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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 1183

- 03/04/2013 Authored by Kahn
- The bill was read for the first time and referred to the Committee on Rules and Legislative Administration
- 03/11/2013 Adoption of Report: Pass and re-referred to the Committee on Legacy
- 04/11/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means
- 04/15/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Rules and Legislative Administration
- 04/18/2013 Adoption of Report: Pass as Amended and Read Second Time
- 05/10/2013 Calendar for the Day, Amended
- Read Third Time as Amended
- Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act

1.2 relating to state government; appropriating money from constitutionally dedicated

1.3 legacy funds; modifying provisions of Lessard-Sams Outdoor Heritage Council;

1.4 establishing certain land acquisition requirements; providing for agricultural

1.5 water quality certification; modifying provisions for restoration evaluations;

1.6 requiring use of certain standards for public water access sites; establishing

1.7 Greater Minnesota Regional Parks and Trails Commission; modifying certain

1.8 metropolitan area regional park provisions; extending previous appropriation;

1.9 modifying Clean Water Legacy Act; prohibiting sale and use of coal tar

1.10 sealant; modifying Mississippi River corridor critical area program; modifying

1.11 certain grant eligibility; requiring issuance of city license; authorizing certain

1.12 expenditures; requiring recapture of certain funds previously appropriated;

1.13 providing for reimbursement of certain costs; requiring reports; amending

1.14 Minnesota Statutes 2012, sections 3.9741, subdivision 3; 10A.01, subdivision 35;

1.15 85.53, subdivision 2; 97A.056, subdivisions 3, 10, 11, by adding subdivisions;

1.16 114D.15, by adding a subdivision; 114D.50, subdivisions 4, 6, by adding

1.17 subdivisions; 116G.15, subdivisions 2, 3, 4, 7; 129D.17, subdivision 2; 129D.19,

1.18 subdivisions 1, 2; Laws 2001, chapter 193, section 10; Laws 2010, chapter 361,

1.19 article 3, section 7; proposing coding for new law in Minnesota Statutes, chapters

1.20 17; 85; 114D; 116; repealing Minnesota Statutes 2012, section 116.201.

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

1.22 ARTICLE 1

1.23 OUTDOOR HERITAGE FUND

1.24 Section 1. OUTDOOR HERITAGE FUND APPROPRIATIONS.

1.25 The sums shown in the columns marked "Appropriations" are appropriated to the

1.26 agencies and for the purposes specified in this article. The appropriations are from the

1.27 outdoor heritage fund for the fiscal year indicated for each purpose. The figures "2014"

1.28 and "2015" used in this article mean that the appropriations listed under the figure are

1.29 available for the fiscal year ending June 30, 2014, and June 30, 2015, respectively. "The

2.1 first year" is fiscal year 2014. "The second year" is fiscal year 2015. The "biennium" is
2.2 fiscal years 2014 and 2015. The appropriations in this article are onetime.

2.3		<u>APPROPRIATIONS</u>	
2.4		<u>Available for the Year</u>	
2.5		<u>Ending June 30</u>	
2.6		<u>2014</u>	<u>2015</u>

2.7 **Sec. 2. OUTDOOR HERITAGE**

2.8	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>96,521,000</u>	<u>\$</u>	<u>51,174,000</u>
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2.9 This appropriation is from the outdoor
2.10 heritage fund. The amounts that may be
2.11 spent for each purpose are specified in the
2.12 following subdivisions.

2.13	<u>Subd. 2. Prairies</u>		<u>26,790,000</u>		<u>6,696,000</u>
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2.14 **(a) Grasslands for the Future**

2.15 \$2,000,000 in the first year and \$2,000,000 in
2.16 the second year are to the Board of Water and
2.17 Soil Resources for a pilot project to acquire
2.18 permanent conservation easements on
2.19 grasslands in cooperation with the Minnesota
2.20 Land Trust and the Conservation Fund. Up
2.21 to \$3,700,000 may be used for agreements
2.22 with the Minnesota Land Trust to acquire
2.23 permanent conservation easements and up
2.24 to \$150,000 may be used for establishing
2.25 monitoring and enforcement funds with
2.26 the Minnesota Land Trust and the Board
2.27 of Water and Soil Resources, as approved
2.28 in the accomplishment plan and subject
2.29 to Minnesota Statutes, section 97A.056,
2.30 subdivision 17. Up to \$150,000 may be used
2.31 for an agreement with the Conservation Fund
2.32 for professional services. Easements funded
2.33 under this appropriation are not subject to
2.34 emergency haying and grazing orders. Any
2.35 net proceeds accruing to a project partner

3.1 from real estate transactions related to this
3.2 project must be used for the purposes outlined
3.3 in this appropriation. A list of permanent
3.4 conservation easements must be provided as
3.5 part of the required accomplishment plan.

3.6 **(b) Accelerating Wildlife Management Area**
3.7 **Program - Phase V**

3.8 \$7,960,000 in the first year is to the
3.9 commissioner of natural resources for an
3.10 agreement with Pheasants Forever to acquire
3.11 land in fee for wildlife management purposes
3.12 under Minnesota Statutes, section 86A.05,
3.13 subdivision 8. A list of proposed land
3.14 acquisitions must be provided as part of the
3.15 required accomplishment plan.

3.16 **(c) DNR Wildlife Management Area, Scientific**
3.17 **and Natural Area, and Native Prairie Bank**
3.18 **Easement - Phase V**

3.19 \$4,000,000 in the first year and \$2,940,000
3.20 in the second year are to the commissioner
3.21 of natural resources to acquire land in
3.22 fee for wildlife management purposes
3.23 under Minnesota Statutes, section 86A.05,
3.24 subdivision 8; acquire land in fee for
3.25 scientific and natural area purposes under
3.26 Minnesota Statutes, section 86A.05,
3.27 subdivision 5; and acquire native prairie
3.28 bank easements under Minnesota Statutes,
3.29 section 84.96. Up to \$42,000 is for
3.30 establishing a monitoring and enforcement
3.31 fund, as approved in the accomplishment
3.32 plan and subject to Minnesota Statutes,
3.33 section 97A.056, subdivision 17, for native
3.34 prairie bank easements. A list of proposed
3.35 land and permanent conservation easement

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

4.3 **(d) Minnesota Prairie Recovery Project - Phase**
4.4 **IV**

4.5 \$5,310,000 in the first year is to the
4.6 commissioner of natural resources for an
4.7 agreement with The Nature Conservancy
4.8 to acquire native prairie, wetlands, and
4.9 savanna and restore and enhance grasslands,
4.10 wetlands, and savanna. A list of proposed
4.11 land acquisitions must be provided as part of
4.12 the required accomplishment plan. Annual
4.13 income statements and balance sheets for
4.14 income and expenses from land acquired
4.15 with this appropriation must be submitted to
4.16 the Lessard-Sams Outdoor Heritage Council
4.17 no later than 180 days following the close of
4.18 The Nature Conservancy's fiscal year.

4.19 **(e) Minnesota Buffers for Wildlife and Water -**
4.20 **Phase III**

4.21 \$3,520,000 in the first year is to the Board
4.22 of Water and Soil Resources to acquire
4.23 permanent conservation easements to protect
4.24 and enhance habitat by expanding clean
4.25 water fund riparian wildlife buffers on private
4.26 land. Up to \$120,000 is for establishing
4.27 a monitoring and enforcement fund, as
4.28 approved in the accomplishment plan and
4.29 subject to Minnesota Statutes, section
4.30 97A.056, subdivision 17. Easements funded
4.31 under this appropriation are not subject to
4.32 emergency haying and grazing orders. A list
4.33 of permanent conservation easements must
4.34 be provided as part of the final report.

4.35 **(f) Cannon River Headwaters Habitat Complex**
4.36 **- Phase III**

5.1 \$1,780,000 in the first year is to the
 5.2 commissioner of natural resources for an
 5.3 agreement with Trust for Public Land to
 5.4 acquire and restore lands in the Cannon River
 5.5 watershed for wildlife management purposes
 5.6 under Minnesota Statutes, section 86A.05,
 5.7 subdivision 8, or aquatic management area
 5.8 purposes under Minnesota Statutes, sections
 5.9 86A.05, subdivision 14, and 97C.02. A list of
 5.10 proposed land acquisitions must be provided
 5.11 as part of the required accomplishment plan.

5.12 **(g) Accelerated Prairie Restoration and**
 5.13 **Enhancement on DNR Lands - Phase V**

5.14 \$2,220,000 in the first year and \$1,756,000
 5.15 in the second year are to the commissioner of
 5.16 natural resources to accelerate the restoration
 5.17 and enhancement of wildlife management
 5.18 areas, scientific and natural areas, and land
 5.19 under native prairie bank easements. A list of
 5.20 proposed land restorations and enhancements
 5.21 must be provided as part of the required
 5.22 accomplishment plan.

5.23 **Subd. 3. Forests**

8,630,000

6,476,000

5.24 **(a) Young Forest Conservation**

5.25 \$1,180,000 in the first year is to the
 5.26 commissioner of natural resources for
 5.27 an agreement with the American Bird
 5.28 Conservancy to acquire lands in fee to be
 5.29 added to the wildlife management area system
 5.30 under Minnesota Statutes, section 86A.05,
 5.31 subdivision 8, and to restore and enhance
 5.32 habitat on publicly protected land. A list of
 5.33 proposed land acquisitions must be provided
 5.34 as part of the required accomplishment plan.

5.35 **(b) Camp Ripley Partnership - Phase III**

6.1 \$1,150,000 in the first year is to the Board of
6.2 Water and Soil Resources and \$300,000 in
6.3 the first year is to the Department of Natural
6.4 Resources to acquire land in fee to be added
6.5 to the wildlife management area system
6.6 under Minnesota Statutes, section 86A.05,
6.7 subdivision 8, and to acquire permanent
6.8 conservation easements on lands adjacent
6.9 to the Mississippi and Crow Wing Rivers
6.10 and within the boundaries of the Minnesota
6.11 National Guard Army Compatible Use
6.12 Buffer. Of the amount appropriated to the
6.13 Board of Water and Soil Resources, \$49,900
6.14 is for a grant to the Morrison County Soil
6.15 and Water Conservation District and up to
6.16 \$33,600 is for establishing a monitoring
6.17 and enforcement fund, as approved in
6.18 the accomplishment plan and subject to
6.19 Minnesota Statutes, section 97A.056,
6.20 subdivision 17. A list of proposed land
6.21 acquisitions and permanent conservation
6.22 easements must be provided as part of the
6.23 required accomplishment plan.

6.24 **(c) Northeastern Minnesota Sharp-Tailed**
6.25 **Grouse Habitat Program - Phase IV**

6.26 \$1,180,000 in the first year is to the
6.27 commissioner of natural resources for
6.28 an agreement with Pheasants Forever in
6.29 cooperation with the Minnesota Sharp-Tailed
6.30 Grouse Society to acquire and enhance
6.31 lands in Aitkin, Carlton, and Kanabec
6.32 Counties for wildlife management purposes
6.33 under Minnesota Statutes, section 86A.05,
6.34 subdivision 8. A list of proposed land
6.35 acquisitions must be provided as part of the
6.36 required accomplishment plan.

7.1 **(d) Protect Key Forest Habitat Lands in Cass**
7.2 **County - Phase IV**

7.3 \$500,000 in the first year is to the
7.4 commissioner of natural resources for an
7.5 agreement with Cass County to acquire land
7.6 in fee in Cass County for forest wildlife
7.7 habitat or to prevent forest fragmentation.

7.8 A list of proposed land acquisitions
7.9 must be provided as part of the required
7.10 accomplishment plan.

7.11 **(e) Critical Shoreline Habitat Protection**
7.12 **Program - Phase II**

7.13 \$820,000 in the first year is to the
7.14 commissioner of natural resources for
7.15 an agreement with the Minnesota Land
7.16 Trust to acquire permanent conservation
7.17 easements along rivers and lakes in the
7.18 northern forest region. Up to \$160,000 is for
7.19 establishing a monitoring and enforcement
7.20 fund, as approved in the accomplishment
7.21 plan and subject to Minnesota Statutes,
7.22 section 97A.056, subdivision 17. A list of
7.23 proposed permanent conservation easements
7.24 must be provided as part of the required
7.25 accomplishment plan.

7.26 **(f) Minnesota Moose Habitat Collaborative -**
7.27 **Phase II**

7.28 \$2,000,000 in the first year is to the
7.29 commissioner of natural resources for an
7.30 agreement with the Minnesota Deer Hunters
7.31 Association to restore and enhance public
7.32 forest lands in the northern forest region
7.33 for moose habitat purposes. A list of
7.34 proposed land restoration and enhancements
7.35 must be provided as part of the required
7.36 accomplishment plan.

8.1 **(g) Minnesota Forests for the Future**
 8.2 \$500,000 in the first year and \$5,000,000
 8.3 in the second year are to the commissioner
 8.4 of natural resources to acquire permanent
 8.5 working forest easements on up to 150,000
 8.6 acres of private forest lands in Itasca,
 8.7 Koochiching, and St. Louis Counties
 8.8 identified through the Minnesota forests
 8.9 for the future program under Minnesota
 8.10 Statutes, section 84.66. Up to \$300,000 is for
 8.11 establishing a monitoring and enforcement
 8.12 fund, as approved in the accomplishment plan
 8.13 and subject to Minnesota Statutes, section
 8.14 97A.056, subdivision 17. The commissioner
 8.15 may use the first year's appropriation for land
 8.16 acquisition pretransaction costs including but
 8.17 not limited to appraisals, surveys, and title
 8.18 research.

8.19 **(h) Preventing Forest Fragmentation and**
 8.20 **Protecting and Restoring Lake and Stream**
 8.21 **Habitat in the St. Louis River Watershed**

8.22 \$1,000,000 in the first year and \$1,476,000
 8.23 in the second year are to the commissioner
 8.24 of natural resources for an agreement with
 8.25 the Fond du Lac Band of Lake Superior
 8.26 Chippewa to acquire land in fee and to restore
 8.27 and enhance forests, prairie, and wetlands
 8.28 within the Fond du Lac Reservation. A list of
 8.29 proposed land acquisitions must be provided
 8.30 as part of the required accomplishment plan.

8.31 <u>Subd. 4. Wetlands</u>	<u>32,760,000</u>	<u>10,000,000</u>
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8.32 **(a) Reinvest in Minnesota Wetlands Reserve**
 8.33 **Program Partnership - Phase V**

8.34 \$16,000,000 in the first year and \$8,000,000
 8.35 in the second year are to the Board of Soil

9.1 and Water Resources to acquire permanent
9.2 conservation easements and restore wetlands
9.3 and associated upland habitat in cooperation
9.4 with the United States Department of
9.5 Agriculture Wetlands Reserve Program and
9.6 Ducks Unlimited, including \$1,000,000
9.7 for an agreement with Ducks Unlimited
9.8 to provide technical and bioengineering
9.9 assistance. Up to \$240,000 is for establishing
9.10 a monitoring and enforcement fund, as
9.11 approved in the accomplishment plan and
9.12 subject to Minnesota Statutes, section
9.13 97A.056, subdivision 17. A list of permanent
9.14 conservation easements must be provided as
9.15 part of the final report.

9.16 **(b) Accelerating Waterfowl Production Area**
9.17 **Acquisition - Phase V**

9.18 \$6,830,000 in the first year is to the
9.19 commissioner of natural resources for an
9.20 agreement with Pheasants Forever to acquire
9.21 land in fee to be designated and managed as
9.22 waterfowl production areas in Minnesota,
9.23 in cooperation with the United States Fish
9.24 and Wildlife Service. A list of proposed land
9.25 acquisitions must be provided as part of the
9.26 required accomplishment plan.

9.27 **(c) Living Shallow Lakes and Wetland**
9.28 **Initiative - Phase III**

9.29 \$3,530,000 in the first year is to the
9.30 commissioner of natural resources for an
9.31 agreement with Ducks Unlimited to acquire
9.32 land in fee for wildlife management purposes
9.33 under Minnesota Statutes, section 86A.05,
9.34 subdivision 8. A list of proposed land
9.35 acquisitions must be provided as part of the
9.36 required accomplishment plan.

10.1 **(d) Wild Rice Shoreland Protection Program**
10.2 **- Phase II**

10.3 \$1,630,000 in the first year is to the Board
10.4 of Water and Soil Resources to acquire
10.5 in fee wild rice lake shoreland habitat
10.6 for native wild rice bed protection and to
10.7 acquire permanent conservation easements
10.8 in cooperation with Ducks Unlimited. Of
10.9 this amount, \$100,000 is for an agreement
10.10 with Ducks Unlimited for acquisition of land
10.11 or interests in land to protect native wild
10.12 rice beds. Up to \$48,000 is for establishing
10.13 a monitoring and enforcement fund, as
10.14 approved in the accomplishment plan and
10.15 subject to Minnesota Statutes, section
10.16 97A.056, subdivision 17. A list of proposed
10.17 land acquisitions must be included as part of
10.18 the required accomplishment plan.

10.19 **(e) Wetland Habitat Program**

10.20 \$1,980,000 in the first year is to the
10.21 commissioner of natural resources for an
10.22 agreement with the Minnesota Land Trust to
10.23 acquire permanent conservation easements
10.24 in high-priority wetland complexes in
10.25 the prairie and forest/prairie transition
10.26 regions. Up to \$280,000 is for establishing
10.27 a monitoring and enforcement fund, as
10.28 approved in the accomplishment plan and
10.29 subject to Minnesota Statutes, section
10.30 97A.056, subdivision 17. A list of proposed
10.31 land acquisitions must be included as part of
10.32 the required accomplishment plan.

10.33 **(f) Accelerated Shallow Lakes and Wetlands**
10.34 **Enhancement - Phase V**

11.1 \$1,790,000 in the first year and \$1,000,000
 11.2 in the second year are to the commissioner
 11.3 of natural resources to enhance and restore
 11.4 shallow lakes, including \$565,000 for an
 11.5 agreement with Ducks Unlimited to help
 11.6 implement restorations and enhancements.
 11.7 A list of proposed land restorations and
 11.8 enhancements must be provided as part of
 11.9 the required accomplishment plan.

11.10 **(g) Pelican Lake Enhancement**

11.11 \$1,000,000 in the first year and \$1,000,000
 11.12 in the second year are to the commissioner
 11.13 of natural resources for an agreement with
 11.14 Ducks Unlimited to construct a gravity
 11.15 outlet, water control structure, and pump
 11.16 station lift to enhance aquatic habitat in
 11.17 Pelican Lake in Wright County. A list of
 11.18 proposed land restorations and enhancements
 11.19 must be included as part of the required
 11.20 accomplishment plan.

