

1.1 CONFERENCE COMMITTEE REPORT ON H. F. No. 1010

1.2 A bill for an act
1.3 relating to state government; appropriating money for environment, natural
1.4 resources, commerce, and energy; creating accounts; modifying disposition
1.5 of certain receipts; modifying responsibilities and authorities; creating an
1.6 advisory committee; modifying Petroleum Tank Release Cleanup Act; modifying
1.7 cooperative electric association petition provisions; repealing definitions and
1.8 requirements; requiring rulemaking on wild rice standards; amending Minnesota
1.9 Statutes 2010, sections 85.052, subdivision 4; 89.21; 97A.055, by adding
1.10 a subdivision; 97A.071, subdivision 2; 97A.075; 103G.271, subdivision 6;
1.11 103G.301, subdivision 2; 103G.615, subdivision 2; 115A.1314; 115A.1320,
1.12 subdivision 1; 115C.09, subdivision 3c; 115C.13; 116P.04, by adding a
1.13 subdivision; 116P.05, subdivision 2; 216B.026, subdivision 1; 290.431; 290.432;
1.14 357.021, subdivision 7; proposing coding for new law in Minnesota Statutes,
1.15 chapters 16E; 84; 89; 97A; 103G; repealing Minnesota Statutes 2010, sections
1.16 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8; 84.027, subdivision 11; 116P.09,
1.17 subdivision 4; 116P.14.

1.18 May 16, 2011

1.19 The Honorable Kurt Zellers
1.20 Speaker of the House of Representatives

1.21 The Honorable Michelle L. Fischbach
1.22 President of the Senate

1.23 We, the undersigned conferees for H. F. No. 1010 report that we have agreed upon
1.24 the items in dispute and recommend as follows:

1.25 That the Senate recede from its amendment and that H. F. No. 1010 be further
1.26 amended as follows:

1.27 Delete everything after the enacting clause and insert:

1.28 **"ARTICLE 1**

1.29 **ENVIRONMENT AND NATURAL RESOURCES FINANCE**

1.30 Section 1. **SUMMARY OF APPROPRIATIONS.**

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

3.1	<u>Appropriations by Fund</u>	
3.2	<u>2012</u>	<u>2013</u>
3.3	<u>General</u>	<u>2,836,000</u>
3.4	<u>State Government</u>	
3.5	<u>Special Revenue</u>	<u>75,000</u>
3.6	<u>Environmental</u>	<u>18,691,000</u>

3.7 \$1,171,000 the first year and \$1,171,000
 3.8 the second year are for water program
 3.9 operations.

3.10 \$1,665,000 the first year and \$1,665,000
 3.11 the second year are for grants to delegated
 3.12 counties to administer the county feedlot
 3.13 program under Minnesota Statutes, section
 3.14 116.0711, subdivisions 2 and 3. Money
 3.15 remaining after the first year is available for
 3.16 the second year.

3.17 \$740,000 the first year and \$740,000 the
 3.18 second year are from the environmental
 3.19 fund to address the need for continued
 3.20 increased activity in the areas of new
 3.21 technology review, technical assistance
 3.22 for local governments, and enforcement
 3.23 under Minnesota Statutes, sections 115.55
 3.24 to 115.58, and to complete the requirements
 3.25 of Laws 2003, chapter 128, article 1, section
 3.26 165.

3.27 \$75,000 the first year from the environmental
 3.28 fund is for transfer to the commissioner of
 3.29 administration for the water management
 3.30 evaluation required in article 4. This is a
 3.31 onetime appropriation.

3.32 Notwithstanding Minnesota Statutes, section
 3.33 16A.28, the appropriations encumbered on or
 3.34 before June 30, 2013, as grants or contracts
 3.35 for SSTS's, surface water and groundwater

4.1 assessments, total maximum daily loads,
 4.2 storm water, and local basinwide water
 4.3 quality protection in this subdivision are
 4.4 available until June 30, 2016.

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

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

4.9 \$200,000 the first year and \$200,000 the
 4.10 second year are from the environmental fund
 4.11 for a monitoring program under Minnesota
 4.12 Statutes, section 116.454.

4.13 Up to \$150,000 the first year and \$150,000
 4.14 the second year may be transferred from the
 4.15 environmental fund to the small business
 4.16 environmental improvement loan account
 4.17 established in Minnesota Statutes, section
 4.18 116.993.

4.19 \$125,000 the first year and \$125,000 the
 4.20 second year are from the environmental fund
 4.21 for monitoring ambient air for hazardous
 4.22 pollutants in the metropolitan area.

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

4.24	<u>Appropriations by Fund</u>	
4.25	<u>2012</u>	<u>2013</u>
4.26	<u>Environmental</u>	<u>6,916,000</u> <u>6,916,000</u>
4.27	<u>Remediation</u>	<u>10,496,000</u> <u>10,496,000</u>

4.28 All money for environmental response,
 4.29 compensation, and compliance in the
 4.30 remediation fund not otherwise appropriated
 4.31 is appropriated to the commissioners of the
 4.32 Pollution Control Agency and agriculture
 4.33 for purposes of Minnesota Statutes, section
 4.34 115B.20, subdivision 2, clauses (1), (2),

5.1 (3), (6), and (7). At the beginning of each
 5.2 fiscal year, the two commissioners shall
 5.3 jointly submit an annual spending plan
 5.4 to the commissioner of management and
 5.5 budget that maximizes the utilization of
 5.6 resources and appropriately allocates the
 5.7 money between the two departments. This
 5.8 appropriation is available until June 30, 2013.

5.9 \$3,616,000 the first year and \$3,616,000 the
 5.10 second year are from the petroleum tank fund
 5.11 to be transferred to the remediation fund for
 5.12 purposes of the leaking underground storage
 5.13 tank program to protect the land.

5.14 \$252,000 the first year and \$252,000 the
 5.15 second year are from the remediation fund
 5.16 for transfer to the commissioner of health for
 5.17 private water supply monitoring and health
 5.18 assessment costs in areas contaminated
 5.19 by unpermitted mixed municipal solid
 5.20 waste disposal facilities and drinking water
 5.21 advisories and public information activities
 5.22 for areas contaminated by hazardous releases.

5.23 \$128,000 the first year is from the
 5.24 environmental fund for transfer to the
 5.25 Department of Health to complete
 5.26 the environmental health tracking
 5.27 and biomonitoring analysis related to
 5.28 perfluorochemicals and disseminate the
 5.29 results.

5.30 **Subd. 5. Environmental Assistance and**
 5.31 **Cross-Media** 25,185,000 24,785,000

5.32	<u>Appropriations by Fund</u>	
5.33	<u>2012</u>	<u>2013</u>
5.34	<u>Environmental</u>	<u>25,185,000</u> <u>24,785,000</u>

6.1 \$14,250,000 the first year and \$14,250,000
6.2 the second year are from the environmental
6.3 fund for SCORE block grants to counties.

6.4 \$119,000 the first year and \$119,000 the
6.5 second year are from the environmental
6.6 fund for environmental assistance grants
6.7 or loans under Minnesota Statutes, section
6.8 115A.0716. Any unencumbered grant and
6.9 loan balances in the first year do not cancel
6.10 but are available for grants and loans in the
6.11 second year.

6.12 \$89,000 the first year and \$89,000 the
6.13 second year are from the environmental fund
6.14 for duties related to harmful chemicals in
6.15 products under Minnesota Statutes, section
6.16 116.9401 to 116.9407. Of this amount,
6.17 \$57,000 each year is transferred to the
6.18 commissioner of health.

6.19 \$315,000 the first year and \$315,000 the
6.20 second year are from the environmental fund
6.21 for the electronics waste program under
6.22 Minnesota Statutes, sections 115A.1310 to
6.23 115A.1330.

6.24 \$400,000 the first year is from the
6.25 environmental fund for the costs of
6.26 implementing general operating permits for
6.27 feedlots over 1,000 animal units. This is a
6.28 onetime appropriation.

6.29 All money deposited in the environmental
6.30 fund for the metropolitan solid waste
6.31 landfill fee in accordance with Minnesota
6.32 Statutes, section 473.843, and not otherwise
6.33 appropriated, is appropriated for the purposes
6.34 of Minnesota Statutes, section 473.844.

8.1	<u>General</u>	<u>2,461,000</u>	<u>2,461,000</u>
8.2	<u>Natural Resources</u>	<u>3,459,000</u>	<u>3,459,000</u>
8.3	<u>Game and Fish</u>	<u>1,402,000</u>	<u>1,402,000</u>
8.4	<u>Permanent School</u>	<u>200,000</u>	<u>200,000</u>

8.5 \$2,696,000 the first year and \$2,696,000
 8.6 the second year are from the minerals
 8.7 management account in the natural resources
 8.8 fund for use as provided in Minnesota
 8.9 Statutes, section 93.2236, paragraph (c),
 8.10 for mineral resource management, projects
 8.11 to enhance future mineral income, and
 8.12 projects to promote new mineral resource
 8.13 opportunities.

8.14 \$68,000 the first year and \$68,000 the
 8.15 second year are for minerals cooperative
 8.16 environmental research, of which \$34,000
 8.17 the first year and \$40,000 the second year are
 8.18 available only as matched by \$1 of nonstate
 8.19 money for each \$1 of state money. The
 8.20 match may be cash or in-kind.

8.21 \$251,000 the first year and \$251,000 the
 8.22 second year are for iron ore cooperative
 8.23 research. Of this amount, \$200,000 each year
 8.24 is from the minerals management account
 8.25 in the natural resources fund. \$175,000 the
 8.26 first year and \$175,000 the second year are
 8.27 available only as matched by \$1 of nonstate
 8.28 money for each \$1 of state money. The match
 8.29 may be cash or in-kind. Any unencumbered
 8.30 balance from the first year does not cancel
 8.31 and is available in the second year.

8.32 \$630,000 the first year and \$630,000 the
 8.33 second year are from the dedicated receipts
 8.34 account in the natural resources fund to cover

9.1 the costs associated with issuing licenses for
 9.2 land and water crossings and road easements.
 9.3 \$200,000 the first year and \$200,000 the
 9.4 second year are from the state forest suspense
 9.5 account in the permanent school fund to
 9.6 accelerate land exchanges, land sales, and
 9.7 commercial leasing of school trust lands and
 9.8 to identify, evaluate, and lease construction
 9.9 aggregate located on school trust lands. This
 9.10 appropriation is to be used for securing
 9.11 maximum long-term economic return
 9.12 from the school trust lands consistent with
 9.13 fiduciary responsibilities and sound natural
 9.14 resources conservation and management
 9.15 principles.

9.16 The appropriations in Laws 2007, chapter
 9.17 57, article 1, section 4, subdivision 2, as
 9.18 amended by Laws 2009, chapter 37, article
 9.19 1, section 60, for support of the land records
 9.20 management system are available until June
 9.21 30, 2013.

9.22 **Subd. 3. Ecological and Water Resources** 21,550,000 21,550,000

<u>Appropriations by Fund</u>	<u>2012</u>	<u>2013</u>
<u>General</u>	<u>6,571,000</u>	<u>6,571,000</u>
<u>Natural Resources</u>	<u>10,280,000</u>	<u>10,280,000</u>
<u>Game and Fish</u>	<u>4,699,000</u>	<u>4,699,000</u>

9.28 \$2,742,000 the first year and \$2,742,000 the
 9.29 second year are from the invasive species
 9.30 account in the natural resources fund and
 9.31 \$1,674,000 the first year and \$1,674,000 the
 9.32 second year are from the general fund for
 9.33 management, public awareness, assessment
 9.34 and monitoring research, law enforcement,
 9.35 and water access inspection to prevent the

10.1 spread of invasive species; management
10.2 of invasive plants in public waters; and
10.3 management of terrestrial invasive species
10.4 on state-administered lands.

10.5 \$5,000,000 the first year, and \$5,000,000 the
10.6 second year are from the water management
10.7 account in the natural resources fund for only
10.8 the purposes specified in Minnesota Statutes,
10.9 section 103G.27, subdivision 2.

10.10 \$264,000 the first year and \$264,000 the
10.11 second year are for grants for up to 50
10.12 percent of the cost of implementation of
10.13 the Red River mediation agreement. The
10.14 commissioner shall submit a report to the
10.15 chairs of the legislative committees having
10.16 primary jurisdiction over environment and
10.17 natural resources policy and finance on the
10.18 accomplishments achieved with the grants
10.19 by January 15, 2014.

10.20 \$1,636,000 the first year and \$1,636,000
10.21 the second year are from the heritage
10.22 enhancement account in the game and
10.23 fish fund for only the purposes specified
10.24 in Minnesota Statutes, section 297A.94,
10.25 paragraph (e), clause (1).

10.26 \$1,223,000 the first year and \$1,223,000 the
10.27 second year are from the nongame wildlife
10.28 management account in the natural resources
10.29 fund for the purpose of nongame wildlife
10.30 management. Notwithstanding Minnesota
10.31 Statutes, section 290.431, \$100,000 the first
10.32 year and \$100,000 the second year may
10.33 be used for nongame wildlife information,
10.34 education, and promotion.

11.1 \$1,000,000 the first year and \$1,000,000 the
 11.2 second year from the heritage enhancement
 11.3 account in the game and fish fund is for law
 11.4 enforcement and water access inspection
 11.5 to prevent the spread of aquatic invasive
 11.6 species. This is a onetime appropriation.

11.7 **Subd. 4. Forest Management** 31,887,000 31,887,000

11.8	<u>Appropriations by Fund</u>		
11.9		<u>2012</u>	<u>2013</u>
11.10	<u>General</u>	<u>17,880,000</u>	<u>17,880,000</u>
11.11	<u>Natural Resources</u>	<u>13,093,000</u>	<u>13,093,000</u>
11.12	<u>Game and Fish</u>	<u>914,000</u>	<u>914,000</u>

11.13 \$7,145,000 the first year and \$7,145,000
 11.14 the second year are for prevention,
 11.15 presuppression, and suppression costs of
 11.16 emergency firefighting and other costs
 11.17 incurred under Minnesota Statutes, section
 11.18 88.12. The amount necessary to pay for
 11.19 presuppression and suppression costs during
 11.20 the biennium is appropriated from the general
 11.21 fund.

11.22 By January 15 of each year, the commissioner
 11.23 of natural resources shall submit a report to
 11.24 the chairs and ranking minority members
 11.25 of the house and senate committees
 11.26 and divisions having jurisdiction over
 11.27 environment and natural resources finance,
 11.28 identifying all firefighting costs incurred
 11.29 and reimbursements received in the prior
 11.30 fiscal year. These appropriations may
 11.31 not be transferred. Any reimbursement
 11.32 of firefighting expenditures made to the
 11.33 commissioner from any source other than
 11.34 federal mobilizations shall be deposited into
 11.35 the general fund.

- 12.1 \$13,093,000 the first year and \$13,093,000
 12.2 the second year are from the forest
 12.3 management investment account in the
 12.4 natural resources fund for only the purposes
 12.5 specified in Minnesota Statutes, section
 12.6 89.039, subdivision 2.
- 12.7 \$580,000 the first year and \$580,000 the
 12.8 second year are for the Forest Resources
 12.9 Council for implementation of the
 12.10 Sustainable Forest Resources Act.
- 12.11 \$250,000 in the first year and \$250,000 in the
 12.12 second year are for the FORIST system.
- 12.13 \$650,000 the first year and \$650,000
 12.14 the second year are from the heritage
 12.15 enhancement account in the game and fish
 12.16 fund to maintain and expand the ecological
 12.17 classification system program. This is a
 12.18 onetime appropriation.
- 12.19 After the commissioner approves a
 12.20 sustainable resources management plan,
 12.21 any division of the Department of
 12.22 Natural Resources seeking interaction
 12.23 with the Division of Forestry on projects
 12.24 to implement the plan must reimburse
 12.25 the Division of Forestry for time spent
 12.26 responding to questions, concerns, or
 12.27 challenges to the projects.
- 12.28 **Subd. 5. Parks and Trails Management** 64,295,000 63,965,000
- 12.29 Appropriations by Fund
- | | <u>2012</u> | <u>2013</u> |
|--------------------------------|-------------------|-------------------|
| 12.30 | | |
| 12.31 <u>General</u> | <u>16,626,000</u> | <u>16,621,000</u> |
| 12.32 <u>Natural Resources</u> | <u>45,475,000</u> | <u>45,150,000</u> |
| 12.33 <u>Game and Fish</u> | <u>2,194,000</u> | <u>2,194,000</u> |
- 12.34 \$1,075,000 the first year and \$1,075,000 the
 12.35 second year are from the water recreation

- 13.1 account in the natural resources fund for
13.2 enhancing public water access facilities.
- 13.3 The appropriation in Laws 2003, chapter
13.4 128, article 1, section 5, subdivision 6, from
13.5 the water recreation account in the natural
13.6 resources fund for a cooperative project with
13.7 the United States Army Corps of Engineers
13.8 to develop the Mississippi Whitewater Park
13.9 is available until June 30, 2013. The project
13.10 must be designed to prevent the spread of
13.11 aquatic invasive species.
- 13.12 \$5,731,000 the first year and \$5,731,000 the
13.13 second year are from the natural resources
13.14 fund for state trail, park, and recreation area
13.15 operations. This appropriation is from the
13.16 revenue deposited in the natural resources
13.17 fund under Minnesota Statutes, section
13.18 297A.94, paragraph (e), clause (2).
- 13.19 \$8,424,000 the first year and \$8,424,000
13.20 the second year are from the snowmobile
13.21 trails and enforcement account in the
13.22 natural resources fund for the snowmobile
13.23 grants-in-aid program. Any unencumbered
13.24 balance does not cancel at the end of the first
13.25 year and is available for the second year.
- 13.26 \$1,360,000 the first year and \$1,360,000
13.27 the second year are from the natural
13.28 resources fund for the off-highway vehicle
13.29 grants-in-aid program. Of this amount,
13.30 \$1,110,000 each year is from the all-terrain
13.31 vehicle account; \$150,000 each year is from
13.32 the off-highway motorcycle account; and
13.33 \$100,000 each year is from the off-road
13.34 vehicle account. Any unencumbered balance

14.1 does not cancel at the end of the first year
14.2 and is available for the second year.

14.3 \$805,000 the first year and \$805,000 the
14.4 second year are from the natural resources
14.5 fund for trail grants to local units of
14.6 government on land to be maintained for at
14.7 least 20 years for the purposes of the grants.

14.8 This appropriation is from the revenue
14.9 deposited in the natural resources fund
14.10 under Minnesota Statutes, section 297A.94,
14.11 paragraph (e), clause (4).

14.12 \$200,000 the first year from the off-highway
14.13 vehicle damage account in the natural
14.14 resources fund is for all-terrain vehicle
14.15 grants-in-aid.

14.16 \$100,000 the first year is from the all-terrain
14.17 vehicle account in the natural resources fund
14.18 for a pass-through grant to Lake County for
14.19 completion of the Lake County Regional
14.20 All-Terrain Vehicle Trail. This is a onetime
14.21 appropriation and is available until spent.

14.22 \$400,000 each year is from the all-terrain
14.23 vehicle account in the natural resources
14.24 fund. Of this amount, \$100,000 the first
14.25 year and \$100,000 the second year are for
14.26 the all-terrain vehicle grant-in-aid trails
14.27 program. \$200,000 the first year and
14.28 \$200,000 the second year are for the creation
14.29 and development of all-terrain vehicle
14.30 trails. \$100,000 each year is to provide
14.31 downloadable trail maps on the Internet and
14.32 is a onetime appropriation. By January 1,
14.33 2013, the commissioner shall submit a report
14.34 to the chairs and ranking minority members
14.35 of the legislative committees and divisions

15.1 with jurisdiction over natural resources
 15.2 policy and finance. The report must indicate
 15.3 where and how many miles of new all-terrain
 15.4 vehicle trails were created and designated
 15.5 with appropriations under this paragraph.

15.6 The commissioner shall not close any state
 15.7 park or state recreation area between July 1,
 15.8 2011, and June 30, 2013, that is funded with
 15.9 money appropriated in this article.

