The appropriation under section 85.22 for revenue deposited in this section is limited to \$25,000 per fiscal year.~~

(c) Notwithstanding paragraph (b), the gross receipts from the sale of stockpile materials, aggregate, or other earth materials from the Iron Range Off-Highway Vehicle Recreation Area shall be deposited in the dedicated accounts in the natural resources fund from which the purchase of the stockpile material was made.

Sec. 3. **[89.0385] FOREST MANAGEMENT INVESTMENT ACCOUNT; COST CERTIFICATION.**

(a) After each fiscal year, the commissioner shall certify the total costs incurred for forest management, forest improvement, and road improvement on state-managed lands during that year. The commissioner shall distribute forest management receipts credited to various accounts according to this section.

(b) The amount of the certified costs incurred for forest management activities on state lands shall be transferred from the account where receipts are deposited to the forest management investment account in the natural resources fund, except for those costs certified under section 16A.125. Transfers in a fiscal year cannot exceed receipts credited to the account.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 4. Minnesota Statutes 2010, section 89.21, is amended to read:

89.21 CAMPGROUNDS, ESTABLISHMENT AND FEES.

(a) The commissioner is authorized to establish and develop state forest campgrounds and may establish minimum standards not inconsistent with the laws of the state for the care and use of such campgrounds and charge fees for such uses as specified by the commissioner of natural resources.

27.1 (b) Notwithstanding section 16A.1283, the commissioner shall, by written order,
27.2 establish fees providing for the use of state forest campgrounds. The fees are not subject
27.3 to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

27.4 (c) All fees shall be deposited in ~~the general fund~~ an account in the natural resources
27.5 fund and are appropriated annually to the commissioner.

27.6 Sec. 5. **97A.052] PEACE OFFICER TRAINING ACCOUNT.**

27.7 Subdivision 1. Account established; sources. The peace officer training account is
27.8 created in the game and fish fund in the state treasury. Revenue from the portion of the
27.9 surcharges assessed to criminal and traffic offenders in section 357.021, subdivision 7,
27.10 clause (1), shall be deposited in the account and is appropriated to the commissioner.
27.11 Money in the account may be spent only for the purposes provided in subdivision 2.

27.12 Subd. 2. Purposes of account. Money in the peace officer training account
27.13 may only be spent by the commissioner for peace officer training for employees of the
27.14 Department of Natural Resources who are licensed under sections 626.84 to 626.863
27.15 to enforce game and fish laws.

27.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

27.17 Sec. 6. Minnesota Statutes 2010, section 97A.055, is amended by adding a subdivision
27.18 to read:

27.19 Subd. 2b. Certified costs. Money for the certified costs under section 89.0385 is
27.20 appropriated annually to the commissioner for reimbursement of certified costs on state
27.21 lands acquired by purchase or gift for game and fish purposes.

27.22 Sec. 7. Minnesota Statutes 2010, section 97A.071, subdivision 2, is amended to read:

27.23 **Subd. 2. Revenue from small game license surcharge and lifetime licenses.**
27.24 Revenue from the small game surcharge and \$6.50 annually from the lifetime fish and
27.25 wildlife trust fund, established in section 97A.4742, for each license issued under sections
27.26 97A.473, subdivisions 3 and 5, and 97A.474, subdivision 3, shall be credited to the
27.27 wildlife acquisition account and is appropriated to the commissioner. The money in the
27.28 account shall be used by the commissioner only for the purposes of this section, and
27.29 acquisition and development of wildlife lands under section 97A.145 and maintenance of
27.30 the lands, in accordance with appropriations made by the legislature.

Sec. 8. Minnesota Statutes 2010, section 97A.075, is amended to read:

97A.075 USE OF LICENSE REVENUES.

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5), (6), (7), (13), (14), and (15), and 3, clauses (2), (3), (4), (10), (11), and (12), and licenses issued under section 97B.301, subdivision 4.

(b) \$2 from each annual deer license and \$2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and ~~shall be used~~ is appropriated to the commissioner for deer habitat improvement or deer management programs.

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear management account and ~~shall be used~~ is appropriated to the commissioner for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent.

When the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Subd. 2. **Minnesota migratory waterfowl stamp.** (a) Ninety percent of the revenue from the Minnesota migratory waterfowl stamps must be credited to the waterfowl habitat improvement account. ~~Money in the account may be used~~ and is appropriated to the commissioner only for:

(1) development of wetlands and lakes in the state and designated waterfowl management lakes for maximum migratory waterfowl production including habitat evaluation, the construction of dikes, water control structures and impoundments, nest cover, rough fish barriers, acquisition of sites and facilities necessary for development

29.1 and management of existing migratory waterfowl habitat and the designation of waters
29.2 under section 97A.101;

29.3 (2) management of migratory waterfowl;

29.4 (3) development, restoration, maintenance, or preservation of migratory waterfowl
29.5 habitat;

29.6 (4) acquisition of and access to structure sites; and

29.7 (5) the promotion of waterfowl habitat development and maintenance, including
29.8 promotion and evaluation of government farm program benefits for waterfowl habitat.

29.9 (b) Money in the account may not be used for costs unless they are directly related to
29.10 a specific parcel of land or body of water under paragraph (a), clause (1), (3), (4), or (5), or
29.11 to specific management activities under paragraph (a), clause (2).

29.12 Subd. 3. **Trout and salmon stamp.** (a) Ninety percent of the revenue from trout
29.13 and salmon stamps must be credited to the trout and salmon management account. ~~Money~~
29.14 ~~in the account may be used~~ and is appropriated to the commissioner only for:

29.15 (1) the development, restoration, maintenance, improvement, protection, and
29.16 preservation of habitat for trout and salmon in trout streams and lakes, including, but
29.17 not limited to, evaluating habitat; stabilizing eroding stream banks; adding fish cover;
29.18 modifying stream channels; managing vegetation to protect, shade, or reduce runoff on
29.19 stream banks; and purchasing equipment to accomplish these tasks;

29.20 (2) rearing trout and salmon, including utility and service costs associated with
29.21 coldwater hatchery buildings and systems; stocking trout and salmon in streams and lakes
29.22 and Lake Superior; and monitoring and evaluating stocked trout and salmon;

29.23 (3) acquisition of easements and fee title along trout waters;

29.24 (4) identifying easement and fee title areas along trout waters; and

29.25 (5) research and special management projects on trout streams, trout lakes, and
29.26 Lake Superior and portions of its tributaries.

29.27 (b) Money in the account may not be used for costs unless they are directly related
29.28 to a specific parcel of land or body of water under paragraph (a), to specific fish rearing
29.29 activities under paragraph (a), clause (2), or for costs associated with supplies and
29.30 equipment to implement trout and salmon management activities under paragraph (a).

29.31 Subd. 4. **Pheasant stamp.** (a) Ninety percent of the revenue from pheasant stamps
29.32 must be credited to the pheasant habitat improvement account. ~~Money in the account may~~
29.33 ~~be used~~ and is appropriated to the commissioner only for:

29.34 (1) the development, restoration, and maintenance of suitable habitat for ringnecked
29.35 pheasants on public and private land including the establishment of nesting cover, winter
29.36 cover, and reliable food sources;

- 30.1 (2) reimbursement of landowners for setting aside lands for pheasant habitat;
30.2 (3) reimbursement of expenditures to provide pheasant habitat on public and private
30.3 land;
30.4 (4) the promotion of pheasant habitat development and maintenance, including
30.5 promotion and evaluation of government farm program benefits for pheasant habitat; and
30.6 (5) the acquisition of lands suitable for pheasant habitat management and public
30.7 hunting.

30.8 (b) Money in the account may not be used for:

- 30.9 (1) costs unless they are directly related to a specific parcel of land under paragraph
30.10 (a), clause (1), (3), or (5), or to specific promotional or evaluative activities under
30.11 paragraph (a), clause (4); or

- 30.12 (2) any personnel costs, except that prior to July 1, 2019, personnel may be hired
30.13 to provide technical and promotional assistance for private landowners to implement
30.14 conservation provisions of state and federal programs.

30.15 Subd. 5. **Turkey account.** (a) \$4.50 from each turkey license sold, except youth
30.16 licenses under section 97A.475, subdivision 2, clause (4), and subdivision 3, clause (7),
30.17 must be credited to the wild turkey management account. ~~Money in the account may be~~
30.18 ~~used~~ and is appropriated to the commissioner only for:

- 30.19 (1) the development, restoration, and maintenance of suitable habitat for wild
30.20 turkeys on public and private land including forest stand improvement and establishment
30.21 of nesting cover, winter roost area, and reliable food sources;

- 30.22 (2) acquisitions of, or easements on, critical wild turkey habitat;

- 30.23 (3) reimbursement of expenditures to provide wild turkey habitat on public and
30.24 private land;

- 30.25 (4) trapping and transplantation of wild turkeys; and

- 30.26 (5) the promotion of turkey habitat development and maintenance, population
30.27 surveys and monitoring, and research.

30.28 (b) Money in the account may not be used for:

- 30.29 (1) costs unless they are directly related to a specific parcel of land under paragraph
30.30 (a), clauses (1) to (3), a specific trap and transplant project under paragraph (a), clause (4),
30.31 or to specific promotional or evaluative activities under paragraph (a), clause (5); or

- 30.32 (2) any permanent personnel costs.

30.33 Subd. 6. **Walleye stamp.** (a) Revenue from walleye stamps must be credited to the
30.34 walleye stamp account. ~~Money in the account must be used~~ and is appropriated to the
30.35 commissioner only for stocking walleye in waters of the state and related activities.

31.1 (b) Money in the account may not be used for costs unless they are directly related to
31.2 a specific body of water under paragraph (a), or for costs associated with supplies and
31.3 equipment to implement walleye stocking activities under paragraph (a).

31.4 Sec. 9. **[103G.27] WATER MANAGEMENT ACCOUNT.**

31.5 Subdivision 1. **Account established; sources.** The water management account
31.6 is created in the natural resources fund in the state treasury. Revenues collected from
31.7 water use permits, penalties, and other receipts according to section 103G.271, shall be
31.8 deposited in the account for the purposes described in subdivision 2. Interest earned on
31.9 money in the account accrues to the account.

31.10 Subd. 2. **Purposes of account.** Money in the water management account may
31.11 only be spent for the costs associated with permit applications, inspections, and other
31.12 expenditures under sections 103G.271 and 103G.301.

31.13 Sec. 10. Minnesota Statutes 2010, section 103G.271, subdivision 6, is amended to read:

31.14 Subd. 6. **Water use permit processing fee.** (a) Except as described in paragraphs
31.15 (b) to (f), a water use permit processing fee must be prescribed by the commissioner in
31.16 accordance with the schedule of fees in this subdivision for each water use permit in force
31.17 at any time during the year. Fees collected under this paragraph are credited to the water
31.18 management account in the natural resources fund. The schedule is as follows, with the
31.19 stated fee in each clause applied to the total amount appropriated:

31.20 (1) \$140 for amounts not exceeding 50,000,000 gallons per year;

31.21 (2) \$3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less
31.22 than 100,000,000 gallons per year;

31.23 (3) \$4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less
31.24 than 150,000,000 gallons per year;

31.25 (4) \$4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but
31.26 less than 200,000,000 gallons per year;

31.27 (5) \$5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less
31.28 than 250,000,000 gallons per year;

31.29 (6) \$5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but
31.30 less than 300,000,000 gallons per year;

31.31 (7) \$6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less
31.32 than 350,000,000 gallons per year;

31.33 (8) \$6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but
31.34 less than 400,000,000 gallons per year;

32.1 (9) \$7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less
32.2 than 450,000,000 gallons per year;

32.3 (10) \$7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but
32.4 less than 500,000,000 gallons per year; and

32.5 (11) \$8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

32.6 (b) For once-through cooling systems, a water use processing fee must be prescribed
32.7 by the commissioner in accordance with the following schedule of fees for each water use
32.8 permit in force at any time during the year:

32.9 (1) for nonprofit corporations and school districts, \$200 per 1,000,000 gallons; and

32.10 (2) for all other users, \$420 per 1,000,000 gallons.

32.11 (c) The fee is payable based on the amount of water appropriated during the year
32.12 and, except as provided in paragraph (f), the minimum fee is \$100.

32.13 (d) For water use processing fees other than once-through cooling systems:

32.14 (1) the fee for a city of the first class may not exceed \$250,000 per year;

32.15 (2) the fee for other entities for any permitted use may not exceed:

32.16 (i) \$60,000 per year for an entity holding three or fewer permits;

32.17 (ii) \$90,000 per year for an entity holding four or five permits; or

32.18 (iii) \$300,000 per year for an entity holding more than five permits;

32.19 (3) the fee for agricultural irrigation may not exceed \$750 per year;

32.20 (4) the fee for a municipality that furnishes electric service and cogenerates steam
32.21 for home heating may not exceed \$10,000 for its permit for water use related to the
32.22 cogeneration of electricity and steam; and

32.23 (5) no fee is required for a project involving the appropriation of surface water to
32.24 prevent flood damage or to remove flood waters during a period of flooding, as determined
32.25 by the commissioner.

