

1.1 A bill for an act

1.2 relating to state government; appropriating money from dedicated funds for
1.3 natural resource and arts and cultural heritage purposes; modifying administration
1.4 of the Lessard Outdoor Heritage Council; modifying provisions relating to the
1.5 Mississippi River Critical Area; providing for the allocation of certain funding
1.6 for metropolitan area parks and trails; creating a regional park and trail grant
1.7 program; providing funding for a statewide 25-year park and trail framework;
1.8 providing for a legacy Web site, signs, and a 25-year strategic plan; establishing
1.9 a Dakota and Ojibwe language revitalization and preservation volunteer
1.10 working group; amending Minnesota Statutes 2008, sections 85.53; 97A.056,
1.11 subdivisions 2, 7; 116G.15; proposing coding for new law in Minnesota Statutes,
1.12 chapters 85; 129D; proposing coding for new law as Minnesota Statutes, chapter
1.13 129E; repealing Minnesota Statutes 2008, section 129D.17.

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

1.15 **ARTICLE 1**

1.16 **OUTDOOR HERITAGE FUND**

1.17 Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

1.18 The sums shown in the columns marked "Appropriations" are appropriated to the
1.19 agencies and for the purposes specified in this article. The appropriations are from the
1.20 outdoor heritage fund and are available for the fiscal years indicated for each purpose. The
1.21 figures "2010" and "2011" used in this article mean that the appropriations listed under
1.22 them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively.
1.23 "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium"
1.24 is fiscal years 2010 and 2011. The appropriations in this article are onetime.

1.25 **APPROPRIATIONS**
1.26 **Available for the Year**
1.27 **Ending June 30**
1.28 **2010** **2011**

3.1 **(c) Prairie Heritage Fund – Acquisition and**
3.2 **Restoration**

3.3 \$3,000,000 in fiscal year 2010 is to the
3.4 commissioner of natural resources for an
3.5 agreement with Pheasants Forever to acquire
3.6 and restore land to be added to the state
3.7 wildlife management area system. A list
3.8 of proposed fee title acquisitions and a list
3.9 of proposed restoration projects, describing
3.10 the types and locations of restorations,
3.11 must be provided as part of the required
3.12 accomplishment plan. The commissioner
3.13 of natural resources must agree to each
3.14 proposed acquisition.

3.15 **(d) Accelerated Prairie Grassland Wildlife**
3.16 **Management Area Acquisition**

3.17 \$3,913,000 in fiscal year 2010 is to the
3.18 commissioner of natural resources to
3.19 acquire land for wildlife management areas
3.20 with native prairie or grassland habitats.
3.21 A list of proposed fee title acquisitions
3.22 must be provided as part of the required
3.23 accomplishment plan.

3.24 **(e) Northern Tall Grass Prairie National**
3.25 **Wildlife Refuge Protection**

3.26 \$1,583,000 in fiscal year 2010 is to the
3.27 commissioner of natural resources for an
3.28 agreement with the United States Fish
3.29 and Wildlife Service to acquire land or
3.30 permanent easements within the Northern
3.31 Tall Grass Prairie Habitat Preservation Area
3.32 in western Minnesota. The commissioner
3.33 may advance funds to the United States Fish
3.34 and Wildlife Service. A list of proposed fee
3.35 title and permanent easement acquisitions

4.1 must be provided as part of the required
4.2 accomplishment plan.

4.3 **(f) Bluffland Prairie Protection Initiative**

4.4 \$500,000 in fiscal year 2010 is to the
4.5 commissioner of natural resources for an
4.6 agreement with the Minnesota Land Trust
4.7 to acquire permanent easements protecting
4.8 critical prairie and grassland habitats in the
4.9 blufflands in southeastern Minnesota. A list
4.10 of proposed fee title and permanent easement
4.11 acquisitions must be provided as part of the
4.12 required accomplishment plan.

4.13 **(g) Rum River – Cedar Creek Initiative**

4.14 \$1,900,000 in fiscal year 2010 is to the
4.15 commissioner of natural resources for an
4.16 agreement with Anoka County to acquire
4.17 land at the confluence of the Rum River and
4.18 Cedar Creek in Anoka County. Acquired
4.19 land must remain open to hunting and
4.20 fishing, consistent with the capacity of the
4.21 land, during the open season, as determined
4.22 by the commissioner of natural resources.
4.23 This is the first of two planned appropriations
4.24 for this acquisition.

4.25 **Subd. 3. Forests** 20,000,000 16,000,000

4.26 \$20,000,000 in fiscal year 2010 and
4.27 \$16,000,000 in fiscal year 2011 are to the
4.28 commissioner of natural resources to acquire
4.29 land or permanent working forest easements
4.30 on private forests in areas identified through
4.31 the Minnesota forests for the future program
4.32 under Minnesota Statutes, section 84.66.
4.33 Priority must be given to acquiring land
4.34 or interests in private lands within existing

5.1 Minnesota state forest boundaries. Any
5.2 easements acquired must have a forest
5.3 management plan as defined in Minnesota
5.4 Statutes, section 290C.02, subdivision 7.
5.5 A list of proposed fee title and easement
5.6 acquisitions must be provided as part of the
5.7 required accomplishment plan. The fiscal
5.8 year 2011 appropriation is available only for
5.9 acquisitions that, by August 15, 2009, are:

5.10 (1) subject to a binding agreement with the
5.11 commissioner; and

5.12 (2) matched by at least \$9,000,000 in private
5.13 donations.

5.14 Subd. 4. **Wetlands**

20,536,000

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5.15 (a) **Accelerated Wildlife Management Area**
5.16 **Acquisition**

5.17 \$2,900,000 in fiscal year 2010 is to the
5.18 commissioner of natural resources to
5.19 acquire land for wildlife management areas.

5.20 A list of proposed fee title acquisitions
5.21 must be provided as part of the required
5.22 accomplishment plan.

5.23 (b) **Accelerated Shallow Lake Restorations and**
5.24 **Enhancements**

5.25 \$2,528,000 in fiscal year 2010 is to the
5.26 commissioner of natural resources for an
5.27 agreement with Ducks Unlimited, Inc. to
5.28 restore and enhance shallow lake habitats.

5.29 Up to \$400,000 of this appropriation may
5.30 be used for permanent easements related to
5.31 shallow lake restorations and enhancements.

5.32 A list of proposed easements and projects,
5.33 describing the types and locations of
5.34 easements, restorations, and enhancements,
5.35 must be provided as part of the required

6.1 accomplishment plan. The commissioner
6.2 of natural resources must agree to each
6.3 easement, restoration, and enhancement.

6.4 **(c) Accelerate the Waterfowl Production Area**
6.5 **Program in Minnesota**

6.6 \$5,600,000 in fiscal year 2010 is to the
6.7 commissioner of natural resources for
6.8 an agreement with Pheasants Forever to
6.9 acquire and restore wetland and related
6.10 upland habitats, in cooperation with the
6.11 United States Fish and Wildlife Service
6.12 and Ducks Unlimited, Inc., to be managed
6.13 as waterfowl production areas. A list of
6.14 proposed acquisitions and a list of proposed
6.15 projects, describing the types and locations
6.16 of restorations, must be provided as part of
6.17 the required accomplishment plan.

6.18 **(d) Reinvest in Minnesota Wetlands Reserve**
6.19 **Program Acquisition and Restoration**

6.20 \$9,058,000 in fiscal year 2010 is to the Board
6.21 of Water and Soil Resources to acquire
6.22 permanent easements and restore wetlands
6.23 and associated uplands in cooperation with
6.24 the United States Department of Agriculture
6.25 Wetlands Reserve Program. A list of
6.26 proposed acquisitions and a list of proposed
6.27 projects, describing the types and locations
6.28 of restorations, must be provided as part of
6.29 the required accomplishment plan.

6.30 **(e) Shallow Lake Critical Shoreland**

6.31 \$450,000 in fiscal year 2010 is to the
6.32 commissioner of natural resources for an
6.33 agreement with Ducks Unlimited, Inc. to
6.34 protect habitat by acquiring land associated
6.35 with shallow lakes. A list of proposed

7.1 acquisitions must be provided as part of
7.2 the required accomplishment plan. The
7.3 commissioner of natural resources must
7.4 agree to each proposed acquisition.

7.5 Subd. 5. Fish, Game, and Wildlife Habitat 13,903,000 -0-

7.6 (a) Outdoor Heritage Conservation Partners
7.7 Grant Program

7.8 \$4,000,000 in fiscal year 2010 is to the
7.9 commissioner of natural resources for
7.10 an agreement with the National Fish and
7.11 Wildlife Foundation to provide competitive,
7.12 matching grants of up to \$400,000 to local,
7.13 regional, state, and national organizations,
7.14 including government, for enhancement,
7.15 restoration, or protection of forests, wetlands,
7.16 prairies, and habitat for fish, game, or
7.17 wildlife in Minnesota. The funds may be
7.18 advanced in three equal sums, on or after
7.19 November 1, 2009, February 1, 2010, and
7.20 April 1, 2010. Grantees may protect land
7.21 through acquisition of land or interests in
7.22 land. Easements must be permanent. Land
7.23 acquired in fee must be open to hunting
7.24 and fishing during the open season unless
7.25 otherwise provided by state law. The
7.26 commissioner of natural resources must
7.27 agree to each proposed acquisition of land or
7.28 interest in land. The program shall require
7.29 a match of at least \$1 nonstate funds to \$10
7.30 state funds. Nonstate dollars match may be
7.31 in-kind. The criteria for evaluating grant
7.32 applications must include amount of habitat
7.33 restored, enhanced, or protected; local
7.34 support; degree of collaboration; urgency;
7.35 multiple benefits; habitat benefits provided;
7.36 consistency with sound conservation science;

8.1 adjacency to protected lands; full funding of
8.2 the project; supplementing existing funding;
8.3 public access for hunting and fishing during
8.4 the open season; sustainability; and use
8.5 of native plant materials. All projects
8.6 must conform to the Minnesota statewide
8.7 conservation and preservation plan. Wildlife
8.8 habitat projects must also conform to the
8.9 state wildlife action plan. All restoration
8.10 or enhancement projects must be on land
8.11 permanently protected by conservation
8.12 easement or public ownership. No more
8.13 than four of the members of the Lessard
8.14 Outdoor Heritage Council may be selected
8.15 to sit on any advising panel developed by
8.16 the National Fish and Wildlife Foundation.
8.17 The program must be open for application
8.18 year-round and grants must be evaluated and
8.19 granted at least every three months. Up to
8.20 six percent of this appropriation is available
8.21 for grant program management expenses,
8.22 including indirect expenses related to this
8.23 grant program, of the National Fish and
8.24 Wildlife Foundation. The National Fish
8.25 and Wildlife Foundation's administration
8.26 and management must be consistent with
8.27 Minnesota Statutes, sections 16B.97 and
8.28 16B.98, and policies adopted thereunder by
8.29 the Department of Administration, Office of
8.30 Grants Management. Subdivision 10 applies
8.31 to grants awarded under this paragraph. This
8.32 appropriation is available until June 30,
8.33 2013, at which time all grant projects must
8.34 be completed and final products delivered,
8.35 unless an earlier date is specified in the grant
8.36 agreement. No less than 15 percent of the

9.1 amount of each grant must be held back from
9.2 reimbursement until the grant recipient has
9.3 completed a grant accomplishment report in
9.4 the form prescribed by and satisfactory to the
9.5 Lessard Outdoor Heritage Council.

9.6 **(b) Aquatic Management Area Acquisition**

9.7 \$5,748,000 in fiscal year 2010 is to the
9.8 commissioner of natural resources to acquire
9.9 land in fee title and easement to be added to
9.10 the state aquatic management area system.
9.11 Acquired land must remain open to hunting
9.12 and fishing, consistent with the capacity
9.13 of the land, during the open season, as
9.14 determined by the commissioner of natural
9.15 resources. A list of proposed fee title and
9.16 easement acquisitions must be provided as
9.17 part of the required accomplishment plan.

9.18 **(c) Cold Water River and Stream Restoration,**
9.19 **Protection, and Enhancement**

9.20 \$2,050,000 in fiscal year 2010 is to the
9.21 commissioner of natural resources for
9.22 an agreement with Trout Unlimited to
9.23 restore, enhance, and protect cold water
9.24 river and stream habitats in Minnesota. A
9.25 list of proposed acquisitions and a list of
9.26 proposed projects, describing the types and
9.27 locations of restorations and enhancements,
9.28 must be provided as part of the required
9.29 accomplishment plan. The commissioner
9.30 of natural resources must agree to each
9.31 proposed acquisition, restoration, and
9.32 enhancement.