11.21 <u>Subd. 5. Habitats</u>	<u>27,438,000</u>	<u>27,250,000</u>
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11.22 **(a) DNR Aquatic Habitat - Phase V**

11.23 \$3,250,000 in the first year and \$2,000,000
 11.24 in the second year are to the commissioner
 11.25 of natural resources to acquire interests in
 11.26 land in fee for aquatic management purposes
 11.27 under Minnesota Statutes, sections 86A.05,
 11.28 subdivision 14, and 97C.02, and to restore
 11.29 and enhance aquatic habitat. A list of
 11.30 proposed land acquisitions and restorations
 11.31 and enhancements must be provided as part
 11.32 of the required accomplishment plan.

11.33 **(b) Habitat Protection in Dakota County -**
 11.34 **Phase IV**

12.1 \$2,100,000 in the first year and \$2,000,000
12.2 in the second year are to the commissioner
12.3 of natural resources for an agreement
12.4 with Dakota County to acquire, restore,
12.5 and enhance lands in Dakota County for
12.6 fish and wildlife management purposes
12.7 under Minnesota Statutes, section 86A.05,
12.8 subdivision 8, or aquatic management area
12.9 purposes under Minnesota Statutes, sections
12.10 86A.05, subdivision 14, and 97C.02, and to
12.11 acquire permanent conservation easements
12.12 and restore and enhance habitats in rivers
12.13 and lake watersheds in Dakota County. Up
12.14 to \$60,000 is for establishing a monitoring
12.15 and enforcement fund, as approved in
12.16 the accomplishment plan and subject to
12.17 Minnesota Statutes, section 97A.056,
12.18 subdivision 17. A list of proposed land
12.19 acquisitions and permanent conservation
12.20 easements must be provided as part of the
12.21 required accomplishment plan.

12.22 **(c) Root River Protection and Restoration**

12.23 \$2,750,000 in the first year and \$1,000,000
12.24 in the second year are to the commissioner of
12.25 natural resources for agreements to acquire
12.26 land in fee for scientific and natural areas
12.27 under Minnesota Statutes, section 86A.05,
12.28 subdivision 5, and for state forest purposes
12.29 under Minnesota Statutes, section 86A.05,
12.30 subdivision 7, and to acquire permanent
12.31 conservation easements as follows:
12.32 \$2,894,000 to The Nature Conservancy
12.33 and \$856,000 to the Minnesota Land
12.34 Trust. Up to \$137,000 is for establishing
12.35 a monitoring and enforcement fund, as
12.36 approved in the accomplishment plan and

- 13.1 subject to Minnesota Statutes, section
13.2 97A.056, subdivision 17. A list of proposed
13.3 acquisitions and permanent conservation
13.4 easements must be provided as part of the
13.5 required accomplishment plan.
- 13.6 **(d) Metro Big Rivers Habitat - Phase IV**
- 13.7 \$1,720,000 in the first year and \$700,000 in
13.8 the second year are to the commissioner of
13.9 natural resources for agreements to acquire
13.10 land in fee and as permanent conservation
13.11 easements and to restore and enhance natural
13.12 systems associated with the Mississippi,
13.13 Minnesota, and St. Croix Rivers as follows:
13.14 \$964,000 to the Minnesota Valley National
13.15 Wildlife Refuge Trust, Inc.; \$160,000 to
13.16 the Friends of the Mississippi; \$236,000 to
13.17 the Great River Greening; \$550,000 to the
13.18 Minnesota Land Trust; and \$510,000 to the
13.19 Trust for Public Land. Up to \$80,000 is for
13.20 establishing a monitoring and enforcement
13.21 fund, as approved in the accomplishment
13.22 plan and subject to Minnesota Statutes,
13.23 section 97A.056, subdivision 17. A list of
13.24 proposed land acquisitions and permanent
13.25 conservation easements must be provided as
13.26 part of the required accomplishment plan.
- 13.27 **(e) Minnesota Landscape Arboretum**
- 13.28 \$1,000,000 in the first year is to the Board
13.29 of Regents of the University of Minnesota
13.30 to acquire land in fee surrounding Lake
13.31 Tamarack in Carver County to be added to
13.32 the Minnesota Landscape Arboretum. A land
13.33 description must be provided as part of the
13.34 required accomplishment plan.

14.1 **(f) Lower Mississippi River Habitat**
14.2 **Partnership - Phase III**

14.3 \$1,700,000 in the first year and \$1,700,000
14.4 in the second year are to the commissioner of
14.5 natural resources to enhance aquatic habitat.
14.6 Of this amount, \$450,000 is for an agreement
14.7 with the United States Fish and Wildlife
14.8 Service to enhance aquatic habitat in the
14.9 lower Mississippi River watershed. A list of
14.10 proposed land restorations and enhancements
14.11 must be provided as part of the required
14.12 accomplishment plan.

14.13 **(g) Coldwater Fish Habitat Enhancement -**
14.14 **Phase V**

14.15 \$2,470,000 in the first year and \$300,000
14.16 in the second year are to the commissioner
14.17 of natural resources for an agreement
14.18 with Minnesota Trout Unlimited to restore
14.19 and enhance coldwater river and stream
14.20 habitats in Minnesota. A list of proposed
14.21 land restorations and enhancements
14.22 must be provided as part of the required
14.23 accomplishment plan.

14.24 **(h) Albert Lea Lake Management and Invasive**
14.25 **Species Control Structure - Phase III**

14.26 \$1,127,000 in the first year is to the
14.27 commissioner of natural resources for
14.28 an agreement with the Shell Rock River
14.29 Watershed District to construct structural
14.30 deterrents and lake-level controls to enhance
14.31 aquatic habitat on Albert Lea Lake in
14.32 Freeborn County. A list of proposed
14.33 land restorations and enhancements
14.34 must be provided as part of the required
14.35 accomplishment plan.

- 15.1 **(i) Metropolitan Regional Parks Wildlife**
15.2 **Habitat Protection and Restoration**
- 15.3 \$5,346,000 in the first year and \$1,500,000
15.4 in the second year are to the Metropolitan
15.5 Council to restore and enhance fish and
15.6 wildlife habitat in forests, prairies, and
15.7 wetlands in the metropolitan regional parks
15.8 system. Of this amount:
- 15.9 (1) \$500,000 is for Dakota County to convert
15.10 existing agricultural land and low-quality
15.11 woods and grassland in Whitetail Woods
15.12 Regional Park to prairie and oak savanna
15.13 centered around an existing wetland,
15.14 resulting in substantial habitat improvements
15.15 for waterfowl and other wildlife;
- 15.16 (2) \$60,000 is for Dakota County to protect
15.17 and enhance Miesville Ravine Park Reserve
15.18 through earth shaping, slope stabilization,
15.19 and perhaps piping of one severe gully
15.20 erosion situation and other eroding sites that
15.21 are presently contributing sediment to Trout
15.22 Brook, impairing water quality and the brook
15.23 trout population;
- 15.24 (3) \$500,000 is for the city of St. Paul
15.25 to restore two acres of prairie adjacent to
15.26 Pickerel Lake and to plant and enhance
15.27 an additional two acres of prairie, five
15.28 acres of forest, and one acre of wetland in
15.29 Lilydale Regional Park. This will enhance
15.30 connectivity of existing natural resources
15.31 including floodplain forest, upland prairie,
15.32 and emergent marsh;
- 15.33 (4) \$865,000 is for the Minneapolis Park and
15.34 Recreation Board to protect, restore, and
15.35 enhance shorelines; reduce invasive upland

16.1 species; enhance the Wirth Lake wetland
16.2 complex; and correct erosion problems in
16.3 Theodore Wirth Regional Park;
16.4 (5) \$468,000 is for Ramsey County to restore
16.5 72 acres in Battle Creek Regional Park along
16.6 the bluff of the Mississippi River, including
16.7 restoration and enhancement of prairie,
16.8 savanna, oak woods, and shrub swamp seeps
16.9 to improve waterfowl and upland game bird
16.10 feeding and nesting habitats;
16.11 (6) \$210,000 is for the Three Rivers Park
16.12 District to restore the water quality and
16.13 game fish habitat in Lake Independence in
16.14 Baker Park Reserve by reducing phosphorus
16.15 loading from Spurzem and Half Moon Lakes
16.16 through treatment with aluminum sulfate;
16.17 (7) \$400,000 is for the Three Rivers Park
16.18 District to enhance and restore the quality
16.19 of Cleary Lake and restore the fishery by
16.20 controlling curly-leaf pondweed, reducing
16.21 phosphorus runoff from the watershed, and
16.22 controlling internal phosphorus cycling with
16.23 aluminum sulfate;
16.24 (8) \$200,000 is for Carver County to restore
16.25 and enhance Lake Minnewashta Regional
16.26 Park by converting 37 acres of existing turf
16.27 or old fields to mesic forest, oak savanna, and
16.28 prairie savanna. These areas are identified
16.29 in the park master plan as medium to high
16.30 potential sites for restoration;
16.31 (9) \$270,000 is for Anoka County to
16.32 restore and enhance 120 acres of prairie
16.33 and woodland habitat within the 273-acre
16.34 Mississippi West Regional Park. Outcomes
16.35 will include increased habitat for game and

17.1 nongame species and benefits to migratory
17.2 waterfowl on the Mississippi flyway;
17.3 (10) \$200,000 is for Anoka County to
17.4 restore 45 acres of prairie and oak savanna
17.5 and remove invasive species from 40
17.6 acres of riparian forest land at Rum River
17.7 Central Regional Park. The restoration
17.8 will benefit the adjacent 550-acre Cedar
17.9 Creek Conservation Area, which is open to
17.10 hunting and was funded through a recent
17.11 appropriation from the outdoor heritage fund;
17.12 (11) \$338,000 is for Scott County to restore
17.13 and enhance 150 acres within the 1,150-acre
17.14 conservation-focused Doyle-Kennefick
17.15 Regional Park. The project site is part of an
17.16 850-acre mosaic of natural lands including
17.17 Minnesota County Biological Survey forest
17.18 and some of the highest-quality wetlands in
17.19 Scott County. The park master plan identifies
17.20 this natural complex to be conserved for
17.21 habitat and biological diversity with very
17.22 light recreational development;
17.23 (12) \$37,000 is for Scott County to restore
17.24 and enhance Cedar Lake Farm Regional
17.25 Park by partnering with the Cedar Lake
17.26 Improvement District and Scott Watershed
17.27 Management Organization for four years of
17.28 treatment to control the curly-leaf pondweed
17.29 infestation dominating Cedar Lake. The
17.30 goal is to restore 700 acres of shallow lake,
17.31 improve fishing opportunities, and increase
17.32 native aquatic plant habitat;
17.33 (13) \$1,523,000 is for Scott County to
17.34 restore and enhance 302 acres of contiguous
17.35 forest, wetlands, and lakeshore in Spring

18.1 Lake Regional Park by improving habitat
18.2 for interior forest birds, waterfowl, and
18.3 amphibians. Adjacent to Upper Prior, Spring,
18.4 and Arctic Lakes, this site is part of a larger
18.5 permanent habitat network;

18.6 (14) \$425,000 is for Washington County to
18.7 restore and enhance Lake Elmo Park Reserve
18.8 by creating 168 acres of interconnected
18.9 tallgrass prairie through the restoration of 12
18.10 wetland basins that are scattered throughout
18.11 an existing tallgrass prairie complex. These
18.12 diverse landscapes provide critical habitat for
18.13 native ground-nesting birds;

18.14 (15) \$350,000 is for Washington County to
18.15 restore and enhance rare and unique forest
18.16 communities identified by the Department
18.17 of Natural Resources in Lake Elmo Park
18.18 Reserve and St. Croix Bluffs Regional Park.
18.19 These forests provide exceptional habitat
18.20 for native and migrating bird species and
18.21 represent some of the best opportunities for
18.22 avian habitat improvement in Washington
18.23 County; and

18.24 (16) \$500,000 is for the Pioneer-Sarah Creek
18.25 Watershed Management Commission to
18.26 restore and enhance the aquatic habitat of
18.27 Lake Sarah.

18.28 Funded projects must implement priority
18.29 natural resource management plan
18.30 components of regional park master plans
18.31 approved by the Metropolitan Council.

18.32 **(j) Duluth Flood Stream Habitat Restoration**

18.33 \$500,000 in the first year and \$4,500,000 in
18.34 the second year are to the commissioner of
18.35 natural resources for an agreement with the

19.1 South St. Louis Soil and Water Conservation
19.2 District to create a stream habitat repair
19.3 program for coldwater and brook trout
19.4 streams in the Duluth area impacted by the
19.5 2012 flood.

19.6 **(k) Protect Aquatic Habitat from Aquatic**
19.7 **Invasive Species**

19.8 \$375,000 in the first year and \$7,200,000
19.9 in the second year are to the commissioner
19.10 of natural resources to protect Minnesota's
19.11 aquatic habitat from aquatic invasive species.

19.12 Of this amount: \$3,500,000 is for aquatic
19.13 invasive species activities of the department;
19.14 \$3,500,000 is for the conservation partners
19.15 program for grants to tribal and local
19.16 governments for decontamination equipment
19.17 and inspection and decontamination
19.18 activities at public water access and other
19.19 sites; \$100,000 the first year is for an
19.20 agreement with the city of Spicer for a
19.21 permanent decontamination station for Green
19.22 Lake in Kandiyohi County operated through
19.23 a public-private partnership; \$275,000 the
19.24 first year and \$200,000 the second year
19.25 are for grants to address aquatic invasive
19.26 species in Hubbard County and Beltrami
19.27 County, including \$75,000 the first year
19.28 for an agreement with Beltrami County for
19.29 decontamination stations and equipment to
19.30 be placed at public water access sites on
19.31 Red Lake; and \$200,000 the first year for an
19.32 agreement with Hubbard County Soil and
19.33 Water Conservation District and \$200,000
19.34 the second year for agreements with Beltrami
19.35 County and the Hubbard County Soil and
19.36 Water Conservation District are for:

20.1 (1) the purchase, operation, and maintenance
20.2 of and training for decontamination stations
20.3 and other equipment to be located at central
20.4 nonwater sites and public water access sites;
20.5 and

20.6 (2) watercraft inspections.

20.7 **(l) Lake Minnetonka Protection**

20.8 \$1,000,000 in the first year and \$2,000,000
20.9 in the second year are to the commissioner
20.10 of natural resources for an agreement with
20.11 the Minnehaha Creek Watershed District
20.12 to protect lakes, rivers, and streams in the
20.13 district from aquatic invasive species.

20.14 **(m) Environmental Learning Area Habitat**
20.15 **Restoration**

20.16 \$200,000 in the first year and \$350,000 in
20.17 the second year are to the commissioner
20.18 of natural resources for an agreement with
20.19 the West Central Area School District
20.20 to acquire and restore native prairie and
20.21 wetland habitats on 45 acres of land adjacent
20.22 to the existing West Central Area Schools
20.23 Environmental Learning Center.

20.24 **(n) Outdoor Heritage Conservation Partners**
20.25 **Grant Program - Phase V**

20.26 \$4,000,000 in the first year and \$4,000,000
20.27 in the second year are to the commissioner
20.28 of natural resources for a program to
20.29 provide competitive, matching grants of
20.30 up to \$400,000 to local, regional, state,
20.31 and national organizations for enhancing,
20.32 restoring, or protecting forests, wetlands,
20.33 prairies, and habitat for fish, game, or wildlife
20.34 in Minnesota. Grants shall not be made
20.35 for activities required to fulfill the duties

21.1 of owners of lands subject to conservation
21.2 easements. Grants shall not be made from
21.3 appropriations in this paragraph for projects
21.4 that have a total project cost exceeding
21.5 \$575,000. Of this appropriation, \$366,000
21.6 may be spent for personnel costs and other
21.7 direct and necessary administrative costs, and
21.8 \$10,000 is for outreach efforts to encourage
21.9 underrepresented communities to apply for
21.10 grants under this paragraph. Grantees may
21.11 acquire land or interests in land. Easements
21.12 must be permanent. Land acquired in fee
21.13 must be open to hunting and fishing during
21.14 the open season unless otherwise provided by
21.15 state law. The program shall require a cash
21.16 match of at least ten percent from nonstate
21.17 sources for all grants. For grant applications
21.18 of \$25,000 or less, the commissioner shall
21.19 provide a separate, simplified application
21.20 process. Subject to Minnesota Statutes, the
21.21 commissioner of natural resources shall,
21.22 when evaluating projects of equal value,
21.23 give priority to organizations that have a
21.24 history of receiving or charter to receive
21.25 private contributions for local conservation
21.26 or habitat projects. If acquiring land or a
21.27 conservation easement, priority shall be
21.28 given to projects associated with existing
21.29 wildlife management areas under Minnesota
21.30 Statutes, section 86A.05, subdivision 8;
21.31 scientific and natural areas under Minnesota
21.32 Statutes, sections 84.033 and 86A.05,
21.33 subdivision 5; and aquatic management areas
21.34 under Minnesota Statutes, sections 86A.05,
21.35 subdivision 14, and 97C.02. All restoration
21.36 or enhancement projects must be on land

22.1 permanently protected by a conservation
 22.2 easement or public ownership or in public
 22.3 waters as defined in Minnesota Statutes,
 22.4 section 103G.005, subdivision 15. Priority
 22.5 shall be given to restoration and enhancement
 22.6 projects on public lands. Minnesota Statutes,
 22.7 section 97A.056, subdivision 13, applies
 22.8 to grants awarded under this paragraph.
 22.9 This appropriation is available until June
 22.10 30, 2017. No less than five percent of the
 22.11 amount of each grant must be held back from
 22.12 reimbursement until the grant recipient has
 22.13 completed a grant accomplishment report by
 22.14 the deadline and in the form prescribed by
 22.15 and satisfactory to the Lessard-Sams Outdoor
 22.16 Heritage Council. The commissioner shall
 22.17 provide notice of the grant program in
 22.18 the game and fish law summaries that are
 22.19 prepared under Minnesota Statutes, section
 22.20 97A.051, subdivision 2.