32.26 (e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of two
32.27 percent per month calculated from the original due date must be imposed on the unpaid
32.28 balance of fees remaining 30 days after the sending of a second notice of fees due. A fee
32.29 may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal
32.30 governmental agency holding a water appropriation permit.

32.31 (f) The minimum water use processing fee for a permit issued for irrigation of
32.32 agricultural land is \$20 for years in which:

32.33 (1) there is no appropriation of water under the permit; or

32.34 (2) the permit is suspended for more than seven consecutive days between May 1
32.35 and October 1.

(g) A surcharge of \$30 per million gallons in addition to the fee prescribed in paragraph (a) shall be applied to the volume of water used in each of the months of June, July, and August that exceeds the volume of water used in January for municipal water use, irrigation of golf courses, and landscape irrigation. The surcharge for municipalities with more than one permit shall be determined based on the total appropriations from all permits that supply a common distribution system.

Sec. 11. Minnesota Statutes 2010, section 103G.301, subdivision 2, is amended to read:

Subd. 2. **Permit application fees.** (a) A permit application fee to defray the costs of receiving, recording, and processing the application must be paid for a permit authorized under this chapter and for each request to amend or transfer an existing permit. Fees established under this subdivision, unless specified in paragraph (c), shall be compliant with section 16A.1285.

(b) Proposed projects that require water in excess of 100 million gallons per year must be assessed fees to recover the costs incurred to evaluate the project and the costs incurred for environmental review. ~~Fees collected under this paragraph must be credited to an account in the natural resources fund and are appropriated to the commissioner.~~

(c) The fee to apply for a permit to appropriate water, in addition to any fee under paragraph (b); a permit to construct or repair a dam that is subject to dam safety inspection; or a state general permit is \$150. The application fee for a permit to work in public waters or to divert waters for mining must be at least \$150, but not more than \$1,000.

(d) Fees collected under this subdivision must be credited to the water management account in the natural resources fund.

Sec. 12. Minnesota Statutes 2010, section 115A.1314, is amended to read:

115A.1314 MANUFACTURER'S REGISTRATION FEE; ~~CREATION OF~~ ACCOUNT.

Subdivision 1. **Registration fee.** (a) Each manufacturer who registers under section 115A.1312 must, by September 1, 2007, and each year thereafter, pay to the commissioner of revenue an annual registration fee. The commissioner of revenue must deposit the fee in the ~~account established in subdivision 2~~ state treasury and credit the fee to the environmental fund.

~~(b) The registration fee for the initial program year during which a manufacturer's video display devices are sold to households is \$5,000. Each year thereafter,~~ The registration fee is equal to a base fee of \$2,500, plus a variable recycling fee calculated according to the formula:

34.1 ((A x B) - (C + D)) x E, where:

34.2 (1) A = the number of pounds of a manufacturer's video display devices sold to
34.3 households during the previous program year, as reported to the department under section
34.4 115A.1316, subdivision 1;

34.5 (2) B = the proportion of sales of video display devices required to be recycled, set at
34.6 0.6 for the first program year and 0.8 for the second program year and every year thereafter;

34.7 (3) C = the number of pounds of covered electronic devices recycled by a
34.8 manufacturer from households during the previous program year, as reported to the
34.9 department under section 115A.1316, subdivision 1;

34.10 (4) D = the number of recycling credits a manufacturer elects to use to calculate the
34.11 variable recycling fee, as reported to the department under section 115A.1316, subdivision
34.12 1; and

34.13 (5) E = the estimated per-pound cost of recycling, initially set at \$0.50 per pound for
34.14 manufacturers who recycle less than 50 percent of the product (A x B); \$0.40 per pound
34.15 for manufacturers who recycle at least 50 percent but less than 90 percent of the product
34.16 (A x B); and \$0.30 per pound for manufacturers who recycle at least 90 percent but less
34.17 than 100 percent of the product (A x B).

34.18 (c) If, as specified in paragraph (b), the term C - (A x B) equals a positive number of
34.19 pounds, that amount is defined as the manufacturer's recycling credits. A manufacturer
34.20 may retain recycling credits to be added, in whole or in part, to the actual value of C, as
34.21 reported under section 115A.1316, subdivision 2, during any succeeding program year,
34.22 provided that no more than 25 percent of a manufacturer's obligation (A x B) for any
34.23 program year may be met with recycling credits generated in a prior program year. A
34.24 manufacturer may sell any portion or all of its recycling credits to another manufacturer, at
34.25 a price negotiated by the parties, who may use the credits in the same manner.

34.26 (d) For the purpose of calculating a manufacturer's variable recycling fee under
34.27 paragraph (b), the weight of covered electronic devices collected from households located
34.28 outside the 11-county metropolitan area, as defined in subdivision 2, paragraph (c), is
34.29 calculated at 1.5 times their actual weight.

34.30 (e) The registration fee for the initial program year and the base registration fee
34.31 thereafter for a manufacturer who produces fewer than 100 video display devices for sale
34.32 annually to households is \$1,250.

34.33 Subd. 2. ~~Creation of account; appropriations~~ **Use of registration fees.** ~~(a) The~~
34.34 ~~electronic waste account is established in the environmental fund. The commissioner of~~
34.35 ~~revenue must deposit receipts from the fee established in subdivision 1 in the account.~~
34.36 ~~Any interest earned on the account must be credited to the account. Money from other~~

~~sources may be credited to the account. Beginning in the second program year and continuing each program year thereafter, as of the last day of each program year, the commissioner shall determine the total amount of the variable fees that were collected. To the extent that the total fees collected by the commissioner in connection with this section exceed the amount the commissioner determines necessary to operate the program for the new program year, the commissioner shall refund on a pro rata basis, to all manufacturers who paid any fees for the previous program year, the amount of fees collected by the commissioner in excess of the amount necessary to operate the program for the new program year. No individual refund is required of amounts of \$100 or less for a fiscal year. Manufacturers who report collections less than 50 percent of their obligation for the previous program year are not eligible for a refund.~~

~~(b) Until June 30, 2011, money in the account is annually appropriated to the Pollution Control Agency.~~ (a) Registration fees may be used by the commissioner for:

(1) ~~for the purpose of~~ implementing sections 115A.1312 to 115A.1330, including transfer to the commissioner of revenue to carry out the department's duties under section 115A.1320, subdivision 2, and transfer to the commissioner of administration for responsibilities under section 115A.1324; and

(2) ~~to the commissioner of the Pollution Control Agency to be distributed on a competitive basis through contracts with grants to~~ counties outside the 11-county metropolitan area, as defined in paragraph ~~(c)~~ (b), and ~~with~~ to private entities that collect for recycling covered electronic devices in counties outside the 11-county metropolitan area, where the collection and recycling is consistent with the respective county's solid waste plan, for the purpose of carrying out the activities under sections 115A.1312 to 115A.1330. In awarding competitive grants under this clause, the commissioner must give preference to counties and private entities that are working cooperatively with manufacturers to help them meet their recycling obligations under section 115A.1318, subdivision 1.

~~(c)~~ (b) The 11-county metropolitan area consists of the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright.

Sec. 13. Minnesota Statutes 2010, section 115A.1320, subdivision 1, is amended to read:

Subdivision 1. **Duties of the agency.** (a) The agency shall administer sections 115A.1310 to 115A.1330.

(b) The agency shall establish procedures for:

(1) receipt and maintenance of the registration statements and certifications filed with the agency under section 115A.1312; and

(2) making the statements and certifications easily available to manufacturers, retailers, and members of the public.

(c) The agency shall annually review the value of the following variables that are part of the formula used to calculate a manufacturer's annual registration fee under section 115A.1314, subdivision 1:

(1) the proportion of sales of video display devices sold to households that manufacturers are required to recycle;

(2) the estimated per-pound price of recycling covered electronic devices sold to households;

(3) the base registration fee; and

(4) the multiplier established for the weight of covered electronic devices collected in section 115A.1314, subdivision 1, paragraph (d). If the agency determines that any of these values must be changed in order to improve the efficiency or effectiveness of the activities regulated under sections 115A.1312 to 115A.1330 ~~or if the revenues in the account exceed the amount that the agency determines is necessary~~, the agency shall submit recommended changes and the reasons for them to the chairs of the senate and house of representatives committees with jurisdiction over solid waste policy.

(d) By January 15 each year, beginning in 2008, the agency shall calculate estimated sales of video display devices sold to households by each manufacturer during the preceding program year, based on national sales data, and forward the estimates to the department.

~~(e) The agency shall manage the account established in section 115A.1314, subdivision 2. If the revenues in the account exceed the amount that the agency determines is necessary for efficient and effective administration of the program, including any amount for contingencies, the agency must recommend to the legislature that the base registration fee, the proportion of sales of video display devices required to be recycled, or the estimated per pound cost of recycling established under section 115A.1314, subdivision 1, paragraph (b), or any combination thereof, be lowered in order to reduce revenues collected in the subsequent program year by the estimated amount of the excess.~~

~~(f)~~ (e) On or before December 1, 2010, and each year thereafter, the agency shall provide a report to the governor and the legislature on the implementation of sections 115A.1310 to 115A.1330. For each program year, the report must discuss the total weight of covered electronic devices recycled and a summary of information in the reports submitted by manufacturers and recyclers under section 115A.1316. The report must

also discuss the various collection programs used by manufacturers to collect covered electronic devices; information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers; and information about covered electronic devices, if any, being disposed of in landfills in this state. The report must include a description of enforcement actions under sections 115A.1310 to 115A.1330. The agency may include in its report other information received by the agency regarding the implementation of sections 115A.1312 to 115A.1330.

~~(g)~~ (f) The agency shall promote public participation in the activities regulated under sections 115A.1312 to 115A.1330 through public education and outreach efforts.

~~(h)~~ (g) The agency shall enforce sections 115A.1310 to 115A.1330 in the manner provided by sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072, except for those provisions enforced by the department, as provided in subdivision 2. The agency may revoke a registration of a collector or recycler found to have violated sections 115A.1310 to 115A.1330.

~~(i)~~ (h) The agency shall facilitate communication between counties, collection and recycling centers, and manufacturers to ensure that manufacturers are aware of video display devices available for recycling.

~~(j)~~ (i) The agency shall develop a form retailers must use to report information to manufacturers under section 115A.1318 and post it on the agency's Web site.

~~(k)~~ (j) The agency shall post on its Web site the contact information provided by each manufacturer under section 115A.1318, paragraph (e).

Sec. 14. Minnesota Statutes 2010, section 115C.09, subdivision 3c, is amended to read:

Subd. 3c. **Release at refineries and tank facilities not eligible for reimbursement.**

(a) Reimbursement may not be made under this chapter for costs associated with a release:

(1) from a tank located at a petroleum refinery; or

(2) from a tank facility, including a pipeline terminal, with more than 1,000,000 gallons of total petroleum storage capacity at the tank facility.

(b) Paragraph (a), clause (2), does not apply to reimbursement for costs associated with a release from a tank facility:

(1) owned or operated by a person engaged in the business of mining iron ore or taconite;

(2) owned by a political subdivision, a housing and redevelopment authority, an economic development authority, or a port authority that acquired the tank facility prior to May 23, 1989; ~~or~~

(3) owned by a person:

(i) who acquired the tank facility prior to May 23, 1989;
(ii) who did not use the tank facility for the bulk storage of petroleum; and
(iii) who is not affiliated with the party who used the tank facility for the bulk storage of petroleum; or
(4) that is not a petroleum refinery or pipeline terminal and is owned by a person engaged in the business of storing used oil primarily for sales to end users.

Sec. 15. Minnesota Statutes 2010, section 115C.13, is amended to read:

115C.13 REPEALER.

Sections 115C.01, 115C.02, 115C.021, 115C.03, 115C.04, 115C.045, 115C.05, 115C.06, 115C.065, 115C.07, 115C.08, 115C.09, 115C.093, 115C.094, 115C.10, 115C.11, 115C.111, 115C.112, 115C.113, 115C.12, and 115C.13, are repealed effective June 30, ~~2012~~ 2017.

Sec. 16. Minnesota Statutes 2010, section 116.07, subdivision 4h, is amended to read:

Subd. 4h. **Financial responsibility rules.** (a) The agency shall adopt rules requiring the operator or owner of a solid waste disposal facility to submit to the agency proof of the operator's or owner's financial capability to provide reasonable and necessary response during the operating life of the facility and for 30 years after closure for a mixed municipal solid waste disposal facility or for a minimum of 20 years after closure, as determined by agency rules, for any other solid waste disposal facility, and to provide for the closure of the facility and postclosure care required under agency rules. Proof of financial responsibility is required of the operator or owner of a facility receiving an original permit or a permit for expansion after adoption of the rules. Within 180 days of the effective date of the rules or by July 1, 1987, whichever is later, proof of financial responsibility is required of an operator or owner of a facility with a remaining capacity of more than five years or 500,000 cubic yards that is in operation at the time the rules are adopted. Compliance with the rules and the requirements of paragraph (b) is a condition of obtaining or retaining a permit to operate the facility.

