

This Document can be made available in alternative formats upon request

State of Minnesota

Printed Page No. 204

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1113

03/04/2013 Authored by Wagenius, Persell, Torkelson, Fabian and Lillie
The bill was read for the first time and referred to the Committee on Environment, Natural Resources and Agriculture Finance
03/13/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means
04/02/2013 Adoption of Report: Pass as Amended and Read Second Time

1.1 A bill for an act
1.2 relating to natural resources; appropriating money from environment and natural
1.3 resources trust fund; modifying provisions for Legislative-Citizen Commission
1.4 on Minnesota Resources; modifying requirements for land acquisition with trust
1.5 fund money; amending Minnesota Statutes 2012, sections 116P.05, subdivisions
1.6 1, 2; 116P.09, subdivision 2; 116P.15; 116P.16; 116P.17; proposing coding for
1.7 new law in Minnesota Statutes, chapter 116P.

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

1.9 Section 1. APPROPRIATIONS.

1.10 The sums shown in the columns marked "Appropriations" are appropriated to
1.11 the agencies and for the purposes specified in this act. The appropriations are from
1.12 the environment and natural resources trust fund and are available for the fiscal years
1.13 indicated for each purpose. The figures "2014" and "2015" used in this act mean that the
1.14 appropriations listed under them are available for the fiscal year ending June 30, 2014,
1.15 or June 30, 2015, respectively. "The first year" is fiscal year 2014. "The second year" is
1.16 fiscal year 2015. "The biennium" is fiscal years 2014 and 2015. The appropriations in
1.17 this act are onetime.

Table with 3 columns: APPROPRIATIONS Available for the Year Ending June 30, 2014, 2015

1.22 Sec. 2. MINNESOTA RESOURCES

1.23 Subdivision 1. Total Appropriation \$ 33,810,000 \$ 4,350,000

2.1	<u>Appropriations by Fund</u>	
2.2	<u>2014</u>	<u>2015</u>
2.3	<u>Environment and</u>	
2.4	<u>natural resources</u>	
2.5	<u>33,810,000</u>	<u>4,350,000</u>
2.5	<u>trust fund</u>	

2.6 The amounts that may be spent for each  
 2.7 purpose are specified in the following  
 2.8 subdivisions.

2.9 Appropriations are available for two  
 2.10 years beginning July 1, 2013, unless  
 2.11 otherwise stated in the appropriation. Any  
 2.12 unencumbered balance remaining in the first  
 2.13 year does not cancel and is available for the  
 2.14 second year.

2.15 Subd. 2. **Definition**

2.16 "Trust fund" means the Minnesota  
 2.17 environment and natural resources trust fund  
 2.18 referred to in Minnesota Statutes, section  
 2.19 116P.02, subdivision 6.

2.20 Subd. 3. **Natural Resource Data and**  
 2.21 **Information**

8,076,000

-0-

2.22 (a) **Minnesota Biological Survey**

2.23 \$2,650,000 the first year is from the  
 2.24 trust fund to the commissioner of natural  
 2.25 resources for continuation of the Minnesota  
 2.26 biological survey to provide a foundation  
 2.27 for conserving biological diversity by  
 2.28 systematically collecting, interpreting,  
 2.29 monitoring, and delivering data on plant and  
 2.30 animal distribution and ecology, native plant  
 2.31 communities, and functional landscapes.

2.32 (b) **County Geologic Atlases - Part A**

2.33 \$1,200,000 the first year is from the trust fund  
 2.34 to the Board of Regents of the University  
 2.35 of Minnesota to continue the acceleration

3.1 of the production of county geologic atlases  
3.2 that define aquifer boundaries and the  
3.3 connection of aquifers to the land surface and  
3.4 surface water resources for the purpose of  
3.5 sustainable management of surface water and  
3.6 groundwater resources. This appropriation  
3.7 is available until June 30, 2016, by which  
3.8 time the project must be completed and final  
3.9 products delivered.

3.10 **(c) County Geologic Atlases - Part B**

3.11 \$1,200,000 the first year is from the trust  
3.12 fund to the commissioner of natural resources  
3.13 to continue the analysis and compilation  
3.14 of groundwater data for the production  
3.15 of county geologic atlases, publication of  
3.16 geospatial groundwater data, and continued  
3.17 mapping of springsheds and karst features  
3.18 for Winona and Houston Counties. This  
3.19 appropriation is available until June 30,  
3.20 2016, by which time the project must be  
3.21 completed and final products delivered.

3.22 **(d) Updating National Wetland Inventory for**  
3.23 **Minnesota - Phase IV**

3.24 \$1,000,000 the first year is from the trust  
3.25 fund to the commissioner of natural resources  
3.26 to continue the update and enhancement  
3.27 of wetland inventory maps for Minnesota.  
3.28 This appropriation is available until June  
3.29 30, 2016, by which time the project must be  
3.30 completed and final products delivered.

3.31 **(e) Conservation Easement Stewardship**  
3.32 **Program - Phase III**

3.33 \$200,000 the first year is from the trust fund  
3.34 to the commissioner of natural resources  
3.35 for the final phase to bring conservation

4.1 easements held by the Department of Natural  
4.2 Resources up to minimum conservation  
4.3 standards, through monitoring, baseline data  
4.4 collection, and baseline report preparation.

4.5 **(f) Harnessing Soudan Mine Microbes:**  
4.6 **Bioremediation, Bioenergy, and Biocontrol**

4.7 \$838,000 the first year is from the trust fund  
4.8 to the Board of Regents of the University of  
4.9 Minnesota to continue the characterization of  
4.10 unique microbes discovered in the Soudan  
4.11 Underground Mine State Park that have  
4.12 potential applications for metal remediation  
4.13 in water resources, microbial electrofuels,  
4.14 and biocontrol of white-nose bat syndrome.

4.15 This appropriation is available until June  
4.16 30, 2016, by which time the project must be  
4.17 completed and final products delivered.

4.18 **(g) Improved Rapid Forest Ecosystem and**  
4.19 **Habitat Inventory**

4.20 \$262,000 the first year is from the trust fund  
4.21 to the Board of Regents of the University  
4.22 of Minnesota to evaluate a new approach to  
4.23 forest inventory, based on statewide forest  
4.24 inventory and analysis (FIA) data.

4.25 **(h) Finding Disease Resistant Elm Trees in**  
4.26 **Minnesota**

4.27 \$200,000 the first year is from the trust fund  
4.28 to the Board of Regents of the University  
4.29 of Minnesota to evaluate and identify  
4.30 native Minnesota elms resistant to Dutch  
4.31 elm disease to assist with limiting the  
4.32 susceptibility of the state's elms to Dutch elm  
4.33 disease. This appropriation is available until  
4.34 June 30, 2016, by which time the project must  
4.35 be completed and final products delivered.

5.1 **(i) Enhancing Timber Sale Program**  
 5.2 **Environmental and Economic Sustainability**

5.3 \$336,000 the first year is from the trust fund  
 5.4 to the Board of Regents of the University  
 5.5 of Minnesota to evaluate the impacts of  
 5.6 timber payment methods on postharvest  
 5.7 forest ecological conditions and net revenue  
 5.8 generated from public timber sale programs.