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

15.11	<u>Appropriations by Fund</u>	
15.12	<u>2012</u>	<u>2013</u>
15.13	<u>199,000</u>	<u>199,000</u>
15.14	<u>1,899,000</u>	<u>1,899,000</u>
15.15	<u>58,663,000</u>	<u>58,063,000</u>

15.16 \$100,000 the first year and \$100,000 the
 15.17 second year are from the nongame wildlife
 15.18 account in the natural resources fund for gray
 15.19 wolf research.

15.20 \$120,000 the first year and \$120,000 the
 15.21 second year are from the game and fish fund
 15.22 for gray wolf management.

15.23 \$8,167,000 the first year and \$8,167,000
 15.24 the second year are from the heritage
 15.25 enhancement account in the game and
 15.26 fish fund only for activities specified in
 15.27 Minnesota Statutes, section 297A.94,
 15.28 paragraph (e), clause (1). Notwithstanding
 15.29 Minnesota Statutes, section 297A.94, five
 15.30 percent of this appropriation may be used for
 15.31 expanding hunter and angler recruitment and
 15.32 retention.

15.33 Notwithstanding Minnesota Statutes, section
 15.34 84.943, \$13,000 the first year and \$13,000
 15.35 the second year from the critical habitat

16.1 private sector matching account may be used
 16.2 to publicize the critical habitat license plate
 16.3 match program.

16.4 \$199,000 the first year and \$199,000 the
 16.5 second year are for preserving, restoring, and
 16.6 enhancing grassland and wetland complexes
 16.7 on public or private lands.

16.8 \$600,000 the first year is from the game and
 16.9 fish fund for land acquisition.

16.10 Notwithstanding Minnesota Statutes, section
 16.11 16A.28, the appropriations encumbered
 16.12 under contract on or before June 30, 2013, for
 16.13 aquatic restoration grants and wildlife habitat
 16.14 grants are available until June 30, 2014.

16.15 Subd. 7. Enforcement 31,613,000 32,225,000

	<u>Appropriations by Fund</u>	
	<u>2012</u>	<u>2013</u>
16.18 <u>General</u>	<u>2,216,000</u>	<u>2,216,000</u>
16.19 <u>Natural Resources</u>	<u>8,868,000</u>	<u>9,577,000</u>
16.20 <u>Game and Fish</u>	<u>20,429,000</u>	<u>20,332,000</u>
16.21 <u>Remediation</u>	<u>100,000</u>	<u>100,000</u>

16.22 \$1,204,000 the first year and \$1,307,000
 16.23 the second year are from the heritage
 16.24 enhancement account in the game and
 16.25 fish fund for only the purposes specified
 16.26 in Minnesota Statutes, section 297A.94,
 16.27 paragraph (e), clause (1).

16.28 \$240,000 the first year and \$143,000
 16.29 the second year are from the heritage
 16.30 enhancement account in the game and fish
 16.31 fund for a conservation officer academy.

16.32 \$315,000 the first year and \$315,000 the
 16.33 second year are from the snowmobile
 16.34 trails and enforcement account in the

17.1 natural resources fund for grants to local
17.2 law enforcement agencies for snowmobile
17.3 enforcement activities. Any unencumbered
17.4 balance does not cancel at the end of the first
17.5 year and is available for the second year.
17.6 \$250,000 the first year and \$250,000 the
17.7 second year are from the all-terrain vehicle
17.8 account for grants to qualifying organizations
17.9 to assist in safety and environmental
17.10 education and monitoring trails on public
17.11 lands under Minnesota Statutes, section
17.12 84.9011. Grants issued under this paragraph:
17.13 (1) must be issued through a formal
17.14 agreement with the organization; and (2)
17.15 must not be used as a substitute for traditional
17.16 spending by the organization. By December
17.17 15 each year, an organization receiving a
17.18 grant under this paragraph shall report to the
17.19 commissioner with details on expenditures
17.20 and outcomes from the grant. By January
17.21 15, 2013, the commissioner shall report on
17.22 the expenditures and outcomes of the grants
17.23 to the chairs and ranking minority members
17.24 of the legislative committees and divisions
17.25 having jurisdiction over natural resources
17.26 policy and finance. Of this appropriation,
17.27 \$25,000 each year is for administration of
17.28 these grants. Any unencumbered balance
17.29 does not cancel at the end of the first year
17.30 and is available for the second year.
17.31 \$510,000 the first year and \$510,000
17.32 the second year are from the natural
17.33 resources fund for grants to county law
17.34 enforcement agencies for off-highway
17.35 vehicle enforcement and public education
17.36 activities based on off-highway vehicle use

18.1 in the county. Of this amount, \$498,000 each
 18.2 year is from the all-terrain vehicle account;
 18.3 \$11,000 each year is from the off-highway
 18.4 motorcycle account; and \$1,000 each year
 18.5 is from the off-road vehicle account. The
 18.6 county enforcement agencies may use
 18.7 money received under this appropriation
 18.8 to make grants to other local enforcement
 18.9 agencies within the county that have a high
 18.10 concentration of off-highway vehicle use.
 18.11 Of this appropriation, \$25,000 each year
 18.12 is for administration of these grants. Any
 18.13 unencumbered balance does not cancel at the
 18.14 end of the first year and is available for the
 18.15 second year.

18.16 \$1,082,000 the first year and \$1,082,000 the
 18.17 second year are from the water recreation
 18.18 account in the natural resources fund for
 18.19 grants to counties for boat and water safety.
 18.20 Any unencumbered balance does not cancel
 18.21 at the end of the first year and is available for
 18.22 the second year.

18.23 **Subd. 8. Operations Support** 2,303,000 2,303,000

<u>Appropriations by Fund</u>	<u>2012</u>	<u>2013</u>
18.26 <u>General</u>	<u>881,000</u>	<u>881,000</u>
18.27 <u>Natural Resources</u>	<u>481,000</u>	<u>481,000</u>
18.28 <u>Game and Fish</u>	<u>941,000</u>	<u>941,000</u>

18.29 \$320,000 the first year and \$320,000 the
 18.30 second year are from the natural resources
 18.31 fund for grants to be divided equally between
 18.32 the city of St. Paul for the Como Park Zoo
 18.33 and Conservatory and the city of Duluth
 18.34 for the Duluth Zoo. This appropriation
 18.35 is from the revenue deposited to the fund

20.1 \$937,000 the first year and \$937,000 the
20.2 second year are for grants to soil and
20.3 water conservation districts for cost-sharing
20.4 contracts for erosion control, water quality
20.5 management, feedlot water quality projects.

20.6 \$386,000 the first year and \$386,000 the
20.7 second year are for implementation and
20.8 enforcement of the Wetland Conservation
20.9 Act.

20.10 \$166,000 the first year and \$166,000 the
20.11 second year are to provide assistance to local
20.12 drainage management officials and for the
20.13 costs of the Drainage Work Group.

20.14 \$42,000 the first year and \$42,000 the second
20.15 year are for a grant to the Red River Basin
20.16 Commission for water quality and floodplain
20.17 management, including administration of
20.18 programs. If the appropriation in either year
20.19 is insufficient, the appropriation in the other
20.20 year is available for it.

20.21 \$60,000 the first year and \$60,000 the second
20.22 year are for grants to Area II Minnesota River
20.23 Basin Projects for floodplain management.

20.24 \$42,000 each year is to the Minnesota River
20.25 Board for operating expenses to measure and
20.26 report the results of projects in the 12 major
20.27 watersheds within the Minnesota River basin.

20.28 Notwithstanding Minnesota Statutes, section
20.29 103C.501, the board may shift cost-share
20.30 funds in this section and may adjust the
20.31 technical and administrative assistance
20.32 portion of the grant funds to leverage
20.33 federal or other nonstate funds or to address

23.1	<u>Ending June 30</u>	
23.2	<u>2012</u>	<u>2013</u>
23.3	Sec. 3. <u>DEPARTMENT OF COMMERCE</u>	
23.4	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 22,267,000</u>
		<u>\$ 22,275,000</u>
23.5	<u>Appropriations by Fund</u>	
23.6	<u>2012</u>	<u>2013</u>
23.7	<u>General</u>	<u>20,464,000</u>
23.8	<u>Petroleum Cleanup</u>	<u>1,052,000</u>
23.9	<u>Workers'</u>	
23.10	<u>Compensation</u>	<u>751,000</u>
23.11	<u>The amounts that may be spent for each</u>	
23.12	<u>purpose are specified in the following</u>	
23.13	<u>subdivisions.</u>	
23.14	<u>Subd. 2. Financial Institutions</u>	<u>7,124,000</u>
23.15		<u>7,128,000</u>
23.16	<u>\$138,000 the first year and \$142,000</u>	
23.17	<u>the second year are for the regulation of</u>	
23.18	<u>mortgage originators and servicers under</u>	
23.19	<u>Minnesota Statutes, chapters 58 and 58A.</u>	
23.20	<u>\$350,000 each year is for additional financial</u>	
23.21	<u>examination services. The commissioner</u>	
23.22	<u>may issue contracts for these services.</u>	
23.23	<u>Subd. 3. Petroleum Tank Release Cleanup Board</u>	<u>1,052,000</u>
23.24		<u>1,052,000</u>
23.25	<u>This appropriation is from the petroleum</u>	
23.26	<u>tank release cleanup fund.</u>	
23.27	<u>Subd. 4. Administrative Services</u>	<u>3,176,000</u>
23.28		<u>3,176,000</u>
23.29	<u>The commissioner may redirect up</u>	
23.30	<u>to \$1,071,000 in fiscal year 2012 and</u>	
23.31	<u>\$1,071,000 in fiscal year 2013 of the</u>	
23.32	<u>general fund reduction in this subdivision</u>	
23.33	<u>to other subdivisions of this section. The</u>	
23.34	<u>commissioner shall report by February</u>	
	<u>1, 2012, to the chairs of the legislative</u>	
	<u>committees having primary jurisdiction over</u>	

24.1 the Department of Commerce's operating
 24.2 budget regarding any redirection authorized
 24.3 in this subdivision.

24.4 \$375,000 each year is for additional
 24.5 compliance efforts with unclaimed property.

24.6 The commissioner may issue contracts
 24.7 for these services. This additional amount
 24.8 shall be added to the base budget for fiscal
 24.9 years 2014 and 2015 only. The enhanced
 24.10 unclaimed property compliance program
 24.11 shall sunset June 30, 2015.

24.12	<u>Subd. 5. Telecommunications</u>	<u>1,010,000</u>	<u>1,010,000</u>
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24.13	<u>Subd. 6. Market Assurance</u>	<u>6,915,000</u>	<u>6,919,000</u>
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24.14 Appropriations by Fund

		<u>2012</u>	<u>2013</u>
24.15			
24.16	<u>General</u>	<u>6,164,000</u>	<u>6,168,000</u>
24.17	<u>Workers'</u>		
24.18	<u>Compensation</u>	<u>751,000</u>	<u>751,000</u>

24.19	<u>Subd. 7. Office of Energy Security</u>	<u>2,990,000</u>	<u>2,990,000</u>
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24.20	<u>Sec. 4. TELECOMMUNICATIONS ACCESS</u>		
24.21	<u>MINNESOTA</u>	<u>\$ 700,000</u>	<u>\$ 700,000</u>

24.22 (a) The appropriations in this section are from
 24.23 the telecommunications access Minnesota
 24.24 fund.

24.25 (b) \$300,000 the first year and \$300,000
 24.26 the second year are for transfer to the
 24.27 commissioner of human services to
 24.28 supplement the ongoing operational expenses
 24.29 of the Commission of Deaf, DeafBlind,
 24.30 and Hard-of-Hearing Minnesotans. This
 24.31 appropriation is from the telecommunication
 24.32 access Minnesota fund, and is added to the
 24.33 commission's base.

25.1 (c) In addition to the appropriation
25.2 authorized in Minnesota Statutes, section
25.3 237.52, \$400,000 the first year and \$400,000
25.4 the second year are onetime appropriations
25.5 for the following purposes:

25.6 (1) \$230,000 each year is to the Office of
25.7 Enterprise Technology for coordinating
25.8 technology accessibility and usability;

25.9 (2) \$20,000 each year is to the Commission
25.10 of Deaf, DeafBlind, and Hard-of-Hearing
25.11 Minnesotans to provide information on their
25.12 Web site in American Sign Language and to
25.13 provide technical assistance to state agencies;
25.14 and

25.15 (3) \$150,000 each year is to the Legislative
25.16 Coordinating Commission to provide
25.17 captioning of live streaming of legislative
25.18 activity on the commission's Web site and
25.19 for a consolidated access fund for other state
25.20 agencies.

25.21 Sec. 5. **PUBLIC UTILITIES COMMISSION** \$ **6,182,000** \$ **6,182,000**

25.22 Sec. 6. **TRANSFERS**

25.23 (a) By June 30, 2013, the commissioner
25.24 of management and budget shall transfer
25.25 \$6,950,000 from the special revenue fund to
25.26 the general fund. The transfers must be from
25.27 the following appropriation reductions and
25.28 accounts with the special revenue fund:

25.29 (1) \$1,100,000 is from the
25.30 telecommunications access Minnesota
25.31 fund established in Minnesota Statutes,
25.32 section 237.52;

26.1 (2) \$650,000 is from the Department of
26.2 Commerce license technology surcharge
26.3 account established in Minnesota Statutes,
26.4 section 45.24;

26.5 (3) \$1,300,000 is from the energy and
26.6 conservation account established in
26.7 Minnesota Statutes, section 216B.241;

26.8 (4) \$950,000 is from the insurance fraud
26.9 prevention account established in Minnesota
26.10 Statutes, section 45.0135;

26.11 (5) \$1,500,000 is from the automobile theft
26.12 prevention account established in Minnesota
26.13 Statutes, section 168A.40;

26.14 (6) \$450,000 is from the real estate
26.15 education, research and recovery fund
26.16 established in Minnesota Statutes, section
26.17 82.86. Notwithstanding Minnesota
26.18 Statutes, section 82.86, subdivision 4, the
26.19 commissioner shall not, in addition to the
26.20 fee set forth in Minnesota Statutes, section
26.21 82.86, subdivision 3, assess an additional fee
26.22 to restore a balance in the fund; and

26.23 (7) the commissioner of management and
26.24 budget shall transfer \$500,000 the first year
26.25 and \$500,000 the second year to the general
26.26 fund from the telephone assistance program
26.27 established in Minnesota Statutes, section
26.28 237.69.

26.29 **Sec. 7. TRANSFER; ASSIGNED RISK PLAN**

26.30 (a) By June 30, 2012, the commissioner
26.31 of management and budget shall transfer
26.32 \$14,000,000 in assets of the workers'
26.33 compensation assigned risk plan created

27.1 under Minnesota Statutes, section 79.252, to
27.2 the general fund.

27.3 (b) By June 30, 2013, the commissioner
27.4 of management and budget shall transfer
27.5 \$10,500,000 in assets of the workers'
27.6 compensation assigned risk plan created
27.7 under Minnesota Statutes, section 79.252, to
27.8 the general fund.

27.9 Sec. 8. **TRANSFERS IN**

27.10 (a) The remaining balance in the second year
27.11 of the appropriation in Laws 2007, chapter
27.12 57, article 2, section 3, subdivision 6, for
27.13 biogas recovery facilities, estimated to be
27.14 \$420,000, is canceled to the general fund.

27.15 (b) The remaining balance of the
27.16 appropriation in Laws 2007, chapter 57,
27.17 article 2, section 3, subdivision 6, clause
27.18 (7), as amended by Laws 2008, chapter 340,
27.19 section 5, for the Greenhouse Gas Advisory
27.20 Group, estimated to be \$7,000, is canceled to
27.21 the general fund.

27.22 (c) In the first year, the remaining balance of
27.23 the appropriation in Laws 2007, chapter 57,
27.24 article 2, section 3, subdivision 6, clause (5),
27.25 for the hydrogen roadmap project, estimated
27.26 to be \$280,000, is canceled to the general
27.27 fund.

27.28 (d) The remaining balance of the
27.29 appropriation in Laws 2008, chapter 363,
27.30 article 6, section 3, subdivision 4, for
27.31 renewable grants, estimated to be \$368,000,
27.32 is canceled to the general fund.

28.1 (e) The remaining balance of the
28.2 appropriation in Laws 2008, chapter 363,
28.3 article 6, section 3, subdivision 4, for the
28.4 green economy projects, estimated to be
28.5 \$59,000, is canceled to the general fund.

28.6 (f) The remaining balance of the
28.7 appropriation in Laws 2007, chapter 57,
28.8 article 2, section 3, subdivision 6, clause
28.9 (4), for automotive technology projects,
28.10 estimated to be \$22,000, is canceled to the
28.11 general fund.

28.12 (g) The remaining balance of the
28.13 appropriation in Laws 2009, chapter 37,
28.14 article 2, section 13, paragraph (b), clauses
28.15 (1) and (2), for renewable energy and energy
28.16 efficiency projects, estimated to be \$600,000,
28.17 is canceled to the general fund.

28.18 **Sec. 9. COMMUNITY ENERGY ACTIVITIES; ASSESSMENT AND GRANT.**

28.19 The commissioner of commerce shall grant \$500,000 in the fiscal year ending June
28.20 30, 2012, from assessments made under Minnesota Statutes, section 216B.241, subdivision
28.21 1e, for the purpose of community energy technical assistance and outreach on renewable
28.22 energy and energy efficiency as described in Minnesota Statutes, section 216C.385.

28.23 **ARTICLE 3**

28.24 **ENVIRONMENT AND NATURAL RESOURCE TRUST**
28.25 **FUND APPROPRIATIONS**

28.26 **Section 1. MINNESOTA RESOURCES APPROPRIATIONS.**

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

29.1	<u>APPROPRIATIONS</u>		
29.2	<u>Available for the Year</u>		
29.3	<u>Ending June 30</u>		
29.4	<u>2012</u>		<u>2013</u>
29.5	Sec. 2. <u>MINNESOTA RESOURCES</u>		
29.6	<u>Subdivision 1. Total Appropriation</u>	\$	<u>26,078,000</u> \$ <u>25,078,000</u>
29.7	<u>Appropriations by Fund</u>		
29.8		<u>2012</u>	<u>2013</u>
29.9	<u>Environment and</u>		
29.10	<u>natural resources</u>		
29.11	<u>trust fund</u>	<u>25,328,000</u>	<u>25,078,000</u>
29.12	<u>State land and</u>		
29.13	<u>water conservation</u>		
29.14	<u>account (LAWCON)</u>	<u>750,000</u>	<u>-0-</u>
29.15	<u>Appropriations are available for two</u>		
29.16	<u>years beginning July 1, 2011, unless</u>		
29.17	<u>otherwise stated in the appropriation. Any</u>		
29.18	<u>unencumbered balance remaining in the first</u>		
29.19	<u>year does not cancel and is available for the</u>		
29.20	<u>second year.</u>		
29.21	<u>Subd. 2. Definitions</u>		
29.22	<u>(a) "Trust fund" means the Minnesota</u>		
29.23	<u>environment and natural resources trust fund</u>		
29.24	<u>referred to in Minnesota Statutes, section</u>		
29.25	<u>116P.02, subdivision 6.</u>		
29.26	<u>(b) "State land and water conservation</u>		
29.27	<u>account (LAWCON)" means the state land</u>		
29.28	<u>and water conservation account in the natural</u>		
29.29	<u>resources fund referred to in Minnesota</u>		
29.30	<u>Statutes, section 116P.14.</u>		
29.31	<u>Subd. 3. Natural Resource Data and</u>		
29.32	<u>Information</u>	<u>3,887,000</u>	<u>5,388,000</u>
29.33	<u>(a) Minnesota County Biological Survey</u>		
29.34	<u>\$1,125,000 the first year and \$1,125,000</u>		
29.35	<u>the second year are from the trust fund</u>		
29.36	<u>to the commissioner of natural resources</u>		

30.1 for continuation of the Minnesota county
30.2 biological survey to provide a foundation
30.3 for conserving biological diversity by
30.4 systematically collecting, interpreting,
30.5 and delivering data on plant and animal
30.6 distribution and ecology, native plant
30.7 communities, and functional landscapes.