(b) A municipality, as defined in section 475.51, subdivision 2, including a sanitary district, that owns or operates a solid waste disposal facility that was in operation on May 15, 1989, may meet its financial responsibility for all or a portion of the contingency action portion of the reasonable and necessary response costs at the facility by pledging its full faith and credit to meet its responsibility.

The pledge must be made in accordance with the requirements in chapter 475 for issuing bonds of the municipality, and the following additional requirements:

(1) The governing body of the municipality shall enact an ordinance that clearly accepts responsibility for the costs of contingency action at the facility and that reserves, during the operating life of the facility and for the time period required in paragraph (a) after closure, a portion of the debt limit of the municipality, as established under section 475.53 or other law, that is equal to the total contingency action costs.

(2) The municipality shall require that all collectors that haul to the facility implement a plan for reducing solid waste by using volume-based pricing, recycling incentives, or other means.

(3) When a municipality opts to meet a portion of its financial responsibility by relying on its authority to issue bonds, it shall also begin setting aside in a dedicated long-term care trust fund money that will cover a portion of the potential contingency action costs at the facility, the amount to be determined by the agency for each facility based on at least the amount of waste deposited in the disposal facility each year, and the likelihood and potential timing of conditions arising at the facility that will necessitate response action. The agency may not require a municipality to set aside more than five percent of the total cost in a single year.

(4) A municipality shall have and consistently maintain an investment grade bond rating as a condition of using bonding authority to meet financial responsibility under this section.

(5) The municipality shall file with the commissioner of revenue its consent to have the amount of its contingency action costs deducted from state aid payments otherwise due the municipality and paid instead to the remediation fund created in section 116.155, if the municipality fails to conduct the contingency action at the facility when ordered by the agency. If the agency notifies the commissioner that the municipality has failed to conduct contingency action when ordered by the agency, the commissioner shall deduct the amounts indicated by the agency from the state aids in accordance with the consent filed with the commissioner.

(6) The municipality shall file with the agency written proof that it has complied with the requirements of paragraph (b).

(c) The method for proving financial responsibility under paragraph (b) may not be applied to a new solid waste disposal facility or to expansion of an existing facility, unless the expansion is a vertical expansion. Vertical expansions of qualifying existing facilities cannot be permitted for a duration of longer than three years.

(d) The commissioner shall consult with the commissioner of management and budget for guidance on the forms of financial assurance that are acceptable for private owners and public owners, and in carrying out a periodic review of the adequacy of

financial assurance for solid waste disposal facilities. Financial assurance rules shall allow financial mechanisms to public owners of solid waste disposal facilities that are appropriate to their status as subdivisions of the state.

(e) Persons who wish the agency to consider unique financial assurance mechanisms to meet their obligations under this subdivision and subdivisions 4f and 4g must reimburse the agency for the costs of consultant services needed to complete a review to determine the appropriateness of the proposed mechanism. The reimbursement shall be in addition to any other fees imposed by law. Reimbursements accepted by the agency are deposited in the miscellaneous special revenue fund and appropriated to the agency for the cost to review the financial assurance mechanism.

Sec. 17. Minnesota Statutes 2010, section 127A.31, is amended to read:

127A.31 GOAL OF THE PERMANENT SCHOOL FUND.

The legislature intends that it is the goal of the permanent school fund to secure the maximum long-term economic return from the school trust lands consistent with the fiduciary responsibilities imposed by the trust relationship established in the Minnesota Constitution, ~~with sound natural resource conservation and management principles, and with other specific policy provided in state law.~~

Sec. 18. Minnesota Statutes 2010, section 357.021, subdivision 7, is amended to read:

Subd. 7. **Disbursement of surcharges by commissioner of management and budget.** (a) Except as provided in paragraphs (b), (c), and (d), the commissioner of management and budget shall disburse surcharges received under subdivision 6 and section 97A.065, subdivision 2, as follows:

(1) one percent shall be credited to the peace officer training account in the game and fish fund to provide and is annually appropriated to the commissioner of natural resources for peace officer training for employees of the Department of Natural Resources who are licensed under sections 626.84 to 626.863, and who possess peace officer authority for the purpose of enforcing game and fish laws;

(2) 39 percent shall be credited to the peace officers training account in the special revenue fund; and

(3) 60 percent shall be credited to the general fund.

(b) The commissioner of management and budget shall credit \$3 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, to the general fund.

(c) In addition to any amounts credited under paragraph (a), the commissioner of management and budget shall credit \$47 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, and the \$12 parking surcharge, to the general fund.

(d) If the Ramsey County Board of Commissioners authorizes imposition of the additional \$1 surcharge provided for in subdivision 6, paragraph (a), the court administrator in the Second Judicial District shall transmit the surcharge to the commissioner of management and budget. The \$1 special surcharge is deposited in a Ramsey County surcharge account in the special revenue fund and amounts in the account are appropriated to the trial courts for the administration of the petty misdemeanor diversion program operated by the Second Judicial District Ramsey County Violations Bureau.

Sec. 19. **WILD RICE STANDARDS; RULEMAKING.**

(a) Within 30 days of enactment, the commissioner of the Pollution Control Agency shall initiate a process to amend Minnesota Rules, chapter 7050, which may be accomplished through rulemaking already in progress related to the water quality standards contained in Minnesota Rules, chapter 7050. The amended rule shall designate each body of water, or specific portion thereof, to which the wild rice water quality standards apply and the specific times of year during which the standard applies. Before designating waters containing natural beds of wild rice as waters subject to a standard, the commissioner shall establish criteria for such waters after consultation with the commissioner of natural resources, Minnesota Indian tribes, and other interested parties and after public notice and comment. The criteria shall include, but not be limited to, documented history of wild rice harvests, minimum acreage, and wild rice density. Waters where individual wild rice plants or isolated, sparse stands of wild rice exist shall not be designated as subject to the standard.

(b) Within 30 days of enactment, the commissioner of the Pollution Control Agency must create an advisory group to provide input to the commissioner on a protocol for scientific research to assess the impacts of sulfates and other substances on the growth of wild rice, review research results, and provide other advice on the development of future rule amendments to protect wild rice. The advisory group must include representatives of tribal governments, municipal wastewater treatment facilities, industrial dischargers, wild rice harvesters, and wild rice research experts.

(c) After receiving the advice of the advisory group under paragraph (b), the commissioner shall, after consultation with the commissioner of natural resources and review of all available scientific research on water quality and other environmental impacts on the growth of wild rice, adopt and implement a wild rice research plan using

the funding appropriated for a wild rice standards study in this act to contract with appropriate scientific experts. The commissioner shall periodically review the results of the research with the commissioner of natural resources and the advisory group.

(d) Upon completion of the research referenced in paragraph (c), the commissioner shall initiate a process to amend Minnesota Rules to revise water quality standards related to the protection of wild rice to be consistent with the results of the research.

(e) Until the rule amendment described in paragraph (d) is complete, in any permit issued for the discharge of wastewater, the commissioner of the Pollution Control Agency may only require that the permittee monitor sulfate concentrations in discharges, and if appropriate based on site-specific conditions, implement a sulfate minimization plan to avoid or minimize sulfate concentrations during periods when wild rice may be susceptible to damage, but may not require expenditures for design and implementation of sulfate treatment technologies. Upon completion of the rule amendment processes described in paragraph (d), the commissioner of the Pollution Control Agency shall provide permittees a reasonable period of time in which to comply with the amended standards.

(f) By December 15, 2011, the commissioner shall submit a report to the chairs of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources policy and finance on the status of implementation of this section. The report must include an estimated timeline for completion of the wild rice research plan and initiation and completion of the formal rulemaking process under Minnesota Statutes, chapter 14.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 20. WILD RICE WATER QUALITY STANDARD.

Notwithstanding Minnesota Rules, part 7050.0224, subpart 2, the water quality standard for sulfates in Class 4A waters is 50 milligrams per liter, applicable to water used for production of wild rice during periods when the rice may be susceptible to damage by high sulfate levels. This standard is effective until the new standard developed through the rulemaking required under section 14 goes into effect.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 21. HARVEST OF TIMBER; STATE PARKS.

Notwithstanding Minnesota Statutes, section 86A.05, subdivision 2, or any other law to the contrary, the commissioner of natural resources shall assess the black walnut and other timber resources in Frontenac State Park and Whitewater State Park, harvest the

black walnut and timber resources suitable for harvest, and deposit the proceeds from the sale into the state parks account in the natural resources fund by June 30, 2013.

Sec. 22. **REPEALER.**

Minnesota Statutes 2010, section 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8, are repealed.

ARTICLE 4

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

Section 1. **MINNESOTA RESOURCES APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the environment and natural resources trust fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013. The appropriations in this article are onetime.

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2012</u>	<u>2013</u>

Sec. 2. **MINNESOTA RESOURCES**

<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>26,011,000</u>	<u>\$</u>	<u>25,261,000</u>
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<u>Appropriations by Fund</u>		
	<u>2012</u>	<u>2013</u>
<u>Environment and natural resources trust fund</u>	<u>25,261,000</u>	<u>25,261,000</u>
<u>State land and water conservation account (LAWCON)</u>	<u>750,000</u>	<u>-0-</u>

Appropriations are available for two years beginning July 1, 2011, unless otherwise stated in the appropriation. Any unencumbered balance remaining in the first

44.1	<u>year does not cancel and is available for the</u>		
44.2	<u>second year.</u>		
44.3	<u>Subd. 2. Definitions</u>		
44.4	<u>(a) "Trust fund" means the Minnesota</u>		
44.5	<u>environment and natural resources trust fund</u>		
44.6	<u>referred to in Minnesota Statutes, section</u>		
44.7	<u>116P.02, subdivision 6.</u>		
44.8	<u>(b) "State land and water conservation</u>		
44.9	<u>account (LAWCON)" means the state land</u>		
44.10	<u>and water conservation account in the natural</u>		
44.11	<u>resources fund referred to in Minnesota</u>		
44.12	<u>Statutes, section 116P.14.</u>		
44.13	<u>Subd. 3. Natural Resource Data and</u>		
44.14	<u>Information</u>	<u>3,867,000</u>	<u>5,368,000</u>
44.15	<u>(a) Minnesota County Biological Survey</u>		
44.16	<u>\$1,125,000 the first year and \$1,125,000</u>		
44.17	<u>the second year are from the trust fund</u>		
44.18	<u>to the commissioner of natural resources</u>		
44.19	<u>for continuation of the Minnesota county</u>		
44.20	<u>biological survey to provide a foundation</u>		
44.21	<u>for conserving biological diversity by</u>		
44.22	<u>systematically collecting, interpreting,</u>		
44.23	<u>and delivering data on plant and animal</u>		
44.24	<u>distribution and ecology, native plant</u>		
44.25	<u>communities, and functional landscapes.</u>		
44.26	<u>(b) County Geologic Atlases for</u>		
44.27	<u>Sustainable Water Management</u>		
44.28	<u>\$900,000 the first year and \$900,000 the</u>		
44.29	<u>second year are from the trust fund to</u>		
44.30	<u>accelerate the production of county geologic</u>		
44.31	<u>atlases to provide information essential to</u>		
44.32	<u>sustainable management of ground water</u>		
44.33	<u>resources by defining aquifer boundaries</u>		
44.34	<u>and the connection of aquifers to the land</u>		

45.1 surface and surface water resources. Of
45.2 this appropriation, \$600,000 each year is
45.3 to the Board of Regents of the University
45.4 of Minnesota for the Geologic Survey and
45.5 \$300,000 each year is to the commissioner
45.6 of natural resources. This appropriation
45.7 is available until June 30, 2015, by which
45.8 time the project must be completed and final
45.9 products delivered.

45.10 **(c) Completion of Statewide Digital Soil**
45.11 **Survey**

45.12 \$250,000 the first year and \$250,000 the
45.13 second year are from the trust fund to
45.14 the Board of Water and Soil Resources
45.15 to accelerate the completion of county
45.16 soil survey mapping and Web-based data
45.17 delivery. The soil surveys must be done on a
45.18 cost-share basis with local and federal funds.

45.19 **(d) Updating National Wetlands Inventory**
45.20 **for Minnesota - Phase III**

45.21 \$1,500,000 the second year is from the trust
45.22 fund to the commissioner of natural resources
45.23 to continue the update of wetland inventory
45.24 maps for Minnesota. This appropriation
45.25 is available until June 30, 2015, by which
45.26 time the project must be completed and final
45.27 products delivered.

