

A bill for an act relating to state government; appropriating money for environment, natural resources, commerce, 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; 103G.615, subdivision 2; 115A.1314; 115A.1320, subdivision 1; 115C.09, subdivision 3c; 115C.13; 116P.04, by adding a subdivision; 116P.05, subdivision 2; 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 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</u> <u>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>
------	---	----------------------	----------------------

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 \$128,000 the first year is from the
5.16 environmental fund for transfer to the
5.17 Department of Health to complete
5.18 the environmental health tracking
5.19 and biomonitoring analysis related to
5.20 perfluorochemicals and disseminate the
5.21 results.

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

5.24	<u>Appropriations by Fund</u>		
5.25		<u>2012</u>	<u>2013</u>
5.26	<u>Environmental</u>	<u>24,785,000</u>	<u>24,785,000</u>

5.27 \$14,250,000 the first year and \$14,250,000
5.28 the second year are from the environmental
5.29 fund for SCORE block grants to counties.

5.30 \$119,000 the first year and \$119,000 the
5.31 second year are from the environmental
5.32 fund for environmental assistance grants
5.33 or loans under Minnesota Statutes, section
5.34 115A.0716. Any unencumbered grant and
5.35 loan balances in the first year do not cancel

6.1 but are available for grants and loans in the
6.2 second year.

6.3 \$89,000 the first year and \$89,000 the
6.4 second year are from the environmental fund
6.5 for duties related to harmful chemicals in
6.6 products under Minnesota Statutes, section
6.7 116.9401 to 116.9407. Of this amount,
6.8 \$57,000 each year is transferred to the
6.9 commissioner of health.

6.10 \$315,000 the first year and \$315,000 the
6.11 second year are from the environmental fund
6.12 for the electronics waste program under
6.13 Minnesota Statutes, sections 115A.1310 to
6.14 115A.1330.

6.15 All money deposited in the environmental
6.16 fund for the metropolitan solid waste
6.17 landfill fee in accordance with Minnesota
6.18 Statutes, section 473.843, and not otherwise
6.19 appropriated, is appropriated for the purposes
6.20 of Minnesota Statutes, section 473.844.

6.21 Notwithstanding Minnesota Statutes, section
6.22 16A.28, the appropriations encumbered on
6.23 or before June 30, 2013, as contracts or
6.24 grants for surface water and groundwater
6.25 assessments; environmental assistance
6.26 awarded under Minnesota Statutes, section
6.27 115A.0716; technical and research assistance
6.28 under Minnesota Statutes, section 115A.152;
6.29 technical assistance under Minnesota
6.30 Statutes, section 115A.52; and pollution
6.31 prevention assistance under Minnesota
6.32 Statutes, section 115D.04, are available until
6.33 June 30, 2015.

6.34 **Subd. 6. Remediation Fund**

7.1 The commissioner may transfer money from
7.2 the environmental fund to the remediation
7.3 fund for the purposes of the remediation fund
7.4 under Minnesota Statutes, section 116.155,
7.5 subdivision 2.

7.6 Sec. 4. **NATURAL RESOURCES**

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

7.8	<u>Appropriations by Fund</u>		
7.9		<u>2012</u>	<u>2013</u>
7.10	<u>General</u>	<u>48,520,000</u>	<u>48,515,000</u>
7.11	<u>Natural Resources</u>	<u>84,772,000</u>	<u>84,472,000</u>
7.12	<u>Game and Fish</u>	<u>88,217,000</u>	<u>87,617,000</u>
7.13	<u>Remediation</u>	<u>100,000</u>	<u>100,000</u>
7.14	<u>Permanent School</u>	<u>200,000</u>	<u>200,000</u>

7.15 The amounts that may be spent for each
7.16 purpose are specified in the following
7.17 subdivisions.

7.18 **Subd. 2. Land and Mineral Resources**
7.19 **Management** 8,963,000 8,963,000

7.20	<u>Appropriations by Fund</u>		
7.21		<u>2012</u>	<u>2013</u>
7.22	<u>General</u>	<u>2,500,000</u>	<u>2,500,000</u>
7.23	<u>Natural Resources</u>	<u>4,861,000</u>	<u>4,861,000</u>
7.24	<u>Game and Fish</u>	<u>1,402,000</u>	<u>1,402,000</u>
7.25	<u>Permanent School</u>	<u>200,000</u>	<u>200,000</u>

7.26 \$2,696,000 the first year and \$2,696,000
7.27 the second year are from the minerals
7.28 management account in the natural resources
7.29 fund for use as provided in Minnesota
7.30 Statutes, section 93.2236, paragraph (c),
7.31 for mineral resource management, projects
7.32 to enhance future mineral income, and
7.33 projects to promote new mineral resource
7.34 opportunities.

7.35 \$68,000 the first year and \$68,000 the
7.36 second year are for minerals cooperative

8.1 environmental research, of which \$34,000
8.2 the first year and \$40,000 the second year are
8.3 available only as matched by \$1 of nonstate
8.4 money for each \$1 of state money. The
8.5 match may be cash or in-kind.

8.6 \$251,000 the first year and \$251,000 the
8.7 second year are for iron ore cooperative
8.8 research. Of this amount, \$200,000 each year
8.9 is from the minerals management account
8.10 in the natural resources fund. \$51,000 the
8.11 first year and \$51,000 the second year are
8.12 available only as matched by \$1 of nonstate
8.13 money for each \$1 of state money. The
8.14 match may be cash or in-kind.

8.15 Subd. 3. Ecological and Water Resources 20,107,000 20,107,000

8.16	<u>Appropriations by Fund</u>		
8.17		<u>2012</u>	<u>2013</u>
8.18	<u>General</u>	<u>6,728,000</u>	<u>6,728,000</u>
8.19	<u>Natural Resources</u>	<u>9,680,000</u>	<u>9,680,000</u>
8.20	<u>Game and Fish</u>	<u>3,699,000</u>	<u>3,699,000</u>

8.21 \$2,142,000 the first year and \$2,142,000 the
8.22 second year are from the invasive species
8.23 account in the natural resources fund and
8.24 \$1,674,000 the first year and \$1,674,000 the
8.25 second year are from the general fund for
8.26 management, public awareness, assessment
8.27 and monitoring research, law enforcement,
8.28 and water access inspection to prevent the
8.29 spread of invasive species; management
8.30 of invasive plants in public waters; and
8.31 management of terrestrial invasive species
8.32 on state-administered lands.

8.33 \$5,000,000 the first year, and \$5,000,000 the
8.34 second year are from the water management
8.35 account in the natural resources fund for only

9.1 the purposes specified in Minnesota Statutes,
9.2 section 103G.27, subdivision 2.
9.3 \$264,000 the first year and \$264,000 the
9.4 second year are for grants for up to 50
9.5 percent of the cost of implementation of
9.6 the Red River mediation agreement. The
9.7 commissioner shall submit a report to the
9.8 chairs of the legislative committees having
9.9 primary jurisdiction over environment and
9.10 natural resources policy and finance on the
9.11 accomplishments achieved with the grants
9.12 by January 15, 2014.
9.13 \$1,636,000 the first year and \$1,636,000
9.14 the second year are from the heritage
9.15 enhancement account in the game and
9.16 fish fund for only the purposes specified
9.17 in Minnesota Statutes, section 297A.94,
9.18 paragraph (e), clause (1).
9.19 \$1,223,000 the first year and \$1,223,000 the
9.20 second year are from the nongame wildlife
9.21 management account in the natural resources
9.22 fund for the purpose of nongame wildlife
9.23 management. Notwithstanding Minnesota
9.24 Statutes, section 290.431, \$100,000 the first
9.25 year and \$100,000 the second year may
9.26 be used for nongame wildlife information,
9.27 education, and promotion.

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

9.29	<u>Appropriations by Fund</u>		
9.30		<u>2012</u>	<u>2013</u>
9.31	<u>General</u>	<u>17,854,000</u>	<u>17,854,000</u>
9.32	<u>Natural Resources</u>	<u>13,093,000</u>	<u>13,093,000</u>
9.33	<u>Game and Fish</u>	<u>1,264,000</u>	<u>1,264,000</u>

9.34 \$7,145,000 the first year and \$7,145,000
9.35 the second year are for prevention,

10.1 presuppression, and suppression costs of
10.2 emergency firefighting and other costs
10.3 incurred under Minnesota Statutes, section
10.4 88.12. The amount necessary to pay for
10.5 presuppression and suppression costs during
10.6 the biennium is appropriated from the general
10.7 fund.

10.8 By January 15 of each year, the commissioner
10.9 of natural resources shall submit a report to
10.10 the chairs and ranking minority members
10.11 of the house and senate committees
10.12 and divisions having jurisdiction over
10.13 environment and natural resources finance,
10.14 identifying all firefighting costs incurred
10.15 and reimbursements received in the prior
10.16 fiscal year. These appropriations may
10.17 not be transferred. Any reimbursement
10.18 of firefighting expenditures made to the
10.19 commissioner from any source other than
10.20 federal mobilizations shall be deposited into
10.21 the general fund.

10.22 \$13,093,000 the first year and \$13,093,000
10.23 the second year are from the forest
10.24 management investment account in the
10.25 natural resources fund for only the purposes
10.26 specified in Minnesota Statutes, section
10.27 89.039, subdivision 2.

10.28 \$580,000 the first year and \$580,000 the
10.29 second year are for the Forest Resources
10.30 Council for implementation of the
10.31 Sustainable Forest Resources Act.

10.32 \$250,000 in the first year and \$250,000 in the
10.33 second year are reductions for the FORIST
10.34 system.

11.1 \$1,000,000 the first year and \$1,000,000
11.2 the second year are from the heritage
11.3 enhancement account in the game and fish
11.4 fund to maintain and expand the ecological
11.5 classification system program. This is a
11.6 onetime appropriation.

11.7 After the commissioner approves a
11.8 sustainable resources management plan,
11.9 any division of the Department of
11.10 Natural Resources seeking interaction
11.11 with the Division of Forestry on projects
11.12 to implement the plan must reimburse
11.13 the Division of Forestry for time spent
11.14 responding to questions, concerns, or
11.15 challenges to the projects.

11.16	<u>Subd. 5. Parks and Trails Management</u>	<u>66,529,000</u>	<u>66,224,000</u>
-------	--	-------------------	-------------------

11.17	<u>Appropriations by Fund</u>		
11.18		<u>2012</u>	<u>2013</u>
11.19	<u>General</u>	<u>18,135,000</u>	<u>18,130,000</u>
11.20	<u>Natural Resources</u>	<u>46,200,000</u>	<u>45,900,000</u>
11.21	<u>Game and Fish</u>	<u>2,194,000</u>	<u>2,194,000</u>

11.22 \$1,000,000 the first year and \$1,000,000 the
11.23 second year are from the water recreation
11.24 account in the natural resources fund to
11.25 enable the department to develop and
11.26 implement best management practices for
11.27 public water access facilities to implement
11.28 aquatic invasive species prevention
11.29 strategies.

11.30 The appropriation in Laws 2003, chapter
11.31 128, article 1, section 5, subdivision 6, from
11.32 the water recreation account in the natural
11.33 resources fund for a cooperative project with
11.34 the United States Army Corps of Engineers
11.35 to develop the Mississippi Whitewater Park
11.36 is available until June 30, 2013. The project

12.1 must be designed to prevent the spread of
12.2 aquatic invasive species.

12.3 \$5,731,000 the first year and \$5,731,000 the
12.4 second year are from the natural resources
12.5 fund for state trail, park, and recreation area
12.6 operations. This appropriation is from the
12.7 revenue deposited in the natural resources
12.8 fund under Minnesota Statutes, section
12.9 297A.94, paragraph (e), clause (2).

12.10 \$8,424,000 the first year and \$8,424,000
12.11 the second year are from the snowmobile
12.12 trails and enforcement account in the
12.13 natural resources fund for the snowmobile
12.14 grants-in-aid program. Any unencumbered
12.15 balance does not cancel at the end of the first
12.16 year and is available for the second year.

12.17 \$1,360,000 the first year and \$1,360,000
12.18 the second year are from the natural
12.19 resources fund for the off-highway vehicle
12.20 grants-in-aid program. Of this amount,
12.21 \$1,110,000 each year is from the all-terrain
12.22 vehicle account; \$150,000 each year is from
12.23 the off-highway motorcycle account; and
12.24 \$100,000 each year is from the off-road
12.25 vehicle account. Any unencumbered balance
12.26 does not cancel at the end of the first year
12.27 and is available for the second year.