5.9 This appropriation is available until June  
 5.10 30, 2016, by which time the project must be  
 5.11 completed and final products delivered.

5.12 **(j) Enhancing Environmental and Economic**  
 5.13 **Benefits of Woodland Grazing**

5.14 \$190,000 the first year is from the trust fund  
 5.15 to the Board of Regents of the University of  
 5.16 Minnesota to evaluate management options  
 5.17 for woodlands used for grazing to improve  
 5.18 ecological and economic benefits. This  
 5.19 appropriation is available until June 30,  
 5.20 2016, by which time the project must be  
 5.21 completed and final products delivered.

5.22 **Subd. 4. Land, Habitat, Restoration, and**  
 5.23 **Recreation**

13,522,000

-0-

5.24 **(a) State Parks and Trails Land Acquisition**

5.25 \$1,000,000 the first year is from the trust  
 5.26 fund to the commissioner of natural resources  
 5.27 to acquire authorized state trails and critical  
 5.28 parcels within the statutory boundaries  
 5.29 of state parks. State park land acquired  
 5.30 with this appropriation must be sufficiently  
 5.31 improved to meet at least minimum  
 5.32 management standards, as determined by the  
 5.33 commissioner of natural resources. A list  
 5.34 of proposed acquisitions must be provided  
 5.35 as part of the required work plan. This

6.1 appropriation is available until June 30,  
6.2 2016, by which time the project must be  
6.3 completed and final products delivered.

6.4 **(b) Scientific and Natural Area Restoration,**  
6.5 **Enhancement, and Citizen Engagement**

6.6 \$1,500,000 the first year is from the  
6.7 trust fund to the commissioner of natural  
6.8 resources to conserve sites of biodiversity  
6.9 significance by restoring and enhancing  
6.10 lands established as scientific and natural  
6.11 areas as provided in Minnesota Statutes,  
6.12 section 86A.05, subdivision 5, and providing  
6.13 volunteer engagement and outreach. This  
6.14 appropriation is available until June 30,  
6.15 2016, by which time the project must be  
6.16 completed and final products delivered.

6.17 **(c) Native Prairie Stewardship and Native**  
6.18 **Prairie Bank Easement Acquisition**

6.19 \$750,000 the first year is from the trust fund  
6.20 to the commissioner of natural resources  
6.21 to acquire native prairie bank easements,  
6.22 prepare baseline property assessments,  
6.23 restore and enhance native prairie sites, and  
6.24 provide technical assistance to landowners.  
6.25 This appropriation is available until June  
6.26 30, 2016, by which time the project must be  
6.27 completed and final products delivered.

6.28 **(d) Metropolitan Conservation Corridors**  
6.29 **(MeCC) - Phase VII**

6.30 \$2,000,000 the first year is from the trust  
6.31 fund for the acceleration of agency programs  
6.32 and cooperative agreements. Of this  
6.33 appropriation, \$10,000 is to the commissioner  
6.34 of natural resources for agency programs  
6.35 and \$1,990,000 is to the commissioner of ...  
6.36 for agreements as follows: \$304,000 with

7.1 Friends of the Mississippi River; \$368,000  
7.2 with Dakota County; \$208,000 with Great  
7.3 River Greening; \$310,000 with Minnesota  
7.4 Land Trust; \$400,000 with Minnesota Valley  
7.5 National Wildlife Refuge Trust, Inc.; and  
7.6 \$400,000 with the Trust for Public Land for  
7.7 planning, restoring, and protecting priority  
7.8 natural areas in the metropolitan area, as  
7.9 defined under Minnesota Statutes, section  
7.10 473.121, subdivision 2, and portions of the  
7.11 surrounding counties, through contracted  
7.12 services, technical assistance, conservation  
7.13 easements, and fee title acquisition. Land  
7.14 acquired with this appropriation must  
7.15 be sufficiently improved to meet at least  
7.16 minimum management standards, as  
7.17 determined by the commissioner of natural  
7.18 resources. Expenditures are limited to the  
7.19 identified project corridor areas as defined in  
7.20 the work plan. This appropriation may not be  
7.21 used for the purchase of habitable residential  
7.22 structures, unless expressly approved in the  
7.23 work plan. All conservation easements must  
7.24 be perpetual and have a natural resource  
7.25 management plan. Any land acquired in fee  
7.26 title by the commissioner of natural resources  
7.27 with money from this appropriation must  
7.28 be designated as an outdoor recreation unit  
7.29 under Minnesota Statutes, section 86A.07.  
7.30 The commissioner may similarly designate  
7.31 any lands acquired in less than fee title. A  
7.32 list of proposed restorations and fee title  
7.33 and easement acquisitions must be provided  
7.34 as part of the required work plan. Lands  
7.35 that would require payments in lieu of taxes  
7.36 under Minnesota Statutes, section 97A.061

8.1 or 477A.12, shall not be acquired with money  
8.2 from this appropriation. Up to \$54,000 is for  
8.3 use by Minnesota Land Trust in a monitoring  
8.4 and enforcement fund as approved in the  
8.5 work plan and subject to subdivision 16. An  
8.6 entity that acquires a conservation easement  
8.7 with appropriations from the trust fund  
8.8 must have a long-term stewardship plan  
8.9 for the easement and a fund established for  
8.10 monitoring and enforcing the agreement.  
8.11 Money appropriated from the trust fund for  
8.12 easement acquisition may be used to establish  
8.13 a monitoring, management, and enforcement  
8.14 fund as approved in the work plan. An  
8.15 annual financial report is required for any  
8.16 monitoring, management, and enforcement  
8.17 fund established, including expenditures  
8.18 from the fund. This appropriation is available  
8.19 until June 30, 2016, by which time the  
8.20 project must be completed and final products  
8.21 delivered.

8.22 **(e) Landscape Arboretum Acquisition - Lake**  
8.23 **Tamarack**

8.24 \$2,000,000 the first year is from the trust fund  
8.25 to the Board of Regents of the University  
8.26 of Minnesota to acquire land surrounding  
8.27 Lake Tamarack in Carver County as part of  
8.28 the acquisition of approximately 80 acres.  
8.29 This appropriation is available until June  
8.30 30, 2016, by which time the project must be  
8.31 completed and final products delivered.

8.32 **(f) Conservation Program Technical Assistance**  
8.33 **Grants**

8.34 \$3,000,000 the first year is from the trust fund  
8.35 to the Board of Water and Soil Resources to  
8.36 continue providing grants to soil and water



9.1 conservation districts and other units of local  
9.2 and state government for the employment  
9.3 of staff to reenroll expiring lands into  
9.4 programs for conservation purposes. This  
9.5 appropriation is available until June 30,  
9.6 2016, by which time the project must be  
9.7 completed and final products delivered.