45.28 **(e) Golden Eagle Survey**

45.29 \$45,000 the first year and \$45,000 the
45.30 second year are from the trust fund to the
45.31 commissioner of natural resources for an
45.32 agreement with the National Eagle Center to
45.33 increase the understanding of golden eagles
45.34 in Minnesota through surveys and education.
45.35 This appropriation is available until June

46.1 30, 2014, by which time the project must be
46.2 completed and final products delivered.

46.3 **(f) Determining Causes of Mortality in**
46.4 **Moose Populations**

46.5 \$300,000 the first year and \$300,000 the
46.6 second year are from the trust fund to
46.7 the commissioner of natural resources to
46.8 determine specific causes of moose mortality
46.9 and population decline in Minnesota and
46.10 to develop specific management actions to
46.11 prevent further population decline. This
46.12 appropriation is available until June 30,
46.13 2014, by which time the project must be
46.14 completed and final products delivered.

46.15 **(g) Prairie Management for Wildlife and**
46.16 **Bioenergy - Phase II**

46.17 \$300,000 the first year and \$300,000 the
46.18 second year are from the trust fund to the
46.19 Board of Regents of the University of
46.20 Minnesota to research and evaluate methods
46.21 of managing diverse working prairies for
46.22 wildlife and renewable bioenergy production.
46.23 This appropriation is available until June
46.24 30, 2014, by which time the project must be
46.25 completed and final products delivered.

46.26 **(h) Evaluation of Biomass Harvesting**
46.27 **Impacts on Minnesota's Forests**

46.28 \$175,000 the first year and \$175,000 the
46.29 second year are from the trust fund to the
46.30 Board of Regents of the University of
46.31 Minnesota to assess the impacts biomass
46.32 harvests for energy have on soil nutrients,
46.33 native forest vegetation, invasive species
46.34 spread, and long-term tree productivity within
46.35 Minnesota's forests. This appropriation is

47.1 available until June 30, 2014, by which time
47.2 the project must be completed and final
47.3 products delivered.

47.4 **(i) Change and Resilience in Boreal Forests**
47.5 **in Northern Minnesota**

47.6 \$100,000 the first year and \$100,000 the
47.7 second year are from the trust fund to the
47.8 Board of Regents of the University of
47.9 Minnesota to assess the potential response
47.10 of northern Minnesota's boreal forests to
47.11 observed and predicted changes in climate
47.12 conditions and develop related management
47.13 guidelines and adaptation strategies. This
47.14 appropriation is available until June 30,
47.15 2014, by which time the project must be
47.16 completed and final products delivered.

47.17 **(j) Information System for Wildlife and**
47.18 **Aquatic Management Areas**

47.19 \$250,000 the first year and \$250,000 the
47.20 second year are from the trust fund to the
47.21 commissioner of natural resources to develop
47.22 an information system to facilitate improved
47.23 management of wildlife and fish habitat and
47.24 facilities. This appropriation is available
47.25 until June 30, 2014, by which time the
47.26 project must be completed and final products
47.27 delivered.

47.28 **(k) Strengthening Natural Resource**
47.29 **Management with LiDAR Training**

47.30 \$90,000 the first year and \$90,000 the second
47.31 year are from the trust fund to the Board of
47.32 Regents of the University of Minnesota to
47.33 provide workshops and Web-based training
47.34 and information on the use of LiDAR

48.1 elevation data in planning for and managing
48.2 natural resources.

48.3 **(l) Measuring Conservation Practice**

48.4 **Outcomes**

48.5 \$170,000 the first year and \$170,000 the
48.6 second year are from the trust fund to
48.7 the Board of Water and Soil Resources
48.8 to improve measurement of impacts of
48.9 conservation practices through refinement
48.10 of existing and development of new
48.11 pollution estimators and by providing local
48.12 government training.

48.13 **(m) Conservation-Based Approach for**

48.14 **Assessing Public Drainage Benefits**

48.15 \$75,000 the first year and \$75,000 the second
48.16 year are from the trust fund to the Board
48.17 of Water and Soil Resources to develop an
48.18 alternative framework to assess drainage
48.19 benefits on public systems to enhance water
48.20 conservation. This appropriation is available
48.21 until June 30, 2014, by which time the
48.22 project must be completed and final products
48.23 delivered.

48.24 **(n) Mississippi River Central Minnesota**

48.25 **Conservation Planning**

48.26 \$87,000 the first year and \$88,000 the
48.27 second year are from the trust fund to the
48.28 commissioner of natural resources for an
48.29 agreement with Stearns County Soil and
48.30 Water Conservation District to develop
48.31 and adopt river protection strategies in
48.32 cooperation with local jurisdictions in
48.33 the communities of the 26 miles of the
48.34 Mississippi River between Benton and
48.35 Stearns Counties. This appropriation must

49.1	<u>be matched by \$175,000 of nonstate cash or</u>		
49.2	<u>qualifying in-kind funds.</u>		
49.3	<u>Subd. 4. Land, Habitat, and Recreation</u>	<u>15,173,000</u>	<u>12,584,000</u>
49.4	<u>Summary by Fund</u>		
49.5	<u>Environment and</u>		
49.6	<u>natural resources</u>		
49.7	<u>trust fund</u>	<u>14,423,000</u>	<u>12,584,000</u>
49.8	<u>State land and</u>		
49.9	<u>water conservation</u>		
49.10	<u>account (LAWCON)</u>	<u>750,000</u>	<u>-0-</u>
49.11	<u>(a) Lake Vermilion State Park</u>		
49.12	<u>Development</u>		
49.13	<u>\$2,421,000 the first year and \$579,000 the</u>		
49.14	<u>second year are from the trust fund to the</u>		
49.15	<u>commissioner of natural resources for initial</u>		
49.16	<u>phases of development of Lake Vermilion</u>		
49.17	<u>State Park. A master plan must be completed</u>		
49.18	<u>and a specific list of proposed projects</u>		
49.19	<u>and project elements must be provided to</u>		
49.20	<u>the Legislative-Citizen Commission on</u>		
49.21	<u>Minnesota Resources before any expenditure</u>		
49.22	<u>of money appropriated in this paragraph.</u>		
49.23	<u>(b) State Parks and Trails Land</u>		
49.24	<u>Acquisition</u>		
49.25	<u>\$1,500,000 the first year and \$1,500,000 the</u>		
49.26	<u>second year are from the trust fund to the</u>		
49.27	<u>commissioner of natural resources to acquire</u>		
49.28	<u>state trails and critical parcels within the</u>		
49.29	<u>statutory boundaries of state parks. State</u>		
49.30	<u>park land acquired with this appropriation</u>		
49.31	<u>must be sufficiently improved to meet at</u>		
49.32	<u>least minimum management standards, as</u>		
49.33	<u>determined by the commissioner of natural</u>		
49.34	<u>resources. A list of proposed acquisitions</u>		
49.35	<u>must be provided as part of the work</u>		
49.36	<u>program. This appropriation is available</u>		

50.1 until June 30, 2014, by which time the
50.2 project must be completed and final products
50.3 delivered.

50.4 **(c) Metropolitan Regional Park System**

50.5 **Acquisition**

50.6 \$1,125,000 the first year and \$1,125,000
50.7 the second year are from the trust fund to
50.8 the Metropolitan Council for grants for the
50.9 acquisition of lands within the approved park
50.10 unit boundaries of the metropolitan regional
50.11 park system. This appropriation may not
50.12 be used for the purchase of residential
50.13 structures. A list of proposed fee title and
50.14 easement acquisitions must be provided as
50.15 part of the required work program. This
50.16 appropriation must be matched by at least
50.17 40 percent of nonstate money and must be
50.18 committed by December 31, 2011, or the
50.19 appropriation cancels. This appropriation
50.20 is available until June 30, 2014, at which
50.21 time the project must be completed and final
50.22 products delivered, unless an earlier date is
50.23 specified in the work program.

50.24 **(d) Regional Park, Trail, and Connection**

50.25 **Acquisition and Development Grants**

50.26 \$1,000,000 the first year and \$1,000,000 the
50.27 second year are from the trust fund to the
50.28 commissioner of natural resources to provide
50.29 matching grants to local units of government
50.30 for acquisition and development of regional
50.31 parks, regional trails, and trail connections.
50.32 The local match required for a grant to
50.33 acquire a regional park or regional outdoor
50.34 recreation area is two dollars of nonstate
50.35 money for each three dollars of state money.

51.1 This appropriation is available until June
51.2 30, 2014, by which time the project must be
51.3 completed and final products delivered.

51.4 **(e) State Recreation Area Acquisition and**
51.5 **Restoration**

51.6 \$820,000 the first year and \$820,000 the
51.7 second year are from the trust fund to
51.8 the commissioner of natural resources
51.9 to acquire lands with high-quality native
51.10 plant communities and rare features to
51.11 be established as state recreation areas as
51.12 provided in Minnesota Statutes, section
51.13 85.013, restore parts of state recreation
51.14 areas, and provide technical assistance and
51.15 outreach. A list of proposed acquisitions
51.16 must be provided as part of the required
51.17 work program. Land acquired with
51.18 this appropriation must be sufficiently
51.19 improved to meet at least minimum
51.20 management standards, as determined by
51.21 the commissioner of natural resources. This
51.22 appropriation is available until June 30,
51.23 2014, by which time the project must be
51.24 completed and final products delivered.

51.25 **(f) LaSalle Lake State Recreation Area**
51.26 **Acquisition**

51.27 \$1,000,000 the first year and \$1,000,000
51.28 the second year are from the trust fund to
51.29 the commissioner of natural resources for
51.30 an agreement with The Trust for Public
51.31 Land to acquire approximately 190 acres
51.32 to be designated as a state recreation area
51.33 as provided in Minnesota Statutes, section
51.34 85.013, on LaSalle Lake adjacent to the
51.35 upper Mississippi River. If this acquisition

52.1 is not completed by July 15, 2012, then the
52.2 appropriation is canceled. Up to \$10,000
52.3 may be retained by the Department of Natural
52.4 Resources at the request of The Trust for
52.5 Public Land for transaction costs, associated
52.6 professional services, and restoration needs.

52.7 **(g) Minnesota River Valley State**
52.8 **Recreation Area Acquisition**

52.9 \$1,000,000 the first year and \$1,000,000
52.10 the second year are from the trust fund
52.11 to the commissioner of natural resources
52.12 for an agreement with the Redwood Area
52.13 Communities Foundation to acquire lands
52.14 with high-quality native plant communities
52.15 and rare features to be established as state
52.16 recreation areas as provided in Minnesota
52.17 Statutes, section 85.013. A list of proposed
52.18 acquisitions must be provided as part of
52.19 the required work program. Land acquired
52.20 with this appropriation must be sufficiently
52.21 improved to meet at least minimum
52.22 management standards, as determined by
52.23 the commissioner of natural resources.
52.24 Up to \$54,000 may be retained by the
52.25 Department of Natural Resources at the
52.26 request of the Redwood Area Communities
52.27 Foundation for transaction costs, associated
52.28 professional services, and restoration needs.
52.29 This appropriation is available until June
52.30 30, 2014, by which time the project must be
52.31 completed and final products delivered.

52.32 **(h) Native Prairie Stewardship and Native**
52.33 **Prairie Bank Acquisition**

52.34 \$500,000 the first year and \$500,000 the
52.35 second year are from the trust fund to the

53.1 commissioner of natural resources to acquire
53.2 native prairie bank easements, prepare
53.3 baseline property assessments, restore and
53.4 enhance native prairie sites, and provide
53.5 technical assistance to landowners. This
53.6 appropriation is available until June 30,
53.7 2014, by which time the project must be
53.8 completed and final products delivered.