9.33 **(d) Dakota County Habitat Protection**

9.34 \$1,000,000 in fiscal year 2010 is to the
9.35 commissioner of natural resources for

10.1 an agreement with Dakota County for
10.2 acquisition of permanent easements. A list
10.3 of proposed acquisitions must be provided as
10.4 part of the required accomplishment plan.

10.5 **(e) Lake Rebecca Water Quality Improvement**
10.6 **Project**

10.7 \$450,000 in fiscal year 2010 is to the
10.8 commissioner of natural resources for an
10.9 agreement with the Three Rivers Park
10.10 District to improve the water quality in Lake
10.11 Rebecca in Lake Rebecca Park Reserve
10.12 in Hennepin County. A description of the
10.13 activities to enhance fish habitat in Lake
10.14 Rebecca must be provided as part of the
10.15 required accomplishment plan.

10.16 **(f) Fountain Lake Fish Barriers**

10.17 \$655,000 in fiscal year 2010 is to the
10.18 commissioner of natural resources for
10.19 an agreement with the Shell Rock River
10.20 Watershed District to construct fish barriers
10.21 at three locations on Fountain Lake. Land
10.22 acquisition necessary for fish barrier
10.23 construction is permitted. A list of proposed
10.24 projects, describing the types and locations
10.25 of barriers, must be provided as part of
10.26 the required accomplishment plan. The
10.27 commissioner of natural resources must
10.28 agree to each proposed barrier.

10.29 **Subd. 6. Administration and Other** 870,000 -0-

10.30 **(a) Contract Management**

10.31 \$175,000 in fiscal year 2010 is to the
10.32 commissioner of natural resources for
10.33 contract management, in fiscal years 2010
10.34 and 2011, for duties assigned in this section.

11.1 **(b) Legislative Coordinating Commission**

11.2 \$695,000 in fiscal year 2010 is to the
11.3 Legislative Coordinating Commission for
11.4 administrative expenses of the Lessard
11.5 Outdoor Heritage Council and for
11.6 compensation and expense reimbursement
11.7 of council members. Up to \$100,000 may
11.8 be transferred to the game and fish fund as
11.9 reimbursement for advances to the Lessard
11.10 Outdoor Heritage Council made in fiscal
11.11 year 2009.

11.12 **(c) Lessard Outdoor Heritage Council Site**
11.13 **Visit Exception**

11.14 Travel to and from site visits by council
11.15 members paid for under paragraph (b) are
11.16 not meetings of the council for the purpose
11.17 of receiving information under Minnesota
11.18 Statutes, section 97A.056, subdivision 5.

11.19 **Subd. 7. Availability of Appropriation**

11.20 Unless otherwise provided, the amounts in
11.21 this section are available until June 30, 2011,
11.22 when projects must be completed and final
11.23 accomplishments reported. For acquisition
11.24 of an interest in real property, the amounts in
11.25 this section are available until June 30, 2012.
11.26 If a project receives federal funds, the time
11.27 period of the appropriation is extended to
11.28 equal the availability of federal funding.

11.29 **Subd. 8. Cash Advances**

11.30 When the operations of the outdoor heritage
11.31 fund would be impeded by projected cash
11.32 deficiencies resulting from delays in the
11.33 receipt of dedicated income, and when the
11.34 deficiencies would be corrected within fiscal

12.1 year 2010, the commissioner of finance may
12.2 use fund-level cash reserves to meet cash
12.3 demands of the outdoor heritage fund. If
12.4 funds are transferred from the general fund to
12.5 meet cash flow needs, the cash flow transfers
12.6 must be returned to the general fund as soon
12.7 as sufficient cash balances are available
12.8 in the outdoor heritage fund. Any interest
12.9 earned on general fund cash flow transfers
12.10 accrues to the general fund and not to the
12.11 outdoor heritage fund.

12.12 **Subd. 9. Accomplishment Plans**

12.13 It is a condition of acceptance of the
12.14 appropriations made by this section that the
12.15 agency or entity using the appropriation shall
12.16 submit to the council an accomplishment
12.17 plan and periodic accomplishment reports in
12.18 the form determined by the Lessard Outdoor
12.19 Heritage Council. The accomplishment plan
12.20 must account for the use of the appropriation
12.21 and outcomes of the expenditure in measures
12.22 of wetlands, prairies, forests, and fish, game,
12.23 and wildlife habitat restored, protected, and
12.24 enhanced. The plan must include evaluation
12.25 of results. None of the money provided
12.26 in this section may be expended unless
12.27 the council has approved the pertinent
12.28 accomplishment plan.

12.29 **Subd. 10. Project Requirements**

12.30 (a) As a condition of accepting an
12.31 appropriation in this section, any agency or
12.32 entity receiving an appropriation must, for
12.33 any project funded in whole or in part with
12.34 funds from the appropriation:

- 13.1 (1) plant vegetation or sow seed only of
13.2 native ecotypes to Minnesota and preferably
13.3 of the local ecotype using a high diversity
13.4 of species grown as close to the restoration
13.5 site as possible, if the planting of vegetation
13.6 or sowing of seed is a component of the
13.7 accomplishment plan;
- 13.8 (2) provide that all easements:
- 13.9 (i) are permanent;
- 13.10 (ii) specify the parties to an easement in the
13.11 easement;
- 13.12 (iii) specify all of the provisions of an
13.13 agreement that are permanent;
- 13.14 (iv) are sent to the office of the Lessard
13.15 Outdoor Heritage Council; and
- 13.16 (v) include a long-term stewardship plan and
13.17 funding for monitoring and enforcing the
13.18 easement agreement;
- 13.19 (3) for all restorations, prepare an ecological
13.20 restoration and management plan that, to
13.21 the degree practicable, is consistent with the
13.22 highest quality conservation and ecological
13.23 goals for the restoration site. Consideration
13.24 should be given to soil, geology, topography,
13.25 and other relevant factors that would provide
13.26 the best chance for long-term success of the
13.27 restoration projects. The plan shall include
13.28 the proposed timetable for implementing
13.29 the restoration, including, but not limited
13.30 to, site preparation, establishment of
13.31 diverse plant species, maintenance, and
13.32 additional enhancement to establish the
13.33 restoration; identify long-term maintenance
13.34 and management needs of the restoration

14.1 and how the maintenance, management, and
14.2 enhancement will be financed; and use the
14.3 best available science to achieve the best
14.4 restoration;
14.5 (4) for new lands acquired, prepare a
14.6 restoration and management plan in
14.7 compliance with clause (3), including
14.8 identification of sufficient funding for
14.9 implementation;
14.10 (5) to ensure public accountability for the
14.11 use of public funds, provide to the Lessard
14.12 Outdoor Heritage Council documentation
14.13 of the selection process used to identify
14.14 parcels acquired and provide documentation
14.15 of all related transaction costs, including
14.16 but not limited to appraisals, legal fees,
14.17 recording fees, commissions, other similar
14.18 costs, and donations. This information must
14.19 be provided for all parties involved in the
14.20 transaction. The recipient shall also report to
14.21 the Lessard Outdoor Heritage Council any
14.22 difference between the acquisition amount
14.23 paid to the seller and the state-certified or
14.24 state-reviewed appraisal. Acquisition data
14.25 such as appraisals may remain private during
14.26 negotiations but must ultimately be made
14.27 public according to Minnesota Statutes,
14.28 chapter 13;
14.29 (6) provide that all restoration and
14.30 enhancement projects are on land
14.31 permanently protected by conservation
14.32 easement or public ownership; and
14.33 (7) give consideration to contracting with the
14.34 Minnesota Conservation Corps for contract
14.35 restoration and enhancement services.

15.1 (b) The Lessard Outdoor Heritage Council
15.2 may waive the application of paragraph (a),
15.3 clause (5), for specific projects.

15.4 **Subd. 11. Payment Conditions and Capital**
15.5 **Equipment Expenditures**

15.6 All agreements, grants, or contracts referred
15.7 to in this section must be administered on
15.8 a reimbursement basis unless otherwise
15.9 provided in this section. Payments for
15.10 reimbursement may not be made before
15.11 November 1, 2009. Notwithstanding
15.12 Minnesota Statutes, section 16A.41,
15.13 expenditures directly related to each
15.14 appropriation's purpose made on or after July
15.15 1, 2009, are eligible for reimbursement unless
15.16 otherwise provided in this section. Periodic
15.17 payment must be made upon receiving
15.18 documentation that the deliverable items
15.19 articulated in the approved accomplishment
15.20 plan have been achieved, including partial
15.21 achievements as evidenced by approved
15.22 progress reports. Reasonable amounts may
15.23 be advanced to projects to accommodate
15.24 cash flow needs or to match federal share.
15.25 The advances must be approved as part of
15.26 the accomplishment plan. Capital equipment
15.27 expenditures in excess of \$10,000 must be
15.28 approved as part of the accomplishment plan.

15.29 **Subd. 12. Purchase of Recycled and Recyclable**
15.30 **Materials**

15.31 A political subdivision, public or private
15.32 corporation, or other entity that receives an
15.33 appropriation in this section must use the
15.34 appropriation in compliance with Minnesota
15.35 Statutes, sections 16B.121, regarding
15.36 purchase of recycled, repairable, and durable

16.1 materials, and 16B.122, regarding purchase
16.2 and use of paper stock and printing.

16.3 Subd. 13. **Accessibility**

16.4 Structural and nonstructural facilities must
16.5 meet the design standards in the Americans
16.6 with Disabilities Act (ADA) accessibility
16.7 guidelines.

16.8 Subd. 14. **Land Acquisition Restrictions**

16.9 (a) An interest in real property, including but
16.10 not limited to an easement or fee title, that
16.11 is acquired with money appropriated under
16.12 this section must be used in perpetuity or for
16.13 the specific term of an easement interest for
16.14 the purpose for which the appropriation was
16.15 made.

16.16 (b) A recipient of funding who acquires
16.17 an interest in real property subject to this
16.18 subdivision may not alter the intended use of
16.19 the interest in real property or convey any
16.20 interest in the real property acquired with the
16.21 appropriation without the prior review and
16.22 approval of the Lessard Outdoor Heritage
16.23 Council or its successor. The council shall
16.24 establish procedures to review requests from
16.25 recipients to alter the use of or convey an
16.26 interest in real property. These procedures
16.27 shall allow for the replacement of the interest
16.28 in real property with another interest in real
16.29 property meeting the following criteria:

16.30 (1) the interest is at least equal in fair market
16.31 value, as certified by the commissioner
16.32 of natural resources, to the interest being
16.33 replaced; and

17.1 (2) the interest is in a reasonably equivalent
17.2 location and has a reasonably equivalent
17.3 useful conservation purpose compared to the
17.4 interest being replaced.

17.5 (c) A recipient of funding who acquires an
17.6 interest in real property under paragraph
17.7 (a) must separately record a notice of
17.8 funding restrictions in the appropriate local
17.9 government office where the conveyance
17.10 of the interest in real property is filed. The
17.11 notice of funding agreement must contain:

17.12 (1) a legal description of the interest in real
17.13 property covered by the funding agreement;

17.14 (2) a reference to the underlying funding
17.15 agreement;

17.16 (3) a reference to this section; and

17.17 (4) the following statement: "This interest
17.18 in real property shall be administered in
17.19 accordance with the terms, conditions, and
17.20 purposes of the grant agreement controlling
17.21 the acquisition of the property. The interest
17.22 in real property, or any portion of the interest
17.23 in real property, shall not be sold, transferred,
17.24 pledged, or otherwise disposed of or further
17.25 encumbered without obtaining the prior
17.26 written approval of the Lessard Outdoor
17.27 Heritage Council or its successor. If the
17.28 holder of the interest in real property fails to
17.29 comply with the terms and conditions of the
17.30 grant agreement or work program, ownership
17.31 of the interest in real property shall transfer
17.32 to the state."

17.33 **Subd. 15. Real Property Interest Report**

18.1 By December 1 each year, a recipient of
18.2 money appropriated under this section that
18.3 is used for the acquisition of an interest in
18.4 real property, including but not limited to an
18.5 easement or fee title, must submit annual
18.6 reports on the status of the real property to
18.7 the Lessard Outdoor Heritage Council or
18.8 its successor in a form determined by the
18.9 council. The responsibility for reporting
18.10 under this section may be transferred by
18.11 the recipient of the appropriation to another
18.12 person or entity that holds the interest in the
18.13 real property. To complete the transfer of
18.14 reporting responsibility, the recipient of the
18.15 appropriation must:

18.16 (1) inform the person to whom the
18.17 responsibility is transferred of that person's
18.18 reporting responsibility;

18.19 (2) inform the person to whom the
18.20 responsibility is transferred of the property
18.21 restrictions under subdivision 14; and

18.22 (3) provide written notice to the council
18.23 of the transfer of reporting responsibility,
18.24 including contact information for the person
18.25 to whom the responsibility is transferred.