12.28 \$805,000 the first year and \$805,000 the
12.29 second year are from the natural resources
12.30 fund for trail grants to local units of
12.31 government on land to be maintained for at
12.32 least 20 years for the purposes of the grants.
12.33 This appropriation is from the revenue
12.34 deposited in the natural resources fund

13.1	<u>under Minnesota Statutes, section 297A.94,</u>		
13.2	<u>paragraph (e), clause (4).</u>		
13.3	<u>\$200,000 the first year from the off-highway</u>		
13.4	<u>vehicle damage account in the natural</u>		
13.5	<u>resources fund is for all-terrain vehicle</u>		
13.6	<u>grants-in-aid.</u>		
13.7	<u>\$100,000 the first year is from the all-terrain</u>		
13.8	<u>vehicle account in the natural resources fund</u>		
13.9	<u>for a pass-through grant to Lake County for</u>		
13.10	<u>completion of the Lake County Regional</u>		
13.11	<u>All-Terrain Vehicle Trail. This is a onetime</u>		
13.12	<u>appropriation and is available until spent.</u>		
13.13	<u>\$400,000 each year is from the all-terrain</u>		
13.14	<u>vehicle account in the natural resources</u>		
13.15	<u>fund. Of this amount, \$100,000 the first</u>		
13.16	<u>year is for developing a comprehensive</u>		
13.17	<u>all-terrain vehicle trail plan under current</u>		
13.18	<u>forest designation. The plan shall be</u>		
13.19	<u>provided to the chairs and ranking minority</u>		
13.20	<u>members of the house of representatives and</u>		
13.21	<u>senate committees having jurisdiction over</u>		
13.22	<u>environment and natural resources policy</u>		
13.23	<u>and finance by January 15, 2012. \$200,000</u>		
13.24	<u>the first year and \$300,000 the second year</u>		
13.25	<u>are for the all-terrain vehicle grant-in-aid</u>		
13.26	<u>program for trail building. \$100,000 each</u>		
13.27	<u>year is to provide downloadable trail maps on</u>		
13.28	<u>the Internet and is a onetime appropriation.</u>		
13.29	<u>The commissioner shall not close any state</u>		
13.30	<u>park or state recreation area between July 1,</u>		
13.31	<u>2011, and June 30, 2013, that is funded with</u>		
13.32	<u>money appropriated in this article.</u>		
13.33	<u>Subd. 6. Fish and Wildlife Management</u>	<u>60,761,000</u>	<u>60,161,000</u>
13.34	<u>Appropriations by Fund</u>		
13.35	<u>2012</u>	<u>2013</u>	

14.1	<u>General</u>	<u>199,000</u>	<u>199,000</u>
14.2	<u>Natural Resources</u>	<u>1,899,000</u>	<u>1,899,000</u>
14.3	<u>Game and Fish</u>	<u>58,663,000</u>	<u>58,063,000</u>

14.4 \$100,000 the first year and \$100,000 the
14.5 second year are from the nongame wildlife
14.6 account in the natural resources fund for gray
14.7 wolf research.

14.8 \$120,000 the first year and \$120,000 the
14.9 second year are from the game and fish fund
14.10 for gray wolf management.

14.11 \$8,167,000 the first year and \$8,167,000
14.12 the second year are from the heritage
14.13 enhancement account in the game and
14.14 fish fund only for activities specified in
14.15 Minnesota Statutes, section 297A.94,
14.16 paragraph (e), clause (1). Notwithstanding
14.17 Minnesota Statutes, section 297A.94, five
14.18 percent of this appropriation may be used for
14.19 expanding hunter and angler recruitment and
14.20 retention.

14.21 Notwithstanding Minnesota Statutes, section
14.22 84.943, \$13,000 the first year and \$13,000
14.23 the second year from the critical habitat
14.24 private sector matching account may be used
14.25 to publicize the critical habitat license plate
14.26 match program.

14.27 \$199,000 the first year and \$199,000 the
14.28 second year are for preserving, restoring, and
14.29 enhancing grassland and wetland complexes
14.30 on public or private lands.

14.31 \$600,000 the first year is from the game and
14.32 fish fund for land acquisition.

14.33 Notwithstanding Minnesota Statutes, section
14.34 16A.28, the appropriations encumbered

15.1 under contract on or before June 30, 2013, for
15.2 aquatic restoration grants and wildlife habitat
15.3 grants are available until June 30, 2014.

15.4 Subd. 7. Enforcement 30,928,000 30,928,000

15.5	<u>Appropriations by Fund</u>		
15.6		<u>2012</u>	<u>2013</u>
15.7	<u>General</u>	<u>2,216,000</u>	<u>2,216,000</u>
15.8	<u>Natural Resources</u>	<u>8,558,000</u>	<u>8,558,000</u>
15.9	<u>Game and Fish</u>	<u>20,054,000</u>	<u>20,054,000</u>
15.10	<u>Remediation</u>	<u>100,000</u>	<u>100,000</u>

15.11 \$1,204,000 the first year and \$1,307,000
15.12 the second year are from the heritage
15.13 enhancement account in the game and
15.14 fish fund for only the purposes specified
15.15 in Minnesota Statutes, section 297A.94,
15.16 paragraph (e), clause (1). The base
15.17 appropriation in 2014 is \$1,297,000.

15.18 Notwithstanding Minnesota Statutes, section
15.19 84.780, \$100,000 the first year is from the
15.20 game and fish fund to fund a conservation
15.21 officer academy in 2011. This is a onetime
15.22 appropriation.

15.23 \$315,000 the first year and \$315,000 the
15.24 second year are from the snowmobile
15.25 trails and enforcement account in the
15.26 natural resources fund for grants to local
15.27 law enforcement agencies for snowmobile
15.28 enforcement activities. Any unencumbered
15.29 balance does not cancel at the end of the first
15.30 year and is available for the second year.

15.31 \$250,000 the first year and \$250,000 the
15.32 second year are from the all-terrain vehicle
15.33 account for grants to qualifying organizations
15.34 to assist in safety and environmental
15.35 education and monitoring trails on public

16.1 lands under Minnesota Statutes, section
16.2 84.9011. Grants issued under this paragraph:
16.3 (1) must be issued through a formal
16.4 agreement with the organization; and (2)
16.5 must not be used as a substitute for traditional
16.6 spending by the organization. By December
16.7 15 each year, an organization receiving a
16.8 grant under this paragraph shall report to the
16.9 commissioner with details on expenditures
16.10 and outcomes from the grant. By January
16.11 15, 2013, the commissioner shall report on
16.12 the expenditures and outcomes of the grants
16.13 to the chairs and ranking minority members
16.14 of the legislative committees and divisions
16.15 having jurisdiction over natural resources
16.16 policy and finance. Of this appropriation,
16.17 \$25,000 each year is for administration of
16.18 these grants. Any unencumbered balance
16.19 does not cancel at the end of the first year
16.20 and is available for the second year.

16.21 \$510,000 the first year and \$510,000
16.22 the second year are from the natural
16.23 resources fund for grants to county law
16.24 enforcement agencies for off-highway
16.25 vehicle enforcement and public education
16.26 activities based on off-highway vehicle use
16.27 in the county. Of this amount, \$498,000 each
16.28 year is from the all-terrain vehicle account;
16.29 \$11,000 each year is from the off-highway
16.30 motorcycle account; and \$1,000 each year
16.31 is from the off-road vehicle account. The
16.32 county enforcement agencies may use
16.33 money received under this appropriation
16.34 to make grants to other local enforcement
16.35 agencies within the county that have a high
16.36 concentration of off-highway vehicle use.

17.1 Of this appropriation, \$25,000 each year
17.2 is for administration of these grants. Any
17.3 unencumbered balance does not cancel at the
17.4 end of the first year and is available for the
17.5 second year.

17.6 \$1,082,000 the first year and \$1,082,000 the
17.7 second year are from the water recreation
17.8 account in the natural resources fund for
17.9 grants to counties for boat and water safety.
17.10 Any unencumbered balance does not cancel
17.11 at the end of the first year and is available for
17.12 the second year.

17.13 Subd. 8. Operations Support 2,310,000 2,310,000

17.14	<u>Appropriations by Fund</u>		
17.15		<u>2012</u>	<u>2013</u>
17.16	<u>General</u>	<u>888,000</u>	<u>888,000</u>
17.17	<u>Natural Resources</u>	<u>481,000</u>	<u>481,000</u>
17.18	<u>Game and Fish</u>	<u>941,000</u>	<u>941,000</u>

17.19 \$320,000 the first year and \$320,000 the
17.20 second year are from the natural resources
17.21 fund for grants to be divided equally between
17.22 the city of St. Paul for the Como Park Zoo
17.23 and Conservatory and the city of Duluth
17.24 for the Duluth Zoo. This appropriation
17.25 is from the revenue deposited to the fund
17.26 under Minnesota Statutes, section 297A.94,
17.27 paragraph (e), clause (5).

17.28 Sec. 5. BOARD OF WATER AND SOIL
17.29 RESOURCES \$ 11,532,000 \$ 11,532,000

17.30 \$2,996,000 the first year and \$2,996,000 the
17.31 second year are for natural resources block
17.32 grants to local governments. The board may
17.33 reduce the amount of the natural resources
17.34 block grant to a county by an amount equal to
17.35 any reduction in the county's general services

18.1 allocation to a soil and water conservation
18.2 district from the county's previous year
18.3 allocation when the board determines that
18.4 the reduction was disproportionate. Grants
18.5 must be matched with a combination of local
18.6 cash or in-kind contributions. The base
18.7 grant portion related to water planning must
18.8 be matched by an amount as specified by
18.9 Minnesota Statutes, section 103B.3369.
18.10 \$2,707,000 the first year and \$2,707,000
18.11 the second year are for grants requested
18.12 by soil and water conservation districts for
18.13 general purposes, nonpoint engineering, and
18.14 implementation of the reinvest in Minnesota
18.15 reserve program. Upon approval of the
18.16 board, expenditures may be made from these
18.17 appropriations for supplies and services
18.18 benefiting soil and water conservation
18.19 districts. Any district requesting a grant
18.20 under this paragraph shall maintain a Web
18.21 page that publishes, at a minimum, its annual
18.22 plan, annual report, annual audit, annual
18.23 budget, including membership dues, and
18.24 meeting notices and minutes.
18.25 \$1,797,000 the first year and \$1,797,000
18.26 the second year are for grants to soil and
18.27 water conservation districts for cost-sharing
18.28 contracts for erosion control, water quality
18.29 management, feedlot water quality projects,
18.30 and establishing and maintaining riparian
18.31 vegetation buffers of restored native
18.32 prairie and for county cooperative weed
18.33 management programs.
18.34 \$386,000 the first year and \$386,000 the
18.35 second year are for implementation and

19.1 enforcement of the Wetland Conservation
19.2 Act.

19.3 \$51,000 the first year and \$51,000 the second
19.4 year are for staff to monitor and enforce
19.5 wetland replacement, wetland bank sites,
19.6 and the Wetland Conservation Act. The
19.7 board must include in its biennial report to
19.8 the legislature information on all state and
19.9 local units of government, including special
19.10 purpose districts, and impacts on wetlands
19.11 in the state.

19.12 \$166,000 the first year and \$166,000 the
19.13 second year are to provide assistance to local
19.14 drainage management officials and for the
19.15 costs of the Drainage Work Group.

19.16 \$84,000 the first year and \$84,000 the second
19.17 year are for a grant to the Red River Basin
19.18 Commission for water quality and floodplain
19.19 management, including administration of
19.20 programs. If the appropriation in either year
19.21 is insufficient, the appropriation in the other
19.22 year is available for it.

19.23 \$120,000 the first year and \$120,000
19.24 the second year are for grants to Area
19.25 II Minnesota River Basin Projects for
19.26 floodplain management.

19.27 Notwithstanding Minnesota Statutes, section
19.28 103C.501, the board may shift cost-share
19.29 funds in this section and may adjust the
19.30 technical and administrative assistance
19.31 portion of the grant funds to leverage
19.32 federal or other nonstate funds or to address
19.33 high-priority needs identified in local water
19.34 management plans.