22.21 Subd. 6. **Administration** 803,000 752,000

22.22 (a) **Contract Management**
 22.23 \$175,000 in the first year and \$175,000 in the
 22.24 second year are to the commissioner
 22.25 of natural resources for contract
 22.26 management duties assigned in this
 22.27 section. The commissioner shall provide an
 22.28 accomplishment plan in the form specified by
 22.29 the Lessard-Sams Outdoor Heritage Council
 22.30 on the expenditure of this appropriation.
 22.31 The accomplishment plan must include
 22.32 a copy of the grant contract template
 22.33 and reimbursement manual. No money
 22.34 may be expended prior to Lessard-Sams

- 23.1 Outdoor Heritage Council approval of the
23.2 accomplishment plan.
- 23.3 **(b) Legislative Coordinating Commission**
- 23.4 \$468,000 in the first year and \$468,000
23.5 in the second year are to the Legislative
23.6 Coordinating Commission for administrative
23.7 expenses of the Lessard-Sams Outdoor
23.8 Heritage Council and for compensation and
23.9 expense reimbursement of council members.
- 23.10 Funds in this appropriation are available until
23.11 June 30, 2015. Minnesota Statutes, section
23.12 16A.281, applies to this appropriation.
- 23.13 **(c) Technical Evaluation Panel**
- 23.14 \$90,000 in the first year and \$90,000 in
23.15 the second year are to the commissioner of
23.16 natural resources for a technical evaluation
23.17 panel to conduct up to ten restoration
23.18 evaluations under Minnesota Statutes,
23.19 section 97A.056, subdivision 10.
- 23.20 **(d) High-Priority Pretransaction Service**
23.21 **Acceleration for Lessard-Sams Outdoor**
23.22 **Heritage Council**
- 23.23 \$50,000 in the first year is to the
23.24 commissioner of natural resources to provide
23.25 land acquisition pretransaction services
23.26 including but not limited to appraisals,
23.27 surveys, or title research for acquisition
23.28 proposals under consideration by the
23.29 Lessard-Sams Outdoor Heritage Council. A
23.30 list of activities must be included in the final
23.31 accomplishment plan.
- 23.32 **(e) Legacy Web Site**
- 23.33 \$20,000 in the first year and \$19,000 in
23.34 the second year are for the Legislative
23.35 Coordinating Commission for the Web site

24.1 required in Minnesota Statutes, section
24.2 3.303, subdivision 10.

24.3 **Subd. 7. Availability of Appropriation**

24.4 Money appropriated in this section may
24.5 not be spent on activities unless they are
24.6 directly related to and necessary for a
24.7 specific appropriation and are specified in
24.8 the accomplishment plan approved by the
24.9 Lessard-Sams Outdoor Heritage Council.

24.10 Money appropriated in this section must not
24.11 be spent on indirect costs or other institutional
24.12 overhead charges that are not directly related
24.13 to and necessary for a specific appropriation.

24.14 Unless otherwise provided in this article,
24.15 fiscal year 2014 appropriations are available
24.16 until June 30, 2016, and fiscal year 2015
24.17 appropriations are available until June 30,
24.18 2017. For acquisition of real property,
24.19 the amounts in this section are available
24.20 until: June 30, 2017, for fiscal year 2014
24.21 appropriations, if a binding agreement with a
24.22 landowner or purchase agreement is entered
24.23 into by June 30, 2016, and closed no later
24.24 than June 30, 2017; and June 30, 2018, for
24.25 fiscal year 2015 appropriations, if a binding
24.26 agreement with a landowner or purchase
24.27 agreement is entered into by June 30, 2017,
24.28 and closed no later than June 30, 2018. Funds
24.29 for restoration or enhancement are available
24.30 until June 30, 2018, for fiscal year 2014
24.31 appropriations and June 30, 2019, for fiscal
24.32 year 2015 appropriations, or four years after
24.33 acquisition, whichever is later, in order to
24.34 complete initial restoration or enhancement
24.35 work. If a project receives federal funds, the
24.36 time period of the appropriation is extended

25.1 to equal the availability of federal funding. If
25.2 the amount appropriated under this section
25.3 for the first year is insufficient, the amount in
25.4 the second year is available in the first year.
25.5 Funds appropriated for fee title acquisition
25.6 of land may be used to restore, enhance, and
25.7 provide for public use of the land acquired
25.8 with the appropriation. Public use facilities
25.9 must have a minimal impact on habitat in
25.10 acquired lands.

25.11 **Subd. 8. Payment Conditions and Capital**
25.12 **Equipment Expenditures**

25.13 All agreements referred to in this section must
25.14 be administered on a reimbursement basis
25.15 unless otherwise provided in this section.
25.16 Notwithstanding Minnesota Statutes, section
25.17 16A.41, expenditures directly related
25.18 to each appropriation's purpose made
25.19 on or after July 1, 2013, or the date of
25.20 accomplishment plan approval, whichever is
25.21 later, are eligible for reimbursement unless
25.22 otherwise provided in this section. For the
25.23 purposes of administering appropriations
25.24 and legislatively authorized agreements
25.25 paid out of the outdoor heritage fund, an
25.26 expense must be considered reimbursable
25.27 by the administering agency when the
25.28 recipient presents the agency with an invoice
25.29 or binding agreement with the landowner
25.30 and the recipient attests that the goods have
25.31 been received or the landowner agreement
25.32 is binding. Periodic reimbursement must
25.33 be made upon receiving documentation that
25.34 the items articulated in the accomplishment
25.35 plan approved by the Lessard-Sams Outdoor
25.36 Heritage Council have been achieved,

26.1 including partial achievements as evidenced
26.2 by progress reports approved by the
26.3 Lessard-Sams Outdoor Heritage Council.
26.4 Reasonable amounts may be advanced to
26.5 projects to accommodate cash flow needs,
26.6 support future management of acquired
26.7 lands, or match a federal share. The
26.8 advances must be approved as part of the
26.9 accomplishment plan. Capital equipment
26.10 expenditures for specific items in excess of
26.11 \$10,000 must be itemized in and approved as
26.12 part of the accomplishment plan.

26.13 Subd. 9. **Mapping**

26.14 Each direct recipient of money appropriated
26.15 in this section, as well as each recipient of
26.16 a grant awarded pursuant to this section,
26.17 must provide geographic information to
26.18 the Department of Natural Resources for
26.19 mapping any lands acquired in fee with
26.20 funds appropriated in this section and open
26.21 to public taking of fish and game. The
26.22 commissioner of natural resources shall
26.23 include the lands acquired in fee with
26.24 money appropriated in this section on maps
26.25 showing public recreation opportunities.
26.26 Maps shall include information on and
26.27 acknowledgement of the outdoor heritage
26.28 fund, including a notation of any restrictions.

26.29 Subd. 10. **Appropriation Carryforward; Fee**
26.30 **Title Acquisition**

26.31 The availability of the appropriation for the
26.32 following project is extended to July 1, 2015:
26.33 Laws 2010, chapter 361, article 1, section
26.34 2, subdivision 5, paragraph (h), Washington
26.35 County St. Croix River Land Protection. The

27.1 appropriation may be spent on acquisition of
27.2 land in fee title to protect habitat associated
27.3 with the St. Croix River Valley. A list of
27.4 proposed acquisitions must be provided as
27.5 part of the accomplishment plan.

27.6 Subd. 11. **Conservation Corps Minnesota**

27.7 A recipient of money from an appropriation
27.8 under this section must give consideration to
27.9 Conservation Corps Minnesota for possible
27.10 use of the corps' services to contract for
27.11 restoration and enhancement services.

27.12 Sec. 3. Minnesota Statutes 2012, section 97A.056, subdivision 3, is amended to read:

27.13 Subd. 3. **Council Duties; recommendations and oversight.** (a) The council
27.14 shall make recommendations to the legislature on appropriations of money from the
27.15 outdoor heritage fund that are consistent with the Constitution and state law and that will
27.16 achieve the outcomes of existing natural resource plans, including, but not limited to,
27.17 the Minnesota Statewide Conservation and Preservation Plan, that directly relate to the
27.18 restoration, protection, and enhancement of wetlands, prairies, forests, and habitat for fish,
27.19 game, and wildlife, and that prevent forest fragmentation, encourage forest consolidation,
27.20 and expand restored native prairie. In making recommendations, the council shall consider
27.21 a range of options that would best restore, protect, and enhance wetlands, prairies, forests,
27.22 and habitat for fish, game, and wildlife. The council's biennial recommendations shall
27.23 be submitted no later than January 15 each odd-numbered year. The council may submit
27.24 supplemental recommendations by January 15 in even-numbered years. The council
27.25 shall present its recommendations to the senate and house of representatives committees
27.26 with jurisdiction over the environment and natural resources budget by February 15
27.27 in odd-numbered years, and within the first four weeks of the legislative session in
27.28 even-numbered years if the council submitted supplemental recommendations. The
27.29 council's budget recommendations to the legislature shall be separate from the Department
27.30 of Natural Resource's budget recommendations.

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

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

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

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

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

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

28.20 (h) The council shall use the regions of the state based upon the ecological sections
28.21 and subsections developed by the Department of Natural Resources and establish
28.22 objectives for each region and subregion to achieve the purposes of the fund outlined
28.23 in the state constitution.

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

28.28 (j) The council shall provide oversight of projects funded by the outdoor heritage
28.29 fund, including evaluating the outcomes of completed projects.

28.30 (k) All proposals requesting funding submitted to the council must be reviewed by
28.31 each council member in such a manner that each council member generally knows the
28.32 details of the proposal, including who is proposing a project, the location of the project,
28.33 the funds requested for the project, the outcomes sought by the project, and how the
28.34 project will restore, protect, and enhance wetlands, prairies, forests, and habitat for fish,
28.35 game, and wildlife. If the council uses a process that rejects some proposals and accepts
28.36 other proposals for a full hearing before the council, the council shall state in writing to the

29.1 proposer the reasons the proposal or project was not given a full hearing and the reasons
29.2 the council believes the proposal or project did not merit full consideration.

29.3 Sec. 4. Minnesota Statutes 2012, section 97A.056, subdivision 10, is amended to read:

29.4 Subd. 10. **Restoration evaluations.** The commissioner of natural resources and the
29.5 Board of Water and Soil Resources may convene a technical evaluation panel comprised
29.6 of five members, including one technical representative from the Board of Water and Soil
29.7 Resources, one technical representative from the Department of Natural Resources, one
29.8 technical expert from the University of Minnesota or the Minnesota State Colleges and
29.9 Universities, and two representatives with expertise in the project being evaluated. The
29.10 board and the commissioner may add a technical representative from a unit of federal or
29.11 local government. The members of the technical evaluation panel may not be associated
29.12 with the restoration, may vary depending upon the projects being reviewed, and shall
29.13 avoid any potential conflicts of interest. Each year, the board and the commissioner may
29.14 assign a coordinator to identify a sample of ~~up to ten~~ habitat restoration projects completed
29.15 with outdoor heritage funding. The coordinator shall secure the restoration plans for the
29.16 projects specified and direct the technical evaluation panel to evaluate the restorations
29.17 relative to the law, current science, and the stated goals and standards in the restoration
29.18 plan and, when applicable, to the Board of Water and Soil Resources' native vegetation
29.19 establishment and enhancement guidelines. The coordinator shall summarize the findings
29.20 of the panel and provide a report to the chair of the Lessard-Sams Outdoor Heritage
29.21 Council and the chairs of the respective house of representatives and senate policy and
29.22 finance committees with jurisdiction over natural resources and spending from the outdoor
29.23 heritage fund. The report shall determine if the restorations are meeting planned goals,
29.24 any problems with the implementation of restorations, and, if necessary, recommendations
29.25 on improving restorations. The report shall be focused on improving future restorations.
29.26 Up to one-tenth of one percent of forecasted receipts from the outdoor heritage fund may
29.27 be used for restoration evaluations under this section.

29.28 Sec. 5. Minnesota Statutes 2012, section 97A.056, subdivision 11, is amended to read:

29.29 Subd. 11. **Recipient requirements.** (a) A state agency or other recipient of a direct
29.30 appropriation from the outdoor heritage fund must compile and submit all information
29.31 for funded projects or programs, including the proposed measurable outcomes and all
29.32 other items required under section 3.303, subdivision 10, to the Legislative Coordinating
29.33 Commission as soon as practicable or by January 15 of the applicable fiscal year, whichever

30.1 comes first. The Legislative Coordinating Commission must post submitted information on
30.2 the Web site required under section 3.303, subdivision 10, as soon as it becomes available.

30.3 (b) When practicable, a direct recipient of an appropriation from the outdoor
30.4 heritage fund shall prominently display on the recipient's Web site home page the legacy
30.5 logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws
30.6 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more
30.7 information." When a person clicks on the legacy logo image, the Web site must direct
30.8 the person to a Web page that includes both the contact information that a person may
30.9 use to obtain additional information, as well as a link to the Legislative Coordinating
30.10 Commission Web site required under section 3.303, subdivision 10.

30.11 (c) Future eligibility for money from the outdoor heritage fund is contingent upon a
30.12 state agency or other recipient satisfying all applicable requirements in this section, as
30.13 well as any additional requirements contained in applicable session law. If the Office of
30.14 the Legislative Auditor determines that a recipient of money from the outdoor heritage
30.15 fund has not complied with the laws, rules, or regulations in this section or other laws
30.16 applicable to the recipient, the recipient is not eligible for future funding from the outdoor
30.17 heritage fund until the recipient demonstrates compliance.

30.18 (d) Money from the outdoor heritage fund may be used to travel outside the state
30.19 of Minnesota if the travel is directly related to and necessary for a project that is based
30.20 in Minnesota.

30.21 Sec. 6. Minnesota Statutes 2012, section 97A.056, is amended by adding a subdivision
30.22 to read:

30.23 **Subd. 20. Acquisitions of lands or interest in lands; commissioner approval;**
30.24 **appraisals.** (a) A recipient of an appropriation from the outdoor heritage fund that
30.25 acquires an interest in real property must receive written approval from the commissioner
30.26 of natural resources prior to the acquisition, if the interest is acquired in whole or in part
30.27 with the appropriation. Conservation easements to be held by the Board of Water and Soil
30.28 Resources are not subject to commissioner approval under this section.

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

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

30.34 (2) is otherwise identified by the commissioner as a priority for state financing.

32.1 appropriation and the recipient retains
 32.2 documentation sufficient to justify the use of
 32.3 the funds. Money appropriated in this article
 32.4 must be spent in accordance with Minnesota
 32.5 Management and Budget's Guidance to
 32.6 Agencies on Legacy Fund Expenditure.
 32.7 Notwithstanding Minnesota Statutes, section
 32.8 16A.28, and unless otherwise specified in
 32.9 this article, fiscal year 2014 appropriations
 32.10 are available until June 30, 2015, and fiscal
 32.11 year 2015 appropriations are available until
 32.12 June 30, 2016. If a project receives federal
 32.13 funds, the time period of the appropriation is
 32.14 extended to equal the availability of federal
 32.15 funding.

32.16 **Sec. 3. DEPARTMENT OF AGRICULTURE \$ 7,895,000 \$ 7,895,000**

32.17 (a) \$350,000 the first year and \$350,000 the
 32.18 second year are to accelerate monitoring for
 32.19 pesticides and pesticide degradates in surface
 32.20 water and groundwater in areas vulnerable to
 32.21 surface water impairments and groundwater
 32.22 degradation and to use data collected to
 32.23 improve pesticide use practices.

32.24 (b) \$3,110,000 the first year and \$3,110,000
 32.25 the second year are to increase monitoring
 32.26 and evaluate trends in the concentration of
 32.27 nitrates in groundwater in areas vulnerable
 32.28 to groundwater degradation, including a
 32.29 substantial increase of monitoring of private
 32.30 wells in cooperation with the commissioner
 32.31 of health, monitoring for pesticides when
 32.32 nitrates are detected, and promoting and
 32.33 evaluating regional and crop-specific nutrient
 32.34 best management practices to protect
 32.35 groundwater from degradation. Of this

33.1 amount, \$75,000 is for accelerating the
33.2 update for the commercial manure applicator
33.3 manual. This amount is to be matched with
33.4 general funds. This appropriation is available
33.5 until June 30, 2016, when the commissioner
33.6 shall submit a report to the chairs and
33.7 ranking minority members of the senate and
33.8 house of representatives committees and
33.9 divisions with jurisdiction over agriculture
33.10 and environment and natural resources
33.11 policy and finance on the expenditure
33.12 of these funds, including the progress in
33.13 preventing groundwater degradation and
33.14 recommendations. By October 15, 2014, the
33.15 commissioner shall submit an interim report
33.16 to the chairs and ranking minority members
33.17 of the senate and house of representatives
33.18 committees and divisions with jurisdiction
33.19 over agriculture and environment and
33.20 natural resources policy and finance on
33.21 the expenditure of these funds, including
33.22 recommendations.

33.23 (c) \$100,000 the first year and \$100,000
33.24 the second year are for transfer to the
33.25 clean water agricultural best management
33.26 practices loan account and are available
33.27 for pass-through to local governments and
33.28 lenders for low-interest septic system loans
33.29 under Minnesota Statutes, section 17.117.

33.30 Any unencumbered balance that is not used
33.31 for pass-through to local governments does
33.32 not cancel at the end of the first year and is
33.33 available for the second year.

33.34 (d) \$1,500,000 the first year and \$1,500,000
33.35 the second year are for technical assistance
33.36 including, but not limited to, small watershed

34.1 evaluation, edge of field monitoring,
34.2 assessment of stream channel characteristics,
34.3 terrain analysis, corn stalk testing, sediment
34.4 fingerprinting, and agronomic assessments,
34.5 all designed to establish advanced practices
34.6 for protecting lakes, rivers, and streams and
34.7 for protecting groundwater from degradation.
34.8 This appropriation is available until June 30,
34.9 2016.

34.10 (e) \$1,050,000 the first year and \$1,050,000
34.11 the second year are for research that could
34.12 pass peer review to protect water resources
34.13 from agricultural-related contaminants,
34.14 including: pilot projects, including the
34.15 use of cover crops; development of best
34.16 management practices; and technical
34.17 assistance on proper implementation of best
34.18 management practices to protect and restore
34.19 surface water and protect groundwater from
34.20 degradation. This appropriation is available
34.21 until June 30, 2018.

34.22 (f) \$175,000 the first year and \$175,000 the
34.23 second year are for a research inventory
34.24 database containing water-related research
34.25 activities. Any information technology
34.26 development or support or costs necessary
34.27 for this research inventory database will be
34.28 incorporated into the agency's service level
34.29 agreement with and paid to the Office of
34.30 Enterprise Technology. This appropriation is
34.31 available until June 30, 2016.