18.26 Before the transfer, the entity receiving
18.27 the transfer of property must certify to the
18.28 Lessard Outdoor Heritage Council, or its
18.29 successor, acceptance of all obligations and
18.30 responsibilities held by the prior owner.

18.31 After the transfer, the person or entity that
18.32 holds the interest in the real property is
18.33 responsible for reporting requirements under
18.34 this section.

19.1 Sec. 3. Minnesota Statutes 2008, section 97A.056, subdivision 2, is amended to read:

19.2 Subd. 2. **Lessard Outdoor Heritage Council.** (a) The Lessard Outdoor Heritage
19.3 Council of 12 members is created in the legislative branch, consisting of:

19.4 (1) two public members appointed by the senate Subcommittee on Committees of
19.5 the Committee on Rules and Administration;

19.6 (2) two public members appointed by the speaker of the house;

19.7 (3) four public members appointed by the governor;

19.8 (4) two members of the senate appointed by the senate Subcommittee on Committees
19.9 of the Committee on Rules and Administration; and

19.10 (5) two members of the house of representatives appointed by the speaker of the
19.11 house.

19.12 (b) Members appointed under paragraph (a) must not be registered lobbyists.

19.13 In making appointments, the governor, senate Subcommittee on Committees of the
19.14 Committee on Rules and Administration, and the speaker of the house shall consider
19.15 geographic balance, gender, age, ethnicity, and varying interests including hunting and
19.16 fishing. The governor's appointments to the council are subject to the advice and consent
19.17 of the senate.

19.18 (c) Public members appointed under paragraph (a) shall have practical experience
19.19 or expertise or demonstrated knowledge in the science, policy, or practice of restoring,
19.20 protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and
19.21 wildlife.

19.22 (d) Legislative members appointed under paragraph (a) shall include the chairs
19.23 of the legislative committees with jurisdiction over environment and natural resources
19.24 finance or their designee, one member from the minority party of the senate, and one
19.25 member from the minority party of the house of representatives.

19.26 (e) Members serve four-year terms and shall be initially appointed according to
19.27 the following schedule of terms:

19.28 (1) two public members appointed by the governor for a term ending the first
19.29 Monday in January 2011;

19.30 (2) one public member appointed by the senate Subcommittee on Committees of the
19.31 Committee on Rules and Administration for a term ending the first Monday in January
19.32 2011;

19.33 (3) one public member appointed by the speaker of the house for a term ending
19.34 the first Monday in January 2011;

19.35 (4) two public members appointed by the governor for a term ending the first
19.36 Monday in January 2013;

20.1 (5) one public member appointed by the senate Subcommittee on Committees of the
20.2 Committee on Rules and Administration for a term ending the first Monday in January
20.3 2013;

20.4 (6) one public member appointed by the speaker of the house for a term ending the
20.5 first Monday in January 2013; and

20.6 (7) two members of the senate appointed by the senate Subcommittee on Committees
20.7 of the Committee on Rules and Administration for a term ending the first Monday in
20.8 January 2013, and two members of the house of representatives appointed by the speaker
20.9 of the house for a term ending the first Monday in January 2013.

20.10 (f) Compensation and removal of public members are as provided in section
20.11 15.0575. A vacancy on the council may be filled by the appointing authority for the
20.12 remainder of the unexpired term.

20.13 (g) The first meeting of the council shall be convened by the chair of the Legislative
20.14 Coordinating Commission no later than December 1, 2008. Members shall elect a chair,
20.15 vice-chair, secretary, and other officers as determined by the council. The chair may
20.16 convene meetings as necessary to conduct the duties prescribed by this section.

20.17 (h) ~~The Department of Natural Resources shall provide administrative support for~~
20.18 council may employ staff and contract with consultants as necessary to carry out the
20.19 functions of the council. Up to one percent of the money appropriated from the fund may
20.20 be used to ~~cover the staffing and related administrative expenses of the department and to~~
20.21 ~~cover the compensation and travel expenses~~ pay for administrative expenses of the council
20.22 and for compensation and expense reimbursement of council members.

20.23 Sec. 4. Minnesota Statutes 2008, section 97A.056, subdivision 7, is amended to read:

20.24 Subd. 7. **Legislative oversight.** (a) The senate and house of representatives chairs
20.25 of the committees with jurisdiction over the environment and natural resources budget
20.26 shall convene a joint hearing to review the activities and evaluate the effectiveness of the
20.27 council and evaluate the effectiveness and efficiency of the ~~department's~~ administration
20.28 and staffing of the council after five years but no later than June 30, 2014.

20.29 (b) By January 15, 2013, a professional outside review authority shall be chosen by
20.30 the chairs of the house of representatives and senate committees with jurisdiction over
20.31 environment and natural resources to evaluate the effectiveness and efficiency of the
20.32 ~~department's~~ administration and staffing of the council. A report shall be submitted to
20.33 the chairs by January 15, 2014.

ARTICLE 2

CLEAN WATER FUND

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations from the clean water fund, by agency, made in this article.

	<u>2010</u>	<u>2011</u>	<u>Total</u>
<u>Pollution Control Agency</u>	\$ 15,325,000	\$ 18,600,000	\$ 33,925,000
<u>Department of Natural Resources</u>	6,943,000	9,142,000	16,085,000
<u>Board of Water and Soil Resources</u>	20,175,000	22,865,000	43,040,000
<u>Department of Agriculture</u>	3,935,000	4,360,000	8,295,000
<u>Department of Health</u>	1,600,000	2,150,000	3,750,000
<u>Metropolitan Council</u>	400,000	500,000	900,000
<u>Public Facilities Authority</u>	20,272,000	23,678,000	43,950,000
<u>University of Minnesota</u>	872,000	183,000	1,055,000
<u>Total</u>	\$ 69,522,000	\$ 81,478,000	\$ 151,000,000

Sec. 2. CLEAN WATER FUND 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 clean water fund, and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2010" and "2011" used in this act mean that the appropriation listed under them are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. The appropriations in this act are onetime.

APPROPRIATIONS
Available for the Year
Ending June 30
2010 2011

Sec. 3. NONPOINT SOURCE PROTECTION AND PRESERVATION

Subdivision 1. Total Appropriation \$ 24,050,000 \$ 27,740,000

The appropriations in this section are to the agencies specified for the protection,

22.1	<u>enhancement, and restoration of lakes, rivers,</u>		
22.2	<u>and streams.</u>		
22.3	<u>Subd. 2. Nonpoint Source Restoration,</u>		
22.4	<u>Protection, and Preservation</u>	<u>1,500,000</u>	<u>2,000,000</u>
22.5	<u>To the Department of Natural Resources for</u>		
22.6	<u>nonpoint source restoration and protection</u>		
22.7	<u>activities. Money appropriated under this</u>		
22.8	<u>subdivision must be used to acquire aquatic</u>		
22.9	<u>management areas to address water quality</u>		
22.10	<u>protection under a total maximum daily load</u>		
22.11	<u>(TMDL) implementation plan.</u>		
22.12	<u>Subd. 3. Targeted Nonpoint Source Pollution</u>		
22.13	<u>Reduction</u>	<u>9,200,000</u>	<u>10,000,000</u>
22.14	<u>(a) To the Board of Water and Soil Resources</u>		
22.15	<u>for targeted nonpoint source pollution</u>		
22.16	<u>reduction projects to restore water quality in</u>		
22.17	<u>lakes, rivers, and streams. At least 93 percent</u>		
22.18	<u>of this amount must be made available for</u>		
22.19	<u>grants. At least 20 percent of this amount</u>		
22.20	<u>must be for water quality grants in the Twin</u>		
22.21	<u>Cities metropolitan area.</u>		
22.22	<u>(b) \$400,000 the first year and \$600,000 the</u>		
22.23	<u>second year are to the Anoka Conservation</u>		
22.24	<u>District for the metropolitan landscape</u>		
22.25	<u>restoration program for water quality and</u>		
22.26	<u>improvement projects.</u>		
22.27	<u>(c) The Board of Water and Soil Resources</u>		
22.28	<u>shall contract for services with the Minnesota</u>		
22.29	<u>Conservation Corps for restoration,</u>		
22.30	<u>maintenance, and other activities under this</u>		
22.31	<u>subdivision for at least \$500,000 the first</u>		
22.32	<u>year and \$500,000 the second year.</u>		
22.33	<u>Subd. 4. Nonpoint Restoration Technical</u>		
22.34	<u>Assistance and Engineering</u>	<u>2,500,000</u>	<u>3,000,000</u>

23.1	<u>To the Board of Water and Soil Resources</u>		
23.2	<u>for targeted nonpoint restoration technical</u>		
23.3	<u>assistance and engineering. At least 93</u>		
23.4	<u>percent of this amount must be made</u>		
23.5	<u>available for grants.</u>		
23.6	<u>Subd. 5. Subsurface Sewage Treatment System</u>		
23.7	<u>Program</u>	<u>1,600,000</u>	<u>1,900,000</u>
23.8	<u>To the Board of Water and Soil Resources</u>		
23.9	<u>for grants to implement county subsurface</u>		
23.10	<u>sewage treatment system (SSTS) programs,</u>		
23.11	<u>including inventories, enforcement,</u>		
23.12	<u>development of databases, and systems</u>		
23.13	<u>to insure SSTS maintenance reporting</u>		
23.14	<u>program results to the Board of Water and</u>		
23.15	<u>Soil Resources and the Pollution Control</u>		
23.16	<u>Agency, and base grants. Grants are</u>		
23.17	<u>limited to counties with ordinances adopted</u>		
23.18	<u>pursuant to Minnesota Statutes, section</u>		
23.19	<u>115.55, subdivision 2, that can demonstrate</u>		
23.20	<u>enforcement of the ordinances.</u>		
23.21	<u>Subd. 6. Failing Subsurface Sewage Treatment</u>		
23.22	<u>Systems</u>	<u>800,000</u>	<u>1,000,000</u>
23.23	<u>To the Board of Water and Soil Resources for</u>		
23.24	<u>grants to address imminent threat and failing</u>		
23.25	<u>subsurface sewage treatment systems.</u>		
23.26	<u>Subd. 7. Feedlot Water Quality Grants</u>	<u>1,800,000</u>	<u>2,200,000</u>
23.27	<u>To the Board of Water and Soil Resources</u>		
23.28	<u>for feedlot water quality grants to upgrade</u>		
23.29	<u>feedlots in riparian and shoreland areas to</u>		
23.30	<u>address feedlot-related water quality impacts.</u>		
23.31	<u>Subd. 8. Local Nonpoint Source Activity</u>		
23.32	<u>Support</u>	<u>1,700,000</u>	<u>2,300,000</u>
23.33	<u>To the Board of Water and Soil Resources</u>		
23.34	<u>for grants to support local nonpoint source</u>		
23.35	<u>protection activities that show demonstrated</u>		

24.1	<u>results on lake, river, and stream protection</u>		
24.2	<u>and management.</u>		
24.3	<u>Subd. 9. Shoreline Protection and Restoration</u>		
24.4	<u>Grants</u>	<u>2,100,000</u>	<u>1,900,000</u>
24.5	<u>(a) To the Board of Water and Soil Resources</u>		
24.6	<u>for grants to implement stream bank,</u>		
24.7	<u>stream channel, lakeshore, and roadside</u>		
24.8	<u>protection and restoration projects that show</u>		
24.9	<u>demonstrated results on lake, river, or stream</u>		
24.10	<u>protection and management.</u>		
24.11	<u>(b) \$500,000 the first year is for a grant to</u>		
24.12	<u>Hennepin County for riparian restoration</u>		
24.13	<u>and stream bank stabilization in the ten</u>		
24.14	<u>primary stream systems in Hennepin County</u>		
24.15	<u>in order to protect, enhance, and help</u>		
24.16	<u>restore the water quality of the streams and</u>		
24.17	<u>downstream receiving waters. The county</u>		
24.18	<u>shall work with watershed districts and water</u>		
24.19	<u>management organizations to identify and</u>		
24.20	<u>prioritize projects. To the extent possible,</u>		
24.21	<u>the county shall employ youth through the</u>		
24.22	<u>Minnesota Conservation Corps and Tree</u>		
24.23	<u>Trust to plant trees and shrubs to reduce</u>		
24.24	<u>erosion and stabilize stream banks. This</u>		
24.25	<u>appropriation must be matched by nonstate</u>		
24.26	<u>sources, including in-kind contributions.</u>		
24.27	<u>Subd. 10. St. Louis River</u>	<u>350,000</u>	<u>400,000</u>
24.28	<u>To the Pollution Control Agency for a</u>		
24.29	<u>restoration project in the lower St. Louis</u>		
24.30	<u>River and Duluth Harbor. This appropriation</u>		
24.31	<u>must be matched by nonstate money at a rate</u>		
24.32	<u>of \$2 for every \$1 of state money.</u>		
24.33	<u>Subd. 11. Mississippi River Critical Area</u>	<u>225,000</u>	<u>225,000</u>
24.34	<u>To the Department of Natural Resources to</u>		
24.35	<u>develop and adopt rules for the Mississippi</u>		