20.1 The appropriations for grants in this
20.2 section are available until expended. If an
20.3 appropriation for grants in either year is
20.4 insufficient, the appropriation in the other
20.5 year is available for it.

20.6 Sec. 6. **METROPOLITAN COUNCIL** \$ **8,226,000** \$ **8,226,000**

20.7	<u>Appropriations by Fund</u>		
20.8		<u>2012</u>	<u>2013</u>
20.9	<u>General</u>	<u>2,856,000</u>	<u>2,856,000</u>
20.10	<u>Natural Resources</u>	<u>5,370,000</u>	<u>5,370,000</u>

20.11 \$2,856,000 the first year and \$2,856,000
20.12 the second year are for metropolitan area
20.13 regional parks operation and maintenance
20.14 according to Minnesota Statutes, section
20.15 473.351.

20.16 \$5,370,000 the first year and \$5,370,000 the
20.17 second year are from the natural resources
20.18 fund for metropolitan area regional parks
20.19 and trails maintenance and operations. This
20.20 appropriation is from the revenue deposited
20.21 in the natural resources fund under Minnesota
20.22 Statutes, section 297A.94, paragraph (e),
20.23 clause (3).

20.24 Sec. 7. **CONSERVATION CORPS**
20.25 **MINNESOTA** \$ **790,000** \$ **645,000**

20.26	<u>Appropriations by Fund</u>		
20.27		<u>2012</u>	<u>2013</u>
20.28	<u>General</u>	<u>300,000</u>	<u>155,000</u>
20.29	<u>Natural Resources</u>	<u>490,000</u>	<u>490,000</u>

20.30 Conservation Corps Minnesota may receive
20.31 money appropriated from the natural
20.32 resources fund under this section only
20.33 as provided in an agreement with the
20.34 commissioner of natural resources.

21.1	Sec. 8. <u>ZOOLOGICAL BOARD</u>	\$	<u>5,767,000</u>	\$	<u>5,767,000</u>
21.2	<u>Appropriations by Fund</u>				
21.3		<u>2012</u>	<u>2013</u>		
21.4	<u>General</u>	<u>5,607,000</u>	<u>5,607,000</u>		
21.5	<u>Natural Resources</u>	<u>160,000</u>	<u>160,000</u>		
21.6	<u>\$160,000 the first year and \$160,000 the</u>				
21.7	<u>second year are from the natural resources</u>				
21.8	<u>fund from the revenue deposited under</u>				
21.9	<u>Minnesota Statutes, section 297A.94,</u>				
21.10	<u>paragraph (e), clause (5).</u>				
21.11	ARTICLE 2				
21.12	ENERGY FINANCE				
21.13	Section 1. <u>SUMMARY OF APPROPRIATIONS.</u>				
21.14	<u>The amounts shown in this section summarize direct appropriations, by fund, made</u>				
21.15	<u>in this article.</u>				
21.16		<u>2012</u>	<u>2013</u>	<u>Total</u>	
21.17	<u>General</u>	\$ <u>25,171,000</u>	\$ <u>25,179,000</u>	\$ <u>50,350,000</u>	
21.18	<u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>	<u>800,000</u>	
21.19	<u>Petroleum Tank Cleanup</u>	<u>1,052,000</u>	<u>1,052,000</u>	<u>2,104,000</u>	
21.20	<u>Workers' Compensation</u>	<u>751,000</u>	<u>751,000</u>	<u>1,502,000</u>	
21.21	<u>Total</u>	\$ <u>27,374,000</u>	\$ <u>27,382,000</u>	\$ <u>54,756,000</u>	
21.22	Sec. 2. <u>ENERGY FINANCE APPROPRIATIONS.</u>				
21.23	<u>The sums shown in the columns marked "Appropriations" are appropriated to the</u>				
21.24	<u>agencies and for the purposes specified in this article. The appropriations are from the</u>				
21.25	<u>general fund, or another named fund, and are available for the fiscal years indicated</u>				
21.26	<u>for each purpose. The figures "2012" and "2013" used in this article mean that the</u>				
21.27	<u>appropriations listed under them are available for the fiscal year ending June 30, 2012, or</u>				
21.28	<u>June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal</u>				
21.29	<u>year 2013. "The biennium" is fiscal years 2012 and 2013. Appropriations for the fiscal</u>				
21.30	<u>year ending June 30, 2011, are effective the day following final enactment.</u>				
21.31		<u>APPROPRIATIONS</u>			
21.32		<u>Available for the Year</u>			
21.33		<u>Ending June 30</u>			
21.34		<u>2012</u>	<u>2013</u>		

22.1	Sec. 3. <u>DEPARTMENT OF COMMERCE</u>			
22.2	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>21,542,000</u>	<u>\$ 21,550,000</u>
22.3	<u>Appropriations by Fund</u>			
22.4		<u>2012</u>	<u>2013</u>	
22.5	<u>General</u>	<u>19,739,000</u>	<u>19,747,000</u>	
22.6	<u>Petroleum Cleanup</u>	<u>1,052,000</u>	<u>1,052,000</u>	
22.7	<u>Workers'</u>			
22.8	<u>Compensation</u>	<u>751,000</u>	<u>751,000</u>	
22.9	<u>The amounts that may be spent for each</u>			
22.10	<u>purpose are specified in the following</u>			
22.11	<u>subdivisions.</u>			
22.12	<u>Subd. 2. Financial Institutions</u>		<u>6,774,000</u>	<u>6,778,000</u>
22.13	<u>\$138,000 the first year and \$142,000</u>			
22.14	<u>the second year are for the regulation of</u>			
22.15	<u>mortgage originators and servicers under</u>			
22.16	<u>Minnesota Statutes, chapters 58 and 58A.</u>			
22.17	<u>Subd. 3. Petroleum Tank Release Cleanup</u>			
22.18	<u>Board</u>		<u>1,052,000</u>	<u>1,052,000</u>
22.19	<u>This appropriation is from the petroleum</u>			
22.20	<u>tank release cleanup fund.</u>			
22.21	<u>Subd. 4. Administrative Services</u>		<u>3,465,000</u>	<u>3,465,000</u>
22.22	<u>Subd. 5. Telecommunications</u>		<u>1,010,000</u>	<u>1,010,000</u>
22.23	<u>Subd. 6. Market Assurance</u>		<u>6,251,000</u>	<u>6,255,000</u>
22.24	<u>Appropriations by Fund</u>			
22.25		<u>2012</u>	<u>2013</u>	
22.26	<u>General</u>	<u>5,500,000</u>	<u>5,504,000</u>	
22.27	<u>Workers'</u>			
22.28	<u>Compensation</u>	<u>751,000</u>	<u>751,000</u>	
22.29	<u>Subd. 7. Office of Energy Security</u>		<u>2,990,000</u>	<u>2,990,000</u>
22.30	<u>Subd. 8. Transfer</u>			
22.31	<u>\$300,000 first year and \$300,000 the second</u>			
22.32	<u>year are for transfer to the commissioner of</u>			
22.33	<u>human services to supplement the ongoing</u>			
22.34	<u>operational expenses of the Commission</u>			

24.1 (1) \$250,000 is from the telecommunications
24.2 access Minnesota fund established in
24.3 Minnesota Statutes, section 237.52;
24.4 (2) \$250,000 is from the Department of
24.5 Commerce license technology surcharge
24.6 account established in Minnesota Statutes,
24.7 section 45.24;
24.8 (3) \$300,000 is from the energy and
24.9 conservation account established in
24.10 Minnesota Statutes, section 216B.241;
24.11 (4) \$500,000 is from the insurance fraud
24.12 prevention account established in Minnesota
24.13 Statutes, section 45.0135;
24.14 (5) \$1,500,000 is from the automobile theft
24.15 prevention account established in Minnesota
24.16 Statutes, section 168A.40; and
24.17 (6) \$200,000 is from the real estate education,
24.18 research and recovery fund established in
24.19 Minnesota Statutes, section 82.86.
24.20 (b) By June 30, 2013, the commissioner
24.21 of management and budget shall transfer
24.22 \$15,000,000 in assets of the workers'
24.23 compensation assigned risk plan created
24.24 under Minnesota Statutes, section 79.252, to
24.25 the general fund.

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

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

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

24.33 ~~(b) For a cooperative electric association that is the product of a merger or~~
24.34 ~~consolidation of three or more associations between December 30, 1996, and January 1,~~

25.1 ~~2001, the number of members or stockholders necessary to initiate the petition shall be no~~
25.2 ~~less than one percent of the members or stockholders of the association.~~

25.3 **ARTICLE 3**

25.4 **STATUTORY CHANGES**

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

25.7 Subdivision 1. **Membership.** (a) The Advisory Committee for Technology
25.8 Standards for Accessibility and Usability consists of ten members, appointed as follows:
25.9 (1) the state chief information officer, or the state chief information officer's designee;
25.10 (2) a representative from State Services for the Blind, appointed by the commissioner
25.11 of employment and economic development;
25.12 (3) the commissioner of administration, or the commissioner's designee;
25.13 (4) a representative selected by the Minnesota system of technology to achieve
25.14 results program;
25.15 (5) a representative selected by the Commission of Deaf, DeafBlind, and
25.16 Hard-of-Hearing Minnesotans;
25.17 (6) the commissioner of education, or the commissioner's designee;
25.18 (7) the commissioner of health, or the commissioner's designee;
25.19 (8) the commissioner of human services, or the commissioner's designee;
25.20 (9) one representative from the Minnesota judicial system designated by the chief
25.21 justice; and
25.22 (10) one staff member from the legislature, appointed by the chair of the Legislative
25.23 Coordinating Commission.

25.24 (b) The appointing authorities under this subdivision must use their best efforts to
25.25 ensure that the membership of the advisory committee includes at least one representative
25.26 who is deaf, hard-of-hearing, or deafblind and at least one representative who is blind.

25.27 (c) The advisory committee shall elect a chair from its membership.

25.28 Subd. 2. **Duties.** (a) The advisory committee shall:

25.29 (1) recommend review processes to be used for the evaluation or certification of
25.30 accessibility of technology against accessibility standards;

25.31 (2) recommend an exception process and thresholds for any deviation from the
25.32 accessibility standards;

25.33 (3) identify, in consultation with state agencies serving Minnesotans with disabilities,
25.34 resources for training and technical assistance for state agency staff, including instruction
25.35 regarding compliance with accessibility standards;

(4) convene customer groups composed of individuals with disabilities to assist in implementation of accessibility standards;

(5) review customer comments about accessibility and usability issues collected by State Services for the Blind; and

(6) develop proposals for funding captioning of live videoconferencing, live Webcasts, Web streaming, podcasts, and other emerging technologies.

(b) The advisory committee shall report to the chairs and ranking minority members of the legislative committees with jurisdiction over state technology systems by January 15 each year regarding the findings, progress, and recommendations made by the advisory committee under this subdivision. The report shall include any draft legislation necessary to implement the committee's recommendations.

Subd. 3. **Terms, compensation, and removal.** The terms, compensation, and removal of members are governed by section 15.059.

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.

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

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

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

27.8 **89.21 CAMPGROUNDS, ESTABLISHMENT AND FEES.**

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

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

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

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

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

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

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

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

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

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

28.5 Subd. 2. **Revenue from small game license surcharge and lifetime licenses.**
28.6 Revenue from the small game surcharge and \$6.50 annually from the lifetime fish and
28.7 wildlife trust fund, established in section 97A.4742, for each license issued under sections
28.8 97A.473, subdivisions 3 and 5, and 97A.474, subdivision 3, shall be credited to the
28.9 wildlife acquisition account and is appropriated to the commissioner. The money in the
28.10 account shall be used by the commissioner only for the purposes of this section, and
28.11 acquisition and development of wildlife lands under section 97A.145 and maintenance of
28.12 the lands, in accordance with appropriations made by the legislature.

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

28.14 **97A.075 USE OF LICENSE REVENUES.**

28.15 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this
28.16 subdivision, "deer license" means a license issued under section 97A.475, subdivisions
28.17 2, clauses (5), (6), (7), (13), (14), and (15), and 3, clauses (2), (3), (4), (10), (11), and
28.18 (12), and licenses issued under section 97B.301, subdivision 4.