34.32 (g) \$1,500,000 the first year and \$1,500,000
34.33 the second year are to implement a Minnesota
34.34 agricultural water quality certification

35.1 program. This appropriation is available
 35.2 until June 30, 2018.
 35.3 (h) \$110,000 the first year and \$110,000
 35.4 the second year are for a regional irrigation
 35.5 water quality specialist through the
 35.6 University of Minnesota Extension Service
 35.7 to accelerate efforts to provide guidance on
 35.8 managing water and nitrogen fertilizer and
 35.9 to provide assistance complying with permit
 35.10 requirements, regulations, and other related
 35.11 laws. By January 15, 2016, the commissioner
 35.12 shall submit a report to the chairs and ranking
 35.13 minority members of the senate and house
 35.14 of representatives committees and divisions
 35.15 with jurisdiction over agriculture and
 35.16 environment and natural resources policy and
 35.17 finance on the expenditure of these funds,
 35.18 including recommendations.

35.19 **Sec. 4. PUBLIC FACILITIES AUTHORITY \$ 11,000,000 \$ 11,000,000**

35.20 (a) \$9,000,000 the first year and \$9,000,000
 35.21 the second year are for the total maximum
 35.22 daily load grant program under Minnesota
 35.23 Statutes, section 446A.073. This
 35.24 appropriation is available until June 30, 2018.
 35.25 (b) \$2,000,000 the first year and \$2,000,000
 35.26 the second year are for small community
 35.27 wastewater treatment grants and loans under
 35.28 Minnesota Statutes, section 446A.075. By
 35.29 January 15, 2014, the authority shall submit
 35.30 recommendations to the chairs and ranking
 35.31 minority members of the senate and house
 35.32 of representatives committees and divisions
 35.33 with jurisdiction over agriculture and
 35.34 environment and natural resources policy and
 35.35 finance on potential criteria that may be used

36.1 to evaluate the option to buy out properties
 36.2 if it is more cost-effective than a proposed
 36.3 wastewater treatment system project. This
 36.4 appropriation is available until June 30, 2018.

36.5 (c) If there are any uncommitted funds at
 36.6 the end of each fiscal year under paragraph
 36.7 (a) or (b), the Public Facilities Authority
 36.8 may transfer the remaining funds to eligible
 36.9 projects under any of the programs listed
 36.10 in this section based on their priority rank
 36.11 on the Pollution Control Agency's project
 36.12 priority list.

36.13 **Sec. 5. POLLUTION CONTROL AGENCY \$ 30,315,000 \$ 30,265,000**

36.14 (a) \$7,000,000 the first year and \$7,000,000
 36.15 the second year are for completion of 20
 36.16 percent of the needed statewide assessments
 36.17 of surface water quality and trends.

36.18 (b) \$500,000 the first year and \$500,000
 36.19 the second year are to monitor and assess
 36.20 unregulated contaminants in surface water.
 36.21 By January 1, 2014, the commissioner shall
 36.22 submit an initial report to the chairs and
 36.23 ranking minority members of the house of
 36.24 representatives and senate committees and
 36.25 divisions with jurisdiction over environment
 36.26 and natural resources policy and finance on
 36.27 unregulated contaminants, including steps
 36.28 that should be taken to reduce the most
 36.29 problematic contaminants.

36.30 (c) \$10,200,000 the first year and
 36.31 \$10,200,000 the second year are to develop
 36.32 watershed restoration and protection
 36.33 strategies (WRAPS), which include: total
 36.34 maximum daily load (TMDL) studies;

37.1 TMDL implementation plans for waters
37.2 listed on the United States Environmental
37.3 Protection Agency approved impaired waters
37.4 list in accordance with Minnesota Statutes,
37.5 chapter 114D; and setting reduction and
37.6 protection goals and a schedule for meeting
37.7 the goals. The agency shall complete an
37.8 average of ten percent of the TMDL's each
37.9 year over the biennium. Of this amount,
37.10 \$800,000 each year is for conducting interim
37.11 assessments of impaired waters five years
37.12 after the completion of a TMDL to determine
37.13 the progress made in achieving water quality
37.14 improvements. Following completion of
37.15 each interim assessment conducted with this
37.16 appropriation, the commissioner shall submit
37.17 the assessment to the chairs and ranking
37.18 minority members of the senate and house
37.19 of representatives committees and divisions
37.20 with jurisdiction over the environment and
37.21 natural resources policy and finance.

37.22 (d) \$1,250,000 the first year and \$1,250,000
37.23 the second year are for groundwater
37.24 assessment, including enhancing the
37.25 ambient monitoring network, modeling, and
37.26 evaluating trends, including the reassessment
37.27 of groundwater that was assessed ten to 15
37.28 years ago and found to be contaminated.
37.29 By January 15, 2016, the commissioner
37.30 shall submit a report with recommendations
37.31 for reducing or preventing groundwater
37.32 degradation from contaminants to the chairs
37.33 and ranking minority members of the senate
37.34 and house of representatives committees and
37.35 divisions with jurisdiction over environment
37.36 and natural resources policy and finance.

- 38.1 (e) \$750,000 the first year and \$750,000
38.2 the second year are for water quality
38.3 improvements in the lower St. Louis River
38.4 and Duluth harbor within the St. Louis River
38.5 System Area of Concern. This appropriation
38.6 must be matched at a rate of 65 percent
38.7 nonstate money to 35 percent state money.
- 38.8 (f) \$3,000,000 the first year and \$3,000,000
38.9 the second year are for the clean water
38.10 partnership program. Any unexpended
38.11 balance in the first year does not cancel but
38.12 is available in the second year. Priority shall
38.13 be given to projects preventing impairments
38.14 and degradation of lakes, rivers, streams,
38.15 and groundwater according to Minnesota
38.16 Statutes, section 114D.20, subdivision 2,
38.17 clause (4).
- 38.18 (g) \$1,150,000 the first year and \$1,150,000
38.19 the second year are for TMDL research and
38.20 database development.
- 38.21 (h) \$1,000,000 the first year and \$1,000,000
38.22 the second year are to initiate development of
38.23 a multiagency watershed database reporting
38.24 portal. Any information technology
38.25 development or support or costs necessary
38.26 for this research inventory database will be
38.27 incorporated into the agency's service level
38.28 agreement with and paid to the Office of
38.29 Enterprise Technology.
- 38.30 (i) \$900,000 the first year and \$900,000
38.31 the second year are for national pollutant
38.32 discharge elimination system wastewater and
38.33 storm water TMDL implementation efforts.
- 38.34 (j) \$3,450,000 the first year and \$3,450,000
38.35 the second year are for grants to counties

39.1 with specific plans to significantly reduce
39.2 water pollution by reducing the number of
39.3 subsurface sewage treatment systems (SSTS)
39.4 that are an imminent threat to public health
39.5 or safety or are otherwise failing. Counties
39.6 with an ordinance in place that requires
39.7 an SSTS to be compliant with existing
39.8 standards upon property transfer and as a
39.9 condition of obtaining a building permit
39.10 shall be given priority for grants under this
39.11 paragraph. Of this amount, \$750,000 each
39.12 year is available to counties for grants to
39.13 low-income landowners to address systems
39.14 that pose an imminent threat to public health
39.15 or safety or fail to protect groundwater. A
39.16 grant awarded under this paragraph may not
39.17 exceed \$500,000. A county receiving a grant
39.18 under this paragraph must submit a report
39.19 to the agency listing the projects funded,
39.20 including an account of the expenditures.
39.21 (k) \$550,000 the first year and \$550,000
39.22 the second year are for water quality
39.23 monitoring in watersheds with participants
39.24 in the agricultural water quality certification
39.25 program and watersheds targeted by the
39.26 Board of Water and Soil Resources in
39.27 order to develop baseline surface water
39.28 quality information, including water quality
39.29 data from areas located downstream from
39.30 impacted areas.
39.31 (l) \$375,000 the first year and \$375,000 the
39.32 second year are for developing wastewater
39.33 treatment system designs and practices
39.34 and providing technical assistance. Of
39.35 this amount, \$145,000 each year is for
39.36 transfer to the Board of Regents of the

40.1 University of Minnesota to provide ongoing
40.2 support for design teams with scientific
40.3 and technical expertise pertaining to
40.4 wastewater management and treatment
40.5 that will include representatives from the
40.6 University of Minnesota, Pollution Control
40.7 Agency, and municipal wastewater utilities
40.8 and other wastewater engineering experts.
40.9 The design teams shall promote the use of
40.10 new technology, designs, and practices to
40.11 address existing and emerging wastewater
40.12 treatment challenges, including the treatment
40.13 of wastewater for reuse and the emergence
40.14 of new and other unregulated contaminants.
40.15 This appropriation is available until June 30,
40.16 2016.

40.17 (m) \$100,000 the first year and \$100,000 the
40.18 second year are for grants to the Red River
40.19 Watershed Management Board to enhance
40.20 and expand the existing water quality and
40.21 watershed monitoring river watch activities,
40.22 including groundwater, in the schools in
40.23 the Red River of the North Watershed. The
40.24 Red River Watershed Management Board
40.25 shall provide a report to the commissioner
40.26 and the chair and ranking minority members
40.27 of the senate and house of representatives
40.28 committees and divisions with jurisdiction
40.29 over environment and natural resources
40.30 finance and policy and the clean water fund
40.31 by February 15, 2015, on the expenditure of
40.32 these funds.

40.33 (n) \$50,000 the first year is for providing
40.34 technical assistance to local units of
40.35 government to address the impacts on
40.36 water quality from polycyclic aromatic

41.1 hydrocarbons resulting from the use of coal
 41.2 tar products.
 41.3 (o) \$40,000 the first year and \$40,000 the
 41.4 second year are to support activities of the
 41.5 Clean Water Council according to Minnesota
 41.6 Statutes, section 114D.30, subdivision 1.
 41.7 (p) Notwithstanding Minnesota Statutes,
 41.8 section 16A.28, the appropriations
 41.9 encumbered on or before June 30, 2015,
 41.10 as grants or contracts in this section are
 41.11 available until June 30, 2018.

41.12 **Sec. 6. DEPARTMENT OF NATURAL**
 41.13 **RESOURCES**

\$ 14,460,000 \$ 14,075,000

41.14 (a) \$2,500,000 the first year and \$2,500,000
 41.15 the second year are for stream flow
 41.16 monitoring, including the installation of
 41.17 additional monitoring gauges, and monitoring
 41.18 necessary to determine the relationship
 41.19 between stream flow and groundwater.
 41.20 (b) \$1,300,000 the first year and \$1,300,000
 41.21 the second year are for lake Index of
 41.22 Biological Integrity (IBI) assessments.
 41.23 (c) \$135,000 the first year and \$135,000
 41.24 the second year are for assessing mercury
 41.25 contamination of fish, including monitoring
 41.26 to track the status of waters impaired by
 41.27 mercury and mercury reduction efforts over
 41.28 time.
 41.29 (d) \$1,850,000 the first year and \$1,850,000
 41.30 the second year are for developing targeted,
 41.31 science-based watershed restoration and
 41.32 protection strategies, including regional
 41.33 technical assistance for TMDL plans and
 41.34 development of a watershed assessment tool,

42.1 in cooperation with the commissioner of the
42.2 Pollution Control Agency. By January 15,
42.3 2016, the commissioner shall submit a report
42.4 to the chairs and ranking minority members
42.5 of the senate and house of representatives
42.6 committees and divisions with jurisdiction
42.7 over environment and natural resources
42.8 policy and finance providing the outcomes
42.9 to lakes, rivers, streams, and groundwater
42.10 achieved with this appropriation and
42.11 recommendations.

42.12 (e) \$1,500,000 the first year and \$1,500,000
42.13 the second year are for water supply planning,
42.14 aquifer protection, and monitoring activities.

42.15 (f) \$1,000,000 the first year and \$1,000,000
42.16 the second year are for technical assistance
42.17 to support local implementation of nonpoint
42.18 source restoration and protection activities,
42.19 including water quality protection in forested
42.20 watersheds.

42.21 (g) \$675,000 the first year and \$675,000
42.22 the second year are for applied research
42.23 and tools, including watershed hydrologic
42.24 modeling; maintaining and updating spatial
42.25 data for watershed boundaries, streams, and
42.26 water bodies and integrating high-resolution
42.27 digital elevation data; assessing effectiveness
42.28 of forestry best management practices for
42.29 water quality; and developing an ecological
42.30 monitoring database.

42.31 (h) \$615,000 the first year and \$615,000
42.32 the second year are for developing county
42.33 geologic atlases.

42.34 (i) \$85,000 the first year is to develop design
42.35 standards and best management practices

43.1 for public water access sites to maintain and
43.2 improve water quality by avoiding shoreline
43.3 erosion and runoff.

43.4 (j) \$3,500,000 the first year and \$3,500,000
43.5 the second year are for beginning to develop
43.6 and designate groundwater management
43.7 areas under Minnesota Statutes, section
43.8 103G.287, subdivision 4. The commissioner,
43.9 in consultation with the commissioners
43.10 of the Pollution Control Agency, health,
43.11 and agriculture, shall establish a uniform
43.12 statewide hydrogeologic mapping system
43.13 that will include designated groundwater
43.14 management areas. The mapping system
43.15 must include wellhead protection areas,
43.16 special well construction areas, groundwater
43.17 provinces, groundwater recharge areas, and
43.18 other designated or geographical areas related
43.19 to groundwater. This mapping system shall
43.20 be used to implement all groundwater-related
43.21 laws and for reporting and evaluations. This
43.22 appropriation is available until June 30, 2017.

43.23 (k) \$1,000,000 the first year and \$1,000,000
43.24 the second year are for grants to counties
43.25 and other local units of government that
43.26 have adopted advanced shoreland protection
43.27 measures. The grants awarded under this
43.28 paragraph shall be for \$100,000 and must be
43.29 used to restore and enhance riparian areas to
43.30 protect, enhance, and restore water quality in
43.31 lakes, rivers, and streams. Grant recipients
43.32 must submit a report to the commissioner on
43.33 the outcomes achieved with the grant. To
43.34 be eligible for a grant under this paragraph,
43.35 a county or other local unit of government
43.36 must have adopted an ordinance for the

44.1 subdivision, use, redevelopment, and
44.2 development of shoreland that has been
44.3 certified by the commissioner of natural
44.4 resources as having advanced shoreland
44.5 protection measures. The commissioner
44.6 shall only certify an ordinance that meets or
44.7 exceeds the following standards:

44.8 (1) requires new sewage treatment systems
44.9 to be set back at least 100 feet from the
44.10 ordinary high water level for recreational
44.11 development shorelands and 75 feet for
44.12 general development lake shorelands;

44.13 (2) requires redevelopment and new
44.14 development on shoreland to have at least
44.15 a 50-foot vegetative buffer. An access path
44.16 and recreational use area may be allowed;

44.17 (3) requires mitigation when any variance to
44.18 standards designed to protect lakes, rivers,
44.19 and streams is granted;

44.20 (4) requires best management practices to
44.21 be used to control storm water and sediment
44.22 when 3,000 or more square feet are disturbed
44.23 as part of a land alteration;

44.24 (5) includes other criteria developed by the
44.25 commissioner; and

44.26 (6) has been adopted by July 1, 2015.

44.27 The commissioner may certify an ordinance
44.28 that does not exceed all the standards in
44.29 clauses (1) to (5) if the commissioner
44.30 determines that the ordinance provides
44.31 significantly greater protection for both
44.32 waters and shoreland than those standards.

44.33 The commissioner of natural resources
44.34 may develop additional criteria for the

46.1 watershed management organizations, and
46.2 other joint powers organizations organized
46.3 for the management of water in a watershed
46.4 or subwatershed that have multiyear plans
46.5 that will result in a significant reduction in
46.6 water pollution in a selected subwatershed.
46.7 The grants may be used for the following
46.8 purposes: establishment of riparian buffers;
46.9 practices to store water for natural treatment
46.10 and infiltration, including rain gardens;
46.11 capturing storm water for reuse; stream
46.12 bank, shoreland, and ravine stabilization;
46.13 enforcement activities; and implementation
46.14 of best management practices for feedlots
46.15 within riparian areas and other practices
46.16 demonstrated to be most effective in
46.17 protecting, enhancing, and restoring water
46.18 quality in lakes, rivers, and streams and
46.19 protecting groundwater from degradation.
46.20 Grant recipients must provide a nonstate
46.21 cash match of at least 25 percent of the
46.22 total eligible project costs. Grant recipients
46.23 may use other legacy funds to supplement
46.24 projects funded under this paragraph. Prairie
46.25 restorations conducted with funds awarded
46.26 under this paragraph must include a diversity
46.27 of species, including species selected to
46.28 provide habitat for pollinators throughout the
46.29 growing season, and protect existing native
46.30 prairies from genetic contamination. Grants
46.31 awarded under this paragraph are available
46.32 for four years and priority shall be given
46.33 to the three to six best designed plans each
46.34 year. By January 15, 2016, the board shall
46.35 submit an interim report on the outcomes
46.36 achieved with this appropriation, including

47.1 recommendations, to the chairs and ranking
47.2 minority members of the senate and house
47.3 of representatives committees and divisions
47.4 with jurisdiction over environment and
47.5 natural resources policy and finance. This
47.6 appropriation is available until June 30, 2018.

47.7 (b) \$2,853,000 the first year and \$4,675,000
47.8 the second year are for grants to local
47.9 government units for the following
47.10 purposes: establishment of riparian buffers;
47.11 practices to store water for natural treatment
47.12 and infiltration, including rain gardens;
47.13 capturing storm water for reuse; stream
47.14 bank, shoreland, and ravine stabilization;
47.15 enforcement activities; and implementation
47.16 of best management practices for feedlots
47.17 within riparian areas and other practices
47.18 demonstrated to be most effective in
47.19 protecting, enhancing, and restoring water
47.20 quality in lakes, rivers, and streams and
47.21 protecting groundwater from degradation.

47.22 (c) \$4,000,000 the first year and \$4,000,000
47.23 the second year are for targeted local
47.24 resource protection and enhancement grants
47.25 for projects and practices that exceed
47.26 current state standards for protection,
47.27 enhancement, and restoration of water
47.28 quality in lakes, rivers, and streams or that
47.29 protect groundwater from degradation.

47.30 (d) \$900,000 the first year and \$900,000 the
47.31 second year are to provide state oversight
47.32 and accountability, evaluate results, and
47.33 measure the value of conservation program
47.34 implementation by local governments,
47.35 including submission to the legislature

48.1 by March 1 each year an annual report
48.2 prepared by the board, in consultation with
48.3 the commissioners of natural resources,
48.4 health, agriculture, and the Pollution Control
48.5 Agency, detailing the recipients, projects
48.6 funded under this section, and the amount of
48.7 pollution reduced.