25.1	<u>River corridor critical area under Minnesota</u>		
25.2	<u>Statutes, section 116G.15, in order to achieve</u>		
25.3	<u>the required outcomes. The commissioner</u>		
25.4	<u>shall begin rulemaking under Minnesota</u>		
25.5	<u>Statutes, chapter 14, no later than January</u>		
25.6	<u>15, 2010.</u>		
25.7	<u>Subd. 12. Oversight, Support, and</u>		
25.8	<u>Accountability</u>	<u>275,000</u>	<u>315,000</u>
25.9	<u>(a) To the Board of Water and Soil</u>		
25.10	<u>Resources for state oversight, support,</u>		
25.11	<u>and accountability reporting of local</u>		
25.12	<u>government implementation, including</u>		
25.13	<u>an annual report prepared jointly by</u>		
25.14	<u>the board, the commissioner of natural</u>		
25.15	<u>resources and the commissioner of the</u>		
25.16	<u>Pollution Control Agency to the legislature</u>		
25.17	<u>detailing the recipients and projects funded</u>		
25.18	<u>under this section; the anticipated water</u>		
25.19	<u>quality benefits of projects funded; the</u>		
25.20	<u>relationship of restoration projects to</u>		
25.21	<u>TMDL load allocations; the relationship</u>		
25.22	<u>of protection projects to monitored water</u>		
25.23	<u>quality trends; and individual county and</u>		
25.24	<u>aggregated statewide progress in: (1)</u>		
25.25	<u>identifying noncompliant SSTS, establishing</u>		
25.26	<u>maintenance oversight systems, and SSTS</u>		
25.27	<u>upgrades funded under paragraphs (c) and</u>		
25.28	<u>(d); and (2) identifying and upgrading</u>		
25.29	<u>open lot feedlots under 300 animal units in</u>		
25.30	<u>shoreland.</u>		
25.31	<u>(b) Organizations receiving grants under</u>		
25.32	<u>this section shall provide information to</u>		
25.33	<u>the agencies listed in paragraph (a) on the</u>		
25.34	<u>information required in the report.</u>		
25.35	<u>Subd. 13. Agriculture BMP Loans</u>	<u>2,000,000</u>	<u>2,500,000</u>

26.1 To the Department of Agriculture for the
26.2 agricultural best management practices loan
26.3 program under Minnesota Statutes, section
26.4 17.117. At least 90 percent is available
26.5 for pass-through to local governments and
26.6 lenders for low-interest loans and is available
26.7 until spent. Any unencumbered balance
26.8 that is not used for pass-through to local
26.9 governments does not cancel at the end of the
26.10 first year and is available for the second year.

26.11 **Subd. 14. Appropriation Conditions**

26.12 If the appropriations in this section in either
26.13 year are insufficient, the appropriation in
26.14 the other year is available for it. All of
26.15 the money appropriated to the Board of
26.16 Water and Soil Resources in this section
26.17 as grants to local governments shall be
26.18 administered through the Board of Water
26.19 and Soil Resources' local water resources
26.20 protection and management program under
26.21 Minnesota Statutes, section 103B.3369. The
26.22 board may shift grant or cost-share funds in
26.23 this section and may adjust the technical and
26.24 administrative assistance portion of the funds
26.25 to leverage federal or other nonstate funds
26.26 or to address oversight responsibilities or
26.27 high-priority needs identified in local water
26.28 management plans.

26.29 Notwithstanding Minnesota Statutes, section
26.30 16A.28, the appropriations encumbered on or
26.31 before June 30, 2011, as grants or contracts in
26.32 this section are available until June 30, 2013.

26.33 **Sec. 4. POINT SOURCE PROTECTION**

26.34 **Subdivision 1. Total Appropriation** **\$** **20,272,000** **\$** **23,678,000**

27.1	<u>The appropriations in this section are to</u>		
27.2	<u>the agencies specified for the protection,</u>		
27.3	<u>enhancement, and restoration of lakes, rivers,</u>		
27.4	<u>and streams.</u>		
27.5	<u>Subd. 2. TMDL Grants</u>	<u>10,522,000</u>	<u>12,628,000</u>
27.6	<u>To the Public Facilities Authority for</u>		
27.7	<u>total maximum daily loads grants under</u>		
27.8	<u>Minnesota Statutes, section 446A.073.</u>		
27.9	<u>Subd. 3. Phosphorus Reduction Grants</u>	<u>6,550,000</u>	<u>6,850,000</u>
27.10	<u>To the Public Facilities Authority for</u>		
27.11	<u>phosphorus reduction grants under</u>		
27.12	<u>Minnesota Statutes, section 446A.074.</u>		
27.13	<u>Subd. 4. Small Community Wastewater</u>		
27.14	<u>Treatment Grants and Loans</u>	<u>2,200,000</u>	<u>3,200,000</u>
27.15	<u>To the Public Facilities Authority for small</u>		
27.16	<u>community wastewater treatment grants</u>		
27.17	<u>and loans under Minnesota Statutes, section</u>		
27.18	<u>446A.075.</u>		
27.19	<u>Subd. 5. Wastewater Reuse Pilot</u>	<u>1,000,000</u>	<u>1,000,000</u>
27.20	<u>(a) To the Public Facilities Authority for</u>		
27.21	<u>grants for wastewater reuse pilot projects.</u>		
27.22	<u>(b) \$1,000,000 the first year is for grants</u>		
27.23	<u>to ethanol plants that are within one and</u>		
27.24	<u>one-half miles of a city for improvements</u>		
27.25	<u>that reuse greater than 300,000 gallons of</u>		
27.26	<u>wastewater per day.</u>		
27.27	<u>Subd. 6. Appropriation Conditions</u>		
27.28	<u>Appropriations under this section are</u>		
27.29	<u>available until spent.</u>		
27.30	<u>Sec. 5. ASSESSMENT, MONITORING, AND</u>		
27.31	<u>TMDL DEVELOPMENT</u>		
27.32	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 17,150,000</u>	<u>\$ 25,080,000</u>

28.1 The appropriations in this section are to
28.2 the agencies specified for the protection,
28.3 enhancement, and restoration of lakes, rivers,
28.4 and streams.

28.5 **Subd. 2. Statewide Assessment and Monitoring** 5,850,000 6,950,000

28.6 (a) To the Pollution Control Agency for
28.7 20 percent of the necessary statewide
28.8 assessments and monitoring of surface water
28.9 quality and trends.

28.10 (b) \$150,000 the first year and \$196,000 the
28.11 second year are for grants to the Red River
28.12 Watershed Management Board to enhance
28.13 and expand existing river watch activities in
28.14 the Red River of the North. The Red River
28.15 Watershed Management Board shall provide
28.16 a report that includes formal evaluation
28.17 results from the river watch program to the
28.18 commissioners of education and the Pollution
28.19 Control Agency and to the legislative natural
28.20 resources finance and policy committees
28.21 and K-12 finance and policy committees by
28.22 February 15, 2011.

28.23 (c) \$200,000 the first year and \$300,000 the
28.24 second year are for coordination with the
28.25 state of Wisconsin and the National Park
28.26 Service on comprehensive water monitoring
28.27 and phosphorus reduction activities in the
28.28 Lake St. Croix portion of the St. Croix
28.29 River. The Pollution Control Agency
28.30 shall work with the St. Croix Basin Water
28.31 Resources Planning Team and the St. Croix
28.32 River Association in implementing the
28.33 water monitoring and phosphorus reduction
28.34 activities. This appropriation is available
28.35 to the extent matched by nonstate sources.

29.1	<u>Money not matched by November 15, 2010,</u>		
29.2	<u>cancel for this purpose and is available for</u>		
29.3	<u>the purposes of paragraph (a).</u>		
29.4	<u>Subd. 3. Endocrine Disruptor Monitoring and</u>		
29.5	<u>Analysis</u>	<u>175,000</u>	<u>200,000</u>
29.6	<u>To the Pollution Control Agency for</u>		
29.7	<u>endocrine disruptor monitoring and analysis.</u>		
29.8	<u>The agency shall monitor and analyze</u>		
29.9	<u>endocrine disruptors in surface waters in at</u>		
29.10	<u>least 20 additional sites. The data must be</u>		
29.11	<u>placed on the agency's Web site.</u>		
29.12	<u>Subd. 4. Water Quality Assessments</u>	<u>1,240,000</u>	<u>1,760,000</u>
29.13	<u>To the Department of Natural Resources for</u>		
29.14	<u>work assisting in water quality assessments</u>		
29.15	<u>in supporting the identification of impaired</u>		
29.16	<u>waters.</u>		
29.17	<u>Subd. 5. Pesticide Monitoring and Assessment</u>	<u>535,000</u>	<u>170,000</u>
29.18	<u>(a) To the commissioner of agriculture for</u>		
29.19	<u>pesticide monitoring and assessment.</u>		
29.20	<u>(b) \$395,000 the first year is for a</u>		
29.21	<u>demonstration project to monitor agricultural</u>		
29.22	<u>nonpoint source pollution and implement</u>		
29.23	<u>best management practices in sub-watersheds</u>		
29.24	<u>within the Root River Watershed in</u>		
29.25	<u>southeastern Minnesota.</u>		
29.26	<u>Subd. 6. PCA TMDL Development</u>	<u>8,250,000</u>	<u>10,000,000</u>
29.27	<u>(a) To the Pollution Control Agency for total</u>		
29.28	<u>maximum daily load (TMDL) development</u>		
29.29	<u>and TMDL implementation plans for waters</u>		
29.30	<u>listed on the United States Environmental</u>		
29.31	<u>Protection Agency approved Impaired</u>		
29.32	<u>Waters List in accordance with Minnesota</u>		
29.33	<u>Statutes, chapter 114D. The agency shall</u>		

30.1 complete an average of ten percent of the
30.2 TMDLs each year over the biennium.
30.3 (b) \$250,000 the first year is for a pilot project
30.4 for the development of total maximum daily
30.5 load (TMDL) studies conducted on a
30.6 watershed basis within the Buffalo River
30.7 watershed in order to protect, enhance, and
30.8 restore water quality in lakes, rivers, and
30.9 streams. The pilot project shall include all
30.10 necessary field work to develop TMDL
30.11 studies for all impaired subwatersheds within
30.12 the Buffalo River watershed and provide
30.13 information necessary to complete reports for
30.14 most of the remaining watersheds, including
30.15 analysis of water quality data, identification
30.16 of sources of water quality degradation
30.17 and stressors, load allocation development,
30.18 development of reports that provide
30.19 protection plans for subwatersheds that meet
30.20 water quality standards, and development of
30.21 reports that provide information necessary to
30.22 complete TMDL studies for subwatersheds
30.23 that do not meet water quality standards, but
30.24 are not listed as impaired.

30.25 **Subd. 7. DNR TMDL Development** 900,000 1,200,000

30.26 To the Department of Natural Resources
30.27 for TMDL development and TMDL
30.28 implementation plans for waters listed on
30.29 the United States Environmental Protection
30.30 Agency approved Impaired Waters List in
30.31 accordance with Minnesota Statutes, chapter
30.32 114D.

30.33 **Subd. 8. MDA TMDL Technical Assistance** 200,000 300,000

31.1 To the Department of Agriculture for
 31.2 technical assistance in developing TMDL
 31.3 plans.

31.4 **Subd. 9. Appropriation Conditions**

31.5 Notwithstanding Minnesota Statutes, section
 31.6 16A.28, the appropriations encumbered on or
 31.7 before June 30, 2011, as grants or contracts in
 31.8 this section are available until June 30, 2013.

31.9 **Sec. 6. GROUNDWATER AND DRINKING**
 31.10 **WATER PROTECTION**

31.11	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>3,200,000</u>	<u>\$</u>	<u>4,430,000</u>
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31.12 The appropriations in this section are to
 31.13 the agencies specified for the protection of
 31.14 groundwater and drinking water sources.