53.9 **(i) Metropolitan Conservation Corridors**
53.10 **(MeCC) - Phase VI**

53.11 \$1,737,000 the first year and \$1,738,000
53.12 the second year are from the trust fund
53.13 to the commissioner of natural resources
53.14 for the acceleration of agency programs
53.15 and cooperative agreements. Of this
53.16 appropriation, \$150,000 the first year
53.17 and \$150,000 the second year are to the
53.18 commissioner of natural resources for
53.19 agency programs and \$3,175,000 is for the
53.20 agreements as follows: \$100,000 the first
53.21 year and \$100,000 the second year with
53.22 Friends of the Mississippi River; \$517,000
53.23 the first year and \$518,000 the second year
53.24 with Dakota County; \$200,000 the first year
53.25 and \$200,000 the second year with Great
53.26 River Greening; \$220,000 the first year and
53.27 \$220,000 the second year with Minnesota
53.28 Land Trust; \$300,000 the first year and
53.29 \$300,000 the second year with Minnesota
53.30 Valley National Wildlife Refuge Trust, Inc.;
53.31 and \$250,000 the first year and \$250,000
53.32 the second year with The Trust for Public
53.33 Land for planning, restoring, and protecting
53.34 priority natural areas in the metropolitan area,
53.35 as defined under Minnesota Statutes, section
53.36 473.121, subdivision 2, and portions of the

54.1 surrounding counties, through contracted
54.2 services, technical assistance, conservation
54.3 easements, and fee title acquisition. Land
54.4 acquired with this appropriation must
54.5 be sufficiently improved to meet at least
54.6 minimum management standards, as
54.7 determined by the commissioner of natural
54.8 resources. Expenditures are limited to the
54.9 identified project corridor areas as defined in
54.10 the work program. This appropriation may
54.11 not be used for the purchase of habitable
54.12 residential structures, unless specified in the
54.13 work program. All conservation easements
54.14 must be perpetual and have a natural resource
54.15 management plan. Any land acquired in fee
54.16 title by the commissioner of natural resources
54.17 with money from this appropriation must
54.18 be designated as an outdoor recreation
54.19 unit under Minnesota Statutes, section
54.20 86A.07. The commissioner may similarly
54.21 designate any lands acquired in less than
54.22 fee title. A list of proposed restorations
54.23 and fee title and easement acquisitions
54.24 must be provided as part of the required
54.25 work program. An entity that acquires a
54.26 conservation easement with appropriations
54.27 from the trust fund must have a long-term
54.28 stewardship plan for the easement and a fund
54.29 established for monitoring and enforcing the
54.30 agreement as provided in subdivision 17.
54.31 This appropriation is available until June
54.32 30, 2014, by which time the project must be
54.33 completed and final products delivered.
54.34 **(j) Habitat Conservation Partnership**
54.35 **(HCP) - Phase VII**

55.1 \$1,737,000 the first year and \$1,738,000
55.2 the second year are from the trust fund
55.3 to the commissioner of natural resources
55.4 for the acceleration of agency programs
55.5 and cooperative agreements. Of this
55.6 appropriation, \$125,000 the first year
55.7 and \$125,000 the second year are to the
55.8 commissioner of natural resources for
55.9 agency programs and \$3,225,000 is for
55.10 agreements as follows: \$637,000 the first
55.11 year and \$638,000 the second year with
55.12 Ducks Unlimited, Inc.; \$38,000 the first year
55.13 and \$37,000 the second year with Friends
55.14 of Detroit Lakes Wetland Management
55.15 District; \$25,000 the first year and \$25,000
55.16 the second year with Leech Lake Band of
55.17 Ojibwe; \$225,000 the first year and \$225,000
55.18 the second year with Minnesota Land Trust;
55.19 \$200,000 the first year and \$200,000 the
55.20 second year with Minnesota Valley National
55.21 Wildlife Refuge Trust, Inc.; \$242,000 the
55.22 first year and \$243,000 the second year
55.23 with Pheasants Forever, Inc.; and \$245,000
55.24 the first year and \$245,000 the second year
55.25 with The Trust for Public Land to plan,
55.26 restore, and acquire fragmented landscape
55.27 corridors that connect areas of quality habitat
55.28 to sustain fish, wildlife, and plants. The
55.29 United States Department of Agriculture,
55.30 Natural Resources Conservation Service,
55.31 is an authorized cooperating partner in the
55.32 appropriation. Expenditures are limited to
55.33 the project corridor areas as defined in the
55.34 work program. Land acquired with this
55.35 appropriation must be sufficiently improved
55.36 to meet at least minimum habitat and facility

56.1 management standards, as determined by
56.2 the commissioner of natural resources.
56.3 This appropriation may not be used for the
56.4 purchase of habitable residential structures,
56.5 unless specified in the work program. All
56.6 conservation easements must be perpetual
56.7 and have a natural resource management
56.8 plan. Any land acquired in fee title by
56.9 the commissioner of natural resources
56.10 with money from this appropriation must
56.11 be designated as an outdoor recreation
56.12 unit under Minnesota Statutes, section
56.13 86A.07. The commissioner may similarly
56.14 designate any lands acquired in less than
56.15 fee title. A list of proposed restorations
56.16 and fee title and easement acquisitions
56.17 must be provided as part of the required
56.18 work program. An entity that acquires a
56.19 conservation easement with appropriations
56.20 from the trust fund must have a long-term
56.21 stewardship plan for the easement and a fund
56.22 established for monitoring and enforcing the
56.23 agreement as provided in subdivision 17.
56.24 This appropriation is available until June
56.25 30, 2014, by which time the project must be
56.26 completed and final products delivered.
56.27 **(k) Natural and Scenic Area Acquisition**
56.28 **Grants**
56.29 \$500,000 the first year and \$500,000 the
56.30 second year are from the trust fund to the
56.31 commissioner of natural resources to provide
56.32 matching grants to local governments for
56.33 acquisition of natural and scenic areas, as
56.34 provided in Minnesota Statutes, section
56.35 85.019, subdivision 4a. This appropriation
56.36 is available until June 30, 2014, by which

57.1 time the project must be completed and final
57.2 products delivered.

57.3 **(l) Acceleration of Minnesota Conservation**
57.4 **Assistance**

57.5 \$313,000 the first year and \$312,000 the
57.6 second year are from the trust fund to the
57.7 Board of Water and Soil Resources to provide
57.8 grants to soil and water conservation districts
57.9 to provide technical assistance to secure
57.10 enrollment and retention of private lands in
57.11 federal and state programs for conservation.

57.12 **(m) Conservation Easement Stewardship**
57.13 **and Enforcement Program - Phase II**

57.14 \$250,000 the first year and \$250,000 the
57.15 second year are from the trust fund to
57.16 the commissioner of natural resources to
57.17 accelerate the implementation of the Phase
57.18 I Conservation Easement Stewardship Plan
57.19 being developed with an appropriation
57.20 from Laws 2008, chapter 367, section 2,
57.21 subdivision 5, paragraph (h).

57.22 **(n) Recovery of At-Risk Native Prairie**
57.23 **Species**

57.24 \$73,000 the first year and \$74,000 the second
57.25 year are from the trust fund to the Board of
57.26 Water and Soil Resources for an agreement
57.27 with the Martin County Soil and Water
57.28 Conservation District to collect, propagate,
57.29 and plant declining, at-risk native species
57.30 on protected habitat and to enhance private
57.31 market sources for local ecotype native seed.
57.32 This appropriation is available until June
57.33 30, 2014, by which time the project must be
57.34 completed and final products delivered.

58.1 **(o) Understanding Threats, Genetic**

58.2 **Diversity, and Conservation Options for**

58.3 **Wild Rice**

58.4 \$97,000 the first year and \$98,000 the second
58.5 year are from the trust fund to the Board
58.6 of Regents of the University of Minnesota
58.7 to research the genetic diversity of wild
58.8 rice population throughout Minnesota for
58.9 use in related conservation and restoration
58.10 efforts. This appropriation is contingent upon
58.11 demonstration of review and cooperation
58.12 with the Native American tribal nations
58.13 in Minnesota. Equipment purchased with
58.14 this appropriation must be available for
58.15 future publicly funded projects at no charge
58.16 except for typical operating expenses. This
58.17 appropriation is available until June 30,
58.18 2014, by which time the project must be
58.19 completed and final products delivered.

58.20 **(p) Southeast Minnesota Stream**

58.21 **Restoration**

58.22 \$125,000 the first year and \$125,000 the
58.23 second year are from the trust fund to the
58.24 commissioner of natural resources for an
58.25 agreement with Trout Unlimited to restore at
58.26 least four miles of riparian corridor for trout
58.27 and nongame species in southeast Minnesota
58.28 and increase local capacities to implement
58.29 stream restoration through training and
58.30 technical assistance. This appropriation is
58.31 available until June 30, 2014, by which time
58.32 the project must be completed and final
58.33 products delivered.

58.34 **(q) Restoration Strategies for Ditched**

58.35 **Peatland Scientific and Natural Areas**

59.1 \$100,000 the first year and \$100,000 the
59.2 second year are from the trust fund to the
59.3 commissioner of natural resources to evaluate
59.4 the hydrology and habitat of the Winter Road
59.5 Lake peatland watershed protection area to
59.6 determine the effects of ditch abandonment
59.7 and examine the potential for restoration
59.8 of patterned peatlands. This appropriation
59.9 is available until June 30, 2014, by which
59.10 time the project must be completed and final
59.11 products delivered.

59.12 **(r) Northeast Minnesota White Cedar**

59.13 **Plant Community Restoration**

59.14 \$125,000 for the first year and \$125,000
59.15 the second year are from the trust fund to
59.16 the Board of Water and Soil Resources to
59.17 assess the decline of northern white cedar
59.18 plant communities in northeast Minnesota,
59.19 prioritize cedar sites for restoration, and
59.20 provide cedar restoration training to local
59.21 units of government.

59.22 **(s) Land and Water Conservation Account**

59.23 **(LAWCON) Federal Reimbursement**

59.24 \$750,000 is from the state land and water
59.25 conservation account (LAWCON) in the
59.26 natural resources fund to the commissioner of
59.27 natural resources for priorities established by
59.28 the commissioner for eligible state projects
59.29 and administrative and planning activities
59.30 consistent with Minnesota Statutes, section
59.31 116P.14, and the federal Land and Water
59.32 Conservation Fund Act. This appropriation
59.33 is available until June 30, 2014, by which
59.34 time the project must be completed and final
59.35 products delivered.

60.1	<u>Subd. 5. Water Resources</u>	<u>778,000</u>	<u>779,000</u>
60.2	<u>(a) Itasca County Sensitive Lakeshore</u>		
60.3	<u>Identification</u>		
60.4	<u>\$80,000 the first year and \$80,000 the</u>		
60.5	<u>second year are from the trust fund to the</u>		
60.6	<u>commissioner of natural resources for an</u>		
60.7	<u>agreement with Itasca County Soil and Water</u>		
60.8	<u>Conservation District to identify sensitive</u>		
60.9	<u>lakeshore and restorable shoreline in Itasca</u>		
60.10	<u>County. Up to \$130,000 may be retained by</u>		
60.11	<u>the Department of Natural Resources at the</u>		
60.12	<u>request of Itasca County to provide technical</u>		
60.13	<u>assistance.</u>		
60.14	<u>(b) Trout Stream Springshed Mapping in</u>		
60.15	<u>Southeast Minnesota - Phase III</u>		
60.16	<u>\$250,000 the first year and \$250,000 the</u>		
60.17	<u>second year are from the trust fund to</u>		
60.18	<u>continue to identify and delineate water</u>		
60.19	<u>supply areas and springsheds for springs</u>		
60.20	<u>serving as cold water sources for trout</u>		
60.21	<u>streams and to assess the impacts from</u>		
60.22	<u>development and water appropriations. Of</u>		
60.23	<u>this appropriation, \$140,000 each year is to</u>		
60.24	<u>the Board of Regents of the University of</u>		
60.25	<u>Minnesota and \$110,000 each year is to the</u>		
60.26	<u>commissioner of natural resources.</u>		
60.27	<u>(c) Mississippi River Water Quality</u>		
60.28	<u>Assessment</u>		
60.29	<u>\$278,000 the first year and \$279,000 the</u>		
60.30	<u>second year are from the trust fund to the</u>		
60.31	<u>Board of Regents of the University of</u>		
60.32	<u>Minnesota to assess water quality in the</u>		
60.33	<u>Mississippi River using DNA sequencing</u>		
60.34	<u>approaches and chemical analyses. The</u>		

61.1 assessments shall be incorporated into
61.2 a Web-based educational tool for use
61.3 in classrooms and public exhibits. This
61.4 appropriation is available until June 30,
61.5 2014, by which time the project must be
61.6 completed and final products delivered.

61.7 **(d) Zumbro River Watershed Restoration**
61.8 **Prioritization**

61.9 \$75,000 the first year and \$75,000 the
61.10 second year are from the trust fund to the
61.11 commissioner of natural resources for an
61.12 agreement with the Zumbro Watershed
61.13 Partnership, Inc. to identify sources of
61.14 erosion and runoff in the Zumbro River
61.15 Watershed in order to prioritize restoration
61.16 and protection projects.

61.17 **(e) Assessment of Minnesota River**
61.18 **Antibiotic Concentrations**

61.19 \$95,000 the first year and \$95,000 the
61.20 second year are from the trust fund to the
61.21 commissioner of natural resources for an
61.22 agreement with Saint Thomas University
61.23 in cooperation with Gustavus Adolphus
61.24 College and the University of Minnesota
61.25 to measure antibiotic concentrations and
61.26 antibiotic resistance levels at sites on the
61.27 Minnesota River.

61.28 **Subd. 6. Aquatic and Terrestrial Invasive**
61.29 **Species**

435,000 435,000

61.30 **(a) Improved Detection of Harmful**
61.31 **Microbes in Ballast Water**
61.32 \$125,000 the first year and \$125,000 the
61.33 second year are from the trust fund to the
61.34 Board of Regents of the University of
61.35 Minnesota for the University of Minnesota

62.1 Duluth to identify and analyze potentially
62.2 harmful bacteria transported into Lake
62.3 Superior through ship ballast water
62.4 discharge. This appropriation is available
62.5 until June 30, 2014, by which time the
62.6 project must be completed and final products
62.7 delivered.