9.8 **(g) Moose Habitat Restoration in Northeastern**  
9.9 **Minnesota**

9.10 \$200,000 the first year is from the trust fund  
9.11 to the Board of Regents of the University  
9.12 of Minnesota for the Natural Resources  
9.13 Research Institute to develop best practices  
9.14 guidelines for creating moose foraging  
9.15 habitat efficiently and cost-effectively. This  
9.16 appropriation is available until June 30,  
9.17 2016, by which time the project must be  
9.18 completed and final products delivered.

9.19 **(h) Bee Pollinator Habitat Enhancement**

9.20 \$200,000 the first year is from the trust  
9.21 fund to the Board of Regents of the  
9.22 University of Minnesota to assess the  
9.23 potential to supplement traditional turf grass  
9.24 by providing critical floral plant resources  
9.25 to enhance bee pollinator habitat. This  
9.26 appropriation is available until June 30,  
9.27 2016, by which time the project must be  
9.28 completed and final products delivered.

9.29 **(i) Conservation Grazing to Improve Wildlife**  
9.30 **Habitat on Wildlife Management Areas**

9.31 \$600,000 the first year is from the trust fund  
9.32 to the commissioner of natural resources  
9.33 to develop grazing plans and provide  
9.34 infrastructure to support conservation  
9.35 grazing on approximately 10,000 acres

10.1 of targeted wildlife management areas in  
10.2 partnership with local livestock producers.

10.3 Any revenue generated as a result of  
10.4 this appropriation must be reinvested in  
10.5 producing plans, conducting maintenance,  
10.6 or building infrastructure for new or  
10.7 existing conservation grazing efforts. This  
10.8 appropriation is available until June 30,  
10.9 2016, by which time the project must be  
10.10 completed and final products delivered.

10.11 **(j) Preserving the Avon Hills Landscape -**  
10.12 **Phase II**

10.13 \$772,000 the first year is from the trust fund  
10.14 to the commissioner of natural resources for  
10.15 an agreement with Saint John's University in  
10.16 cooperation with the Minnesota Land Trust  
10.17 to secure permanent conservation easements  
10.18 on high quality habitat in Stearns County,  
10.19 prepare conservation management plans, and  
10.20 provide public outreach. A list of proposed  
10.21 easement acquisitions must be provided  
10.22 as part of the required work plan. Up to  
10.23 \$80,000 is for use by Minnesota Land Trust  
10.24 in a monitoring and enforcement fund as  
10.25 approved in the work plan and subject to  
10.26 subdivision 16. An entity that acquires a  
10.27 conservation easement with appropriations  
10.28 from the trust fund must have a long-term  
10.29 stewardship plan for the easement and a fund  
10.30 established for monitoring and enforcing the  
10.31 agreement. Money appropriated from the  
10.32 trust fund for easement acquisition may be  
10.33 used to establish a monitoring, management,  
10.34 and enforcement fund as approved in the  
10.35 work plan. An annual financial report is  
10.36 required for any monitoring, management,

11.1 and enforcement fund established,  
 11.2 including expenditures from the fund. This  
 11.3 appropriation is available until June 30,  
 11.4 2016, by which time the project must be  
 11.5 completed and final products delivered.

11.6 **(k) Frogtown Farm and Park Acquisition**

11.7 \$1,500,000 the first year is from the trust fund  
 11.8 to the commissioner of natural resources for  
 11.9 an agreement with the Trust for Public Land  
 11.10 to acquire a portion of 12 acres for Frogtown  
 11.11 Farm and Park to be established as a St. Paul  
 11.12 city park.

11.13 **(l) Restoration Evaluations**

11.14 \$200,000 from Laws 2009, chapter  
 11.15 143, section 2, subdivision 8, paragraph  
 11.16 (b), Legislative-Citizen Commission on  
 11.17 Minnesota Resources, as amended by Laws  
 11.18 2011, First Special Session, chapter 2, article  
 11.19 3, section 2, subdivision 18, paragraph (a),  
 11.20 clause (8), is transferred to the Board of  
 11.21 Regents of the University of Minnesota  
 11.22 for evaluation of lands restored using  
 11.23 money from the trust fund. The lands to be  
 11.24 evaluated shall be identified and prioritized  
 11.25 in consultation with the Legislative-Citizen  
 11.26 Commission on Minnesota Resources.

11.27 <b><u>Subd. 5. Water Resources</u></b>	<u>3,819,000</u>	<u>-0-</u>
--	------------------	------------

11.28 **(a) Sustaining Lakes in Changing Environment**  
 11.29 **- Phase II**

11.30 \$1,200,000 the first year is from the  
 11.31 trust fund to the commissioner of natural  
 11.32 resources in cooperation with the United  
 11.33 States Geological Survey, the University of  
 11.34 Minnesota, and the University of St. Thomas  
 11.35 to continue development and implementation

12.1 of monitoring, modeling, and reporting  
12.2 protocols for Minnesota lakes to be used  
12.3 in water and fisheries management. This  
12.4 appropriation is available until June 30,  
12.5 2016, by which time the project must be  
12.6 completed and final products delivered.

12.7 **(b) Assessment of Natural Copper-Nickel**  
12.8 **Bedrocks on Water Quality**

12.9 \$585,000 the first year is from the trust fund  
12.10 to the Board of Regents of the University of  
12.11 Minnesota in cooperation with the United  
12.12 States Geological Survey to assess impacts  
12.13 of existing mineralization and potential  
12.14 mining on northeastern Minnesota regional  
12.15 water quality, including impacts from copper,  
12.16 nickel, and other metal concentrations in  
12.17 rocks, streambed sediments, and soils in  
12.18 areas of potential base-metal mining. This  
12.19 appropriation is available until June 30,  
12.20 2016, by which time the project must be  
12.21 completed and final products delivered.

12.22 **(c) Heron Lake Sediment and Phosphorus**  
12.23 **Reduction Implementation Projects**

12.24 \$122,000 the first year is from the trust fund  
12.25 to the Board of Water and Soil Resources for  
12.26 an agreement with the Heron Lake Watershed  
12.27 District for public outreach and installation  
12.28 and monitoring of water quality improvement  
12.29 projects. This appropriation is available until  
12.30 June 30, 2016, by which time the project must  
12.31 be completed and final products delivered.

12.32 **(d) Southern Minnesota Lakes Restoration**

12.33 \$463,000 the first year is from the trust fund  
12.34 to the Board of Water and Soil Resources for  
12.35 an agreement with Le Sueur County to install

13.1 shoreland and agricultural best management  
13.2 practices to improve water quality for up  
13.3 to 14 lakes in a tri-county area in southern  
13.4 Minnesota. This appropriation is available  
13.5 until June 30, 2016, by which time the  
13.6 project must be completed and final products  
13.7 delivered.

13.8 **(e) Measuring Hydrologic Benefits from**  
13.9 **Glacial Ridge Habitat Restoration**

13.10 \$400,000 the first year is from the trust fund  
13.11 to the commissioner of natural resources for  
13.12 an agreement with the Red Lake Watershed  
13.13 District in cooperation with the United States  
13.14 Geological Survey to compare the hydrology  
13.15 of habitats before and after restorations to  
13.16 evaluate and quantify the impacts on flood  
13.17 reduction and water quality in order to inform  
13.18 improvements to restoration techniques.  
13.19 The United States Geologic Survey is not  
13.20 subject to the requirements in Minnesota  
13.21 Statutes, section 116P.10. This appropriation  
13.22 is available until June 30, 2016, by which  
13.23 time the project must be completed and final  
13.24 products delivered.