31.15	<u>Subd. 2. PCA Assessment and Protection</u>	<u>600,000</u>	<u>900,000</u>
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31.16 To the Pollution Control Agency for
 31.17 groundwater assessment and drinking water
 31.18 protection.

31.19	<u>Subd. 3. DNR Assessment and Protection</u>	<u>300,000</u>	<u>440,000</u>
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31.20 To the Department of Natural Resources for
 31.21 groundwater assessment and drinking water
 31.22 protection activities.

31.23	<u>Subd. 4. Contaminant Assessment</u>	<u>600,000</u>	<u>735,000</u>
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31.24 To the Department of Health for additional
 31.25 assessment of drinking water contaminants.

31.26	<u>Subd. 5. Source Water Protection and</u>		
31.27	<u>Preservation</u>	<u>1,000,000</u>	<u>1,415,000</u>

31.28 To the Department of Health for additional
 31.29 source water protection activities.

31.30	<u>Subd. 6. Metropolitan Master Plan</u>		
31.31	<u>Implementation</u>	<u>400,000</u>	<u>500,000</u>

31.32 To the Metropolitan Council for
 31.33 implementation of the master water

32.1 supply plan developed under Minnesota
32.2 Statutes, section 473.1565.

32.3 Subd. 7. **MDA Assessment and Protection** 300,000 440,000

32.4 To the Department of Agriculture for
32.5 groundwater assessment and drinking water
32.6 protection activities.

32.7 Subd. 8. **Appropriation Conditions**

32.8 Notwithstanding Minnesota Statutes, section
32.9 16A.28, the appropriations encumbered on or
32.10 before June 30, 2011, as grants or contracts in
32.11 this section are available until June 30, 2013.

32.12 Sec. 7. **EDUCATION AND PUBLIC**
32.13 **ENGAGEMENT**

32.14 Subdivision 1. **Total Appropriation** \$ 300,000 \$ 400,000

32.15 The appropriations in this section are to the
32.16 agencies specified for education and public
32.17 engagement on the protection, restoration,
32.18 and enhancement of waters of the state.

32.19 Subd. 2. **Nonpoint Civic Engagement** 200,000 250,000

32.20 (a) To the Board of Water and Soil Resources
32.21 for grants for civic engagement and education
32.22 in water restoration and protection activities
32.23 for nonpoint sources. The board shall give
32.24 consideration to civic engagement proposals
32.25 from basin or sub-basin organizations,
32.26 including the Mississippi Headwaters Board,
32.27 the Minnesota River Joint Powers Board,
32.28 Area II Minnesota River Basin Projects, and
32.29 the Red River Basin Commission. The board
32.30 shall develop a plan for expenditures under
32.31 this paragraph. By November 15, 2009, the
32.32 plan shall be submitted to the house and
32.33 senate chairs and ranking minority members
32.34 of the environmental finance divisions.

33.1 (b) \$100,000 the first year and \$100,000 the
33.2 second year are for grants to the Star Lake
33.3 Board established under Minnesota Statutes,
33.4 section 103B.702. The appropriation is a
33.5 pilot program to focus on engaging citizen
33.6 participation and fostering local partnerships
33.7 by increasing citizen involvement in water
33.8 quality enhancement by designating star
33.9 lakes and rivers. The board shall include
33.10 information on the results of this pilot
33.11 program in its next biennial report under
33.12 Minnesota Statutes, section 103B.702. The
33.13 second year grants are available only if
33.14 the Board of Water and Soil Resources
33.15 determines that the money granted in the first
33.16 year furthered the water quality goals in the
33.17 star lakes program in Minnesota Statutes,
33.18 section 103B.701.

33.19 **Subd. 3. TMDL Development Civic**
33.20 **Engagement**

100,000

150,000

33.21 To the Pollution Control Agency for civic
33.22 engagement in TMDL development. The
33.23 agency shall develop a plan for expenditures
33.24 under this paragraph. The agency shall give
33.25 consideration to civic engagement proposals
33.26 from basin or sub-basin organizations,
33.27 including the Mississippi Headwaters Board,
33.28 the Minnesota River Joint Powers Board,
33.29 Area II Minnesota River Basin Projects,
33.30 and the Red River Basin Commission.
33.31 By November 15, 2009, the plan shall be
33.32 submitted to the house and senate chairs
33.33 and ranking minority members of the
33.34 environmental finance divisions.

33.35 **Subd. 4. Appropriation Conditions**

35.1 assurance walk-through for farms enrolled
35.2 in the program.

35.3 (d) December 15, 2010, the commissioner
35.4 of agriculture shall submit a report to the
35.5 chairs and ranking minority members of the
35.6 legislative committees and divisions with
35.7 jurisdiction over agriculture and environment
35.8 policy and finance on the activities of the
35.9 livestock environmental quality assurance
35.10 program. The report shall include:

35.11 (1) the number of farms enrolled;
35.12 (2) an analysis of the estimated water quality
35.13 improvements to enrolled farms;
35.14 (3) an analysis of the ability to provide
35.15 reasonable assurance of the water quality
35.16 effects; and

35.17 (4) consideration of recommendations
35.18 contained in the commissioner's report on
35.19 Star Farms.

35.20 **Subd. 3. County Geologic Atlases** 400,000 600,000

35.21 \$400,000 the first year and \$600,000
35.22 the second year are for collection and
35.23 interpretation of subsurface geological
35.24 information and acceleration of the county
35.25 geologic atlas program. \$122,000 the
35.26 first year and \$183,000 the second year
35.27 of this appropriation is to the Board of
35.28 Regents of the University of Minnesota for
35.29 the Geological Survey to continue and to
35.30 initiate the production of county geologic
35.31 atlases. \$278,000 the first year and \$417,000
35.32 the second year of this appropriation is
35.33 to the commissioner of natural resources
35.34 to investigate physical and recharge

36.1 characteristics. This appropriation represents
36.2 a continuing effort to complete the county
36.3 geologic atlases throughout the state.

36.4 **Subd. 4. High-Resolution Elevation Data** 2,500,000 3,100,000

36.5 To the commissioner of natural resources
36.6 to acquire and distribute high-resolution
36.7 elevation data collection using light detection
36.8 and ranging to aid with impaired waters
36.9 modeling and total maximum daily load
36.10 implementation under Minnesota Statutes,
36.11 chapter 114D.

36.12 **Subd. 5. Statewide Sustainable Water**
36.13 **Resources Framework** 750,000 0

36.14 (a) To the University of Minnesota for the
36.15 development of a statewide sustainable
36.16 water resources framework to protect,
36.17 conserve, and enhance the quantity and
36.18 quality of the state's ground and surface
36.19 waters. The detailed framework shall be
36.20 developed by the University of Minnesota
36.21 Water Resources Center in cooperation with
36.22 staff from the Environmental Quality Board
36.23 and representatives who have expertise
36.24 in water resources from federal agencies,
36.25 state agencies, local governments, private
36.26 nonprofits, and other interested groups.
36.27 The framework must include, but is not
36.28 limited to, identification of infrastructure
36.29 needs; drinking water; groundwater and
36.30 surface waters; storm water; agricultural and
36.31 industrial needs; the interfaces of climate
36.32 change, development and land use, and
36.33 demographics; public engagement strategies;
36.34 and accountability mechanisms.

37.1 (b) The University of Minnesota,
37.2 in cooperation with staff from the
37.3 Environmental Quality Board, shall
37.4 submit the framework to the chairs
37.5 and ranking minority members of the
37.6 legislative committees with jurisdiction over
37.7 environment and natural resources policy
37.8 and finance by January 15, 2011.

37.9 Subd. 6. **Appropriation Conditions**

37.10 Notwithstanding Minnesota Statutes, section
37.11 16A.28, the appropriations encumbered on or
37.12 before June 30, 2011, as grants or contracts in
37.13 this section are available until June 30, 2013.

37.14 Sec. 9. Minnesota Statutes 2008, section 116G.15, is amended to read:

37.15 **116G.15 MISSISSIPPI RIVER CORRIDOR CRITICAL AREA.**

37.16 Subdivision 1. **Establishment; purpose.** (a) The federal Mississippi National
37.17 River and Recreation Area established pursuant to United States Code, title 16, section
37.18 460zz-2(k), is designated an area of critical concern in accordance with this chapter. ~~The~~
37.19 ~~governor shall review the existing Mississippi River critical area plan and specify any~~
37.20 ~~additional standards and guidelines to affected communities in accordance with section~~
37.21 ~~116G.06, subdivision 2, paragraph (b), clauses (3) and (4), needed to insure preservation of~~
37.22 ~~the area pending the completion of the federal plan. The purpose of the designation is to:~~

37.23 (1) protect and preserve the Mississippi River and adjacent lands that the legislature
37.24 finds to be unique and valuable state and regional resources for the benefit of the health,
37.25 safety, and welfare of the citizens of the state, region, and nation;

37.26 (2) prevent and mitigate irreversible damages to these state, regional, and natural
37.27 resources;

37.28 (3) preserve and enhance the natural, aesthetic, cultural, and historical values of the
37.29 Mississippi River and adjacent lands for public use and benefit;

37.30 (4) protect and preserve the Mississippi River as an essential element in the national,
37.31 state, and regional transportation, sewer and water, and recreational systems; and

37.32 (5) protect and preserve the biological and ecological functions of the Mississippi
37.33 River corridor.

38.1 ~~The results of an environmental impact statement prepared under chapter 116D~~
38.2 ~~begun before and completed after July 1, 1994, for a proposed project that is located in~~
38.3 ~~the Mississippi River critical area north of the United States Army Corps of Engineers~~
38.4 ~~Lock and Dam Number One must be submitted in a report to the chairs of the environment~~
38.5 ~~and natural resources policy and finance committees of the house of representatives~~
38.6 ~~and the senate prior to the issuance of any state or local permits and the authorization~~
38.7 ~~for an issuance of any bonds for the project. A report made under this paragraph shall~~
38.8 ~~be submitted by the responsible governmental unit that prepared the environmental~~
38.9 ~~impact statement, and must list alternatives to the project that are determined by the~~
38.10 ~~environmental impact statement to be economically less expensive and environmentally~~
38.11 ~~superior to the proposed project and identify any legislative actions that may assist in the~~
38.12 ~~implementation of environmentally superior alternatives. This paragraph does not apply~~
38.13 ~~to a proposed project to be carried out by the Metropolitan Council or a metropolitan~~
38.14 ~~agency as defined in section 473.121.~~

38.15 ~~(b) If the results of an environmental impact statement required to be submitted by~~
38.16 ~~paragraph (a) indicate that there is an economically less expensive and environmentally~~
38.17 ~~superior alternative, then no member agency of the Environmental Quality Board shall~~
38.18 ~~issue a permit for the facility that is the subject of the environmental impact statement,~~
38.19 ~~other than an economically less expensive and environmentally superior alternative,~~
38.20 ~~nor shall any government bonds be issued for the facility, other than an economically~~
38.21 ~~less expensive and environmentally superior alternative, until after the legislature has~~
38.22 ~~adjourned its regular session sine die in 1996.~~

38.23 Subd. 2. Administration; duties. (a) The commissioner of natural resources may
38.24 adopt rules under chapter 14 as are necessary for the administration of the Mississippi
38.25 River corridor critical area program. Duties of the Environmental Quality Council or the
38.26 Environmental Quality Board referenced in this chapter, related rules, and the governor's
38.27 executive order number 79-19, published in the State Register on March 12, 1979,
38.28 that are related to the Mississippi River corridor critical area shall be the duties of the
38.29 commissioner. All rules adopted by the board pursuant to these duties remain in effect
38.30 and shall be enforced until amended or repealed by the commissioner in accordance with
38.31 law. The commissioner shall work in consultation with the United States Army Corps of
38.32 Engineers, the National Park Service, the Metropolitan Council, other agencies, and local
38.33 units of government to ensure that the Mississippi River corridor critical area is managed
38.34 as a multipurpose resource in a way that:

38.35 (1) conserves the scenic, environmental, recreational, mineral, economic, cultural,
38.36 and historic resources and functions of the river corridor;

39.1 (2) maintains the river channel for transportation by providing and maintaining
39.2 barging and fleeting areas in appropriate locations consistent with the character of the
39.3 Mississippi River and riverfront;

39.4 (3) provides for the continuation and development of a variety of urban uses,
39.5 including industrial and commercial uses, and residential uses, where appropriate, within
39.6 the Mississippi River corridor;

39.7 (4) utilizes certain reaches of the river as a source of water supply and as a receiving
39.8 water for properly treated sewage, stormwater, and industrial waste effluents; and

39.9 (5) protects and preserves the biological and ecological functions of the corridor.

