

1.1 A bill for an act

1.2 relating to state government; appropriating money from constitutionally  
1.3 dedicated funds and providing for policy and governance of outdoor heritage,  
1.4 clean water, parks and trails, and arts and cultural heritage purposes; establishing  
1.5 and modifying grants and funding programs; providing for advisory groups;  
1.6 providing appointments; requiring reports; requiring rulemaking; amending  
1.7 Minnesota Statutes 2008, sections 3.303, by adding a subdivision; 84.02,  
1.8 by adding subdivisions; 84.66, subdivision 2; 85.53; 97A.056, subdivisions  
1.9 2, 3, 6, 7; 103F.505; 103F.511, subdivisions 5, 8a, by adding a subdivision;  
1.10 103F.515, subdivisions 1, 2, 4, 5, 6; 103F.521, subdivision 1; 103F.525;  
1.11 103F.526; 103F.531; 103F.535, subdivision 5; 114D.50; 116G.15; 129D.17;  
1.12 proposing coding for new law in Minnesota Statutes, chapters 3; 84; 85; 116;  
1.13 129D; repealing Minnesota Statutes 2008, sections 103B.101, subdivision  
1.14 11; 103F.511, subdivision 4; 103F.521, subdivision 2; Minnesota Rules,  
1.15 parts 8400.3130; 8400.3160; 8400.3200; 8400.3230; 8400.3330; 8400.3360;  
1.16 8400.3390; 8400.3500; 8400.3530; 8400.3560.

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

1.18 **ARTICLE 1**

1.19 **OUTDOOR HERITAGE FUND**

1.20 Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

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

2.1 **APPROPRIATIONS**  
2.2 **Available for the Year**

2.3		<u>Ending June 30</u>	
2.4		<u>2010</u>	<u>2011</u>
2.5	Sec. 2. <b><u>OUTDOOR HERITAGE</u></b>		
2.6	Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$ 69,532,000</u></b>	<b><u>\$ 18,000,000</u></b>
2.7	<u>This appropriation is from the outdoor</u>		
2.8	<u>heritage fund.</u>		
2.9	<u>The amounts that may be spent for each</u>		
2.10	<u>purpose are specified in the following</u>		
2.11	<u>subdivisions.</u>		
2.12	Subd. 2. <b><u>Prairies</u></b>	<u>14,213,000</u>	<u>-0-</u>
2.13	(a) <b><u>Accelerated Prairie and Grassland</u></b>		
2.14	<b><u>Management</u></b>		
2.15	<u>\$1,700,000 in fiscal year 2010 is to the</u>		
2.16	<u>commissioner of natural resources to</u>		
2.17	<u>accelerate the restoration and enhancement</u>		
2.18	<u>of native prairie vegetation on public</u>		
2.19	<u>lands, including roadsides. A list of</u>		
2.20	<u>proposed projects, describing the types and</u>		
2.21	<u>locations of restorations and enhancements,</u>		
2.22	<u>must be provided as part of the required</u>		
2.23	<u>accomplishment plan. To the extent possible,</u>		
2.24	<u>prairie restorations conducted with money</u>		
2.25	<u>appropriated in this section must plant</u>		
2.26	<u>vegetation or sow seed only of ecotypes</u>		
2.27	<u>native to Minnesota, and preferably of the</u>		
2.28	<u>local ecotype, using a high diversity of</u>		
2.29	<u>species originating from as close to the</u>		
2.30	<u>restoration site as possible, and protect</u>		
2.31	<u>existing native prairies from genetic</u>		
2.32	<u>contamination.</u>		
2.33	(b) <b><u>Green Corridor Legacy Program</u></b>		
3.1	<u>\$1,617,000 in fiscal year 2010 is to the</u>		
3.2	<u>commissioner of natural resources for an</u>		
3.3	<u>agreement with the Southwest Initiative</u>		

3.4 Foundation or successor to acquire land  
3.5 for purposes allowed under the Minnesota  
3.6 Constitution, article XI, section 15, in  
3.7 Redwood County to be added to the state  
3.8 outdoor recreation system as defined  
3.9 in Minnesota Statutes, chapter 86A. A  
3.10 list of proposed fee title acquisitions  
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. No more than five  
3.15 percent of this appropriation may be spent on  
3.16 professional services directly related to this  
3.17 appropriation's purposes.

3.18 **(c) Prairie Heritage Fund – Acquisition and**  
3.19 **Restoration**

3.20 \$3,000,000 in fiscal year 2010 is to the  
3.21 commissioner of natural resources for  
3.22 an agreement with Pheasants Forever or  
3.23 successor to acquire and restore land to  
3.24 be added to the state wildlife management  
3.25 area system. A list of proposed fee title  
3.26 acquisitions and a list of proposed restoration  
3.27 projects, describing the types and locations  
3.28 of restorations, must be provided as part  
3.29 of the required accomplishment plan. The  
3.30 commissioner of natural resources must  
3.31 agree to each proposed acquisition. To  
3.32 the extent possible, prairie restorations  
3.33 conducted with money appropriated in this  
3.34 section must plant vegetation or sow seed  
3.35 only of ecotypes native to Minnesota, and  
3.36 preferably of the local ecotype, using a high  
4.1 diversity of species originating from as  
4.2 close to the restoration site as possible, and

4.3 protect existing native prairies from genetic  
4.4 contamination.

4.5 **(d) Accelerated Prairie Grassland Wildlife**  
4.6 **Management Area Acquisition**

4.7 \$3,913,000 in fiscal year 2010 is to the  
4.8 commissioner of natural resources to  
4.9 acquire land for wildlife management areas  
4.10 with native prairie or grassland habitats.

4.11 A list of proposed fee title acquisitions  
4.12 must be provided as part of the required  
4.13 accomplishment plan.

4.14 **(e) Northern Tall Grass Prairie National**  
4.15 **Wildlife Refuge Protection**

4.16 \$1,583,000 in fiscal year 2010 is to the  
4.17 commissioner of natural resources for an  
4.18 agreement with the United States Fish  
4.19 and Wildlife Service to acquire land or  
4.20 permanent easements within the Northern  
4.21 Tall Grass Prairie Habitat Preservation Area  
4.22 in western Minnesota. The commissioner  
4.23 may advance funds to the United States Fish  
4.24 and Wildlife Service. A list of proposed fee  
4.25 title and permanent easement acquisitions  
4.26 must be provided as part of the required  
4.27 accomplishment plan. Land removed from  
4.28 this program shall transfer to the state.

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

4.30 \$500,000 in fiscal year 2010 is to the  
4.31 commissioner of natural resources for an  
4.32 agreement with the Minnesota Land Trust or  
4.33 successor to acquire permanent easements  
4.34 protecting critical prairie and grassland  
4.35 habitats in the blufflands in southeastern  
5.1 Minnesota. A list of proposed fee title  
5.2 and permanent easement acquisitions

5.3 must be provided as part of the required  
5.4 accomplishment plan.

5.5 (g) Rum River – Cedar Creek Initiative

5.6 \$1,900,000 in fiscal year 2010 is to the  
5.7 commissioner of natural resources for an  
5.8 agreement with Anoka County to acquire  
5.9 land at the confluence of the Rum River and  
5.10 Cedar Creek in Anoka County. Acquired  
5.11 land must remain open to hunting and  
5.12 fishing, consistent with the capacity of the  
5.13 land, during the open season, as determined  
5.14 by the commissioner of natural resources.

5.15 This is the first of two planned appropriations  
5.16 for this acquisition.

5.17 Subd. 3. Forests 18,000,000 18,000,000

5.18 \$18,000,000 in fiscal year 2010 and  
5.19 \$18,000,000 in fiscal year 2011 are to the  
5.20 commissioner of natural resources to acquire  
5.21 land or permanent working forest easements  
5.22 on private forests in areas identified through  
5.23 the Minnesota forests for the future program  
5.24 under Minnesota Statutes, section 84.66.

5.25 Priority must be given to acquiring land  
5.26 or interests in private lands within existing  
5.27 Minnesota state forest boundaries. Any  
5.28 easements acquired must have a forest  
5.29 management plan as defined in Minnesota  
5.30 Statutes, section 290C.02, subdivision 7.

5.31 A list of proposed fee title and easement  
5.32 acquisitions must be provided as part of the  
5.33 required accomplishment plan. The fiscal  
5.34 year 2011 appropriation is available only for  
5.35 acquisitions that, by August 15, 2009, are:

6.1 (1) subject to a binding agreement with the  
6.2 commissioner; and

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

6.5 Subd. 4. Wetlands 20,536,000 -0-

6.6 (a) Accelerated Wildlife Management Area  
6.7 Acquisition

6.8 \$2,900,000 in fiscal year 2010 is to the  
6.9 commissioner of natural resources to  
6.10 acquire land for wildlife management areas.

6.11 A list of proposed fee title acquisitions  
6.12 must be provided as part of the required  
6.13 accomplishment plan.

6.14 (b) Accelerated Shallow Lake Restorations and  
6.15 Enhancements

6.16 \$2,528,000 in fiscal year 2010 is to the  
6.17 commissioner of natural resources for  
6.18 an agreement with Ducks Unlimited,  
6.19 Inc. or successor to restore and enhance  
6.20 shallow lake habitats. Up to \$400,000  
6.21 of this appropriation may be used for  
6.22 permanent easements related to shallow  
6.23 lake restorations and enhancements. A  
6.24 list of proposed easements and projects,  
6.25 describing the types and locations of  
6.26 easements, restorations, and enhancements,  
6.27 must be provided as part of the required  
6.28 accomplishment plan. The commissioner  
6.29 of natural resources must agree to each  
6.30 easement, restoration, and enhancement.

6.31 (c) Accelerate the Waterfowl Production Area  
6.32 Program in Minnesota

6.33 \$5,600,000 in fiscal year 2010 is to the  
6.34 commissioner of natural resources for  
6.35 an agreement with Pheasants Forever or  
7.1 successor to acquire and restore wetland and  
7.2 related upland habitats, in cooperation with

7.3 the United States Fish and Wildlife Service  
7.4 and Ducks Unlimited, Inc. or successor to  
7.5 be managed as waterfowl production areas.  
7.6 A list of proposed acquisitions and a list of  
7.7 proposed projects, describing the types and  
7.8 locations of restorations, must be provided as  
7.9 part of the required accomplishment plan.

7.10 **(d) Reinvest in Minnesota Wetlands Reserve**  
7.11 **Program Acquisition and Restoration**

7.12 \$9,058,000 in fiscal year 2010 is to the Board  
7.13 of Water and Soil Resources to acquire  
7.14 permanent easements and restore wetlands  
7.15 and associated uplands in cooperation with  
7.16 the United States Department of Agriculture  
7.17 Wetlands Reserve Program. A list of  
7.18 proposed acquisitions and a list of proposed  
7.19 projects, describing the types and locations  
7.20 of restorations, must be provided as part of  
7.21 the required accomplishment plan.

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

7.23 \$450,000 in fiscal year 2010 is to the  
7.24 commissioner of natural resources for an  
7.25 agreement with Ducks Unlimited, Inc. or  
7.26 successor to protect habitat by acquiring  
7.27 land associated with shallow lakes. A list of  
7.28 proposed acquisitions must be provided as  
7.29 part of the required accomplishment plan.  
7.30 The commissioner of natural resources must  
7.31 agree to each proposed acquisition.

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

7.33 **(a) Outdoor Heritage Conservation Partners**  
7.34 **Grant Program**

8.1 \$4,000,000 in fiscal year 2010 is to the  
8.2 commissioner of natural resources for a pilot  
8.3 program to provide competitive, matching

8.4 grants of up to \$400,000 to local, regional,  
8.5 state, and national organizations, including  
8.6 government, for enhancement, restoration,  
8.7 or protection of forests, wetlands, prairies,  
8.8 and habitat for fish, game, or wildlife in  
8.9 Minnesota. Up to 6-1/2 percent of this  
8.10 appropriation may be used for administering  
8.11 the grant. The funds may be advanced in  
8.12 three equal sums, on or after November  
8.13 1, 2009, February 1, 2010, and April 1,  
8.14 2010. Grantees may protect land through  
8.15 acquisition of land or interests in land.  
8.16 Easements must be permanent. Land  
8.17 acquired in fee must be open to hunting  
8.18 and fishing during the open season unless  
8.19 otherwise provided by state law. The  
8.20 commissioner of natural resources must  
8.21 agree to each proposed acquisition of land  
8.22 or interest in land. The program shall  
8.23 require a match of at least \$1 nonstate funds  
8.24 to \$10 state funds. The nonstate dollars  
8.25 match may be in-kind. The criteria for  
8.26 evaluating grant applications must include  
8.27 amount of habitat restored, enhanced,  
8.28 or protected; local support; degree of  
8.29 collaboration; urgency; multiple benefits;  
8.30 habitat benefits provided; consistency with  
8.31 sound conservation science; adjacency to  
8.32 protected lands; full funding of the project;  
8.33 supplementing existing funding; public  
8.34 access for hunting and fishing during the  
8.35 open season; sustainability; and use of native  
8.36 plant materials. All projects must conform  
9.1 to the Minnesota statewide conservation and  
9.2 preservation plan. Wildlife habitat projects  
9.3 must also conform to the state wildlife action

9.4 plan. Priority may be given to projects  
9.5 acquiring land or easements associated  
9.6 with existing wildlife management areas.  
9.7 All restoration or enhancement projects  
9.8 must be on land permanently protected by  
9.9 conservation easement or public ownership.  
9.10 To the extent possible, a person conducting  
9.11 prairie restorations with money appropriated  
9.12 in this section must plant vegetation or sow  
9.13 seed only of ecotypes native to Minnesota,  
9.14 and preferably of the local ecotype, using a  
9.15 high diversity of species originating from as  
9.16 close to the restoration site as possible, and  
9.17 protect existing native prairies from genetic  
9.18 contamination. Subdivision 10 applies to  
9.19 grants awarded under this paragraph. This  
9.20 appropriation is available until June 30,  
9.21 2013, at which time all grant projects must  
9.22 be completed and final products delivered,  
9.23 unless an earlier date is specified in the grant  
9.24 agreement. No less than 15 percent of the  
9.25 amount of each grant must be held back from  
9.26 reimbursement until the grant recipient has  
9.27 completed a grant accomplishment report in  
9.28 the form prescribed by and satisfactory to the  
9.29 Lessard Outdoor Heritage Council.  
9.30 As a condition of proceeding with this  
9.31 appropriation, the commissioner shall report  
9.32 on the feasibility, process, and timeline for  
9.33 creation of a Minnesota fish and wildlife  
9.34 foundation, to be modeled after the National  
9.35 Fish and Wildlife Foundation, and on the  
9.36 possibility of allowing for the administration  
10.1 by this entity of the conservation partners  
10.2 grant program.

10.3 The legislative guide created in this act  
10.4 shall consider whether this program should  
10.5 be administered by the National Fish and  
10.6 Wildlife Foundation, the commissioner of  
10.7 natural resources, or some neutral third party.

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

10.9 \$5,748,000 in fiscal year 2010 is to the  
10.10 commissioner of natural resources to acquire  
10.11 land in fee title and easement to be added to  
10.12 the state aquatic management area system.  
10.13 Acquired land must remain open to hunting  
10.14 and fishing, consistent with the capacity  
10.15 of the land, during the open season, as  
10.16 determined by the commissioner of natural  
10.17 resources. A list of proposed fee title and  
10.18 easement acquisitions must be provided as  
10.19 part of the required accomplishment plan.

10.20 **(c) Cold Water River and Stream Restoration,**  
10.21 **Protection, and Enhancement**

10.22 \$2,050,000 in fiscal year 2010 is to the  
10.23 commissioner of natural resources for an  
10.24 agreement with Trout Unlimited or successor  
10.25 to restore, enhance, and protect cold water  
10.26 river and stream habitats in Minnesota. A  
10.27 list of proposed acquisitions and a list of  
10.28 proposed projects, describing the types and  
10.29 locations of restorations and enhancements,  
10.30 must be provided as part of the required  
10.31 accomplishment plan. The commissioner  
10.32 of natural resources must agree to each  
10.33 proposed acquisition, restoration, and  
10.34 enhancement.

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

11.1 \$1,000,000 in fiscal year 2010 is to the  
11.2 commissioner of natural resources for

11.3 an agreement with Dakota County for  
11.4 acquisition of permanent easements. A list  
11.5 of proposed acquisitions must be provided as  
11.6 part of the required accomplishment plan.

11.7 **(e) Lake Rebecca Water Quality Improvement**  
11.8 **Project**

11.9 \$450,000 in fiscal year 2010 is to the  
11.10 commissioner of natural resources for an  
11.11 agreement with the Three Rivers Park  
11.12 District to improve the water quality in Lake  
11.13 Rebecca in Lake Rebecca Park Reserve  
11.14 in Hennepin County. A description of the  
11.15 activities to enhance fish habitat in Lake  
11.16 Rebecca must be provided as part of the  
11.17 required accomplishment plan.

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

11.19 \$655,000 in fiscal year 2010 is to the  
11.20 commissioner of natural resources for  
11.21 an agreement with the Shell Rock River  
11.22 Watershed District to construct fish barriers  
11.23 at three locations on Fountain Lake. Land  
11.24 acquisition necessary for fish barrier  
11.25 construction is permitted. A list of proposed  
11.26 projects, describing the types and locations  
11.27 of barriers, must be provided as part of  
11.28 the required accomplishment plan. The  
11.29 commissioner of natural resources must  
11.30 agree to each proposed barrier.

11.31 **Subd. 6. Administration and Other**

880,000

-0-

11.32 **(a) Contract Management**

11.33 \$175,000 in fiscal year 2010 is to the  
11.34 commissioner of natural resources for  
12.1 contract management, in fiscal years 2010  
12.2 and 2011, for duties assigned in this section.

12.3 **(b) Legislative Coordinating Commission**

12.4 \$705,000 in fiscal year 2010 is to the  
12.5 Legislative Coordinating Commission for  
12.6 administrative expenses of the Lessard  
12.7 Outdoor Heritage Council and for  
12.8 compensation and expense reimbursement  
12.9 of council members. Up to \$100,000 may  
12.10 be transferred to the game and fish fund as  
12.11 reimbursement for advances to the Lessard  
12.12 Outdoor Heritage Council made in fiscal  
12.13 year 2009. Of this amount, \$10,000 is for  
12.14 the costs of developing and implementing a  
12.15 Web site to contain information on projects  
12.16 receiving appropriations.

12.17 **(c) Lessard Outdoor Heritage Council Site**  
12.18 **Visit Exception**

12.19 Travel to and from site visits by council  
12.20 members paid for under paragraph (b) are  
12.21 not meetings of the council for the purpose  
12.22 of receiving information under Minnesota  
12.23 Statutes, section 97A.056, subdivision 5.

12.24 **Subd. 7. Availability of Appropriation**

12.25 Unless otherwise provided, the amounts in  
12.26 this section are available until June 30, 2011,  
12.27 when projects must be completed and final  
12.28 accomplishments reported. For acquisition  
12.29 of an interest in real property, the amounts in  
12.30 this section are available until June 30, 2012.  
12.31 If a project receives federal funds, the time  
12.32 period of the appropriation is extended to  
12.33 equal the availability of federal funding.

12.34 **Subd. 8. Cash Advances**

13.1 When the operations of the outdoor heritage  
13.2 fund would be impeded by projected cash

13.3 deficiencies resulting from delays in the  
13.4 receipt of dedicated income, and when the  
13.5 deficiencies would be corrected within fiscal  
13.6 year 2010, the commissioner of finance may  
13.7 use fund-level cash reserves to meet cash  
13.8 demands of the outdoor heritage fund. If  
13.9 funds are transferred from the general fund to  
13.10 meet cash flow needs, the cash flow transfers  
13.11 must be returned to the general fund as soon  
13.12 as sufficient cash balances are available  
13.13 in the outdoor heritage fund. Any interest  
13.14 earned on general fund cash flow transfers  
13.15 accrues to the general fund and not to the  
13.16 outdoor heritage fund.