30.8 **(b) County Geologic Atlases for**

30.9 **Sustainable Water Management**

30.10 \$900,000 the first year and \$900,000 the
30.11 second year are from the trust fund to
30.12 accelerate the production of county geologic
30.13 atlases to provide information essential to
30.14 sustainable management of ground water
30.15 resources by defining aquifer boundaries
30.16 and the connection of aquifers to the land
30.17 surface and surface water resources. Of
30.18 this appropriation, \$600,000 each year is
30.19 to the Board of Regents of the University
30.20 of Minnesota for the Geologic Survey and
30.21 \$300,000 each year is to the commissioner
30.22 of natural resources. This appropriation
30.23 is available until June 30, 2015, by which
30.24 time the project must be completed and final
30.25 products delivered.

30.26 **(c) Completion of Statewide Digital Soil**

30.27 **Survey**

30.28 \$250,000 the first year and \$250,000 the
30.29 second year are from the trust fund to
30.30 the Board of Water and Soil Resources
30.31 to accelerate the completion of county
30.32 soil survey mapping and Web-based data
30.33 delivery. The soil surveys must be done on a
30.34 cost-share basis with local and federal funds.

31.1 **(d) Updating National Wetlands Inventory**
31.2 **for Minnesota - Phase III**

31.3 \$1,500,000 the second year is from the trust
31.4 fund to the commissioner of natural resources
31.5 to continue the update of wetland inventory
31.6 maps for Minnesota. This appropriation
31.7 is available until June 30, 2015, by which
31.8 time the project must be completed and final
31.9 products delivered.

31.10 **(e) Golden Eagle Survey**

31.11 \$30,000 the first year and \$30,000 the
31.12 second year are from the trust fund to the
31.13 commissioner of natural resources for an
31.14 agreement with the National Eagle Center to
31.15 increase the understanding of golden eagles
31.16 in Minnesota through surveys and education.
31.17 This appropriation is available until June
31.18 30, 2014, by which time the project must be
31.19 completed and final products delivered.

31.20 **(f) Determining Causes of Mortality in**
31.21 **Moose Populations**

31.22 \$300,000 the first year and \$300,000 the
31.23 second year are from the trust fund to
31.24 the commissioner of natural resources to
31.25 determine specific causes of moose mortality
31.26 and population decline in Minnesota and
31.27 to develop specific management actions to
31.28 prevent further population decline. This
31.29 appropriation is available until June 30,
31.30 2014, by which time the project must be
31.31 completed and final products delivered.

31.32 **(g) Prairie Management for Wildlife and**
31.33 **Bioenergy - Phase II**

32.1 \$300,000 the first year and \$300,000 the
32.2 second year are from the trust fund to the
32.3 Board of Regents of the University of
32.4 Minnesota to research and evaluate methods
32.5 of managing diverse working prairies for
32.6 wildlife and renewable bioenergy production.
32.7 This appropriation is available until June
32.8 30, 2014, by which time the project must be
32.9 completed and final products delivered.

32.10 **(h) Evaluation of Biomass Harvesting**

32.11 **Impacts on Minnesota's Forests**

32.12 \$175,000 the first year and \$175,000 the
32.13 second year are from the trust fund to the
32.14 Board of Regents of the University of
32.15 Minnesota to assess the impacts biomass
32.16 harvests for energy have on soil nutrients,
32.17 native forest vegetation, invasive species
32.18 spread, and long-term tree productivity within
32.19 Minnesota's forests. This appropriation is
32.20 available until June 30, 2014, by which time
32.21 the project must be completed and final
32.22 products delivered.

32.23 **(i) Change and Resilience in Boreal Forests**

32.24 **in Northern Minnesota**

32.25 \$75,000 the first year and \$75,000 the second
32.26 year are from the trust fund to the Board
32.27 of Regents of the University of Minnesota
32.28 to assess the potential response of northern
32.29 Minnesota's boreal forests to observed and
32.30 predicted changes in climate conditions and
32.31 develop related management guidelines and
32.32 adaptation strategies. This appropriation
32.33 is available until June 30, 2014, by which
32.34 time the project must be completed and final
32.35 products delivered.

33.1 **(j) Information System for Wildlife and**
33.2 **Aquatic Management Areas**
33.3 \$250,000 the first year and \$250,000 the
33.4 second year are from the trust fund to the
33.5 commissioner of natural resources to develop
33.6 an information system to facilitate improved
33.7 management of wildlife and fish habitat and
33.8 facilities. This appropriation is available
33.9 until June 30, 2014, by which time the
33.10 project must be completed and final products
33.11 delivered.

33.12 **(k) Strengthening Natural Resource**
33.13 **Management with LiDAR Training**
33.14 \$90,000 the first year and \$90,000 the second
33.15 year are from the trust fund to the Board of
33.16 Regents of the University of Minnesota to
33.17 provide workshops and Web-based training
33.18 and information on the use of LiDAR
33.19 elevation data in planning for and managing
33.20 natural resources.

33.21 **(l) Measuring Conservation Practice**
33.22 **Outcomes**
33.23 \$170,000 the first year and \$170,000 the
33.24 second year are from the trust fund to
33.25 the Board of Water and Soil Resources
33.26 to improve measurement of impacts of
33.27 conservation practices through refinement
33.28 of existing and development of new
33.29 pollution estimators and by providing local
33.30 government training.

33.31 **(m) Conservation-Based Approach for**
33.32 **Assessing Public Drainage Benefits**
33.33 \$75,000 the first year and \$75,000 the second
33.34 year are from the trust fund to the Board

34.1 of Water and Soil Resources to develop an
34.2 alternative framework to assess drainage
34.3 benefits on public systems to enhance water
34.4 conservation. This appropriation is available
34.5 until June 30, 2014, by which time the
34.6 project must be completed and final products
34.7 delivered.

34.8 **(n) Mississippi River Central Minnesota**
34.9 **Conservation Planning**

34.10 \$87,000 the first year and \$88,000 the
34.11 second year are from the trust fund to the
34.12 commissioner of natural resources for an
34.13 agreement with Stearns County Soil and
34.14 Water Conservation District to develop
34.15 and adopt river protection strategies in
34.16 cooperation with local jurisdictions in
34.17 the communities of the 26 miles of the
34.18 Mississippi River between Benton and
34.19 Stearns Counties. This appropriation must
34.20 be matched by \$175,000 of nonstate cash or
34.21 qualifying in-kind funds.

34.22 **(o) Saint Croix Basin Conservation**
34.23 **Planning and Protection**

34.24 \$60,000 the first year and \$60,000 the
34.25 second year are from the trust fund to
34.26 the commissioner of natural resources for
34.27 an agreement with the St. Croix River
34.28 Association to develop an interagency plan
34.29 to identify and prioritize critical areas for
34.30 project implementation to improve watershed
34.31 health. This appropriation must be matched
34.32 by \$120,000 of nonstate cash or qualifying
34.33 in-kind funds. Up to \$10,000 may be retained
34.34 by the Department of Natural Resources at
34.35 the request of the St. Croix River Association

35.1 to provide technical and mapping assistance.
 35.2 This appropriation is available until June
 35.3 30, 2014, by which time the project must be
 35.4 completed and final products delivered.

35.5 <u>Subd. 4. Land, Habitat, and Recreation</u>	<u>14,252,000</u>	<u>13,505,000</u>
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35.6 <u>Summary by Fund</u>		
35.7 <u>Environment and</u>		
35.8 <u>natural resources</u>		
35.9 <u>trust fund</u>	<u>13,502,000</u>	<u>13,505,000</u>
35.10 <u>State land and</u>		
35.11 <u>water conservation</u>		
35.12 <u>account (LAWCON)</u>	<u>750,000</u>	<u>-0-</u>

35.13 **(a) State Park and Recreation Area**

35.14 **Operations**

35.15 \$1,500,000 the first year and \$1,500,000 the
 35.16 second year are from the trust fund to the
 35.17 commissioner of natural resources for state
 35.18 park and recreation area operations.

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

35.20 **Acquisition**

35.21 \$1,500,000 the first year and \$1,500,000 the
 35.22 second year are from the trust fund to the
 35.23 commissioner of natural resources to acquire
 35.24 state trails and critical parcels within the
 35.25 statutory boundaries of state parks. State
 35.26 park land acquired with this appropriation
 35.27 must be sufficiently improved to meet at
 35.28 least minimum management standards, as
 35.29 determined by the commissioner of natural
 35.30 resources. A list of proposed acquisitions
 35.31 must be provided as part of the required work
 35.32 program. This appropriation is available
 35.33 until June 30, 2014, by which time the
 35.34 project must be completed and final products
 35.35 delivered.

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

36.2 **Acquisition**

36.3 \$1,125,000 the first year and \$1,125,000
36.4 the second year are from the trust fund to
36.5 the Metropolitan Council for grants for the
36.6 acquisition of lands within the approved park
36.7 unit boundaries of the metropolitan regional
36.8 park system. This appropriation may not
36.9 be used for the purchase of residential
36.10 structures. A list of proposed fee title and
36.11 easement acquisitions must be provided as
36.12 part of the required work program. This
36.13 appropriation must be matched by at least
36.14 40 percent of nonstate money and must be
36.15 committed by December 31, 2011, or the
36.16 appropriation cancels. This appropriation
36.17 is available until June 30, 2014, at which
36.18 time the project must be completed and final
36.19 products delivered, unless an earlier date is
36.20 specified in the work program.

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

36.22 **Acquisition and Development Grants**

36.23 \$1,000,000 the first year and \$1,000,000 the
36.24 second year are from the trust fund to the
36.25 commissioner of natural resources to provide
36.26 matching grants to local units of government
36.27 for acquisition and development of regional
36.28 parks, regional trails, and trail connections.
36.29 The local match required for a grant to
36.30 acquire a regional park or regional outdoor
36.31 recreation area is two dollars of nonstate
36.32 money for each three dollars of state money.
36.33 This appropriation is available until June
36.34 30, 2014, by which time the project must be
36.35 completed and final products delivered.

37.1 **(e) Scientific and Natural Area Acquisition**
37.2 **and Restoration**

37.3 \$820,000 the first year and \$820,000 the
37.4 second year are from the trust fund to
37.5 the commissioner of natural resources
37.6 to acquire lands with high-quality native
37.7 plant communities and rare features to be
37.8 established as scientific and natural areas
37.9 as provided in Minnesota Statutes, section
37.10 86A.05, subdivision 5, restore parts of
37.11 scientific and natural areas, and provide
37.12 technical assistance and outreach. A list
37.13 of proposed acquisitions must be provided
37.14 as part of the required work program.
37.15 Land acquired with this appropriation
37.16 must be sufficiently improved to meet at
37.17 least minimum management standards, as
37.18 determined by the commissioner of natural
37.19 resources. This appropriation is available
37.20 until June 30, 2014, by which time the
37.21 project must be completed and final products
37.22 delivered.

37.23 **(f) LaSalle Lake State Recreation Area**
37.24 **Acquisition**

37.25 \$1,000,000 the first year and \$1,000,000
37.26 the second year are from the trust fund to
37.27 the commissioner of natural resources for
37.28 an agreement with The Trust for Public
37.29 Land to acquire approximately 190 acres
37.30 to be designated as a state recreation area
37.31 as provided in Minnesota Statutes, section
37.32 86A.05, subdivision 3, on LaSalle Lake
37.33 adjacent to the upper Mississippi River. If
37.34 this acquisition is not completed by July
37.35 15, 2012, then the appropriation is available

38.1 to the Department of Natural Resources
38.2 for other state park and recreation area
38.3 acquisitions on the priority list. Up to
38.4 \$10,000 may be retained by the Department
38.5 of Natural Resources at the request of
38.6 The Trust for Public Land for transaction
38.7 costs, associated professional services, and
38.8 restoration needs.

38.9 **(g) Minnesota River Valley Green**

38.10 **Corridor Scientific and Natural Area**

38.11 **Acquisition**

38.12 \$1,000,000 the first year and \$1,000,000
38.13 the second year are from the trust fund
38.14 to the commissioner of natural resources
38.15 for an agreement with the Redwood Area
38.16 Communities Foundation to acquire lands
38.17 with high-quality native plant communities
38.18 and rare features to be established as scientific
38.19 and natural areas as provided in Minnesota
38.20 Statutes, section 86A.05, subdivision 5. A list
38.21 of proposed acquisitions must be provided
38.22 as part of the required work program.

38.23 Land acquired with this appropriation
38.24 must be sufficiently improved to meet at
38.25 least minimum management standards, as
38.26 determined by the commissioner of natural
38.27 resources. Up to \$54,000 may be retained by
38.28 the Department of Natural Resources at the
38.29 request of the Redwood Area Communities
38.30 Foundation for transaction costs, associated
38.31 professional services, and restoration needs.
38.32 This appropriation is available until June
38.33 30, 2014, by which time the project must be
38.34 completed and final products delivered.

39.1 **(h) Native Prairie Stewardship and Native**

39.2 **Prairie Bank Acquisition**

39.3 \$500,000 the first year and \$500,000 the
39.4 second year are from the trust fund to the
39.5 commissioner of natural resources to acquire
39.6 native prairie bank easements, prepare
39.7 baseline property assessments, restore and
39.8 enhance native prairie sites, and provide
39.9 technical assistance to landowners. This
39.10 appropriation is available until June 30,
39.11 2014, by which time the project must be
39.12 completed and final products delivered.

39.13 **(i) Metropolitan Conservation Corridors**

39.14 **(MeCC) - Phase VI**

39.15 \$1,737,000 the first year and \$1,738,000
39.16 the second year are from the trust fund
39.17 to the commissioner of natural resources
39.18 for the acceleration of agency programs
39.19 and cooperative agreements. Of this
39.20 appropriation, \$150,000 the first year
39.21 and \$150,000 the second year are to the
39.22 commissioner of natural resources for
39.23 agency programs and \$3,175,000 is for the
39.24 agreements as follows: \$100,000 the first
39.25 year and \$100,000 the second year with
39.26 Friends of the Mississippi River; \$517,000
39.27 the first year and \$518,000 the second year
39.28 with Dakota County; \$200,000 the first year
39.29 and \$200,000 the second year with Great
39.30 River Greening; \$220,000 the first year and
39.31 \$220,000 the second year with Minnesota
39.32 Land Trust; \$300,000 the first year and
39.33 \$300,000 the second year with Minnesota
39.34 Valley National Wildlife Refuge Trust, Inc.;
39.35 and \$250,000 the first year and \$250,000

40.1 the second year with The Trust for Public
40.2 Land for planning, restoring, and protecting
40.3 priority natural areas in the metropolitan area,
40.4 as defined under Minnesota Statutes, section
40.5 473.121, subdivision 2, and portions of the
40.6 surrounding counties, through contracted
40.7 services, technical assistance, conservation
40.8 easements, and fee title acquisition. Land
40.9 acquired with this appropriation must
40.10 be sufficiently improved to meet at least
40.11 minimum management standards, as
40.12 determined by the commissioner of natural
40.13 resources. Expenditures are limited to the
40.14 identified project corridor areas as defined
40.15 in the work program. This appropriation
40.16 may not be used for the purchase of
40.17 habitable residential structures, unless
40.18 expressly approved in the work program. All
40.19 conservation easements must be perpetual
40.20 and have a natural resource management
40.21 plan. Any land acquired in fee title by the
40.22 commissioner of natural resources with
40.23 money from this appropriation must be
40.24 designated as an outdoor recreation unit
40.25 under Minnesota Statutes, section 86A.07.
40.26 The commissioner may similarly designate
40.27 any lands acquired in less than fee title. A
40.28 list of proposed restorations and fee title
40.29 and easement acquisitions must be provided
40.30 as part of the required work program. An
40.31 entity that acquires a conservation easement
40.32 with appropriations from the trust fund
40.33 must have a long-term stewardship plan
40.34 for the easement and a fund established for
40.35 monitoring and enforcing the agreement.
40.36 Money appropriated from the trust fund for

41.1 easement acquisition may be used to establish
41.2 a monitoring, management, and enforcement
41.3 fund as approved in the work program. An
41.4 annual financial report is required for any
41.5 monitoring, management, and enforcement
41.6 fund established, including expenditures
41.7 from the fund. This appropriation is available
41.8 until June 30, 2014, by which time the
41.9 project must be completed and final products
41.10 delivered.

41.11 **(j) Habitat Conservation Partnership**
41.12 **(HCP) - Phase VII**

41.13 \$1,737,000 the first year and \$1,738,000
41.14 the second year are from the trust fund
41.15 to the commissioner of natural resources
41.16 for the acceleration of agency programs
41.17 and cooperative agreements. Of this
41.18 appropriation, \$125,000 the first year
41.19 and \$125,000 the second year are to the
41.20 commissioner of natural resources for
41.21 agency programs and \$3,225,000 is for
41.22 agreements as follows: \$637,000 the first
41.23 year and \$638,000 the second year with
41.24 Ducks Unlimited, Inc.; \$38,000 the first year
41.25 and \$37,000 the second year with Friends
41.26 of Detroit Lakes Wetland Management
41.27 District; \$25,000 the first year and \$25,000
41.28 the second year with Leech Lake Band of
41.29 Ojibwe; \$225,000 the first year and \$225,000
41.30 the second year with Minnesota Land Trust;
41.31 \$200,000 the first year and \$200,000 the
41.32 second year with Minnesota Valley National
41.33 Wildlife Refuge Trust, Inc.; \$242,000 the
41.34 first year and \$243,000 the second year
41.35 with Pheasants Forever, Inc.; and \$245,000
41.36 the first year and \$245,000 the second year

42.1 with The Trust for Public Land to plan,
42.2 restore, and acquire fragmented landscape
42.3 corridors that connect areas of quality habitat
42.4 to sustain fish, wildlife, and plants. The
42.5 United States Department of Agriculture,
42.6 Natural Resources Conservation Service,
42.7 is an authorized cooperating partner in the
42.8 appropriation. Expenditures are limited to
42.9 the project corridor areas as defined in the
42.10 work program. Land acquired with this
42.11 appropriation must be sufficiently improved
42.12 to meet at least minimum habitat and facility
42.13 management standards, as determined by
42.14 the commissioner of natural resources.
42.15 This appropriation may not be used for the
42.16 purchase of habitable residential structures,
42.17 unless expressly approved in the work
42.18 program. All conservation easements must
42.19 be perpetual and have a natural resource
42.20 management plan. Any land acquired in fee
42.21 title by the commissioner of natural resources
42.22 with money from this appropriation must
42.23 be designated as an outdoor recreation unit
42.24 under Minnesota Statutes, section 86A.07.
42.25 The commissioner may similarly designate
42.26 any lands acquired in less than fee title. A
42.27 list of proposed restorations and fee title
42.28 and easement acquisitions must be provided
42.29 as part of the required work program. An
42.30 entity who acquires a conservation easement
42.31 with appropriations from the trust fund
42.32 must have a long-term stewardship plan
42.33 for the easement and a fund established for
42.34 monitoring and enforcing the agreement.
42.35 Money appropriated from the trust fund for
42.36 easement acquisition may be used to establish

43.1 a monitoring, management, and enforcement
43.2 fund as approved in the work program. An
43.3 annual financial report is required for any
43.4 monitoring, management, and enforcement
43.5 fund established, including expenditures
43.6 from the fund. This appropriation is available
43.7 until June 30, 2014, by which time the
43.8 project must be completed and final products
43.9 delivered.

43.10 **(k) Natural and Scenic Area Acquisition**

43.11 **Grants**

43.12 \$500,000 the first year and \$500,000 the
43.13 second year are from the trust fund to the
43.14 commissioner of natural resources to provide
43.15 matching grants to local governments for
43.16 acquisition of natural and scenic areas, as
43.17 provided in Minnesota Statutes, section
43.18 85.019, subdivision 4a. This appropriation
43.19 is available until June 30, 2014, by which
43.20 time the project must be completed and final
43.21 products delivered.

43.22 **(l) Acceleration of Minnesota Conservation**

43.23 **Assistance**

43.24 \$313,000 the first year and \$312,000 the
43.25 second year are from the trust fund to the
43.26 Board of Water and Soil Resources to provide
43.27 grants to soil and water conservation districts
43.28 to provide technical assistance to secure
43.29 enrollment and retention of private lands in
43.30 federal and state programs for conservation.

43.31 **(m) Conservation Easement Stewardship**

43.32 **and Enforcement Program - Phase II**

43.33 \$250,000 the first year and \$250,000 the
43.34 second year are from the trust fund to

44.1 the commissioner of natural resources to
44.2 accelerate the implementation of the Phase
44.3 I Conservation Easement Stewardship Plan
44.4 being developed with an appropriation
44.5 from Laws 2008, chapter 367, section 2,
44.6 subdivision 5, paragraph (h).