13.25 **(f) Evaluation of Lake Superior Water Quality**  
13.26 **Health**

13.27 \$600,000 the first year is from the trust fund  
13.28 to the Board of Regents of the University  
13.29 of Minnesota to evaluate impacts to Lake  
13.30 Superior from a changing thermal structure  
13.31 and invasive species in order to implement  
13.32 lake water quality management strategies.  
13.33 This appropriation is available until June  
13.34 30, 2016, by which time the project must be  
13.35 completed and final products delivered.

14.1 **(g) Membranes for Wastewater-Generated**  
 14.2 **Hydrogen and Clean Water**

14.3 \$246,000 the first year is from the trust fund  
 14.4 to the Board of Regents of the University  
 14.5 of Minnesota to develop, optimize, and test  
 14.6 membranes made of thin film polymers  
 14.7 embedded with selected bacteria to  
 14.8 generate clean water and energy in the  
 14.9 form of hydrogen from wastewater. This  
 14.10 appropriation is available until June 30,  
 14.11 2016, by which time the project must be  
 14.12 completed and final products delivered.

14.13 **(h) Antibiotics in Minnesota Waters - Phase II**  
 14.14 **Mississippi River**

14.15 \$203,000 the first year is from the trust fund  
 14.16 to the commissioner of natural resources  
 14.17 for an agreement with the University of St.  
 14.18 Thomas to measure antibiotic concentrations  
 14.19 and antibiotic resistance levels and assess the  
 14.20 contributions of farm runoff and wastewater  
 14.21 treatment in a portion of the Mississippi  
 14.22 River. This appropriation is available until  
 14.23 June 30, 2016, by which time the project must  
 14.24 be completed and final products delivered.

14.25 **Subd. 6. Aquatic and Terrestrial Invasive**  
 14.26 **Species**

6,632,000

4,350,000

14.27 **(a) Aquatic Invasive Species Research Center**

14.28 \$4,350,000 the first year and \$4,350,000  
 14.29 the second year are from the trust fund to  
 14.30 the Board of Regents of the University of  
 14.31 Minnesota to develop and support an aquatic  
 14.32 invasive species (AIS) research center at the  
 14.33 University of Minnesota that will develop  
 14.34 new techniques to control aquatic invasive  
 14.35 species including Asian carp, zebra mussels,

15.1 and plant species. This appropriation is  
15.2 available until June 30, 2019, by which time  
15.3 the project must be completed and final  
15.4 products delivered.

15.5 **(b) Detecting and Monitoring Asian Carp**  
15.6 **Populations**

15.7 \$540,000 the first year is from the trust fund  
15.8 to the commissioner of natural resources to  
15.9 accelerate a search and monitoring program  
15.10 directly targeting Asian carp to be used in the  
15.11 development of potential control strategies.

15.12 **(c) Improving Emerald Ash Borer Detection**  
15.13 **Efficacy for Control**

15.14 \$600,000 the first year is from the trust  
15.15 fund to evaluate and implement options for  
15.16 effective detection of the presence of emerald  
15.17 ash borer. Of this appropriation, \$240,000  
15.18 is to the commissioner of agriculture and  
15.19 \$360,000 is to the Board of Regents of the  
15.20 University of Minnesota. This appropriation  
15.21 is available until June 30, 2016, by which  
15.22 time the project must be completed and final  
15.23 products delivered.

15.24 **(d) Elimination of Target Invasive Plant Species**

15.25 \$350,000 the first year is from the trust fund  
15.26 to the commissioner of agriculture to train  
15.27 volunteers and professionals to find, control,  
15.28 and monitor targeted newly emergent  
15.29 invasive species. This appropriation is  
15.30 available until June 30, 2016, by which time  
15.31 the project must be completed and final  
15.32 products delivered.

15.33 **(e) Biological Control of Garlic Mustard**

15.34 \$140,000 the first year is from the trust fund  
15.35 to the commissioner of natural resources in

16.1 cooperation with the University of Minnesota  
16.2 to continue the implementation of biological  
16.3 control for invasive garlic mustard plants.

16.4 This appropriation is available until June  
16.5 30, 2016, by which time the project must be  
16.6 completed and final products delivered.

16.7 **(f) Zebra Mussel Control Research and**  
16.8 **Evaluation in Minnesota Waters**

16.9 \$600,000 the first year is from the trust  
16.10 fund to the commissioner of natural  
16.11 resources for an agreement with the United  
16.12 States Geological Survey, Upper Midwest  
16.13 Environmental Sciences Center, to assess  
16.14 the ecological impacts of a commercially  
16.15 available molluscicide formulation on the  
16.16 reproduction and development of native fish,  
16.17 as well as impacts on larval aquatic insect  
16.18 survival, and to evaluate the effectiveness  
16.19 of these treatment options for detection  
16.20 and control of zebra mussels. The United  
16.21 States Geologic Survey is not subject to the  
16.22 requirements in Minnesota Statutes, section  
16.23 116P.10. This appropriation is available until  
16.24 June 30, 2016, by which time the project must  
16.25 be completed and final products delivered.

16.26 **(g) Controlling Terrestrial Invasive Plants with**  
16.27 **Grazing Animals**

16.28 \$52,000 the first year is from the trust fund to  
16.29 the commissioner of natural resources for an  
16.30 agreement with Hiawatha Valley Resource  
16.31 Conservation and Development, Inc. to  
16.32 develop cost effective best management  
16.33 practices to control invasive terrestrial  
16.34 species through planned grazing. This  
16.35 appropriation is available until June 30,



17.1	<u>2016, by which time the project must be</u>		
17.2	<u>completed and final products delivered.</u>		
17.3	<b><u>Subd. 7. Environmental Education</u></b>	<u>636,000</u>	<u>-0-</u>
17.4	<b><u>(a) Minnesota Conservation Apprentice</u></b>		
17.5	<b><u>Academy</u></b>		
17.6	<u>\$186,000 the first year is from the trust fund</u>		
17.7	<u>to the Board of Water and Soil Resources</u>		
17.8	<u>in cooperation with the Conservation</u>		
17.9	<u>Corps Minnesota to continue a program</u>		
17.10	<u>to train and mentor future conservation</u>		
17.11	<u>professionals by providing apprenticeship</u>		
17.12	<u>service opportunities with soil and water</u>		
17.13	<u>conservation districts.</u>		
17.14	<b><u>(b) Youth Outdoors: Mississippi River</u></b>		
17.15	<b><u>Education and Employment Opportunities</u></b>		
17.16	<u>\$450,000 the first year is from the trust fund</u>		
17.17	<u>to the commissioner of natural resources</u>		
17.18	<u>for an agreement with Wilderness Inquiry</u>		
17.19	<u>to provide outdoor education, recreation,</u>		
17.20	<u>and youth employment on the Mississippi</u>		
17.21	<u>River from Grand Rapids to St. Cloud, the</u>		
17.22	<u>Twin Cities, Hastings, and Red Wing. This</u>		
17.23	<u>appropriation is available until June 30,</u>		
17.24	<u>2016, by which time the project must be</u>		
17.25	<u>completed and final products delivered.</u>		
17.26	<b><u>Subd. 8. Administration and Contract</u></b>		
17.27	<b><u>Agreement Reimbursement</u></b>	<u>1,125,000</u>	<u>-0-</u>
17.28	<b><u>(a) Legislative-Citizen Commission on</u></b>		
17.29	<b><u>Minnesota Resources (LCCMR)</u></b>		
17.30	<u>\$990,000 the first year is from the trust fund to</u>		
17.31	<u>the LCCMR for administration in fiscal years</u>		
17.32	<u>2014 and 2015 as provided in Minnesota</u>		
17.33	<u>Statutes, section 116P.09, subdivision 5.</u>		
17.34	<b><u>(b) Contract Agreement Reimbursement</u></b>		