13.17 **Subd. 9. Accomplishment Plans**

13.18 It is a condition of acceptance of the  
13.19 appropriations made by this section that the  
13.20 agency or entity using the appropriation shall  
13.21 submit to the council an accomplishment  
13.22 plan and periodic accomplishment reports in  
13.23 the form determined by the Lessard Outdoor  
13.24 Heritage Council. The accomplishment plan  
13.25 must account for the use of the appropriation  
13.26 and outcomes of the expenditure in measures  
13.27 of wetlands, prairies, forests, and fish, game,  
13.28 and wildlife habitat restored, protected, and  
13.29 enhanced. The plan must include evaluation  
13.30 of results. None of the money provided  
13.31 in this section may be expended unless  
13.32 the council has approved the pertinent  
13.33 accomplishment plan.

13.34 **Subd. 10. Project Requirements**

14.1 As a condition of accepting an appropriation  
14.2 in this section, any agency or entity receiving  
14.3 an appropriation must, for any project funded

14.4 in whole or in part with funds from the  
14.5 appropriation:

14.6 (1) plant vegetation or sow seed only  
14.7 of ecotypes native to Minnesota, and  
14.8 preferably of the local ecotype, using a  
14.9 high diversity of species originating from  
14.10 as close to the restoration site as possible,  
14.11 and protect existing native prairies from  
14.12 genetic contamination, to the extent possible  
14.13 if conducting prairie restorations is a  
14.14 component of the accomplishment plan;

14.15 (2) provide that all easements:

14.16 (i) are permanent;

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

14.19 (iii) specify all of the provisions of an  
14.20 agreement that are permanent;

14.21 (iv) are sent to the office of the Lessard  
14.22 Outdoor Heritage Council; and

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

14.26 (3) for all restorations, prepare an ecological  
14.27 restoration and management plan that, to  
14.28 the degree practicable, is consistent with the  
14.29 highest quality conservation and ecological  
14.30 goals for the restoration site. Consideration  
14.31 should be given to soil, geology, topography,  
14.32 and other relevant factors that would provide  
14.33 the best chance for long-term success of the  
14.34 restoration projects. The plan shall include

15.1 the proposed timetable for implementing  
15.2 the restoration, including, but not limited  
15.3 to, site preparation, establishment of

15.4 diverse plant species, maintenance, and  
15.5 additional enhancement to establish the  
15.6 restoration; identify long-term maintenance  
15.7 and management needs of the restoration  
15.8 and how the maintenance, management, and  
15.9 enhancement will be financed; and use the  
15.10 best available science to achieve the best  
15.11 restoration;  
15.12 (4) for new lands acquired, prepare a  
15.13 restoration and management plan in  
15.14 compliance with clause (3), including  
15.15 identification of sufficient funding for  
15.16 implementation;  
15.17 (5) to ensure public accountability for the  
15.18 use of public funds, provide to the Lessard  
15.19 Outdoor Heritage Council documentation  
15.20 of the selection process used to identify  
15.21 parcels acquired and provide documentation  
15.22 of all related transaction costs, including  
15.23 but not limited to appraisals, legal fees,  
15.24 recording fees, commissions, other similar  
15.25 costs, and donations. This information must  
15.26 be provided for all parties involved in the  
15.27 transaction. The recipient shall also report to  
15.28 the Lessard Outdoor Heritage Council any  
15.29 difference between the acquisition amount  
15.30 paid to the seller and the state-certified or  
15.31 state-reviewed appraisal. Acquisition data  
15.32 such as appraisals may remain private during  
15.33 negotiations but must ultimately be made  
15.34 public according to Minnesota Statutes,  
15.35 chapter 13;  
16.1 (6) provide that all restoration and  
16.2 enhancement projects are on land

16.3 permanently protected by conservation  
16.4 easement or public ownership;  
16.5 (7) to the extent the appropriation is used to  
16.6 acquire an interest in real property, provide  
16.7 to the Lessard Outdoor Heritage Council and  
16.8 the commissioner of finance an analysis of  
16.9 increased operations and maintenance costs  
16.10 likely to be incurred by public entities as  
16.11 a result of the acquisition and of how these  
16.12 costs may be paid for; and  
16.13 (8) give consideration to and make  
16.14 timely written contact with the Minnesota  
16.15 Conservation Corps for consideration of  
16.16 possible use of their services to contract for  
16.17 restoration and enhancement services.

16.18 **Subd. 11. Payment Conditions and Capital**  
16.19 **Equipment Expenditures**

16.20 All agreements, grants, or contracts referred  
16.21 to in this section must be administered on  
16.22 a reimbursement basis unless otherwise  
16.23 provided in this section. Payments for  
16.24 reimbursement may not be made before  
16.25 November 1, 2009. Notwithstanding  
16.26 Minnesota Statutes, section 16A.41,  
16.27 expenditures directly related to each  
16.28 appropriation's purpose made on or after July  
16.29 1, 2009, are eligible for reimbursement unless  
16.30 otherwise provided in this section. Periodic  
16.31 payment must be made upon receiving  
16.32 documentation that the deliverable items  
16.33 articulated in the approved accomplishment  
16.34 plan have been achieved, including partial  
16.35 achievements as evidenced by approved  
16.36 progress reports. Reasonable amounts may  
17.1 be advanced to projects to accommodate  
17.2 cash flow needs or to match federal share.

17.3 The advances must be approved as part of  
17.4 the accomplishment plan. Capital equipment  
17.5 expenditures in excess of \$10,000 must be  
17.6 approved as part of the accomplishment plan.

17.7 **Subd. 12. Purchase of Recycled and Recyclable**  
17.8 **Materials**

17.9 A political subdivision, public or private  
17.10 corporation, or other entity that receives an  
17.11 appropriation in this section must use the  
17.12 appropriation in compliance with Minnesota  
17.13 Statutes, sections 16B.121, regarding  
17.14 purchase of recycled, repairable, and durable  
17.15 materials, and 16B.122, regarding purchase  
17.16 and use of paper stock and printing.

17.17 **Subd. 13. Accessibility**

17.18 Structural and nonstructural facilities must  
17.19 meet the design standards in the Americans  
17.20 with Disabilities Act (ADA) accessibility  
17.21 guidelines.

17.22 **Subd. 14. Land Acquisition Restrictions**

17.23 (a) An interest in real property, including but  
17.24 not limited to an easement or fee title, that  
17.25 is acquired with money appropriated under  
17.26 this section must be used in perpetuity or for  
17.27 the specific term of an easement interest for  
17.28 the purpose for which the appropriation was  
17.29 made.

17.30 (b) A recipient of funding who acquires  
17.31 an interest in real property subject to this  
17.32 subdivision may not alter the intended use of  
17.33 the interest in real property or convey any  
17.34 interest in the real property acquired with the  
17.35 appropriation without the prior review and  
18.1 approval of the Lessard Outdoor Heritage  
18.2 Council or its successor. The council shall

18.3 establish procedures to review requests from  
18.4 recipients to alter the use of or convey an  
18.5 interest in real property. These procedures  
18.6 shall allow for the replacement of the interest  
18.7 in real property with another interest in real  
18.8 property meeting the following criteria:

18.9 (1) the interest is at least equal in fair market  
18.10 value, as certified by the commissioner  
18.11 of natural resources, to the interest being  
18.12 replaced; and

18.13 (2) the interest is in a reasonably equivalent  
18.14 location and has a reasonably equivalent  
18.15 useful conservation purpose compared to the  
18.16 interest being replaced.

18.17 (c) A recipient of funding who acquires an  
18.18 interest in real property under paragraph  
18.19 (a) must separately record a notice of  
18.20 funding restrictions in the appropriate local  
18.21 government office where the conveyance  
18.22 of the interest in real property is filed. The  
18.23 notice of funding agreement must contain:

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

18.26 (2) a reference to the underlying funding  
18.27 agreement;

18.28 (3) a reference to this section; and

18.29 (4) the following statement: "This interest  
18.30 in real property shall be administered in  
18.31 accordance with the terms, conditions, and  
18.32 purposes of the grant agreement controlling  
18.33 the acquisition of the property. The interest  
18.34 in real property, or any portion of the interest  
19.1 in real property, shall not be sold, transferred,  
19.2 pledged, or otherwise disposed of or further

19.3 encumbered without obtaining the prior  
19.4 written approval of the Lessard Outdoor  
19.5 Heritage Council or its successor. If the  
19.6 holder of the interest in real property fails  
19.7 to comply with the terms and conditions of  
19.8 the grant agreement or accomplishment plan,  
19.9 ownership of the interest in real property  
19.10 shall transfer to the state."

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

19.12 By December 1 each year, a recipient of  
19.13 money appropriated under this section that  
19.14 is used for the acquisition of an interest in  
19.15 real property, including but not limited to an  
19.16 easement or fee title, must submit annual  
19.17 reports on the status of the real property to  
19.18 the Lessard Outdoor Heritage Council or  
19.19 its successor in a form determined by the  
19.20 council. The responsibility for reporting  
19.21 under this section may be transferred by  
19.22 the recipient of the appropriation to another  
19.23 person or entity that holds the interest in the  
19.24 real property. To complete the transfer of  
19.25 reporting responsibility, the recipient of the  
19.26 appropriation must:

19.27 (1) inform the person to whom the  
19.28 responsibility is transferred of that person's  
19.29 reporting responsibility;

19.30 (2) inform the person to whom the  
19.31 responsibility is transferred of the property  
19.32 restrictions under subdivision 14; and

19.33 (3) provide written notice to the council  
19.34 of the transfer of reporting responsibility,  
19.35 including contact information for the person  
20.1 to whom the responsibility is transferred.

20.2 Before the transfer, the entity receiving

20.3 the transfer of property must certify to the  
20.4 Lessard Outdoor Heritage Council, or its  
20.5 successor, acceptance of all obligations and  
20.6 responsibilities held by the prior owner.

20.7 After the transfer, the person or entity that  
20.8 holds the interest in the real property is  
20.9 responsible for reporting requirements under  
20.10 this section.

20.11 **Subd. 16. Protect; Definition**

20.12 For purposes of appropriations in this article,  
20.13 "protect" means to preserve ecological  
20.14 systems and prevent future degradation of  
20.15 ecological systems by actions including, but  
20.16 not limited to, purchase in fee or easement.

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

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

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

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

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

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

20.26 (5) two members of the house of representatives appointed by the speaker of the  
20.27 house.

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

20.29 In making appointments, the governor, senate Subcommittee on Committees of the  
20.30 Committee on Rules and Administration, and the speaker of the house shall consider  
20.31 geographic balance, gender, age, ethnicity, and varying interests including hunting and  
20.32 fishing. The governor's appointments to the council are subject to the advice and consent  
20.33 of the senate.

21.1 (c) Public members appointed under paragraph (a) shall have practical experience  
21.2 or expertise or demonstrated knowledge in the science, policy, or practice of restoring,

21.3 protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and  
21.4 wildlife.

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

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

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

21.13 (2) one public member appointed by the senate Subcommittee on Committees of the  
21.14 Committee on Rules and Administration for a term ending the first Monday in January  
21.15 2011;

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

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

21.20 (5) one public member appointed by the senate Subcommittee on Committees of the  
21.21 Committee on Rules and Administration for a term ending the first Monday in January  
21.22 2013;

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

21.25 (7) two members of the senate appointed by the senate Subcommittee on Committees  
21.26 of the Committee on Rules and Administration for a term ending the first Monday in  
21.27 January 2013, and two members of the house of representatives appointed by the speaker  
21.28 of the house for a term ending the first Monday in January 2013.

21.29 (f) Compensation and removal of public members are as provided in section  
21.30 15.0575. A vacancy on the council may be filled by the appointing authority for the  
21.31 remainder of the unexpired term.

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

22.1 (h) Upon coordination with and approval by the Legislative Coordinating  
22.2 Commission, the Department of Natural Resources shall provide administrative support  
22.3 for council may appoint nonpartisan staff and contract with consultants as necessary

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22.4 to carry out the functions of the council. Up to one percent of the money appropriated  
22.5 from the fund may be used to ~~cover the staffing and related administrative expenses of~~  
22.6 ~~the department and to cover the compensation and travel expenses~~ pay for administrative  
22.7 expenses of the council and for compensation and expense reimbursement of council  
22.8 members.

22.9 Sec. 4. Minnesota Statutes 2008, section 97A.056, subdivision 3, is amended to read:

22.10 Subd. 3. **Council recommendations.** (a) The council shall make recommendations  
22.11 to the legislature on appropriations of money from the outdoor heritage fund that are  
22.12 consistent with the Constitution and state law and that ~~take into consideration~~ will  
22.13 achieve the outcomes of existing natural resource plans, including, but not limited to,  
22.14 the Minnesota Statewide Conservation and Preservation Plan, that directly relate to the  
22.15 restoration, protection, and enhancement of wetlands, prairies, forests, and habitat for fish,  
22.16 game, and wildlife, and that prevent forest fragmentation, encourage forest consolidation,  
22.17 and expand restored native prairie. The council shall submit its initial recommendations to  
22.18 the legislature no later than April 1, 2009. Subsequent recommendations shall be submitted  
22.19 no later than January 15 each year. The council shall present its recommendations to the  
22.20 senate and house of representatives committees with jurisdiction over the environment  
22.21 and natural resources budget by February 15 in odd-numbered years, and within the  
22.22 first four weeks of the legislative session in even-numbered years. The council's budget  
22.23 recommendations to the legislature shall be separate from the Department of Natural  
22.24 Resource's budget recommendations.

22.25 (b) To encourage and support local conservation efforts, the council shall establish a  
22.26 conservation partners program. Local, regional, state, or national organizations may apply  
22.27 for matching grants for restoration, protection, and enhancement of wetlands, prairies,  
22.28 forests, and habitat for fish, game, and wildlife, prevention of forest fragmentation,  
22.29 encouragement of forest consolidation, and expansion of restored native prairie.

22.30 (c) The council may work with the Clean Water Council to identify projects that  
22.31 are consistent with both the purpose of the outdoor heritage fund and the purpose of  
22.32 the clean water fund.

22.33 (d) The council may make recommendations to the Legislative-Citizen Commission  
22.34 on Minnesota Resources on scientific research that will assist in restoring, protecting, and  
22.35 enhancing wetlands, prairies, forests, and habitat for fish, game, and wildlife, preventing  
23.1 forest fragmentation, encouraging forest consolidation, and expanding restored native  
23.2 prairie.

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23.3 (e) Recommendations of the council, including approval of recommendations for the  
23.4 outdoor heritage fund, require an affirmative vote of at least nine members of the council.

23.5 (f) The council may work with the Clean Water Council, the Legislative-Citizen  
23.6 Commission on Minnesota Resources, the Board of Water and Soil Resources, soil and  
23.7 water conservation districts, and experts from Minnesota State Colleges and Universities  
23.8 and the University of Minnesota in developing the council's recommendations.

23.9 (g) The council shall develop and implement a process that ensures that citizens  
23.10 and potential recipients of funds are included throughout the process, including the  
23.11 development and finalization of the council's recommendations. The process must include  
23.12 a fair, equitable, and thorough process for reviewing requests for funding and a clear and  
23.13 easily understood process for ranking projects.

23.14 (h) The council shall use the regions of the state based upon the ecological  
23.15 regions and subregions developed by the Department of Natural Resources and establish  
23.16 objectives for each region and subregion to achieve the purposes of the fund outlined  
23.17 in the state constitution.

23.18 (i) The council shall develop and submit to the Legislative Coordinating Commission  
23.19 plans for the first ten years of funding, and a framework for 25 years of funding, consistent  
23.20 with statutory and constitutional requirements. The council may use existing plans from  
23.21 other legislative, state, and federal sources, as applicable.

23.22 Sec. 5. Minnesota Statutes 2008, section 97A.056, subdivision 6, is amended to read:

23.23 Subd. 6. **Audit.** ~~The council shall select an independent auditor to~~ legislative auditor  
23.24 shall audit the outdoor heritage fund expenditures, including administrative and staffing  
23.25 expenditures, every two years to ensure that the money is spent to restore, protect, and  
23.26 enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife.

23.27 Sec. 6. Minnesota Statutes 2008, section 97A.056, subdivision 7, is amended to read:

23.28 Subd. 7. **Legislative oversight.** ~~(a) The senate and house of representatives chairs~~  
23.29 ~~of the committees with jurisdiction over the environment and natural resources budget~~  
23.30 ~~shall convene a joint hearing to review the activities and evaluate the effectiveness of the~~  
23.31 ~~council and evaluate the effectiveness and efficiency of the department's administration~~  
23.32 ~~and staffing of the council after five years but to receive reports on the council from the~~  
23.33 legislative auditor no later than June 30, 2014.

24.1 ~~(b) By January 15, 2013, a professional outside review authority shall be chosen by~~  
24.2 ~~the chairs of the house of representatives and senate committees with jurisdiction over~~  
24.3 ~~environment and natural resources to evaluate the effectiveness and efficiency of the~~

24.4 ~~department's administration and staffing of the council. A report shall be submitted to~~  
24.5 ~~the chairs by January 15, 2014.~~

24.6 Sec. 7. **APPROPRIATION; FOREST PROTECTION RESERVE.**

24.7 \$2,000,000 is appropriated in fiscal year 2010 from the outdoor heritage fund to  
24.8 the commissioner of agriculture to identify, prevent, and in consultation with the Forest  
24.9 Resources Council, protect Minnesota forests by rapidly and effectively responding to  
24.10 the threat or presence of plant pests. The commissioner may access this appropriation  
24.11 if sufficient resources are not available from state, federal, or other sources or if the  
24.12 commissioner determines that sufficient state, federal, or other resources will not be  
24.13 available to the commissioner in time to effectively prevent the introduction or spread  
24.14 of tree pests and avert environmental or economic harm. Up to \$125,000 is available  
24.15 immediately to the commissioner of agriculture to update the state's invasive and exotic  
24.16 tree pest plans by addressing the role of all stakeholders in preventing the introduction or  
24.17 spread of invasive pests, responding to and containing outbreaks, and remediation. The  
24.18 commissioner shall work in consultation with the commissioner of natural resources, the  
24.19 Forest Resources Council, and the Forest Protection Task Force and provide quarterly  
24.20 reports on findings and recommendations to the governor and the appropriate legislative  
24.21 committees. The reports must include recommendations to ensure that a coordinated  
24.22 and effective response network is in place to protect our forests. The commissioner of  
24.23 agriculture may transfer all or part of this appropriation to the commissioner of natural  
24.24 resources and shall award grants to local units of government or other entities.

24.25 Sec. 8. **REVISOR'S INSTRUCTION.**

24.26 The revisor shall remove all references to the "Lessard Outdoor Heritage Council" in  
24.27 Minnesota Statutes, and replace those references with "Lessard-Sams Outdoor Heritage  
24.28 Council."

24.29 **ARTICLE 2**

24.30 **CLEAN WATER FUND**

24.31 Section 1. **CLEAN WATER FUND APPROPRIATIONS.**

24.32 The sums shown in the columns marked "Appropriations" are appropriated to the  
24.33 agencies and for the purposes specified in this article. The appropriations are from the  
25.1 clean water fund, and are available for the fiscal years indicated for allowable activities  
25.2 under the Minnesota Constitution, article XI, section 15. The figures "2010" and "2011"  
25.3 used in this act mean that the appropriation listed under them are available for the fiscal

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25.4 year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is fiscal year  
 25.5 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years 2010 and  
 25.6 2011. The appropriations in this act are onetime.