44.7 **(n) Recovery of At-Risk Native Prairie**
44.8 **Species**

44.9 \$73,000 the first year and \$74,000 the second
44.10 year are from the trust fund to the Board of
44.11 Water and Soil Resources for an agreement
44.12 with the Martin County Soil and Water
44.13 Conservation District to collect, propagate,
44.14 and plant declining, at-risk native species
44.15 on protected habitat and to enhance private
44.16 market sources for local ecotype native seed.
44.17 This appropriation is available until June
44.18 30, 2014, by which time the project must be
44.19 completed and final products delivered.

44.20 **(o) Understanding Threats, Genetic**
44.21 **Diversity, and Conservation Options for**
44.22 **Wild Rice**

44.23 \$97,000 the first year and \$98,000 the second
44.24 year are from the trust fund to the Board
44.25 of Regents of the University of Minnesota
44.26 to research the genetic diversity of wild
44.27 rice population throughout Minnesota for
44.28 use in related conservation and restoration
44.29 efforts. This appropriation is contingent upon
44.30 demonstration of review and cooperation
44.31 with the Native American tribal nations
44.32 in Minnesota. Equipment purchased with
44.33 this appropriation must be available for
44.34 future publicly funded projects at no charge
44.35 except for typical operating expenses. This

45.1 appropriation is available until June 30,
45.2 2014, by which time the project must be
45.3 completed and final products delivered.

45.4 **(p) Southeast Minnesota Stream**

45.5 **Restoration**

45.6 \$125,000 the first year and \$125,000 the
45.7 second year are from the trust fund to the
45.8 commissioner of natural resources for an
45.9 agreement with Trout Unlimited to restore at
45.10 least four miles of riparian corridor for trout
45.11 and nongame species in southeast Minnesota
45.12 and increase local capacities to implement
45.13 stream restoration through training and
45.14 technical assistance. This appropriation is
45.15 available until June 30, 2014, by which time
45.16 the project must be completed and final
45.17 products delivered.

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

45.19 **Peatland Scientific and Natural Areas**

45.20 \$100,000 the first year and \$100,000 the
45.21 second year are from the trust fund to the
45.22 commissioner of natural resources to evaluate
45.23 the hydrology and habitat of the Winter Road
45.24 Lake peatland watershed protection area to
45.25 determine the effects of ditch abandonment
45.26 and examine the potential for restoration
45.27 of patterned peatlands. This appropriation
45.28 is available until June 30, 2014, by which
45.29 time the project must be completed and final
45.30 products delivered.

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

45.32 **Plant Community Restoration**

45.33 \$125,000 for the first year and \$125,000
45.34 the second year are from the trust fund to

46.1 the Board of Water and Soil Resources to
46.2 assess the decline of northern white cedar
46.3 plant communities in northeast Minnesota,
46.4 prioritize cedar sites for restoration, and
46.5 provide cedar restoration training to local
46.6 units of government.

46.7 **(s) Land and Water Conservation Account**
46.8 **(LAWCON) Federal Reimbursement**

46.9 \$750,000 is from the state land and water
46.10 conservation account (LAWCON) in the
46.11 natural resources fund to the commissioner of
46.12 natural resources for priorities established by
46.13 the commissioner for eligible state projects
46.14 and administrative and planning activities
46.15 consistent with Minnesota Statutes, section
46.16 116P.14, and the federal Land and Water
46.17 Conservation Fund Act. This appropriation
46.18 is available until June 30, 2014, by which
46.19 time the project must be completed and final
46.20 products delivered.

46.21 **Subd. 5. Water Resources** 778,000 779,000

46.22 **(a) Itasca County Sensitive Lakeshore**
46.23 **Identification**

46.24 \$80,000 the first year and \$80,000 the
46.25 second year are from the trust fund to the
46.26 commissioner of natural resources for an
46.27 agreement with Itasca County Soil and Water
46.28 Conservation District to identify sensitive
46.29 lakeshore and restorable shoreline in Itasca
46.30 County. Up to \$130,000 may be retained by
46.31 the Department of Natural Resources at the
46.32 request of Itasca County to provide technical
46.33 assistance.

47.1 **(b) Trout Stream Springshed Mapping in**

47.2 **Southeast Minnesota - Phase III**

47.3 \$250,000 the first year and \$250,000 the
47.4 second year are from the trust fund to
47.5 continue to identify and delineate water
47.6 supply areas and springsheds for springs
47.7 servicing as cold water sources for trout
47.8 streams and to assess the impacts from
47.9 development and water appropriations. Of
47.10 this appropriation, \$140,000 each year is to
47.11 the Board of Regents of the University of
47.12 Minnesota and \$110,000 each year is to the
47.13 commissioner of natural resources.

47.14 **(c) Mississippi River Water Quality**

47.15 **Assessment**

47.16 \$278,000 the first year and \$279,000 the
47.17 second year are from the trust fund to the
47.18 Board of Regents of the University of
47.19 Minnesota to assess water quality in the
47.20 Mississippi River using DNA sequencing
47.21 approaches and chemical analyses. The
47.22 assessments shall be incorporated into
47.23 a Web-based educational tool for use
47.24 in classrooms and public exhibits. This
47.25 appropriation is available until June 30,
47.26 2014, by which time the project must be
47.27 completed and final products delivered.

47.28 **(d) Zumbro River Watershed Restoration**

47.29 **Prioritization**

47.30 \$75,000 the first year and \$75,000 the
47.31 second year are from the trust fund to the
47.32 commissioner of natural resources for an
47.33 agreement with the Zumbro Watershed
47.34 Partnership, Inc. to identify sources of
47.35 erosion and runoff in the Zumbro River

48.1 Watershed in order to prioritize restoration
48.2 and protection projects.

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

48.4 **Antibiotic Concentrations**

48.5 \$95,000 the first year and \$95,000 the
48.6 second year are from the trust fund to the
48.7 commissioner of natural resources for an
48.8 agreement with Saint Thomas University
48.9 in cooperation with Gustavus Adolphus
48.10 College and the University of Minnesota
48.11 to measure antibiotic concentrations and
48.12 antibiotic resistance levels at sites on the
48.13 Minnesota River.

48.14 **Subd. 6. Aquatic and Terrestrial Invasive**
48.15 **Species**

435,000

435,000

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

48.17 **Microbes in Ballast Water**

48.18 \$125,000 the first year and \$125,000 the
48.19 second year are from the trust fund to the
48.20 Board of Regents of the University of
48.21 Minnesota for the University of Minnesota
48.22 Duluth to identify and analyze potentially
48.23 harmful bacteria transported into Lake
48.24 Superior through ship ballast water
48.25 discharge. This appropriation is available
48.26 until June 30, 2014, by which time the
48.27 project must be completed and final products
48.28 delivered.

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

48.30 **Research and Implementation**

48.31 \$250,000 the first year and \$250,000 the
48.32 second year are from the trust fund to the
48.33 commissioner of agriculture to assess a
48.34 biocontrol method for suppressing emerald

49.1 ash borers by testing bioagent winter survival
49.2 potential, developing release and monitoring
49.3 methods, and piloting implementation
49.4 of emerald ash borer biocontrol. This
49.5 appropriation is available until June 30,
49.6 2014, by which time the project must be
49.7 completed and final products delivered.

49.8 **(c) Evaluation of Switchgrass as Biofuel**
49.9 **Crop**

49.10 \$60,000 the first year and \$60,000 the second
49.11 year are from the trust fund to the Minnesota
49.12 State Colleges and Universities System for
49.13 Central Lakes College in cooperation with
49.14 the University of Minnesota to determine
49.15 the invasion risk of selectively bred
49.16 native grasses for biofuel production and
49.17 develop strategies to minimize the invasion
49.18 potential and impacts on biodiversity. This
49.19 appropriation is available until June 30,
49.20 2014, by which time the project must be
49.21 completed and final products delivered.

49.22 **Subd. 7. Renewable Energy and Air Quality** 75,000 75,000

49.23 **Supporting Community-Driven**
49.24 **Sustainable Bioenergy Projects**

49.25 \$75,000 the first year and \$75,000 the
49.26 second year are from the trust fund to
49.27 the commissioner of natural resources
49.28 for an agreement with Dovetail Partners,
49.29 Inc., in cooperation with the University of
49.30 Minnesota to assess feasibility, impacts,
49.31 and management needs of community-scale
49.32 forest bioenergy systems through pilot
49.33 studies in Ely and Cook County and to
49.34 disseminate findings to inform related efforts
49.35 in other communities.

50.1	<u>Subd. 8. Environmental Education</u>	<u>123,000</u>	<u>123,000</u>
50.2	<u>Youth-Led Renewable Energy and</u>		
50.3	<u>Energy Conservation in West Central and</u>		
50.4	<u>Southwest Minnesota</u>		
50.5	<u>\$123,000 the first year and \$123,000 the</u>		
50.6	<u>second year are from the trust fund to</u>		
50.7	<u>the commissioner of natural resources</u>		
50.8	<u>for an agreement with Prairie Woods</u>		
50.9	<u>Environmental Learning Center to initiate</u>		
50.10	<u>youth-led renewable energy and conservation</u>		
50.11	<u>projects in over thirty communities in west</u>		
50.12	<u>central and southwest Minnesota.</u>		
50.13	<u>Subd. 9. Emerging Issues</u>	<u>5,964,000</u>	<u>4,213,000</u>
50.14	<u>(a) Minnesota Conservation Apprentice</u>		
50.15	<u>Academy</u>		
50.16	<u>\$100,000 the first year and \$100,000 the</u>		
50.17	<u>second year are from the trust fund to</u>		
50.18	<u>the Board of Water and Soil Resources</u>		
50.19	<u>in cooperation with Conservation Corps</u>		
50.20	<u>Minnesota to train and mentor future</u>		
50.21	<u>conservation professionals by providing</u>		
50.22	<u>apprenticeship service opportunities to</u>		
50.23	<u>soil and water conservation districts. This</u>		
50.24	<u>appropriation is available until June 30,</u>		
50.25	<u>2014, by which time the project must be</u>		
50.26	<u>completed and the final products delivered.</u>		
50.27	<u>(b) Wild Rice Standards</u>		
50.28	<u>\$1,000,000 the first year is from the trust</u>		
50.29	<u>fund to the commissioner of the Pollution</u>		
50.30	<u>Control Agency for a wild rice standards</u>		
50.31	<u>study. This appropriation is available until</u>		
50.32	<u>June 30, 2015.</u>		

51.1 **(c) Chronic Wasting Disease and Animal**
51.2 **Health**

51.3 \$600,000 the first year and \$600,000 the
51.4 second year are from the trust fund to the
51.5 commissioner of natural resources to address
51.6 chronic wasting disease and accelerate
51.7 wildlife health programs.

51.8 **(d) Aquatic Invasive Species**

51.9 \$2,177,000 the first year and \$3,513,000
51.10 the second year are from the trust fund
51.11 to the commissioner of natural resources
51.12 to accelerate aquatic invasive species
51.13 programs, including the development
51.14 and implementation of best management
51.15 practices for public water access facilities
51.16 to implement aquatic invasive species
51.17 prevention strategies. \$50,000 is for a grant
51.18 to develop and produce a documentary
51.19 identifying the challenges presented by
51.20 aquatic invasive species. The documentary
51.21 shall be available to the Department of
51.22 Natural Resources to distribute to watercraft
51.23 license purchasers and the general public
51.24 through online and other media.

51.25 **(e) Coon Rapids Dam**

51.26 \$442,000 the first year is from the trust fund
51.27 to the commissioner of natural resources
51.28 for a grant to Three Rivers Park District for
51.29 predesign and design of the Coon Rapids
51.30 Dam for improvements and to function as a
51.31 barrier to invasive fish.

51.32 **(f) Reinvest in Minnesota Wetlands**
51.33 **Reserve Acquisition and Restoration**
51.34 **Program Partnership**

52.1 \$1,645,000 the first year is to the Board
 52.2 of Water and Soil Resources to acquire
 52.3 permanent conservation easements and
 52.4 restore wetlands and associated upland
 52.5 habitat in cooperation with the United States
 52.6 Department of Agriculture Wetlands Reserve
 52.7 Program. A list of proposed land acquisitions
 52.8 must be provided as part of the required work
 52.9 program.

52.10 **Subd. 10. Administration and Contract**
 52.11 **Management**

564,000

560,000

52.12 **(a) Legislative-Citizen Commission on**
 52.13 **Minnesota Resources (LCCMR)**

52.14 \$473,000 the first year and \$473,000 the
 52.15 second year are from the trust fund to the
 52.16 LCCMR for administration as provided
 52.17 in Minnesota Statutes, section 116P.09,
 52.18 subdivision 5.

52.19 **(b) Contract Management**

52.20 \$88,000 the first year and \$87,000 the
 52.21 second year are from the trust fund to
 52.22 the commissioner of natural resources
 52.23 for expenses incurred for contract fiscal
 52.24 services for the agreements specified in this
 52.25 section. The commissioner shall provide
 52.26 documentation to the Legislative-Citizen
 52.27 Commission on Minnesota Resources
 52.28 on the expenditure of these funds. This
 52.29 appropriation is available until June 30, 2014.

52.30 **(c) LCC Web Site**

52.31 \$3,000 in the first year is appropriated to the
 52.32 Legislative Coordinating Commission for
 52.33 the Web site required in Minnesota Statutes,
 52.34 section 3.303, subdivision 10.

53.1 **Subd. 11. Availability of Appropriations**

53.2 Money appropriated in this section may
53.3 not be spent on activities unless they are
53.4 directly related to the specific appropriation
53.5 and are specified in the approved work
53.6 program. Money appropriated in this section
53.7 must not be spent on indirect costs or other
53.8 institutional overhead charges. Unless
53.9 otherwise provided, the amounts in this
53.10 section are available until June 30, 2013,
53.11 when projects must be completed and final
53.12 products delivered. For acquisition of real
53.13 property, the amounts in this section are
53.14 available until June 30, 2014, if a binding
53.15 contract is entered into by June 30, 2013,
53.16 and closed not later than June 30, 2014. If
53.17 a project receives a federal grant, the time
53.18 period of the appropriation is extended to
53.19 equal the federal grant period.

53.20 **Subd. 12. Data Availability Requirements**

53.21 Data collected by the projects funded under
53.22 this section must conform to guidelines and
53.23 standards adopted by the Office of Enterprise
53.24 Technology. Spatial data also must conform
53.25 to additional guidelines and standards
53.26 designed to support data coordination and
53.27 distribution that have been published by the
53.28 Minnesota Geospatial Information Office.
53.29 Descriptions of spatial data must be prepared
53.30 as specified in the state's geographic metadata
53.31 guideline and must be submitted to the
53.32 Minnesota Geospatial Information Office.
53.33 All data must be accessible and free to the
53.34 public unless made private under the Data

54.1 Practices Act, Minnesota Statutes, chapter
54.2 13.

54.3 To the extent practicable, summary data and
54.4 results of projects funded under this section
54.5 should be readily accessible on the Internet
54.6 and identified as an environment and natural
54.7 resources trust fund project.

54.8 Subd. 13. **Project Requirements**

54.9 (a) As a condition of accepting an
54.10 appropriation under this section, any agency
54.11 or entity receiving an appropriation or a
54.12 party to an agreement from an appropriation
54.13 must comply with paragraphs (b) to (k) and
54.14 Minnesota Statutes, chapter 116P, and must
54.15 submit a work program and semiannual
54.16 progress reports in the form determined
54.17 by the Legislative-Citizen Commission on
54.18 Minnesota Resources for any project funded
54.19 in whole or in part with funds from the
54.20 appropriation.

54.21 (b) For all restorations conducted with money
54.22 appropriated under this section, a recipient
54.23 must prepare an ecological restoration
54.24 and management plan that, to the degree
54.25 practicable, is consistent with the highest
54.26 quality conservation and ecological goals for
54.27 the restoration site. Consideration should
54.28 be given to soil, geology, topography, and
54.29 other relevant factors that would provide
54.30 the best chance for long-term success of the
54.31 restoration projects. The plan must include
54.32 the proposed timetable for implementing
54.33 the restoration, including site preparation,
54.34 establishment of diverse plant species,
54.35 maintenance, and additional enhancement to

55.1 establish the restoration; identify long-term
55.2 maintenance and management needs of
55.3 the restoration and how the maintenance,
55.4 management, and enhancement will be
55.5 financed; and take advantage of the best
55.6 available science and include innovative
55.7 techniques to achieve the best restoration.

55.8 (c) Any entity receiving an appropriation in
55.9 this section for restoration activities must
55.10 provide an initial restoration evaluation
55.11 at the completion of the appropriation
55.12 and an evaluation three years beyond the
55.13 completion of the expenditure. Restorations
55.14 must be evaluated relative to the stated
55.15 goals and standards in the restoration plan,
55.16 current science, and, when applicable, the
55.17 Board of Water and Soil Resources' native
55.18 vegetation establishment and enhancement
55.19 guidelines. The evaluation shall determine
55.20 whether the restorations are meeting planned
55.21 goals, identify any problems with the
55.22 implementation of the restorations, and,
55.23 if necessary, give recommendations on
55.24 improving restorations. The evaluation shall
55.25 be focused on improving future restorations.

55.26 (d) Except as otherwise provided in this
55.27 section, all restoration and enhancement
55.28 projects funded with money appropriated in
55.29 this section must be on land permanently
55.30 protected by a conservation easement or
55.31 public ownership or in public waters as
55.32 defined in Minnesota Statutes, section
55.33 103G.005, subdivision 15.

55.34 (e) A recipient of money from an
55.35 appropriation under this section must

56.1 give consideration to contracting with
56.2 Conservation Corps Minnesota or its
56.3 successor for contract restoration and
56.4 enhancement services.

56.5 (f) All conservation easements acquired with
56.6 money appropriated under this section must:

56.7 (1) be perpetual;

56.8 (2) specify the parties to an easement in the
56.9 easement;

56.10 (3) specify all of the provisions of an
56.11 agreement that are perpetual;

56.12 (4) be sent to the Office of the
56.13 Legislative-Citizen Commission on
56.14 Minnesota Resources in an electronic format;

56.15 (5) include a long-term monitoring and
56.16 enforcement plan and funding for monitoring
56.17 and enforcing the easement agreement; and

56.18 (6) include requirements in the easement
56.19 document to address specific water quality
56.20 protection activities such as keeping water
56.21 on the landscape, reducing nutrient and
56.22 contaminant loading, protecting groundwater,
56.23 and not permitting artificial hydrological
56.24 modifications.

56.25 (g) For any acquisition of land or interest in
56.26 land, a recipient of money appropriated under
56.27 this section must give priority to high quality
56.28 natural resources or conservation lands that
56.29 provide natural buffers to water resources.

56.30 (h) For new lands acquired with money
56.31 appropriated under this section, a recipient
56.32 must prepare a restoration and management
56.33 plan in compliance with paragraph

57.1 (b), including sufficient funding for
57.2 implementation unless the work program
57.3 addresses why a portion of the money is
57.4 not necessary to achieve a high quality
57.5 restoration.

57.6 (i) To the extent an appropriation is used to
57.7 acquire an interest in real property, a recipient
57.8 of an appropriation under this section must
57.9 provide to the Legislative-Citizen
57.10 Commission on Minnesota Resources and
57.11 the commissioner of management and budget
57.12 an analysis of increased operations and
57.13 maintenance costs likely to be incurred by
57.14 public entities as a result of the acquisition
57.15 and how these costs are to be paid.

57.16 (j) To ensure public accountability for the
57.17 use of public funds, a recipient of money
57.18 appropriated under this section must provide
57.19 to the Legislative-Citizen Commission on
57.20 Minnesota Resources documentation of the
57.21 selection process used to identify parcels
57.22 acquired and provide documentation of all
57.23 related transaction costs, including but not
57.24 limited to appraisals, legal fees, recording
57.25 fees, commissions, other similar costs,
57.26 and donations. This information must be
57.27 provided for all parties involved in the
57.28 transaction. The recipient must also report
57.29 to the Legislative-Citizen Commission on
57.30 Minnesota Resources any difference between
57.31 the acquisition amount paid to the seller
57.32 and the state-certified or state-reviewed
57.33 appraisal, if a state-certified or state-reviewed
57.34 appraisal was conducted. Acquisition data
57.35 such as appraisals may remain private
57.36 during negotiations but must ultimately

58.1 be made public according to Minnesota
58.2 Statutes, chapter 13. The Legislative-Citizen
58.3 Commission on Minnesota Resources shall
58.4 review the requirement in this paragraph
58.5 and provide a recommendation on whether
58.6 to continue or modify the requirement in
58.7 future years. The commission may waive
58.8 the application of this paragraph for specific
58.9 projects.