62.8 **(b) Emerald Ash Borer Biocontrol**

62.9 **Research and Implementation**

62.10 \$250,000 the first year and \$250,000 the
62.11 second year are from the trust fund to the
62.12 commissioner of agriculture to assess a
62.13 biocontrol method for suppressing emerald
62.14 ash borers by testing bioagent winter survival
62.15 potential, developing release and monitoring
62.16 methods, and piloting implementation
62.17 of emerald ash borer biocontrol. This
62.18 appropriation is available until June 30,
62.19 2014, by which time the project must be
62.20 completed and final products delivered.

62.21 **(c) Evaluation of Switchgrass as Biofuel**

62.22 **Crop**

62.23 \$60,000 the first year and \$60,000 the second
62.24 year are from the trust fund to the Minnesota
62.25 State Colleges and Universities System for
62.26 Central Lakes College in cooperation with
62.27 the University of Minnesota to determine
62.28 the invasion risk of selectively bred
62.29 native grasses for biofuel production and
62.30 develop strategies to minimize the invasion
62.31 potential and impacts on biodiversity. This
62.32 appropriation is available until June 30,
62.33 2014, by which time the project must be
62.34 completed and final products delivered.

62.35	<u>Subd. 7. Renewable Energy and Air Quality</u>	<u>75,000</u>	<u>75,000</u>
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63.1	<u>Supporting Community-Driven</u>		
63.2	<u>Sustainable Bioenergy Projects</u>		
63.3	<u>\$75,000 the first year and \$75,000 the</u>		
63.4	<u>second year are from the trust fund to</u>		
63.5	<u>the commissioner of natural resources</u>		
63.6	<u>for an agreement with Dovetail Partners,</u>		
63.7	<u>Inc. in cooperation with the University of</u>		
63.8	<u>Minnesota to assess feasibility, impacts,</u>		
63.9	<u>and management needs of community-scale</u>		
63.10	<u>forest bioenergy systems through pilot</u>		
63.11	<u>studies in Ely and Cook County and to</u>		
63.12	<u>disseminate findings to inform related efforts</u>		
63.13	<u>in other communities.</u>		
63.14	<u>Subd. 8. Environmental Education</u>	<u>123,000</u>	<u>123,000</u>
63.15	<u>Youth-Led Renewable Energy and</u>		
63.16	<u>Energy Conservation in West Central and</u>		
63.17	<u>Southwest Minnesota</u>		
63.18	<u>\$123,000 the first year and \$123,000 the</u>		
63.19	<u>second year are from the trust fund to</u>		
63.20	<u>the commissioner of natural resources</u>		
63.21	<u>for an agreement with Prairie Woods</u>		
63.22	<u>Environmental Learning Center to initiate</u>		
63.23	<u>youth-led renewable energy and conservation</u>		
63.24	<u>projects in over 30 communities in west</u>		
63.25	<u>central and southwest Minnesota.</u>		
63.26	<u>Subd. 9. Emerging Issues</u>	<u>4,984,000</u>	<u>5,324,000</u>
63.27	<u>(a) Minnesota Conservation Apprentice</u>		
63.28	<u>Academy</u>		
63.29	<u>\$100,000 the first year and \$100,000 the</u>		
63.30	<u>second year are from the trust fund to</u>		
63.31	<u>the Board of Water and Soil Resources</u>		
63.32	<u>in cooperation with Conservation Corps</u>		
63.33	<u>Minnesota to train and mentor future</u>		
63.34	<u>conservation professionals by providing</u>		

64.1 apprenticeship service opportunities to
64.2 soil and water conservation districts. This
64.3 appropriation is available until June 30,
64.4 2014, by which time the project must be
64.5 completed and the final products delivered.

64.6 **(b) Wild Rice Standards**

64.7 \$1,000,000 the first year is from the trust
64.8 fund to the commissioner of the Pollution
64.9 Control Agency for a wild rice standards
64.10 study. This appropriation is available until
64.11 June 30, 2015.

64.12 **(c) Chronic Wasting Disease and Animal**
64.13 **Health**

64.14 \$600,000 the first year and \$600,000 the
64.15 second year are from the trust fund to the
64.16 commissioner of natural resources to address
64.17 chronic wasting disease and accelerate
64.18 wildlife health programs.

64.19 **(d) Aquatic Invasive Species**

64.20 \$1,822,000 the first year and \$3,804,000
64.21 the second year are from the trust fund
64.22 to the commissioner of natural resources
64.23 to accelerate aquatic invasive species
64.24 programs, including the development
64.25 and implementation of best management
64.26 practices for public water access facilities
64.27 to implement aquatic invasive species
64.28 prevention strategies.

64.29 **(e) Coon Rapids Dam**

64.30 \$442,000 the first year is from the trust fund
64.31 to the commissioner of natural resources
64.32 for a grant to Three Rivers Park District for
64.33 predesign and design of the Coon Rapids

65.1 Dam for improvements and to function as a
65.2 barrier to invasive fish.

65.3 **(f) Accelerated Land Sales and Exchanges**

65.4 \$200,000 the first year is from the trust fund
65.5 to the commissioner of natural resources to
65.6 accelerate evaluation of the department's
65.7 land holdings and sell, exchange, and
65.8 acquire property more efficiently and
65.9 effectively to achieve the department's land
65.10 management goals in counties where public
65.11 land ownership exceeds 50 percent.

65.12 **(g) Environment and Natural Resources**

65.13 **Trust Fund Land Management Account**

65.14 \$820,00 the first year and \$820,000 the
65.15 second year are to the commissioner of
65.16 management and budget to be deposited
65.17 into the environment and natural resources
65.18 trust fund land management account within
65.19 the special revenue fund to be used to pay
65.20 for future restoration and enhancement of
65.21 lands purchased in fee with money from the
65.22 trust fund and held by the state and to make
65.23 the payments required under Minnesota
65.24 Statutes, sections 97A.061, subdivision 1,
65.25 and 477A.12.

65.26 **Subd. 10. Administration and Contract**
65.27 **Management**

576,000

573,000

65.28 **(a) Legislative-Citizen Commission on**

65.29 **Minnesota Resources (LCCMR)**

65.30 \$473,000 the first year and \$473,000 the
65.31 second year are from the trust fund to the
65.32 LCCMR for administration as provided
65.33 in Minnesota Statutes, section 116P.09,
65.34 subdivision 5.

65.35 **(b) Contract Management**

66.1 \$100,000 the first year and \$100,000 the
66.2 second year are from the trust fund to
66.3 the commissioner of natural resources
66.4 for expenses incurred for contract fiscal
66.5 services for the agreements specified in this
66.6 section. The commissioner shall provide
66.7 documentation to the Legislative-Citizen
66.8 Commission on Minnesota Resources
66.9 on the expenditure of these funds. This
66.10 appropriation is available until June 30, 2014.

66.11 **(c) LCC Web Site**

66.12 \$3,000 in the first year is appropriated to the
66.13 Legislative Coordinating Commission for
66.14 the Web site required in Minnesota Statutes,
66.15 section 3.303, subdivision 10.

66.16 **Subd. 11. Availability of Appropriations**

66.17 Money appropriated in this section may
66.18 not be spent on activities unless they are
66.19 directly related to the specific appropriation
66.20 and are specified in the work program.

66.21 Money appropriated in this section must
66.22 not be spent on indirect costs or other
66.23 institutional overhead charges. Unless
66.24 otherwise provided, the amounts in this
66.25 section are available until June 30, 2013,
66.26 when projects must be completed and final
66.27 products delivered. For acquisition of real
66.28 property, the amounts in this section are
66.29 available until June 30, 2014, if a binding
66.30 contract is entered into by June 30, 2013,
66.31 and closed not later than June 30, 2014. If
66.32 a project receives a federal grant, the time
66.33 period of the appropriation is extended to
66.34 equal the federal grant period.

66.35 **Subd. 12. Data Availability Requirements**

67.1 Data collected by the projects funded under
67.2 this section must conform to guidelines and
67.3 standards adopted by the Office of Enterprise
67.4 Technology. Spatial data also must conform
67.5 to additional guidelines and standards
67.6 designed to support data coordination and
67.7 distribution that have been published by the
67.8 Minnesota Geospatial Information Office.
67.9 Descriptions of spatial data must be prepared
67.10 as specified in the state's geographic metadata
67.11 guideline and must be submitted to the
67.12 Minnesota Geospatial Information Office.
67.13 All data must be accessible and free to the
67.14 public unless made private under the Data
67.15 Practices Act, Minnesota Statutes, chapter
67.16 13.

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

67.22 Subd. 13. **Project Requirements**

67.23 (a) As a condition of accepting an
67.24 appropriation under this section, any agency
67.25 or entity receiving an appropriation or a
67.26 party to an agreement from an appropriation
67.27 must comply with paragraphs (b) to (k) and
67.28 Minnesota Statutes, chapter 116P, and must
67.29 submit a work program and semiannual
67.30 progress reports in the form determined
67.31 by the Legislative-Citizen Commission on
67.32 Minnesota Resources for any project funded
67.33 in whole or in part with funds from the
67.34 appropriation.

68.1 (b) For all restorations conducted with money
68.2 appropriated under this section, a recipient
68.3 must prepare an ecological restoration
68.4 and management plan that, to the degree
68.5 practicable, is consistent with the highest
68.6 quality conservation and ecological goals for
68.7 the restoration site. Consideration should
68.8 be given to soil, geology, topography, and
68.9 other relevant factors that would provide
68.10 the best chance for long-term success of the
68.11 restoration projects. The plan must include
68.12 the proposed timetable for implementing
68.13 the restoration, including site preparation,
68.14 establishment of diverse plant species,
68.15 maintenance, and additional enhancement to
68.16 establish the restoration; identify long-term
68.17 maintenance and management needs of
68.18 the restoration and how the maintenance,
68.19 management, and enhancement will be
68.20 financed; and take advantage of the best
68.21 available science and include innovative
68.22 techniques to achieve the best restoration.

68.23 (c) Any entity receiving an appropriation in
68.24 this section for restoration activities must
68.25 provide an initial restoration evaluation
68.26 at the completion of the appropriation
68.27 and an evaluation three years beyond the
68.28 completion of the expenditure. Restorations
68.29 must be evaluated relative to the stated
68.30 goals and standards in the restoration plan,
68.31 current science, and, when applicable, the
68.32 Board of Water and Soil Resources' native
68.33 vegetation establishment and enhancement
68.34 guidelines. The evaluation shall determine
68.35 whether the restorations are meeting planned
68.36 goals, identify any problems with the

69.1 implementation of the restorations, and,
69.2 if necessary, give recommendations on
69.3 improving restorations. The evaluation shall
69.4 be focused on improving future restorations.

69.5 (d) Except as otherwise provided in this
69.6 section, all restoration and enhancement
69.7 projects funded with money appropriated in
69.8 this section must be on land permanently
69.9 protected by a conservation easement or
69.10 public ownership or in public waters as
69.11 defined in Minnesota Statutes, section
69.12 103G.005, subdivision 15.

69.13 (e) A recipient of money from an
69.14 appropriation under this section must
69.15 give consideration to contracting with
69.16 Conservation Corps Minnesota or its
69.17 successor for contract restoration and
69.18 enhancement services.

69.19 (f) All conservation easements acquired with
69.20 money appropriated under this section must:

69.21 (1) be perpetual;
69.22 (2) specify the parties to an easement in the
69.23 easement;

69.24 (3) specify all of the provisions of an
69.25 agreement that are perpetual;

69.26 (4) be sent to the Office of the
69.27 Legislative-Citizen Commission on
69.28 Minnesota Resources in an electronic format;

69.29 (5) include a long-term monitoring and
69.30 enforcement plan and funding for monitoring
69.31 and enforcing the easement agreement; and

69.32 (6) include requirements in the easement
69.33 document to address specific water quality
69.34 protection activities such as keeping water

70.1 on the landscape, reducing nutrient and
70.2 contaminant loading, protecting groundwater,
70.3 and not permitting artificial hydrological
70.4 modifications.

70.5 (g) For any acquisition of land or interest in
70.6 land, a recipient of money appropriated under
70.7 this section must give priority to high quality
70.8 natural resources or conservation lands that
70.9 provide natural buffers to water resources.

70.10 (h) For new lands acquired with money
70.11 appropriated under this section, a recipient
70.12 must prepare a restoration and management
70.13 plan in compliance with paragraph
70.14 (b), including sufficient funding for
70.15 implementation unless the work program
70.16 addresses why a portion of the money is
70.17 not necessary to achieve a high-quality
70.18 restoration.