25.7	<u><b>APPROPRIATIONS</b></u>		
25.8	<u><b>Available for the Year</b></u>		
25.9	<u><b>Ending June 30</b></u>		
25.10	<u><b>2010</b></u>	<u><b>2011</b></u>	
25.11	Sec. 2. <u><b>DEPARTMENT OF AGRICULTURE</b></u>	<u><b>\$ 3,790,000</b></u>	<u><b>\$ 5,170,000</b></u>
25.12	<u>(a) \$395,000 the first year is to intensively</u>		
25.13	<u>monitor and analyze three sub-watersheds</u>		
25.14	<u>for changes in agricultural runoff related to</u>		
25.15	<u>land management practices and evaluate best</u>		
25.16	<u>management practices in sub-watersheds</u>		
25.17	<u>within the Root River Watershed in</u>		
25.18	<u>southeastern Minnesota. The commissioner</u>		
25.19	<u>shall submit a report on the use of this</u>		
25.20	<u>appropriation to the chairs of the house of</u>		
25.21	<u>representatives and senate committees with</u>		
25.22	<u>jurisdiction over agriculture, agriculture</u>		
25.23	<u>finance, environment and natural resources,</u>		
25.24	<u>and environment and natural resources</u>		
25.25	<u>finance by January 15, 2012. This</u>		
25.26	<u>appropriation is available until spent.</u>		
25.27	<u>(b) \$325,000 the first year and \$350,000 the</u>		
25.28	<u>second year are to increase monitoring for</u>		
25.29	<u>pesticides and pesticide degradates in surface</u>		
25.30	<u>water and groundwater and to use data</u>		
25.31	<u>collected to assess pesticide use practices.</u>		
25.32	<u>(c) \$375,000 the first year and \$750,000 the</u>		
25.33	<u>second year are to increase groundwater and</u>		
25.34	<u>drinking water protection from agricultural</u>		
25.35	<u>chemicals, primarily nutrients.</u>		
26.1	<u>(d) \$695,000 the first year and \$1,570,000</u>		
26.2	<u>the second year are for research, pilot</u>		
26.3	<u>projects, and technical assistance related</u>		

26.4 to ways agricultural practices contribute to  
26.5 restoring impaired waters and assist with  
26.6 the development of TMDL plans. Of this  
26.7 amount, \$150,000 each year is for grants to  
26.8 the livestock environmental quality assurance  
26.9 program to develop resource management  
26.10 plans, provide resource management analysis  
26.11 and assistance, provide an implementation  
26.12 plan, and provide for annual reporting on  
26.13 water quality assessment and reasonable  
26.14 assurance of the water quality effects for  
26.15 the purposes of TMDL plans, including an  
26.16 assurance walk-through for farms enrolled  
26.17 in the program. By December 15, 2010, the  
26.18 commissioner of agriculture shall submit a  
26.19 report to the chairs and ranking minority  
26.20 members of the legislative committees and  
26.21 divisions with jurisdiction over agriculture  
26.22 and environment policy and finance on the  
26.23 activities of the livestock environmental  
26.24 quality assurance program. The report shall  
26.25 include:  
26.26 (1) the number of farms enrolled;  
26.27 (2) an analysis of the estimated water quality  
26.28 improvements to enrolled farms; and  
26.29 (3) an analysis of the ability to provide  
26.30 reasonable assurance of the water quality  
26.31 effects.  
26.32 (e) \$2,000,000 the first year and \$2,500,000  
26.33 the second year are for the agricultural  
26.34 best management practices loan program.  
26.35 At least \$1,800,000 the first year and at  
27.1 least \$2,200,000 the second year are for  
27.2 transfer to a new clean water agricultural  
27.3 best management practices loan account

27.4 and are available for pass-through to local  
27.5 governments and lenders for low-interest  
27.6 loans. Any unencumbered balance that is not  
27.7 used for pass-through to local governments  
27.8 does not cancel at the end of the first year  
27.9 and is available for the second year.

27.10 Sec. 3. **PUBLIC FACILITIES AUTHORITY**    \$        **13,441,000**    \$        **19,259,000**

27.11 (a) \$8,816,000 the first year and \$12,834,000  
27.12 the second year are for the total maximum  
27.13 daily load grant program under Minnesota  
27.14 Statutes, section 446A.073. This  
27.15 appropriation is available until spent.

27.16 (b) \$4,125,000 the first year and \$4,425,000  
27.17 the second year are for the clean water legacy  
27.18 phosphorus reduction grant program under  
27.19 Minnesota Statutes, section 446A.074. This  
27.20 appropriation is available until spent.

27.21 (c) \$500,000 the first year and \$2,000,000  
27.22 the second year are for small community  
27.23 wastewater treatment grants and loans under  
27.24 Minnesota Statutes, section 446A.075. This  
27.25 appropriation is available until spent.

27.26 Sec. 4. **POLLUTION CONTROL AGENCY**    \$        **24,076,000**    \$        **27,285,000**

27.27 (a) \$9,000,000 the first year and \$9,000,000  
27.28 the second year are to develop total  
27.29 maximum daily load (TMDL) studies and  
27.30 TMDL implementation plans for waters  
27.31 listed on the United States Environmental  
27.32 Protection Agency approved impaired  
27.33 waters list in accordance with Minnesota  
27.34 Statutes, chapter 114D. The agency shall  
28.1 complete an average of ten percent of the  
28.2 TMDLs each year over the biennium. Of  
28.3 this amount, \$348,000 the first year is to

28.4 retest the comprehensive assessment of the  
28.5 biological conditions of the lower Minnesota  
28.6 River and its tributaries within the Lower  
28.7 Minnesota River Major Watershed, as  
28.8 previously assessed from 1976 to 1992 under  
28.9 the Minnesota River Assessment Project  
28.10 (MRAP). The assessment must include the  
28.11 same fish species sampling at the same 116  
28.12 locations and the same macroinvertebrate  
28.13 sampling at the same 41 locations as the  
28.14 MRAP assessment. The assessment must:  
28.15 (1) include an analysis of the findings; and  
28.16 (2) identify factors that limit aquatic life in  
28.17 the Minnesota River.

28.18 Of this amount, \$250,000 the first year is  
28.19 for a pilot project for the development of  
28.20 total maximum daily load (TMDL) studies  
28.21 conducted on a watershed basis within  
28.22 the Buffalo River watershed in order to  
28.23 protect, enhance, and restore water quality  
28.24 in lakes, rivers, and streams. The pilot  
28.25 project shall include all necessary field  
28.26 work to develop TMDL studies for all  
28.27 impaired subwatersheds within the Buffalo  
28.28 River watershed and provide information  
28.29 necessary to complete reports for most of the  
28.30 remaining watersheds, including analysis of  
28.31 water quality data, identification of sources  
28.32 of water quality degradation and stressors,  
28.33 load allocation development, development  
28.34 of reports that provide protection plans  
28.35 for subwatersheds that meet water quality  
29.1 standards, and development of reports that  
29.2 provide information necessary to complete  
29.3 TMDL studies for subwatersheds that do not

29.4 meet water quality standards, but are not  
29.5 listed as impaired.

29.6 (b) \$500,000 the first year is for development  
29.7 of an enhanced TMDL database to manage  
29.8 and track progress. Of this amount, \$63,000  
29.9 the first year is to promulgate rules. By  
29.10 November 1, 2010, the commissioner shall  
29.11 submit a report to the chairs of the house of  
29.12 representatives and senate committees with  
29.13 jurisdiction over environment and natural  
29.14 resources finance on the outcomes achieved  
29.15 with this appropriation.

29.16 (c) \$1,500,000 the first year and \$3,169,000  
29.17 the second year are for grants under  
29.18 Minnesota Statutes, section 116.195, to  
29.19 political subdivisions for up to 50 percent  
29.20 of the costs to predesign, design, and  
29.21 implement capital projects that use treated  
29.22 municipal wastewater instead of groundwater  
29.23 from drinking water aquifers, in order to  
29.24 demonstrate the beneficial use of wastewater,  
29.25 including the conservation and protection of  
29.26 water resources. Of this amount, \$1,000,000  
29.27 the first year is for grants to ethanol plants  
29.28 that are within one and one-half miles of a  
29.29 city for improvements that reuse greater than  
29.30 300,000 gallons of wastewater per day.

29.31 (d) \$1,125,000 the first year and \$1,125,000  
29.32 the second year are for groundwater  
29.33 assessment and drinking water protection to  
29.34 include:

30.1 (1) the installation and sampling of at least  
30.2 30 new monitoring wells;

30.3 (2) the analysis of samples from at least 40  
30.4 shallow monitoring wells each year for the

30.5 presence of endocrine disrupting compounds;  
30.6 and  
30.7 (3) the completion of at least four to  
30.8 five groundwater models for TMDL and  
30.9 watershed plans.

30.10 (e) \$2,500,000 the first year is for the clean  
30.11 water partnership program. Priority shall be  
30.12 given to projects preventing impairments and  
30.13 degradation of lakes, rivers, streams, and  
30.14 groundwater in accordance with Minnesota  
30.15 Statutes, section 114D.20, subdivision 2,  
30.16 clause (4). Any balance remaining in the first  
30.17 year does not cancel and is available for the  
30.18 second year.

30.19 (f) \$896,000 the first year is to establish  
30.20 a network of water monitoring sites, to  
30.21 include at least 20 additional sites, in public  
30.22 waters adjacent to wastewater treatment  
30.23 facilities across the state to assess levels of  
30.24 endocrine-disrupting compounds, antibiotic  
30.25 compounds, and pharmaceuticals as required  
30.26 in this article. The data must be placed on  
30.27 the agency's Web site.

30.28 (g) \$155,000 the first year is to provide  
30.29 notification of the potential for coal tar  
30.30 contamination, establish a storm water  
30.31 pond inventory schedule, and develop best  
30.32 management practices for treating and  
30.33 cleaning up contaminated sediments as  
30.34 required in this article. \$345,000 the second  
30.35 year is to develop a model ordinance for the  
31.1 restricted use of undiluted coal tar sealants  
31.2 and to provide grants to local units of  
31.3 government for up to 50 percent of the costs  
31.4 to implement best management practices to

31.5 treat or clean up contaminated sediments  
31.6 in storm water ponds and other waters as  
31.7 defined under this article. Local governments  
31.8 must have adopted an ordinance for the  
31.9 restricted use of undiluted coal tar sealants  
31.10 in order to be eligible for a grant, unless a  
31.11 statewide restriction has been implemented.  
31.12 A grant awarded under this paragraph must  
31.13 not exceed \$100,000.

31.14 (h) \$350,000 the first year and \$400,000  
31.15 the second year are for a restoration project  
31.16 in the lower St. Louis River and Duluth  
31.17 harbor. This appropriation must be matched  
31.18 by nonstate money at a rate of \$2 for every  
31.19 \$1 of state money.

31.20 (i) \$150,000 the first year and \$196,000 the  
31.21 second year are for grants to the Red River  
31.22 Watershed Management Board to enhance  
31.23 and expand existing river watch activities in  
31.24 the Red River of the North. The Red River  
31.25 Watershed Management Board shall provide  
31.26 a report that includes formal evaluation  
31.27 results from the river watch program to the  
31.28 commissioners of education and the Pollution  
31.29 Control Agency and to the legislative natural  
31.30 resources finance and policy committees  
31.31 and K-12 finance and policy committees by  
31.32 February 15, 2011.

31.33 (j) \$200,000 the first year and \$300,000 the  
31.34 second year are for coordination with the  
31.35 state of Wisconsin and the National Park  
32.1 Service on comprehensive water monitoring  
32.2 and phosphorus reduction activities in the  
32.3 Lake St. Croix portion of the St. Croix  
32.4 River. The Pollution Control Agency

32.5 shall work with the St. Croix Basin Water  
32.6 Resources Planning Team and the St. Croix  
32.7 River Association in implementing the  
32.8 water monitoring and phosphorus reduction  
32.9 activities. This appropriation is available  
32.10 to the extent matched by nonstate sources.  
32.11 Money not matched by November 15, 2010,  
32.12 cancel for this purpose and is available for  
32.13 the purposes of paragraph (a).

32.14 (k) \$7,500,000 the first year and \$7,500,000  
32.15 the second year are for completion of 20  
32.16 percent of the needed statewide assessments  
32.17 of surface water quality and trends. Of this  
32.18 amount, \$175,000 the first year and \$200,000  
32.19 the second year are for monitoring and  
32.20 analyzing endocrine disruptors in surface  
32.21 waters.

32.22 (l) \$100,000 the first year and \$150,000  
32.23 the second year are for civic engagement  
32.24 in TMDL development. The agency shall  
32.25 develop a plan for expenditures under  
32.26 this paragraph. The agency shall give  
32.27 consideration to civic engagement proposals  
32.28 from basin or sub-basin organizations,  
32.29 including the Mississippi Headwaters Board,  
32.30 the Minnesota River Joint Powers Board,  
32.31 Area II Minnesota River Basin Projects,  
32.32 and the Red River Basin Commission.  
32.33 By November 15, 2009, the plan shall be  
32.34 submitted to the house and senate chairs  
32.35 and ranking minority members of the  
32.36 environmental finance divisions.

33.1 (m) \$5,000,000 the second year is for  
33.2 groundwater protection or prevention of  
33.3 groundwater degradation activities. By



34.3 (a) \$1,240,000 the first year and \$2,460,000  
34.4 the second year are for assisting in water  
34.5 quality assessments in supporting the  
34.6 identification of impaired waters.

34.7 (b) \$600,000 the first year and \$525,000 the  
34.8 second year are for drinking water planning  
34.9 and protection activities.

34.10 (c) \$1,050,000 the first year and \$1,050,000  
34.11 the second year are for TMDL development  
34.12 and TMDL implementation plans for waters  
34.13 listed on the United States Environmental  
34.14 Protection Agency approved Impaired  
34.15 Waters List in accordance with Minnesota  
34.16 Statutes, chapter 114D.

34.17 (d) \$2,800,000 the first year and \$2,800,000  
34.18 the second year are to acquire and distribute  
34.19 high-resolution digital elevation data  
34.20 using light detection and ranging to aid  
34.21 with impaired waters modeling and total  
34.22 maximum daily load implementation under  
34.23 Minnesota Statutes, chapter 114D. The data  
34.24 will be collected for areas of the state that  
34.25 have not acquired such data prior to January  
34.26 1, 2007, or to complete acquisition and  
34.27 distribution of the data for those areas of  
34.28 the state that have not previously received  
34.29 state funds for acquiring and distributing  
34.30 the data. The distribution of data acquired  
34.31 under this paragraph must be conducted  
34.32 under the auspices of the Land Management  
34.33 Information Center or its successor, which  
34.34 shall receive 2.5 percent of the appropriation  
34.35 in this paragraph to support coordination of  
35.1 data acquisition and distribution. Mapping  
35.2 and data set distribution under this paragraph

35.3 must be completed within three years of  
35.4 funds availability. The commissioner shall  
35.5 utilize department staff whenever possible.  
35.6 The commissioner may contract for services  
35.7 only if they cannot otherwise be provided  
35.8 by the department. If the commissioner  
35.9 contracts for services with this appropriation  
35.10 and any of the work done under the contract  
35.11 will be done outside of the United States, the  
35.12 commissioner must report to the chairs of the  
35.13 house of representatives and senate finance  
35.14 committees on the proposed contract at least  
35.15 30 days before entering into the contract. The  
35.16 report must include an analysis of why the  
35.17 contract with the selected contractor provides  
35.18 the state with "best value," as defined in  
35.19 Minnesota Statutes, section 16C.02; any  
35.20 alternatives to the selected contractor that  
35.21 were considered; what data will be provided  
35.22 to the contractor, including the data that  
35.23 will be transmitted outside of the United  
35.24 States; what security measures will be  
35.25 taken to ensure that the data is treated in  
35.26 accordance with the Minnesota Government  
35.27 Data Practices Act; and what remedies will  
35.28 be available to the state if the data is not  
35.29 treated in accordance with the Minnesota  
35.30 Government Data Practices Act.  
35.31 (e) \$250,000 the first year and \$250,000  
35.32 the second year are to adopt rules for the  
35.33 Mississippi River corridor critical area  
35.34 under Minnesota Statutes, section 116G.15.  
35.35 The commissioner shall begin rulemaking  
35.36 under chapter 14 no later than January 15,  
36.1 2010. At least 30 days prior to beginning  
36.2 the rulemaking, the commissioner shall

36.3 notify local units of government within the  
36.4 Mississippi River corridor critical area of  
36.5 the intent to adopt rules. The local units of  
36.6 government shall make reasonable efforts to  
36.7 notify the public of the contact information  
36.8 for the appropriate department staff. The  
36.9 commissioner shall maintain an e-mail  
36.10 list of interested parties to provide timely  
36.11 information about the proposed schedule  
36.12 for rulemaking, opportunities for public  
36.13 comment, and contact information for the  
36.14 appropriate department staff.

36.15 (f) \$500,000 the first year and \$500,000  
36.16 the second year are to investigate physical  
36.17 and recharge characteristics as part of the  
36.18 collection and interpretation of subsurface  
36.19 geological information and acceleration of  
36.20 the county geologic atlas program. This  
36.21 appropriation represents a continuing effort  
36.22 to complete the county geologic atlases  
36.23 throughout the state in order to provide  
36.24 information and assist in planning for the  
36.25 sustainable use of groundwater and surface  
36.26 water that does not harm ecosystems,  
36.27 degrade water quality, or compromise the  
36.28 ability of future generations to meet their  
36.29 own needs. This appropriation is available  
36.30 until December 31, 2014.

36.31 (g) \$250,000 the first year and \$250,000  
36.32 the second year are for nonpoint source  
36.33 restoration and protection activities.

36.34 **Sec. 6. BOARD OF WATER AND SOIL**  
36.35 **RESOURCES**

**\$ 18,705,000 \$ 19,519,000**

37.1 (a) \$3,250,000 the first year and \$3,250,000  
37.2 the second year are to purchase and restore

37.3 permanent conservation easements on  
37.4 riparian buffers of up to 100 feet adjacent  
37.5 to public waters, excluding wetlands, to  
37.6 keep water on the land in order to decrease  
37.7 sediment, pollutant and nutrient transport,  
37.8 reduce hydrologic impacts to surface waters,  
37.9 and increase infiltration for groundwater  
37.10 recharge. The riparian buffers must be  
37.11 at least 50 feet unless there is a natural  
37.12 impediment, a road, or other impediment  
37.13 beyond the control of the landowner. This  
37.14 appropriation may be used for restoration  
37.15 of riparian buffers protected by easements  
37.16 purchased with this appropriation and for  
37.17 stream bank restorations when the riparian  
37.18 buffers have been restored. Up to five  
37.19 percent may be used for administration of  
37.20 this program.

37.21 (b) \$2,800,000 the first year and \$3,124,000  
37.22 the second year are for grants to watershed  
37.23 districts and watershed management  
37.24 organizations for: (i) structural or vegetative  
37.25 management practices that reduce storm  
37.26 water runoff from developed or disturbed  
37.27 lands to reduce the movement of sediment,  
37.28 nutrients, and pollutants or to leverage  
37.29 federal funds for restoration, protection, or  
37.30 enhancement of water quality in lakes, rivers,  
37.31 and streams and to protect groundwater  
37.32 and drinking water; and (ii) the installation  
37.33 of proven and effective water retention  
37.34 practices including, but not limited to, rain  
37.35 gardens and other vegetated infiltration  
37.36 basins and sediment control basins in order  
38.1 to keep water on the land. The projects  
38.2 must be of long-lasting public benefit,

38.3 include a local match, and be consistent with  
38.4 TMDL implementation plans or local water  
38.5 management plans. Watershed district and  
38.6 watershed management organization staff  
38.7 and administration may be used for local  
38.8 match. Priority may be given to school  
38.9 projects that can be used to demonstrate  
38.10 water retention practices. Up to five percent  
38.11 may be used for administering the grants.

38.12 (c) \$3,000,000 the first year and \$3,000,000  
38.13 the second year are for nonpoint source  
38.14 pollution reduction and restoration grants to  
38.15 watershed districts, watershed management  
38.16 organizations, counties, and soil and water  
38.17 conservation districts for grants in addition  
38.18 to grants available under paragraphs (a)  
38.19 and (b) to keep water on the land and to  
38.20 protect, enhance, and restore water quality  
38.21 in lakes, rivers, and streams, and to protect  
38.22 groundwater and drinking water. The  
38.23 projects must be of long-lasting public  
38.24 benefit, include a local match, and be  
38.25 consistent with TMDL implementation plans  
38.26 or local water management plans. Up to five  
38.27 percent may be used for administering the  
38.28 grants.

38.29 (d) \$400,000 the first year and \$600,000 the  
38.30 second year are to the Anoka Conservation  
38.31 District for the metropolitan landscape  
38.32 restoration program for water quality and  
38.33 improvement projects.

38.34 (e) \$1,000,000 the first year and \$1,000,000  
38.35 the second year are for permanent  
39.1 conservation easements on wellhead  
39.2 protection areas under Minnesota Statutes,

39.3 section 103F.515, subdivision 2, paragraph  
39.4 (d). Priority must be placed on land that  
39.5 is located where the vulnerability of the  
39.6 drinking water supply management area,  
39.7 as defined under Minnesota Rules, part  
39.8 4720.5100, subpart 13, is designated as high  
39.9 or very high by the commissioner of health.