58.10 (k) A recipient of an appropriation from
58.11 the trust fund under this section must
58.12 acknowledge financial support from the
58.13 Minnesota environment and natural resources
58.14 trust fund in project publications, signage,
58.15 and other public communications and
58.16 outreach related to work completed using the
58.17 appropriation. Acknowledgment may occur,
58.18 as appropriate, through use of the trust fund
58.19 logo or inclusion of language attributing
58.20 support from the trust fund.

58.21 **Subd. 14. Payment Conditions and Capital**
58.22 **Equipment Expenditures**

58.23 All agreements, grants, or contracts referred
58.24 to in this section must be administered on
58.25 a reimbursement basis unless otherwise
58.26 provided in this section. Notwithstanding
58.27 Minnesota Statutes, section 16A.41,
58.28 expenditures made on or after July 1,
58.29 2011, or the date the work program is
58.30 approved, whichever is later, are eligible for
58.31 reimbursement unless otherwise provided
58.32 in this section. Periodic payment must
58.33 be made upon receiving documentation
58.34 that the deliverable items articulated in
58.35 the approved work program have been
58.36 achieved, including partial achievements

59.1 as evidenced by approved progress reports.

59.2 Reasonable amounts may be advanced to
59.3 projects to accommodate cash flow needs or
59.4 match federal money. The advances must
59.5 be approved as part of the work program.

59.6 No expenditures for capital equipment are
59.7 allowed unless expressly authorized in the
59.8 project work program.

59.9 **Subd. 15. Purchase of Recycled and Recyclable**
59.10 **Materials**

59.11 A political subdivision, public or private
59.12 corporation, or other entity that receives an
59.13 appropriation under this section must use the
59.14 appropriation in compliance with Minnesota
59.15 Statutes, section 16B.121, regarding
59.16 purchase of recycled, repairable, and durable
59.17 materials; and Minnesota Statutes, section
59.18 16B.122, regarding purchase and use of
59.19 paper stock and printing.

59.20 **Subd. 16. Energy Conservation and**
59.21 **Sustainable Building Guidelines**

59.22 A recipient to whom an appropriation is made
59.23 under this section for a capital improvement
59.24 project must ensure that the project complies
59.25 with the applicable energy conservation and
59.26 sustainable building guidelines and standards
59.27 contained in law, including Minnesota
59.28 Statutes, sections 16B.325, 216C.19, and
59.29 216C.20, and rules adopted under those
59.30 sections. The recipient may use the energy
59.31 planning, advocacy, and State Energy Office
59.32 units of the Department of Commerce to
59.33 obtain information and technical assistance
59.34 on energy conservation and alternative
59.35 energy development relating to the planning

60.1 and construction of the capital improvement
60.2 project.

60.3 Subd. 17. **Accessibility**

60.4 Structural and nonstructural facilities must
60.5 meet the design standards in the Americans
60.6 with Disabilities Act (ADA) accessibility
60.7 guidelines.

60.8 Subd. 18. **Carryforward**

60.9 (a) The availability of the appropriation for
60.10 the following projects is extended to June
60.11 30, 2012:

60.12 (1) Laws 2008, chapter 367, section
60.13 2, subdivision 4, paragraph (f), Native
60.14 Shoreland Buffer Incentives Program;

60.15 (2) Laws 2008, chapter 367, section 2,
60.16 subdivision 4, paragraph (g), Southeast
60.17 Minnesota Stream Restoration Projects;

60.18 (3) Laws 2009, chapter 143, section 2,
60.19 subdivision 4, paragraph (a), State Park
60.20 Acquisition;

60.21 (4) Laws 2009, chapter 143, section 2,
60.22 subdivision 4, paragraph (b), State Trail
60.23 Acquisition;

60.24 (5) Laws 2009, chapter 143, section 2,
60.25 subdivision 6, paragraph (c), Improving
60.26 Emerging Fish Disease Surveillance in
60.27 Minnesota;

60.28 (6) Laws 2009, chapter 143, section 2,
60.29 subdivision 8, paragraph (a), Contract
60.30 Management; and

60.31 (7) Laws 2009, chapter 143, section
60.32 2, subdivision 8, paragraph (b),
60.33 Legislative-Citizen Commission on

61.1 Minnesota Resources (LCCMR) for purposes
61.2 provided under Minnesota Statutes, section
61.3 16A.281.

61.4 (b) The availability of the appropriation for
61.5 the following project is extended to June 30,
61.6 2013:

61.7 (1) Laws 2010, chapter 362, section 2,
61.8 subdivision 8, paragraph (f), Expanding
61.9 Outdoor Classrooms at Minnesota Schools;
61.10 and

61.11 (2) Laws 2010, chapter 362, section 2,
61.12 subdivision 8, paragraph (g), Integrating
61.13 Environmental and Outdoor Education in
61.14 Grades 7-12.

61.15 Subd. 19. **Easement Monitoring and**
61.16 **Enforcement Requirements**

61.17 Money appropriated under this section and
61.18 adjustments made under subdivision 20 for
61.19 easement monitoring and enforcement may
61.20 be spent only on activities included in an
61.21 easement monitoring and enforcement plan
61.22 contained within the work program. Money
61.23 received for monitoring and enforcement,
61.24 including earnings on the money received,
61.25 shall be kept in a monitoring and enforcement
61.26 fund held by the organization and dedicated
61.27 to monitoring and enforcing conservation
61.28 easements within Minnesota. Within 120
61.29 days after the close of the entity's fiscal
61.30 year, an entity receiving appropriations
61.31 for easement monitoring and enforcement
61.32 must provide an annual financial report
61.33 to the Legislative-Citizen Commission
61.34 on Minnesota Resources on the easement
61.35 monitoring and enforcement fund as specified

62.1 in the work program. Money appropriated
62.2 under this section for monitoring and
62.3 enforcement of easements and earnings on
62.4 the money appropriated shall revert to the
62.5 state if: (1) the easement transfers to the
62.6 state; (2) the holder of the easement fails to
62.7 file an annual report and then fails to cure
62.8 that default within 30 days of notification
62.9 of the default by the state; or (3) the holder
62.10 of the easement fails to comply with the
62.11 terms of the monitoring and enforcement
62.12 plan contained within the work program and
62.13 fails to cure that default within 90 days of
62.14 notification of the default by the state.

62.15 **Subd. 20. Appropriations Adjustment**

62.16 **(a) Metropolitan Conservation Corridors**

62.17 (1) Of the amount appropriated in Laws
62.18 2003, chapter 128, article 1, section 9,
62.19 subdivision 5, paragraph (b), up to \$48,000 is
62.20 for deposit in a monitoring and enforcement
62.21 account as authorized in subdivision 19.

62.22 (2) Of the amount appropriated in Laws
62.23 2005, First Special Session, chapter 1, article
62.24 2, section 11, subdivision 5, paragraph (b),
62.25 up to \$49,000 is for deposit in a monitoring
62.26 and enforcement account as authorized in
62.27 subdivision 19.

62.28 (3) Of the amount appropriated in Laws
62.29 2007, chapter 30, section 2, subdivision 4,
62.30 paragraph (c), up to \$59,000 is for deposit
62.31 in a monitoring and enforcement account as
62.32 authorized in subdivision 19.

62.33 (4) Of the amount appropriated in Laws
62.34 2008, chapter 367, section 2, subdivision 3,

63.1 paragraph (a), up to \$42,000 is for deposit
63.2 in a monitoring and enforcement account as
63.3 authorized in subdivision 19.

63.4 (5) Of the amount appropriated in Laws
63.5 2009, chapter 143, section 2, subdivision 4,
63.6 paragraph (f), up to \$80,000 is for deposit
63.7 in a monitoring and enforcement account as
63.8 authorized in subdivision 19.

63.9 (6) Of the amount appropriated in Laws
63.10 2010, chapter 362, section 2, subdivision 4,
63.11 paragraph (g), up to \$10,000 is for deposit
63.12 in a monitoring and enforcement account as
63.13 authorized in subdivision 19.

63.14 **(b) Habitat Conservation Partnership**

63.15 (1) Of the amount appropriated in Laws
63.16 2001, First Special Session chapter 2,
63.17 section 14, subdivision 4, paragraph (e), up
63.18 to \$288,000 is for deposit in a monitoring
63.19 and enforcement account as authorized in
63.20 subdivision 19.

63.21 (2) Of the amount appropriated in Laws
63.22 2003, chapter 128, article 1, section 9,
63.23 subdivision 5, paragraph (a), up to \$78,000 is
63.24 for deposit in a monitoring and enforcement
63.25 account as authorized in subdivision 19.

63.26 (3) Of the amount appropriated in Laws 2005,
63.27 First Special Session chapter 1, section 11,
63.28 subdivision 5, paragraph (a), up to \$55,000 is
63.29 for deposit in a monitoring and enforcement
63.30 account as authorized in subdivision 19.

63.31 (4) Of the amount appropriated in Laws
63.32 2007, chapter 30, section 2, subdivision 4,
63.33 paragraph (b), up to \$123,000 is for deposit

64.1 in a monitoring and enforcement account as
64.2 authorized in subdivision 19.

64.3 (5) Of the amount appropriated in Laws
64.4 2008, chapter 367, section 2, subdivision 3,
64.5 paragraph (c), up to \$120,000 is for deposit
64.6 in a monitoring and enforcement account as
64.7 authorized in subdivision 19.

64.8 (6) Of the amount appropriated in Laws
64.9 2009, chapter 143, section 2, subdivision 4,
64.10 paragraph (e), up to \$60,000 is for deposit
64.11 in a monitoring and enforcement account as
64.12 authorized in subdivision 19.

64.13 (7) Of the amount appropriated in Laws
64.14 2010, chapter 362, section 2, subdivision 4,
64.15 paragraph (f), up to \$30,000 is for deposit
64.16 in a monitoring and enforcement account as
64.17 authorized in subdivision 19.

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

64.19 Of the amount appropriated in Laws 2008,
64.20 chapter 367, section 2, subdivision 3,
64.21 paragraph (d), up to \$120,000 is for deposit
64.22 in a monitoring and enforcement account as
64.23 authorized in subdivision 19.

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

64.25 Of the amount appropriated in Laws 1997,
64.26 chapter 216, section 15, subdivision 9,
64.27 paragraph (d), up to \$33,000 is for deposit
64.28 in a monitoring and enforcement account as
64.29 authorized in subdivision 19.

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

64.32 Of the amount appropriated in Laws 1999,
64.33 chapter 231, section 16, subdivision 8,

65.1 paragraph (e), up to \$5,000 is for deposit in
65.2 a monitoring and enforcement account as
65.3 authorized in subdivision 19.

65.4 ARTICLE 4

65.5 STATUTORY CHANGES

65.6 Section 1. [16E.0475] ADVISORY COMMITTEE FOR TECHNOLOGY 65.7 STANDARDS FOR ACCESSIBILITY AND USABILITY.

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

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

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

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

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

65.16 (5) a representative selected by the Commission of Deaf, DeafBlind, and
65.17 Hard-of-Hearing Minnesotans;

65.18 (6) the commissioner of education, or the commissioner's designee;

65.19 (7) the commissioner of health, or the commissioner's designee;

65.20 (8) the commissioner of human services, or the commissioner's designee;

65.21 (9) one representative from the Minnesota judicial system designated by the chief
65.22 justice; and

65.23 (10) one staff member from the legislature, appointed by the chair of the Legislative
65.24 Coordinating Commission.

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

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

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

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

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

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

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

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

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

66.10 (b) The advisory committee shall report to the chairs and ranking minority members
66.11 of the legislative committees with jurisdiction over state technology systems by January
66.12 15 each year regarding the findings, progress, and recommendations made by the advisory
66.13 committee under this subdivision. The report shall include any draft legislation necessary
66.14 to implement the committee's recommendations.

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

66.17 Subd. 4. **Expiration.** This section expires June 30, 2013.

66.18 Sec. 2. Minnesota Statutes 2010, section 41A.105, is amended by adding a subdivision
66.19 to read:

66.20 Subd. 1a. **Definitions.** For the purpose of this section:

66.21 (1) "biobutanol facility" means a facility at which biobutanol is produced; and

66.22 (2) "biobutanol" means fermentation isobutyl alcohol that is derived from
66.23 agricultural products, including potatoes, cereal grains, cheese whey, and sugar beets;
66.24 forest products; or other renewable resources, including residue and waste generated
66.25 from the production, processing, and marketing of agricultural products, forest products,
66.26 and other renewable resources.

66.27 Sec. 3. Minnesota Statutes 2010, section 65B.84, is amended to read:

66.28 **65B.84 AUTOMOBILE THEFT PREVENTION PROGRAM.**

66.29 Subdivision 1. **Program described; commissioner's duties; appropriation.** (a)

66.30 The commissioner of ~~commerce~~ public safety shall:

66.31 (1) develop and sponsor the implementation of statewide plans, programs, and
66.32 strategies to combat automobile theft, improve the administration of the automobile theft
66.33 laws, and provide a forum for identification of critical problems for those persons dealing
66.34 with automobile theft;

67.1 (2) coordinate the development, adoption, and implementation of plans, programs,
67.2 and strategies relating to interagency and intergovernmental cooperation with respect
67.3 to automobile theft enforcement;

67.4 (3) annually audit the plans and programs that have been funded in whole or in part
67.5 to evaluate the effectiveness of the plans and programs and withdraw funding should the
67.6 commissioner of public safety determine that a plan or program is ineffective or is no
67.7 longer in need of further financial support from the fund;

67.8 (4) develop a plan of operation including:

67.9 (i) an assessment of the scope of the problem of automobile theft, including areas
67.10 of the state where the problem is greatest;

67.11 (ii) an analysis of various methods of combating the problem of automobile theft;

67.12 (iii) a plan for providing financial support to combat automobile theft;

67.13 (iv) a plan for eliminating car hijacking; and

67.14 (v) an estimate of the funds required to implement the plan; and

67.15 (5) distribute money, ~~in consultation with the commissioner of public safety,~~
67.16 pursuant to subdivision 3 from the automobile theft prevention special revenue account
67.17 for automobile theft prevention activities, including:

67.18 (i) paying the administrative costs of the program;

67.19 (ii) providing financial support to the State Patrol and local law enforcement
67.20 agencies for automobile theft enforcement teams;

67.21 (iii) providing financial support to state or local law enforcement agencies for
67.22 programs designed to reduce the incidence of automobile theft and for improved
67.23 equipment and techniques for responding to automobile thefts;

67.24 (iv) providing financial support to local prosecutors for programs designed to reduce
67.25 the incidence of automobile theft;

67.26 (v) providing financial support to judicial agencies for programs designed to reduce
67.27 the incidence of automobile theft;

67.28 (vi) providing financial support for neighborhood or community organizations or
67.29 business organizations for programs designed to reduce the incidence of automobile
67.30 theft and to educate people about the common methods of automobile theft, the models
67.31 of automobiles most likely to be stolen, and the times and places automobile theft is
67.32 most likely to occur; and

67.33 (vii) providing financial support for automobile theft educational and training
67.34 programs for state and local law enforcement officials, driver and vehicle services exam
67.35 and inspections staff, and members of the judiciary.

68.1 (b) The commissioner of public safety may not spend in any fiscal year more than
68.2 ten percent of the money in the fund for the program's administrative and operating
68.3 costs. The commissioner of public safety is annually appropriated and must distribute
68.4 the amount of the proceeds credited to the automobile theft prevention special revenue
68.5 account each year, less the transfer of \$1,300,000 each year to the general fund described
68.6 in section 168A.40, subdivision 4.

68.7 Subd. 2. **Annual report.** By January 15 of each year, the commissioner of public
68.8 safety shall report to the governor and the chairs and ranking minority members of the
68.9 house of representatives and senate committees having jurisdiction over the Departments
68.10 of Commerce and Public Safety on the activities and expenditures in the preceding year.

68.11 Subd. 3. **Grant criteria; application.** (a) A county attorney's office, law
68.12 enforcement agency, neighborhood organization, community organization, or business
68.13 organization may apply for a grant under this section. Multiple offices or agencies within
68.14 a county may apply for a grant under this section.

68.15 (b) The commissioner, ~~in consultation with the commissioner~~ of public safety, must
68.16 develop criteria for the fair distribution of grants from the automobile theft prevention
68.17 account that address the following factors:

68.18 (1) the number of reported automobile thefts per capita in a city, county, or region,
68.19 not merely the total number of automobile thefts;

68.20 (2) the population of the jurisdiction of the applicant office or agency;

68.21 (3) the total funds distributed within a county or region; and

68.22 (4) the statewide interest in automobile theft reduction.

68.23 (c) The commissioner of public safety may give priority to:

68.24 (1) offices and agencies engaged in a collaborative effort to reduce automobile
68.25 theft; and

68.26 (2) counties or regions with the greatest rates of automobile theft.

68.27 (d) The minimum amount of a grant award is \$5,000. After considering the
68.28 automobile theft rate and total population of an applicant's jurisdiction, if a grant award,
68.29 as determined under the criteria and priorities in this subdivision, would be less than
68.30 \$5,000, it must not be awarded.

68.31 Subd. 4. **Advisory board; creation; membership.** An Automobile Theft
68.32 Prevention Advisory Board is established to advise the commissioner on the distribution
68.33 of grants under this section. The board must consist of seven members appointed by the
68.34 commissioner of public safety and must include representatives of law enforcement,
68.35 prosecuting agencies, automobile insurers, and the public. The commissioner of public
68.36 safety must annually select a chair from among its members.

69.1 **EFFECTIVE DATE.** This section is effective June 30, 2013.

69.2 Sec. 4. **[84.0264] FEDERAL LAND AND WATER CONSERVATION FUNDS.**

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

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

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

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

69.22 Sec. 5. **[84.8035] NONRESIDENT OFF-ROAD VEHICLE STATE TRAIL PASS.**

69.23 Subdivision 1. **Pass required; fee.** (a) A nonresident may not operate an off-road
69.24 vehicle on a state or grant-in-aid off-road vehicle trail unless the vehicle displays a
69.25 nonresident off-road vehicle state trail pass sticker issued according to this section.
69.26 The pass must be viewable by a peace officer, a conservation officer, or an employee
69.27 designated under section 84.0835.

69.28 (b) The fee for an annual pass is \$20. The pass is valid from January 1 through
69.29 December 31. The fee for a three-year pass is \$30. The commissioner of natural resources
69.30 shall issue a pass upon application and payment of the fee. Fees collected under this
69.31 section, except for the issuing fee for licensing agents, shall be deposited in the state
69.32 treasury and credited to the off-road vehicle account in the natural resources fund and,
69.33 except for the electronic licensing system commission established by the commissioner
69.34 under section 84.027, subdivision 15, must be used for grants-in-aid to counties and

70.1 municipalities for off-road vehicle organizations to construct and maintain off-road
70.2 vehicle trails and use areas.

70.3 (c) A nonresident off-road vehicle state trail pass is not required for:

70.4 (1) an off-road vehicle that is owned and used by the United States, another state,
70.5 or a political subdivision thereof that is exempt from registration under section 84.798,
70.6 subdivision 2;

70.7 (2) a person operating an off-road vehicle only on the portion of a trail that is owned
70.8 by the person or the person's spouse, child, or parent; or

70.9 (3) a nonresident operating an off-road vehicle that is registered according to section
70.10 84.798.

70.11 Subd. 2. **License agents.** The commissioner shall appoint agents to issue and
70.12 sell nonresident off-road vehicle state trail passes. The commissioner may revoke the
70.13 appointment of an agent at any time. The commissioner may adopt additional rules as
70.14 provided in section 97A.485, subdivision 11. An agent shall observe all rules adopted
70.15 by the commissioner for accounting and handling of passes pursuant to section 97A.485,
70.16 subdivision 11. An agent shall promptly deposit and remit all money received from the
70.17 sale of the passes, exclusive of the issuing fee, to the commissioner.