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

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

28.29 (d) Fifty cents from each deer license is credited to the emergency deer feeding and
28.30 wild cervidae health management account and is appropriated for emergency deer feeding
28.31 and wild cervidae health management. Money appropriated for emergency deer feeding
28.32 and wild cervidae health management is available until expended. The commissioner must
28.33 inform the legislative chairs of the natural resources finance committees every two years

29.1 on how the money for emergency deer feeding and wild cervidae health management
29.2 has been spent.

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

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

29.11 (1) development of wetlands and lakes in the state and designated waterfowl
29.12 management lakes for maximum migratory waterfowl production including habitat
29.13 evaluation, the construction of dikes, water control structures and impoundments, nest
29.14 cover, rough fish barriers, acquisition of sites and facilities necessary for development
29.15 and management of existing migratory waterfowl habitat and the designation of waters
29.16 under section 97A.101;

29.17 (2) management of migratory waterfowl;

29.18 (3) development, restoration, maintenance, or preservation of migratory waterfowl
29.19 habitat;

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

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

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

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

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

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

30.1 (3) acquisition of easements and fee title along trout waters;
30.2 (4) identifying easement and fee title areas along trout waters; and
30.3 (5) research and special management projects on trout streams, trout lakes, and
30.4 Lake Superior and portions of its tributaries.

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

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

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

30.15 (2) reimbursement of landowners for setting aside lands for pheasant habitat;

30.16 (3) reimbursement of expenditures to provide pheasant habitat on public and private
30.17 land;

30.18 (4) the promotion of pheasant habitat development and maintenance, including
30.19 promotion and evaluation of government farm program benefits for pheasant habitat; and

30.20 (5) the acquisition of lands suitable for pheasant habitat management and public
30.21 hunting.

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

30.23 (1) costs unless they are directly related to a specific parcel of land under paragraph
30.24 (a), clause (1), (3), or (5), or to specific promotional or evaluative activities under
30.25 paragraph (a), clause (4); or

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

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

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

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

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

(4) trapping and transplantation of wild turkeys; and

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

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

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

(2) any permanent personnel costs.

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

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

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

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

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

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

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

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

32.1 (2) \$3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less
32.2 than 100,000,000 gallons per year;

32.3 (3) \$4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less
32.4 than 150,000,000 gallons per year;

32.5 (4) \$4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but
32.6 less than 200,000,000 gallons per year;

32.7 (5) \$5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less
32.8 than 250,000,000 gallons per year;

32.9 (6) \$5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but
32.10 less than 300,000,000 gallons per year;

32.11 (7) \$6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less
32.12 than 350,000,000 gallons per year;

32.13 (8) \$6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but
32.14 less than 400,000,000 gallons per year;

32.15 (9) \$7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less
32.16 than 450,000,000 gallons per year;

32.17 (10) \$7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but
32.18 less than 500,000,000 gallons per year; and

32.19 (11) \$8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(2) the permit is suspended for more than seven consecutive days between May 1 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 103G.615, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) The commissioner shall establish a fee schedule for permits to control or harvest aquatic plants other than wild rice. The fees must be set by rule, and section 16A.1283 does not apply, ~~but the rule must not take effect until 45 legislative days after it has been reported to the legislature.~~ The fees ~~shall be~~ may not exceed \$750 per permit based upon the cost of receiving, processing, analyzing, and issuing the permit, and additional costs incurred after the application to inspect and monitor the activities authorized by the permit, and enforce aquatic plant management rules and permit requirements.

(b) ~~A~~ The fee for a permit for the control of rooted aquatic vegetation ~~is \$35 for each~~ is \$35 for each contiguous parcel of shoreline owned by an owner ~~may be charged.~~ This fee may not be charged for permits issued in connection with purple loosestrife control or lakewide Eurasian water milfoil control programs.

(c) A fee may not be charged to the state or a federal governmental agency applying for a permit.

(d) A fee for a permit for the control of rooted aquatic vegetation in a public water basin that is 20 acres or less in size shall be one-half of the fee established under paragraph (a).

(e) The money received for the permits under this subdivision shall be deposited in the treasury and credited to the water recreation account.

Sec. 13. 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:

$((A \times B) - (C + D)) \times E$, where:

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

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

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

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

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

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

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

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

Subd. 2. ~~Creation of account; appropriations~~ Use of registration fees. ~~(a) The electronic waste account is established in the environmental fund. The commissioner of revenue must deposit receipts from the fee established in subdivision 1 in the account. 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. 14. 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. 15. 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. 16. 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. 17. 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. 18. **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. 19. **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. 20. **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

42.1 ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012.
42.2 "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013. The
42.3 appropriations in this article are onetime.

42.4	<u>APPROPRIATIONS</u>	
42.5	<u>Available for the Year</u>	
42.6	<u>Ending June 30</u>	
42.7	<u>2012</u>	<u>2013</u>

42.8 Sec. 2. **MINNESOTA RESOURCES**

42.9	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>26,011,000</u>	<u>\$</u>	<u>25,261,000</u>
------	--	-----------	--------------------------	-----------	--------------------------

42.10	<u>Appropriations by Fund</u>	
42.11	<u>2012</u>	<u>2013</u>
42.12	<u>Environment and</u>	
42.13	<u>natural resources</u>	
42.14	<u>trust fund</u>	<u>25,261,000 25,261,000</u>
42.15	<u>State land and</u>	
42.16	<u>water conservation</u>	
42.17	<u>account (LAWCON)</u>	<u>750,000 -0-</u>

42.18 Appropriations are available for two
42.19 years beginning July 1, 2011, unless
42.20 otherwise stated in the appropriation. Any
42.21 unencumbered balance remaining in the first
42.22 year does not cancel and is available for the
42.23 second year.

42.24 Subd. 2. **Definitions**

42.25 (a) "Trust fund" means the Minnesota
42.26 environment and natural resources trust fund
42.27 referred to in Minnesota Statutes, section
42.28 116P.02, subdivision 6.

42.29 (b) "State land and water conservation
42.30 account (LAWCON)" means the state land
42.31 and water conservation account in the natural
42.32 resources fund referred to in Minnesota
42.33 Statutes, section 116P.14.

42.34	<u>Subd. 3. Natural Resource Data and</u>		
42.35	<u>Information</u>	<u>3,867,000</u>	<u>5,368,000</u>

42.36 (a) **Minnesota County Biological Survey**

43.1 \$1,125,000 the first year and \$1,125,000
43.2 the second year are from the trust fund
43.3 to the commissioner of natural resources
43.4 for continuation of the Minnesota county
43.5 biological survey to provide a foundation
43.6 for conserving biological diversity by
43.7 systematically collecting, interpreting,
43.8 and delivering data on plant and animal
43.9 distribution and ecology, native plant
43.10 communities, and functional landscapes.

43.11 **(b) County Geologic Atlases for**
43.12 **Sustainable Water Management**

43.13 \$900,000 the first year and \$900,000 the
43.14 second year are from the trust fund to
43.15 accelerate the production of county geologic
43.16 atlases to provide information essential to
43.17 sustainable management of ground water
43.18 resources by defining aquifer boundaries
43.19 and the connection of aquifers to the land
43.20 surface and surface water resources. Of
43.21 this appropriation, \$600,000 each year is
43.22 to the Board of Regents of the University
43.23 of Minnesota for the Geologic Survey and
43.24 \$300,000 each year is to the commissioner
43.25 of natural resources. This appropriation
43.26 is available until June 30, 2015, by which
43.27 time the project must be completed and final
43.28 products delivered.

43.29 **(c) Completion of Statewide Digital Soil**
43.30 **Survey**

43.31 \$250,000 the first year and \$250,000 the
43.32 second year are from the trust fund to
43.33 the Board of Water and Soil Resources
43.34 to accelerate the completion of county
43.35 soil survey mapping and Web-based data

44.1 delivery. The soil surveys must be done on a
44.2 cost-share basis with local and federal funds.

44.3 **(d) Updating National Wetlands Inventory**
44.4 **for Minnesota - Phase III**

44.5 \$1,500,000 the second year is from the trust
44.6 fund to the commissioner of natural resources
44.7 to continue the update of wetland inventory
44.8 maps for Minnesota. This appropriation
44.9 is available until June 30, 2015, by which
44.10 time the project must be completed and final
44.11 products delivered.

44.12 **(e) Golden Eagle Survey**

44.13 \$45,000 the first year and \$45,000 the
44.14 second year are from the trust fund to the
44.15 commissioner of natural resources for an
44.16 agreement with the National Eagle Center to
44.17 increase the understanding of golden eagles
44.18 in Minnesota through surveys and education.
44.19 This appropriation is available until June
44.20 30, 2014, by which time the project must be
44.21 completed and final products delivered.

44.22 **(f) Determining Causes of Mortality in**
44.23 **Moose Populations**

44.24 \$300,000 the first year and \$300,000 the
44.25 second year are from the trust fund to
44.26 the commissioner of natural resources to
44.27 determine specific causes of moose mortality
44.28 and population decline in Minnesota and
44.29 to develop specific management actions to
44.30 prevent further population decline. This
44.31 appropriation is available until June 30,
44.32 2014, by which time the project must be
44.33 completed and final products delivered.

45.1 **(g) Prairie Management for Wildlife and**
45.2 **Bioenergy - Phase II**
45.3 \$300,000 the first year and \$300,000 the
45.4 second year are from the trust fund to the
45.5 Board of Regents of the University of
45.6 Minnesota to research and evaluate methods
45.7 of managing diverse working prairies for
45.8 wildlife and renewable bioenergy production.
45.9 This appropriation is available until June
45.10 30, 2014, by which time the project must be
45.11 completed and final products delivered.
45.12 **(h) Evaluation of Biomass Harvesting**
45.13 **Impacts on Minnesota's Forests**
45.14 \$175,000 the first year and \$175,000 the
45.15 second year are from the trust fund to the
45.16 Board of Regents of the University of
45.17 Minnesota to assess the impacts biomass
45.18 harvests for energy have on soil nutrients,
45.19 native forest vegetation, invasive species
45.20 spread, and long-term tree productivity within
45.21 Minnesota's forests. This appropriation is
45.22 available until June 30, 2014, by which time
45.23 the project must be completed and final
45.24 products delivered.
45.25 **(i) Change and Resilience in Boreal Forests**
45.26 **in Northern Minnesota**
45.27 \$100,000 the first year and \$100,000 the
45.28 second year are from the trust fund to the
45.29 Board of Regents of the University of
45.30 Minnesota to assess the potential response
45.31 of northern Minnesota's boreal forests to
45.32 observed and predicted changes in climate
45.33 conditions and develop related management
45.34 guidelines and adaptation strategies. This
45.35 appropriation is available until June 30,

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

46.3 **(j) Information System for Wildlife and**
46.4 **Aquatic Management Areas**

46.5 \$250,000 the first year and \$250,000 the
46.6 second year are from the trust fund to the
46.7 commissioner of natural resources to develop
46.8 an information system to facilitate improved
46.9 management of wildlife and fish habitat and
46.10 facilities. This appropriation is available
46.11 until June 30, 2014, by which time the
46.12 project must be completed and final products
46.13 delivered.

46.14 **(k) Strengthening Natural Resource**
46.15 **Management with LiDAR Training**

46.16 \$90,000 the first year and \$90,000 the second
46.17 year are from the trust fund to the Board of
46.18 Regents of the University of Minnesota to
46.19 provide workshops and Web-based training
46.20 and information on the use of LiDAR
46.21 elevation data in planning for and managing
46.22 natural resources.

46.23 **(l) Measuring Conservation Practice**
46.24 **Outcomes**

46.25 \$170,000 the first year and \$170,000 the
46.26 second year are from the trust fund to
46.27 the Board of Water and Soil Resources
46.28 to improve measurement of impacts of
46.29 conservation practices through refinement
46.30 of existing and development of new
46.31 pollution estimators and by providing local
46.32 government training.

46.33 **(m) Conservation-Based Approach for**
46.34 **Assessing Public Drainage Benefits**

47.1 \$75,000 the first year and \$75,000 the second
47.2 year are from the trust fund to the Board
47.3 of Water and Soil Resources to develop an
47.4 alternative framework to assess drainage
47.5 benefits on public systems to enhance water
47.6 conservation. This appropriation is available
47.7 until June 30, 2014, by which time the
47.8 project must be completed and final products
47.9 delivered.