70.19 (i) To the extent an appropriation is used to
70.20 acquire an interest in real property, a recipient
70.21 of an appropriation under this section must
70.22 provide to the Legislative-Citizen
70.23 Commission on Minnesota Resources and
70.24 the commissioner of management and budget
70.25 an analysis of increased operations and
70.26 maintenance costs likely to be incurred by
70.27 public entities as a result of the acquisition
70.28 and how these costs are to be paid.

70.29 (j) To ensure public accountability for the
70.30 use of public funds, a recipient of money
70.31 appropriated under this section must provide
70.32 to the Legislative-Citizen Commission on
70.33 Minnesota Resources documentation of the
70.34 selection process used to identify parcels
70.35 acquired and provide documentation of all

71.1 related transaction costs, including but not
71.2 limited to appraisals, legal fees, recording
71.3 fees, commissions, other similar costs,
71.4 and donations. This information must be
71.5 provided for all parties involved in the
71.6 transaction. The recipient must also report
71.7 to the Legislative-Citizen Commission on
71.8 Minnesota Resources any difference between
71.9 the acquisition amount paid to the seller
71.10 and the state-certified or state-reviewed
71.11 appraisal, if a state-certified or state-reviewed
71.12 appraisal was conducted. Acquisition data
71.13 such as appraisals may remain private
71.14 during negotiations but must ultimately
71.15 be made public according to Minnesota
71.16 Statutes, chapter 13. The Legislative-Citizen
71.17 Commission on Minnesota Resources shall
71.18 review the requirement in this paragraph
71.19 and provide a recommendation on whether
71.20 to continue or modify the requirement in
71.21 future years. The commission may waive
71.22 the application of this paragraph for specific
71.23 projects.

71.24 (k) A recipient of an appropriation from
71.25 the trust fund under this section must
71.26 acknowledge financial support from the
71.27 Minnesota environment and natural resources
71.28 trust fund in project publications, signage,
71.29 and other public communications and
71.30 outreach related to work completed using the
71.31 appropriation. Acknowledgment may occur,
71.32 as appropriate, through use of the trust fund
71.33 logo or inclusion of language attributing
71.34 support from the trust fund.

71.35 **Subd. 14. Payment Conditions and Capital**
71.36 **Equipment Expenditures**

72.1 All agreements, grants, or contracts referred
72.2 to in this section must be administered on
72.3 a reimbursement basis unless otherwise
72.4 provided in this section. Notwithstanding
72.5 Minnesota Statutes, section 16A.41,
72.6 expenditures made on or after July 1,
72.7 2011, or the date specified in the work
72.8 program, whichever is later, are eligible for
72.9 reimbursement unless otherwise provided
72.10 in this section. Periodic payment must be
72.11 made upon receiving documentation that
72.12 the deliverable items articulated in the work
72.13 program have been achieved, including
72.14 partial achievements as evidenced by
72.15 progress reports. Reasonable amounts may
72.16 be advanced to projects to accommodate
72.17 cash flow needs or match federal money.
72.18 The advances must be specified in the
72.19 work program. No expenditures for capital
72.20 equipment are allowed unless specified in
72.21 the work program.
72.22 **Subd. 15. Purchase of Recycled and Recyclable**
72.23 **Materials**

72.24 A political subdivision, public or private
72.25 corporation, or other entity that receives an
72.26 appropriation under this section must use the
72.27 appropriation in compliance with Minnesota
72.28 Statutes, section 16B.121, regarding
72.29 purchase of recycled, repairable, and durable
72.30 materials; and Minnesota Statutes, section
72.31 16B.122, regarding purchase and use of
72.32 paper stock and printing.

72.33 **Subd. 16. Energy Conservation and**
72.34 **Sustainable Building Guidelines**

72.35 A recipient to whom an appropriation is made
72.36 under this section for a capital improvement

73.1 project must ensure that the project complies
73.2 with the applicable energy conservation and
73.3 sustainable building guidelines and standards
73.4 contained in law, including Minnesota
73.5 Statutes, sections 16B.325, 216C.19, and
73.6 216C.20, and rules adopted under those
73.7 sections. The recipient may use the energy
73.8 planning, advocacy, and State Energy Office
73.9 units of the Department of Commerce to
73.10 obtain information and technical assistance
73.11 on energy conservation and alternative
73.12 energy development relating to the planning
73.13 and construction of the capital improvement
73.14 project.

73.15 **Subd. 17. Easement Monitoring and**
73.16 **Enforcement Requirements**

73.17 Money appropriated under this section and
73.18 adjustments made under subdivision 20 for
73.19 easement monitoring and enforcement may
73.20 be spent only on activities included in an
73.21 easement monitoring and enforcement plan
73.22 contained within the work program. Money
73.23 received for monitoring and enforcement,
73.24 including earnings on the money received,
73.25 shall be kept in a monitoring and enforcement
73.26 fund held by the organization and dedicated
73.27 to monitoring and enforcing conservation
73.28 easements within Minnesota. Within 120
73.29 days after the close of the entity's fiscal
73.30 year, an entity receiving appropriations
73.31 for easement monitoring and enforcement
73.32 must provide an annual financial report
73.33 to the Legislative-Citizen Commission
73.34 on Minnesota Resources on the easement
73.35 monitoring and enforcement fund as specified
73.36 in the work program. Money appropriated

74.1 under this section for monitoring and
74.2 enforcement of easements and earnings on
74.3 the money appropriated shall revert to the
74.4 state if:

74.5 (1) the easement transfers to the state;

74.6 (2) the holder of the easement fails to file
74.7 an annual report and then fails to cure that
74.8 default within 30 days of notification of the
74.9 default by the state; or

74.10 (3) the holder of the easement fails to
74.11 comply with the terms of the monitoring and
74.12 enforcement plan contained within the work
74.13 program and fails to cure that default within
74.14 90 days of notification of the default by the
74.15 state.

74.16 Subd. 18. **Accessibility**

74.17 Structural and nonstructural facilities must
74.18 meet the design standards in the Americans
74.19 with Disabilities Act (ADA) accessibility
74.20 guidelines.

74.21 Subd. 19. **Carryforward**

74.22 (a) The availability of the appropriation for
74.23 the following projects is extended to June
74.24 30, 2012:

74.25 (1) Laws 2008, chapter 367, section
74.26 2, subdivision 4, paragraph (f), Native
74.27 Shoreland Buffer Incentives Program;

74.28 (2) Laws 2008, chapter 367, section 2,
74.29 subdivision 4, paragraph (g), Southeast
74.30 Minnesota Stream Restoration Projects;

74.31 (3) Laws 2009, chapter 143, section 2,
74.32 subdivision 4, paragraph (a), State Park
74.33 Acquisition;

75.1 (4) Laws 2009, chapter 143, section 2,
75.2 subdivision 4, paragraph (b), State Trail
75.3 Acquisition;

75.4 (5) Laws 2009, chapter 143, section 2,
75.5 subdivision 6, paragraph (c), Improving
75.6 Emerging Fish Disease Surveillance in
75.7 Minnesota; and

75.8 (6) Laws 2009, chapter 143, section 2,
75.9 subdivision 8, paragraph (a), Contract
75.10 Management.

75.11 (b) The availability of the appropriation for
75.12 the following project is extended to June 30,
75.13 2013:

75.14 (1) Laws 2010, chapter 362, section 2,
75.15 subdivision 8, paragraph (f), Expanding
75.16 Outdoor Classrooms at Minnesota Schools;
75.17 and

75.18 (2) Laws 2010, chapter 362, section 2,
75.19 subdivision 8, paragraph (g), Integrating
75.20 Environmental and Outdoor Education in
75.21 Grades 7-12.

75.22 **Subd. 20. Appropriations Adjustment**

75.23 **(a) Metropolitan Conservation Corridors**

75.24 (1) Of the amount appropriated in Laws
75.25 2003, chapter 128, article 1, section 9,
75.26 subdivision 5, paragraph (b), \$48,000 is for
75.27 deposit in a monitoring and enforcement
75.28 account as authorized in subdivision 17.

75.29 (2) Of the amount appropriated in Laws
75.30 2005, First Special Session chapter 1, article
75.31 2, section 11, subdivision 5, paragraph
75.32 (b), \$49,000 is for deposit in a monitoring
75.33 and enforcement account as authorized in
75.34 subdivision 17.

76.1 (3) Of the amount appropriated in Laws
76.2 2007, chapter 30, section 2, subdivision
76.3 4, paragraph (c), \$59,000 is for deposit in
76.4 a monitoring and enforcement account as
76.5 authorized in subdivision 17.

76.6 (4) Of the amount appropriated in Laws
76.7 2008, chapter 367, section 2, subdivision
76.8 3, paragraph (a), \$42,000 is for deposit in
76.9 a monitoring and enforcement account as
76.10 authorized in subdivision 17.

76.11 (5) Of the amount appropriated in Laws
76.12 2009, chapter 143, section 2, subdivision
76.13 4, paragraph (f), \$80,000 is for deposit in
76.14 a monitoring and enforcement account as
76.15 authorized in subdivision 17.

76.16 (6) Of the amount appropriated in Laws
76.17 2010, chapter 362, section 2, subdivision
76.18 4, paragraph (g), \$10,000 is for deposit in
76.19 a monitoring and enforcement account as
76.20 authorized in subdivision 17.

76.21 **(b) Habitat Conservation Partnership**

76.22 (1) Of the amount appropriated in Laws
76.23 2001, First Special Session chapter 2, section
76.24 14, subdivision 4, paragraph (e), \$288,000 is
76.25 for deposit in a monitoring and enforcement
76.26 account as authorized in subdivision 17.

76.27 (2) Of the amount appropriated in Laws
76.28 2003, chapter 128, article 1, section 9,
76.29 subdivision 5, paragraph (a), up to \$78,000 is
76.30 for deposit in a monitoring and enforcement
76.31 account as authorized in subdivision 17.

76.32 (3) Of the amount appropriated in Laws
76.33 2005, First Special Session chapter 1, section
76.34 11, subdivision 5, paragraph (a), \$25,000 is

77.1 for deposit in a monitoring and enforcement
77.2 account as authorized in subdivision 17.

77.3 (4) Of the amount appropriated in Laws
77.4 2007, chapter 30, section 2, subdivision
77.5 4, paragraph (b), \$69,000 is for deposit in
77.6 a monitoring and enforcement account as
77.7 authorized in subdivision 17.

77.8 (5) Of the amount appropriated in Laws
77.9 2008, chapter 367, section 2, subdivision
77.10 3, paragraph (c), \$66,000 is for deposit in
77.11 a monitoring and enforcement account as
77.12 authorized in subdivision 17.

77.13 (6) Of the amount appropriated in Laws
77.14 2009, chapter 143, section 2, subdivision
77.15 4, paragraph (e), \$60,000 is for deposit in
77.16 a monitoring and enforcement account as
77.17 authorized in subdivision 17.

77.18 (7) Of the amount appropriated in Laws
77.19 2010, chapter 362, section 2, subdivision
77.20 4, paragraph (f), \$30,000 is for deposit in
77.21 a monitoring and enforcement account as
77.22 authorized in subdivision 17.

77.23 **(c) Preserving the Avon Hills Landscape**

77.24 Of the amount appropriated in Laws 2008,
77.25 chapter 367, section 2, subdivision 3,
77.26 paragraph (d), \$120,000 is for deposit in
77.27 a monitoring and enforcement account as
77.28 authorized in subdivision 17.

77.29 **(d) New Models for Land-Use Planning**

77.30 Of the amount appropriated in Laws 1997,
77.31 chapter 216, section 15, subdivision 9,
77.32 paragraph (d), up to \$33,000 is for deposit
77.33 in a monitoring and enforcement account as
77.34 authorized in subdivision 17.

**(e) Conservation-Based Development
Program**

Of the amount appropriated in Laws 1999,
chapter 231, section 16, subdivision 8,
paragraph (e), \$5,000 is for deposit in a
monitoring and enforcement account as
authorized in subdivision 17.

Sec. 3. [84.0264] FEDERAL LAND AND WATER CONSERVATION FUNDS.

Subdivision 1. Designated agency. The Department of Natural Resources
is designated as the state agency to apply for, accept, receive, and disburse federal
reimbursement funds and private funds that are granted to the state of Minnesota from
section 6 of the federal Land and Water Conservation Fund Act.

Subd. 2. State land and water conservation account. A state land and water
conservation account is created in the natural resources fund. All of the money made
available to the state from funds granted under subdivision 1 shall be deposited in the
state land and water conservation account.

Subd. 3. Local share. Fifty percent of all money made available to the state
from funds granted under subdivision 1 shall be distributed for projects to be acquired,
developed, and maintained by local units of government, provided that any project
approved is consistent with a statewide or a county or regional recreational plan and
compatible with the statewide recreational plan. All money received by the commissioner
for local units of government is appropriated annually to carry out the purposes for which
the funds are received.