70.18 Subd. 3. **Issuance of passes.** The commissioner and agents shall issue and sell
70.19 nonresident off-road vehicle state trail passes. The commissioner shall also make the
70.20 passes available through the electronic licensing system established under section 84.027,
70.21 subdivision 15.

70.22 Subd. 4. **Agent's fee.** In addition to the fee for a pass, an issuing fee of \$1 per pass
70.23 shall be charged. The issuing fee may be retained by the seller of the pass. Issuing fees for
70.24 passes issued by the commissioner shall be deposited in the off-road vehicle account in the
70.25 natural resources fund and retained for the operation of the electronic licensing system.

70.26 Subd. 5. **Duplicate passes.** The commissioner and agents shall issue a duplicate
70.27 pass to persons whose pass is lost or destroyed using the process established under section
70.28 97A.405, subdivision 3, and rules adopted thereunder. The fee for a duplicate nonresident
70.29 off-road vehicle state trail pass is \$4, with an issuing fee of 50 cents.

70.30 Sec. 6. Minnesota Statutes 2010, section 84D.15, subdivision 2, is amended to read:

70.31 Subd. 2. **Receipts.** Money received from surcharges on watercraft licenses under
70.32 section 86B.415, subdivision 7, and civil penalties under section 84D.13 shall be deposited
70.33 in the invasive species account. Each year, the commissioner of management and budget
70.34 shall transfer from the game and fish fund to the invasive species account, the annual
70.35 surcharge collected on nonresident fishing licenses under section 97A.475, subdivision

71.1 7, paragraph (b). ~~In fiscal years 2010 and 2011~~ Each fiscal year, the commissioner of
71.2 management and budget shall transfer ~~\$725,000~~ \$750,000 from the water recreation
71.3 account under section 86B.706 to the invasive species account.

71.4 Sec. 7. Minnesota Statutes 2010, section 85.052, subdivision 4, is amended to read:

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

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

71.12 ~~The appropriation under section 85.22 for revenue deposited in this section is limited to~~
71.13 ~~\$25,000 per fiscal year.~~

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

71.18 Sec. 8. **[89.0385] FOREST MANAGEMENT INVESTMENT ACCOUNT; COST**
71.19 **CERTIFICATION.**

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

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

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

71.30 Sec. 9. Minnesota Statutes 2010, section 89.039, subdivision 1, is amended to read:

71.31 Subdivision 1. **Account established; sources.** The forest management investment
71.32 account is created in the natural resources fund in the state treasury and money in the

72.1 account may be spent only for the purposes provided in subdivision 2. The following
72.2 revenue shall be deposited in the forest management investment account:

72.3 (1) timber sales receipts transferred from the consolidated conservation areas
72.4 account as provided in section 84A.51, subdivision 2;

72.5 (2) timber sales receipts from forest lands as provided in section 89.035;

72.6 (3) money transferred from the forest suspense account according to section
72.7 16A.125, subdivision 5; ~~and~~

72.8 (4) interest accruing from investment of the account; and

72.9 (5) money transferred from other accounts according to section 89.0385.

72.10 Sec. 10. Minnesota Statutes 2010, section 89.21, is amended to read:

72.11 **89.21 CAMPGROUNDS, ESTABLISHMENT AND FEES.**

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

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

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

72.21 Sec. 11. Minnesota Statutes 2010, section 89.35, subdivision 2, is amended to read:

72.22 Subd. 2. **Purpose of planting.** The purposes for which trees may be produced,
72.23 procured, distributed, and planted under sections 89.35 to 89.39 shall include auxiliary
72.24 forests, woodlots, windbreaks, shelterbelts, erosion control, soil conservation, water
72.25 conservation, provision of permanent food and cover for wild life, environmental
72.26 education, and afforestation and reforestation on ~~public or private~~ state lands ~~of any~~
72.27 ~~kind~~, but shall not include the raising of fruit for human consumption or planting for
72.28 purely ornamental purposes. It is hereby declared that all such authorized purposes are in
72.29 furtherance of the public health, safety, and welfare.

72.30 Sec. 12. Minnesota Statutes 2010, section 89.36, subdivision 1, is amended to read:

72.31 Subdivision 1. **Production at state nurseries.** The commissioner of natural
72.32 resources may produce tree planting stock for the purposes of sections 89.35 to 89.39
72.33 upon any lands under control of the commissioner which may be deemed suitable and

73.1 available ~~therefor so far as not inconsistent~~ consistent with other uses to which ~~such~~ the
73.2 lands may be dedicated by law. The commissioner may not produce more than ~~10,000,000~~
73.3 8,000,000 units of planting stock annually, after ~~January 1, 2003~~ June 30, 2011. The
73.4 commissioner shall limit deciduous tree stock production to no more than two percent of
73.5 total annual production.

73.6 Sec. 13. Minnesota Statutes 2010, section 89.37, subdivision 1, is amended to read:

73.7 Subdivision 1. **Planting conditions State lands.** The commissioner of natural
73.8 resources may supply planting stock produced or procured ~~hereunder~~ for use on any
73.9 ~~public or private state lands within the state~~ for the purposes ~~herein~~ authorized under ~~such~~
73.10 ~~conditions as~~ sections 89.35 to 89.39. The commissioner may prescribe for planting, care,
73.11 and maintenance in furtherance of ~~such~~ the purposes specified. The commissioner may
73.12 sell excess tree planting stock to licensed, private nurseries.

73.13 Sec. 14. Minnesota Statutes 2010, section 89.37, subdivision 3b, is amended to read:

73.14 Subd. 3b. **Sales to nurseries.** To promote the availability and use of native plant
73.15 material, the commissioner may sell native tree seed to licensed, private Minnesota
73.16 nurseries when supplies of seed from geographically adapted sources are not available
73.17 from private Minnesota seed dealers. ~~The commissioner may also sell native trees and~~
73.18 ~~shrubs in lots of ten or more to nonprofit groups and local units of government.~~

73.19 Sec. 15. Minnesota Statutes 2010, section 93.481, subdivision 7, is amended to read:

73.20 Subd. 7. **Mining administration account.** The mining administration account is
73.21 established as an account in the natural resources fund. Fees charged to owners, operators,
73.22 or managers of mines under this section and section 93.482 shall be credited to the account
73.23 and ~~may be~~ are appropriated to the commissioner to cover the costs of providing and
73.24 monitoring permits to mine. Earnings accruing from investment of the account remain
73.25 with the account until appropriated.

73.26 Sec. 16. **[97A.052] PEACE OFFICER TRAINING ACCOUNT.**

73.27 Subdivision 1. **Account established; sources.** The peace officer training account is
73.28 created in the game and fish fund in the state treasury. Revenue from the portion of the
73.29 surcharges assessed to criminal and traffic offenders in section 357.021, subdivision 7,
73.30 clause (1), shall be deposited in the account. Money in the account may be spent only
73.31 for the purposes provided in subdivision 2.

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

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

74.6 Sec. 17. Minnesota Statutes 2010, section 97A.055, is amended by adding a
74.7 subdivision to read:

74.8 Subd. 2b. Certified costs. Money for the certified costs under section 89.0385
74.9 is transferred annually for reimbursement of certified costs on state lands acquired by
74.10 purchase or gift for game and fish purposes.

74.11 Sec. 18. Minnesota Statutes 2010, section 97A.071, subdivision 2, is amended to read:

74.12 **Subd. 2. Revenue from small game license surcharge and lifetime licenses.**
74.13 Revenue from the small game surcharge and \$6.50 annually from the lifetime fish and
74.14 wildlife trust fund, established in section 97A.4742, for each license issued under sections
74.15 97A.473, subdivisions 3 and 5, and 97A.474, subdivision 3, shall be credited to the
74.16 wildlife acquisition account and is appropriated to the commissioner. The money in the
74.17 account shall be used by the commissioner only for the purposes of this section, and
74.18 acquisition and development of wildlife lands under section 97A.145 and maintenance of
74.19 the lands, in accordance with appropriations made by the legislature.

74.20 Sec. 19. Minnesota Statutes 2010, section 97A.075, is amended to read:

74.21 **97A.075 USE OF LICENSE REVENUES.**

74.22 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this
74.23 subdivision, "deer license" means a license issued under section 97A.475, subdivisions
74.24 2, clauses (5), (6), (7), (13), (14), and (15), and 3, clauses (2), (3), (4), (10), (11), and
74.25 (12), and licenses issued under section 97B.301, subdivision 4.

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

74.31 (c) \$1 from each annual deer license and each bear license and \$1 annually from
74.32 the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license

75.1 issued under section 97A.473, subdivision 4, shall be credited to the deer and bear
75.2 management account and ~~shall be used~~ is appropriated to the commissioner for deer and
75.3 bear management programs, including a computerized licensing system.

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

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

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

75.19 (1) development of wetlands and lakes in the state and designated waterfowl
75.20 management lakes for maximum migratory waterfowl production including habitat
75.21 evaluation, the construction of dikes, water control structures and impoundments, nest
75.22 cover, rough fish barriers, acquisition of sites and facilities necessary for development
75.23 and management of existing migratory waterfowl habitat and the designation of waters
75.24 under section 97A.101;

75.25 (2) management of migratory waterfowl;

75.26 (3) development, restoration, maintenance, or preservation of migratory waterfowl
75.27 habitat;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

77.11 (4) trapping and transplantation of wild turkeys; and

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

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

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

77.18 (2) any permanent personnel costs.

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

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

77.25 Sec. 20. **[103G.27] WATER MANAGEMENT ACCOUNT.**

77.26 Subdivision 1. Account established; sources. The water management account
77.27 is created in the natural resources fund in the state treasury. Revenues collected from
77.28 permit application fees, water use fees, field inspection fees, penalties, and other receipts
77.29 according to sections 103G.271 and 103G.301 shall be deposited in the account. Interest
77.30 earned on money in the account accrues to the account.

77.31 Subd. 2. Purposes of account. Money in the water management account may be
77.32 spent only for the costs associated with administering this chapter.

77.33 Sec. 21. Minnesota Statutes 2010, section 103G.271, subdivision 6, is amended to read:

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

78.7 (1) \$140 for amounts not exceeding 50,000,000 gallons per year;

78.8 (2) \$3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less
78.9 than 100,000,000 gallons per year;

78.10 (3) \$4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less
78.11 than 150,000,000 gallons per year;

78.12 (4) \$4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but
78.13 less than 200,000,000 gallons per year;

78.14 (5) \$5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less
78.15 than 250,000,000 gallons per year;

78.16 (6) \$5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but
78.17 less than 300,000,000 gallons per year;

78.18 (7) \$6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less
78.19 than 350,000,000 gallons per year;

78.20 (8) \$6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but
78.21 less than 400,000,000 gallons per year;

78.22 (9) \$7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less
78.23 than 450,000,000 gallons per year;

78.24 (10) \$7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but
78.25 less than 500,000,000 gallons per year; and

78.26 (11) \$8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

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

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

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

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

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

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

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

- 79.1 (i) \$60,000 per year for an entity holding three or fewer permits;
79.2 (ii) \$90,000 per year for an entity holding four or five permits; or
79.3 (iii) \$300,000 per year for an entity holding more than five permits;
79.4 (3) the fee for agricultural irrigation may not exceed \$750 per year;
79.5 (4) the fee for a municipality that furnishes electric service and cogenerates steam
79.6 for home heating may not exceed \$10,000 for its permit for water use related to the
79.7 cogeneration of electricity and steam; and
79.8 (5) no fee is required for a project involving the appropriation of surface water to
79.9 prevent flood damage or to remove flood waters during a period of flooding, as determined
79.10 by the commissioner.
79.11 (e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of two
79.12 percent per month calculated from the original due date must be imposed on the unpaid
79.13 balance of fees remaining 30 days after the sending of a second notice of fees due. A fee
79.14 may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal
79.15 governmental agency holding a water appropriation permit.
79.16 (f) The minimum water use processing fee for a permit issued for irrigation of
79.17 agricultural land is \$20 for years in which:
79.18 (1) there is no appropriation of water under the permit; or
79.19 (2) the permit is suspended for more than seven consecutive days between May 1
79.20 and October 1.
79.21 (g) A surcharge of \$30 per million gallons in addition to the fee prescribed in
79.22 paragraph (a) shall be applied to the volume of water used in each of the months of June,
79.23 July, and August that exceeds the volume of water used in January for municipal water
79.24 use, irrigation of golf courses, and landscape irrigation. The surcharge for municipalities
79.25 with more than one permit shall be determined based on the total appropriations from all
79.26 permits that supply a common distribution system.

79.27 Sec. 22. Minnesota Statutes 2010, section 103G.301, is amended by adding a
79.28 subdivision to read:

79.29 Subd. 8. **Deposit of fees.** Fees collected under this section must be credited to the
79.30 water management account in the natural resources fund.

79.31 Sec. 23. Minnesota Statutes 2010, section 103G.615, subdivision 2, is amended to read:

79.32 Subd. 2. **Fees.** (a) The commissioner shall establish a fee schedule for permits to
79.33 control or harvest aquatic plants other than wild rice. The fees must be set by rule, and
79.34 section 16A.1283 does not apply, but the rule must not take effect until 45 legislative

80.1 days after it has been reported to the legislature. The fees shall not exceed \$2,500 per
80.2 permit and shall be based upon the cost of receiving, processing, analyzing, and issuing
80.3 the permit, and additional costs incurred after the application to inspect and monitor
80.4 the activities authorized by the permit, and enforce aquatic plant management rules and
80.5 permit requirements.

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

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

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

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

80.17 Sec. 24. Minnesota Statutes 2010, section 115.073, is amended to read:

80.18 **115.073 ENFORCEMENT FUNDING.**

80.19 Except as provided in section 115C.05, ~~at~~ one-half of the money recovered by the
80.20 state under this chapter and chapters 115A and 116, including civil penalties and money
80.21 paid under an agreement, stipulation, or settlement, excluding money paid for past due
80.22 fees or taxes, must be deposited in the state treasury and credited to the environmental
80.23 fund. The remaining amount collected shall be deposited in the general fund.

80.24 Sec. 25. Minnesota Statutes 2010, section 115A.1314, is amended to read:

80.25 **115A.1314 MANUFACTURER'S REGISTRATION FEE; ~~CREATION OF~~**
80.26 **~~ACCOUNT.~~**

80.27 Subdivision 1. **Registration fee.** (a) Each manufacturer who registers under section
80.28 115A.1312 must, by September 1, 2007, and each year thereafter, pay to the commissioner
80.29 of revenue an annual registration fee. The commissioner of revenue must deposit the
80.30 fee in the ~~account established in subdivision 2~~ state treasury and credit the fee to the
80.31 environmental fund.

80.32 (b) ~~The registration fee for the initial program year during which a manufacturer's~~
80.33 ~~video display devices are sold to households is \$5,000. Each year thereafter, The~~

81.1 registration fee is equal to a base fee of \$2,500, plus a variable recycling fee calculated
81.2 according to the formula:

81.3 $((A \times B) - (C + D)) \times E$, where:

81.4 (1) A = the number of pounds of a manufacturer's video display devices sold to
81.5 households during the previous program year, as reported to the department under section
81.6 115A.1316, subdivision 1;

81.7 (2) B = the proportion of sales of video display devices required to be recycled, set at
81.8 0.6 for the first program year and 0.8 for the second program year and every year thereafter;

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

81.12 (4) D = the number of recycling credits a manufacturer elects to use to calculate the
81.13 variable recycling fee, as reported to the department under section 115A.1316, subdivision
81.14 1; and

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

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

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

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

81.35 Subd. 2. ~~Creation of account; appropriations~~ **Use of registration fees.** ~~(a) The~~
81.36 ~~electronic waste account is established in the environmental fund. The commissioner of~~

82.1 ~~revenue must deposit receipts from the fee established in subdivision 1 in the account.~~
82.2 ~~Any interest earned on the account must be credited to the account. Money from other~~
82.3 ~~sources may be credited to the account. Beginning in the second program year and~~
82.4 ~~continuing each program year thereafter, as of the last day of each program year, the~~
82.5 ~~commissioner shall determine the total amount of the variable fees that were collected. To~~
82.6 ~~the extent that the total fees collected by the commissioner in connection with this section~~
82.7 ~~exceed the amount the commissioner determines necessary to operate the program for the~~
82.8 ~~new program year, the commissioner shall refund on a pro rata basis, to all manufacturers~~
82.9 ~~who paid any fees for the previous program year, the amount of fees collected by the~~
82.10 ~~commissioner in excess of the amount necessary to operate the program for the new~~
82.11 ~~program year. No individual refund is required of amounts of \$100 or less for a fiscal~~
82.12 ~~year. Manufacturers who report collections less than 50 percent of their obligation for~~
82.13 ~~the previous program year are not eligible for a refund.~~

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

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

82.20 (2) ~~to the commissioner of the Pollution Control Agency to be distributed on~~
82.21 ~~a competitive basis through contracts with grants to~~ counties outside the 11-county
82.22 metropolitan area, as defined in paragraph ~~(e)~~ (b), and ~~with~~ to private entities that collect
82.23 for recycling covered electronic devices in counties outside the 11-county metropolitan
82.24 area, where the collection and recycling is consistent with the respective county's solid
82.25 waste plan, for the purpose of carrying out the activities under sections 115A.1312 to
82.26 115A.1330. In awarding competitive grants under this clause, the commissioner must
82.27 give preference to counties and private entities that are working cooperatively with
82.28 manufacturers to help them meet their recycling obligations under section 115A.1318,
82.29 subdivision 1.

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

82.32 Sec. 26. Minnesota Statutes 2010, section 115A.1320, subdivision 1, is amended to
82.33 read:

82.34 Subdivision 1. **Duties of the agency.** (a) The agency shall administer sections
82.35 115A.1310 to 115A.1330.

83.1 (b) The agency shall establish procedures for:

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

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

83.6 (c) The agency shall annually review the value of the following variables that are
83.7 part of the formula used to calculate a manufacturer's annual registration fee under section
83.8 115A.1314, subdivision 1:

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

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

83.13 (3) the base registration fee; and

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

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

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

83.33 ~~(f)~~ (e) On or before December 1, 2010, and each year thereafter, the agency shall
83.34 provide a report to the governor and the legislature on the implementation of sections
83.35 115A.1310 to 115A.1330. For each program year, the report must discuss the total weight
83.36 of covered electronic devices recycled and a summary of information in the reports

84.1 submitted by manufacturers and recyclers under section 115A.1316. The report must
84.2 also discuss the various collection programs used by manufacturers to collect covered
84.3 electronic devices; information regarding covered electronic devices that are being
84.4 collected by persons other than registered manufacturers, collectors, and recyclers; and
84.5 information about covered electronic devices, if any, being disposed of in landfills in
84.6 this state. The report must include a description of enforcement actions under sections
84.7 115A.1310 to 115A.1330. The agency may include in its report other information received
84.8 by the agency regarding the implementation of sections 115A.1312 to 115A.1330.

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

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

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

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

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

84.23 Sec. 27. Minnesota Statutes 2010, section 115C.09, subdivision 3c, is amended to read:

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

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

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

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

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

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

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

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

85.8 Sec. 28. Minnesota Statutes 2010, section 115C.13, is amended to read:

85.9 **115C.13 REPEALER.**

85.10 Sections 115C.01, 115C.02, 115C.021, 115C.03, 115C.04, 115C.045, 115C.05,

85.11 115C.06, 115C.065, 115C.07, 115C.08, 115C.09, 115C.093, 115C.094, 115C.10, 115C.11,

85.12 115C.111, 115C.112, 115C.113, 115C.12, and 115C.13, are repealed effective June 30,

85.13 ~~2012~~ 2017.

85.14 Sec. 29. Minnesota Statutes 2010, section 116.06, is amended by adding a subdivision

85.15 to read:

85.16 Subd. 5a. **Capacity.** "Capacity" means the maximum number of animal units

85.17 actually confined or proposed to be confined at an animal feedlot.