18.1 \$135,000 the first year is from the trust fund  
18.2 to the commissioner of natural resources  
18.3 at the direction of the Legislative-Citizen  
18.4 Commission on Minnesota Resources for  
18.5 expenses incurred for contract agreement  
18.6 reimbursement for the agreements specified  
18.7 in this section. The commissioner  
18.8 shall provide documentation to the  
18.9 Legislative-Citizen Commission on  
18.10 Minnesota Resources on the expenditure of  
18.11 these funds.

18.12 **Subd. 9. Availability of Appropriations**

18.13 Money appropriated in this section may  
18.14 not be spent on activities unless they are  
18.15 directly related to and necessary for a specific  
18.16 appropriation and are specified in the work  
18.17 plan approved by the Legislative-Citizen  
18.18 Commission on Minnesota Resources.

18.19 Money appropriated in this section must  
18.20 not be spent on indirect costs or other  
18.21 institutional overhead charges that are  
18.22 not directly related to and necessary for  
18.23 a specific appropriation. Costs that are  
18.24 directly related to and necessary for an  
18.25 appropriation, including financial services,  
18.26 human resources, information services, rent,  
18.27 and utilities, are eligible only if the costs  
18.28 can be clearly justified and individually  
18.29 documented specific to the appropriation's  
18.30 purpose and would not be generated by  
18.31 the recipient but for the receipt of the  
18.32 appropriation. No broad allocations for costs  
18.33 in either dollars or percentages are allowed.

18.34 Unless otherwise provided, the amounts in  
18.35 this section are available until June 30, 2015,  
18.36 when projects must be completed and final

19.1 products delivered. For acquisition of real  
19.2 property, the appropriations in this section  
19.3 are available for an additional fiscal year if a  
19.4 binding contract for acquisition of the real  
19.5 property is entered into before the original  
19.6 expiration date of the appropriation. If a  
19.7 project receives a federal grant, the time  
19.8 period of the appropriation is extended to  
19.9 equal the federal grant period.

19.10 **Subd. 10. Data Availability Requirements**

19.11 Data collected by the projects funded under  
19.12 this section must conform to guidelines  
19.13 and standards adopted by MN.IT Services.  
19.14 Spatial data also must conform to additional  
19.15 guidelines and standards designed to support  
19.16 data coordination and distribution that have  
19.17 been published by the Minnesota Geospatial  
19.18 Information Office. Descriptions of spatial  
19.19 data must be prepared as specified in  
19.20 the state's geographic metadata guideline  
19.21 and must be submitted to the Minnesota  
19.22 Geospatial Information Office. All data must  
19.23 be accessible and free to the public unless  
19.24 made private under the Data Practices Act,  
19.25 Minnesota Statutes, chapter 13.

19.26 To the extent practicable, summary data and  
19.27 results of projects funded under this section  
19.28 should be readily accessible on the Internet  
19.29 and identified as having received funding  
19.30 from the environment and natural resources  
19.31 trust fund.

19.32 **Subd. 11. Project Requirements**

19.33 (a) As a condition of accepting an  
19.34 appropriation under this section, any agency  
19.35 or entity receiving an appropriation or a

20.1 party to an agreement from an appropriation  
20.2 must comply with paragraphs (b) to (k)  
20.3 and Minnesota Statutes, chapter 116P, and  
20.4 must submit a work plan and semiannual  
20.5 progress reports in the form determined  
20.6 by the Legislative-Citizen Commission on  
20.7 Minnesota Resources for any project funded  
20.8 in whole or in part with funds from the  
20.9 appropriation. Modifications to the approved  
20.10 work plan and budget expenditures shall  
20.11 be made through the amendment process  
20.12 established by the Legislative-Citizen  
20.13 Commission on Minnesota Resources.

20.14 (b) For all restorations conducted with  
20.15 money appropriated under this section,  
20.16 a recipient must prepare an ecological  
20.17 restoration and management plan that, to  
20.18 the degree practicable, is consistent with the  
20.19 highest quality conservation and ecological  
20.20 goals for the restoration site. Consideration  
20.21 should be given to soil, geology, topography,  
20.22 and other relevant factors that would provide  
20.23 the best chance for long-term success of the  
20.24 restoration projects. The plan must include  
20.25 the proposed timetable for implementing  
20.26 the restoration, including site preparation,  
20.27 establishment of diverse plant species,  
20.28 maintenance, and additional enhancement to  
20.29 establish the restoration; identify long-term  
20.30 maintenance and management needs of  
20.31 the restoration and how the maintenance,  
20.32 management, and enhancement will be  
20.33 financed; and take advantage of the best  
20.34 available science and include innovative  
20.35 techniques to achieve the best restoration.

- 21.1 (c) Any entity receiving an appropriation in  
21.2 this section for restoration activities must  
21.3 provide an initial restoration evaluation  
21.4 at the completion of the appropriation  
21.5 and an evaluation three years beyond the  
21.6 completion of the expenditure. Restorations  
21.7 must be evaluated relative to the stated  
21.8 goals and standards in the restoration plan,  
21.9 current science, and, when applicable, the  
21.10 Board of Water and Soil Resources' native  
21.11 vegetation establishment and enhancement  
21.12 guidelines. The evaluation shall determine  
21.13 whether the restorations are meeting planned  
21.14 goals, identify any problems with the  
21.15 implementation of the restorations, and,  
21.16 if necessary, give recommendations on  
21.17 improving restorations. The evaluation shall  
21.18 be focused on improving future restorations.
- 21.19 (d) Except as otherwise provided in this  
21.20 section, all restoration and enhancement  
21.21 projects funded with money appropriated in  
21.22 this section must be on land permanently  
21.23 protected by a conservation easement or  
21.24 public ownership or in public waters as  
21.25 defined in Minnesota Statutes, section  
21.26 103G.005, subdivision 15.
- 21.27 (e) A recipient of money from an  
21.28 appropriation under this section must  
21.29 give consideration to contracting with  
21.30 Conservation Corps Minnesota for contract  
21.31 restoration and enhancement services.
- 21.32 (f) All conservation easements acquired with  
21.33 money appropriated under this section must:  
21.34 (1) be perpetual;