Subd. 4. State share. Fifty percent of the money made available to the state from
funds granted under subdivision 1 shall be used for state land acquisition and development
for the state outdoor recreation system under chapter 86A and the administrative expenses
necessary to maintain eligibility for the federal land and water conservation fund.

Sec. 4. Minnesota Statutes 2010, section 116P.04, is amended by adding a subdivision
to read:

**Subd. 6. Environment and natural resources trust fund land management
account.** An environment and natural resources trust fund land management account is
created as an account in the special revenue fund. The State Board of Investment shall
ensure the account is invested under section 11A.24. The commissioner of management
and budget shall credit to the account all money appropriated to the account and all money

79.1 earned by the account. The principal of the account and any unexpended earnings must
79.2 be invested and reinvested by the State Board of Investment. Nothing in this section
79.3 limits the source of contributions to the account. No more than five and one-half percent
79.4 of the market value of the account as of June 30 of the prior fiscal year is appropriated
79.5 to the commissioner of natural resources to pay for future restoration and enhancement
79.6 of lands purchased in fee with money from the environment and natural resources trust
79.7 fund and held by the state and to reimburse the general fund for payments made under
79.8 sections 97A.061, subdivision 1, and 477A.12 for lands purchased with funds from the
79.9 environment and natural resources trust fund.

79.10 Sec. 5. Minnesota Statutes 2010, section 116P.05, subdivision 2, is amended to read:

79.11 Subd. 2. **Duties.** (a) The commission shall recommend an annual or biennial
79.12 legislative bill for appropriations from the environment and natural resources trust fund and
79.13 shall adopt a strategic plan as provided in section 116P.08. Approval of the recommended
79.14 legislative bill requires an affirmative vote of at least 12 members of the commission.

79.15 ~~(b) The commission shall recommend expenditures to the legislature from the state~~
79.16 ~~land and water conservation account in the natural resources fund.~~

79.17 ~~(c) It is a condition of acceptance of the appropriations made from the Minnesota~~
79.18 ~~environment and natural resources trust fund, and oil overcharge money under section~~
79.19 ~~4.071, subdivision 2, that the agency or entity receiving the appropriation must submit~~
79.20 ~~a work program and semiannual progress reports in the form determined by the~~
79.21 ~~Legislative-Citizen Commission on Minnesota Resources, and comply with applicable~~
79.22 ~~reporting requirements under section 116P.16. None of the money provided may be spent~~
79.23 ~~unless the commission has approved the pertinent work program.~~

79.24 ~~(d) (c)~~ The peer review panel created under section 116P.08 must also review,
79.25 comment, and report to the commission on research proposals applying for an
79.26 appropriation from the oil overcharge money under section 4.071, subdivision 2.

79.27 ~~(e) (d)~~ The commission may adopt operating procedures to fulfill its duties under
79.28 this chapter.

79.29 ~~(f) (e)~~ As part of the operating procedures, the commission shall:

79.30 (1) ensure that members' expectations are to participate in all meetings related to
79.31 funding decision recommendations;

79.32 (2) recommend adequate funding for increased citizen outreach and communications
79.33 for trust fund expenditure planning;

79.34 (3) allow administrative expenses as part of individual project expenditures based
79.35 on need;

- 80.1 (4) provide for project outcome evaluation;
- 80.2 (5) keep the grant application, administration, and review process as simple as
- 80.3 possible; and
- 80.4 (6) define and emphasize the leveraging of additional sources of money that project
- 80.5 proposers should consider when making trust fund proposals.

80.6 Sec. 6. Minnesota Statutes 2010, section 290.431, is amended to read:

80.7 **290.431 NONGAME WILDLIFE CHECKOFF.**

80.8 Every individual who files an income tax return or property tax refund claim form

80.9 may designate on their original return that \$1 or more shall be added to the tax or deducted

80.10 from the refund that would otherwise be payable by or to that individual and paid into an

80.11 account to be established for the management of nongame wildlife. The commissioner

80.12 of revenue shall, on the income tax return and the property tax refund claim form, notify

80.13 filers of their right to designate that a portion of their tax or refund shall be paid into the

80.14 nongame wildlife management account. The sum of the amounts so designated to be paid

80.15 shall be credited to the nongame wildlife management account for use by the nongame

80.16 program in the Department of Natural Resources. All interest earned on money accrued,

80.17 gifts to the program, contributions to the program, and reimbursements of expenditures

80.18 in the nongame wildlife management account shall be credited to the account by the

80.19 commissioner of management and budget, except that gifts or contributions received

80.20 directly by the commissioner of natural resources and directed by the contributor for

80.21 use in specific nongame field projects or geographic areas shall be handled according to

80.22 section 84.085, subdivision 1. ~~The commissioner of natural resources shall submit a work~~

80.23 ~~program for each fiscal year and semiannual progress reports to the Legislative-Citizen~~

80.24 ~~Commission on Minnesota Resources in the form determined by the commission.~~

80.25 The state pledges and agrees with all contributors to the nongame wildlife

80.26 management account to use the funds contributed solely for the management of nongame

80.27 wildlife projects and further agrees that it will not impose additional conditions or

80.28 restrictions that will limit or otherwise restrict the ability of the commissioner of natural

80.29 resources to use the available funds for the most efficient and effective management of

80.30 nongame wildlife. The commissioner may use funds appropriated for nongame wildlife

80.31 programs for the purpose of developing, preserving, restoring, and maintaining wintering

80.32 habitat for neotropical migrant birds in Latin America and the Caribbean under agreement

80.33 or contract with any nonprofit organization dedicated to the construction, maintenance, and

80.34 repair of such projects that are acceptable to the governmental agency having jurisdiction

80.35 over the land and water affected by the projects. Under this authority, the commissioner

81.1 may execute agreements and contracts if the commissioner determines that the use of the
81.2 funds will benefit neotropical migrant birds that breed in or migrate through the state.

81.3 Sec. 7. Minnesota Statutes 2010, section 290.432, is amended to read:

81.4 **290.432 CORPORATE NONGAME WILDLIFE CHECKOFF.**

81.5 A corporation that files an income tax return may designate on its original return that
81.6 \$1 or more shall be added to the tax or deducted from the refund that would otherwise
81.7 be payable by or to that corporation and paid into the nongame wildlife management
81.8 account established by section 290.431 for use by the Department of Natural Resources
81.9 for its nongame wildlife program. The commissioner of revenue shall, on the corporate
81.10 tax return, notify filers of their right to designate that a portion of their tax return be paid
81.11 into the nongame wildlife management account for the protection of endangered natural
81.12 resources. All interest earned on money accrued, gifts to the program, contributions to
81.13 the program, and reimbursements of expenditures in the nongame wildlife management
81.14 account shall be credited to the account by the commissioner of management and budget,
81.15 except that gifts or contributions received directly by the commissioner of natural
81.16 resources and directed by the contributor for use in specific nongame field projects or
81.17 geographic areas shall be handled according to section 84.085, subdivision 1. ~~The~~
81.18 ~~commissioner of natural resources shall submit a work program for each fiscal year to~~
81.19 ~~the Legislative-Citizen Commission on Minnesota Resources in the form determined~~
81.20 ~~by the commission.~~

81.21 The state pledges and agrees with all corporate contributors to the nongame wildlife
81.22 account to use the funds contributed solely for the nongame wildlife program and further
81.23 agrees that it will not impose additional conditions or restrictions that will limit or
81.24 otherwise restrict the ability of the commissioner of natural resources to use the available
81.25 funds for the most efficient and effective management of those programs.

81.26 Sec. 8. **REPEALER.**

81.27 Minnesota Statutes 2010, sections 84.027, subdivision 11; 116P.09, subdivision 4;
81.28 and 116P.14, are repealed.

APPENDIX
Article locations in H1010-1

ARTICLE 1	ENVIRONMENT AND NATURAL RESOURCES FINANCE	Page.Ln 1.18
ARTICLE 2	ENERGY FINANCE	Page.Ln 20.25
ARTICLE 3	STATUTORY CHANGES	Page.Ln 24.21
ARTICLE 4	ENVIRONMENT AND NATURAL RESOURCES TRUST FUND ...	Page.Ln 43.6

84.02 DEFINITIONS.

Subdivision 1. **Definitions.** For purposes of this chapter, the terms defined in this section shall have the meanings given them.

Subd. 2. **Best management practice for native prairie restoration.** "Best management practice for native prairie restoration" means using seeds collected from a native prairie within the same county or within 25 miles of the county's border, but not across the boundary of an ecotype region.

Subd. 3. **Created grassland.** "Created grassland" means a restoration using seeds or plants with origins outside of the state of Minnesota.

Subd. 4. **Ecotype region.** "Ecotype region" means the following ecological subsections and counties based on the Department of Natural Resources map, "County Landscape Groupings Based on Ecological Subsections," dated February 15, 2007.

Ecotype Region	Counties or portions thereof:
Rochester Plateau, Blufflands, and Oak Savanna	Houston, Winona, Fillmore, Wabasha, Goodhue, Mower, Freeborn, Steele, Olmsted, Rice, Waseca, Dakota, Dodge
Anoka Sand Plain, Big Woods, and St. Paul Baldwin Plains and Moraines	Anoka, Hennepin, Ramsey, Washington, Chisago, Scott, Carver, McLeod, Wright, Benton, Isanti, Le Sueur, Sherburne
Inner Coteau and Coteau Moraines	Lincoln, Lyon, Pipestone, Rock, Murray, Nobles, Jackson, Cottonwood
Red River Prairie (South)	Traverse, Wilkin, Clay, Becker
Red River Prairie (North) and Aspen Parklands	Kittson, Roseau, Red Lake, Pennington, Marshall, Clearwater, Mahnommen, Polk, Norman
Minnesota River Prairie (North)	Big Stone, Pope, Stevens, Grant, Swift, Chippewa, Meeker, Kandiyohi, Renville, Lac qui Parle, Yellow Medicine
Minnesota River Prairie (South)	Nicollet, Redwood, Brown, Watonwan, Martin, Faribault, Blue Earth, Sibley
Hardwood Hills	Douglas, Morrison, Otter Tail, Stearns, Todd

Subd. 5. **Native prairie.** "Native prairie" means land that has never been plowed where native prairie vegetation originating from the site currently predominates or, if disturbed, is predominantly covered with native prairie vegetation that originated from the site. Unbroken pasture land used for livestock grazing can be considered native prairie if it has predominantly native vegetation originating from the site and conservation practices have maintained biological diversity.

Subd. 6. **Native prairie species of a local ecotype.** "Native prairie species of a local ecotype" means a genetically differentiated population of a species that has at least one trait (morphological, biochemical, fitness, or phenological) that is evolutionarily adapted to local environmental conditions, notably plant competitors, pathogens, pollinators, soil microorganisms, growing season length, climate, hydrology, and soil.

Subd. 7. **Restored native prairie.** "Restored native prairie" means a restoration using at least 25 representative and biologically diverse native prairie plant species of a local ecotype originating in the same county as the restoration site or within 25 miles of the county's border, but not across the boundary of an ecotype region.

Subd. 8. **Restored prairie.** "Restored prairie" means a restoration using at least 25 representative and biologically diverse native prairie plant species originating from the same ecotype region in which the restoration occurs.

84.027 POWERS AND DUTIES.

APPENDIX

Repealed Minnesota Statutes: H1010-1

Subd. 11. **Federal conservation grants.** The commissioner of natural resources shall receive and administer grants under the land and water conservation grant program authorized by Congress in the Land and Water Conservation Fund Act of 1965, as amended.

116P.09 ADMINISTRATION.

Subd. 4. **Personnel.** Persons who are employed by a state agency to work on a project and are paid by an appropriation from the trust fund are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, their positions must be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons for a project is authorized. The use of classified employees is authorized when approved as part of the work program required by section 116P.05, subdivision 2, paragraph (c).

116P.14 FEDERAL LAND AND WATER CONSERVATION FUNDS.

Subdivision 1. **Designated agency.** The Department of Natural Resources is designated as the state agency to apply for, accept, receive, and disburse federal reimbursement funds and private funds, which are granted to the state of Minnesota from section 6 of the federal Land and Water Conservation Fund Act.

Subd. 2. **State land and water conservation account; creation.** A state land and water conservation account is created in the natural resources fund. All of the money made available to the state from funds granted under subdivision 1 shall be deposited in the state land and water conservation account.

Subd. 3. **Local share.** Fifty percent of all money made available to the state from funds granted under subdivision 1 shall be distributed for projects to be acquired, developed, and maintained by local units of government, providing that any project approved is consistent with a statewide or a county or regional recreational plan and compatible with the statewide recreational plan. All money received by the commissioner for local units of government is appropriated annually to carry out the purposes for which the funds are received.

Subd. 4. **State share.** Fifty percent of the money made available to the state from funds granted under subdivision 1 shall be used for state land acquisition and development for the state outdoor recreation system under chapter 86A and the administrative expenses necessary to maintain eligibility for the federal land and water conservation fund.