48.8 (e) \$1,700,000 the first year and \$1,700,000
48.9 the second year are for grants to local units
48.10 of government to ensure compliance with
48.11 Minnesota Statutes, chapter 103E, and
48.12 sections 103F.401 to 103F.455, including
48.13 enforcement efforts. Of this amount,
48.14 \$235,000 the first year is to update the
48.15 Minnesota Public Drainage Manual and the
48.16 Minnesota Public Drainage Law Overview
48.17 for Decision Makers and to provide outreach
48.18 to users.

48.19 (f) \$6,500,000 the first year and \$6,500,000
48.20 the second year are to purchase and restore
48.21 permanent conservation easements on
48.22 riparian buffers adjacent to lakes, rivers,
48.23 streams, and tributaries with a high risk of
48.24 becoming impaired or that are currently
48.25 impaired, to keep water on the land in order
48.26 to decrease sediment, pollutant, and nutrient
48.27 transport; reduce hydrologic impacts to
48.28 surface waters; and increase infiltration for
48.29 groundwater recharge. This appropriation
48.30 may be used for restoration of riparian
48.31 buffers protected by easements purchased
48.32 with this appropriation and for stream bank
48.33 restorations when the riparian buffers have
48.34 been restored. Prairie restorations conducted
48.35 with funds awarded under this paragraph
48.36 must include a diversity of species, including

49.1 species selected to provide habitat for
49.2 pollinators throughout the growing season,
49.3 and protect existing native prairies from
49.4 genetic contamination.

49.5 (g) \$1,400,000 the first year and \$1,400,000
49.6 the second year are for permanent
49.7 conservation easements on wellhead
49.8 protection areas under Minnesota Statutes,
49.9 section 103F.515, subdivision 2, paragraph
49.10 (d). Priority must be placed on land that
49.11 is located where the vulnerability of the
49.12 drinking water supply is designated as high
49.13 or very high by the commissioner of health.

49.14 (h) \$175,000 the first year and \$175,000 the
49.15 second year are for a technical evaluation
49.16 panel to conduct at least 20 restoration
49.17 evaluations under Minnesota Statutes,
49.18 section 114D.50, subdivision 6.

49.19 (i) \$120,000 the first year and \$120,000
49.20 the second year are for grants to Area
49.21 II Minnesota River Basin projects for
49.22 floodplain management.

49.23 (j) \$63,000 the first year and \$64,000 the
49.24 second year are for implementation of the
49.25 changes to the Clean Water Legacy Act
49.26 contained in this article.

49.27 (k) The board shall contract for services
49.28 with Conservation Corps Minnesota for
49.29 restoration, maintenance, and other activities
49.30 under this section for \$500,000 the first year
49.31 and \$500,000 the second year.

49.32 (l) The board may adjust the technical and
49.33 administrative assistance portion of the funds
49.34 to leverage federal or other nonstate funds
49.35 or to address oversight responsibilities or

50.1 high-priority needs identified in local water
 50.2 management plans.

50.3 (m) The board shall require grantees to
 50.4 specify the outcomes that will be achieved
 50.5 by the grants prior to any grant awards and
 50.6 the board shall track the cumulative impacts
 50.7 and include those impacts in reports on the
 50.8 expenditure of clean water funds submitted
 50.9 to the legislature.

50.10 (n) The appropriations in this section are
 50.11 available until June 30, 2018. Returned grant
 50.12 funds are available until expended and shall
 50.13 be regranted consistent with the purposes of
 50.14 this section.

50.15 **Sec. 8. DEPARTMENT OF HEALTH \$ 6,198,000 \$ 6,198,000**

50.16 (a) \$1,300,000 the first year and \$1,300,000
 50.17 the second year are for addressing public
 50.18 health concerns related to contaminants
 50.19 found in Minnesota drinking water for
 50.20 which no health-based drinking water
 50.21 standards exist, including accelerating the
 50.22 development of health risk limits, including
 50.23 triclosan, and improving the capacity of
 50.24 the department's laboratory to analyze
 50.25 unregulated contaminants.

50.26 (b) \$1,615,000 the first year and \$1,615,000
 50.27 the second year are for protection of
 50.28 groundwater and surface water drinking
 50.29 water sources, including protection from
 50.30 viruses.

50.31 (c) \$250,000 the first year and \$250,000 the
 50.32 second year are for cost share assistance to
 50.33 public and private well owners for up to 50
 50.34 percent of the cost of sealing unused wells.

51.1 (d) \$390,000 the first year and \$390,000 the
51.2 second year are to update and expand the
51.3 County Well Index, in cooperation with the
51.4 commissioner of natural resources.

51.5 (e) \$325,000 the first year and \$325,000 the
51.6 second year are for studying the occurrence
51.7 and magnitude of contaminants in private
51.8 wells and developing guidance to ensure
51.9 that new well placement minimizes the
51.10 potential for risks, in cooperation with the
51.11 commissioner of agriculture.

51.12 (f) \$105,000 the first year and \$105,000 the
51.13 second year are for monitoring recreational
51.14 beaches on Lake Superior for pollutants that
51.15 may pose a public health risk and mitigating
51.16 sources of bacterial contamination that are
51.17 identified.

51.18 (g) \$980,000 the first year and \$980,000 the
51.19 second year are for a biomonitoring program
51.20 that will focus on children and disadvantaged
51.21 communities to provide data on disparities
51.22 in pollutant exposure and other measures
51.23 necessary to assist with water quality
51.24 management and protection decision making.

51.25 (h) \$1,233,000 the first year and \$1,233,000
51.26 the second year are for the development
51.27 and implementation of a groundwater
51.28 virus monitoring plan, including an
51.29 epidemiological study to determine the
51.30 association between groundwater virus
51.31 concentration and community illness rates.
51.32 This appropriation is available until June 30,
51.33 2017.

52.1 (i) Unless otherwise specified, the
 52.2 appropriations in this section are available
 52.3 until June 30, 2016.

52.4 **Sec. 9. METROPOLITAN COUNCIL \$ 2,000,000 \$ 1,500,000**

52.5 (a) \$250,000 the first year and \$250,000 the
 52.6 second year are for grants or loans for local
 52.7 inflow and infiltration reduction programs
 52.8 addressing high priority areas in the
 52.9 metropolitan area, as defined in Minnesota
 52.10 Statutes, section 473.121, subdivision 2. This
 52.11 appropriation is available until expended.

52.12 (b) \$500,000 the first year is for an agreement
 52.13 with the United States Geological Survey to
 52.14 investigate groundwater and surface water
 52.15 interaction in and around White Bear Lake
 52.16 and surrounding northeast metropolitan
 52.17 lakes, including seepage rate determinations,
 52.18 water quality of groundwater and surface
 52.19 water, isotope analyses, lake level analyses,
 52.20 water balance determination, and creation
 52.21 of a calibrated groundwater flow model.
 52.22 The council shall use the results to prepare
 52.23 guidance for other areas to use in addressing
 52.24 groundwater and surface water interaction
 52.25 issues. This is a onetime appropriation and is
 52.26 available until June 30, 2016.

52.27 (c) \$1,250,000 the first year and \$1,250,000
 52.28 the second year are for metropolitan regional
 52.29 groundwater planning to achieve water
 52.30 supply reliability and sustainability, including
 52.31 determination of a sustainable regional
 52.32 balance of surface water and groundwater, a
 52.33 feasibility assessment of potential solutions
 52.34 to rebalance regional water use and identify
 52.35 potential solutions to address emerging

53.1 subregional water supply issues such as the
 53.2 northeast metro, and development of an
 53.3 implementation plan that addresses regional
 53.4 targets and timelines and defines short- and
 53.5 medium-term milestones for achieving the
 53.6 desirable surface water and groundwater
 53.7 regional balance. By January 15, 2014, the
 53.8 commissioner shall submit an interim report
 53.9 on the expenditure of this appropriation to
 53.10 the chairs and ranking minority members
 53.11 of the house of representatives and senate
 53.12 committees and divisions with jurisdiction
 53.13 over environment and natural resources
 53.14 finance and policy and the clean water fund.

53.15 Sec. 10. **UNIVERSITY OF MINNESOTA** **\$** **615,000** **\$** **615,000**

53.16 \$615,000 the first year and \$615,000 the
 53.17 second year are for developing county
 53.18 geologic atlases. This appropriation is
 53.19 available until June 30, 2018.

53.20 Sec. 11. **LEGISLATURE** **\$** **14,000** **\$** **14,000**

53.21 \$14,000 the first year and \$14,000 the second
 53.22 year are for the Legislative Coordinating
 53.23 Commission for the Web site required
 53.24 in Minnesota Statutes, section 3.303,
 53.25 subdivision 10, including detailed mapping.

53.26 Sec. 12. **[17.9891] PURPOSE.**

53.27 The commissioner, in consultation with the commissioner of natural resources,
 53.28 commissioner of the Pollution Control Agency, and Board of Water and Soil Resources,
 53.29 may implement a Minnesota agricultural water quality certification program whereby a
 53.30 producer who demonstrates practices and management sufficient to protect water quality
 53.31 is certified for up to ten years and presumed to be contributing the producer's share of
 53.32 any targeted reduction of water pollutants during the certification period. The program
 53.33 is voluntary. The program will first be piloted in selected watersheds across the state,

54.1 until such time as the commissioner, in consultation with the commissioner of natural
54.2 resources, commissioner of the Pollution Control Agency, and Board of Water and Soil
54.3 Resources, determines the program is ready for expansion.

54.4 Sec. 13. **[17.9892] DEFINITIONS.**

54.5 Subdivision 1. **Application.** The definitions in this section apply to sections
54.6 17.9891 to 17.993.

54.7 Subd. 2. **Certification.** "Certification" means a producer has demonstrated
54.8 compliance with all applicable environmental rules and statutes for all of the producer's
54.9 owned and rented agricultural land and has achieved a satisfactory score through the
54.10 certification instrument as verified by a certifying agent.

54.11 Subd. 3. **Certifying agent.** "Certifying agent" means a person who is authorized
54.12 by the commissioner to assess producers to determine whether a producer satisfies the
54.13 standards of the program.

54.14 Subd. 4. **Effective control.** "Effective control" means possession of land by
54.15 ownership, written lease, or other legal agreement and authority to act as decision
54.16 maker for the day-to-day management of the operation at the time the producer achieves
54.17 certification and for the required certification period.

54.18 Subd. 5. **Eligible land.** "Eligible land" means all acres of a producer's agricultural
54.19 operation, whether contiguous or not, that are under the effective control of the producer
54.20 at the time the producer enters into the program and that the producer operates with
54.21 equipment, labor, and management.

54.22 Subd. 6. **Program.** "Program" means the Minnesota agricultural water quality
54.23 certification program.

54.24 Subd. 7. **Technical assistance.** "Technical assistance" means professional, advisory,
54.25 or cost share assistance provided to individuals in order to achieve certification.

54.26 Sec. 14. **[17.9893] CERTIFICATION INSTRUMENT.**

54.27 The commissioner, in consultation with the commissioner of natural resources,
54.28 commissioner of the Pollution Control Agency, and Board of Water and Soil Resources,
54.29 shall develop an analytical instrument to assess the water quality practices and
54.30 management of agricultural operations. This instrument shall be used to certify that the
54.31 water quality practices and management of an agricultural operation are consistent with
54.32 state water quality goals and standards. The commissioner shall define a satisfactory score
54.33 for certification purposes. The certification instrument tool shall:

54.34 (1) integrate applicable existing regulatory requirements;

- 55.1 (2) utilize technology and prioritize ease of use;
 55.2 (3) utilize a water quality index or score applicable to the landscape;
 55.3 (4) incorporate a process for updates and revisions as practices, management, and
 55.4 technology changes become established and approved; and
 55.5 (5) comprehensively address water quality impacts.

55.6 Sec. 15. **[17.9894] CERTIFYING AGENT LICENSE.**

55.7 Subdivision 1. License. A person who offers certification services to producers
 55.8 as part of the program must satisfy all criteria in subdivision 2 and be licensed by
 55.9 the commissioner. A certifying agent is ineligible to provide certification services
 55.10 to any producer to whom the certifying agent has also provided technical assistance.
 55.11 Notwithstanding section 16A.1283, the commissioner may set license fees.

55.12 Subd. 2. Certifying agent requirements. In order to be licensed as a certifying
 55.13 agent, a person must:

- 55.14 (1) be an agricultural conservation professional employed by the state of Minnesota,
 55.15 a soil and water conservation district, or the Natural Resources Conservation Service or a
 55.16 Minnesota certified crop advisor as recognized by the American Society of Agronomy;
 55.17 (2) have passed a comprehensive exam, as set by the commissioner, evaluating
 55.18 knowledge of water quality, soil health, best farm management techniques, and the
 55.19 certification instrument; and
 55.20 (3) maintain continuing education requirements as set by the commissioner.

55.21 Sec. 16. **[17.9895] DUTIES OF A CERTIFYING AGENT.**

55.22 Subdivision 1. Duties. A certifying agent shall conduct a formal certification
 55.23 assessment utilizing the certification instrument to determine whether a producer meets
 55.24 program criteria. If a producer satisfies all requirements, the certifying agent shall notify
 55.25 the commissioner of the producer's eligibility and request that the commissioner issue a
 55.26 certificate. All records and documents used in the assessment shall be compiled by the
 55.27 certifying agent and submitted to the commissioner.

55.28 Subd. 2. Violations. (a) In the event a certifying agent violates any provision of
 55.29 sections 17.9891 to 17.993 or an order of the commissioner, the commissioner may issue a
 55.30 written warning or a correction order and may suspend or revoke a license.

55.31 (b) If the commissioner suspends or revokes a license, the certifying agent has ten
 55.32 days from the date of suspension or revocation to appeal. If a certifying agent appeals, the
 55.33 commissioner shall hold an administrative hearing within 30 days of the suspension or
 55.34 revocation of the license, or longer by agreement of the parties, to determine whether the

56.1 license is revoked or suspended. The commissioner shall issue an opinion within 30 days.
56.2 If a person notifies the commissioner that the person intends to contest the commissioner's
56.3 opinion, the Office of Administrative Hearings shall conduct a hearing in accordance with
56.4 the applicable provisions of chapter 14 for hearings in contested cases.

56.5 Sec. 17. **[17.9896] CERTIFICATION PROCEDURES.**

56.6 Subdivision 1. **Producer duties.** A producer who seeks certification of eligible land
56.7 shall conduct an initial assessment using the certification instrument, obtain technical
56.8 assistance if necessary to achieve a satisfactory score on the certification instrument, and
56.9 apply for certification from a licensed certifying agent.

56.10 Subd. 2. **Additional land.** Once certified, if a producer obtains effective control
56.11 of additional agricultural land, the producer must notify a certifying agent and obtain
56.12 certification of the additional land within one year in order to retain the producer's original
56.13 certification.

56.14 Subd. 3. **Violations.** (a) The commissioner may revoke a certification if the
56.15 producer fails to obtain certification on any additional land for which the producer obtains
56.16 effective control.

56.17 (b) The commissioner may revoke a certification and seek reimbursement of any
56.18 monetary benefit a producer may have received due to certification from a producer who
56.19 fails to maintain certification criteria.

56.20 (c) If the commissioner revokes a certification, the producer has ten days from the
56.21 date of suspension or revocation to appeal. If a producer appeals, the commissioner shall
56.22 hold an administrative hearing within 30 days of the suspension or revocation of the
56.23 certification, or longer by agreement of the parties, to determine whether the certification
56.24 is revoked or suspended. The commissioner shall issue an opinion within 30 days. If the
56.25 producer notifies the commissioner that the producer intends to contest the commissioner's
56.26 opinion, the Office of Administrative Hearings shall conduct a hearing in accordance with
56.27 the applicable provisions of chapter 14 for hearings in contested cases.

56.28 Sec. 18. **[17.9897] CERTIFICATION CERTAINTY.**

56.29 (a) Once a producer is certified, the producer:

56.30 (1) retains certification for up to ten years from the date of certification if the
56.31 producer complies with the certification agreement, even if the producer does not comply
56.32 with new state water protection laws or rules that take effect during the certification period;

56.33 (2) is presumed to be meeting the producer's contribution to any targeted reduction
56.34 of pollutants during the certification period;

57.1 (3) is required to continue implementation of practices that maintain the producer's
57.2 certification; and

57.3 (4) is required to retain all records pertaining to certification.

57.4 (b) Paragraph (a) does not preclude enforcement of a local rule or ordinance by a
57.5 local unit of government.

57.6 Sec. 19. **[17.9898] AUDITS.**

57.7 The commissioner shall perform random audits of producers and certifying agents to
57.8 ensure compliance with the program. All producers and certifying agents shall cooperate
57.9 with the commissioner during these audits and provide all relevant documents to the
57.10 commissioner for inspection and copying. Any delay, obstruction, or refusal to cooperate
57.11 with the commissioner's audit or falsification of or failure to provide required data or
57.12 information is a violation subject to the provisions of section 17.9895, subdivision 2, or
57.13 17.9896, subdivision 3.

57.14 Sec. 20. **[17.9899] DATA.**

57.15 All data collected under the program that identifies a producer or a producer's
57.16 location are considered nonpublic data as defined in section 13.02, subdivision 9, or
57.17 private data on individuals as defined in section 13.02, subdivision 12. The commissioner
57.18 shall make available summary data of program outcomes on data classified as private
57.19 or nonpublic under this section.

57.20 Sec. 21. **[17.991] RULEMAKING.**

57.21 The commissioner may adopt rules to implement the program.

57.22 Sec. 22. **[17.992] REPORTS.**

57.23 The commissioner, in consultation with the commissioner of natural resources,
57.24 commissioner of the Pollution Control Agency, and Board of Water and Soil Resources,
57.25 shall issue a biennial report to the chairs and ranking minority members of the legislative
57.26 committees with jurisdiction over agricultural policy on the status of the program.

57.27 Sec. 23. **[17.993] FINANCIAL ASSISTANCE.**

57.28 The commissioner may use contributions from gifts or other state accounts, provided
57.29 that the purpose of the expenditure is consistent with the purpose of the accounts, for
57.30 grants, loans, or other financial assistance.