47.10 **(n) Mississippi River Central Minnesota**
47.11 **Conservation Planning**

47.12 \$87,000 the first year and \$88,000 the
47.13 second year are from the trust fund to the
47.14 commissioner of natural resources for an
47.15 agreement with Stearns County Soil and
47.16 Water Conservation District to develop
47.17 and adopt river protection strategies in
47.18 cooperation with local jurisdictions in
47.19 the communities of the 26 miles of the
47.20 Mississippi River between Benton and
47.21 Stearns Counties. This appropriation must
47.22 be matched by \$175,000 of nonstate cash or
47.23 qualifying in-kind funds.

47.24 **Subd. 4. Land, Habitat, and Recreation** 15,173,000 12,584,000

47.25	<u>Summary by Fund</u>		
47.26	<u>Environment and</u>		
47.27	<u>natural resources</u>		
47.28	<u>trust fund</u>	<u>14,423,000</u>	<u>12,584,000</u>
47.29	<u>State land and</u>		
47.30	<u>water conservation</u>		
47.31	<u>account (LAWCON)</u>	<u>750,000</u>	<u>-0-</u>

47.32 **(a) Lake Vermilion State Park**
47.33 **Development**

47.34 \$2,421,000 the first year and \$579,000 the
47.35 second year are from the trust fund to the
47.36 commissioner of natural resources for initial

48.1 phases of development of Lake Vermilion
48.2 State Park. A master plan must be completed
48.3 and a specific list of proposed projects
48.4 and project elements must be provided to
48.5 the Legislative-Citizen Commission on
48.6 Minnesota Resources before any expenditure
48.7 of money appropriated in this paragraph.

48.8 **(b) State Parks and Trails Land**

48.9 **Acquisition**

48.10 \$1,783,000 the first year and \$1,783,000
48.11 the second year are from the trust fund to
48.12 the commissioner of natural resources to
48.13 acquire state trails and critical parcels within
48.14 the statutory boundaries of state parks. Of
48.15 this amount, \$283,000 the first year and
48.16 \$283,000 the second year are for deposit
48.17 into the environment and natural resources
48.18 trust fund land management account within
48.19 the special revenue fund to be used to pay
48.20 for future restoration and enhancement of
48.21 lands purchased in fee with money from the
48.22 trust fund and held by the state and to make
48.23 the payments required under Minnesota
48.24 Statutes, sections 97A.061, subdivision 1,
48.25 and 477A.12, for lands purchased in fee
48.26 with money from the trust fund. State
48.27 park land acquired with this appropriation
48.28 must be sufficiently improved to meet at
48.29 least minimum management standards, as
48.30 determined by the commissioner of natural
48.31 resources. A list of proposed acquisitions
48.32 must be provided as part of the work
48.33 program. This appropriation is available
48.34 until June 30, 2014, by which time the
48.35 project must be completed and final products
48.36 delivered.

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

49.2 **Acquisition**

49.3 \$1,125,000 the first year and \$1,125,000
49.4 the second year are from the trust fund to
49.5 the Metropolitan Council for grants for the
49.6 acquisition of lands within the approved park
49.7 unit boundaries of the metropolitan regional
49.8 park system. This appropriation may not
49.9 be used for the purchase of residential
49.10 structures. A list of proposed fee title and
49.11 easement acquisitions must be provided as
49.12 part of the required work program. This
49.13 appropriation must be matched by at least
49.14 40 percent of nonstate money and must be
49.15 committed by December 31, 2011, or the
49.16 appropriation cancels. This appropriation
49.17 is available until June 30, 2014, at which
49.18 time the project must be completed and final
49.19 products delivered, unless an earlier date is
49.20 specified in the work program.

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

49.22 **Acquisition and Development Grants**

49.23 \$1,000,000 the first year and \$1,000,000 the
49.24 second year are from the trust fund to the
49.25 commissioner of natural resources to provide
49.26 matching grants to local units of government
49.27 for acquisition and development of regional
49.28 parks, regional trails, and trail connections.
49.29 The local match required for a grant to
49.30 acquire a regional park or regional outdoor
49.31 recreation area is two dollars of nonstate
49.32 money for each three dollars of state money.
49.33 This appropriation is available until June
49.34 30, 2014, by which time the project must be
49.35 completed and final products delivered.

50.1 (e) Scientific and Natural Area Acquisition
50.2 and Restoration
50.3 \$912,000 the first year and \$912,000 the
50.4 second year are from the trust fund to
50.5 the commissioner of natural resources
50.6 to acquire lands with high-quality native
50.7 plant communities and rare features to
50.8 be established as scientific and natural
50.9 areas as provided in Minnesota Statutes,
50.10 section 86A.05, subdivision 5, restore
50.11 parts of state recreation areas, and provide
50.12 technical assistance and outreach. Of this
50.13 amount, \$92,000 the first year and \$92,000
50.14 the second year are for deposit into the
50.15 environment and natural resources trust
50.16 fund land management account within the
50.17 special revenue fund to be used to pay for
50.18 future restoration and enhancement of lands
50.19 purchased in fee with money from the trust
50.20 fund and held by the state and to make
50.21 the payments required under Minnesota
50.22 Statutes, sections 97A.061, subdivision 1,
50.23 and 477A.12, for lands purchased in fee with
50.24 money from the trust fund. A list of proposed
50.25 acquisitions must be provided as part of
50.26 the required work program. Land acquired
50.27 with this appropriation must be sufficiently
50.28 improved to meet at least minimum
50.29 management standards, as determined by
50.30 the commissioner of natural resources. This
50.31 appropriation is available until June 30,
50.32 2014, by which time the project must be
50.33 completed and final products delivered.
50.34 (f) LaSalle Lake State Recreation Area
50.35 Acquisition

51.1 \$1,187,000 the first year and \$1,187,000
51.2 the second year are from the trust fund to
51.3 the commissioner of natural resources for
51.4 an agreement with The Trust for Public
51.5 Land to acquire approximately 190 acres
51.6 to be designated as a state recreation area
51.7 as provided in Minnesota Statutes, section
51.8 85.013, on LaSalle Lake adjacent to the
51.9 upper Mississippi River. If this acquisition
51.10 is not completed by July 15, 2012, then
51.11 the appropriation is canceled. Of this
51.12 amount, \$187,000 the first year and \$187,000
51.13 the second year are for deposit into the
51.14 environment and natural resources trust
51.15 fund land management account within the
51.16 special revenue fund to be used to pay for
51.17 future restoration and enhancement of lands
51.18 purchased in fee with money from the trust
51.19 fund and held by the state and to make
51.20 the payments required under Minnesota
51.21 Statutes, sections 97A.061, subdivision 1,
51.22 and 477A.12, for lands purchased in fee with
51.23 money from the trust fund. Up to \$10,000
51.24 of the total amount appropriated may be
51.25 retained by the Department of Natural
51.26 Resources at the request of The Trust for
51.27 Public Land for transaction costs, associated
51.28 professional services, and restoration needs.
51.29 **(g) Minnesota River Valley Scientific and**
51.30 **Natural Area Acquisition**
51.31 \$1,187,000 the first year and \$1,187,000
51.32 the second year are from the trust fund
51.33 to the commissioner of natural resources
51.34 for an agreement with the Redwood Area
51.35 Communities Foundation to acquire lands
51.36 with high-quality native plant communities

52.1 and rare features to be established as scientific
52.2 and natural areas as provided in Minnesota
52.3 Statutes, section 86A.05, subdivision 5. A list
52.4 of proposed acquisitions must be provided
52.5 as part of the required work program.
52.6 Land acquired with this appropriation
52.7 must be sufficiently improved to meet at
52.8 least minimum management standards, as
52.9 determined by the commissioner of natural
52.10 resources. Of this amount, \$187,000 the
52.11 first year and \$187,000 the second year are
52.12 for deposit into the environment and natural
52.13 resources trust fund land management
52.14 account within the special revenue fund to
52.15 be used to pay for future restoration and
52.16 enhancement of lands purchased in fee
52.17 with money from the trust fund and held
52.18 by the state and to make the payments
52.19 required under Minnesota Statutes, sections
52.20 97A.061, subdivision 1, and 477A.12, for
52.21 lands purchased in fee with money from
52.22 the trust fund. Up to \$54,000 of the total
52.23 amount appropriated may be retained by
52.24 the Department of Natural Resources at the
52.25 request of the Redwood Area Communities
52.26 Foundation for transaction costs, associated
52.27 professional services, and restoration needs.
52.28 This appropriation is available until June
52.29 30, 2014, by which time the project must be
52.30 completed and final products delivered.
52.31 **(h) Native Prairie Stewardship and Native**
52.32 **Prairie Bank Acquisition**
52.33 \$500,000 the first year and \$500,000 the
52.34 second year are from the trust fund to the
52.35 commissioner of natural resources to acquire
52.36 native prairie bank easements, prepare

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

53.7 **(i) Metropolitan Conservation Corridors**
53.8 **(MeCC) - Phase VI**

53.9 \$1,765,000 the first year and \$1,765,000
53.10 the second year are from the trust fund
53.11 to the commissioner of natural resources
53.12 for the acceleration of agency programs
53.13 and cooperative agreements. Of this
53.14 appropriation, \$150,000 the first year
53.15 and \$150,000 the second year are to the
53.16 commissioner of natural resources for
53.17 agency programs and \$3,175,000 is for the
53.18 agreements as follows: \$100,000 the first
53.19 year and \$100,000 the second year with
53.20 Friends of the Mississippi River; \$517,000
53.21 the first year and \$518,000 the second year
53.22 with Dakota County; \$200,000 the first year
53.23 and \$200,000 the second year with Great
53.24 River Greening; \$220,000 the first year and
53.25 \$220,000 the second year with Minnesota
53.26 Land Trust; \$300,000 the first year and
53.27 \$300,000 the second year with Minnesota
53.28 Valley National Wildlife Refuge Trust, Inc.;
53.29 and \$250,000 the first year and \$250,000
53.30 the second year with The Trust for Public
53.31 Land for planning, restoring, and protecting
53.32 priority natural areas in the metropolitan area,
53.33 as defined under Minnesota Statutes, section
53.34 473.121, subdivision 2, and portions of the
53.35 surrounding counties, through contracted
53.36 services, technical assistance, conservation

54.1 easements, and fee title acquisition. Of
54.2 the total appropriation, \$28,000 the first
54.3 year and \$28,000 the second year are for
54.4 deposit into the environment and natural
54.5 resources trust fund land management
54.6 account within the special revenue fund to
54.7 be used to pay for future restoration and
54.8 enhancement of lands purchased in fee with
54.9 money from the trust fund and held by the
54.10 state and to make the payments required
54.11 under Minnesota Statutes, sections 97A.061,
54.12 subdivision 1, and 477A.12, for lands
54.13 purchased in fee with money from the trust
54.14 fund. Land acquired with this appropriation
54.15 must be sufficiently improved to meet at
54.16 least minimum management standards, as
54.17 determined by the commissioner of natural
54.18 resources. Expenditures are limited to the
54.19 identified project corridor areas as defined in
54.20 the work program. This appropriation may
54.21 not be used for the purchase of habitable
54.22 residential structures, unless specified in the
54.23 work program. All conservation easements
54.24 must be perpetual and have a natural resource
54.25 management plan. Any land acquired in fee
54.26 title by the commissioner of natural resources
54.27 with money from this appropriation must
54.28 be designated as an outdoor recreation
54.29 unit under Minnesota Statutes, section
54.30 86A.07. The commissioner may similarly
54.31 designate any lands acquired in less than
54.32 fee title. A list of proposed restorations
54.33 and fee title and easement acquisitions
54.34 must be provided as part of the required
54.35 work program. An entity that acquires a
54.36 conservation easement with appropriations

55.1 from the trust fund must have a long-term
55.2 stewardship plan for the easement and a fund
55.3 established for monitoring and enforcing the
55.4 agreement as provided in subdivision 17.
55.5 This appropriation is available until June
55.6 30, 2014, by which time the project must be
55.7 completed and final products delivered.