39.10 (f) \$2,000,000 the first year and \$2,000,000  
39.11 the second year are for feedlot water quality  
39.12 improvement grants for feedlots under 300  
39.13 animal units on riparian land, to include  
39.14 water quality assessment to determine the  
39.15 effectiveness of the grants in protecting,  
39.16 enhancing, and restoring water quality in  
39.17 lakes, rivers, and streams, and in protecting  
39.18 groundwater from degradation.

39.19 (g) \$2,330,000 the first year and \$1,830,000  
39.20 the second year are for grants to implement  
39.21 stream bank, stream channel, and shoreline  
39.22 protection, and restoration projects to protect  
39.23 water quality. Of this amount, \$330,000 the  
39.24 first year and \$330,000 the second year may  
39.25 be used for technical assistance and grants to  
39.26 establish a conservation drainage program  
39.27 in consultation with the Board of Water  
39.28 and Soil Resources and the Drainage Work  
39.29 Group that consists of pilot projects to retrofit  
39.30 existing drainage systems with water quality  
39.31 improvement practices, evaluate outcomes,  
39.32 and provide outreach to landowners, public  
39.33 drainage authorities, drainage engineers and  
39.34 contractors, and others. Of this amount,  
39.35 \$500,000 the first year is for a grant to  
39.36 Hennepin County for riparian restoration  
40.1 and stream bank stabilization in the ten  
40.2 primary stream systems in Hennepin County

40.3 in order to protect, enhance, and help  
40.4 restore the water quality of the streams and  
40.5 downstream receiving waters. The county  
40.6 shall work with watershed districts and water  
40.7 management organizations to identify and  
40.8 prioritize projects. To the extent possible,  
40.9 the county shall employ youth through the  
40.10 Minnesota Conservation Corps and Tree  
40.11 Trust to plant trees and shrubs to reduce  
40.12 erosion and stabilize stream banks. This  
40.13 appropriation must be matched by nonstate  
40.14 sources, including in-kind contributions.  
40.15 (h) \$275,000 the first year and \$315,000  
40.16 the second year are for state oversight,  
40.17 support, and accountability reporting of  
40.18 local government implementation, including  
40.19 an annual report prepared jointly by  
40.20 the board, the commissioner of natural  
40.21 resources and the commissioner of the  
40.22 Pollution Control Agency to the legislature  
40.23 detailing the recipients and projects funded  
40.24 under this section; the anticipated water  
40.25 quality benefits of projects funded; the  
40.26 relationship of restoration projects to  
40.27 TMDL load allocations; the relationship  
40.28 of protection projects to monitored water  
40.29 quality trends; and individual county and  
40.30 aggregated statewide progress in: (1)  
40.31 identifying noncompliant SSTS, establishing  
40.32 maintenance oversight systems, and SSTS  
40.33 upgrades funded under this section; and  
40.34 (2) identifying and upgrading open lot  
40.35 feedlots under 300 animal units in shoreland.  
40.36 Organizations receiving grants under this  
41.1 section shall provide information to the  
41.2 agencies listed in this paragraph or the

41.3 information required in the report. The board  
41.4 shall require grantees to specify the outcomes  
41.5 that will be achieved by the grants prior to  
41.6 any grant awards.

41.7 (i) \$1,250,000 the first year and \$1,500,000  
41.8 the second year are for targeted nonpoint  
41.9 restoration technical assistance and  
41.10 engineering. At least 93 percent of this  
41.11 amount must be made available for grants.

41.12 (j) \$1,600,000 the first year and \$1,900,000  
41.13 the second year are for grants to implement  
41.14 county subsurface sewage treatment system  
41.15 (SSTS) programs, including inventories,  
41.16 enforcement, development of databases,  
41.17 and systems to insure SSTS maintenance  
41.18 reporting program results to the Board  
41.19 of Water and Soil Resources and the  
41.20 Pollution Control Agency, and base grants.

41.21 Priority must be given to the protection  
41.22 of lakes, rivers, and streams. Grants are  
41.23 limited to counties with ordinances adopted  
41.24 pursuant to Minnesota Statutes, section  
41.25 115.55, subdivision 2, that can demonstrate  
41.26 enforcement of the ordinances.

41.27 (k) \$800,000 the first year and \$1,000,000  
41.28 the second year are for grants to address  
41.29 imminent threat and failing subsurface  
41.30 sewage treatment systems.

41.31 The board shall contract for services with  
41.32 the Minnesota Conservation Corps for  
41.33 restoration, maintenance, and other activities  
41.34 under this section for at least \$500,000 the  
41.35 first year and \$500,000 the second year.

42.1 The board may shift grant or cost-share funds  
42.2 in this section and may adjust the technical

42.3 and administrative assistance portion of the  
42.4 funds to leverage federal or other nonstate  
42.5 funds or to address oversight responsibilities  
42.6 or high-priority needs identified in local  
42.7 water management plans.

42.8 The board shall give priority consideration  
42.9 to projects and practices that complement,  
42.10 supplement, or exceed current state standards  
42.11 for protection, enhancement, and restoration  
42.12 of water quality in lakes, rivers, and streams  
42.13 or that protect groundwater from degradation.

42.14 To the extent possible, a person conducting  
42.15 a restoration with money appropriated in  
42.16 this section must plant vegetation or sow  
42.17 seed only of ecotypes native to Minnesota,  
42.18 and preferably of the local ecotype, using a  
42.19 high diversity of species originating from as  
42.20 close to the restoration site as possible, and  
42.21 protect existing native prairies from genetic  
42.22 contamination.

42.23 The board shall submit a report on the  
42.24 expenditure and use of money appropriated  
42.25 under this section to the chairs of the house  
42.26 of representatives and senate committees  
42.27 with jurisdiction over environment and  
42.28 natural resources and environment and  
42.29 natural resources finance by March 1 of  
42.30 each year. The report must provide detail  
42.31 on: the expenditure of funds, including  
42.32 maps; the effectiveness of the expenditures  
42.33 in protecting, enhancing, and restoring water  
42.34 quality in lakes, rivers, and streams and  
42.35 protecting groundwater from degradation;  
43.1 and the effectiveness of the expenditures in  
43.2 keeping water on the land.

43.3	Sec. 7. <u>DEPARTMENT OF HEALTH</u>	\$	<u>1,645,000</u>	\$	<u>2,105,000</u>
43.4	<u>(a) \$1,200,000 the first year and \$1,215,000</u>				
43.5	<u>the second year are for protection of drinking</u>				
43.6	<u>water sources, including assisting 30 or</u>				
43.7	<u>more communities in fiscal year 2010 and</u>				
43.8	<u>60 or more communities in fiscal year 2011</u>				
43.9	<u>with the development and implementation</u>				
43.10	<u>of community source water protection plans</u>				
43.11	<u>before new community wells are installed,</u>				
43.12	<u>and awarding ten or more communities in</u>				
43.13	<u>fiscal year 2010 and 20 or more communities</u>				
43.14	<u>in fiscal year 2011 with source water</u>				
43.15	<u>protection implementation grants.</u>				
43.16	<u>(b) \$445,000 the first year and \$890,000</u>				
43.17	<u>the second year are for addressing public</u>				
43.18	<u>health concerns related to contaminants</u>				
43.19	<u>found in Minnesota drinking water for which</u>				
43.20	<u>no health-based drinking water standard</u>				
43.21	<u>exists. The commissioner shall characterize</u>				
43.22	<u>and issue health-based guidance for three or</u>				
43.23	<u>more additional unregulated drinking water</u>				
43.24	<u>contaminants in fiscal year 2010, and seven</u>				
43.25	<u>or more additional unregulated drinking</u>				
43.26	<u>water contaminants in fiscal year 2011.</u>				
43.27	Sec. 8. <u>UNIVERSITY OF MINNESOTA</u>	\$	<u>750,000</u>	\$	<u>305,000</u>
43.28	<u>(a) \$305,000 the second year is for the</u>				
43.29	<u>geological survey to continue and to initiate</u>				
43.30	<u>the production of county geologic atlases.</u>				
43.31	<u>This appropriation represents a continuing</u>				
43.32	<u>effort to complete the county geologic</u>				
43.33	<u>atlases throughout the state in order to</u>				
43.34	<u>provide information and assist in planning</u>				
44.1	<u>for the sustainable use of groundwater and</u>				
44.2	<u>surface water that does not harm ecosystems,</u>				



45.3 (5) "working forest land" means land that provides a broad range of goods and  
45.4 services, including forest products, recreation, fish and wildlife habitat, clean air and  
45.5 water, and carbon sequestration.

45.6 Sec. 12. Minnesota Statutes 2008, section 103F.505, is amended to read:

45.7 **103F.505 PURPOSE AND POLICY.**

45.8 It is the purpose of sections 103F.505 to 103F.531 to ~~keep~~ restore certain marginal  
45.9 agricultural land ~~out of crop production~~ and protect environmentally sensitive areas to  
45.10 protect enhance soil and water quality, minimize damage to flood-prone areas, sequester  
45.11 carbon, and support native plant, fish, and wildlife ~~habitat~~ habitats. It is state policy to  
45.12 encourage the restoration of wetlands and riparian lands and promote the retirement of  
45.13 marginal, highly erodible land, particularly land adjacent to public waters, drainage  
45.14 systems, wetlands, and locally designated priority waters, ~~from crop production and to~~  
45.15 ~~reestablish a cover of perennial vegetation.~~

45.16 Sec. 13. Minnesota Statutes 2008, section 103F.511, subdivision 5, is amended to read:

45.17 Subd. 5. **Drained wetland.** "Drained wetland" means a former natural wetland that  
45.18 has been altered by draining, dredging, filling, leveling, or other manipulation sufficient  
45.19 to render the land suitable for agricultural crop production. ~~The alteration must have~~  
45.20 ~~occurred before December 23, 1985, and must be a legal alteration as determined by the~~  
45.21 ~~commissioner of natural resources.~~

45.22 Sec. 14. Minnesota Statutes 2008, section 103F.511, is amended by adding a  
45.23 subdivision to read:

45.24 Subd. 8a. **Reinvest in Minnesota reserve program.** "Reinvest in Minnesota  
45.25 reserve program" means the program established under section 103F.515.

45.26 Sec. 15. Minnesota Statutes 2008, section 103F.511, subdivision 8a, is amended to read:

45.27 Subd. ~~8a~~ 8b. **Riparian land.** "Riparian land" means lands adjacent to public  
45.28 waters, drainage systems, wetlands, or locally designated priority waters ~~identified in a~~  
45.29 ~~comprehensive local water plan, as defined in section 103B.3363, subdivision 3.~~

45.30 Sec. 16. Minnesota Statutes 2008, section 103F.515, subdivision 1, is amended to read:

46.1 Subdivision 1. **Establishment of program.** The board, in consultation with the  
46.2 commissioner of agriculture and the commissioner of natural resources, shall establish  
46.3 and administer ~~a conservation~~ the reinvest in Minnesota reserve program. The board

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46.4 shall implement sections 103F.505 to 103F.531. Selection of land for the ~~conservation~~  
46.5 reinvest in Minnesota reserve program must be based on its enhancement potential for  
46.6 fish ~~and~~, wildlife ~~production~~, and native plant habitats, reducing erosion, and protecting  
46.7 water quality.

46.8 Sec. 17. Minnesota Statutes 2008, section 103F.515, subdivision 2, is amended to read:

46.9 Subd. 2. **Eligible land.** (a) Land may be placed in the ~~conservation~~ reinvest in  
46.10 Minnesota reserve program if the land meets the requirements of paragraphs (b) and  
46.11 (c) or paragraph (d).

46.12 (b) Land is eligible if the land:

46.13 (1) is marginal agricultural land;

46.14 (2) is adjacent to marginal agricultural land and is either beneficial to resource  
46.15 protection or necessary for efficient recording of the land description;

46.16 (3) consists of a drained wetland;

46.17 (4) is land that with a windbreak or water quality improvement practice would be  
46.18 beneficial to resource protection;

46.19 (5) is land in a sensitive groundwater area;

46.20 (6) is riparian land;

46.21 (7) is cropland or noncropland adjacent to restored wetlands to the extent of up to  
46.22 ~~four~~ eight acres of cropland or one acre of noncropland for each acre of wetland restored;

46.23 (8) is a woodlot on agricultural land;

46.24 (9) is abandoned building site on agricultural land, provided that funds are not used  
46.25 for compensation of the value of the buildings; or

46.26 (10) is land ~~on a hillside~~ used for pasture.

46.27 (c) Eligible land under paragraph (a) must:

46.28 (1) be owned by the landowner, or a parent or other blood relative of the landowner,  
46.29 for at least one year before the date of application;

46.30 (2) be at least five acres in size, except for a drained wetland area, riparian area,  
46.31 windbreak, woodlot, wellhead protection area, or abandoned building site, or be a whole  
46.32 field ~~as defined by the United States Agricultural Stabilization and Conservation Services~~;

46.33 (3) not be set aside, enrolled or diverted under another federal or state government  
46.34 program unless enrollment in the ~~conservation~~ reinvest in Minnesota reserve program  
47.1 would provide additional conservation benefits or a longer term of enrollment than under  
47.2 the current federal or state program; and

47.3 (4) have been in agricultural crop production for at least two of the last five  
47.4 years before the date of application except drained wetlands, riparian lands, woodlots,

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47.5 abandoned building sites, environmentally sensitive areas, wellhead protection areas, or  
47.6 ~~land on a hillside~~ used for pasture.

47.7 ~~(d) In selecting drained wetlands for enrollment in the program, the highest priority~~  
47.8 ~~must be given to wetlands with a cropping history during the period 1976 to 1985. Land~~  
47.9 is eligible if the land is a wellhead protection area as defined under section 103I.005,  
47.10 subdivision 24, and has a wellhead protection plan approved by the commissioner of  
47.11 health.

47.12 (e) In selecting land for enrollment in the program, highest priority must be given to  
47.13 permanent easements that are consistent with the purposes stated in section 103F.505.

47.14 Sec. 18. Minnesota Statutes 2008, section 103F.515, subdivision 4, is amended to read:

47.15 Subd. 4. **Nature of property rights acquired.** (a) A conservation easement must  
47.16 prohibit:

47.17 (1) alteration of wildlife habitat and other natural features, unless specifically  
47.18 approved by the board;

47.19 (2) agricultural crop production and livestock grazing, unless specifically approved  
47.20 by the board for ~~wildlife~~ conservation management purposes or extreme drought; and

47.21 ~~(3) grazing of livestock except, for agreements entered before the effective date of~~  
47.22 ~~Laws 1990, chapter 391, grazing of livestock may be allowed only if approved by the~~  
47.23 ~~board after consultation with the commissioner of natural resources, in the case of severe~~  
47.24 ~~drought, or a local emergency declared under section 12.29; and~~

47.25 ~~(4)~~ (3) spraying with chemicals or mowing, except:

47.26 (i) as necessary to comply with noxious weed control laws ~~or~~;

47.27 (ii) for emergency control of pests necessary to protect public health; or

47.28 (iii) as approved by the board for conservation management purposes.

47.29 (b) A conservation easement is subject to the terms of the agreement provided in  
47.30 subdivision 5.

47.31 (c) A conservation easement must allow repairs, improvements, and inspections  
47.32 necessary to maintain public drainage systems provided the easement area is restored to  
47.33 the condition required by the terms of the conservation easement.

48.1 (d) Notwithstanding paragraph (a), the board must permit the harvest of native  
48.2 grasses for use in seed production or bioenergy on wellhead protection lands eligible  
48.3 under subdivision 2, paragraph (d).

48.4 Sec. 19. Minnesota Statutes 2008, section 103F.515, subdivision 5, is amended to read:

48.5 Subd. 5. **Agreements by landowner.** The board may enroll eligible land in the  
48.6 ~~conservation~~ reinvest in Minnesota reserve program by signing an agreement in recordable  
48.7 form with a landowner in which the landowner agrees:

48.8 (1) to convey to the state a conservation easement that is not subject to any prior  
48.9 title, lien, or encumbrance;

48.10 (2) to seed the land subject to the conservation easement, as specified in the  
48.11 agreement, to establish and maintain perennial cover of either a grass-legume mixture or  
48.12 native grasses for the term of the easement, at seeding rates determined by the board; or  
48.13 to plant trees or carry out other long-term capital improvements approved by the board  
48.14 for soil and water conservation or wildlife management;

48.15 (3) to convey to the state a permanent easement for the wetland restoration;

48.16 (4) that other land supporting natural vegetation owned or leased as part of the  
48.17 same farm operation at the time of application, if it supports natural vegetation ~~or~~ and  
48.18 has not been used in agricultural crop production, will not be converted to agricultural  
48.19 crop production or pasture; and

48.20 (5) that the easement duration may be lengthened through mutual agreement with  
48.21 the board in consultation with the commissioners of agriculture and natural resources  
48.22 if they determine that the changes effectuate the purpose of the program or facilitate  
48.23 its administration.

48.24 Sec. 20. Minnesota Statutes 2008, section 103F.515, subdivision 6, is amended to read:

48.25 Subd. 6. **Payments for conservation easements and establishment of ~~cover~~**  
48.26 **conservation practices.** (a) The board ~~must make the following~~ shall establish rates  
48.27 for payments to the landowner for the conservation easement and ~~agreement~~ related  
48.28 practices. The board shall consider market factors, including the township average  
48.29 equalized estimated market value of property as established by the commissioner of  
48.30 revenue at the time of easement application.

48.31 ~~(1) to establish the perennial cover or other improvements required by the agreement:~~

48.32 ~~(i) except as provided in items (ii) and (iii), up to 75 percent of the total eligible cost~~  
48.33 ~~not to exceed \$125 per acre for limited duration easements and 100 percent of the total~~  
48.34 ~~eligible cost not to exceed \$150 per acre for perpetual easements;~~

49.1 ~~(ii) for native species restoration, 75 percent of the total eligible cost not to exceed~~  
49.2 ~~\$200 per acre for limited duration easements and 100 percent of the total eligible cost not~~  
49.3 ~~to exceed \$300 per acre for perpetual easements; and~~

49.4 ~~(iii) 100 percent of the total eligible cost of wetland restoration not to exceed \$600~~  
49.5 ~~per acre;~~

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49.6 ~~(2) for the cost of planting trees required by the agreement, up to 75 percent of the~~  
49.7 ~~total eligible cost not to exceed \$250 per acre for limited duration easements, and 100~~  
49.8 ~~percent of the total eligible cost not to exceed \$400 per acre for perpetual easements;~~

49.9 ~~(3) for a permanent easement, 70 percent of the township average equalized~~  
49.10 ~~estimated market value of agricultural property as established by the commissioner of~~  
49.11 ~~revenue at the time of easement application;~~

49.12 ~~(4) for an easement of limited duration, 90 percent of the present value of the~~  
49.13 ~~average of the accepted bids for the federal conservation reserve program, as contained in~~  
49.14 ~~Public Law 99-198, in the relevant geographic area and on bids accepted at the time of~~  
49.15 ~~easement application; or~~

49.16 ~~(5) an alternative payment system for easements based on cash rent or a similar~~  
49.17 ~~system as may be determined by the board.~~

49.18 ~~(b) For hillside pasture conservation easements, the payments to the landowner in~~  
49.19 ~~paragraph (a) for the conservation easement and agreement must be reduced to reflect the~~  
49.20 ~~value of similar property.~~

49.21 ~~(e) (b)~~ The board may establish a payment system for flowage easements acquired  
49.22 under this section.

49.23 ~~(d) (c)~~ For wetland restoration projects involving more than one conservation  
49.24 easement, state payments for restoration costs may exceed the limits set forth in this section  
49.25 by the board for an individual easement provided the total payment for the restoration  
49.26 project does not exceed the amount payable for the total number of acres involved.

49.27 ~~(e) (d)~~ The board may use available nonstate funds to exceed the payment limits  
49.28 in this section.