58.1 Sec. 24. Minnesota Statutes 2012, section 114D.15, is amended by adding a
58.2 subdivision to read:

58.3 Subd. 13. **Watershed restoration and protection strategy or WRAPS.** "Watershed
58.4 restoration and protection strategy" or "WRAPS" means a document summarizing
58.5 scientific studies of a major watershed no larger than a hydrologic unit code 8 including
58.6 the physical, chemical, and biological assessment of the water quality of the watershed;
58.7 identification of impairments and water bodies in need of protection; identification of
58.8 biotic stressors and sources of pollution, both point and nonpoint; TMDL's for the
58.9 impairments; and an implementation table containing strategies and actions designed to
58.10 achieve and maintain water quality standards and goals.

58.11 Sec. 25. [114D.26] **WATERSHED RESTORATION AND PROTECTION**
58.12 **STRATEGIES.**

58.13 Subdivision 1. **Contents.** The Pollution Control Agency, in cooperation with the
58.14 Board of Water and Soil Resources, the commissioner of natural resources, and others,
58.15 shall develop watershed restoration and protection strategies. To ensure effectiveness and
58.16 accountability in meeting the goals of this chapter, each WRAPS shall:

58.17 (1) identify impaired waters and waters in need of protection;

58.18 (2) identify biotic stressors causing impairments or threats to water quality;

58.19 (3) summarize watershed modeling outputs and resulting pollution load allocations,
58.20 wasteload allocations, and priority areas for targeting actions to improve water quality;

58.21 (4) identify point sources of pollution for which a national pollutant discharge
58.22 elimination system permit is required under section 115.03;

58.23 (5) identify nonpoint sources of pollution for which a national pollutant discharge
58.24 elimination system permit is not required under section 115.03, with sufficient specificity
58.25 to prioritize and geographically locate watershed restoration and protection actions;

58.26 (6) describe the current pollution loading and load reduction needed for each source
58.27 or source category to meet water quality standards and goals, including wasteload and
58.28 load allocations from TMDL's;

58.29 (7) contain a plan for ongoing water quality monitoring to fill data gaps, determine
58.30 changing conditions, and gauge implementation effectiveness; and

58.31 (8) contain an implementation table of strategies and actions that are capable of
58.32 cumulatively achieving needed pollution load reductions for point and nonpoint sources,
58.33 including:

58.34 (i) water quality parameters of concern;

58.35 (ii) current water quality conditions;

- 59.1 (iii) water quality goals and targets by parameter of concern;
 59.2 (iv) strategies and actions by parameter of concern and the scale of adoptions needed
 59.3 for each;
 59.4 (v) a timeline and an estimated range of costs for achievement of water quality targets;
 59.5 (vi) identification of compliance assessment efforts needed;
 59.6 (vii) the governmental units with primary responsibility for implementing each
 59.7 watershed restoration or protection strategy;
 59.8 (viii) a list and an estimate for each of the public and private funding sources and
 59.9 amounts to be pursued for the needed implementation actions; and
 59.10 (ix) a timeline and interim milestones for achievement of watershed restoration or
 59.11 protection implementation actions within ten years of strategy adoption.

59.12 Subd. 2. **Reporting.** Beginning July 1, 2016, and every other year thereafter, the
 59.13 Pollution Control Agency must report on its Web site the progress toward implementation
 59.14 milestones and water quality goals for all adopted TMDL's and, where available, WRAPS's.

59.15 Subd. 3. **Timelines.** WRAPS's must be completed within one year of the
 59.16 Environmental Protection Agency's approval of TMDL's within the applicable watershed.

59.17 Sec. 26. Minnesota Statutes 2012, section 114D.50, is amended by adding a
 59.18 subdivision to read:

59.19 Subd. 3a. **Nonpoint priority funding plan.** (a) Beginning July 1, 2014, and every
 59.20 other year thereafter, the Board of Water and Soil Resources shall prepare and post on its
 59.21 Web site a priority funding plan to prioritize potential nonpoint restoration and protection
 59.22 actions based on available WRAPS's, TMDL's, and local water plans. The plan must take
 59.23 into account the following factors: water quality outcomes, cost-effectiveness, landowner
 59.24 financial need, and leverage of nonstate funding sources.

59.25 (b) Consistent with the priorities listed in section 114D.20, state agencies allocating
 59.26 funds from the clean water fund for nonpoint restoration and protection strategies shall
 59.27 target the funds according to the priorities identified on the nonpoint priority funding plan.
 59.28 The allocation of the clean water fund to projects eligible for financial assistance under
 59.29 section 116.182 is not governed by the nonpoint priority funding plan.

59.30 Sec. 27. Minnesota Statutes 2012, section 114D.50, subdivision 4, is amended to read:

59.31 Subd. 4. **Expenditures; accountability.** (a) A project receiving funding from the
 59.32 clean water fund must meet or exceed the constitutional requirements to protect, enhance,
 59.33 and restore water quality in lakes, rivers, and streams and to protect groundwater and
 59.34 drinking water from degradation. Priority may be given to projects that meet more than

60.1 one of these requirements. A project receiving funding from the clean water fund shall
60.2 include measurable outcomes, as defined in section 3.303, subdivision 10, and a plan for
60.3 measuring and evaluating the results. A project must be consistent with current science
60.4 and incorporate state-of-the-art technology.

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

60.7 (c) A state agency or other recipient of a direct appropriation from the clean
60.8 water fund must compile and submit all information for proposed and funded projects
60.9 or programs, including the proposed measurable outcomes and all other items required
60.10 under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon
60.11 as practicable or by January 15 of the applicable fiscal year, whichever comes first. The
60.12 Legislative Coordinating Commission must post submitted information on the Web site
60.13 required under section 3.303, subdivision 10, as soon as it becomes available. Information
60.14 classified as not public under section 13D.05, subdivision 3, paragraph (d), is not required
60.15 to be placed on the Web site.

60.16 (d) Grants funded by the clean water fund must be implemented according to section
60.17 16B.98 and must account for all expenditures. Proposals must specify a process for any
60.18 regranting envisioned. Priority for grant proposals must be given to proposals involving
60.19 grants that will be competitively awarded.

60.20 (e) Money from the clean water fund may only be spent on projects that benefit
60.21 Minnesota waters. Money from the clean water fund may be used to travel outside the
60.22 state of Minnesota if the travel is directly related to and necessary for a projects that
60.23 benefits Minnesota waters.

60.24 (f) When practicable, a direct recipient of an appropriation from the clean water fund
60.25 shall prominently display on the recipient's Web site home page the legacy logo required
60.26 under Laws 2009, chapter 172, article 5, section 10, as amended by Laws 2010, chapter
60.27 361, article 3, section 5, accompanied by the phrase "Click here for more information."
60.28 When a person clicks on the legacy logo image, the Web site must direct the person to
60.29 a Web page that includes both the contact information that a person may use to obtain
60.30 additional information, as well as a link to the Legislative Coordinating Commission Web
60.31 site required under section 3.303, subdivision 10.

60.32 (g) Future eligibility for money from the clean water fund is contingent upon a state
60.33 agency or other recipient satisfying all applicable requirements in this section, as well as
60.34 any additional requirements contained in applicable session law. If the Office of the
60.35 Legislative Auditor determines that a recipient of money from the clean water fund has
60.36 not complied with the laws, rules, or regulations in this section or other laws applicable

61.1 to the recipient, the recipient is not eligible for future funding from the clean water fund
61.2 until the recipient demonstrates compliance.

61.3 Sec. 28. Minnesota Statutes 2012, section 114D.50, is amended by adding a
61.4 subdivision to read:

61.5 Subd. 4a. **Riparian buffer payments; reporting.** When clean water funds are used
61.6 to purchase riparian buffer easements, payments for the first 50 feet of riparian buffer that
61.7 are noncompliant with Minnesota Rules, part 6120.3300, may not exceed noncropped
61.8 rates as established under section 103F.515. The Board of Water and Soil Resources must
61.9 include in its biennial report on clean water fund appropriations the funding spent on
61.10 easements for riparian buffers that are not compliant with Minnesota Rules, part 6120.3300.

61.11 Sec. 29. Minnesota Statutes 2012, section 114D.50, subdivision 6, is amended to read:

61.12 Subd. 6. **Restoration evaluations.** The Board of Water and Soil Resources may
61.13 convene a technical evaluation panel comprised of five members, including one technical
61.14 representative from the Board of Water and Soil Resources, one technical representative
61.15 from the Department of Natural Resources, one technical expert from the University of
61.16 Minnesota or the Minnesota State Colleges and Universities, and two representatives
61.17 with expertise related to the project being evaluated. The board may add a technical
61.18 representative from a unit of federal or local government. The members of the technical
61.19 evaluation panel may not be associated with the restoration, may vary depending upon the
61.20 projects being reviewed, and shall avoid any potential conflicts of interest. Each year, the
61.21 board may assign a coordinator to identify a sample of ~~up to ten~~ habitat restoration projects
61.22 completed with clean water funding. The coordinator shall secure the restoration plans for
61.23 the projects specified and direct the technical evaluation panel to evaluate the restorations
61.24 relative to the law, current science, and the stated goals and standards in the restoration
61.25 plan and, when applicable, to the Board of Water and Soil Resources' native vegetation
61.26 establishment and enhancement guidelines. The coordinator shall summarize the findings
61.27 of the panel and provide a report to the chairs of the respective house of representatives
61.28 and senate policy and finance committees with jurisdiction over natural resources and
61.29 spending from the clean water fund. The report shall determine if the restorations are
61.30 meeting planned goals, any problems with the implementation of restorations, and, if
61.31 necessary, recommendations on improving restorations. The report shall be focused on
61.32 improving future restorations. Up to one-tenth of one percent of forecasted receipts from
61.33 the clean water fund may be used for restoration evaluations under this section.

62.1 Sec. 30. [116.202] COAL TAR SEALANT USE AND SALE PROHIBITED.

62.2 Subdivision 1. Definitions. The following terms have the meanings given.

62.3 (a) "Coal tar sealant product" means a surface applied sealing product containing
 62.4 coal tar, coal tar pitch, coal tar pitch volatiles, or any variation assigned the Chemical
 62.5 Abstracts Service (CAS) numbers 65996-93-2, 65996-89-6, or 8007-45-2.

62.6 (b) "Commissioner" means the commissioner of the Pollution Control Agency.

62.7 Subd. 2. Use prohibited. Except as provided in subdivision 4, a person shall not
 62.8 apply coal tar sealant products on asphalt-paved surfaces.

62.9 Subd. 3. Sale prohibited. Except as provided in subdivision 4, a person shall
 62.10 not sell a coal tar sealant product that is formulated or marketed for application on
 62.11 asphalt-paved surfaces.

62.12 Subd. 4. Exemptions. The commissioner may exempt a person from this section if
 62.13 the commissioner determines that one or both of the following apply:

62.14 (1) the person is researching the effects of a coal tar sealant product on the
 62.15 environment; or

62.16 (2) the person is developing an alternative technology and the use of a coal tar
 62.17 sealant product is required for research or development.

62.18 A request for exemption must be made to the commissioner in writing including
 62.19 an explanation of why the exemption is needed for research, or the development of an
 62.20 alternative technology.

62.21 Subd. 5. Compliance and enforcement. Local units of government may adopt by
 62.22 reference and enforce the provisions of this section. The commissioner may provide
 62.23 technical support to local units of government for compliance and enforcement of
 62.24 this section. The commissioner may respond to compliance and enforcement cases
 62.25 transcending jurisdictional boundaries, cases requiring statewide corrective actions, or
 62.26 requests for assistance or referral from local units of government.

62.27 EFFECTIVE DATE. This section is effective January 1, 2014.

62.28 Sec. 30. Minnesota Statutes 2012, section 116G.15, subdivision 2, is amended to read:

62.29 Subd. 2. Administration; duties. (a) Upon receiving consent of the affected local
 62.30 unit of government within the Mississippi River corridor critical area, the commissioner of
 62.31 natural resources may adopt rules under chapter 14 as are necessary for the administration
 62.32 of the Mississippi River corridor critical area program. Duties of the Environmental
 62.33 Quality Council or the Environmental Quality Board referenced in this chapter, related
 62.34 rules, and the governor's Executive Order No. 79-19, published in the State Register on
 62.35 March 12, 1979, that are related to the Mississippi River corridor critical area shall be

63.1 the duties of the commissioner. All rules adopted by the board pursuant to these duties
 63.2 remain in effect and shall be enforced until amended or repealed by the commissioner in
 63.3 accordance with law. The commissioner may not adopt rules that preempt existing local
 63.4 ordinances. The commissioner shall work in consultation with the United States Army
 63.5 Corps of Engineers, the National Park Service, the Metropolitan Council, other agencies,
 63.6 and local units of government to ensure that the Mississippi River corridor critical area is
 63.7 managed as a multipurpose resource in a way that:

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

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

63.13 (3) provides for the continuation ~~and~~ development, and redevelopment of a variety
 63.14 of urban uses, including industrial and commercial uses, and recreational and residential
 63.15 uses, where appropriate, within the Mississippi River corridor;

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

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

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

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

63.24 Sec. 31. Minnesota Statutes 2012, section 116G.15, subdivision 3, is amended to read:

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

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

63.31 ~~(2)~~ (1) the protection of improvements such as parks, trails, natural areas,
 63.32 recreational areas, and interpretive centers;

63.33 ~~(3)~~ (2) the use of the Mississippi River as a source of drinking water;

63.34 ~~(4)~~ (3) the protection of resources identified in the Mississippi National River and
 63.35 Recreation Area Comprehensive Management Plan;

64.1 ~~(5)~~ (4) the protection of resources identified in comprehensive plans developed by
 64.2 counties, cities, and towns within the Mississippi River corridor critical area;

64.3 ~~(6) the intent of the Mississippi River corridor critical area land use districts from~~
 64.4 ~~the governor's Executive Order No. 79-19, published in the State Register on March~~
 64.5 ~~12, 1979; and~~

64.6 (5) management of the river corridor consistent with its natural characteristics and
 64.7 its existing development, and in consideration of potential new commercial, industrial,
 64.8 and residential development; and

64.9 ~~(7)~~ (6) identified scenic, geologic, and ecological resources.

64.10 Sec. 32. Minnesota Statutes 2012, section 116G.15, subdivision 4, is amended to read:

64.11 Subd. 4. **Standards.** (a) The commissioner shall establish, by rule, minimum
 64.12 guidelines and standards for the districts established in subdivision 3. The guidelines and
 64.13 standards for each district shall include the intent of each district and key resources and
 64.14 features to be protected or enhanced based upon paragraph (b). The commissioner must
 64.15 take into account municipal plans and policies, and existing ordinances and conditions
 64.16 when developing the guidelines in this section. The commissioner may provide certain
 64.17 exceptions and criteria for standards, including, but not limited to, exceptions for river
 64.18 access facilities, water supply facilities, storm water facilities, and wastewater treatment
 64.19 facilities, and hydropower facilities.

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

64.22 (1) floodplains;

64.23 (2) wetlands;

64.24 (3) gorges;

64.25 (4) areas of confluence with key tributaries;

64.26 (5) natural drainage routes;

64.27 (6) shorelines and riverbanks;

64.28 (7) bluffs;

64.29 (8) steep slopes and very steep slopes;

64.30 (9) unstable soils and bedrock;

64.31 (10) significant existing vegetative stands, tree canopies, and native plant
 64.32 communities;

64.33 (11) scenic views and vistas;

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

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

65.1 (14) water quality; and

65.2 (15) commercial, industrial, and residential resources.

65.3 ~~(e) The commissioner shall establish a map to define bluffs and bluff-related features~~
 65.4 ~~within the Mississippi River corridor critical area. At the outset of the rulemaking process,~~
 65.5 ~~the commissioner shall create a preliminary map of all the bluffs and bluff lines within~~
 65.6 ~~the Mississippi River corridor critical area, based on the guidelines in paragraph (d). The~~
 65.7 ~~rulemaking process shall provide an opportunity to refine the preliminary bluff map. The~~
 65.8 ~~commissioner may add to or remove areas of demonstrably unique or atypical conditions~~
 65.9 ~~that warrant special protection or exemption. At the end of the rulemaking process, the~~
 65.10 ~~commissioner shall adopt a final bluff map that contains associated features, including~~
 65.11 ~~bluff lines, bases of bluffs, steep slopes, and very steep slopes.~~

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

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

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

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

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

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

65.30 Sec. 33. Minnesota Statutes 2012, section 116G.15, subdivision 7, is amended to read:

65.31 Subd. 7. **Rules.** The commissioner shall adopt rules to ensure compliance with this
 65.32 section. By January 15, 2010, the commissioner shall begin the rulemaking required by
 65.33 this section under chapter 14. Notwithstanding sections 14.125 and 14.128, the authority
 65.34 to adopt these rules does not expire.

65.35 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2009.

67.1 The amounts that may be spent for each
 67.2 purpose are specified in the following
 67.3 sections.

67.4 **Subd. 2. Availability of Appropriation**

67.5 Money appropriated in this article may not
 67.6 be spent on activities unless they are directly
 67.7 related to and necessary for a specific
 67.8 appropriation and the recipient retains
 67.9 documentation sufficient to justify the use of
 67.10 the funds. Money appropriated in this article
 67.11 must be spent in accordance with Minnesota
 67.12 Management and Budget's Guidance to
 67.13 Agencies on Legacy Fund Expenditure.
 67.14 Notwithstanding Minnesota Statutes, section
 67.15 16A.28, and unless otherwise specified in
 67.16 this article, fiscal year 2014 appropriations
 67.17 are available until June 30, 2016, and fiscal
 67.18 year 2015 appropriations are available until
 67.19 June 30, 2017. If a project receives federal
 67.20 funds, the time period of the appropriation is
 67.21 extended to equal the availability of federal
 67.22 funding.