55.8 **(j) Habitat Conservation Partnership**
55.9 **(HCP) - Phase VII**

55.10 \$1,765,000 the first year and \$1,766,000
55.11 the second year are from the trust fund
55.12 to the commissioner of natural resources
55.13 for the acceleration of agency programs
55.14 and cooperative agreements. Of this
55.15 appropriation, \$125,000 the first year
55.16 and \$125,000 the second year are to the
55.17 commissioner of natural resources for
55.18 agency programs and \$3,225,000 is for
55.19 agreements as follows: \$637,000 the first
55.20 year and \$638,000 the second year with
55.21 Ducks Unlimited, Inc.; \$38,000 the first year
55.22 and \$37,000 the second year with Friends
55.23 of Detroit Lakes Wetland Management
55.24 District; \$25,000 the first year and \$25,000
55.25 the second year with Leech Lake Band of
55.26 Ojibwe; \$225,000 the first year and \$225,000
55.27 the second year with Minnesota Land Trust;
55.28 \$200,000 the first year and \$200,000 the
55.29 second year with Minnesota Valley National
55.30 Wildlife Refuge Trust, Inc.; \$242,000 the
55.31 first year and \$243,000 the second year
55.32 with Pheasants Forever, Inc.; and \$245,000
55.33 the first year and \$245,000 the second year
55.34 with The Trust for Public Land to plan,
55.35 restore, and acquire fragmented landscape
55.36 corridors that connect areas of quality habitat

56.1 to sustain fish, wildlife, and plants. Of the
56.2 total appropriation, \$28,000 the first year
56.3 and \$28,000 the second year are for deposit
56.4 into the environment and natural resources
56.5 trust fund land management account within
56.6 the special revenue fund to be used to pay
56.7 for future restoration and enhancement of
56.8 lands purchased in fee with money from the
56.9 trust fund and held by the state and to make
56.10 the payments required under Minnesota
56.11 Statutes, sections 97A.061, subdivision
56.12 1, and 477A.12, for lands purchased in
56.13 fee with money from the trust fund. The
56.14 United States Department of Agriculture,
56.15 Natural Resources Conservation Service,
56.16 is an authorized cooperating partner in the
56.17 appropriation. Expenditures are limited to
56.18 the project corridor areas as defined in the
56.19 work program. Land acquired with this
56.20 appropriation must be sufficiently improved
56.21 to meet at least minimum habitat and facility
56.22 management standards, as determined by
56.23 the commissioner of natural resources.
56.24 This appropriation may not be used for the
56.25 purchase of habitable residential structures,
56.26 unless specified in the work program. All
56.27 conservation easements must be perpetual
56.28 and have a natural resource management
56.29 plan. Any land acquired in fee title by
56.30 the commissioner of natural resources
56.31 with money from this appropriation must
56.32 be designated as an outdoor recreation
56.33 unit under Minnesota Statutes, section
56.34 86A.07. The commissioner may similarly
56.35 designate any lands acquired in less than
56.36 fee title. A list of proposed restorations

57.1 and fee title and easement acquisitions
57.2 must be provided as part of the required
57.3 work program. An entity that acquires a
57.4 conservation easement with appropriations
57.5 from the trust fund must have a long-term
57.6 stewardship plan for the easement and a fund
57.7 established for monitoring and enforcing the
57.8 agreement as provided in subdivision 17.

57.9 This appropriation is available until June
57.10 30, 2014, by which time the project must be
57.11 completed and final products delivered.

57.12 **(k) Natural and Scenic Area Acquisition**
57.13 **Grants**

57.14 \$500,000 the first year and \$500,000 the
57.15 second year are from the trust fund to the
57.16 commissioner of natural resources to provide
57.17 matching grants to local governments for
57.18 acquisition of natural and scenic areas, as
57.19 provided in Minnesota Statutes, section
57.20 85.019, subdivision 4a. This appropriation
57.21 is available until June 30, 2014, by which
57.22 time the project must be completed and final
57.23 products delivered.

57.24 **(l) Acceleration of Minnesota Conservation**
57.25 **Assistance**

57.26 \$313,000 the first year and \$312,000 the
57.27 second year are from the trust fund to the
57.28 Board of Water and Soil Resources to provide
57.29 grants to soil and water conservation districts
57.30 to provide technical assistance to secure
57.31 enrollment and retention of private lands in
57.32 federal and state programs for conservation.

57.33 **(m) Conservation Easement Stewardship**
57.34 **and Enforcement Program - Phase II**

58.1 \$250,000 the first year and \$250,000 the
58.2 second year are from the trust fund to
58.3 the commissioner of natural resources to
58.4 accelerate the implementation of the Phase
58.5 I Conservation Easement Stewardship Plan
58.6 being developed with an appropriation
58.7 from Laws 2008, chapter 367, section 2,
58.8 subdivision 5, paragraph (h).

58.9 **(n) Recovery of At-Risk Native Prairie**
58.10 **Species**

58.11 \$73,000 the first year and \$74,000 the second
58.12 year are from the trust fund to the Board of
58.13 Water and Soil Resources for an agreement
58.14 with the Martin County Soil and Water
58.15 Conservation District to collect, propagate,
58.16 and plant declining, at-risk native species
58.17 on protected habitat and to enhance private
58.18 market sources for local ecotype native seed.
58.19 This appropriation is available until June
58.20 30, 2014, by which time the project must be
58.21 completed and final products delivered.

58.22 **(o) Understanding Threats, Genetic**
58.23 **Diversity, and Conservation Options for**
58.24 **Wild Rice**

58.25 \$97,000 the first year and \$98,000 the second
58.26 year are from the trust fund to the Board
58.27 of Regents of the University of Minnesota
58.28 to research the genetic diversity of wild
58.29 rice population throughout Minnesota for
58.30 use in related conservation and restoration
58.31 efforts. This appropriation is contingent upon
58.32 demonstration of review and cooperation
58.33 with the Native American tribal nations
58.34 in Minnesota. Equipment purchased with
58.35 this appropriation must be available for

59.1 future publicly funded projects at no charge
59.2 except for typical operating expenses. This
59.3 appropriation is available until June 30,
59.4 2014, by which time the project must be
59.5 completed and final products delivered.

59.6 **(p) Southeast Minnesota Stream**
59.7 **Restoration**

59.8 \$125,000 the first year and \$125,000 the
59.9 second year are from the trust fund to the
59.10 commissioner of natural resources for an
59.11 agreement with Trout Unlimited to restore at
59.12 least four miles of riparian corridor for trout
59.13 and nongame species in southeast Minnesota
59.14 and increase local capacities to implement
59.15 stream restoration through training and
59.16 technical assistance. This appropriation is
59.17 available until June 30, 2014, by which time
59.18 the project must be completed and final
59.19 products delivered.

59.20 **(q) Restoration Strategies for Ditched**
59.21 **Peatland Scientific and Natural Areas**

59.22 \$100,000 the first year and \$100,000 the
59.23 second year are from the trust fund to the
59.24 commissioner of natural resources to evaluate
59.25 the hydrology and habitat of the Winter Road
59.26 Lake peatland watershed protection area to
59.27 determine the effects of ditch abandonment
59.28 and examine the potential for restoration
59.29 of patterned peatlands. This appropriation
59.30 is available until June 30, 2014, by which
59.31 time the project must be completed and final
59.32 products delivered.

59.33 **(r) Northeast Minnesota White Cedar**
59.34 **Plant Community Restoration**

60.1 \$125,000 for the first year and \$125,000
60.2 the second year are from the trust fund to
60.3 the Board of Water and Soil Resources to
60.4 assess the decline of northern white cedar
60.5 plant communities in northeast Minnesota,
60.6 prioritize cedar sites for restoration, and
60.7 provide cedar restoration training to local
60.8 units of government.

60.9 **(s) Land and Water Conservation Account**
60.10 **(LAWCON) Federal Reimbursement**

60.11 \$750,000 is from the state land and water
60.12 conservation account (LAWCON) in the
60.13 natural resources fund to the commissioner of
60.14 natural resources for priorities established by
60.15 the commissioner for eligible state projects
60.16 and administrative and planning activities
60.17 consistent with Minnesota Statutes, section
60.18 116P.14, and the federal Land and Water
60.19 Conservation Fund Act. This appropriation
60.20 is available until June 30, 2014, by which
60.21 time the project must be completed and final
60.22 products delivered.

60.23	<u>Subd. 5. Water Resources</u>	<u>778,000</u>	<u>779,000</u>
-------	--	----------------	----------------

60.24 **(a) Itasca County Sensitive Lakeshore**
60.25 **Identification**

60.26 \$80,000 the first year and \$80,000 the
60.27 second year are from the trust fund to the
60.28 commissioner of natural resources for an
60.29 agreement with Itasca County Soil and Water
60.30 Conservation District to identify sensitive
60.31 lakeshore and restorable shoreline in Itasca
60.32 County. Up to \$130,000 may be retained by
60.33 the Department of Natural Resources at the
60.34 request of Itasca County to provide technical
60.35 assistance.

61.1 **(b) Trout Stream Springshed Mapping in**
61.2 **Southeast Minnesota - Phase III**

61.3 \$250,000 the first year and \$250,000 the
61.4 second year are from the trust fund to
61.5 continue to identify and delineate water
61.6 supply areas and springsheds for springs
61.7 serving as cold water sources for trout
61.8 streams and to assess the impacts from
61.9 development and water appropriations. Of
61.10 this appropriation, \$140,000 each year is to
61.11 the Board of Regents of the University of
61.12 Minnesota and \$110,000 each year is to the
61.13 commissioner of natural resources.

61.14 **(c) Mississippi River Water Quality**
61.15 **Assessment**

61.16 \$278,000 the first year and \$279,000 the
61.17 second year are from the trust fund to the
61.18 Board of Regents of the University of
61.19 Minnesota to assess water quality in the
61.20 Mississippi River using DNA sequencing
61.21 approaches and chemical analyses. The
61.22 assessments shall be incorporated into
61.23 a Web-based educational tool for use
61.24 in classrooms and public exhibits. This
61.25 appropriation is available until June 30,
61.26 2014, by which time the project must be
61.27 completed and final products delivered.

61.28 **(d) Zumbro River Watershed Restoration**
61.29 **Prioritization**

61.30 \$75,000 the first year and \$75,000 the
61.31 second year are from the trust fund to the
61.32 commissioner of natural resources for an
61.33 agreement with the Zumbro Watershed
61.34 Partnership, Inc. to identify sources of
61.35 erosion and runoff in the Zumbro River

62.1 Watershed in order to prioritize restoration
62.2 and protection projects.

62.3 **(e) Assessment of Minnesota River**

62.4 **Antibiotic Concentrations**

62.5 \$95,000 the first year and \$95,000 the
62.6 second year are from the trust fund to the
62.7 commissioner of natural resources for an
62.8 agreement with Saint Thomas University
62.9 in cooperation with Gustavus Adolphus
62.10 College and the University of Minnesota
62.11 to measure antibiotic concentrations and
62.12 antibiotic resistance levels at sites on the
62.13 Minnesota River.

62.14 **Subd. 6. Aquatic and Terrestrial Invasive**
62.15 **Species**

435,000

435,000

62.16 **(a) Improved Detection of Harmful**

62.17 **Microbes in Ballast Water**

62.18 \$125,000 the first year and \$125,000 the
62.19 second year are from the trust fund to the
62.20 Board of Regents of the University of
62.21 Minnesota for the University of Minnesota
62.22 Duluth to identify and analyze potentially
62.23 harmful bacteria transported into Lake
62.24 Superior through ship ballast water
62.25 discharge. This appropriation is available
62.26 until June 30, 2014, by which time the
62.27 project must be completed and final products
62.28 delivered.