85.18 Sec. 30. Minnesota Statutes 2010, section 116.07, subdivision 7c, is amended to read:

85.19 Subd. 7c. **NPDES feedlot permitting requirements.** (a) The agency must issue

85.20 national pollutant discharge elimination system permits for feedlots ~~with 1,000 animal~~

85.21 ~~units or more and that meet the definition of a "concentrated animal feeding operation" in~~

85.22 ~~Code of Federal Regulations, title 40, section 122.23,~~ only as required by federal law. The

85.23 issuance of national pollutant discharge elimination system permits for feedlots must be

85.24 based on the following:

85.25 (1) a permit for a newly constructed or expanded animal feedlot that is identified as a

85.26 priority by the commissioner, using criteria ~~established under paragraph (d) in effect on~~

85.27 January 1, 2010, must be issued as an individual permit;

85.28 (2) ~~after January 1, 2001~~, an existing feedlot that is identified as a priority by the

85.29 commissioner, using criteria ~~established under paragraph (e) in effect on January 1, 2010~~,

85.30 must be issued as an individual permit; and

85.31 (3) the agency must issue a general national pollutant discharge elimination system

85.32 permit, if required, for animal feedlots that are not identified under clause (1) or (2).

86.1 (b) Prior to the issuance of a general national pollutant discharge elimination system
86.2 permit for a category of animal feedlot facility permittees, the agency must hold at least
86.3 one public hearing on the permit issuance.

86.4 (c) To the extent practicable, the agency must include a public notice and comment
86.5 period for an individual national pollutant discharge elimination system permit concurrent
86.6 with any public notice and comment for:

86.7 (1) the purpose of environmental review of the same facility under chapter 116D; or

86.8 (2) the purpose of obtaining a conditional use permit from a local unit of government
86.9 where the local government unit is the responsible governmental unit for purposes of
86.10 environmental review under chapter 116D.

86.11 ~~(d) The commissioner, in consultation with the Feedlot and Manure Management~~
86.12 ~~Advisory Committee, created under section 17.136, and other interested parties must~~
86.13 ~~develop criteria for determining whether an individual national pollutant discharge~~
86.14 ~~elimination system permit is required under paragraph (a), clause (1). The criteria must~~
86.15 ~~be based on proximity to waters of the state, facility design, and other site-specific~~
86.16 ~~environmental factors.~~

86.17 ~~(e) The commissioner, in consultation with the Feedlot and Manure Management~~
86.18 ~~Advisory Committee, created under section 17.136, and other interested parties must~~
86.19 ~~develop criteria for determining whether an individual national pollutant discharge~~
86.20 ~~elimination system permit is required for an existing animal feedlot, under paragraph~~
86.21 ~~(a), clause (2). The criteria must be based on violations and other compliance problems~~
86.22 ~~at the facility.~~

86.23 ~~(f) The commissioner, in consultation with the Feedlot and Manure Management~~
86.24 ~~Advisory Committee, created under section 17.136, and other interested parties must~~
86.25 ~~develop criteria for determining when an individual national pollutant discharge~~
86.26 ~~elimination system permit is transferred from individual to general permit status.~~

86.27 ~~(g) Notwithstanding the provisions in paragraph (a), until January 1, 2001, the~~
86.28 ~~commissioner may issue an individual national pollutant discharge elimination system~~
86.29 ~~permit for an animal feedlot. After the general permit is issued and the criteria under~~
86.30 ~~paragraphs (d) and (e) are developed, individual permits issued pursuant to this paragraph~~
86.31 ~~that do not fit the criteria for an individual permit under the applicable provisions of~~
86.32 ~~paragraph (d) or (e) must be transferred to general permit status.~~

86.33 ~~(h) The commissioner, in consultation with the Feedlot and Manure Management~~
86.34 ~~Advisory Committee, created under section 17.136, and other interested parties must~~
86.35 ~~develop criteria for determining which feedlots are required to apply for and obtain a~~
86.36 ~~national pollutant discharge elimination system permit and which feedlots are required~~

87.1 ~~to apply for and obtain a state disposal system permit based upon the actual or potential~~
87.2 ~~to discharge~~ A feedlot owner may choose to apply for a national pollutant discharge
87.3 elimination system permit even if the feedlot is not required by federal law to have a
87.4 national pollutant discharge elimination system permit.

87.5 Sec. 31. Minnesota Statutes 2010, section 116D.04, subdivision 2a, as amended by
87.6 Laws 2011, chapter 4, section 6, is amended to read:

87.7 Subd. 2a. **When prepared.** Where there is potential for significant environmental
87.8 effects resulting from any major governmental action, the action shall be preceded by a
87.9 detailed environmental impact statement prepared by the responsible governmental unit.
87.10 The environmental impact statement shall be an analytical rather than an encyclopedic
87.11 document which describes the proposed action in detail, analyzes its significant
87.12 environmental impacts, discusses appropriate alternatives to the proposed action and
87.13 their impacts, and explores methods by which adverse environmental impacts of an
87.14 action could be mitigated. The environmental impact statement shall also analyze those
87.15 economic, employment and sociological effects that cannot be avoided should the action
87.16 be implemented. To ensure its use in the decision-making process, the environmental
87.17 impact statement shall be prepared as early as practical in the formulation of an action.
87.18 No mandatory environmental impact statement may be required for an ethanol plant,
87.19 as defined in section 41A.09, subdivision 2a, paragraph (b), that produces less than
87.20 125,000,000 gallons of ethanol annually and is located outside of the seven-county
87.21 metropolitan area.

87.22 (a) The board shall by rule establish categories of actions for which environmental
87.23 impact statements and for which environmental assessment worksheets shall be prepared
87.24 as well as categories of actions for which no environmental review is required under this
87.25 section. A mandatory environmental assessment worksheet shall not be required for the
87.26 expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph
87.27 (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a
87.28 biobutanol facility, as defined in section 41A.105, subdivision 1a, based on the capacity
87.29 of the expanded or converted facility to produce alcohol fuel, but must be required if
87.30 the ethanol plant meets or exceeds thresholds of other categories of actions for which
87.31 environmental assessment worksheets must be prepared. The responsible governmental
87.32 unit for an ethanol plant project for which an environmental assessment worksheet is
87.33 prepared shall be the state agency with the greatest responsibility for supervising or
87.34 approving the project as a whole.

88.1 (b) The responsible governmental unit shall promptly publish notice of the
88.2 completion of an environmental assessment worksheet in a manner to be determined by
88.3 the board and shall provide copies of the environmental assessment worksheet to the board
88.4 and its member agencies. Comments on the need for an environmental impact statement
88.5 may be submitted to the responsible governmental unit during a 30-day period following
88.6 publication of the notice that an environmental assessment worksheet has been completed.
88.7 The responsible governmental unit's decision on the need for an environmental impact
88.8 statement shall be based on the environmental assessment worksheet and the comments
88.9 received during the comment period, and shall be made within 15 days after the close of
88.10 the comment period. The board's chair may extend the 15-day period by not more than 15
88.11 additional days upon the request of the responsible governmental unit.

88.12 (c) An environmental assessment worksheet shall also be prepared for a proposed
88.13 action whenever material evidence accompanying a petition by not less than ~~25~~ 100
88.14 individuals who reside or own property in the county or an adjoining county where the
88.15 proposed action will be located, submitted before the proposed project has received final
88.16 approval by the appropriate governmental units, demonstrates that, because of the nature
88.17 or location of a proposed action, there may be potential for significant environmental
88.18 effects. Petitions requesting the preparation of an environmental assessment worksheet
88.19 shall be submitted to the board. The chair of the board shall determine the appropriate
88.20 responsible governmental unit and forward the petition to it. A decision on the need for
88.21 an environmental assessment worksheet shall be made by the responsible governmental
88.22 unit within 15 days after the petition is received by the responsible governmental unit.
88.23 The board's chair may extend the 15-day period by not more than 15 additional days upon
88.24 request of the responsible governmental unit.

88.25 (d) Except in an environmentally sensitive location where Minnesota Rules, part
88.26 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental
88.27 review under this chapter and rules of the board, if:

88.28 (1) the proposed action is:

88.29 (i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

88.30 (ii) an expansion of an existing animal feedlot facility with a total cumulative
88.31 capacity of less than 1,000 animal units;

88.32 (2) the application for the animal feedlot facility includes a written commitment by
88.33 the proposer to design, construct, and operate the facility in full compliance with Pollution
88.34 Control Agency feedlot rules; and

88.35 (3) the county board holds a public meeting for citizen input at least ten business
88.36 days prior to the Pollution Control Agency or county issuing a feedlot permit for the

89.1 animal feedlot facility unless another public meeting for citizen input has been held with
89.2 regard to the feedlot facility to be permitted. The exemption in this paragraph is in
89.3 addition to other exemptions provided under other law and rules of the board.

89.4 (e) The board may, prior to final approval of a proposed project, require preparation
89.5 of an environmental assessment worksheet by a responsible governmental unit selected
89.6 by the board for any action where environmental review under this section has not been
89.7 specifically provided for by rule or otherwise initiated.

89.8 (f) An early and open process shall be utilized to limit the scope of the environmental
89.9 impact statement to a discussion of those impacts, which, because of the nature or location
89.10 of the project, have the potential for significant environmental effects. The same process
89.11 shall be utilized to determine the form, content and level of detail of the statement as well
89.12 as the alternatives which are appropriate for consideration in the statement. In addition,
89.13 the permits which will be required for the proposed action shall be identified during the
89.14 scoping process. Further, the process shall identify those permits for which information
89.15 will be developed concurrently with the environmental impact statement. The board
89.16 shall provide in its rules for the expeditious completion of the scoping process. The
89.17 determinations reached in the process shall be incorporated into the order requiring the
89.18 preparation of an environmental impact statement.

89.19 (g) The responsible governmental unit shall, to the extent practicable, avoid
89.20 duplication and ensure coordination between state and federal environmental review
89.21 and between environmental review and environmental permitting. Whenever practical,
89.22 information needed by a governmental unit for making final decisions on permits or
89.23 other actions required for a proposed project shall be developed in conjunction with the
89.24 preparation of an environmental impact statement.

89.25 (h) An environmental impact statement shall be prepared and its adequacy
89.26 determined within 280 days after notice of its preparation unless the time is extended by
89.27 consent of the parties or by the governor for good cause. The responsible governmental
89.28 unit shall determine the adequacy of an environmental impact statement, unless within 60
89.29 days after notice is published that an environmental impact statement will be prepared,
89.30 the board chooses to determine the adequacy of an environmental impact statement. If an
89.31 environmental impact statement is found to be inadequate, the responsible governmental
89.32 unit shall have 60 days to prepare an adequate environmental impact statement.

89.33 (i) The proposer of a specific action may include in the information submitted to the
89.34 responsible governmental unit a preliminary draft environmental impact statement under
89.35 this section on that action for review, modification, and determination of completeness and
89.36 adequacy by the responsible governmental unit. A preliminary draft environmental impact

90.1 statement prepared by the project proposer and submitted to the responsible governmental
90.2 unit shall identify or include as an appendix all studies and other sources of information
90.3 used to substantiate the analysis contained in the preliminary draft environmental impact
90.4 statement. The responsible governmental unit shall require additional studies, if needed,
90.5 and obtain from the project proposer all additional studies and information necessary for
90.6 the responsible governmental unit to perform its responsibility to review, modify, and
90.7 determine the completeness and adequacy of the environmental impact statement.

90.8 Sec. 32. Minnesota Statutes 2010, section 116G.15, subdivision 1, is amended to read:

90.9 Subdivision 1. **Establishment, purpose Designation.** The federal Mississippi
90.10 National River and Recreation Area established pursuant to United States Code, title
90.11 16, section 460zz-2(k), is designated an area of critical concern in accordance with this
90.12 chapter. ~~The purpose of the designation is to:~~

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

90.16 ~~(2) prevent and mitigate irreversible damages to these state, regional, and natural~~
90.17 ~~resources;~~

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

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

90.22 ~~(5) protect and preserve the biological and ecological functions of the Mississippi~~
90.23 ~~River corridor.~~

90.24 Sec. 33. Minnesota Statutes 2010, section 116P.05, subdivision 2, is amended to read:

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

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

90.31 ~~(c)~~ It is a condition of acceptance of the appropriations made from the Minnesota
90.32 environment and natural resources trust fund, and oil overcharge money under section
90.33 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit
90.34 a work program and semiannual progress reports in the form determined by the

91.1 Legislative-Citizen Commission on Minnesota Resources, and comply with applicable
91.2 reporting requirements under section 116P.16. None of the money provided may be spent
91.3 unless the commission has approved the pertinent work program.

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

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

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

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

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

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

91.16 (4) provide for project outcome evaluation;

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

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

91.21 Sec. 34. Minnesota Statutes 2010, section 168A.40, is amended to read:

91.22 **168A.40 AUTOMOBILE THEFT PREVENTION PROGRAM.**

91.23 Subd. 3. **Surcharge.** Each insurer engaged in the writing of policies of automobile
91.24 insurance shall collect a surcharge, at the rate of 50 cents per vehicle for every six months
91.25 of coverage, on each policy of automobile insurance providing comprehensive insurance
91.26 coverage issued or renewed in this state. The surcharge may not be considered premium
91.27 for any purpose, including the computation of premium tax or agents' commissions.

91.28 The amount of the surcharge must be separately stated on either a billing or policy
91.29 declaration sent to an insured. Insurers shall remit the revenue derived from this surcharge
91.30 at least quarterly to the commissioner of public safety for purposes of the automobile
91.31 theft prevention program described in section ~~65B.84~~ 299A.625. For purposes of this
91.32 subdivision, "policy of automobile insurance" has the meaning given it in section 65B.14,
91.33 covering only the following types of vehicles as defined in section 168.002:

91.34 (1) a passenger automobile;

91.35 (2) a pickup truck;

92.1 (3) a van but not commuter vans as defined in section 168.126; or
92.2 (4) a motorcycle,
92.3 except that no vehicle with a gross vehicle weight in excess of 10,000 pounds is included
92.4 within this definition.

92.5 Subd. 4. **Automobile theft prevention account.** A special revenue account is
92.6 created in the state treasury to be credited with the proceeds of the surcharge imposed
92.7 under subdivision 3. Of the revenue in the account, \$1,300,000 each year must be
92.8 transferred to the general fund. Revenues in excess of \$1,300,000 each year may be used
92.9 only for the automobile theft prevention program described in section ~~65B.84~~ 299A.625.

92.10 **EFFECTIVE DATE.** This section is effective June 30, 2013.

92.11 Sec. 35. Minnesota Statutes 2010, section 216H.02, subdivision 4, is amended to read:

92.12 Subd. 4. **General elements of the plan.** The plan must:

92.13 (1) estimate 1990 and 2005 greenhouse gas emissions in the state and make
92.14 projections of emissions in 2015, 2025, and 2050;

92.15 (2) identify, evaluate, and integrate a broad range of statewide greenhouse gas
92.16 reduction options for all emission sectors in the state;

92.17 (3) assess the costs, benefits, and feasibility of implementing the options;

92.18 (4) recommend an integrated set of reduction options and strategies for implementing
92.19 the options that will achieve the goals in subdivision 1, including analysis of the associated
92.20 costs and benefits to Minnesotans;

92.21 (5) estimate the statewide greenhouse gas emissions reductions anticipated from
92.22 implementation of existing state policies; and

92.23 (6) recommend a system to require the reporting of statewide greenhouse gas
92.24 emissions, identifying which facilities must report, and how emission estimates should
92.25 be made; ~~and~~

92.26 ~~(7) evaluate the option of exempting a project from the prohibitions contained in~~
92.27 ~~section 216H.03, subdivision 3, if the project contributes a specified fee per ton of carbon~~
92.28 ~~dioxide emissions emitted annually by the project, the proceeds of which would be used to~~
92.29 ~~fund permanent, quantifiable, verifiable, and enforceable reductions in greenhouse gas~~
92.30 ~~emissions that would not otherwise have occurred.~~

92.31 Sec. 36. Minnesota Statutes 2010, section 290.431, is amended to read:

92.32 **290.431 NONGAME WILDLIFE CHECKOFF.**

93.1 Every individual who files an income tax return or property tax refund claim form
 93.2 may designate on their original return that \$1 or more shall be added to the tax or deducted
 93.3 from the refund that would otherwise be payable by or to that individual and paid into an
 93.4 account to be established for the management of nongame wildlife. The commissioner
 93.5 of revenue shall, on the income tax return and the property tax refund claim form, notify
 93.6 filers of their right to designate that a portion of their tax or refund shall be paid into the
 93.7 nongame wildlife management account. The sum of the amounts so designated to be paid
 93.8 shall be credited to the nongame wildlife management account for use by the nongame
 93.9 program in the Department of Natural Resources. All interest earned on money accrued,
 93.10 gifts to the program, contributions to the program, and reimbursements of expenditures
 93.11 in the nongame wildlife management account shall be credited to the account by the
 93.12 commissioner of management and budget, except that gifts or contributions received
 93.13 directly by the commissioner of natural resources and directed by the contributor for
 93.14 use in specific nongame field projects or geographic areas shall be handled according to
 93.15 section 84.085, subdivision 1. ~~The commissioner of natural resources shall submit a work
 93.16 program for each fiscal year and semiannual progress reports to the Legislative-Citizen
 93.17 Commission on Minnesota Resources in the form determined by the commission.~~

93.18 The state pledges and agrees with all contributors to the nongame wildlife
 93.19 management account to use the funds contributed solely for the management of nongame
 93.20 wildlife projects and further agrees that it will not impose additional conditions or
 93.21 restrictions that will limit or otherwise restrict the ability of the commissioner of natural
 93.22 resources to use the available funds for the most efficient and effective management of
 93.23 nongame wildlife. The commissioner may use funds appropriated for nongame wildlife
 93.24 programs for the purpose of developing, preserving, restoring, and maintaining wintering
 93.25 habitat for neotropical migrant birds in Latin America and the Caribbean under agreement
 93.26 or contract with any nonprofit organization dedicated to the construction, maintenance, and
 93.27 repair of such projects that are acceptable to the governmental agency having jurisdiction
 93.28 over the land and water affected by the projects. Under this authority, the commissioner
 93.29 may execute agreements and contracts if the commissioner determines that the use of the
 93.30 funds will benefit neotropical migrant birds that breed in or migrate through the state.

93.31 Sec. 37. Minnesota Statutes 2010, section 290.432, is amended to read:

93.32 **290.432 CORPORATE NONGAME WILDLIFE CHECKOFF.**

93.33 A corporation that files an income tax return may designate on its original return that
 93.34 \$1 or more shall be added to the tax or deducted from the refund that would otherwise
 93.35 be payable by or to that corporation and paid into the nongame wildlife management

94.1 account established by section 290.431 for use by the Department of Natural Resources
94.2 for its nongame wildlife program. The commissioner of revenue shall, on the corporate
94.3 tax return, notify filers of their right to designate that a portion of their tax return be paid
94.4 into the nongame wildlife management account for the protection of endangered natural
94.5 resources. All interest earned on money accrued, gifts to the program, contributions to
94.6 the program, and reimbursements of expenditures in the nongame wildlife management
94.7 account shall be credited to the account by the commissioner of management and budget,
94.8 except that gifts or contributions received directly by the commissioner of natural
94.9 resources and directed by the contributor for use in specific nongame field projects or
94.10 geographic areas shall be handled according to section 84.085, subdivision 1. ~~The~~
94.11 ~~commissioner of natural resources shall submit a work program for each fiscal year to~~
94.12 ~~the Legislative-Citizen Commission on Minnesota Resources in the form determined~~
94.13 ~~by the commission.~~

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

94.19 Sec. 38. Minnesota Statutes 2010, section 299C.40, subdivision 1, is amended to read:

94.20 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this
94.21 section.

94.22 (b) "CIBRS" means the Comprehensive Incident-Based Reporting System, located
94.23 in the Department of Public Safety and managed by the Bureau of Criminal Apprehension.
94.24 A reference in this section to "CIBRS" includes the Bureau of Criminal Apprehension.

94.25 (c) "Law enforcement agency" means a Minnesota municipal police department,
94.26 the Metropolitan Transit Police, the Metropolitan Airports Police, the University of
94.27 Minnesota Police Department, the Department of Corrections Fugitive Apprehension Unit,
94.28 a Minnesota county sheriff's department, the Enforcement Division of the Department of
94.29 Natural Resources, the Bureau of Criminal Apprehension, or the Minnesota State Patrol.