- 22.1 (2) specify the parties to an easement in the  
22.2 easement;
- 22.3 (3) specify all of the provisions of an  
22.4 agreement that are perpetual;
- 22.5 (4) be sent to the Legislative-Citizen  
22.6 Commission on Minnesota Resources in an  
22.7 electronic format prior to closing;
- 22.8 (5) include a long-term monitoring and  
22.9 enforcement plan and funding for monitoring  
22.10 and enforcing the easement agreement; and
- 22.11 (6) include requirements in the easement  
22.12 document to address specific water quality  
22.13 protection activities such as keeping water  
22.14 on the landscape, reducing nutrient and  
22.15 contaminant loading, protecting groundwater,  
22.16 and not permitting artificial hydrological  
22.17 modifications.
- 22.18 (g) For any acquisition of land or interest in  
22.19 land, a recipient of money appropriated under  
22.20 this section must give priority to high quality  
22.21 natural resources or conservation lands that  
22.22 provide natural buffers to water resources.
- 22.23 (h) For new lands acquired with money  
22.24 appropriated under this section, a  
22.25 recipient must prepare a restoration and  
22.26 management plan in compliance with  
22.27 paragraph (b), including sufficient funding  
22.28 for implementation unless the work plan  
22.29 addresses why a portion of the money is  
22.30 not necessary to achieve a high quality  
22.31 restoration.
- 22.32 (i) To the extent an appropriation is used to  
22.33 acquire an interest in real property, a recipient  
22.34 of an appropriation under this section

23.1 must provide to the Legislative-Citizen  
23.2 Commission on Minnesota Resources and  
23.3 the commissioner of management and budget  
23.4 an analysis of increased operation and  
23.5 maintenance costs likely to be incurred by  
23.6 public entities as a result of the acquisition  
23.7 and how these costs are to be paid.

23.8 (j) To ensure public accountability for the  
23.9 use of public funds, a recipient of money  
23.10 appropriated under this section must provide  
23.11 to the Legislative-Citizen Commission on  
23.12 Minnesota Resources documentation of the  
23.13 selection process used to identify parcels  
23.14 acquired and provide documentation of all  
23.15 related transaction costs, including but not  
23.16 limited to appraisals, legal fees, recording  
23.17 fees, commissions, other similar costs,  
23.18 and donations. This information must be  
23.19 provided for all parties involved in the  
23.20 transaction. The recipient must also report  
23.21 to the Legislative-Citizen Commission on  
23.22 Minnesota Resources any difference between  
23.23 the acquisition amount paid to the seller  
23.24 and the state-certified or state-reviewed  
23.25 appraisal, if a state-certified or state-reviewed  
23.26 appraisal was conducted. Acquisition data  
23.27 such as appraisals may remain private during  
23.28 negotiations but must ultimately be made  
23.29 public according to Minnesota Statutes,  
23.30 chapter 13. The commission may waive the  
23.31 application of this paragraph for specific  
23.32 projects.

23.33 (k) A recipient of an appropriation from  
23.34 the trust fund under this section must  
23.35 acknowledge financial support from  
23.36 the Minnesota environment and natural

24.1 resources trust fund in project publications,  
24.2 signage, and other public communications  
24.3 and outreach related to work completed  
24.4 using the appropriation. Acknowledgement  
24.5 may occur, as appropriate, through use of  
24.6 the trust fund logo or inclusion of language  
24.7 attributing support from the trust fund. Each  
24.8 direct recipient of money appropriated in  
24.9 this section, as well as each recipient of a  
24.10 grant awarded pursuant to this section, must  
24.11 satisfy all reporting and other requirements  
24.12 incumbent upon constitutionally dedicated  
24.13 funding recipients as provided in Minnesota  
24.14 Statutes, section 3.303, subdivision 10, and  
24.15 chapter 116P.

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

24.18 All agreements, grants, or contracts referred  
24.19 to in this section must be administered on  
24.20 a reimbursement basis unless otherwise  
24.21 provided in this section. Notwithstanding  
24.22 Minnesota Statutes, section 16A.41,  
24.23 expenditures made on or after July 1, 2013, or  
24.24 the date the work plan is approved, whichever  
24.25 is later, are eligible for reimbursement unless  
24.26 otherwise provided in this section. Periodic  
24.27 payment must be made upon receiving  
24.28 documentation that the deliverable items  
24.29 articulated in the approved work plan  
24.30 have been achieved, including partial  
24.31 achievements as evidenced by approved  
24.32 progress reports. Reasonable amounts may  
24.33 be advanced to projects to accommodate  
24.34 cash flow needs or match federal money.  
24.35 The advances must be approved as part of  
24.36 the work plan. No expenditures for capital



25.1 equipment are allowed unless expressly  
25.2 authorized in the project work plan.

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

25.5 A political subdivision, public or private  
25.6 corporation, or other entity that receives an  
25.7 appropriation under this section must use the  
25.8 appropriation in compliance with Minnesota  
25.9 Statutes, section 16B.121, regarding  
25.10 purchase of recycled, repairable, and durable  
25.11 materials; and Minnesota Statutes, section  
25.12 16B.122, regarding purchase and use of  
25.13 paper stock and printing.

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

25.16 A recipient to whom an appropriation is made  
25.17 under this section for a capital improvement  
25.18 project must ensure that the project complies  
25.19 with the applicable energy conservation and  
25.20 sustainable building guidelines and standards  
25.21 contained in law, including Minnesota  
25.22 Statutes, sections 16B.325, 216C.19, and  
25.23 216C.20, and rules adopted under those  
25.24 sections. The recipient may use the energy  
25.25 planning, advocacy, and State Energy Office  
25.26 units of the Department of Commerce to  
25.27 obtain information and technical assistance  
25.28 on energy conservation and alternative  
25.29 energy development relating to the planning  
25.30 and construction of the capital improvement  
25.31 project.

25.32 **Subd. 15. Accessibility**

25.33 Structural and nonstructural facilities must  
25.34 meet the design standards in the Americans

26.1 with Disabilities Act (ADA) accessibility  
26.2 guidelines.

26.3 **Subd. 16. Easement Monitoring and**  
26.4 **Enforcement Requirements**

26.5 Money appropriated under this section for  
26.6 easement monitoring and enforcement may  
26.7 be spent only on activities included in an  
26.8 easement monitoring and enforcement plan  
26.9 contained within the work plan. Money  
26.10 received for monitoring and enforcement,  
26.11 including earnings on the money received,  
26.12 shall be kept in a monitoring and enforcement  
26.13 fund held by the organization and dedicated  
26.14 to monitoring and enforcing conservation  
26.15 easements within Minnesota. Within 120  
26.16 days after the close of the entity's fiscal  
26.17 year, an entity receiving appropriations  
26.18 for easement monitoring and enforcement  
26.19 must provide an annual financial report  
26.20 to the Legislative-Citizen Commission on  
26.21 Minnesota Resources or its successor on  
26.22 the easement monitoring and enforcement  
26.23 fund as specified in the work plan.