67.23 **Sec. 3. DEPARTMENT OF NATURAL**
 67.24 **RESOURCES**

<u>\$</u>	<u>24,319,000</u>	<u>\$</u>	<u>23,319,000</u>
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67.25 (a) \$7,975,000 the first year and \$5,695,000
 67.26 the second year are for the following state
 67.27 parks and trails projects:

67.28 (1) the Rat River Bridge on the Arrowhead
 67.29 State Trail;

67.30 (2) the Brown's Creek State Trail, including
 67.31 interpretive signs, invasive species control,
 67.32 and regional trail connections;

67.33 (3) a segment of the Central Lakes State Trail
 67.34 from Fergus Falls to Ashby/Lake Christina;

- 68.1 (4) the Hadley Bridge on the Gateway State
68.2 Trail;
- 68.3 (5) a segment of the Gitchi-Gami State Trail
68.4 from Beaver Bay to West Road;
- 68.5 (6) the Steamboat Loop on the Heartland
68.6 State Trail;
- 68.7 (7) the Steamboat River Bridge on the
68.8 Heartland State Trail;
- 68.9 (8) the Fish Hook River Red Bridge in Park
68.10 Rapids on the Heartland State Trail;
- 68.11 (9) a trail in Itasca State Park;
- 68.12 (10) a trail from Park Rapids to Itasca State
68.13 Park;
- 68.14 (11) a trail segment from Faribault to Dundas
68.15 for the Mill Towns State Trail;
- 68.16 (12) a bridge building over the Cannon River
68.17 in Faribault for the Mill Towns State Trail;
- 68.18 (13) a segment of the Minnesota Valley
68.19 State Trail from Shakopee Memorial Park to
68.20 Bloomington Ferry Bridge;
- 68.21 (14) a segment of the Minnesota Valley State
68.22 Trail from Bloomington Ferry Bridge to Fort
68.23 Snelling State Park;
- 68.24 (15) the Moose Horn River Bridge No. 1 on
68.25 the Willard Munger State Trail;
- 68.26 (16) the Paul Bunyan State Trail near Clausen
68.27 Avenue;
- 68.28 (17) a segment of the Paul Bunyan State Trail
68.29 from Crow Wing State Park;
- 68.30 (18) interpretive signs on the Root River
68.31 State Trail;

69.1 (19) a segment of the Root River State Trail
69.2 from Whalen to Rushford;

69.3 (20) a segment of the Sakatah Singing Hills
69.4 State Trail from Waterville to Mankato; and

69.5 (21) a segment of the Shooting Star State
69.6 Trail from Rose Creek to Austin.

69.7 The commissioner may use these funds
69.8 for other portions of a state trail under this
69.9 paragraph or for other statutorily authorized
69.10 state trails only after funds to complete
69.11 these projects has been fully encumbered. If
69.12 the commissioner determines one of these
69.13 projects is not able to proceed within the
69.14 appropriation's availability, the commissioner
69.15 may use these funds for other portions of
69.16 a state trail under this paragraph or for
69.17 other statutorily authorized state trails after
69.18 consultation with the chairs of the senate
69.19 and house of representatives committees and
69.20 divisions with jurisdiction over the parks and
69.21 trails fund.

69.22 (b) \$1,549,000 the first year and \$1,549,000
69.23 the second year are for education and
69.24 interpretive services at state parks, recreation
69.25 areas, and trails.

69.26 (c) \$643,000 the first year and \$643,000 the
69.27 second year are for state parks and trails
69.28 public outreach.

69.29 (d) \$2,500,000 the first year and \$2,140,000
69.30 the second year are for land acquisition,
69.31 development, and design at state parks,
69.32 including acquisition of land for Lake
69.33 Bronson State Park, Sibley State Park, and
69.34 Minneopa State Park, completion of a visitor
69.35 center at Tettegouche State Park, renewable

70.1 energy improvements, and new camper
70.2 cabins.

70.3 (e) \$1,933,000 the first year and \$4,654,000
70.4 the second year are for state parks and state
70.5 recreation areas rehabilitation and renewal.
70.6 Of this amount, \$720,000 the second year
70.7 is for campground upgrades at Whitewater
70.8 State Park.

70.9 (f) \$829,000 the first year and \$830,000
70.10 the second year are for restoration and
70.11 enhancement activities at state parks and state
70.12 recreation areas, including invasive species
70.13 management on approximately 13,800 acres,
70.14 native plant restorations on approximately
70.15 1,800 acres, and implementation of best
70.16 management practices at approximately 50
70.17 public water access sites.

70.18 (g) \$4,425,000 the first year and \$4,438,000
70.19 the second year are for grants under
70.20 Minnesota Statutes, section 85.535, to
70.21 acquire, develop, improve, and restore
70.22 parks and trails of regional or statewide
70.23 significance outside of the metropolitan area,
70.24 as defined in Minnesota Statutes, section
70.25 473.121, subdivision 2. Up to 2.5 percent
70.26 of the total appropriation may be used for
70.27 administering the grants.

70.28 (h) \$4,465,000 the first year and \$3,370,000
70.29 the second year are for grants for parks and
70.30 trails of regional or statewide significance
70.31 outside of the metropolitan area. Of this
70.32 amount:

70.33 (1) \$1,338,000 is for development of
70.34 the Swedish Immigrant Trail, including

- 71.1 amenities in Taylors Falls connecting the
71.2 trail to Interstate State Park;
- 71.3 (2) \$75,000 is for rehabilitation of Sunrise
71.4 Prairie Trail;
- 71.5 (3) \$500,000 is for construction of the Lowell
71.6 to Lakewalk Trail in Duluth;
- 71.7 (4) \$1,250,000 is for the Mesabi Trail;
- 71.8 (5) \$920,000 is for extensions and
71.9 connections to the Rocori Trail;
- 71.10 (6) \$1,000,000 is for extensions and
71.11 connections to the Lake Wobegon Trail;
- 71.12 (7) \$100,000 is for the Beaver Bay Trail,
71.13 including trailhead amenities;
- 71.14 (8) \$468,000 is for extension of the Dakota
71.15 Rail Trail to Lester Prairie;
- 71.16 (9) \$184,000 is for trail connections and
71.17 camping facilities in Aitkin County for
71.18 the Mississippi River parks and water trail
71.19 project;
- 71.20 (10) \$1,000,000 is for trail enhancement,
71.21 land acquisition, and other improvements at
71.22 Sauk River Regional Park; and
- 71.23 (11) \$1,000,000 is for restoration of parks
71.24 and trails in the Duluth area impacted by the
71.25 flood of 2012.
- 71.26 (i) The commissioner shall contract for
71.27 services with Conservation Corps Minnesota
71.28 for restoration, maintenance, and other
71.29 activities under this section for at least
71.30 \$1,000,000 the first year and \$1,000,000 the
71.31 second year.
- 71.32 (j) A recipient of a grant awarded under
71.33 this section must give consideration to

- 73.1 River Regional Trail at the Coon Rapids
- 73.2 Dam Regional Park;
- 73.3 (3) a new playground and surfacing at Lake
- 73.4 George Regional Park;
- 73.5 (4) land acquisition for the Rice Creek Chain
- 73.6 of Lakes Park Reserve;
- 73.7 (5) improvements at the Rice Creek Chain of
- 73.8 Lakes Park Reserve, including maintenance
- 73.9 shop rehabilitation, road and parking
- 73.10 construction, fencing, beach improvements,
- 73.11 and roof repairs;
- 73.12 (6) trail reconstruction under East River
- 73.13 Road on the Rice Creek West Regional Trail;
- 73.14 (7) contracts with Conservation Corps
- 73.15 Minnesota;
- 73.16 (8) a volunteer or resource coordinator
- 73.17 position;
- 73.18 (9) a landscape designer or architect;
- 73.19 (10) design, engineering, and construction of
- 73.20 the Central Anoka County Regional Trail;
- 73.21 (11) road rehabilitation at Lake George
- 73.22 Regional Park;
- 73.23 (12) reconstruction of a retaining wall on the
- 73.24 Mississippi River Regional Trail;
- 73.25 (13) a trail connection on the Mississippi
- 73.26 River Regional Trail to connect Mississippi
- 73.27 West Regional Park to the city of Ramsey;
- 73.28 (14) improvements of the Heritage
- 73.29 Laboratory/Day Camp at the Rice Creek
- 73.30 Chain of Lakes Park Reserve; and
- 73.31 (15) trail reconstruction on the Rice Creek
- 73.32 North Regional Trail from Lexington Avenue
- 73.33 to Golden Lake Elementary School.

- 74.1 (c) \$273,000 the first year and \$283,000
74.2 the second year are for grants to the city of
74.3 Bloomington to reconstruct parking lots at the
74.4 Hyland-Bush-Anderson Lakes Park Reserve.
- 74.5 (d) \$347,000 the first year and \$361,000 the
74.6 second year are for grants to Carver County
74.7 to connect the Minnesota River Bluffs
74.8 Regional Trail and Southwest Regional Trail
74.9 and for trail and bridge construction on the
74.10 Minnesota River Bluff Regional Trail.
- 74.11 (e) \$1,235,000 the first year and \$1,277,000
74.12 the second year are for grants to Dakota
74.13 County for:
- 74.14 (1) engineering to extend the Mississippi
74.15 River Regional Trail and Big Rivers Regional
74.16 Trails, including extensions to St. Paul, and
74.17 to provide a connection to Lilydale Regional
74.18 Trail;
- 74.19 (2) a trail connection for the Mississippi
74.20 River Regional Trail to connect St. Paul and
74.21 to construct a bridge over railroad tracks;
- 74.22 (3) engineering and construction of regional
74.23 trail segments throughout the county;
- 74.24 (4) engineering and construction of a bridge
74.25 and trails through the Minnesota Zoological
74.26 Garden on the North Creek Regional
74.27 Greenway; and
- 74.28 (5) resource management of the county's
74.29 parks and trails system.
- 74.30 (f) \$3,803,000 the first year and \$3,464,000
74.31 the second are for grants to the Minneapolis
74.32 Park and Recreation Board for:
- 74.33 (1) design and construction of trail loops,
74.34 river access areas, landscapes, and storm

- 75.1 water management improvements at Above
75.2 the Falls Regional Park;
75.3 (2) land acquisition at Above the Falls
75.4 Regional Park;
75.5 (3) a master plan and trail design for Central
75.6 Mississippi Riverfront Regional Park;
75.7 (4) planning and design for the Central
75.8 Riverfront including the water works and the
75.9 Mississippi Whitewater Park sites;
75.10 (5) trail, path, and shoreline improvements
75.11 and play area rehabilitation at
75.12 Nokomis-Hiawatha Regional Park;
75.13 (6) trail, shoreline, water access,
75.14 picnic, sailboat facility, and concession
75.15 improvements at Minneapolis Chain of
75.16 Lakes Regional Park;
75.17 (7) a bird sanctuary, trail stabilization, habitat
75.18 restoration, accessibility improvements, and
75.19 construction of new entrances at Minneapolis
75.20 Chain of Lakes Regional Park;
75.21 (8) a trail connection for the Minnehaha
75.22 Parkway Regional Trail below Lyndale
75.23 Avenue; and
75.24 (9) trail work at Theodore Wirth Regional
75.25 Park.
75.26 (g) \$1,228,000 the first year and \$1,523,000
75.27 the second year are for grants to Ramsey
75.28 County for:
75.29 (1) wayfinding for cross-country ski trails
75.30 at Battle Creek Regional Park, Tamarack
75.31 Nature Center, and Grass-Vadnais-Snail
75.32 Lakes Regional Park;

- 76.1 (2) contracts with Conservation Corps
76.2 Minnesota;
- 76.3 (3) design and construction of an early
76.4 learning center at Tamarack Nature Center
76.5 and pedestrian connections, landscape
76.6 restoration, signage, and other site amenities
76.7 at Bald Eagle-Otter Lakes Regional Park;
- 76.8 (4) improvements to Tamarack Nature
76.9 Center;
- 76.10 (5) building and supporting a volunteer corps
76.11 for Tamarack Nature Center and Discovery
76.12 Hollow;
- 76.13 (6) trail development to connect Tamarack
76.14 Nature Center to the Otter Lake boat launch;
- 76.15 (7) a trail on Vadnais Lake, storm water
76.16 management improvements, and site
76.17 amenities at Grass-Vadnais-Snail Lakes
76.18 Regional Park;
- 76.19 (8) trail development and connection, storm
76.20 water management improvements, and site
76.21 amenities at Rice Creek North Regional
76.22 Trail; and
- 76.23 (9) the Bruce Vento Regional Trail.
- 76.24 (h) \$2,424,000 the first year and \$2,507,000
76.25 the second year are for grants to the city of
76.26 Saint Paul for:
- 76.27 (1) an education coordinator;
- 76.28 (2) a volunteer coordinator;
- 76.29 (3) Como Regional Park shuttle operation;
- 76.30 (4) a trail connection to connect Harriet
76.31 Island to the Mississippi Regional Trail;

- 77.1 (5) Estabrook Road reconstruction and
77.2 lighting upgrades at Como Regional Park;
77.3 and
- 77.4 (6) a trail connection and railroad bridge
77.5 reconstruction at Lilydale Regional Park.
- 77.6 (i) \$620,000 the first year and \$640,000 the
77.7 second year are for grants to Scott County for
77.8 construction at Cedar Lake Farm Regional
77.9 Park.
- 77.10 (j) \$3,667,000 the first year and \$3,796,000
77.11 the second year are for grants to Three Rivers
77.12 Park District for:
- 77.13 (1) a trail connection to connect Grand
77.14 Rounds to Nine Mile Creek Trail;
- 77.15 (2) a trail bridge over County State-Aid
77.16 Highway 19 for the Lake Minnetonka LRT
77.17 Regional Trail;
- 77.18 (3) trail construction on the Crystal Lake
77.19 Regional Trail;
- 77.20 (4) trail construction on the Bassett Creek
77.21 Regional Trail;
- 77.22 (5) trail construction on the Twin Lakes
77.23 Regional Trail; and
- 77.24 (6) trail construction on the Nine Mile Creek
77.25 Regional Trail.
- 77.26 (k) \$876,000 the first year and \$904,000 the
77.27 second year are for grants to Washington
77.28 County for:
- 77.29 (1) parking, buildings, and other
77.30 improvements at the Swim Pond in Lake
77.31 Elmo Park Reserve;

78.1 (2) design and construction of the Point
78.2 Douglas Regional Trail, which connects to
78.3 Wisconsin; and

78.4 (3) paving improvements to Hardwood Creek
78.5 Regional Trail, which may include new trail
78.6 sections toward Bald Eagle Regional Park.

78.7 (l) \$1,792,000 the first year and \$1,792,000
78.8 the second year are for grants to implementing
78.9 agencies for land acquisition within
78.10 Metropolitan Council approved regional
78.11 parks and trails master plan boundaries as
78.12 provided under Minnesota Statutes, section
78.13 85.53, subdivision 3, clause (4).

78.14 (m) A recipient of a grant awarded under
78.15 this section must give consideration to
78.16 Conservation Corps Minnesota for possible
78.17 use of corps services to contract for
78.18 restoration and enhancement services.

78.19 (n) For projects with the potential to need
78.20 historic preservation services, a recipient
78.21 of a grant awarded under this section must
78.22 give consideration to the Northern Bedrock
78.23 Conservation Corps for possible use of the
78.24 corps' services.

78.25 (o) By January 15, 2015, the council
78.26 shall submit a list of projects, ranked in
78.27 priority order, that contains the council's
78.28 recommendations for funding from the
78.29 parks and trails fund for the 2016 and
78.30 2017 biennium to the chairs and ranking
78.31 minority members of the senate and house
78.32 of representatives committees and divisions
78.33 with jurisdiction over the environment and
78.34 natural resources and the parks and trails
78.35 fund.

79.1 Sec. 5. LEGISLATURE § 5,000 § 5,000
 79.2 \$5,000 the first year and \$5,000 the second
 79.3 year are for the Legislative Coordinating
 79.4 Commission for the Web site required
 79.5 in Minnesota Statutes, section 3.303,
 79.6 subdivision 10, including detailed mapping.

79.7 Sec. 6. Minnesota Statutes 2012, section 10A.01, subdivision 35, is amended to read:

79.8 Subd. 35. **Public official.** "Public official" means any:

79.9 (1) member of the legislature;

79.10 (2) individual employed by the legislature as secretary of the senate, legislative
 79.11 auditor, chief clerk of the house of representatives, revisor of statutes, or researcher,
 79.12 legislative analyst, or attorney in the Office of Senate Counsel and Research or House
 79.13 Research;

79.14 (3) constitutional officer in the executive branch and the officer's chief administrative
 79.15 deputy;

79.16 (4) solicitor general or deputy, assistant, or special assistant attorney general;

79.17 (5) commissioner, deputy commissioner, or assistant commissioner of any state
 79.18 department or agency as listed in section 15.01 or 15.06, or the state chief information
 79.19 officer;

79.20 (6) member, chief administrative officer, or deputy chief administrative officer of a
 79.21 state board or commission that has either the power to adopt, amend, or repeal rules under
 79.22 chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

79.23 (7) individual employed in the executive branch who is authorized to adopt, amend,
 79.24 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

79.25 (8) executive director of the State Board of Investment;

79.26 (9) deputy of any official listed in clauses (7) and (8);

79.27 (10) judge of the Workers' Compensation Court of Appeals;

79.28 (11) administrative law judge or compensation judge in the State Office of
 79.29 Administrative Hearings or unemployment law judge in the Department of Employment
 79.30 and Economic Development;

79.31 (12) member, regional administrator, division director, general counsel, or operations
 79.32 manager of the Metropolitan Council;

79.33 (13) member or chief administrator of a metropolitan agency;

79.34 (14) director of the Division of Alcohol and Gambling Enforcement in the
 79.35 Department of Public Safety;

- 80.1 (15) member or executive director of the Higher Education Facilities Authority;
- 80.2 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 80.3 (17) member of the board of directors or executive director of the Minnesota State
- 80.4 High School League;
- 80.5 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 80.6 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 80.7 (20) manager of a watershed district, or member of a watershed management
- 80.8 organization as defined under section 103B.205, subdivision 13;
- 80.9 (21) supervisor of a soil and water conservation district;
- 80.10 (22) director of Explore Minnesota Tourism;
- 80.11 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established
- 80.12 in section 97A.056;
- 80.13 (24) citizen member of the Clean Water Council established in section 114D.30; ~~or~~
- 80.14 (25) member or chief executive of the Minnesota Sports Facilities Authority
- 80.15 established in section 473J.07; or
- 80.16 (26) member of the Greater Minnesota Regional Parks and Trails Commission.

80.17 Sec. 7. Minnesota Statutes 2012, section 85.53, subdivision 2, is amended to read:

80.18 Subd. 2. **Expenditures; accountability.** (a) A project or program receiving funding

80.19 from the parks and trails fund must meet or exceed the constitutional requirement to

80.20 support parks and trails of regional or statewide significance. A project or program

80.21 receiving funding from the parks and trails fund must include measurable outcomes, as

80.22 defined in section 3.303, subdivision 10, and a plan for measuring and evaluating the

80.23 results. A project or program must be consistent with current science and incorporate

80.24 state-of-the-art technology, except when the project or program is a portrayal or restoration

80.25 of historical significance.