49.29 Sec. 21. Minnesota Statutes 2008, section 103F.521, subdivision 1, is amended to read:

49.30 Subdivision 1. **Cooperation.** In implementing sections 103F.505 to 103F.531, the  
49.31 board must share information and cooperate with the Department of Agriculture, the  
49.32 Department of Natural Resources, the Pollution Control Agency, the United States Fish  
49.33 and Wildlife Service, ~~the Agricultural Stabilization and Conservation Service and Soil~~  
49.34 ~~Conservation Service~~ of the United States Department of Agriculture, the Minnesota  
50.1 Extension Service, the University of Minnesota, county boards, soil and water conservation  
50.2 districts, watershed districts, and interested private organizations and individuals.

50.3 Sec. 22. Minnesota Statutes 2008, section 103F.525, is amended to read:

50.4 **103F.525 SUPPLEMENTAL PAYMENTS ON FEDERAL AND STATE**  
50.5 **CONSERVATION PROGRAMS.**

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50.6 The board may supplement payments made under federal land retirement programs  
50.7 to the extent of available appropriations ~~other than bond proceeds~~. The supplemental  
50.8 payments must be used to establish perennial cover on land enrolled or increase payments  
50.9 for land enrollment in programs approved by the board, ~~including the federal conservation~~  
50.10 ~~reserve program and federal and state water bank program.~~

50.11 Sec. 23. Minnesota Statutes 2008, section 103F.526, is amended to read:

50.12 **103F.526 FOOD PLOTS ~~IN WINDBREAKS~~.**

50.13 The board, ~~in cooperation with the commissioner of natural resources,~~ may authorize  
50.14 wildlife food plots on land ~~with windbreaks~~ enrolled in a conservation easement under  
50.15 section 103F.515.

50.16 Sec. 24. Minnesota Statutes 2008, section 103F.531, is amended to read:

50.17 **103F.531 RULEMAKING.**

50.18 The board may adopt rules or policy to implement sections 103F.505 to 103F.531.  
50.19 ~~The rules must include standards for tree planting so that planting does not conflict with~~  
50.20 ~~existing electrical lines, telephone lines, rights-of-way, or drainage ditches.~~

50.21 Sec. 25. Minnesota Statutes 2008, section 103F.535, subdivision 5, is amended to read:

50.22 Subd. 5. **Release and alteration of conservation easements.** Conservation  
50.23 easements ~~existing under this section, as of April 30, 1992,~~ may be altered, released,  
50.24 or terminated by the board ~~of Water and Soil Resources~~ after consultation with the  
50.25 commissioners of agriculture and natural resources. The board may alter, release, or  
50.26 terminate a conservation easement only if the board determines that the public interest and  
50.27 general welfare are better served by the alteration, release, or termination.

50.28 Sec. 26. **[116.201] COAL TAR.**

50.29 A state agency may not purchase undiluted coal tar sealant. For the purposes of this  
50.30 section, "undiluted coal tar sealant" means a sealant material containing coal tar that  
51.1 has not been mixed with asphalt and is for use on asphalt surfaces, including driveways  
51.2 and parking lots.

51.3 **EFFECTIVE DATE.** This section is effective July 1, 2010.

51.4 Sec. 27. Minnesota Statutes 2008, section 116G.15, is amended to read:

51.5 **116G.15 MISSISSIPPI RIVER CORRIDOR CRITICAL AREA.**

51.6            Subdivision 1. Establishment; purpose. ~~(a) The federal Mississippi National~~  
51.7            ~~River and Recreation Area established pursuant to United States Code, title 16, section~~  
51.8            ~~460zz-2(k), is designated an area of critical concern in accordance with this chapter. The~~  
51.9            ~~governor shall review the existing Mississippi River critical area plan and specify any~~  
51.10           ~~additional standards and guidelines to affected communities in accordance with section~~  
51.11           ~~116G.06, subdivision 2, paragraph (b), clauses (3) and (4), needed to insure preservation of~~  
51.12           ~~the area pending the completion of the federal plan. The purpose of the designation is to:~~

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

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

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

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

51.22           (5) protect and preserve the biological and ecological functions of the Mississippi  
51.23           River corridor.

51.24           ~~The results of an environmental impact statement prepared under chapter 116D~~  
51.25           ~~begun before and completed after July 1, 1994, for a proposed project that is located in~~  
51.26           ~~the Mississippi River critical area north of the United States Army Corps of Engineers~~  
51.27           ~~Lock and Dam Number One must be submitted in a report to the chairs of the environment~~  
51.28           ~~and natural resources policy and finance committees of the house of representatives~~  
51.29           ~~and the senate prior to the issuance of any state or local permits and the authorization~~  
51.30           ~~for an issuance of any bonds for the project. A report made under this paragraph shall~~  
51.31           ~~be submitted by the responsible governmental unit that prepared the environmental~~  
51.32           ~~impact statement, and must list alternatives to the project that are determined by the~~  
51.33           ~~environmental impact statement to be economically less expensive and environmentally~~  
51.34           ~~superior to the proposed project and identify any legislative actions that may assist in the~~  
52.1           ~~implementation of environmentally superior alternatives. This paragraph does not apply~~  
52.2           ~~to a proposed project to be carried out by the Metropolitan Council or a metropolitan~~  
52.3           ~~agency as defined in section 473.121.~~

52.4           ~~(b) If the results of an environmental impact statement required to be submitted by~~  
52.5           ~~paragraph (a) indicate that there is an economically less expensive and environmentally~~  
52.6           ~~superior alternative, then no member agency of the Environmental Quality Board shall~~  
52.7           ~~issue a permit for the facility that is the subject of the environmental impact statement,~~

52.8 ~~other than an economically less expensive and environmentally superior alternative,~~  
52.9 ~~nor shall any government bonds be issued for the facility, other than an economically~~  
52.10 ~~less expensive and environmentally superior alternative, until after the legislature has~~  
52.11 ~~adjourned its regular session sine die in 1996.~~

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

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

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

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

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

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

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

53.4 (c) The rules must be consistent with residential nonconformity provisions under  
53.5 sections 394.36 and 462.357.

53.6 Subd. 3. **Districts.** The commissioner shall establish, by rule, districts within  
53.7 the Mississippi River corridor critical area. The commissioner must seek to determine  
53.8 an appropriate number of districts within any one municipality and take into account

53.9 municipal plans and policies, and existing ordinances and conditions. The commissioner  
53.10 shall consider the following when establishing the districts:

53.11 (1) the protection of the major features of the river in existence as of March 12, 1979;

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

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

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

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

53.19 (6) the intent of the Mississippi River corridor critical area land use districts from  
53.20 the governor's executive order number 79-19, published in the State Register on March  
53.21 12, 1979; and

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

53.23 Subd. 4. **Standards.** (a) The commissioner shall establish, by rule, minimum  
53.24 guidelines and standards for the districts established in subdivision 3. The guidelines and  
53.25 standards for each district shall include the intent of each district and key resources and  
53.26 features to be protected or enhanced based upon paragraph (b). The commissioner must  
53.27 take into account municipal plans and policies, and existing ordinances and conditions  
53.28 when developing the guidelines in this section. The commissioner may provide certain  
53.29 exceptions and criteria for standards, including, but not limited to, exceptions for river  
53.30 access facilities, water supply facilities, stormwater facilities, and wastewater treatment  
53.31 facilities, and hydropower facilities.

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

53.34 (1) floodplains;

53.35 (2) wetlands;

53.36 (3) gorges;

54.1 (4) areas of confluence with key tributaries;

54.2 (5) natural drainage routes;

54.3 (6) shorelines and riverbanks;

54.4 (7) bluffs;

54.5 (8) steep slopes and very steep slopes;

54.6 (9) unstable soils and bedrock;

54.7 (10) significant existing vegetative stands, tree canopies, and native plant  
54.8 communities;

54.9 (11) scenic views and vistas;

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

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

54.12 (14) water quality.

54.13 (c) The commissioner shall establish a map to define bluffs and bluff-related features  
54.14 within the Mississippi River corridor critical area. At the outset of the rulemaking process,  
54.15 the commissioner shall create a preliminary map of all the bluffs and bluff lines within  
54.16 the Mississippi River corridor critical area, based on the guidelines in paragraph (d). The  
54.17 rulemaking process shall provide an opportunity to refine the preliminary bluff map. The  
54.18 commissioner may add to or remove areas of demonstrably unique or atypical conditions  
54.19 that warrant special protection or exemption. At the end of the rulemaking process, the  
54.20 commissioner shall adopt a final bluff map that contains associated features, including  
54.21 bluff lines, bases of bluffs, steep slopes, and very steep slopes.

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

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

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

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

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

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

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

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

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

55.9 (3) by the Metropolitan Council for reviewing plans and regulations; and  
55.10 (4) by the commissioner when approving plans and regulations, and reviewing  
55.11 development permit applications.

55.12 Subd. 6. **Notification; fees.** A local unit of government or a regional or state agency  
55.13 shall notify the commissioner of natural resources of all developments in the corridor that  
55.14 require discretionary actions under their rules at least ten days before taking final action  
55.15 on the application. The commissioner may establish exemptions from the notification  
55.16 requirement for certain types of applications. For purposes of this section, a discretionary  
55.17 action includes all actions that require a public hearing, including variances, conditional  
55.18 use permits, and zoning amendments.

55.19 Subd. 7. **Rules.** The commissioner shall adopt rules to ensure compliance with this  
55.20 section. By January 15, 2010, the commissioner shall begin the rulemaking required  
55.21 by this section under chapter 14.

55.22 Sec. 28. **PREVENTION OF WATER POLLUTION FROM POLYCYCLIC**  
55.23 **AROMATIC HYDROCARBONS.**

55.24 (a) By January 15, 2010, the commissioner of the Pollution Control Agency shall  
55.25 notify state agencies and local units of government of the potential for contamination of  
55.26 constructed storm water ponds and wetlands or natural ponds used for the collection  
55.27 of storm water via constructed conveyances with polycyclic aromatic hydrocarbons  
55.28 from the use of coal tar sealant products. For the purpose of this section, a storm water  
55.29 pond is a treatment pond constructed and operated for water quality treatment, storm  
55.30 water detention, and flood control. Storm water ponds do not include areas of temporary  
55.31 ponding, such as ponds that exist only during a construction project or short-term  
55.32 accumulations of water in road ditches.

55.33 (b) By January 15, 2010, the commissioner of the Pollution Control Agency shall  
55.34 establish a schedule and information requirements for state agencies and local units of  
55.35 government regulated under a national pollutant discharge elimination system or state  
56.1 disposal system permit for municipal separate storm sewer systems to report to the  
56.2 commissioner of the Pollution Control Agency on all storm water ponds and other waters  
56.3 defined in paragraph (a) located within their jurisdiction.

56.4 (c) The commissioner of the Pollution Control Agency shall develop best  
56.5 management practices for state agencies and local units of government regulated under  
56.6 a national pollutant discharge elimination system or state disposal system permit for  
56.7 municipal separate storm sewer systems treating or cleaning up contaminated sediments  
56.8 in storm water ponds and other waters defined under paragraph (a) and make the best

56.9 management practices available on the agency's Web site. As part of the development of  
56.10 the best management practices, the commissioner shall:

56.11 (1) sample a set of storm water pond sediments in residential, commercial, and  
56.12 industrial areas for polycyclic aromatic hydrocarbons and other contaminants of potential  
56.13 concern;

56.14 (2) investigate the feasibility of screening methods to provide more cost-effective  
56.15 analytical results and to identify which kinds of ponds are likely to have the highest  
56.16 concentrations of polycyclic aromatic hydrocarbons; and

56.17 (3) develop guidance on testing, treatment, removal, and disposal of polycyclic  
56.18 aromatic hydrocarbon contaminated sediments.

56.19 (d) The commissioner of the Pollution Control Agency shall incorporate the  
56.20 requirements for inventory and best management practices specified in paragraphs (b) and  
56.21 (c) into the next permitting cycle for the national pollutant discharge elimination system or  
56.22 state disposal system permit for municipal separate storm sewer systems.

56.23 Sec. 29. **ENDOCRINE-DISRUPTOR MONITORING.**

56.24 (a) The commissioner of the Pollution Control Agency shall establish a network of  
56.25 water monitoring sites in public waters adjacent to wastewater treatment facilities across  
56.26 the state to assess levels of endocrine disrupting compounds, antibiotic compounds, and  
56.27 pharmaceuticals.

56.28 (b) Each of the monitoring sites must provide enhanced monitoring of the effluent  
56.29 at the discharge point of the wastewater treatment facility and monitoring of the public  
56.30 waters above and below the discharge point.

56.31 (c) The monitoring sites must be located throughout the state, represent a variety of  
56.32 wastewater treatment facility sizes based on the number of gallons of water discharged per  
56.33 day, and represent a variety of waste treatment systems used for primary, secondary, and  
56.34 tertiary disinfecting treatment and management of biosolids.

57.1 (d) In establishing the monitoring network, the commissioner of the Pollution  
57.2 Control Agency must consult with the commissioners of health and natural resources, the  
57.3 United States Geological Survey, the Metropolitan Council, local wastewater treatment  
57.4 facility operators, and the Water Resources Center at the University of Minnesota.  
57.5 Consideration may be given to monitoring sites at facilities identified as part of a total  
57.6 maximum daily load study and facilities located on a water body identified for enhanced  
57.7 protection. The initial monitoring network must include at least ten sites.

57.8 (e) Monitoring must include, but is not limited to, endocrine-disrupting compounds  
57.9 from natural and synthetic hormones, pharmaceuticals, personal care products, and

57.10 a range of industrial products and by-products. At a minimum, concentrations of  
57.11 estrone, nonylphenol, bisphenol-A, 17-beta-estradiol, 17-alpha-ethynylestradiol, estriol,  
57.12 and antibacterial triclosan must be monitored. Additional compounds, antibacterial  
57.13 compounds, and pharmaceuticals potentially impacting human health and aquatic  
57.14 communities may be considered for identification and monitoring including, but not  
57.15 limited to, nonylphenol ethoxylates, octylphenol, and octylphenol ethoxylates; the  
57.16 hormones androstenedione, trenbelone, and diethylphthalate; antidepressant medications,  
57.17 including fluoxetine and fluvoxamine; carbamazepine; and triclocarban.

57.18 (f) The commissioner of the Pollution Control Agency shall begin the monitoring  
57.19 and testing required under this section no later than November 1, 2009. Information  
57.20 about requirements under this section and the results from the monitoring and testing  
57.21 must be available on the agency's Web site by June 1, 2010. The commissioner shall  
57.22 submit a preliminary report on the results of the monitoring and testing to the chairs of the  
57.23 legislative committees with jurisdiction over environment and natural resources policy  
57.24 and finance by April 15, 2010, and a final report no later than January 15, 2011.

57.25 **Sec. 30. COMPREHENSIVE STATEWIDE SUSTAINABLE WATER**  
57.26 **RESOURCES DETAILED FRAMEWORK.**

57.27 (a) The University of Minnesota shall develop a comprehensive statewide  
57.28 sustainable water resources detailed framework to protect, conserve, and enhance the  
57.29 quantity and quality of the state's groundwater and surface water. The detailed framework  
57.30 shall be a long-range, 25-year detailed framework, with an implementation schedule and  
57.31 associated benchmarks, for policy, research, monitoring, and evaluation in order to achieve  
57.32 sustainable groundwater and surface water use, including the ecological benefits provided  
57.33 by water resources to humans and fish and wildlife habitat. For the purposes of the detailed  
57.34 framework, water use is sustainable when the use does not harm ecosystems, degrade  
57.35 water quality, or compromise the ability of future generations to meet their own needs.

58.1 (b) The detailed framework shall be developed by the University of Minnesota  
58.2 Water Resources Center in cooperation with the Departments of Natural Resources and  
58.3 Agriculture, the Environmental Quality Board, the Pollution Control Agency, the Board  
58.4 of Water and Soil Resources, watershed management districts, watershed management  
58.5 organizations, soil and water conservation districts, and other federal, state, and local  
58.6 government and private nonprofits with expertise in water resources. In developing the  
58.7 detailed framework, the water resources plans of organizations with water resources  
58.8 expertise shall be considered. The detailed framework must include, but is not limited to,  
58.9 identification of infrastructure needs, drinking water, groundwater and surface water, storm

58.10 water, agricultural and industrial needs, the interfaces of climate change, development  
58.11 and land use, and demographics. The detailed framework must identify best practices and  
58.12 methods for determining the effectiveness of those practices for wastewater treatment,  
58.13 drinking water source protection, pollution prevention, conservation, and water valuation.

58.14 (c) The University of Minnesota shall also develop a ten-year plan for sustainable  
58.15 water resources. In developing this plan, the University of Minnesota Water Resources  
58.16 Center shall examine existing plans, as available and appropriate, from the Environmental  
58.17 Quality Board and Clean Water Council.

58.18 (d) The University of Minnesota shall submit the detailed framework to the chairs  
58.19 and ranking minority members of the legislative committees with jurisdiction over  
58.20 agriculture policy and finance, environment and natural resources policy and finance, and  
58.21 cultural and outdoor resources policy and finance by January 15, 2011.

58.22 (e) It is a condition of acceptance of this appropriation that the University of  
58.23 Minnesota must submit a work plan, a timeline, a budget, and periodic progress reports  
58.24 to the Legislative Coordinating Commission. After review, the work plan, progress  
58.25 reports, and any comments on the plan must be submitted to the house of representatives  
58.26 and senate environment finance and policy and cultural and outdoor resources finance  
58.27 committees, and to the Legislative Coordinating Commission.

58.28 **Sec. 31. REVISOR'S INSTRUCTION.**

58.29 The revisor of statutes shall change the term "conservation reserve program" to  
58.30 "reinvest in Minnesota reserve program" where it appears in Minnesota Statutes, sections  
58.31 84.95, subdivision 2; 92.70, subdivision 1; and 103H.105.

58.32 **Sec. 32. REPEALER.**

58.33 (a) Minnesota Statutes 2008, sections 103B.101, subdivision 11; 103F.511,  
58.34 subdivision 4; and 103F.521, subdivision 2, are repealed.

59.1 (b) Minnesota Rules, parts 8400.3130; 8400.3160; 8400.3200; 8400.3230;  
59.2 8400.3330; 8400.3360; 8400.3390; 8400.3500; 8400.3530; and 8400.3560, are repealed.

59.3 **ARTICLE 3**

59.4 **PARKS AND TRAILS FUND**

59.5 **Section 1. PARKS AND TRAILS FUND APPROPRIATIONS.**

59.6 The sums shown in the columns marked "Appropriations" are appropriated to  
59.7 the agencies and for the purposes specified in this article. The appropriations are from  
59.8 the parks and trails fund, or another named fund, and are available for the fiscal years

59.9 indicated for each purpose. The figures "2010" and "2011" used in this article mean that  
 59.10 the appropriations listed under them are available for the fiscal year ending June 30, 2010,  
 59.11 or June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is  
 59.12 fiscal year 2011. "The biennium" is fiscal years 2010 and 2011. Appropriations for the  
 59.13 fiscal year ending June 30, 2009, are effective the day following final enactment. All  
 59.14 appropriations in this article are onetime.

59.15		<b><u>APPROPRIATIONS</u></b>	
59.16		<b><u>Available for the Year</u></b>	
59.17		<b><u>Ending June 30</u></b>	
59.18		<b><u>2010</u></b>	<b><u>2011</u></b>

59.19	Sec. 2. <b><u>DEPARTMENT OF NATURAL</u></b>			
59.20	<b><u>RESOURCES</u></b>	<b><u>\$</u></b>	<b><u>16,861,000</u></b>	<b><u>\$</u></b>
				<b><u>20,040,000</u></b>

59.21 (a) \$250,000 the first year is for a  
 59.22 collaborative project to develop a 25-year,  
 59.23 long-term plan for parks and trails. This  
 59.24 appropriation is available until June 30, 2011.