26.24 Money appropriated under this section for  
26.25 monitoring and enforcement of easements  
26.26 and earnings on the money appropriated  
26.27 shall revert to the state if: (1) the easement  
26.28 transfers to the state; (2) the holder of the  
26.29 easement fails to file an annual report and  
26.30 then fails to cure that default within 30 days  
26.31 of notification of the default by the state;  
26.32 or (3) the holder of the easement fails to  
26.33 comply with the terms of the monitoring and  
26.34 enforcement plan contained within the work  
26.35 plan and fails to cure that default within 90  
26.36 days of notification of the default by the state.

27.1 Subd. 17. Carryforward

27.2 The availability of the appropriations for the  
27.3 following projects are extended to June 30,  
27.4 2014:

27.5 (1) Laws 2010, chapter 362, section 2,  
27.6 subdivision 4, paragraph (h), Conserving  
27.7 Sensitive and Priority Shorelands in Cass  
27.8 County;

27.9 (2) Laws 2010, chapter 362, section 2,  
27.10 subdivision 5, paragraph (a), Understanding  
27.11 Sources of Aquatic Contaminants of  
27.12 Emerging Concern;

27.13 (3) Laws 2010, chapter 362, section 2,  
27.14 subdivision 3, paragraph (b), Updating  
27.15 Minnesota Wetlands Inventory: Phase 2;

27.16 (4) Laws 2010, chapter 362, section 2,  
27.17 subdivision 4, paragraph (b), Scientific and  
27.18 Natural Areas and Native Prairie Restoration,  
27.19 Enhancement, and Acquisition;

27.20 (5) Laws 2010, chapter 362, section 2,  
27.21 subdivision 4, paragraph (i), Reconnecting  
27.22 Fragmented Prairie Landscapes;

27.23 (6) Laws 2010, chapter 362, section 2,  
27.24 subdivision 6, paragraph (a), Biological  
27.25 Control of European Buckthorn and Garlic  
27.26 Mustard;

27.27 (7) Laws 2010, chapter 362, section 2,  
27.28 subdivision 8, paragraph (e), Get Outside –  
27.29 Urban Woodland for Kids; and

27.30 (8) Laws 2010, chapter 362, section 2,  
27.31 subdivision 5, paragraph (e), Assessing  
27.32 Septic System Discharge to Lakes.

27.33 Sec. 3. Minnesota Statutes 2012, section 116P.05, subdivision 1, is amended to read:

28.1           Subdivision 1. **Membership.** (a) A Legislative-Citizen Commission on Minnesota  
28.2 Resources of 17 members is created in the legislative branch, consisting of the chairs  
28.3 of the house of representatives and senate committees on environment and natural  
28.4 resources finance or designees appointed for the terms of the chairs, four members of the  
28.5 senate appointed by the Subcommittee on Committees of the Committee on Rules and  
28.6 Administration, and four members of the house of representatives appointed by the speaker.

28.7           At least two members from the senate and two members from the house of  
28.8 representatives must be from the minority caucus. Members are entitled to reimbursement  
28.9 for per diem expenses plus travel expenses incurred in the services of the commission.

28.10          Seven citizens are members of the commission, five appointed by the governor, one  
28.11 appointed by the Senate Subcommittee on Committees of the Committee on Rules and  
28.12 Administration, and one appointed by the speaker of the house. The citizen members  
28.13 are selected and recommended to the appointing authorities according to subdivision  
28.14 1a and must:

28.15           (1) have experience or expertise in the science, policy, or practice of the protection,  
28.16 conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife,  
28.17 and other natural resources;

28.18           (2) have strong knowledge in the state's environment and natural resource issues  
28.19 around the state; and

28.20           (3) have demonstrated ability to work in a collaborative environment.

28.21           (b) Members shall develop procedures to elect a chair that rotates between legislative  
28.22 and citizen members. The chair shall preside and convene meetings as often as necessary  
28.23 to conduct duties prescribed by this chapter.

28.24           (c) Appointed legislative members shall serve on the commission for two-year  
28.25 terms, beginning in January of each odd-numbered year and continuing through the end  
28.26 of December of the next even-numbered year. Appointed citizen members shall serve  
28.27 four-year terms, beginning in January of the first year and continuing through the end  
28.28 of December of the final year. Citizen and legislative members continue to serve until  
28.29 their successors are appointed.

28.30           (d) A citizen member may be removed by an appointing authority for cause.  
28.31 Vacancies occurring on the commission shall not affect the authority of the remaining  
28.32 members of the commission to carry out their duties, and vacancies shall be filled for the  
28.33 remainder of the term in the same manner under paragraph (a).

28.34           (e) Citizen members shall be initially appointed according to the following schedule  
28.35 of terms:

29.1 (1) two members appointed by the governor for a term ending the first Monday in  
29.2 January 2010;

29.3 (2) one member appointed by the senate Subcommittee on Committees of the  
29.4 Committee on Rules and Administration for a term ending the first Monday in January  
29.5 2010 and one member appointed by the speaker of the house for a term ending the first  
29.6 Monday in January 2010;

29.7 (3) two members appointed by the governor for a term ending the first Monday in  
29.8 January 2009; and

29.9 (4) one member appointed by the governor for a term ending the first Monday in  
29.10 January 2008.

29.11 (f) Citizen members are entitled to per diem and reimbursement for expenses  
29.12 incurred in the services of the commission, as provided in section 15.059, subdivision 3.

29.13 (g) The governor's appointments are subject to the advice and consent of the senate.

29.14 Sec. 4. Minnesota Statutes 2012, section 116P.05, subdivision 2, is amended to read:

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

29.19 (b) It is a condition of acceptance of the appropriations made from the Minnesota  
29.20 environment and natural resources trust fund, and oil overcharge money under section  
29.21 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit  
29.22 a work ~~program~~ plan and semiannual progress reports in the form determined by the  
29.23 Legislative-Citizen Commission on Minnesota Resources, and comply with applicable  
29.24 reporting requirements under section 116P.16. None of the money provided may be spent  
29.25 unless the commission has approved the pertinent work ~~program~~ plan. Modifications to  
29.26 the approved work plan and budget expenditures shall be made through the amendment  
29.27 process established by the commission.

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

29.31 (d) The commission may adopt operating procedures to fulfill its duties under this  
29.32 chapter.

29.33 (e) As part of the operating procedures, the commission shall:

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

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

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

30.5 (4) provide for project outcome evaluation;

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

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

30.10 Sec. 5. Minnesota Statutes 2012, section 116P.09, subdivision 2, is amended to read:

30.11 Subd. 2. **Liaison officers.** The commission ~~shall~~ may request each department or  
30.12 agency head of all state agencies with a direct interest and responsibility in any phase of  
30.13 environment and natural resources to appoint, and the latter shall appoint for the agency, a  
30.14 liaison officer who shall work closely with the commission and its staff.