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

62.30 **Research and Implementation**

62.31 \$250,000 the first year and \$250,000 the
62.32 second year are from the trust fund to the
62.33 commissioner of agriculture to assess a
62.34 biocontrol method for suppressing emerald
62.35 ash borers by testing bioagent winter survival

63.1	<u>potential, developing release and monitoring</u>		
63.2	<u>methods, and piloting implementation</u>		
63.3	<u>of emerald ash borer biocontrol. This</u>		
63.4	<u>appropriation is available until June 30,</u>		
63.5	<u>2014, by which time the project must be</u>		
63.6	<u>completed and final products delivered.</u>		
63.7	<u>(c) Evaluation of Switchgrass as Biofuel</u>		
63.8	<u>Crop</u>		
63.9	<u>\$60,000 the first year and \$60,000 the second</u>		
63.10	<u>year are from the trust fund to the Minnesota</u>		
63.11	<u>State Colleges and Universities System for</u>		
63.12	<u>Central Lakes College in cooperation with</u>		
63.13	<u>the University of Minnesota to determine</u>		
63.14	<u>the invasion risk of selectively bred</u>		
63.15	<u>native grasses for biofuel production and</u>		
63.16	<u>develop strategies to minimize the invasion</u>		
63.17	<u>potential and impacts on biodiversity. This</u>		
63.18	<u>appropriation is available until June 30,</u>		
63.19	<u>2014, by which time the project must be</u>		
63.20	<u>completed and final products delivered.</u>		
63.21	<u>Subd. 7. Renewable Energy and Air Quality</u>	<u>75,000</u>	<u>75,000</u>
63.22	<u>Supporting Community-Driven</u>		
63.23	<u>Sustainable Bioenergy Projects</u>		
63.24	<u>\$75,000 the first year and \$75,000 the</u>		
63.25	<u>second year are from the trust fund to</u>		
63.26	<u>the commissioner of natural resources</u>		
63.27	<u>for an agreement with Dovetail Partners,</u>		
63.28	<u>Inc. in cooperation with the University of</u>		
63.29	<u>Minnesota to assess feasibility, impacts,</u>		
63.30	<u>and management needs of community-scale</u>		
63.31	<u>forest bioenergy systems through pilot</u>		
63.32	<u>studies in Ely and Cook County and to</u>		
63.33	<u>disseminate findings to inform related efforts</u>		
63.34	<u>in other communities.</u>		
63.35	<u>Subd. 8. Environmental Education</u>	<u>123,000</u>	<u>123,000</u>

64.1	<u>Youth-Led Renewable Energy and</u>		
64.2	<u>Energy Conservation in West Central and</u>		
64.3	<u>Southwest Minnesota</u>		
64.4	<u>\$123,000 the first year and \$123,000 the</u>		
64.5	<u>second year are from the trust fund to</u>		
64.6	<u>the commissioner of natural resources</u>		
64.7	<u>for an agreement with Prairie Woods</u>		
64.8	<u>Environmental Learning Center to initiate</u>		
64.9	<u>youth-led renewable energy and conservation</u>		
64.10	<u>projects in over 30 communities in west</u>		
64.11	<u>central and southwest Minnesota.</u>		
64.12	<u>Subd. 9. Emerging Issues</u>	<u>4,984,000</u>	<u>5,324,000</u>
64.13	<u>(a) Minnesota Conservation Apprentice</u>		
64.14	<u>Academy</u>		
64.15	<u>\$100,000 the first year and \$100,000 the</u>		
64.16	<u>second year are from the trust fund to</u>		
64.17	<u>the Board of Water and Soil Resources</u>		
64.18	<u>in cooperation with Conservation Corps</u>		
64.19	<u>Minnesota to train and mentor future</u>		
64.20	<u>conservation professionals by providing</u>		
64.21	<u>apprenticeship service opportunities to</u>		
64.22	<u>soil and water conservation districts. This</u>		
64.23	<u>appropriation is available until June 30,</u>		
64.24	<u>2014, by which time the project must be</u>		
64.25	<u>completed and the final products delivered.</u>		
64.26	<u>(b) Wild Rice Standards</u>		
64.27	<u>\$1,000,000 the first year is from the trust</u>		
64.28	<u>fund to the commissioner of the Pollution</u>		
64.29	<u>Control Agency for a wild rice standards</u>		
64.30	<u>study. This appropriation is available until</u>		
64.31	<u>June 30, 2015.</u>		
64.32	<u>(c) Chronic Wasting Disease and Animal</u>		
64.33	<u>Health</u>		

65.1 \$600,000 the first year and \$600,000 the
65.2 second year are from the trust fund to the
65.3 commissioner of natural resources to address
65.4 chronic wasting disease and accelerate
65.5 wildlife health programs.

65.6 **(d) Aquatic Invasive Species**

65.7 \$1,822,000 the first year and \$3,804,000
65.8 the second year are from the trust fund
65.9 to the commissioner of natural resources
65.10 to accelerate aquatic invasive species
65.11 programs, including the development
65.12 and implementation of best management
65.13 practices for public water access facilities
65.14 to implement aquatic invasive species
65.15 prevention strategies.

65.16 **(e) Coon Rapids Dam**

65.17 \$442,000 the first year is from the trust fund
65.18 to the commissioner of natural resources
65.19 for a grant to Three Rivers Park District for
65.20 predesign and design of the Coon Rapids
65.21 Dam for improvements and to function as a
65.22 barrier to invasive fish.

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

65.24 \$200,000 the first year is from the trust fund
65.25 to the commissioner of natural resources to
65.26 accelerate evaluation of the department's
65.27 land holdings and sell, exchange, and
65.28 acquire property more efficiently and
65.29 effectively to achieve the department's land
65.30 management goals in counties where public
65.31 land ownership exceeds 50 percent.

65.32 Subd. 10. **Administration and Contract**
65.33 **Management**

576,000

573,000

65.34 **(a) Legislative-Citizen Commission on**
65.35 **Minnesota Resources (LCCMR)**

66.1 \$473,000 the first year and \$473,000 the
66.2 second year are from the trust fund to the
66.3 LCCMR for administration as provided
66.4 in Minnesota Statutes, section 116P.09,
66.5 subdivision 5.

66.6 **(b) Contract Management**

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

66.17 **(c) LCC Web Site**

66.18 \$3,000 in the first year is appropriated to the
66.19 Legislative Coordinating Commission for
66.20 the Web site required in Minnesota Statutes,
66.21 section 3.303, subdivision 10.

66.22 **Subd. 11. Availability of Appropriations**

66.23 Money appropriated in this section may
66.24 not be spent on activities unless they are
66.25 directly related to the specific appropriation
66.26 and are specified in the work program.

66.27 Money appropriated in this section must
66.28 not be spent on indirect costs or other
66.29 institutional overhead charges. Unless
66.30 otherwise provided, the amounts in this
66.31 section are available until June 30, 2013,
66.32 when projects must be completed and final
66.33 products delivered. For acquisition of real
66.34 property, the amounts in this section are
66.35 available until June 30, 2014, if a binding

67.1 contract is entered into by June 30, 2013,
67.2 and closed not later than June 30, 2014. If
67.3 a project receives a federal grant, the time
67.4 period of the appropriation is extended to
67.5 equal the federal grant period.

67.6 **Subd. 12. Data Availability Requirements**

67.7 Data collected by the projects funded under
67.8 this section must conform to guidelines and
67.9 standards adopted by the Office of Enterprise
67.10 Technology. Spatial data also must conform
67.11 to additional guidelines and standards
67.12 designed to support data coordination and
67.13 distribution that have been published by the
67.14 Minnesota Geospatial Information Office.

67.15 Descriptions of spatial data must be prepared
67.16 as specified in the state's geographic metadata
67.17 guideline and must be submitted to the
67.18 Minnesota Geospatial Information Office.
67.19 All data must be accessible and free to the
67.20 public unless made private under the Data
67.21 Practices Act, Minnesota Statutes, chapter
67.22 13.

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

67.28 **Subd. 13. Project Requirements**

67.29 (a) As a condition of accepting an
67.30 appropriation under this section, any agency
67.31 or entity receiving an appropriation or a
67.32 party to an agreement from an appropriation
67.33 must comply with paragraphs (b) to (k) and
67.34 Minnesota Statutes, chapter 116P, and must
67.35 submit a work program and semiannual

68.1 progress reports in the form determined
68.2 by the Legislative-Citizen Commission on
68.3 Minnesota Resources for any project funded
68.4 in whole or in part with funds from the
68.5 appropriation.

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

68.28 (c) Any entity receiving an appropriation in
68.29 this section for restoration activities must
68.30 provide an initial restoration evaluation
68.31 at the completion of the appropriation
68.32 and an evaluation three years beyond the
68.33 completion of the expenditure. Restorations
68.34 must be evaluated relative to the stated
68.35 goals and standards in the restoration plan,
68.36 current science, and, when applicable, the

69.1 Board of Water and Soil Resources' native
69.2 vegetation establishment and enhancement
69.3 guidelines. The evaluation shall determine
69.4 whether the restorations are meeting planned
69.5 goals, identify any problems with the
69.6 implementation of the restorations, and,
69.7 if necessary, give recommendations on
69.8 improving restorations. The evaluation shall
69.9 be focused on improving future restorations.

69.10 (d) Except as otherwise provided in this
69.11 section, all restoration and enhancement
69.12 projects funded with money appropriated in
69.13 this section must be on land permanently
69.14 protected by a conservation easement or
69.15 public ownership or in public waters as
69.16 defined in Minnesota Statutes, section
69.17 103G.005, subdivision 15.

69.18 (e) A recipient of money from an
69.19 appropriation under this section must
69.20 give consideration to contracting with
69.21 Conservation Corps Minnesota or its
69.22 successor for contract restoration and
69.23 enhancement services.

69.24 (f) All conservation easements acquired with
69.25 money appropriated under this section must:

69.26 (1) be perpetual;
69.27 (2) specify the parties to an easement in the
69.28 easement;
69.29 (3) specify all of the provisions of an
69.30 agreement that are perpetual;
69.31 (4) be sent to the Office of the
69.32 Legislative-Citizen Commission on
69.33 Minnesota Resources in an electronic format;

70.1 (5) include a long-term monitoring and
70.2 enforcement plan and funding for monitoring
70.3 and enforcing the easement agreement; and
70.4 (6) include requirements in the easement
70.5 document to address specific water quality
70.6 protection activities such as keeping water
70.7 on the landscape, reducing nutrient and
70.8 contaminant loading, protecting groundwater,
70.9 and not permitting artificial hydrological
70.10 modifications.
70.11 (g) For any acquisition of land or interest in
70.12 land, a recipient of money appropriated under
70.13 this section must give priority to high quality
70.14 natural resources or conservation lands that
70.15 provide natural buffers to water resources.
70.16 (h) For new lands acquired with money
70.17 appropriated under this section, a recipient
70.18 must prepare a restoration and management
70.19 plan in compliance with paragraph
70.20 (b), including sufficient funding for
70.21 implementation unless the work program
70.22 addresses why a portion of the money is
70.23 not necessary to achieve a high-quality
70.24 restoration.
70.25 (i) To the extent an appropriation is used to
70.26 acquire an interest in real property, a recipient
70.27 of an appropriation under this section must
70.28 provide to the Legislative-Citizen
70.29 Commission on Minnesota Resources and
70.30 the commissioner of management and budget
70.31 an analysis of increased operations and
70.32 maintenance costs likely to be incurred by
70.33 public entities as a result of the acquisition
70.34 and how these costs are to be paid.

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

71.31 (k) A recipient of an appropriation from
71.32 the trust fund under this section must
71.33 acknowledge financial support from the
71.34 Minnesota environment and natural resources
71.35 trust fund in project publications, signage,
71.36 and other public communications and

72.1 outreach related to work completed using the
72.2 appropriation. Acknowledgment may occur,
72.3 as appropriate, through use of the trust fund
72.4 logo or inclusion of language attributing
72.5 support from the trust fund.

72.6 **Subd. 14. Payment Conditions and Capital**
72.7 **Equipment Expenditures**

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

72.29 **Subd. 15. Purchase of Recycled and Recyclable**
72.30 **Materials**

72.31 A political subdivision, public or private
72.32 corporation, or other entity that receives an
72.33 appropriation under this section must use the
72.34 appropriation in compliance with Minnesota
72.35 Statutes, section 16B.121, regarding
72.36 purchase of recycled, repairable, and durable

73.1 materials; and Minnesota Statutes, section
73.2 16B.122, regarding purchase and use of
73.3 paper stock and printing.

73.4 **Subd. 16. Energy Conservation and**
73.5 **Sustainable Building Guidelines**

73.6 A recipient to whom an appropriation is made
73.7 under this section for a capital improvement
73.8 project must ensure that the project complies
73.9 with the applicable energy conservation and
73.10 sustainable building guidelines and standards
73.11 contained in law, including Minnesota
73.12 Statutes, sections 16B.325, 216C.19, and
73.13 216C.20, and rules adopted under those
73.14 sections. The recipient may use the energy
73.15 planning, advocacy, and State Energy Office
73.16 units of the Department of Commerce to
73.17 obtain information and technical assistance
73.18 on energy conservation and alternative
73.19 energy development relating to the planning
73.20 and construction of the capital improvement
73.21 project.