39.10 (b) The Metropolitan Council shall incorporate the standards developed under
39.11 this section into its planning and shall work with local units of government and the
39.12 commissioner to ensure the standards are being adopted and implemented appropriately.

39.13 Subd. 3. **Districts.** The commissioner shall establish, by rule, districts within
39.14 the Mississippi River corridor critical area. The commissioner must seek to determine
39.15 an appropriate number of districts within any one municipality and take into account
39.16 municipal plans and policies, and existing ordinances and conditions. The commissioner
39.17 shall consider the following when establishing the districts:

39.18 (1) the protection of resources that existed as of March 12, 1979;

39.19 (2) the protection of improvements such as parks, trails, natural areas, recreational
39.20 areas, and interpretive centers;

39.21 (3) the use of the Mississippi River as a source of drinking water;

39.22 (4) the protection of resources identified in the Mississippi National River and
39.23 Recreation Area Comprehensive Management Plan;

39.24 (5) the protection of resources identified in comprehensive plans developed by
39.25 counties, cities, and towns within the Mississippi River corridor critical area;

39.26 (6) the intent of the Mississippi River corridor critical area land use districts from
39.27 the governor's executive order number 79-19, published in the State Register on March
39.28 12, 1979; and

39.29 (7) identified scenic, geologic, and ecological resources.

39.30 Subd. 4. **Standards.** (a) The commissioner shall establish, by rule, minimum
39.31 guidelines and standards for the districts established in subdivision 3. The guidelines
39.32 and standards for each district shall include: the intent of each district; key resources
39.33 and features to be protected or enhanced based upon paragraph (b); permitted uses;
39.34 and dimensional and performance standards for development. The commissioner must
39.35 take into account municipal plans and policies, and existing ordinances and conditions
39.36 when developing the guidelines in this section. The commissioner may provide certain

40.1 exceptions and criteria for standards, including, but not limited to, exceptions for river
40.2 access facilities, water supply facilities, stormwater facilities, and wastewater treatment
40.3 facilities, and hydropower facilities.

40.4 (b) The guidelines and standards must protect or enhance the following key
40.5 resources and features:

40.6 (1) floodplains;

40.7 (2) wetlands;

40.8 (3) gorges;

40.9 (4) areas of confluence with key tributaries;

40.10 (5) natural drainage routes;

40.11 (6) shorelines and riverbanks;

40.12 (7) bluffs;

40.13 (8) steep slopes and very steep slopes;

40.14 (9) unstable soils and bedrock;

40.15 (10) significant existing vegetative stands, tree canopies, and native plant
40.16 communities;

40.17 (11) scenic views and vistas;

40.18 (12) publicly owned parks, trails, and open spaces;

40.19 (13) cultural and historic sites and structures; and

40.20 (14) water quality.

40.21 (c) The commissioner shall establish a map to define bluffs and bluff-related features
40.22 within the Mississippi River corridor critical area. At the outset of the rulemaking process,
40.23 the commissioner shall create a preliminary map of all the bluffs and bluff lines within
40.24 the Mississippi River corridor critical area, based on the guidelines in paragraph (d). The
40.25 rulemaking process shall provide an opportunity to refine the preliminary bluff map. The
40.26 commissioner may add to or remove areas of demonstrably unique or atypical conditions
40.27 that warrant special protection or exemption. At the end of the rulemaking process, the
40.28 commissioner shall adopt a final bluff map that contains associated features, including
40.29 bluff lines, bases of bluffs, steep slopes, and very steep slopes.

40.30 (d) The following guidelines shall be used by the commissioner to create a
40.31 preliminary bluff map as part of the rulemaking process:

40.32 (1) "bluff face" or "bluff" means the area between the bluff line and the bluff base. A
40.33 high, steep, natural topographic feature such as a broad hill, cliff, or embankment with
40.34 a slope of 18 percent or greater and a vertical rise of at least ten feet between the bluff
40.35 base and the bluff line;

41.1 (2) "bluff line" means a line delineating the top of a slope connecting the points
41.2 at which the slope becomes less than 18 percent. More than one bluff line may be
41.3 encountered proceeding upslope from the river valley;

41.4 (3) "base of the bluff" means a line delineating the bottom of a slope connecting
41.5 the points at which the slope becomes 18 percent or greater. More than one bluff base
41.6 may be encountered proceeding landward from the water;

41.7 (4) "steep slopes" means 12 percent to 18 percent slopes. Steep slopes are natural
41.8 topographic features with an average slope of 12 to 18 percent measured over a horizontal
41.9 distance of 50 feet or more; and

41.10 (5) "very steep slopes" means slopes 18 percent or greater. Very steep slopes are
41.11 natural topographic features with an average slope of 18 percent or greater, measured over
41.12 a horizontal distance of 50 feet or more.

41.13 Subd. 5. **Application.** The standards established under this section shall be used:

41.14 (1) by local units of government when preparing or updating plans or modifying
41.15 regulations;

41.16 (2) by state and regional agencies for permit regulation and in developing plans
41.17 within their jurisdiction;

41.18 (3) by the Metropolitan Council for reviewing plans, regulations, and development
41.19 permit applications; and

41.20 (4) by the commissioner when approving plans, regulations, and development
41.21 permit applications.

41.22 Subd. 6. **Notification; fees.** A local unit of government or a regional or state agency
41.23 shall notify the commissioner of natural resources of all developments in the corridor that
41.24 require discretionary actions under their rules at least 10 days before taking final action on
41.25 the application. A local unit of government or agency failing to notify the commissioner at
41.26 least ten days before taking final action shall submit a late fee of \$50 to the commissioner.
41.27 For purposes of this section, a discretionary action includes all actions that require a public
41.28 hearing, including variances, conditional use permits, and zoning amendments.

41.29 Subd. 7. **Rules.** The commissioner shall adopt rules to ensure compliance with this
41.30 section. By January 15, 2010, the commissioner shall begin the rulemaking required by
41.31 this section. Until the rules required under this section take effect, the commissioner
41.32 shall administer the Mississippi River corridor critical area program in accordance with
41.33 the governor's executive order number 79-19, published in the State Register on March
41.34 12, 1979.

ARTICLE 3

PARKS AND TRAILS FUND

Section 1. PARKS AND TRAILS FUND APPROPRIATIONS.

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

<u>APPROPRIATIONS</u>	
<u>Available for the Year</u>	
<u>Ending June 30</u>	
<u>2010</u>	<u>2011</u>

Sec. 2. DEPARTMENT OF NATURAL RESOURCES

\$	<u>16,500,000</u>	\$	<u>19,800,000</u>
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\$13,000,000 the first year and \$15,500,000 the second year are for state parks, recreation areas, and trails to:

(1) connect people to the outdoors by providing access, conservation education, and interpretive services, including enhanced naturalist programs;

(2) accelerate natural resource management, restoration, and protection activities at state parks; and

(3) accelerate facility maintenance and rehabilitation, including energy-efficiency improvements and the use of renewable sources of energy.

\$3,500,000 the first year and \$4,300,000 the second year are for grants under new

43.1 Minnesota Statutes, section 85.535, to
43.2 parks and trails recognized as meeting the
43.3 constitutional requirement of being a park
43.4 or trail of regional or statewide significance.
43.5 Grants under this section must be used only
43.6 for acquisition, development, restoration,
43.7 and maintenance. Up to 2.5 percent of this
43.8 appropriation may be used for administering
43.9 the grants.

43.10 The commissioner shall develop a ten-year
43.11 strategic state parks and trails plan
43.12 considering traditional funding and the
43.13 funding available under the Minnesota
43.14 Constitution, article XI, section 15. The plan
43.15 shall incorporate the 25-year framework
43.16 developed under section 7.

43.17 The commissioner shall submit an annual
43.18 report on the expenditure and use of money
43.19 appropriated under this section to the
43.20 legislature as provided in Minnesota Statutes,
43.21 section 3.195. The first year report must be
43.22 submitted by March 1, 2010. In subsequent
43.23 years the report shall be submitted by January
43.24 15. The report must relate the expenditure of
43.25 funds by the categories established and detail
43.26 the outcomes in terms of additional use of
43.27 parks and trails resources, user satisfaction
43.28 surveys, and other appropriate outcomes.

43.29 The department and grantees receiving
43.30 money under this section shall give
43.31 consideration to contracting with the
43.32 Minnesota Conservation Corps for contract
43.33 restoration, maintenance, and other activities.

43.34 **Sec. 3. METROPOLITAN COUNCIL \$ \$13,000,000 \$ \$15,500,000**

44.1 (a) To be distributed as required under
44.2 new Minnesota Statutes, section 85.53,
44.3 subdivision 2.

44.4 (b) The Metropolitan Council shall submit
44.5 an annual report on the expenditure and use
44.6 of money appropriated under this section
44.7 to the legislature as provided in Minnesota
44.8 Statutes, section 3.195. The first report
44.9 shall be submitted by March 1, 2010.

44.10 In subsequent years, the report shall be
44.11 submitted by January 15. The report must
44.12 detail the outcomes in terms of additional use
44.13 of parks and trails resources, user satisfaction
44.14 surveys, and other appropriate outcomes.

44.15 (c) The implementing agencies receiving
44.16 appropriations under this section shall
44.17 give consideration to contracting with the
44.18 Minnesota Conservation Corps for contract
44.19 restoration, maintenance, and other activities.

44.20 Sec. 4. **UNIVERSITY OF MINNESOTA** **\$** **400,000** **\$** **-0-**

44.21 To the Board of Regents of the University
44.22 of Minnesota for the Center for Changing
44.23 Landscapes to create a comprehensive
44.24 statewide parks and trails framework and
44.25 system inventory.

44.26 Sec. 5. Minnesota Statutes 2008, section 85.53, is amended to read:

44.27 **85.53 PARKS AND TRAILS FUND.**

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

44.31 Subd. 2. **Metropolitan area distribution formula.** (a) Money appropriated from
44.32 the parks and trails fund to the Metropolitan Council shall be distributed to implementing

45.1 agencies, as defined in section 473.351, subdivision 1, paragraph (a), as grants according
45.2 to the following formula:

45.3 (1) 45 percent of the money must be disbursed according to the allocation formula in
45.4 section 473.351, subdivision 3, to each implementing agency;

45.5 (2) 31.5 percent of the money must be distributed based on each implementing
45.6 agency's relative share of the most recent estimate of the population of the metropolitan
45.7 area;

45.8 (3) 13.5 percent of the money must be distributed based on each implementing
45.9 agency's relative share of nonlocal visits based on the most recent user visitation survey
45.10 conducted by the Metropolitan Council; and

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

45.16 (b) Money allocated under paragraph (a) is to:

45.17 (1) connect people to the outdoors by providing access, conservation education, and
45.18 interpretive services, including enhanced naturalist programs;

45.19 (2) accelerate natural resource acquisition, management, restoration, and protection
45.20 activities at regional parks; and

45.21 (3) accelerate facility acquisition, development, maintenance, and rehabilitation,
45.22 including energy-efficiency improvements and the use of renewable sources of energy.

45.23 **Sec. 6. [85.535] PARKS AND TRAILS GRANT PROGRAM.**

45.24 Subdivision 1. **Establishment.** The commissioner of natural resources shall
45.25 administer a program to provide grants from the parks and trails fund to support parks and
45.26 trails of regional or statewide significance. Grants shall not be made under this section for
45.27 state parks, state recreational areas, or state trails.

45.28 Subd. 2. **Priorities.** In awarding trails grants under this section, the commissioner
45.29 shall give priority to:

45.30 (1) trail projects that provide connectivity;

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

45.32 (3) trail projects that provide enhanced safety.

45.33 Subd. 3. **Match.** Recipients must provide a nonstate cash match of at least 25
45.34 percent of the total eligible project costs.

47.1 activities under the Minnesota Constitution, article XI, section 15. The figures "2010" and
47.2 "2011" used in this article mean that the appropriations listed under them are available for
47.3 the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is
47.4 fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years
47.5 2010 and 2011. Appropriations for the fiscal year ending June 30, 2009, are effective the
47.6 day following final enactment.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2010</u>	<u>2011</u>

47.11 Sec. 2. **BOARD OF THE ARTS.**

47.12 <u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>23,750,000</u>	<u>\$</u>	<u>23,750,000</u>
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47.13 The appropriations in this section are for arts,
47.14 arts education, and arts access and to preserve
47.15 Minnesota's history and cultural heritage as
47.16 specified in the following subdivisions.