59.25 (b) \$12,641,000 the first year and  
 59.26 \$15,140,000 the second year are for state  
 59.27 parks, recreation areas, and trails to:

59.28 (1) connect people to the outdoors by  
 59.29 providing access, conservation education  
 59.30 and interpretive services, including the  
 59.31 Minnesota Naturalist Corps under new  
 59.32 Minnesota Statutes, section 84.992,  
 59.33 enhanced marketing and technology, opening  
 59.34 or reopening visitor centers advancing  
 60.1 new conservation education, enhanced  
 60.2 cross-country skiing, and producing a new  
 60.3 parks and trails map integrating state parks,  
 60.4 recreation areas, forest campgrounds, trails,  
 60.5 and regional park and trail facilities that is  
 60.6 available in print and on the Web;

60.7 (2) accelerate natural resource management,  
 60.8 restoration, and protection activities at state  
 60.9 parks, including:

60.10 (i) restoring at least 500 additional acres of  
60.11 state park land;

60.12 (ii) conducting invasive species detection,  
60.13 prevention, and response activities on at least  
60.14 4,000 acres of state park lands and waters  
60.15 and reestablishing native plants, shrubs, and  
60.16 trees after invasive species removal;

60.17 (iii) providing rapid response to terrestrial  
60.18 and aquatic new invasive species detections  
60.19 and infestations on state park lands and  
60.20 waters and state trails;

60.21 (iv) conducting prescribed burns on an  
60.22 additional 6,000 acres; and

60.23 (v) restoring and managing native prairies  
60.24 and woodlands along at least six percent of  
60.25 the developed miles of state trails, including  
60.26 removing invasive species;

60.27 (3) accelerate facility maintenance and  
60.28 rehabilitation, including energy-efficiency  
60.29 improvements and the use of renewable  
60.30 sources of energy, such as solar energy.

60.31 (c) The commissioner shall contract for  
60.32 services with the Minnesota Conservation  
60.33 Corps for restoration, maintenance, and  
60.34 other activities under this section for at least  
61.1 \$600,000 the first year and \$1,000,000 the  
61.2 second year.

61.3 (d) \$3,970,000 the first year and \$4,900,000  
61.4 the second year are for grants under new  
61.5 Minnesota Statutes, section 85.535, to  
61.6 parks and trails recognized as meeting the  
61.7 constitutional requirement of being a park  
61.8 or trail of regional or statewide significance.  
61.9 Grants under this section must be used only

61.10 for acquisition, development, restoration,  
61.11 and maintenance. Of this amount, \$500,000  
61.12 the first year and \$600,000 the second year  
61.13 are for grants for solar energy projects. Up to  
61.14 2.5 percent of this appropriation may be used  
61.15 for administering the grants.

61.16 (e) The commissioner shall develop a  
61.17 ten-year strategic state parks and trails  
61.18 plan considering traditional funding and  
61.19 the funding available under the Minnesota  
61.20 Constitution, article XI, section 15. The plan  
61.21 shall incorporate the 25-year framework  
61.22 developed by the University of Minnesota  
61.23 Center for Changing Landscapes.

61.24 The commissioner shall submit an annual  
61.25 report on the expenditure and use of money  
61.26 appropriated under this section to the  
61.27 legislature as provided in Minnesota Statutes,  
61.28 section 3.195. The first year report must be  
61.29 submitted by March 1, 2010. In subsequent  
61.30 years the report shall be submitted by January  
61.31 15. The report must relate the expenditure of  
61.32 funds by the categories established and detail  
61.33 the outcomes in terms of additional use of  
61.34 parks and trails resources, user satisfaction  
61.35 surveys, and other appropriate outcomes.

62.1 To the extent possible, a person conducting  
62.2 restoration with money appropriated in this  
62.3 section must plant vegetation or sow seed  
62.4 only of ecotypes native to Minnesota, and  
62.5 preferably of the local ecotype, using a high  
62.6 diversity of species originating from as  
62.7 close to the restoration site as possible, and  
62.8 protect existing native prairies from genetic  
62.9 contamination.

62.10	Sec. 3. <u>METROPOLITAN COUNCIL</u>	\$	<u>12,641,000</u>	\$	<u>15,140,000</u>
62.11	<u>(a) \$12,641,000 the first year and</u>				
62.12	<u>\$15,140,000 the second year are from the</u>				
62.13	<u>parks and trails fund to be distributed as</u>				
62.14	<u>required under new Minnesota Statutes,</u>				
62.15	<u>section 85.535, subdivision 3, except that</u>				
62.16	<u>of this amount, \$40,000 the first year is for</u>				
62.17	<u>a grant to Hennepin County to plant trees</u>				
62.18	<u>along the Victory Memorial Parkway.</u>				
62.19	<u>(b) The Metropolitan Council shall submit</u>				
62.20	<u>a report on the expenditure and use of</u>				
62.21	<u>money appropriated under this section to</u>				
62.22	<u>the legislature as provided in Minnesota</u>				
62.23	<u>Statutes, section 3.195, by March 1 of each</u>				
62.24	<u>year. The report must detail the outcomes in</u>				
62.25	<u>terms of additional use of parks and trails</u>				
62.26	<u>resources, user satisfaction surveys, and</u>				
62.27	<u>other appropriate outcomes.</u>				
62.28	<u>(c) Grant agreements entered into by the</u>				
62.29	<u>Metropolitan Council and recipients of</u>				
62.30	<u>money appropriated under this section shall</u>				
62.31	<u>ensure that the funds are used to supplement</u>				
62.32	<u>and not substitute for traditional sources of</u>				
62.33	<u>funding.</u>				
63.1	<u>(d) The implementing agencies receiving</u>				
63.2	<u>appropriations under this section shall</u>				
63.3	<u>give consideration to contracting with the</u>				
63.4	<u>Minnesota Conservation Corps for contract</u>				
63.5	<u>restoration, maintenance, and other activities.</u>				
63.6	Sec. 4. <u>UNIVERSITY OF MINNESOTA</u>	\$	<u>400,000</u>	\$	<u>-0-</u>
63.7	<u>To the Board of Regents of the University</u>				
63.8	<u>of Minnesota for the Center for Changing</u>				
63.9	<u>Landscapes to create a comprehensive</u>				
63.10	<u>statewide parks and trails framework and</u>				



64.12 ranking minority members of the senate and house of representatives committees and  
64.13 divisions having jurisdiction over natural resources policy and finance by January 15, 2011.

64.14 Subd. 2. State and regional parks and trails plan. (a) The commissioner  
64.15 of natural resources shall participate in a collaborative project to develop a 25-year,  
64.16 long-range plan for the use of the money available in the parks and trails fund under  
64.17 the Minnesota Constitution, article XI, section 15, and other traditional sources of  
64.18 funding. The collaborative project shall consist of a joint effort between representatives  
64.19 of the commissioner of natural resources, the Office of Explore Minnesota Tourism, the  
64.20 Metropolitan Council and its implementing agencies, the Central Minnesota Regional  
64.21 Parks and Trails Coordinating Board, and regional parks and trails organizations outside  
64.22 the metropolitan area. The members shall prepare a ten-year strategic parks and trails  
64.23 coordination plan and develop a 25-year, long-range plan for use of the funding that  
64.24 includes goals and measurable outcomes and includes a vision for Minnesotans of what  
64.25 the state and regional parks will look like in 25 years.

64.26 (b) In developing the plans, the members shall utilize a process, including Web  
64.27 site survey tools and regional listening sessions, to be staffed by the commissioner, that  
64.28 ensures that citizens are included in development and finalization of the final plans. The  
64.29 commissioner, office, council, and board shall provide for input from user groups and local  
64.30 and regional park and trail organizations.

64.31 (c) The plans must consider the framework and inventory developed by the  
64.32 University of Minnesota Center for Changing Landscapes and must include, but is not  
64.33 limited to:

64.34 (1) a proposed definition of "parks and trails of regional significance";

64.35 (2) a plan to increase the number of visitors to state and regional parks;

65.1 (3) assessment of the need for new or expanded regional outdoor recreation systems  
65.2 to preserve and connect high-quality, diverse natural resources in areas with concentrated  
65.3 and increasing populations;

65.4 (4) budgeting for ongoing maintenance;

65.5 (5) decommissions;

65.6 (6) a plan for trails that takes into account connectivity and the potential for use  
65.7 by commuters;

65.8 (7) requirements for local contribution; and

65.9 (8) benchmarks.

65.10 (d) The commissioner shall submit the ten-year strategic plan and 25-year long-range  
65.11 plan to the legislature as provided in Minnesota Statutes, section 3.195, by February  
65.12 15, 2011.

65.13            Subd. 3. **Parks and trails budget analysis.** The commissioner of natural resources,  
65.14 in consultation with the commissioner of finance, shall estimate the total amount of  
65.15 funding available from all sources, including the parks and trails fund, for parks and trails  
65.16 over the next ten and 25 years. The commissioner shall develop a range of estimates to  
65.17 reflect different funding scenarios based on economic and other factors. The commissioner  
65.18 and others shall use these estimates in preparing the ten-year strategic parks and trails plan  
65.19 and the 25-year long-range plan required under this section, including, but not limited to,  
65.20 evaluating the range of estimated funds available to determine:

65.21            (1) the amount necessary to operate existing parks and trails for the next ten and  
65.22 25 years;

65.23            (2) the amount necessary to provide maintenance for existing parks and trails for  
65.24 the next ten and 25 years;

65.25            (3) the adequacy of funding to support expansion of the existing park system; and

65.26            (4) the adequacy of funding to support expansion of the existing trail system

65.27            The commissioner shall submit the estimates to the chairs and ranking minority  
65.28 members of the house of representatives and senate committees with jurisdiction over the  
65.29 environment and natural resources finance and the parks and trails fund by August 1, 2009.

65.30            Sec. 7. **AVAILABILITY OF APPROPRIATIONS.**

65.31            Unless otherwise provided, the amounts in this article are available until June  
65.32 30, 2011, when projects must be completed and final accomplishments reported.  
65.33 Appropriations for 2011 are available for use until June 30, 2012. For acquisition of an  
65.34 interest in real property, the amounts in this section appropriated in fiscal year 2010 are  
65.35 available until June 30, 2012, and the amounts in this section appropriated in fiscal year  
66.1 2011 are available until June 30, 2013. If a project receives federal funds, the time period  
66.2 of the appropriation is extended to equal the availability of federal funding.

66.3            Sec. 8. **[84.992] MINNESOTA NATURALIST CORPS.**

66.4            Subdivision 1. **Establishment.** The Minnesota Naturalist Corps is established under  
66.5 the direct control and supervision of the commissioner of natural resources.

66.6            Subd. 2. **Program.** The commissioner of natural resources shall develop a program  
66.7 for the Minnesota Naturalist Corps that supports state parks in providing interpretation  
66.8 of the natural and cultural features of state parks in order to enhance visitors' awareness,  
66.9 understanding, and appreciation of those features and encourages the wise and sustainable  
66.10 use of the environment.

66.11 Subd. 3. **Training and mentoring.** The commissioner must develop and implement  
66.12 a training program that adequately prepares Minnesota Naturalist Corps members for the  
66.13 tasks assigned. Each corps member shall be assigned a state park naturalist as a mentor.

66.14 Subd. 4. **Uniform patch.** Uniforms worn by members of the Minnesota Naturalist  
66.15 Corps must have a patch that includes the name of the Minnesota Naturalist Corps and  
66.16 information that the program is funded by the clean water, land, and legacy amendment to  
66.17 the Minnesota Constitution adopted by the voters in November 2008.

66.18 Subd. 5. **Eligibility.** A person is eligible to enroll in the Minnesota Naturalist  
66.19 Corps if the person:

66.20 (1) is a permanent resident of the state;

66.21 (2) is a participant in an approved college internship program or has a postsecondary  
66.22 degree in a natural resource or conservation related field; and

66.23 (3) has completed at least one year of postsecondary education.

66.24 Subd. 6. **Corps member status.** Minnesota Naturalist Corps members are not  
66.25 eligible for unemployment benefits if their services are excluded under section 268.035,  
66.26 subdivision 20, and are not eligible for other benefits except workers' compensation. The  
66.27 corps members are not employees of the state within the meaning of section 43A.02,  
66.28 subdivision 21.

66.29 Subd. 7. **Employee displacement.** The commissioner must certify that the  
66.30 assignment of Minnesota Naturalist Corps members will not result in the displacement of  
66.31 currently employed workers or workers on seasonal layoff or layoff from a substantially  
66.32 equivalent position, including partial displacement such as reduction in hours of  
66.33 nonovertime work, wages, or other employment benefits. The department may not  
66.34 terminate, lay off, reduce the seasonal hours of, or reduce the working hours of any  
66.35 employee for the purpose of using a corps member with available funds.

67.1 **Sec. 9. [85.535] PARKS AND TRAILS GRANT PROGRAM.**

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

67.6 Subd. 2. **Priorities.** In awarding trails grants under this section, the commissioner  
67.7 shall give priority to trail projects that provide:

67.8 (1) connectivity;

67.9 (2) enhanced opportunities for commuters; and

67.10 (3) enhanced safety.

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

67.13 Subd. 4. Rule exemption. The commissioner is not subject to the rulemaking  
 67.14 provisions of chapter 14 in implementing this section, and section 14.386 does not apply.

**ARTICLE 4**

**ARTS AND CULTURAL HERITAGE FUND**

67.17 Section 1. **ARTS AND CULTURAL HERITAGE FUND APPROPRIATIONS.**

67.18 The sums shown in the columns marked "Appropriations" are appropriated to the  
 67.19 agencies and for the purposes specified in this article. The appropriations are from the arts  
 67.20 and cultural heritage fund, and are available for the fiscal years indicated for allowable  
 67.21 activities under the Minnesota Constitution, article XI, section 15. The figures "2010" and  
 67.22 "2011" used in this article mean that the appropriations listed under them are available for  
 67.23 the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The first year" is  
 67.24 fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is fiscal years  
 67.25 2010 and 2011. Appropriations for the fiscal year ending June 30, 2009, are effective the  
 67.26 day following final enactment. All appropriations in this article are onetime.

67.27		<b><u>APPROPRIATIONS</u></b>	
67.28		<b><u>Available for the Year</u></b>	
67.29		<b><u>Ending June 30</u></b>	
67.30		<b><u>2010</u></b>	<b><u>2011</u></b>

67.31 Sec. 2. **ARTS AND CULTURAL HERITAGE**

67.32	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$ 44,470,000</u></b>	<b><u>\$ 48,750,000</u></b>
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68.1 The amounts that may be spent for each  
 68.2 purpose are specified in the following  
 68.3 subdivisions.

68.4	<b><u>Subd. 2. Board of the Arts</u></b>	<b><u>21,650,000</u></b>	<b><u>21,650,000</u></b>
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68.5 (a) The appropriations in this subdivision  
 68.6 are to the Minnesota Board of the Arts  
 68.7 from the arts and cultural heritage fund.  
 68.8 Grants agreements entered into by the  
 68.9 Board of the Arts and other recipients of  
 68.10 appropriations in this section shall ensure  
 68.11 that these funds are used to supplement and  
 68.12 not supplant traditional sources of funding.

68.13 Appropriations made directly to the Board  
68.14 of the Arts shall supplement, and shall not  
68.15 substitute for traditional sources of funding.  
68.16 Funds appropriated in the first year may  
68.17 be carried over to the second. Each grant  
68.18 program established within this appropriation  
68.19 shall be separately administered from other  
68.20 state appropriations for program planning  
68.21 and outcome measurements, but may take  
68.22 into consideration other state resources  
68.23 awarded in the selection of applicants and  
68.24 grant award size.

68.25 (b) Of the amounts in this subdivision:

68.26 (1) up to 78 percent of the money to support  
68.27 Minnesota artists and arts organizations  
68.28 in creating, producing, and presenting  
68.29 high-quality arts activities; to overcome  
68.30 barriers to accessing high-quality arts  
68.31 activities; and to instill the arts into the  
68.32 community and public life in this state.

68.33 A portion of these funds may be used to:

69.1 (i) pay attendance fees and travel costs  
69.2 for youth to visit art museums, arts  
69.3 performances, or other arts activities; or

69.4 (ii) bring artists to schools, libraries, or other  
69.5 community centers or organizations for  
69.6 teaching, training, or performance purposes;

69.7 (2) up to 15 percent of the money for  
69.8 high-quality, age-appropriate arts education  
69.9 for Minnesotans of all ages to develop  
69.10 knowledge, skills, and understanding of the  
69.11 arts.

69.12 A portion of this appropriation may be used  
69.13 for grants to school districts to provide

69.14 materials or resources to teachers, students,  
69.15 and parents to promote achievement of K-12  
69.16 academic standards in the arts;  
69.17 (3) up to five percent of the money for events  
69.18 and activities that represent the diverse ethnic  
69.19 and cultural arts traditions, including folk  
69.20 and traditional artists and art organizations,  
69.21 represented in this state; and  
69.22 (4) up to three percent of the money  
69.23 to administer grant programs, deliver  
69.24 technical services, provide fiscal oversight  
69.25 for the statewide system, and to ensure  
69.26 accountability for these state resources.  
69.27 The Board of the Arts, in partnership  
69.28 with regional arts councils, shall conduct  
69.29 a census of Minnesota artists and artistic  
69.30 organizations.  
69.31 Thirty percent of the total appropriated to  
69.32 each of the categories established in this  
69.33 subdivision is for grants to the regional arts  
70.1 councils. This percentage does not apply to  
70.2 administrative costs.  
70.3 Any unexpended balance under this  
70.4 subdivision is available in either year.  
70.5 **(c) Reporting**  
70.6 The executive director shall submit an annual  
70.7 report on the expenditure and use of money  
70.8 appropriated under this subdivision to the  
70.9 legislature as provided in Minnesota Statutes,  
70.10 section 3.195. The first year report must be  
70.11 submitted by March 1, 2010. In subsequent  
70.12 years the report shall be submitted by January  
70.13 15. The report must relate the expenditure  
70.14 of funds by the categories established in

70.15 this subdivision. Distinctive goals and  
70.16 measurable outcomes shall be established  
70.17 and reported on.

70.18 **Subd. 3. Department of Education** 4,250,000 4,250,000

70.19 These appropriations are for grants allocated  
70.20 using existing formulas under Minnesota  
70.21 Statutes, section 134.355, to the 12  
70.22 Minnesota Regional Library Systems, to  
70.23 provide educational opportunities in the arts,  
70.24 history, literary arts, and cultural heritage  
70.25 of Minnesota. No more than 2.5 percent of  
70.26 funds may be used for administration by  
70.27 regional library systems. These funds may  
70.28 be used to sponsor programs provided by  
70.29 regional libraries, or to provide grants to  
70.30 local arts and cultural heritage programs  
70.31 for programs in partnership with regional  
70.32 libraries.

70.33 **Subd. 4. Minnesota Historical Society** 9,750,000 12,250,000

71.1 (a) The appropriations in this subdivision are  
71.2 to the Minnesota Historical Society from the  
71.3 arts and cultural heritage fund to preserve and  
71.4 enhance access to Minnesota's history and  
71.5 its cultural and historical resources. Grants  
71.6 agreements entered into by the Minnesota  
71.7 Historical Society and other recipients of  
71.8 appropriations in this section shall ensure  
71.9 that these funds are used to supplement  
71.10 and not substitute for traditional sources of  
71.11 funding. Funds directly appropriated to the  
71.12 Minnesota Historical Society shall be used to  
71.13 supplement, and not substitute for, traditional  
71.14 sources of funding. Funds appropriated in  
71.15 the first year may be carried over to the  
71.16 second. No more than 2.5 percent of each

71.17 appropriation may be used for administration  
71.18 by the Minnesota Historical Society. The  
71.19 Minnesota Historical Society, with the  
71.20 assistance of recipients funded under this  
71.21 section, shall report on all expenditures  
71.22 made from these funds to the legislature and  
71.23 governor by January 15 of each year.

71.24 **(b) Statewide Historic and Cultural**

71.25 **Grants.** (i) \$2,250,000 in 2010 and  
71.26 \$4,500,000 in 2011 are appropriated for  
71.27 history programs and projects operated  
71.28 or conducted by or through local, county,  
71.29 regional or other historical or cultural  
71.30 organizations; or for activities to preserve  
71.31 significant historic and cultural resources.

71.32 Funds are to be distributed through a  
71.33 competitive grants process. The Minnesota  
71.34 Historical Society shall administer these  
71.35 funds using established grants mechanisms,

71.36 and with assistance from the advisory  
72.1 committee created herein. The Preston  
72.2 grain elevator restoration and recreation  
72.3 project shall be eligible for grants under this  
72.4 program.