73.22 **Subd. 17. Easement Monitoring and**
73.23 **Enforcement Requirements**

73.24 Money appropriated under this section and
73.25 adjustments made under subdivision 20 for
73.26 easement monitoring and enforcement may
73.27 be spent only on activities included in an
73.28 easement monitoring and enforcement plan
73.29 contained within the work program. Money
73.30 received for monitoring and enforcement,
73.31 including earnings on the money received,
73.32 shall be kept in a monitoring and enforcement
73.33 fund held by the organization and dedicated
73.34 to monitoring and enforcing conservation
73.35 easements within Minnesota. Within 120
73.36 days after the close of the entity's fiscal

74.1 year, an entity receiving appropriations
74.2 for easement monitoring and enforcement
74.3 must provide an annual financial report
74.4 to the Legislative-Citizen Commission
74.5 on Minnesota Resources on the easement
74.6 monitoring and enforcement fund as specified
74.7 in the work program. Money appropriated
74.8 under this section for monitoring and
74.9 enforcement of easements and earnings on
74.10 the money appropriated shall revert to the
74.11 state if:
74.12 (1) the easement transfers to the state;
74.13 (2) the holder of the easement fails to file
74.14 an annual report and then fails to cure that
74.15 default within 30 days of notification of the
74.16 default by the state; or
74.17 (3) the holder of the easement fails to
74.18 comply with the terms of the monitoring and
74.19 enforcement plan contained within the work
74.20 program and fails to cure that default within
74.21 90 days of notification of the default by the
74.22 state.
74.23 Subd. 18. **Accessibility**
74.24 Structural and nonstructural facilities must
74.25 meet the design standards in the Americans
74.26 with Disabilities Act (ADA) accessibility
74.27 guidelines.
74.28 Subd. 19. **Carryforward**
74.29 (a) The availability of the appropriation for
74.30 the following projects is extended to June
74.31 30, 2012:
74.32 (1) Laws 2008, chapter 367, section
74.33 2, subdivision 4, paragraph (f), Native
74.34 Shoreland Buffer Incentives Program;

75.1 (2) Laws 2008, chapter 367, section 2,
75.2 subdivision 4, paragraph (g), Southeast
75.3 Minnesota Stream Restoration Projects;
75.4 (3) Laws 2009, chapter 143, section 2,
75.5 subdivision 4, paragraph (a), State Park
75.6 Acquisition;
75.7 (4) Laws 2009, chapter 143, section 2,
75.8 subdivision 4, paragraph (b), State Trail
75.9 Acquisition;
75.10 (5) Laws 2009, chapter 143, section 2,
75.11 subdivision 6, paragraph (c), Improving
75.12 Emerging Fish Disease Surveillance in
75.13 Minnesota; and
75.14 (6) Laws 2009, chapter 143, section 2,
75.15 subdivision 8, paragraph (a), Contract
75.16 Management.
75.17 (b) The availability of the appropriation for
75.18 the following project is extended to June 30,
75.19 2013:
75.20 (1) Laws 2010, chapter 362, section 2,
75.21 subdivision 8, paragraph (f), Expanding
75.22 Outdoor Classrooms at Minnesota Schools;
75.23 and
75.24 (2) Laws 2010, chapter 362, section 2,
75.25 subdivision 8, paragraph (g), Integrating
75.26 Environmental and Outdoor Education in
75.27 Grades 7-12.
75.28 **Subd. 20. Appropriations Adjustment**
75.29 **(a) Metropolitan Conservation Corridors**
75.30 (1) Of the amount appropriated in Laws
75.31 2003, chapter 128, article 1, section 9,
75.32 subdivision 5, paragraph (b), \$48,000 is for
75.33 deposit in a monitoring and enforcement
75.34 account as authorized in subdivision 17.

76.1 (2) Of the amount appropriated in Laws
76.2 2005, First Special Session chapter 1, article
76.3 2, section 11, subdivision 5, paragraph
76.4 (b), \$49,000 is for deposit in a monitoring
76.5 and enforcement account as authorized in
76.6 subdivision 17.

76.7 (3) Of the amount appropriated in Laws
76.8 2007, chapter 30, section 2, subdivision
76.9 4, paragraph (c), \$59,000 is for deposit in
76.10 a monitoring and enforcement account as
76.11 authorized in subdivision 17.

76.12 (4) Of the amount appropriated in Laws
76.13 2008, chapter 367, section 2, subdivision
76.14 3, paragraph (a), \$42,000 is for deposit in
76.15 a monitoring and enforcement account as
76.16 authorized in subdivision 17.

76.17 (5) Of the amount appropriated in Laws
76.18 2009, chapter 143, section 2, subdivision
76.19 4, paragraph (f), \$80,000 is for deposit in
76.20 a monitoring and enforcement account as
76.21 authorized in subdivision 17.

76.22 (6) Of the amount appropriated in Laws
76.23 2010, chapter 362, section 2, subdivision
76.24 4, paragraph (g), \$10,000 is for deposit in
76.25 a monitoring and enforcement account as
76.26 authorized in subdivision 17.

76.27 **(b) Habitat Conservation Partnership**

76.28 (1) Of the amount appropriated in Laws
76.29 2001, First Special Session chapter 2, section
76.30 14, subdivision 4, paragraph (e), \$288,000 is
76.31 for deposit in a monitoring and enforcement
76.32 account as authorized in subdivision 17.

76.33 (2) Of the amount appropriated in Laws
76.34 2003, chapter 128, article 1, section 9,

77.1 subdivision 5, paragraph (a), up to \$78,000 is
77.2 for deposit in a monitoring and enforcement
77.3 account as authorized in subdivision 17.

77.4 (3) Of the amount appropriated in Laws
77.5 2005, First Special Session chapter 1, section
77.6 11, subdivision 5, paragraph (a), \$25,000 is
77.7 for deposit in a monitoring and enforcement
77.8 account as authorized in subdivision 17.

77.9 (4) Of the amount appropriated in Laws
77.10 2007, chapter 30, section 2, subdivision
77.11 4, paragraph (b), \$69,000 is for deposit in
77.12 a monitoring and enforcement account as
77.13 authorized in subdivision 17.

77.14 (5) Of the amount appropriated in Laws
77.15 2008, chapter 367, section 2, subdivision
77.16 3, paragraph (c), \$66,000 is for deposit in
77.17 a monitoring and enforcement account as
77.18 authorized in subdivision 17.

77.19 (6) Of the amount appropriated in Laws
77.20 2009, chapter 143, section 2, subdivision
77.21 4, paragraph (e), \$60,000 is for deposit in
77.22 a monitoring and enforcement account as
77.23 authorized in subdivision 17.

77.24 (7) Of the amount appropriated in Laws
77.25 2010, chapter 362, section 2, subdivision
77.26 4, paragraph (f), \$30,000 is for deposit in
77.27 a monitoring and enforcement account as
77.28 authorized in subdivision 17.

77.29 **(c) Preserving the Avon Hills Landscape**
77.30 Of the amount appropriated in Laws 2008,
77.31 chapter 367, section 2, subdivision 3,
77.32 paragraph (d), \$120,000 is for deposit in
77.33 a monitoring and enforcement account as
77.34 authorized in subdivision 17.

(d) New Models for Land-Use Planning

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

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

79.3 Subd. 6. **Environment and natural resources trust fund land management**
79.4 **account.** An environment and natural resources trust fund land management account is
79.5 created as an account in the special revenue fund. The State Board of Investment shall
79.6 ensure the account is invested under section 11A.24. The commissioner of management
79.7 and budget shall credit to the account all money appropriated to the account and all money
79.8 earned by the account. The principal of the account and any unexpended earnings must
79.9 be invested and reinvested by the State Board of Investment. Nothing in this section
79.10 limits the source of contributions to the account. No more than five and one-half percent
79.11 of the market value of the account as of June 30 of the prior fiscal year is appropriated
79.12 to the commissioner of natural resources to pay for future restoration and enhancement
79.13 of lands purchased in fee with money from the environment and natural resources trust
79.14 fund and held by the state and to reimburse the general fund for payments made under
79.15 sections 97A.061, subdivision 1, and 477A.12 for lands purchased with funds from the
79.16 environment and natural resources trust fund.

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

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

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

79.24 ~~(c)~~ It is a condition of acceptance of the appropriations made from the Minnesota
79.25 environment and natural resources trust fund, and oil overcharge money under section
79.26 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit
79.27 a work program and semiannual progress reports in the form determined by the
79.28 Legislative-Citizen Commission on Minnesota Resources, and comply with applicable
79.29 reporting requirements under section 116P.16. ~~None of the money provided may be spent~~
79.30 ~~unless the commission has approved the pertinent work program.~~

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

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

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

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

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

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

80.8 (4) provide for project outcome evaluation;

80.9 (5) keep the grant application, administration, and review process as simple as
80.10 possible; and

80.11 (6) define and emphasize the leveraging of additional sources of money that project
80.12 proposers should consider when making trust fund proposals.

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

80.14 **290.431 NONGAME WILDLIFE CHECKOFF.**

80.15 Every individual who files an income tax return or property tax refund claim form
80.16 may designate on their original return that \$1 or more shall be added to the tax or deducted
80.17 from the refund that would otherwise be payable by or to that individual and paid into an
80.18 account to be established for the management of nongame wildlife. The commissioner
80.19 of revenue shall, on the income tax return and the property tax refund claim form, notify
80.20 filers of their right to designate that a portion of their tax or refund shall be paid into the
80.21 nongame wildlife management account. The sum of the amounts so designated to be paid
80.22 shall be credited to the nongame wildlife management account for use by the nongame
80.23 program in the Department of Natural Resources. All interest earned on money accrued,
80.24 gifts to the program, contributions to the program, and reimbursements of expenditures
80.25 in the nongame wildlife management account shall be credited to the account by the
80.26 commissioner of management and budget, except that gifts or contributions received
80.27 directly by the commissioner of natural resources and directed by the contributor for
80.28 use in specific nongame field projects or geographic areas shall be handled according to
80.29 section 84.085, subdivision 1. ~~The commissioner of natural resources shall submit a work~~
80.30 ~~program for each fiscal year and semiannual progress reports to the Legislative-Citizen~~
80.31 ~~Commission on Minnesota Resources in the form determined by the commission.~~

80.32 The state pledges and agrees with all contributors to the nongame wildlife
80.33 management account to use the funds contributed solely for the management of nongame
80.34 wildlife projects and further agrees that it will not impose additional conditions or
80.35 restrictions that will limit or otherwise restrict the ability of the commissioner of natural

resources to use the available funds for the most efficient and effective management of nongame wildlife. The commissioner may use funds appropriated for nongame wildlife programs for the purpose of developing, preserving, restoring, and maintaining wintering habitat for neotropical migrant birds in Latin America and the Caribbean under agreement or contract with any nonprofit organization dedicated to the construction, maintenance, and repair of such projects that are acceptable to the governmental agency having jurisdiction over the land and water affected by the projects. Under this authority, the commissioner may execute agreements and contracts if the commissioner determines that the use of the funds will benefit neotropical migrant birds that breed in or migrate through the state.

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

290.432 CORPORATE NONGAME WILDLIFE CHECKOFF.

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

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

Sec. 8. **REPEALER.**

H.F. No. 1010, 3rd Engrossment - 87th Legislative Session (2011-2012) [H1010-3]

- 82.1 Minnesota Statutes 2010, sections 84.027, subdivision 11; 116P.09, subdivision 4;
82.2 and 116P.14, are repealed.

APPENDIX
Article locations in H1010-3

ARTICLE 1	ENVIRONMENT AND NATURAL RESOURCES FINANCE	Page.Ln 1.18
ARTICLE 2	ENERGY FINANCE	Page.Ln 21.11
ARTICLE 3	STATUTORY CHANGES	Page.Ln 25.3
ARTICLE 4	ENVIRONMENT AND NATURAL RESOURCES TRUST FUND ...	Page.Ln 41.25

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: H1010-3

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.