47.17 **Subd. 2. Distribution Formula**

47.18 Of these amounts:

47.19 (1) up to 78 percent of the money to support
47.20 Minnesota artists and arts organizations
47.21 in creating, producing, and presenting
47.22 high-quality arts activities; to overcome
47.23 barriers to accessing high-quality arts
47.24 activities; and to instill the arts into the
47.25 community and public life in this state;
47.26 (2) up to 15 percent of the money for
47.27 high-quality, age-appropriate arts education
47.28 for Minnesotans of all ages to develop
47.29 knowledge, skills, and understanding of the
47.30 arts;

47.31 (3) up to five percent of the money for events
47.32 and activities that represent the diverse ethnic
47.33 and cultural arts traditions, including folk

48.1 and traditional artists and art organizations,
48.2 represented in this state; and
48.3 (4) up to three percent of the money
48.4 to administer grant programs, deliver
48.5 technical services, provide fiscal oversight
48.6 for the statewide system, and to ensure
48.7 accountability for these state resources.

48.8 Thirty percent of the total appropriated to
48.9 each of the categories established in this
48.10 subdivision is for grants to the regional arts
48.11 councils. This percentage does not apply to
48.12 administrative costs.

48.13 These appropriations are added to the
48.14 agency's base budget. Any unexpended
48.15 balance under this section is available in
48.16 either year.

48.17 **Subd. 3. Reporting**

48.18 The executive director shall submit an
48.19 annual report on the expenditure and use of
48.20 money appropriated under this section to the
48.21 legislature as provided in Minnesota Statutes,
48.22 section 3.195. The first year report must be
48.23 submitted by March 1, 2010. In subsequent
48.24 years the report shall be submitted by January
48.25 15. The report must relate the expenditure
48.26 of funds by the categories established in
48.27 subdivision 2.

48.28 **Subd. 4. Appropriation Conditions**

48.29 Notwithstanding Minnesota Statutes, section
48.30 16A.28, the appropriations encumbered on or
48.31 before June 30, 2011, as grants or contracts in
48.32 this section are available until June 30, 2013.

48.33 **Sec. 3. MINNESOTA HISTORICAL**
48.34 **SOCIETY**

\$ 12,500,000 \$ 12,500,000

- 49.1 (a) These amounts are to preserve
49.2 Minnesota's history and cultural heritage.
- 49.3 (b) Of these amounts:
- 49.4 (1) up to 45 percent each year for statewide
49.5 history programs and projects;
- 49.6 (2) up to 30 percent of the money for
49.7 a competitive grant program for history
49.8 programs and projects operated by or
49.9 through local, county, regional, other history
49.10 organizations, or local units of government;
- 49.11 (3) up to 25 percent of the money for
49.12 history programs and projects that involve
49.13 partnerships or collaboration with history or
49.14 other organizations; and
- 49.15 (4) up to three percent of the money to
49.16 administer grant programs, deliver technical
49.17 services, provide fiscal oversight, and ensure
49.18 accountability for these state resources. The
49.19 director may allocate administrative costs
49.20 between the programs.
- 49.21 These appropriations are added to the
49.22 agency's base budget. Any unexpended
49.23 balance under this section is available in
49.24 either year.
- 49.25 (c) The director shall submit an annual
49.26 report on the expenditure and use of money
49.27 appropriated under this section to the
49.28 legislature as provided in Minnesota Statutes,
49.29 section 3.195. The first year report must be
49.30 submitted by March 1, 2010. In subsequent
49.31 years the report shall be submitted by January
49.32 15. The report must relate the expenditure
49.33 of funds by the categories established in
49.34 paragraph (b), clauses (1) to (4).

50.1 (d) Notwithstanding Minnesota Statutes,
50.2 section 16A.28, the appropriations
50.3 encumbered on or before June 30, 2011,
50.4 as grants or contracts in this section are
50.5 available until June 30, 2013.

50.6 Sec. 4. **HUMANITIES COMMISSION** **\$** **1,500,000** **\$** **1,500,000**

50.7 (a) These amounts are to preserve
50.8 Minnesota's history and cultural heritage.
50.9 A portion of this amount is available for
50.10 organizations and programs that support
50.11 ethnic and cultural diversity in this state.

50.12 (b) The commission shall submit an annual
50.13 report on the expenditure and use of money
50.14 appropriated under this section to the
50.15 legislature as provided in Minnesota Statutes,
50.16 section 3.195. The first year report must be
50.17 submitted by March 1, 2010. In subsequent
50.18 years the report shall be submitted by January
50.19 15.

50.20 These appropriations are added to the
50.21 agency's base budget. Any unexpended
50.22 balance under this section is available in
50.23 either year.

50.24 (c) Notwithstanding Minnesota Statutes,
50.25 section 16A.28, the appropriations
50.26 encumbered on or before June 30, 2011,
50.27 as grants or contracts in this section are
50.28 available until June 30, 2013.

50.29 Sec. 5. **DEPARTMENT OF**
50.30 **ADMINISTRATION** **\$** **6,150,000** **\$** **6,150,000**

50.31 (a) To the commissioner of administration
50.32 for arts, arts education, and arts access and
50.33 to preserve Minnesota's history and cultural
50.34 heritage, as specified under this section.

51.1 (b) \$3,500,000 the first year and \$3,500,000
51.2 the second year are appropriated for a grant to
51.3 the Minnesota Public Television Association
51.4 for production and acquisition grants in
51.5 accordance with Minnesota Statutes, section
51.6 129D.18. This funding is also available to
51.7 public access cable stations for arts, history,
51.8 and cultural programs.

51.9 (c) \$1,325,000 the first year and \$1,325,000
51.10 the second year are appropriated for a grant
51.11 to Minnesota Public Radio to create new
51.12 programming and events, expand regional
51.13 news service, amplify Minnesota culture
51.14 to a regional and national audience, and
51.15 document Minnesota's history through the
51.16 Minnesota Audio Archives.

51.17 (d) \$1,325,000 the first year and \$1,325,000
51.18 the second year are appropriated for a grant
51.19 to the Association of Minnesota Public Radio
51.20 Stations for production and acquisition grants
51.21 in accordance with Minnesota Statutes,
51.22 section 129D.19.

51.23 These appropriations are added to the
51.24 agency's base budget. Any unexpended
51.25 balance under this section is available in
51.26 either year.

51.27 (e) The commissioner shall submit an
51.28 annual report on the expenditure and use
51.29 of money appropriated under this section
51.30 to the legislature as provided in Minnesota
51.31 Statutes, sections 129D.18, subdivision 4,
51.32 and 129D.19, subdivision 4.

51.33 (f) Notwithstanding Minnesota Statutes,
51.34 section 16A.28, the appropriations
51.35 encumbered on or before June 30, 2011,

52.1 as grants or contracts in this section are

52.2 available until June 30, 2013.

52.3 Sec. 6. **EXPLORE MINNESOTA TOURISM** \$ 500,000 \$ 500,000

52.4 (a) To the director of Explore Minnesota

52.5 Tourism for a grant to the Minnesota Film

52.6 and TV Board for grants for reimbursements

52.7 to eligible film projects that promote

52.8 Minnesota's cultural heritage. "Eligible film

52.9 project" means a film written by a resident

52.10 of Minnesota and directed or produced by a

52.11 resident of Minnesota; a film set in Minnesota

52.12 and directed or produced by a resident of

52.13 Minnesota; or a film that documents an event

52.14 or period in Minnesota history, whether a

52.15 true documentary or a fictionalized account

52.16 of the historic event, and has either a writer

52.17 or director who is a resident of Minnesota.

52.18 Eligible film projects must be filmed in

52.19 Minnesota.

52.20 (b) The director shall submit an annual

52.21 report on the expenditure and use of money

52.22 appropriated under this section to the

52.23 legislature as provided in Minnesota Statutes,

52.24 section 3.195. The first year report must be

52.25 submitted by March 1, 2010. In subsequent

52.26 years the report shall be submitted by January

52.27 15.

52.28 (c) Notwithstanding Minnesota Statutes,

52.29 section 16A.28, the appropriations

52.30 encumbered on or before June 30, 2011,

52.31 as grants or contracts in this section are

52.32 available until June 30, 2013.

52.33 Sec. 7. **SCIENCE MUSEUM OF**
52.34 **MINNESOTA**

\$ 500,000 \$ 500,000

53.1 (a) These amounts are for arts, arts education,
53.2 and arts access and to preserve Minnesota's
53.3 history and cultural heritage.

53.4 (b) The director shall submit an annual
53.5 report on the expenditure and use of money
53.6 appropriated under this section to the
53.7 legislature as provided in Minnesota Statutes,
53.8 section 3.195. The first year report must be
53.9 submitted by March 1, 2010. In subsequent
53.10 years the report shall be submitted by January
53.11 15.

53.12 (c) Notwithstanding Minnesota Statutes,
53.13 section 16A.28, the appropriations
53.14 encumbered on or before June 30, 2011,
53.15 as grants or contracts in this section are
53.16 available until June 30, 2013.

53.17 **Sec. 8. MINNESOTA CHILDREN'S**
53.18 **MUSEUM**

\$ **100,000** **\$** **100,000**

53.19 (a) These amounts are for arts, arts education,
53.20 and arts access and to preserve Minnesota's
53.21 history and cultural heritage.

53.22 (b) The director shall submit an annual
53.23 report on the expenditure and use of money
53.24 appropriated under this section to the
53.25 legislature as provided in Minnesota Statutes,
53.26 section 3.195. The first year report must be
53.27 submitted by March 1, 2010. In subsequent
53.28 years the report shall be submitted by January
53.29 15.

53.30 (c) Notwithstanding Minnesota Statutes,
53.31 section 16A.28, the appropriations
53.32 encumbered on or before June 30, 2011,
53.33 as grants or contracts in this section are
53.34 available until June 30, 2013.

- 54.1 Sec. 9. DULUTH CHILDREN'S MUSEUM \$ 100,000 \$ 100,000
- 54.2 (a) These amounts are for arts, arts education,
54.3 and arts access and to preserve Minnesota's
54.4 history and cultural heritage.
- 54.5 (b) The director shall submit an annual
54.6 report on the expenditure and use of money
54.7 appropriated under this section to the
54.8 legislature as provided in Minnesota Statutes,
54.9 section 3.195. The first year report must be
54.10 submitted by March 1, 2010. In subsequent
54.11 years the report shall be submitted by January
54.12 15.
- 54.13 (c) Notwithstanding Minnesota Statutes,
54.14 section 16A.28, the appropriations
54.15 encumbered on or before June 30, 2011,
54.16 as grants or contracts in this section are
54.17 available until June 30, 2013.
- 54.18 Sec. 10. INDIAN AFFAIRS COUNCIL \$ 500,000 \$ 500,000
- 54.19 (a) These amounts are for arts, arts education,
54.20 and arts access and to preserve Minnesota's
54.21 history and cultural heritage.
- 54.22 (b) The director shall submit an annual
54.23 report on the expenditure and use of money
54.24 appropriated under this section to the
54.25 legislature as provided in Minnesota Statutes,
54.26 section 3.195. The first year report must be
54.27 submitted by March 1, 2010. In subsequent
54.28 years the report shall be submitted by January
54.29 15.
- 54.30 (c) Notwithstanding Minnesota Statutes,
54.31 section 16A.28, the appropriations
54.32 encumbered on or before June 30, 2011,

56.1 (c) Notwithstanding Minnesota Statutes,
56.2 section 16A.28, the appropriations
56.3 encumbered on or before June 30, 2011,
56.4 as grants or contracts in this section are
56.5 available until June 30, 2013.

56.6 Sec. 13. **[129D.18] PUBLIC TELEVISION CULTURAL AND HERITAGE**
56.7 **PRODUCTION AND ACQUISITION GRANTS.**

56.8 Subdivision 1. **Use of grant funds.** Money appropriated from the Minnesota arts
56.9 and cultural heritage fund may be designated to make grants to public stations, as defined
56.10 in section 129D.12, subdivision 2. Grants received under this section must be used to
56.11 create, produce, acquire, or distribute programs that educate, enhance, or promote local,
56.12 regional, or statewide items of artistic, cultural, or historic significance. Grant funds may
56.13 be used to cover any expenses associated with the creation, production, acquisition, or
56.14 distribution of public television programs through broadcast or online, including the
56.15 creation and distribution of educational materials.

56.16 Subd. 2. **Administration.** Money appropriated under this section must be used by
56.17 the commissioner of administration to make grants based upon the recommendations of
56.18 the Minnesota Public Television Association.

56.19 Subd. 3. **Conditions.** (a) A public station receiving funds appropriated under this
56.20 section must:

56.21 (1) make programs produced with these funds available for broadcast to all other
56.22 public stations eligible to receive grants under this section;

56.23 (2) offer free public performance rights for public educational institutions;

56.24 (3) archive programs produced with these funds and make the programs available
56.25 for future use through encore broadcast or other distribution, including online; and

56.26 (4) ensure that underwriting credit is given to the Minnesota arts and cultural
56.27 heritage fund.