72.5 Also eligible for a grant under this section  
72.6 are projects previously approved by the  
72.7 Minnesota Historical Society that have had  
72.8 this approved funding refused by a public  
72.9 board or governing body, provided that these  
72.10 projects are now administered by a nonprofit  
72.11 organization.

72.12 Ironworld is eligible for a grant under this  
72.13 program.

72.14 (ii) The Minnesota Historical Society  
72.15 shall appoint a historic resources advisory

72.16 committee, with balanced statewide  
72.17 membership and representatives of local,  
72.18 county, and statewide historical and cultural  
72.19 organizations and programs, to provide  
72.20 policy and grant making guidance on  
72.21 expenditures of funds from this paragraph.  
72.22 This membership shall include, but is  
72.23 not limited to, members representing the  
72.24 interests of historic preservation, local  
72.25 history, archaeology, archival programs, and  
72.26 other cultural programs related to the history  
72.27 of Minnesota. This committee shall seek  
72.28 input from all interested parties, and shall  
72.29 make recommendations for expenditures  
72.30 from these funds to the executive council  
72.31 of the Minnesota Historical Society; all  
72.32 expenditures must meet the requirements of  
72.33 Minnesota Statutes, section 138.01.

72.34 **(c) Programs.** \$3,000,000 in 2010 and  
72.35 \$4,750,000 in 2011 are for programs and  
73.1 purposes related to the historical and cultural  
73.2 heritage of the state of Minnesota, conducted  
73.3 by the Minnesota Historical Society.

73.4 **(d) History Partnerships.** \$1,250,000  
73.5 in 2010 and \$2,750,000 in 2011 are  
73.6 for partnerships between and with the  
73.7 Minnesota Historical Society and partnering  
73.8 organizations to enhance access to  
73.9 Minnesota's history and cultural heritage in  
73.10 all regions of the state.

73.11 **(e)** \$2,500,000 in 2010 is appropriated to the  
73.12 Minnesota Historical Society for an exhibit  
73.13 on the regional, local, and cultural diversity  
73.14 of Minnesota's history and cultural heritage.  
73.15 These funds are available until expended.

73.16 These funds are for the creation of both  
73.17 traveling exhibits to be made available to  
73.18 local historical and cultural organizations  
73.19 and an exhibit to be housed at the Minnesota  
73.20 History Center. The Minnesota Historical  
73.21 Society shall raise funds from private sources  
73.22 to augment this appropriation, with a goal  
73.23 of \$1,500,000 in private funds to be raised.  
73.24 This is not a match requirement, but the  
73.25 Minnesota Historical Society shall certify  
73.26 that a good faith effort has been made.

73.27 **(f) Statewide Survey of Historical and**  
73.28 **Archaeological Sites. \$250,000 in 2010 and**  
73.29 **\$250,000 in 2011 are appropriated to the**  
73.30 **Minnesota Historical Society for a contract**  
73.31 **or contracts to be let on a competitive**  
73.32 **basis to conduct a general statewide**  
73.33 **survey of Minnesota's sites of historical,**  
73.34 **archaeological, and cultural significance.**  
73.35 **Results of this survey must be published in**  
74.1 **a searchable form, available to the public on**  
74.2 **a cost-free basis. The Minnesota Historical**  
74.3 **Society, the Office of the State Archaeologist,**  
74.4 **and the Board of Indian Affairs shall each**  
74.5 **appoint a representative to an oversight**  
74.6 **board, to select a contractor and direct**  
74.7 **the conduct of this survey. The oversight**  
74.8 **board shall consult with the Minnesota**  
74.9 **Departments of Transportation and Natural**  
74.10 **Resources. Funds appropriated for this**  
74.11 **purpose do not cancel and may be carried**  
74.12 **over from one year to the next.**

74.13 **(g) Digital Library. \$500,000 in 2010 is**  
74.14 **appropriated for a digital library project**  
74.15 **to preserve, digitize, and share Minnesota**  
74.16 **images, documents, and historic materials.**

74.17 The Minnesota Historical Society shall  
74.18 cooperate with the MINITEX system and  
74.19 shall jointly share this appropriation for these  
74.20 purposes.

74.21 **Subd. 5. Department of Administration** 6,500,000 7,900,000

74.22 (a) Funds in this subdivision are appropriated  
74.23 to the commissioner of the Department  
74.24 of Administration for grants to the named  
74.25 organizations for the purposes specified  
74.26 in this subdivision. Up to one percent of  
74.27 funds may be used by the Department of  
74.28 Administration for grants administration.  
74.29 Grants made to public television or radio  
74.30 organizations are subject to Minnesota  
74.31 Statutes, sections 129D.18 and 129D.19.

74.32 (b) Grant agreements entered into by  
74.33 the commissioner and recipients of  
74.34 appropriations in this subdivision must  
74.35 ensure that money appropriated in this  
75.1 subdivision is used to supplement and  
75.2 not substitute for traditional sources of  
75.3 funding. No more than 2.5 percent of any  
75.4 grant may be used by the recipient for  
75.5 administration. A cultural grants advisory  
75.6 board may be established by the Department  
75.7 of Administration to provide advice and  
75.8 assistance in the making of grants under this  
75.9 subdivision. The board, if appointed, shall  
75.10 consist of seven members, to be appointed  
75.11 by the commissioner. One member shall  
75.12 represent public radio and television, one  
75.13 shall represent Minnesota zoos, one shall  
75.14 represent the Minnesota Center for the  
75.15 Humanities, and the remaining four shall be  
75.16 appointed by the commissioner to represent a

75.17 diverse set of cultural interests. All recipients  
75.18 of funds under this subdivision shall report  
75.19 to the legislature by January 15 of each year  
75.20 on uses of those funds.

75.21 **(c) Public Television.** \$2,800,000 the first  
75.22 year and \$3,500,000 the second year are  
75.23 appropriated for a grant to the Minnesota  
75.24 Public Television Association for production  
75.25 and acquisition grants in accordance with  
75.26 new Minnesota Statutes, section 129D.18.

75.27 **(d) Minnesota Public Radio.** \$1,150,000  
75.28 the first year and \$1,500,000 the second year  
75.29 are appropriated for a grant to Minnesota  
75.30 Public Radio to create new programming  
75.31 and events, expand regional news service,  
75.32 amplify Minnesota culture to a regional  
75.33 and national audience, and document  
75.34 Minnesota's history through the Minnesota  
75.35 Audio Archives.

76.1 **(e) Association of Minnesota Public**  
76.2 **Educational Radio Stations.** \$1,150,000  
76.3 the first year and \$1,500,000 the second  
76.4 year are appropriated for a grant to the  
76.5 Association of Minnesota Public Radio  
76.6 Stations for production and acquisition grants  
76.7 in accordance with new Minnesota Statutes,  
76.8 section 129D.19.

76.9 **(f) Zoos.** \$450,000 in 2010 and \$450,000 in  
76.10 2011 are appropriated for the programmatic  
76.11 development of Minnesota's zoos.  
76.12 Three-quarters of this fund in any year  
76.13 shall be reserved in equal portions each for  
76.14 the Minnesota Zoo, the Como Zoo, and  
76.15 the Lake Superior Zoo. The remainder  
76.16 may be apportioned through a competitive

76.17 grants process or may be allocated by the  
76.18 commissioner to zoos that are accredited by  
76.19 the Association of Zoos and Aquariums or  
76.20 that demonstrate to the commissioner a plan  
76.21 for working toward that accreditation during  
76.22 the biennium ending June 30, 2011.

76.23 **(g) Minnesota State Capitol.** The  
76.24 Department of Administration, the Capitol  
76.25 Area Architecture and Planning Board,  
76.26 and the Minnesota Historical Society shall  
76.27 consider and report to the legislature on  
76.28 possible uses of funds created under the  
76.29 Minnesota Constitution, article XI, section  
76.30 15, for the restoration, renovation, and repair  
76.31 of the State Capitol.

76.32 **(h) Minnesota Children's Museum**  
76.33 \$250,000 in 2010 and \$250,000 in 2011 are  
76.34 appropriated for the Minnesota Children's  
76.35 Museum. These amounts are for arts, arts  
77.1 education, and arts access and to preserve  
77.2 Minnesota's history and cultural heritage.  
77.3 The director shall submit an annual report  
77.4 on the expenditure and use of money  
77.5 appropriated under this paragraph to the  
77.6 legislature as provided in Minnesota Statutes,  
77.7 section 3.195. The first year report must be  
77.8 submitted by March 1, 2010. In subsequent  
77.9 years the report shall be submitted by  
77.10 January 15. Notwithstanding Minnesota  
77.11 Statutes, section 16A.28, the appropriations  
77.12 encumbered on or before June 30, 2011,  
77.13 as grants or contracts in this paragraph are  
77.14 available until June 30, 2013.

77.15 **(i) Duluth Children's Museum**

77.16 \$250,000 in 2010 and \$250,000 in 2011  
77.17 are appropriated for the Duluth Children's  
77.18 Museum. These amounts are for arts, arts  
77.19 education, and arts access and to preserve  
77.20 Minnesota's history and cultural heritage.  
77.21 The director shall submit an annual report  
77.22 on the expenditure and use of money  
77.23 appropriated under this paragraph to the  
77.24 legislature as provided in Minnesota Statutes,  
77.25 section 3.195. The first year report must be  
77.26 submitted by March 1, 2010. In subsequent  
77.27 years the report shall be submitted by  
77.28 January 15. Notwithstanding Minnesota  
77.29 Statutes, section 16A.28, the appropriations  
77.30 encumbered on or before June 30, 2011,  
77.31 as grants or contracts in this paragraph are  
77.32 available until June 30, 2013.

77.33 **(j) Science Museum of Minnesota**

77.34 \$450,000 in 2010 and \$450,000 in 2011  
77.35 are appropriated for the Science Museum  
78.1 of Minnesota. These amounts are for  
78.2 arts, arts education, and arts access and to  
78.3 preserve Minnesota's history and cultural  
78.4 heritage. The director shall submit an annual  
78.5 report on the expenditure and use of money  
78.6 appropriated under this paragraph to the  
78.7 legislature as provided in Minnesota Statutes,  
78.8 section 3.195. The first year report must be  
78.9 submitted by March 1, 2010. In subsequent  
78.10 years the report shall be submitted by  
78.11 January 15. Notwithstanding Minnesota  
78.12 Statutes, section 16A.28, the appropriations  
78.13 encumbered on or before June 30, 2011,  
78.14 as grants or contracts in this paragraph are  
78.15 available until June 30, 2013.

78.16 Subd. 6. Minnesota Center for the Humanities 1,050,000 1,050,000

78.17 (a) \$300,000 in 2010 and \$300,000 in 2011

78.18 are appropriated to the Minnesota Center

78.19 for the Humanities for its programs and

78.20 purposes.

78.21 The Minnesota Center for the Humanities

78.22 may consider museums and organizations

78.23 celebrating the ethnic identities of

78.24 Minnesotans for grants from these funds.

78.25 The Minnesota Center for the Humanities

78.26 may develop a written plan for the

78.27 competitive issuance of these grants, and,

78.28 if developed, shall submit that plan for

78.29 review and approval by the Department of

78.30 Administration.

78.31 (b) Councils of Color. \$125,000 in 2010

78.32 and \$125,000 in 2011 are for programs

78.33 and cooperation between the Minnesota

78.34 Center for the Humanities and the Council

78.35 on Asian-Pacific Minnesotans. \$125,000 in

79.1 2010 and \$125,000 in 2011 are for programs

79.2 and cooperation between the Minnesota

79.3 Center for the Humanities and the Council

79.4 on Black Minnesotans. \$125,000 in 2010

79.5 and \$125,000 in 2011 are for programs and

79.6 cooperation between the Minnesota Center

79.7 for the Humanities and the Indian Affairs

79.8 Council. \$125,000 in 2010 and \$125,000

79.9 in 2011 are for programs and cooperation

79.10 between the Minnesota Center for the

79.11 Humanities and the Council on Affairs of

79.12 Chicano/Latino people. These programs

79.13 are for community events and programs to

79.14 celebrate and preserve the artistic, historical,

79.15 and cultural heritage of these peoples.

79.16 (c) Civics Education. \$250,000 in 2010  
79.17 and \$250,000 in 2011 are appropriated to  
79.18 the Minnesota Center for the Humanities for  
79.19 grants to Kids Voting Minnesota, Learning  
79.20 Law and Democracy Foundation, and  
79.21 YMCA Youth in Government to conduct  
79.22 civics education programs for the civic and  
79.23 cultural development of Minnesota youth.

79.24 **Subd. 7. Legislature** 20,000

79.25 This appropriation is for the Legislative  
79.26 Coordinating Commission to operate a Web  
79.27 site for dedicated funds.

79.28 **Subd. 8. Perpich Center For Arts Education** 300,000 700,000

79.29 (a) These amounts are for arts, arts education,  
79.30 and arts access and to preserve Minnesota's  
79.31 history and cultural heritage.

79.32 (b) The director shall submit an annual  
79.33 report on the expenditure and use of money  
79.34 appropriated under this section to the  
79.35 legislature as provided in Minnesota Statutes,  
80.1 section 3.195. The first year report must be  
80.2 submitted by March 1, 2010. In subsequent  
80.3 years the report shall be submitted by January  
80.4 15.

80.5 (c) Notwithstanding Minnesota Statutes,  
80.6 section 16A.28, the appropriations  
80.7 encumbered on or before June 30, 2011,  
80.8 as grants or contracts in this section are  
80.9 available until June 30, 2013.

80.10 **Sec. 3. INDIAN LANGUAGE PRESERVATION.**

80.11 (a) \$150,000 is appropriated in fiscal year 2010 from the arts and cultural heritage  
80.12 fund to the Indian Affairs Council for the working group on Dakota and Ojibwe Language  
80.13 Revitalization and Preservation created under article 4, section 5. Any balance in fiscal  
80.14 year 2010 is available in fiscal year 2011.

80.15 (b) \$550,000 in 2010 and \$700,000 in 2011 are appropriated to the Indian Affairs  
80.16 Council to issue grants for programs to preserve Dakota and Ojibwe Indian languages and  
80.17 to foster educational programs in Dakota and Ojibwe languages.

80.18 Sec. 4. **APPROPRIATIONS.**

80.19 Subdivision 1. **Director.** The sums indicated in this section are appropriated from the  
80.20 arts and cultural heritage fund to the Indian Affairs Council for the fiscal years designated.

80.21 Subd. 2. **Dakota and Ojibwe immersion programs.** For a grant to the Niigaane  
80.22 Ojibwe Immersion School and the Wicoie Nandagikendan Urban Immersion Project:

80.23 \$ 250,000 ..... 2010

80.24 \$ 250,000 ..... 2011

80.25 Of this amount, \$125,000 each year is available for Niigaane Ojibwe Immersion School  
80.26 and \$125,000 each year is available for Wicoie Nandagikendan Urban Immersion Project  
80.27 to:

80.28 (1) develop and expand K-12 curriculum;

80.29 (2) provide fluent speakers in the classroom;

80.30 (3) develop appropriate testing and evaluation procedures; and

80.31 (4) develop community-based training and engagement.

81.1 Sec. 5. Minnesota Statutes 2008, section 129D.17, is amended to read:

81.2 **129D.17 ARTS AND CULTURAL HERITAGE FUND.**

81.3 Subdivision 1. **Establishment.** The arts and cultural heritage fund is established in  
81.4 the Minnesota Constitution, article XI, section 15. All money earned by the fund must  
81.5 be credited to the fund.

81.6 Subd. 2. **Expenditures; accountability.** (a) Funding from the arts and cultural  
81.7 heritage fund may be spent only for arts, arts education, and arts access, and to preserve  
81.8 Minnesota's history and cultural heritage. A project or program receiving funding from  
81.9 the arts and cultural heritage fund must include measurable outcomes, and a plan for  
81.10 measuring and evaluating the results. A project or program must be consistent with  
81.11 current scholarship, or best practices, when appropriate and incorporate state-of-the-art  
81.12 technology when appropriate.

81.13 (b) Funding from the arts and cultural heritage fund may be granted for an entire  
81.14 project or for part of a project so long as the recipient provides a description and cost for  
81.15 the entire project and can demonstrate that it has adequate resources to ensure that the  
81.16 entire project will be completed.

81.17 (c) Money from the arts and cultural heritage fund shall be expended for benefits  
81.18 across all regions and residents of the state.

81.19 (d) All information for funded projects, including the proposed measurable  
81.20 outcomes, must be made available on the Legislative Coordinating Commission Web  
81.21 site, as soon as practicable. Information on the measured outcomes and evaluation must  
81.22 be posted as soon as it becomes available.

81.23 (e) Grants funded by the arts and cultural heritage fund must be implemented  
81.24 according to section 16B.98 and must account for all expenditures of funds. Priority for  
81.25 grant proposals must be given to proposals involving grants that will be competitively  
81.26 awarded.

81.27 (f) A recipient of money from the arts and cultural heritage fund must display a sign  
81.28 on capital projects during construction and an acknowledgment in a printed program or  
81.29 other material funded with money from the arts and cultural heritage fund that identifies it  
81.30 as a project funded with money from the vote of the people of Minnesota on November  
81.31 4, 2008.

81.32 (g) All money from the arts and cultural heritage fund must be for projects located  
81.33 in Minnesota.

81.34 Subd. 3. **Special review.** For a project receiving an appropriation or appropriations  
81.35 from the arts and cultural heritage fund totaling \$10,000,000 or more in a biennium, the  
82.1 attorney general must review and approve all contracts and real estate transactions and  
82.2 must exercise due diligence in the best interests of the state.

82.3 Sec. 6. **[129D.18] PUBLIC TELEVISION CULTURAL AND HERITAGE**  
82.4 **PRODUCTION AND ACQUISITION GRANTS.**

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

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

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

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

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

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

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

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

82.28 Subd. 4. **Reporting.** A public station receiving funds appropriated under this  
82.29 section must report annually by January 15 to the commissioner and the chairs and ranking  
82.30 minority members of the senate and house of representatives committees and divisions  
82.31 having jurisdiction over arts and cultural heritage policy and finance regarding how the  
82.32 previous year's grant funds were expended. This report must contain specific information  
82.33 for each program produced and broadcast, including the cost of production, the number  
82.34 of stations broadcasting the program, estimated viewership, the number of Web site  
83.1 downloads, and other related measures. If the programs produced include educational  
83.2 material, the public station must report on these efforts.

83.3 Sec. 7. **[129D.19] ASSOCIATION OF MINNESOTA PUBLIC EDUCATIONAL**  
83.4 **RADIO STATIONS CULTURAL AND HERITAGE PRODUCTION AND**  
83.5 **ACQUISITION GRANTS.**

83.6 Subdivision 1. **Applicability.** This section applies only to noncommercial radio  
83.7 stations that are members of the Association of Minnesota Public Educational Radio  
83.8 Stations.

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

83.16 Subd. 3. **Administration.** Money appropriated under this section must be used by  
83.17 the commissioner of administration to make grants based upon the recommendations of  
83.18 the Association of Minnesota Public Educational Radio Stations.

83.19 Subd. 4. **Conditions.** (a) A noncommercial radio station receiving funds  
83.20 appropriated under this section must:

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

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

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

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

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

83.31 Subd. 5. **Reporting.** A noncommercial radio station receiving funds appropriated  
83.32 under this section must report annually by January 15 to the commissioner and the chairs  
83.33 and ranking minority members of the senate and house of representatives committees and  
83.34 divisions having jurisdiction over arts and cultural heritage policy and finance regarding  
83.35 how the previous year's grant funds were expended. This report must contain specific  
84.1 information for each program produced and broadcast, including the cost of production,  
84.2 the number of stations broadcasting the program, estimated number of listeners, and  
84.3 other related measures. If the programs produced include educational material, the  
84.4 noncommercial radio station must report on these efforts.