94.30 Sec. 39. Minnesota Statutes 2010, section 357.021, subdivision 7, is amended to read:

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

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

95.5 (2) 39 percent shall be credited to the peace officers training account in the special
95.6 revenue fund; and

95.7 (3) 60 percent shall be credited to the general fund.

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

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

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

95.20 Sec. 40. Minnesota Statutes 2010, section 609.66, subdivision 1h, is amended to read:

95.21 Subd. 1h. **Silencers; authorized for law enforcement and wildlife control**
95.22 **purposes.** (a) Notwithstanding subdivision 1a, paragraph (a), clause (1), licensed peace
95.23 officers may use devices designed to silence or muffle the discharge of a firearm for
95.24 tactical emergency response operations. Tactical emergency response operations include
95.25 execution of high risk search and arrest warrants, incidents of terrorism, hostage rescue,
95.26 and any other tactical deployments involving high risk circumstances. The chief law
95.27 enforcement officer of a law enforcement agency that has the need to use silencing devices
95.28 must establish and enforce a written policy governing the use of the devices.

95.29 (b) Notwithstanding subdivision 1a, paragraph (a), clause (1), ~~until July 1, 2011,~~
95.30 an enforcement officer, as defined in section 97A.015, subdivision 18, a wildlife area
95.31 manager, an employee designated under section 84.0835, or a person acting under contract
95.32 with the commissioner of natural resources, at specific times and locations that are
95.33 authorized by the commissioner of natural resources may use devices designed to silence
95.34 or muffle the discharge of a firearm for wildlife control operations that require stealth.

96.1 If the commissioner determines that the use of silencing devices is necessary under this
96.2 paragraph, the commissioner must:

96.3 ~~(1) establish and enforce a written policy governing the use, possession, and~~
96.4 ~~transportation of the devices;~~

96.5 ~~(2) limit the number of the silencing devices maintained by the Department of~~
96.6 ~~Natural Resources to no more than ten; and~~

96.7 ~~(3) keep direct custody and control of the devices when the devices are not~~
96.8 ~~specifically authorized for use.~~

96.9 Sec. 41. Laws 2005, chapter 156, article 2, section 45, as amended by Laws 2007,
96.10 chapter 148, article 2, section 73, and Laws 2009, chapter 37, article 1, section 59, is
96.11 amended to read:

96.12 Sec. 45. **SALE OF STATE LAND.**

96.13 Subdivision 1. **State land sales.** The commissioner of administration shall
96.14 coordinate with the head of each department or agency having control of state-owned land
96.15 to identify and sell at least \$6,440,000 of state-owned land. Sales should be completed
96.16 according to law and as provided in this section as soon as practicable but no later than
96.17 June 30, ~~2011~~ 2013. Notwithstanding Minnesota Statutes, sections 16B.281 and 16B.282,
96.18 94.09 and 94.10, or any other law to the contrary, the commissioner may offer land
96.19 for public sale by only providing notice of lands or an offer of sale of lands to state
96.20 departments or agencies, the University of Minnesota, cities, counties, towns, school
96.21 districts, or other public entities.

96.22 Subd. 2. **Anticipated savings.** Notwithstanding Minnesota Statutes, section
96.23 94.16, subdivision 3, or other law to the contrary, the amount of the proceeds from the
96.24 sale of land under this section that exceeds the actual expenses of selling the land must
96.25 be deposited in the general fund, except as otherwise provided by the commissioner of
96.26 finance. Notwithstanding Minnesota Statutes, section 94.11 or 16B.283, the commissioner
96.27 of finance may establish the timing of payments for land purchased under this section. If
96.28 the total of all money deposited into the general fund from the proceeds of the sale of land
96.29 under this section is anticipated to be less than \$6,440,000, the governor must allocate the
96.30 amount of the difference as reductions to general fund operating expenditures for other
96.31 executive agencies for the biennium ending June 30, ~~2011~~ 2013.

96.32 Subd. 3. **Sale of state lands revolving loan fund.** \$290,000 is appropriated from
96.33 the general fund in fiscal year 2006 to the commissioner of administration for purposes
96.34 of paying the actual expenses of selling state-owned lands to achieve the anticipated
96.35 savings required in this section. From the gross proceeds of land sales under this section,

97.1 the commissioner of administration must cancel the amount of the appropriation in this
97.2 subdivision to the general fund by June 30, ~~2011~~ 2013.

97.3 Sec. 42. Laws 2011, chapter 14, section 16, is amended to read:

97.4 Sec. 16. **REPEALER.**

97.5 Minnesota Statutes 2010, section 41A.09, subdivisions 1a, ~~2a~~, 3a, 4, and 10, are
97.6 repealed.

97.7 Sec. 43. **STATE TREE NURSERY PROGRAM RESTRUCTURING; REPORT**
97.8 **REQUIRED; ACCOUNT BALANCE TRANSFER.**

97.9 (a) By June 30, 2013, the commissioner of natural resources shall discontinue the
97.10 tree nursery operations at the General C.C. Andrews State Nursery. After July 1, 2011,
97.11 the commissioner shall limit nursery operations at the Baudora State Nursery to the
97.12 production of stock for use by the state, concentrating on the production of coniferous
97.13 tree stock, with deciduous tree stock production making up no more than two percent of
97.14 total annual production.

97.15 (b) By January 15, 2012, the commissioner of natural resources shall submit a
97.16 budget and financial plan for the state nurseries to the chairs and ranking minority
97.17 members of the house of representatives and senate committees and divisions with
97.18 jurisdiction over environment and natural resources policy and finance. The plan shall
97.19 include a long-term business plan to operate the Baudora State Nursery in a manner that is
97.20 self sufficient. The plan shall also include options for the General C.C. Andrews State
97.21 Nursery land and assets, including selling the land, leasing the nursery, and selling the
97.22 nursery and assets to a licensed, private nursery.

97.23 (c) By June 30, 2012, the commissioner of management and budget shall transfer
97.24 \$500,000 from the forest nursery account to the general fund. By June 30, 2013, the
97.25 commissioner of management and budget shall transfer an additional \$500,000 from the
97.26 forest nursery account to the general fund.

97.27 (d) If the Baudora Nursery operation draws upon more than ten percent of reserves in
97.28 two consecutive fiscal years after fiscal year 2012, the commissioner of natural resources
97.29 shall immediately begin a three year phase-out of all state nursery operations.

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

97.31 Sec. 44. **COORDINATION OF MINNESOTA AND WISCONSIN PHOSPHORUS**
97.32 **STANDARD; LAKE PEPIN.**

98.1 The commissioner of the Pollution Control Agency shall coordinate with the
98.2 Wisconsin Department of Natural Resources in establishing a phosphorus standard for
98.3 Lake Pepin and shall advocate implementation of a phosphorus standard that considers
98.4 nutrient impacts on algal growth applicable during the June to September growing season
98.5 only. If necessary, the commissioner may engage in a conference with the Wisconsin
98.6 Department of Natural Resources according to section 103 of the Clean Water Act, United
98.7 States Code, title 33, section 1253, to resolve any discrepancies in the states' respective
98.8 standards.

98.9 Sec. 45. **TERRY MCGAUGHEY MEMORIAL BRIDGE.**

98.10 The commissioner of natural resources shall designate the Paul Bunyan Trail bridge
98.11 that crosses Excelsior Road in Baxter as the Terry McGaughey Memorial Bridge. The
98.12 commissioner shall place signs with the designation on both ends of the bridge.

98.13 Sec. 46. **RULEMAKING.**

98.14 The rulemaking authority granted under Minnesota Statutes, section 116G.15,
98.15 subdivision 7, is explicitly repealed by this act and any rulemaking to effectuate the
98.16 purpose of Laws 2009, chapter 172, article 2, section 27, commenced by the commissioner
98.17 of natural resources under that authority or any other authority is void and must cease on
98.18 the effective date of this section.

98.19 Sec. 47. **WILD RICE RULEMAKING AND RESEARCH.**

98.20 (a) Upon completion of the research referenced in paragraph (d), the commissioner
98.21 of the Pollution Control Agency shall initiate a process to amend Minnesota Rules, chapter
98.22 7050. The amended rule shall:

98.23 (1) establish water quality standards for waters containing natural beds of wild rice,
98.24 as well as for irrigation waters used for the production of wild rice; and

98.25 (2) designate each body of water, or specific portion thereof, to which the wild rice
98.26 water quality standard applies and the specific times of year during which the standard
98.27 applies.

98.28 (b) "Waters containing natural beds of wild rice" means waters where significant
98.29 quantities of wild rice occur naturally. Before designating waters containing natural beds
98.30 of wild rice as waters subject to a standard, the commissioner of the Pollution Control
98.31 Agency shall establish criteria for the waters after consultation with the Department of
98.32 Natural Resources, Minnesota Indian tribes, and other interested parties and after public
98.33 notice and comment. The criteria shall include, but not be limited to, documented history

99.1 of wild rice harvests, minimum acreage, and wild rice density. Waters where individual
99.2 wild rice plants or isolated, sparse stands of wild rice exist shall not be designated as
99.3 subject to the standard.

99.4 (c) Within 30 days of the effective date of this section, the commissioner of
99.5 the Pollution Control Agency must create an advisory group to provide input to the
99.6 commissioner on a protocol for scientific research to assess the impacts of sulfates and
99.7 other substances on the growth of wild rice, review research results, and provide other
99.8 advice on the development of future rule amendments to protect wild rice. The group
99.9 must include representatives of tribal governments, municipal wastewater treatment
99.10 facilities, industrial dischargers, wild rice harvesters, wild rice research experts, and
99.11 citizen organizations.

99.12 (d) After receiving the advice of the advisory group under paragraph (c), consultation
99.13 with the commissioner of natural resources, and review of all available scientific
99.14 research on water quality and other environmental impacts on the growth of wild rice,
99.15 the commissioner of the Pollution Control Agency shall adopt and implement a wild
99.16 rice research plan using the money appropriated to contract with appropriate scientific
99.17 experts. The commissioner shall periodically review the results of the research with the
99.18 commissioner of natural resources and the advisory group.

99.19 (e) To the extent allowable under the federal Clean Water Act, during the pendency
99.20 of the rule amendment described in paragraph (a), the Pollution Control Agency, with
99.21 respect to permits issued for the discharge of wastewater, shall exercise its powers
99.22 under Minnesota Statutes, section 115.03, subdivision 1, paragraph (e), to enter into
99.23 schedules of compliance to ensure that no permittee is required to expend funds for design
99.24 and implementation of sulfate treatment technologies until after the rule amendment
99.25 is complete. Nothing shall prevent the Pollution Control Agency from including in a
99.26 schedule of compliance a requirement to monitor sulfate concentrations in discharges and,
99.27 if appropriate, based on site-specific conditions, a requirement to implement a sulfate
99.28 minimization plan to avoid or minimize sulfate concentrations during periods when wild
99.29 rice may be susceptible to damage.

99.30 (f) To the extent that the commissioner of the Pollution Control Agency determines
99.31 that provisions of the federal Clean Water Act or other federal laws limits full
99.32 implementation of paragraph (e), the commissioner shall fully exercise the agency's
99.33 authority under state and federal law and regulations to ensure, to the fullest extent
99.34 possible, that no permittee is required to expend funds for design and implementation of
99.35 sulfate treatment technologies until after the rule amendment described in paragraph
99.36 (a) is complete. If the commissioner determines that amendments to Minnesota Rules

100.1 are necessary to ensure that no permittee is required to expend funds for design and
100.2 implementation of sulfate treatment technologies until after the rule amendment described
100.3 in paragraph (a) is complete, the commissioner may use the good cause exemption under
100.4 Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules necessary to
100.5 implement this section, and Minnesota Statutes, section 14.386, does not apply, except as
100.6 provided in Minnesota Statutes, section 14.388.

100.7 (g) Upon completion of the rule amendment described in paragraph (a), the Pollution
100.8 Control Agency shall modify the discharge limits in the affected wastewater discharge
100.9 permits to reflect the new standards in accordance with state and federal regulations and
100.10 shall exercise its powers to enter into schedules of compliance in the permits.

100.11 (h) By December 15, 2011, the commissioner of the Pollution Control Agency
100.12 shall submit a report to the chairs and ranking minority members of the environment and
100.13 natural resources committees of the house of representatives and senate on the status
100.14 of implementation of this section. The report must include an estimated timeline for
100.15 completion of the wild rice research plan and initiation and completion of the formal
100.16 rulemaking process under Minnesota Statutes, chapter 14.

100.17 (i) To the extent allowable under the federal Clean Water Act, until the rule
100.18 amendment described in paragraph (a) is finally adopted, the agency shall suspend the
100.19 standard for sulfate for class 4 waters.

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

100.21 Sec. 48. **WATER RULEMAKING LEGISLATIVE REVIEW.**

100.22 Until June 30, 2013, all proposed rules related to water quality or water resource
100.23 protection must be consistent with other local, state, and federal rules, and must be able
100.24 to achieve the legislatively intended outcome as effectively and efficiently as possible.
100.25 To ensure that all proposed rules satisfy this legislative policy, the proposed rules must
100.26 be submitted to the Legislative Coordinating Commission prior to the filing of the notice
100.27 of intent to adopt. The agency submitting the proposed rule shall provide the following
100.28 information:

100.29 (1) an explanation of how the proposed rule is consistent with other water-related
100.30 rules; and

100.31 (2) a statement from other affected agencies that they do not object to the proposed
100.32 rule being inconsistent or contrary to any existing rule and accept the proposing agency's
100.33 jurisdiction over the subject matter of the proposed rule.

100.34 Within 60 days of receipt of the proposed water-related rule, the commission may
100.35 notify the agency proposing the rule that the commission agrees that the rule does not

101.1 comply with the legislative policy, that rules are not consistent with all other water-related
101.2 rules, or the agency is not the appropriate authority for jurisdiction over the proposed rules.

101.3 Sec. 49. **INTEREST IN LANDS EXTENDED.**

101.4 Notwithstanding any law to the contrary, Dakota County's reversionary interests in
101.5 lands deeded by Dakota County to the state of Minnesota, as contemplated by Laws 1975,
101.6 chapter 382, and currently maintained and used for the purposes of a state zoological
101.7 garden in Apple Valley, Minnesota, to wit, those lands described in documents recorded in
101.8 the Dakota County Property Records Office as Document No. 433980 and Document No.
101.9 439719, excluding lands subject to that certain quit claim deed recorded as Document No.
101.10 1246646 and excluding lands subject to that certain quit claim deed recorded as Document
101.11 No. 1330383, are extended and remain permanently valid and operative.

101.12 **EFFECTIVE DATE.** This section is effective upon compliance by the Dakota
101.13 County Board of Commissioners with the provisions of Minnesota Statutes, section
101.14 645.021.

101.15 Sec. 50. **EVALUATION REQUIRED.**

101.16 (a) The Department of Administration shall evaluate state and local water-related
101.17 programs, policies, and permits to make recommendations for cost savings, increased
101.18 productivity, and the elimination of duplication among public agencies.

101.19 (b) The evaluation must:

101.20 (1) identify current rules relating to surface and groundwater, including those related
101.21 to storm water, residential, industrial, and agricultural use, shorelands, floodplains, wild
101.22 and scenic rivers, wetlands, feedlots, and subsurface sewage treatment systems, and for
101.23 each rule specify:

101.24 (i) the statutory authority;

101.25 (ii) intended outcomes;

101.26 (iii) the cost to state and local government and the private sector; and

101.27 (iv) the relationship of the rule to other local, state, and federal rules;

101.28 (2) assess the pros and cons of alternative approaches to implementing water-related
101.29 programs, policies, and permits, including local, state, and regional-based approaches;

101.30 (3) identify inconsistencies and redundancy between local, state, and federal rules;

101.31 (4) identify means to coordinate rulemaking and implementation so as to achieve
101.32 intended outcomes more effectively and efficiently;

101.33 (5) identify a rule assessment and evaluation process for determining whether each
101.34 identified rule should be continued or repealed;

- 102.1 (6) rely on scientific, peer-reviewed data, including the studies of the National
102.2 Academy of Sciences;
- 102.3 (7) evaluate current responsibilities of the Pollution Control Agency, Department of
102.4 Natural Resources, Board of Water and Soil Resources, Environmental Quality Board,
102.5 Department of Agriculture, and Department of Health for developing and implementing
102.6 water-related programs, policies, and permits and make recommendations for reallocating
102.7 responsibilities among the agencies; and
- 102.8 (8) assess the current role of the clean water fund in supporting water-related
102.9 programs and policies and make recommendations for allocating resources among the
102.10 agencies that collaborate and partner in spending the clean water fund consistent with
102.11 the other recommendations of the study.
- 102.12 (c) The commissioner of administration must submit the study results and make
102.13 recommendations to agencies listed under paragraph (a) and to the chairs and ranking
102.14 minority party members of the senate and house of representatives committees having
102.15 primary jurisdiction over environment and natural resources policy and finance no later
102.16 than January 15, 2012.

102.17 Sec. 51. **REVISOR'S INSTRUCTION.**

102.18 The revisor of statutes shall recodify section 65B.84 as section 299A.625.

102.19 **EFFECTIVE DATE.** This section is effective June 30, 2013.

102.20 Sec. 52. **REPEALER.**

102.21 Minnesota Statutes 2010, sections 84.027, subdivision 11; 89.06; 89.37, subdivisions
102.22 2, 3, and 3a; 116G.15, subdivisions 2, 3, 4, 5, 6, and 7; 116P.14; and 216H.03, are
102.23 repealed."

102.24 Delete the title and insert:

102.25 "A bill for an act
102.26 relating to state government; appropriating money for environment, natural
102.27 resources, commerce, and energy; creating accounts; modifying disposition of
102.28 certain receipts; creating an advisory committee; modifying automobile theft
102.29 prevention program; requiring nonresident off-road vehicle state trail pass;
102.30 modifying state tree nursery provisions; modifying fees; modifying feedlot
102.31 provisions; modifying environmental review requirements; modifying critical
102.32 areas; modifying greenhouse gas emissions control requirements; modifying
102.33 reporting requirements; modifying requirements for department use of silencers;
102.34 designating a bridge; modifying definitions; modifying Petroleum Tank Release
102.35 Cleanup Act; requiring rulemaking; amending Minnesota Statutes 2010, sections
102.36 41A.105, by adding a subdivision; 65B.84; 84D.15, subdivision 2; 85.052,
102.37 subdivision 4; 89.039, subdivision 1; 89.21; 89.35, subdivision 2; 89.36,
102.38 subdivision 1; 89.37, subdivisions 1, 3b; 93.481, subdivision 7; 97A.055, by
102.39 adding a subdivision; 97A.071, subdivision 2; 97A.075; 103G.271, subdivision

103.1 6; 103G.301, by adding a subdivision; 103G.615, subdivision 2; 115.073;
103.2 115A.1314; 115A.1320, subdivision 1; 115C.09, subdivision 3c; 115C.13;
103.3 116.06, by adding a subdivision; 116.07, subdivision 7c; 116D.04, subdivision
103.4 2a, as amended; 116G.15, subdivision 1; 116P.05, subdivision 2; 168A.40;
103.5 216H.02, subdivision 4; 290.431; 290.432; 299C.40, subdivision 1; 357.021,
103.6 subdivision 7; 609.66, subdivision 1h; Laws 2005, chapter 156, article 2, section
103.7 45, as amended; Laws 2011, chapter 14, section 16; proposing coding for
103.8 new law in Minnesota Statutes, chapters 16E; 84; 89; 97A; 103G; repealing
103.9 Minnesota Statutes 2010, sections 84.027, subdivision 11; 89.06; 89.37,
103.10 subdivisions 2, 3, 3a; 116G.15, subdivisions 2, 3, 4, 5, 6, 7; 116P.14; 216H.03."

104.1 We request the adoption of this report and repassage of the bill.

104.2 House Conferees:

104.3
104.4 Denny McNamara Tom Hackbarth

104.5
104.6 Paul Torkelson Joe Hoppe

104.7
104.8 David Dill

104.9 Senate Conferees:

104.10
104.11 Bill G. Ingebrigtsen Julie A. Rosen

104.12
104.13 John C. Pederson Chris Gerlach

104.14
104.15 Gary H. Dahms