30.15 Sec. 6. Minnesota Statutes 2012, section 116P.15, is amended to read:

30.16 **116P.15 LAND ACQUISITION RESTRICTIONS.**

30.17 Subdivision 1. **Scope.** A recipient of an appropriation from the trust fund or the  
30.18 Minnesota future resources fund who acquires an interest in real property with the  
30.19 appropriation must comply with this section. ~~If the recipient fails to comply with the~~  
30.20 ~~terms of this section, ownership of the interest in real property transfers to the state.~~ For  
30.21 the purposes of this section, "interest in real property" includes, but is not limited to, an  
30.22 easement or fee title to property.

30.23 Subd. 2. **Restrictions; modification procedure.** (a) An interest in real property  
30.24 acquired with an appropriation from the trust fund or the Minnesota future resources fund  
30.25 must be used in perpetuity or for the specific term of an easement interest for the purpose  
30.26 for which the appropriation was made. The ownership of the interest in real property  
30.27 transfers to the state if: (1) the holder of the interest in real property fails to comply with  
30.28 the terms and conditions of the grant agreement or work plan; or (2) restrictions are placed  
30.29 on the land that preclude its use for the intended purpose as specified in the appropriation.

30.30 (b) A recipient of funding who acquires an interest in real property subject to this  
30.31 section may not alter the intended use of the interest in real property or convey any interest  
30.32 in the real property acquired with the appropriation without the prior review and approval  
30.33 of the commission or its successor. The commission shall notify the chairs and ranking  
30.34 minority members of the legislative committees and divisions with jurisdiction over the

31.1 trust fund or Minnesota future resources fund at least 15 business days before approval  
 31.2 under this paragraph. The commission shall establish procedures to review requests from  
 31.3 recipients to alter the use of or convey an interest in real property. These procedures shall  
 31.4 allow for the replacement of the interest in real property with another interest in real  
 31.5 property meeting the following criteria:

31.6 (1) the interest ~~is~~ must be at least equal in fair market value, as certified by the  
 31.7 commissioner of natural resources, to the interest being replaced; and

31.8 (2) the interest ~~is~~ must be in a reasonably equivalent location, and ~~has~~ have a  
 31.9 reasonably equivalent ~~usefulness~~ useful conservation purpose compared to the interest  
 31.10 being replaced, taking into consideration all effects from fragmentation of the whole habitat.

31.11 (c) A recipient of funding who acquires an interest in real property under paragraph  
 31.12 (a) must separately record a notice of funding restrictions in the appropriate local  
 31.13 government office where the conveyance of the interest in real property is filed. The  
 31.14 notice of funding agreement must contain:

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

31.17 (2) a reference to the underlying funding agreement;

31.18 (3) a reference to this section; and

31.19 (4) the following statement:

31.20 "This interest in real property shall be administered in accordance with the terms,  
 31.21 conditions, and purposes of the grant agreement ~~or work program~~ controlling the  
 31.22 acquisition of the property. The interest in real property, or any portion of the interest in  
 31.23 real property, shall not be sold, transferred, pledged, or otherwise disposed of or further  
 31.24 encumbered without obtaining the prior written approval of the Legislative-Citizen  
 31.25 Commission on Minnesota Resources or its successor. The ownership of the interest in  
 31.26 real property transfers to the state if: (1) the holder of the interest in real property fails to  
 31.27 comply with the terms and conditions of the grant agreement or work program, ownership  
 31.28 of the interest in real property shall transfer to this state plan; or (2) restrictions are placed  
 31.29 on the land that preclude its use for the intended purpose as specified in the appropriation."

31.30 Sec. 7. Minnesota Statutes 2012, section 116P.16, is amended to read:

31.31 **116P.16 REAL PROPERTY INTEREST REPORT.**

31.32 By December 1 each year, a recipient of an appropriation from the trust fund, that is  
 31.33 used for the acquisition of an interest in real property, including, but not limited to, an  
 31.34 easement or fee title, must submit annual reports on the status of the real property to  
 31.35 the Legislative-Citizen Commission on Minnesota Resources or its successor in a form

32.1 determined by the commission. The responsibility for reporting under this section may be  
 32.2 transferred by the recipient of the appropriation to another person who holds the interest  
 32.3 in the real property. To complete the transfer of reporting responsibility, the recipient of  
 32.4 the appropriation must:

32.5 (1) inform the person to whom the responsibility is transferred of that person's  
 32.6 reporting responsibility;

32.7 (2) inform the person to whom the responsibility is transferred of the property  
 32.8 restrictions under section 116P.15; and

32.9 (3) provide written notice to the commission of the transfer of reporting responsibility,  
 32.10 including contact information for the person to whom the responsibility is transferred.

32.11 After the transfer, the person who holds the interest in the real property is responsible for  
 32.12 reporting requirements under this section.

32.13 Sec. 8. Minnesota Statutes 2012, section 116P.17, is amended to read:

32.14 **116P.17 ACQUISITION OF LANDS ~~TO BE CONVEYED TO THE STATE~~**  
 32.15 **OR INTEREST IN LANDS; COMMISSIONER APPROVAL.**

32.16 Subdivision 1. Commissioner approval. (a) A recipient of an appropriation from  
 32.17 the trust fund who acquires an interest in real property must receive written approval from  
 32.18 the commissioner of natural resources prior to the acquisition, if the interest:

32.19 ~~(1) is acquired in whole or in part with the appropriation; and~~

32.20 ~~(2) will be conveyed to the state for management by the commissioner.~~ Conservation  
 32.21 easements to be held by the Board of Water and Soil Resources are not subject to  
 32.22 commissioner approval under this section.

32.23 (b) The commissioner shall approve acquisitions under this section only when the  
 32.24 interest in real property:

32.25 (1) is identified as a high priority by the commissioner and meets the objectives and  
 32.26 criteria identified in the applicable acquisition plan for the intended management status  
 32.27 of the property; or

32.28 ~~(2) meets the objectives and criteria identified in the applicable acquisition plan~~  
 32.29 ~~for the intended management status of the property~~ is otherwise identified by the  
 32.30 commissioner as a priority for state financing.

32.31 Subd. 2. Value assessment. Prior to acquiring an interest in real property with an  
 32.32 appropriation from the trust fund, a recipient of an appropriation must submit the most  
 32.33 recent tax assessed value of the real property and the amount the recipient plans to offer for  
 32.34 the interest in real property to the commission and the commissioner of natural resources.



33.1       Sec. 9. **[116P.18] LANDS IN PUBLIC DOMAIN.**

33.2             Money appropriated from the trust fund must not be used to purchase any land in  
33.3 fee title or a permanent conservation easement if the land in question is fully or partially  
33.4 owned by the state or a political subdivision of the state or was acquired fully or partially  
33.5 with state money, unless:

33.6             (1) the purchase creates additional direct benefit to the protection, conservation,  
33.7 preservation, and enhancement of the state's air, water, land, fish, wildlife, and other  
33.8 natural resources; and

33.9             (2) the purchase is approved, prior to the acquisition, by an affirmative vote of  
33.10 at least 12 members of the commission.