84.5 **Sec. 8. ARTS AND CULTURAL HERITAGE FRAMEWORK.**

84.6 Programs and organizations funded through the arts and cultural heritage fund shall  
84.7 conduct a collaborative project to develop a ten-year plan and a 25-year framework for  
84.8 the use of the money available in the arts and cultural heritage fund under the Minnesota  
84.9 Constitution, article XI, section 15, and other traditional sources of funding. The  
84.10 collaborative project shall consist of a joint effort between representatives nominated by  
84.11 various listed organizations as follows: an arts education organization serving youth, an  
84.12 arts education organization serving adults, a civics education organization, the Minnesota  
84.13 Historical Society, local and regional historical organizations, Minnesota Board of the  
84.14 Arts, selected Minnesota zoos, children's museums, and libraries, Minnesota public  
84.15 television and radio, the Minnesota Center for the Humanities, and the Science Museum

84.16 of Minnesota. The organizations shall ensure that public hearings are conducted by those  
84.17 creating plans and frameworks under this section. The members shall prepare a ten-year  
84.18 plan and a 25-year framework for use of the funding that includes goals and measurable  
84.19 outcomes and includes a vision for Minnesotans of what arts, history, and cultural heritage  
84.20 will look like in 25 years. The Minnesota Historical Society, the Minnesota Board of  
84.21 the Arts, and the Minnesota Center for the Humanities shall report to the legislature by  
84.22 January 15, 2010, on the results of the collaborative project.

84.23       Sec. 9. **VOLUNTEER WORKING GROUP ON DAKOTA AND OJIBWE**  
84.24 **LANGUAGE REVITALIZATION AND PRESERVATION.**

84.25       Subdivision 1. **Establishment.** A volunteer working group is established to develop  
84.26 a unified strategy to revitalize and preserve indigenous languages of the 11 federally  
84.27 recognized American Indian tribes in Minnesota. As the federal government recognized  
84.28 through passage of the Esther Martinez Native American Languages Preservation Act  
84.29 of 2006, the revitalization and preservation of American Indian languages is of vital  
84.30 importance to preserving the American Indian culture. There have been recent efforts in  
84.31 Minnesota to develop programs to teach the Dakota and Ojibwe languages to students  
84.32 and to create fluent speakers at both the kindergarten through grade 12 level and at the  
84.33 postsecondary level. The volunteer working group shall, among other duties, inventory  
85.1 these efforts and make recommendations regarding how to further revitalize and preserve  
85.2 Dakota and Ojibwe languages.

85.3       Subd. 2. **Membership.** The executive director of the Minnesota Indian Affairs  
85.4 Council shall invite each of the 11 federally recognized tribes under Minnesota Statutes,  
85.5 section 3.922, subdivision 1, clause (1), to participate by appointing one member of each  
85.6 tribe to the working group. Three additional members shall be appointed by the Indian  
85.7 Affairs Council. Two of these members must represent the American Indian population  
85.8 in the Minneapolis-St. Paul area and one member must represent the American Indian  
85.9 population in Duluth. Other working group members may include, at their discretion, the  
85.10 commissioner of education or the commissioner's appointee, the director of the Office of  
85.11 Higher Education or the director's appointee, one member of the Board of Teaching, and  
85.12 the director of the Minnesota Historical Society or the director's appointee. The working  
85.13 group may add other members as deemed appropriate by a majority vote of the existing  
85.14 members. The executive director of the Indian Affairs Council must convene the first  
85.15 meeting no later than September 1, 2009. At the first meeting, the members shall elect  
85.16 from amongst themselves a chair and vice chair of the working group.

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

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

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

85.27            (3) identifying curriculum needs to train teachers to teach the Dakota and Ojibwe  
85.28 languages in immersion programs and barriers to training teachers to teach the Dakota and  
85.29 Ojibwe language;

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

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

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

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

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

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

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

86.10           Subd. 4. **Expenses.** Members of the group are not eligible for compensation but  
86.11 may receive reimbursement for their expenses as provided in Minnesota Statutes, section  
86.12 15.059, subdivision 3.

86.13           Subd. 5. **Report.** The working group must report its findings and recommendations,  
86.14 including draft legislation, if necessary, to the Indian Affairs Council and the chairs and  
86.15 ranking minority members of the legislative committees and divisions with jurisdiction  
86.16 over early childhood through grade 12 education and higher education by February 15,  
86.17 2011. The committee expires on February 16, 2011.

ARTICLE 5

GOVERNANCE; GENERAL PROVISIONS

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Section 1. [3.3006] APPLICATION.

The definitions of "enhance," "protect," and "restore" in section 84.02 apply to all funds appropriated and purposes authorized under the clean water fund, parks and trails fund, and outdoor heritage fund.

Sec. 2. Minnesota Statutes 2008, section 3.303, is amended by adding a subdivision to read:

Subd. 10. Constitutionally dedicated funding accountability. (a) The Legislative Coordinating Commission shall develop and maintain a user-friendly, public-oriented Web site that informs, educates, and demonstrates to the public how the constitutionally dedicated funds in the arts and cultural heritage fund, outdoor heritage fund, clean water fund, parks and trails fund, and environment and natural resources trust fund are being expended to meet the requirements established for each fund in the state constitution. Information provided on the Web site must include, but is not limited to:

(1) information on all project proposals received by the Outdoor Heritage Council and the Legislative-Citizen Commission on Minnesota Resources;

(2) information on all projects receiving funding, including proposed measurable outcomes and the plan for measuring and evaluating the results;

(3) measured outcomes and evaluation of projects as required under sections 85.53, subdivision 2; 97A.056, subdivision 9; 114D.50, subdivision 2; and 129D.17, subdivision 2;

(4) education about the areas and issues the projects address, including, when feasible, maps of where projects have been undertaken;

(5) all frameworks developed for future uses of each fund; and

(6) methods by which members of the public may apply for project funds under any of the constitutionally dedicated funds.

(b) All information for proposed and funded projects, including the proposed measurable outcomes, must be made available on the Web site as soon as practicable. Information on the measured outcomes and evaluation must be posted as soon as it becomes available. The costs of these activities shall be paid out of the arts and cultural heritage fund, outdoor heritage fund, clean water fund, parks and trails fund, and the environment and natural resources trust fund proportionately. For purposes of this section, "measurable outcomes" means outcomes, indicators, or other performance measures that

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87.18 may be quantified or otherwise measured in order to measure the effectiveness of a project  
87.19 or program in meeting its intended goal or purpose.

87.20 (c) The Legislative Coordinating Commission shall be responsible for receiving all  
87.21 ten-year plans and 25-year frameworks for each of the constitutionally dedicated funds. To  
87.22 the extent practicable, staff for the commission shall provide assistance and oversight to  
87.23 these planning efforts and shall coordinate public access to hearings and public meetings  
87.24 for all planning efforts.

87.25 Sec. 3. Minnesota Statutes 2008, section 84.02, is amended by adding a subdivision to  
87.26 read:

87.27 Subd. 4a. **Enhance.** "Enhance" means to improve in value, quality, and desirability  
87.28 in order to increase the ecological value of the land or water.

87.29 Sec. 4. Minnesota Statutes 2008, section 84.02, is amended by adding a subdivision to  
87.30 read:

87.31 Subd. 6a. **Protect.** "Protect" means protect or preserve ecological systems to  
87.32 maintain active and healthy ecosystems and prevent future degradation including, but not  
87.33 limited to, purchase in fee or easement.

88.1 Sec. 5. Minnesota Statutes 2008, section 84.02, is amended by adding a subdivision to  
88.2 read:

88.3 Subd. 6b. **Restore.** "Restore" means renewing degraded, damaged, or destroyed  
88.4 ecosystems through active human intervention to achieve high-quality ecosystems.

88.5 Sec. 6. Minnesota Statutes 2008, section 85.53, is amended to read:

88.6 **85.53 PARKS AND TRAILS FUND.**

88.7 Subdivision 1. **Establishment.** The parks and trails fund is established in the  
88.8 Minnesota Constitution, article XI, section 15. All money earned by the parks and trails  
88.9 fund must be credited to the fund.

88.10 Subd. 2. **Expenditures; accountability.** (a) A project or program receiving funding  
88.11 from the parks and trails fund must meet or exceed the constitutional requirement to  
88.12 support parks and trails of regional or statewide significance. A project or program  
88.13 receiving funding from the parks and trails fund must include measurable outcomes, as  
88.14 defined in section 3.303, subdivision 10, and a plan for measuring and evaluating the  
88.15 results. A project or program must be consistent with current science and incorporate

88.16 state-of-the-art technology, except when the project or program is a portrayal or restoration  
88.17 of historical significance.

88.18 (b) Money from the parks and trails fund shall be expended to balance the benefits  
88.19 across all regions and residents of the state.

88.20 (c) All information for funded projects, including the proposed measurable  
88.21 outcomes, must be made available on the Web site required under section 3.303,  
88.22 subdivision 10, as soon as practicable. Information on the measured outcomes and  
88.23 evaluation must be posted as soon as it becomes available.

88.24 (d) Grants funded by the parks and trails fund must be implemented according to  
88.25 section 16B.98 and must account for all expenditures. Proposals must specify a process  
88.26 for any regrating envisioned. Priority for grant proposals must be given to proposals  
88.27 involving grants that will be competitively awarded.

88.28 (e) A recipient of money from the parks and trails fund must display a sign on lands  
88.29 and capital improvements purchased, restored, or protected with money from the parks  
88.30 and trails fund that includes the logo developed by the commissioner of natural resources  
88.31 to identify it as a project funded with money from the vote of the people of Minnesota on  
88.32 November 4, 2008.

88.33 (f) Money from the parks and trails fund may only be spent on projects located  
88.34 in Minnesota.

89.1 Subd. 3. **Metropolitan area distribution formula.** Money appropriated from the  
89.2 parks and trails fund to the Metropolitan Council shall be distributed to implementing  
89.3 agencies, as defined in section 473.351, subdivision 1, paragraph (a), as grants according  
89.4 to the following formula:

89.5 (1) 45 percent of the money must be disbursed according to the allocation formula in  
89.6 section 473.351, subdivision 3, to each implementing agency;

89.7 (2) 31.5 percent of the money must be distributed based on each implementing  
89.8 agency's relative share of the most recent estimate of the population of the metropolitan  
89.9 area;

89.10 (3) 13.5 percent of the money must be distributed based on each implementing  
89.11 agency's relative share of nonlocal visits based on the most recent user visitation survey  
89.12 conducted by the Metropolitan Council; and

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

89.18            Subd. 4. **Data availability.** Data collected by the projects funded with money from  
89.19 the parks and trails fund that have value for planning and management of natural resources,  
89.20 emergency preparedness, and infrastructure investments must conform to the enterprise  
89.21 information architecture developed by the Office of Enterprise Technology. Spatial data  
89.22 must conform to geographic information system guidelines and standards outlined in that  
89.23 architecture and adopted by the Minnesota Geographic Data Clearinghouse at the Land  
89.24 Management Information Center. A description of these data that adheres to the Office  
89.25 of Enterprise Technology geographic metadata standards must be submitted to the Land  
89.26 Management Information Center to be made available online through the clearinghouse  
89.27 and the data must be accessible and free to the public unless made private under chapter  
89.28 13. To the extent practicable, summary data and results of projects and programs funded  
89.29 with money from the parks and trails fund should be readily accessible on the Internet and  
89.30 identified as a parks and trails fund project.

89.31            Sec. 7. Minnesota Statutes 2008, section 114D.50, is amended to read:

89.32            **114D.50 CLEAN WATER FUND.**

89.33            Subdivision 1. **Establishment.** The clean water fund is established in the Minnesota  
89.34 Constitution, article XI, section 15. All money earned by the fund must be credited to  
89.35 the fund.

90.1            Subd. 2. **Sustainable drinking water account.** The sustainable drinking water  
90.2 account is established as an account in the clean water fund.

90.3            Subd. 3. **Purpose.** (a) The clean water fund may be spent only to protect, enhance,  
90.4 and restore water quality in lakes, rivers, and streams, to protect groundwater from  
90.5 degradation, and to protect drinking water sources by:

90.6            (1) providing grants, loans, and technical assistance to public agencies and others  
90.7 testing waters, identifying impaired waters, developing total maximum daily loads,  
90.8 implementing restoration plans for impaired waters, and evaluating the effectiveness  
90.9 of restoration;

90.10           (2) supporting measures to prevent surface waters from becoming impaired and to  
90.11 improve the quality of waters that are listed as impaired, but do not have an approved total  
90.12 maximum daily load addressing the impairment;

90.13           (3) providing grants and loans for wastewater and storm water treatment projects  
90.14 through the Public Facilities Authority;

90.15           (4) supporting measures to prevent the degradation of groundwater in accordance  
90.16 with the groundwater degradation prevention goal under section 103H.001; and

90.17 (5) providing funds to state agencies to carry out their responsibilities, including  
90.18 enhanced compliance and enforcement.

90.19 (b) Funds from the clean water fund must supplement traditional sources of funding  
90.20 for these purposes and may not be used as a substitute.

90.21 Subd. 4. **Expenditures; accountability.** (a) A project receiving funding from the  
90.22 clean water fund must meet or exceed the constitutional requirements to protect, enhance,  
90.23 and restore water quality in lakes, rivers, and streams and to protect groundwater and  
90.24 drinking water from degradation. Priority may be given to projects that meet more than  
90.25 one of these requirements. A project receiving funding from the clean water fund shall  
90.26 include measurable outcomes, as defined in section 3.303, subdivision 10, and a plan for  
90.27 measuring and evaluating the results. A project must be consistent with current science  
90.28 and incorporate state-of-the-art technology.

90.29 (b) Money from the clean water fund shall be expended to balance the benefits  
90.30 across all regions and residents of the state.

90.31 (c) All information for proposed and funded projects, including the proposed  
90.32 measurable outcomes, must be made available on the Web site required under section  
90.33 3.303, subdivision 10, as soon as practicable. Information on the measured outcomes and  
90.34 evaluation must be posted as it becomes available. Information classified as not public  
90.35 under section 13D.05, subdivision 3, paragraph (d), is not required to be placed on the  
90.36 Web site.

91.1 (d) Grants funded by the clean water fund must be implemented according to section  
91.2 16B.98 and must account for all expenditures. Proposals must specify a process for any  
91.3 regranting envisioned. Priority for grant proposals must be given to proposals involving  
91.4 grants that will be competitively awarded.

91.5 (e) Money from the clean water fund may only be spent on projects that benefit  
91.6 Minnesota waters.

91.7 Subd. 5. **Data availability.** Data collected by the projects funded with money from  
91.8 the clean water fund that have value for planning and management of natural resources,  
91.9 emergency preparedness, and infrastructure investments must conform to the enterprise  
91.10 information architecture developed by the Office of Enterprise Technology. Spatial data  
91.11 must conform to geographic information system guidelines and standards outlined in that  
91.12 architecture and adopted by the Minnesota Geographic Data Clearinghouse at the Land  
91.13 Management Information Center. A description of these data that adheres to the Office  
91.14 of Enterprise Technology geographic metadata standards must be submitted to the Land  
91.15 Management Information Center to be made available online through the clearinghouse  
91.16 and the data must be accessible and free to the public unless made private under chapter

91.17 13. To the extent practicable, summary data and results of projects funded with money  
91.18 from the clean water fund should be readily accessible on the Internet and identified as a  
91.19 clean water fund project.

91.20 Sec. 8. **LEGISLATIVE GUIDE.**

91.21 A legislative guide shall be recommended stating principles for the use and expected  
91.22 outcomes of all funds from dedicated sales taxes pursuant to the Minnesota Constitution,  
91.23 article XI, section 15. The guide shall include principles for managing future state  
91.24 obligations, including payment in lieu of taxes and land management and monitoring  
91.25 necessary for lands acquired in fee or easement. This guide shall be recommended jointly  
91.26 by the Cultural and Outdoor Resources Division of the house of representatives, the  
91.27 appropriate senate committees as designated by the majority leader of the senate, and  
91.28 the Lessard Outdoor Heritage Council. The recommendations must be presented to the  
91.29 legislature by January 15, 2010, and acted on by the legislature.

91.30 The legislative guide required by this section shall be for the years 2010 to 2015  
91.31 and shall include the following provisions:

91.32 (1) principles by which to guide future expenditures for each fund;

91.33 (2) desired outcomes for the expenditures;

91.34 (3) a general statement applicable to later years for these funds; and

92.1 (4) consideration of financial methods such as revolving loan funds that may be used  
92.2 in future appropriations.

92.3 Sec. 9. **25-YEAR STRATEGIC PLAN.**

92.4 By January 15, 2011, the legislative committees, divisions, or councils responsible  
92.5 for recommending expenditures to the full legislature from the outdoor heritage fund, the  
92.6 clean water fund, the parks and trails fund, and the arts and cultural heritage fund must  
92.7 develop, with broad public input, and adopt a 25-year strategic plan for the expenditures  
92.8 that will be recommended from the funds. The plan must include applicable outcomes  
92.9 for restoring, protecting, and enhancing wetlands, prairies, forests, habitat for fish and  
92.10 game, lakes, rivers, streams, groundwater, arts, arts education, arts access, preservation of  
92.11 Minnesota's history and cultural heritage, and supporting parks and trails. The strategic  
92.12 plan shall be updated on a regular basis, but no longer than every five years. The Web site  
92.13 established under section 2 must include a link to the plans developed under this section.  
92.14 The plan for restoring, protecting, and enhancing wetlands, prairies, forests, habitat for  
92.15 fish and game must be based on ecological sections and subsections established by the  
92.16 Department of Natural Resources and be based on current science and achieve benefits

92.17 across all ecological sections within the state. The plan for restoring, protecting, and  
92.18 enhancing lakes, rivers, streams, and groundwater must be based on watersheds and  
92.19 aquifers, and shall take into account existing plans, be based on current science, and  
92.20 achieve benefits across all ecological sections within the state. Any recommendations for  
92.21 appropriations may be prioritized based on science and urgency.

92.22       Sec. 10. **LOGO.**

92.23       The Minnesota Board of the Arts shall sponsor a contest for selecting the design  
92.24 of a logo to use on signage for projects receiving money from the outdoor heritage  
92.25 fund, clean water fund, parks and trails fund, and the arts and cultural heritage fund. A  
92.26 recipient of funds from the outdoor heritage fund, parks and trails fund, clean water fund,  
92.27 or arts and cultural heritage fund shall display, where practicable, a sign with the logo  
92.28 developed under this section on construction projects and at access points to any land or  
92.29 water resources acquired in fee or an interest in less than fee title, or that were restored,  
92.30 protected, or enhanced, and incorporate the logo, where practicable, into printed and other  
92.31 materials funded with money from one or more of the funds.

APPENDIX  
Article locations in H1231-4

ARTICLE 1	OUTDOOR HERITAGE FUND .....	Page.Ln 1.18
ARTICLE 2	CLEAN WATER FUND .....	Page.Ln 24.29
ARTICLE 3	PARKS AND TRAILS FUND .....	Page.Ln 59.3
ARTICLE 4	ARTS AND CULTURAL HERITAGE FUND .....	Page.Ln 67.15
ARTICLE 5	GOVERNANCE; GENERAL PROVISIONS .....	Page.Ln 86.18

**103B.101 BOARD OF WATER AND SOIL RESOURCES.**

Subd. 11. **Engineering work and appearances at hearings by director.** The director of the Division of Waters of the Department of Natural Resources shall perform engineering work requested by the Board of Water and Soil Resources and shall appear in all hearings and proceedings before the Board of Water and Soil Resources affecting waters within the state.

**103F.511 DEFINITIONS.**

Subd. 4. **Conservation reserve program.** "Conservation reserve program" means the program established under section 103F.515.

**103F.521 COOPERATION AND TECHNICAL ASSISTANCE.**

Subd. 2. **Technical assistance.** (a) The board and the commissioners of agriculture and natural resources must provide necessary technical assistance to landowners enrolled in the conservation reserve program. The commissioner of natural resources must provide technical advice and assistance to the board on:

- (1) the form and content of the conservation easement and agreement;
- (2) forestry and agronomic practices; and
- (3) hydrologic and hydraulic design relating to the establishment and maintenance of permanent cover, or other conservation improvements.

(b) The commissioner of transportation must provide technical advice and assistance to the board and the commissioner of natural resources on the planting of windbreaks adjacent to highways.

(c) The board and the commissioners of agriculture and natural resources shall jointly prepare an informational booklet on the conservation reserve program and other state and federal programs for land acquisition, conservation, and retirement to be made available to eligible landowners and the general public.