56.28 (b) Programs produced in partnership with other mission-centered nonprofit
56.29 organizations may be used by the partnering organization for their own educational or
56.30 promotional purposes.

56.31 Subd. 4. **Reporting.** A public station receiving funds appropriated under this
56.32 section must report annually by January 15 to the commissioner and the chairs and ranking
56.33 minority members of the senate and house of representatives committees and divisions
56.34 having jurisdiction over arts and cultural heritage policy and budget regarding how the
56.35 previous year's grant funds were expended. This report must contain specific information

57.1 for each program produced and broadcast, including the cost of production, the number
57.2 of stations broadcasting the program, estimated viewership, the number of Web site
57.3 downloads, and other related measures. If the programs produced include educational
57.4 material, the public station must report to the commissioner on these efforts.

57.5 Sec. 14. **[129D.19] GENERAL NONCOMMERCIAL RADIO CULTURAL AND**
57.6 **HERITAGE PRODUCTION AND ACQUISITION GRANTS.**

57.7 Subdivision 1. **Use of grant funds.** Money appropriated from the Minnesota arts
57.8 and cultural heritage fund may be designated to make grants to noncommercial radio
57.9 stations, as defined in section 129D.14, subdivision 2. Grants received under this section
57.10 must be used to create, produce, acquire, or distribute programs that educate, enhance, or
57.11 promote local, regional, or statewide items of artistic, cultural, or historic significance.
57.12 Grant funds may be used to cover any expenses associated with the creation, production,
57.13 acquisition, or distribution of noncommercial radio programs through broadcast.

57.14 Subd. 2. **Administration.** Money appropriated under this section must be used by
57.15 the commissioner of administration to make grants based upon the recommendations of
57.16 the Association of Minnesota Public Educational Radio Stations.

57.17 Subd. 3. **Conditions.** (a) A noncommercial radio station receiving funds
57.18 appropriated under this section must:

57.19 (1) make programs produced with these funds available for broadcast to all other
57.20 noncommercial radio stations eligible to receive grants under this section;

57.21 (2) offer free public performance rights for public educational institutions;

57.22 (3) archive programs produced with these funds and make the programs available
57.23 for future use through encore broadcast or other distribution, including online; and

57.24 (4) ensure that underwriting credit is given to the Minnesota arts and cultural
57.25 heritage fund.

57.26 (b) Programs produced in partnership with other mission-centered nonprofit
57.27 organizations may be used by the partnering organization for their own educational or
57.28 promotional purposes.

57.29 Subd. 4. **Reporting.** A noncommercial radio station receiving funds appropriated
57.30 under this section must report annually by January 15 to the commissioner and the chairs
57.31 and ranking minority members of the senate and house of representatives committees and
57.32 divisions having jurisdiction over arts and cultural heritage policy and budget regarding
57.33 how the previous year's grant funds were expended. This report must contain specific
57.34 information for each program produced and broadcast, including the cost of production,
57.35 the number of stations broadcasting the program, estimated number of listeners, and

58.1 other related measures. If the programs produced include educational material, the
58.2 noncommercial radio station must report to the commissioner on these efforts.

58.3 **Sec. 15. [129E.01] ARTS AND CULTURAL HERITAGE FUND.**

58.4 Subdivision 1. **Fund established.** The arts and cultural heritage fund is established
58.5 in the Minnesota Constitution, article XI, section 15. All money earned by the fund must
58.6 be credited to the fund.

58.7 Subd. 2. **Appropriations.** Money in the arts and cultural heritage fund is
58.8 appropriated annually as follows:

58.9 (1) 50 percent to the executive director of the Board of the Arts for grants and
58.10 services provided in accordance with law; and

58.11 (2) at least 25 percent to the director of the Minnesota Historical Society for grants
58.12 and distribution in accordance with law.

58.13 Subd. 3. **Acknowledgment.** A recipient of money from the arts and cultural
58.14 heritage fund must include credit in printed materials, media releases, advertisements, and
58.15 electronic, audio, or video promotional materials acknowledging that the activities and
58.16 projects are the results of the legacy amendment to the Minnesota Constitution adopted by
58.17 the voters on November 4, 2008.

58.18 **Sec. 16. VOLUNTEER WORKING GROUP ON DAKOTA AND OJIBWE**
58.19 **LANGUAGE REVITALIZATION AND PRESERVATION.**

58.20 Subdivision 1. **Establishment.** A volunteer working group is established to develop
58.21 a unified strategy to revitalize and preserve indigenous languages of the 11 federally
58.22 recognized American Indian tribes in Minnesota. As the federal government recognized
58.23 through passage of the Esther Martinez Native American Languages Preservation Act
58.24 of 2006, the revitalization and preservation of American Indian languages is of vital
58.25 importance to preserving the American Indian culture. There have been recent efforts in
58.26 Minnesota to develop programs to teach the Dakota and Ojibwe languages to students
58.27 and to create fluent speakers at both the kindergarten through grade 12 level and at the
58.28 postsecondary level. The volunteer working group shall, among other duties, inventory
58.29 these efforts and make recommendations regarding how to further revitalize and preserve
58.30 Dakota and Ojibwe languages.

58.31 Subd. 2. **Membership.** The executive director of the Minnesota Indian Affairs
58.32 Council shall invite each of the 11 federally recognized tribes under Minnesota Statutes,
58.33 section 3.922, subdivision 1, clause (1), to participate by appointing one member of each
58.34 tribe to the working group. Three additional members shall be appointed by the Indian

59.1 Affairs Council. Two of these members must represent the American Indian population
59.2 in the Minneapolis-St. Paul area and one member must represent the American Indian
59.3 population in Duluth. Other working group members may include, at their discretion, the
59.4 commissioner of education or the commissioner's appointee, the director of the Office of
59.5 Higher Education or the director's appointee, one member of the Board of Teaching, and
59.6 the director of the Minnesota Historical Society or the director's appointee. The working
59.7 group may add other members as deemed appropriate by a majority vote of the existing
59.8 members. The executive director of the Indian Affairs Council must convene the first
59.9 meeting no later than September 1, 2009. At the first meeting, the members shall elect
59.10 from amongst themselves a chair and vice chair of the working group.

59.11 Subd. 3. **Duties.** The working group must develop strategies for the 11 federally
59.12 recognized American Indian tribes and the state to work together to revitalize and preserve
59.13 the Dakota and Ojibwe languages in Minnesota. The duties of the working group include,
59.14 but are not limited to:

59.15 (1) creating an inventory of existing programs designed to preserve Dakota and
59.16 Ojibwe languages in the state, including postsecondary programs, programs in tribal
59.17 schools, and other schools throughout the state;

59.18 (2) creating an inventory of available resources for Dakota and Ojibwe language
59.19 revitalization and immersion programs, including curriculum, educational materials,
59.20 and trained teachers;

59.21 (3) identifying curriculum needs to train teachers to teach the Dakota and Ojibwe
59.22 languages in immersion programs and barriers to training teachers to teach the Dakota and
59.23 Ojibwe language;

59.24 (4) identifying classroom curriculum needs for teaching students in Dakota and
59.25 Ojibwe languages;

59.26 (5) determining how the identified curriculum needs should be met;

59.27 (6) determining if there is a need for a central repository of resources, and if there
59.28 is a need, where the repository should be located, how it should be structured, and who
59.29 should have responsibility for maintaining the repository;

59.30 (7) determining what technical assistance the state could offer to further Dakota
59.31 and Ojibwe language immersion programs;

59.32 (8) identifying private, state, and national financial resources available to further
59.33 Dakota and Ojibwe language revitalization and preservation efforts;

59.34 (9) identifying current state and federal law, rules, regulations, and policy that
59.35 should be repealed, modified, or waived, in order to further Dakota and Ojibwe language
59.36 immersion programs; and

60.1 (10) assessing the level of interest in the community for Dakota and Ojibwe
60.2 language immersion programs.

60.3 Subd. 4. **Expenses.** Members of the group are not eligible for compensation but
60.4 may receive reimbursement for their expenses as provided in Minnesota Statutes, section
60.5 15.059, subdivision 3.

60.6 Subd. 5. **Report.** The working group must report its findings and recommendations,
60.7 including draft legislation, if necessary, to the Indian Affairs Council and the chairs and
60.8 ranking minority members of the legislative committees and divisions with jurisdiction
60.9 over early childhood through grade 12 education and higher education by February 15,
60.10 2011. The committee expires on February 16, 2011.

60.11 Sec. 17. **REPEALER.**

60.12 Minnesota Statutes 2008, section 129D.17, is repealed.

60.13 **ARTICLE 5**

60.14 **GENERAL PROVISIONS**

60.15 Section 1. **LEGACY WEB SITE**

60.16 (a) The Legislative Coordinating
60.17 Commission shall establish and maintain
60.18 a Web site to provide information on all
60.19 projects receiving appropriations in this
60.20 article. The commission may provide a link
60.21 to a state Web site that contains all of the
60.22 necessary information on projects to satisfy
60.23 this requirement. The Web site must provide
60.24 information for each project, including, but
60.25 not limited to:

60.26 (1) the name of the project;

60.27 (2) a brief description of the project;

60.28 (3) the amount of money appropriated in this
60.29 article for the project;

60.30 (4) any nonstate sources of funding specified
60.31 for the project; and

60.32 (5) goals and outcomes of the project.

61.1 (b) As a condition of accepting an
61.2 appropriation in this article, any agency
61.3 or entity receiving an appropriation must
61.4 provide the information to the Legislative
61.5 Coordinating Commission that is necessary
61.6 to establish and maintain the Web site under
61.7 paragraph (a). The provision of the necessary
61.8 information required for the Web site under
61.9 paragraph (a) to another state entity that is
61.10 linked to the commission's Web site shall be
61.11 considered meeting this requirement.

61.12 (c) \$50,000 in fiscal year 2010 is appropriated
61.13 to the Legislative Coordinating Commission
61.14 for the costs of developing and implementing
61.15 a Web site to contain information on projects
61.16 receiving appropriations from the outdoor
61.17 heritage fund, the clean water fund, and
61.18 the parks and trails fund. Of this amount,
61.19 \$10,000 is from the outdoor heritage fund;
61.20 \$25,000 is from the clean water fund; and
61.21 \$15,000 is from the parks and trails fund.

61.22 **Sec. 2. SIGNS**

61.23 (a) The Legislative Coordinating
61.24 Commission shall sponsor a contest
61.25 for selecting the design of a logo to use on
61.26 signage for projects receiving money from
61.27 the outdoor heritage fund, the clean water
61.28 fund, and the parks and trails fund.

61.29 (b) As a condition of accepting an
61.30 appropriation in this article, any agency
61.31 or entity receiving an appropriation must
61.32 provide a sign with the logo selected under
61.33 paragraph (a) at all access points to any land
61.34 or water resources that were:

62.1 (1) acquired, in fee title or an interest in less
62.2 than fee title, with money appropriated in
62.3 this article; or

62.4 (2) restored, protected, or enhanced with
62.5 money appropriated in this article.

62.6 **Sec. 3. 25-YEAR STRATEGIC PLAN.**

62.7 By January 15, 2011, the legislative
62.8 committees, divisions, or councils
62.9 responsible for recommending expenditures
62.10 to the full legislature from the outdoor
62.11 heritage fund, the clean water fund, and the
62.12 parks and trails fund must develop, with
62.13 broad public input, and adopt a 25-year
62.14 strategic plan for the expenditures that
62.15 will be recommended from the funds. The
62.16 plan must include applicable outcomes
62.17 for restoring, protecting, and enhancing
62.18 wetlands, prairies, forests, habitat for fish and
62.19 game, lakes, rivers, streams, groundwater,
62.20 and supporting parks and trails. The strategic
62.21 plan shall be updated on a regular basis, but
62.22 no longer than every five years. The Web
62.23 site established under section 1 must include
62.24 a link to the plans developed under this
62.25 section. The plan for restoring, protecting,
62.26 and enhancing wetlands, prairies, forests,
62.27 habitat for fish and game must be based
62.28 on ecological sections and subsections
62.29 established by the Department of Natural
62.30 Resources and be based on sound science
62.31 and achieve benefits across all ecological
62.32 sections within the state. The plan for
62.33 restoring, protecting, and enhancing lakes,
62.34 rivers, streams, and groundwater must be
62.35 based on watersheds and aquifers, and shall

- 63.1 take into account existing plans, be based on
- 63.2 sound science, and achieve benefits across
- 63.3 all ecological sections within the state. Any
- 63.4 recommendations for appropriations may be
- 63.5 prioritized based on science and urgency.