80.26 (b) Money from the parks and trails fund shall be expended to balance the benefits

80.27 across all regions and residents of the state.

80.28 (c) A state agency or other recipient of a direct appropriation from the parks and

80.29 trails fund must compile and submit all information for funded projects or programs,

80.30 including the proposed measurable outcomes and all other items required under section

80.31 3.303, subdivision 10, to the Legislative Coordinating Commission as soon as practicable

80.32 or by January 15 of the applicable fiscal year, whichever comes first. The Legislative

80.33 Coordinating Commission must post submitted information on the Web site required

80.34 under section 3.303, subdivision 10, as soon as it becomes available.

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

81.5 (e) Money from the parks and trails fund may only be spent on projects located in
81.6 Minnesota. Money from the parks and trails fund may be used to travel outside the state
81.7 of Minnesota if the travel is directly related to and necessary for a project that is based
81.8 in Minnesota.

81.9 (f) When practicable, a direct recipient of an appropriation from the parks and
81.10 trails fund shall prominently display on the recipient's Web site home page the legacy
81.11 logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws
81.12 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more
81.13 information." When a person clicks on the legacy logo image, the Web site must direct
81.14 the person to a Web page that includes both the contact information that a person may
81.15 use to obtain additional information, as well as a link to the Legislative Coordinating
81.16 Commission Web site required under section 3.303, subdivision 10.

81.17 (g) Future eligibility for money from the parks and trails fund is contingent upon a
81.18 state agency or other recipient satisfying all applicable requirements in this section, as
81.19 well as any additional requirements contained in applicable session law. If the Office of
81.20 the Legislative Auditor determines that a recipient of money from the parks and trails
81.21 fund has not complied with the laws, rules, or regulations in this section or other laws
81.22 applicable to the recipient, the recipient is not eligible for future funding from the parks
81.23 and trails fund until the recipient demonstrates compliance.

81.24 Sec. 8. **[85.536] GREATER MINNESOTA REGIONAL PARKS AND TRAILS**
81.25 **COMMISSION.**

81.26 Subdivision 1. **Establishment; purpose.** The Greater Minnesota Regional Parks and
81.27 Trails Commission is created to undertake system planning and provide recommendations
81.28 to the legislature for grants funded by the parks and trails fund to counties and cities
81.29 outside of the seven-county metropolitan area for parks and trails of regional significance.

81.30 Subd. 2. **Commission.** The commission shall include 12 members appointed by
81.31 the governor representing each of the regional parks and trails districts determined under
81.32 subdivision 3. Membership terms, compensation, removal of members, and filling of
81.33 vacancies are as provided in section 15.0575.

81.34 Subd. 3. **Districts; plans and hearings.** (a) The commissioner of natural resources,
81.35 in consultation with the Greater Minnesota Regional Parks and Trails Coalition, shall

82.1 establish 12 regional parks and trails districts in the state encompassing the area outside the
82.2 seven-county metropolitan area. The commissioner shall establish districts by combining
82.3 counties and may not assign a county to more than one district.

82.4 (b) Counties within each district may jointly prepare, after consultation with all
82.5 affected municipalities, and submit to the commission, and from time to time revise
82.6 and resubmit to the commission, a master plan for the acquisition and development of
82.7 parks and trails of regional significance located within the district. The counties, after
82.8 consultation with the commission, shall jointly hold a public hearing on the proposed plan
82.9 and budget at a time and place determined by the counties. Not less than 15 days before
82.10 the hearing, the counties shall provide notice of the hearing stating the date, time, and
82.11 place of the hearing, and the place where the proposed plan and budget may be examined
82.12 by any interested person. At any hearing, interested persons shall be permitted to present
82.13 their views on the plan and budget.

82.14 (c) The commission shall review each master plan to determine whether it meets
82.15 the conditions of subdivision 4. If it does not, the commission shall return the plan with
82.16 its comments to the district for revision and resubmittal.

82.17 Subd. 4. **Regional significance.** The commission must determine whether a park or
82.18 trail is regionally significant under this section based on the following criteria:

82.19 (1) a park must provide a natural resource-based setting and should provide outdoor
82.20 recreation facilities and multiple activities that are primarily natural resource-based;

82.21 (2) a trail must pass through desirable settings and offer high quality opportunities in
82.22 attractive, unique, or representative landscapes that serve important destinations while
82.23 connecting existing state or regional parks or trails;

82.24 (3) at least 20 percent of visits or users in a calendar year should be from people who
82.25 do not reside within the area of jurisdiction of the governmental unit that has the financial
82.26 and legal responsibility to own, operate, and maintain the park or trail;

82.27 (4) a park should be large compared to other parks owned by local governments
82.28 within the same regional parks and trails district; and

82.29 (5) a park may include or a trail may pass unique natural, historic, or cultural
82.30 features or characteristics.

82.31 Subd. 5. **Recommendations.** (a) The commission shall submit biennial
82.32 recommendations to the legislature on appropriations of money from the parks and
82.33 trails fund to the legislature no later than January 15 of each odd-numbered year. The
82.34 commission may submit supplemental recommendations by January 15 in even-numbered
82.35 years. The recommendations shall include a list of projects recommended for funding
82.36 ranked in priority order.

83.1 (b) In recommending grants under this section, the commission shall make
83.2 recommendations consistent with master plans.

83.3 (c) The commission shall determine recommended grant amounts through an
83.4 adopted merit-based evaluation process that includes the level of local financial support.
83.5 The evaluation process is not subject to the rulemaking provisions of chapter 14 and
83.6 section 14.386 does not apply.

83.7 (d) When recommending grants, the commission shall consider balance of the grant
83.8 benefits across greater Minnesota. Grant requests offering a nonstate match of at least 25
83.9 percent of the total eligible project costs shall be preferred.

83.10 (e) Grants may be recommended only for:

83.11 (1) parks and trails included in a plan approved by the commission under subdivision
83.12 3; and

83.13 (2) trails that connect or will connect to existing state or regional trails as
83.14 demonstrated by the applicant.

83.15 Subd. 6. **Administration.** The Department of Natural Resources shall provide
83.16 administrative support for the commission.

83.17 Subd. 7. **Chair.** The commission shall annually elect from among its members a
83.18 chair and other officers necessary for the performance of its duties.

83.19 Subd. 8. **Meetings.** The commission shall meet at least twice each year.
83.20 Commission meetings are subject to chapter 13D.

83.21 Subd. 9. **Conflict of interest.** A member of the commission may not participate in
83.22 or vote on a decision of the commission relating to an organization in which the member
83.23 has either a direct or indirect financial interest.

83.24 Subd. 10. **Definition.** For purposes of this section, "commission" means the Greater
83.25 Minnesota Regional Parks and Trails Commission established under this section.

83.26 Sec. 9. Laws 2010, chapter 361, article 3, section 7, is amended to read:

83.27 Sec. 7. **PARKS.**

83.28 The Minneapolis Park and Recreation Board may acquire all or part of the entire
83.29 property known as the Scherer Brothers Lumber Yard for a metropolitan area regional
83.30 park and may allocate any future appropriations to the board from the parks and trails fund
83.31 to acquire the property. The Minneapolis Park and Recreation Board, in cooperation with
83.32 the commissioner of natural resources, shall work to develop a project to recreate Hall's
83.33 Island or such similar island located at approximately river mile 855 on the Mississippi
83.34 River, just north of the Plymouth Avenue bridge, at a project site in Section 15, Township
83.35 29 North, Range 24 West, Hennepin County, Minnesota, on or adjacent to the property

85.1 Money appropriated in this article may not
 85.2 be spent on activities unless they are directly
 85.3 related to and necessary for a specific
 85.4 appropriation. Money appropriated in this
 85.5 article must not be spent on indirect costs
 85.6 or other institutional overhead charges that
 85.7 are not directly related to and necessary for
 85.8 a specific appropriation. Notwithstanding
 85.9 Minnesota Statutes, section 16A.28, and
 85.10 unless otherwise specified in this article,
 85.11 fiscal year 2014 appropriations are available
 85.12 until June 30, 2015, and fiscal year 2015
 85.13 appropriations are available until June 30,
 85.14 2016. If a project receives federal funds, the
 85.15 time period of the appropriation is extended
 85.16 to equal the availability of federal funding.

85.17 <u>Subd. 3. Minnesota State Arts Board</u>	<u>23,565,000</u>	<u>23,865,000</u>
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85.18 (a) These amounts are appropriated to
 85.19 the Minnesota State Arts Board for arts,
 85.20 arts education, and arts access. Grant
 85.21 agreements entered into by the Minnesota
 85.22 State Arts Board and other recipients
 85.23 of appropriations in this subdivision
 85.24 shall ensure that these funds are used to
 85.25 supplement and not substitute for traditional
 85.26 sources of funding. Each grant program
 85.27 established within this appropriation shall
 85.28 be separately administered from other
 85.29 state appropriations for program planning
 85.30 and outcome measurements, but may take
 85.31 into consideration other state resources
 85.32 awarded in the selection of applicants and
 85.33 grant award size. Thirty percent of the
 85.34 total appropriation to each of the following
 85.35 categories in this subdivision is for grants to
 85.36 the regional arts councils. The Minnesota

86.1 State Arts Board is prohibited from funding
 86.2 either the Minnesota Orchestra or the Saint
 86.3 Paul Chamber Orchestra until there has
 86.4 been an end to contract negotiations with
 86.5 the musicians in either orchestra and the
 86.6 orchestra performances have resumed.

86.7 **(b) Arts and Arts Access Initiatives**

86.8 \$18,902,000 the first year and \$19,152,000
 86.9 the second year are to support Minnesota
 86.10 artists and arts organizations in creating,
 86.11 producing, and presenting high-quality arts
 86.12 activities; to overcome barriers to accessing
 86.13 high-quality arts activities; and to instill the
 86.14 arts into the community and public life in
 86.15 this state.

86.16 **(c) Arts Education**

86.17 \$3,422,250 the first year and \$3,422,250
 86.18 the second year are for high-quality,
 86.19 age-appropriate arts education for
 86.20 Minnesotans of all ages to develop
 86.21 knowledge, skills, and understanding of the
 86.22 arts.

86.23 **(d) Arts and Cultural Heritage**

86.24 \$1,240,750 the first year and \$1,290,750 the
 86.25 second year are for events and activities that
 86.26 represent the diverse cultural arts traditions,
 86.27 including folk and traditional artists and art
 86.28 organizations, represented in this state.

86.29 **(e) Census**

86.30 The Minnesota State Arts Board, in
 86.31 partnership with regional arts councils, shall
 86.32 maintain a census of Minnesota artists and
 86.33 artistic organizations.

86.34 <u>Subd. 4. Department of Education</u>	<u>3,000,000</u>	<u>3,000,000</u>
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87.1 These amounts are appropriated to the
 87.2 commissioner of education for grants to
 87.3 the 12 Minnesota regional library systems
 87.4 to provide educational opportunities in
 87.5 the arts, history, literary arts, and cultural
 87.6 heritage of Minnesota. These funds shall be
 87.7 allocated using the formula in Minnesota
 87.8 Statutes, section 134.355, subdivisions 3,
 87.9 4, and 5, with the remaining 25 percent to
 87.10 be distributed to all qualifying systems in
 87.11 an amount proportionate to the number of
 87.12 qualifying system entities in each system.
 87.13 For purposes of this subdivision, "qualifying
 87.14 system entity" means a public library, a
 87.15 regional library system, a regional library
 87.16 system headquarters, a county, or an outreach
 87.17 service program. These funds may be used
 87.18 to sponsor programs provided by regional
 87.19 libraries or to provide grants to local arts
 87.20 and cultural heritage programs for programs
 87.21 in partnership with regional libraries.
 87.22 These funds shall be distributed in ten
 87.23 equal payments per year. Notwithstanding
 87.24 Minnesota Statutes, section 16A.28, the
 87.25 appropriations encumbered on or before
 87.26 June 30, 2015, as grants or contracts in this
 87.27 subdivision are available until June 30, 2017.

87.28 <u>Subd. 5. Minnesota Historical Society</u>	<u>13,475,000</u>	<u>13,450,000</u>
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87.29 (a) These amounts are appropriated to the
 87.30 governing board of the Minnesota Historical
 87.31 Society to preserve and enhance access to
 87.32 Minnesota's history and its cultural and
 87.33 historical resources. Grant agreements
 87.34 entered into by the Minnesota Historical
 87.35 Society and other recipients of appropriations
 87.36 in this subdivision must ensure that

88.1 these funds are used to supplement and
88.2 not substitute for traditional sources of
88.3 funding. Funds directly appropriated to the
88.4 Minnesota Historical Society shall be used to
88.5 supplement, and not substitute for, traditional
88.6 sources of funding. Notwithstanding
88.7 Minnesota Statutes, section 16A.28, for
88.8 historic preservation projects that improve
88.9 historic structures, the amounts are available
88.10 until June 30, 2017. The Minnesota
88.11 Historical Society or grant recipients of the
88.12 Minnesota Historical Society using arts and
88.13 cultural heritage funds under this subdivision
88.14 must give consideration to Conservation
88.15 Corps Minnesota and Northern Bedrock
88.16 Conservation Corps, or an organization
88.17 carrying out similar work, for projects with
88.18 the potential to need historic preservation
88.19 services.

88.20 **(b) Historical Grants and Programs**

88.21 (1) Statewide Historic and Cultural Grants
88.22 \$5,300,000 the first year and \$5,300,000 the
88.23 second year are for history programs and
88.24 projects operated or conducted by or through
88.25 local, county, regional, or other historical
88.26 or cultural organizations or for activities
88.27 to preserve significant historic and cultural
88.28 resources. Funds are to be distributed through
88.29 a competitive grant process. The Minnesota
88.30 Historical Society shall administer these
88.31 funds using established grant mechanisms,
88.32 with assistance from the advisory committee
88.33 created under Laws 2009, chapter 172, article
88.34 4, section 2, subdivision 4, paragraph (b),
88.35 item (ii).

89.1 (2) Programs

89.2 \$5,300,000 the first year and \$5,300,000 the
89.3 second year are for programs and purposes
89.4 related to the historical and cultural heritage
89.5 of the state of Minnesota, conducted by the
89.6 Minnesota Historical Society.

89.7 (3) History Partnerships

89.8 \$2,000,000 the first year and \$2,000,000 the
89.9 second year are for partnerships involving
89.10 multiple organizations, which may include
89.11 the Minnesota Historical Society, to preserve
89.12 and enhance access to Minnesota's history
89.13 and cultural heritage in all regions of the state.

89.14 (4) Statewide Survey of Historical and
89.15 Archaeological Sites

89.16 \$300,000 the first year and \$300,000 the
89.17 second year are for a contract or contracts
89.18 to be awarded on a competitive basis to
89.19 conduct statewide surveys of Minnesota's
89.20 sites of historical, archaeological, and
89.21 cultural significance. Results of the surveys
89.22 must be published in a searchable form
89.23 and available to the public on a cost-free
89.24 basis. The Minnesota Historical Society, the
89.25 Office of the State Archaeologist, and the
89.26 Indian Affairs Council shall each appoint a
89.27 representative to an oversight board to select
89.28 contractors and direct the conduct of the
89.29 surveys. The oversight board shall consult
89.30 with the Departments of Transportation and
89.31 Natural Resources.

89.32 (5) Digital Library

89.33 \$300,000 the first year and \$300,000 the
89.34 second year are for a digital library project

90.1 to preserve, digitize, and share Minnesota
 90.2 images, documents, and historical materials.

90.3 The Minnesota Historical Society shall
 90.4 cooperate with the Minitex interlibrary
 90.5 loan system and shall jointly share this
 90.6 appropriation for these purposes.

90.7 (6) Civil War Task Force

90.8 \$25,000 the first year is to the Civil War Task
 90.9 Force for activities that commemorate the
 90.10 sesquicentennial of the American Civil War
 90.11 and the Dakota Conflict, as recommended by
 90.12 the Civil War Commemoration Task Force
 90.13 established in Executive Order 11-15 (2011).

90.14 (c) Civics Programs

90.15 \$250,000 each year are for a competitive
 90.16 grants program for civic education. The
 90.17 board of directors shall solicit proposals and
 90.18 award grants to civic education organizations
 90.19 to provide civic education programs for
 90.20 Minnesota youth age 18 and under. Civic
 90.21 education is the study of constitutional
 90.22 principles and the democratic foundation
 90.23 of our national, state, and local institutions
 90.24 and the study of political processes and
 90.25 structures of government, grounded in the
 90.26 understanding of constitutional government
 90.27 under the rule of law.

90.28 Subd. 6. Department of Administration

9,680,000

9,450,000

90.29 (a) These amounts are appropriated to
 90.30 the commissioner of administration for
 90.31 grants to the named organizations for the
 90.32 purposes specified in this subdivision. Up
 90.33 to one percent of funds may be used by the
 90.34 commissioner for grants administration.

91.1 (b) Grant agreements entered into by
91.2 the commissioner and recipients of
91.3 appropriations in this subdivision must
91.4 ensure that money appropriated in this
91.5 subdivision is used to supplement and not
91.6 substitute for traditional sources of funding.

91.7 **(c) Minnesota Public Radio**

91.8 \$1,500,000 the first year and \$1,500,000 the
91.9 second year are for Minnesota Public Radio
91.10 to create programming and expand news
91.11 service on Minnesota's cultural heritage and
91.12 history. Priority should be given to projects
91.13 that have a nonstate cash match of at least 25
91.14 percent of the total eligible project costs.

91.15 **(d) Association of Minnesota Public**
91.16 **Educational Radio Stations**

91.17 \$1,650,000 the first year and \$1,650,000
91.18 the second year are appropriated for a grant
91.19 to the Association of Minnesota Public
91.20 Educational Radio Stations for production
91.21 and acquisition grants in accordance with
91.22 Minnesota Statutes, section 129D.19.

91.23 **(e) Lake Superior Center Authority**

91.24 \$200,000 the first year is for development of
91.25 an exhibit to examine the effect that aquatic
91.26 environments have on shipwrecks and to
91.27 preserve Minnesota's history and cultural
91.28 heritage. Priority should be given to projects
91.29 that have a nonstate cash match of at least 25
91.30 percent of the total eligible project costs.

91.31 **(f) Lake Superior Zoo**

91.32 \$300,000 the first year is for development
91.33 of the forest discovery zone to create
91.34 educational exhibits using animals and the

92.1 environment. Priority should be given to
92.2 projects that have a nonstate cash match of at
92.3 least 25 percent of the total eligible project
92.4 costs.

92.5 **(g) Como Park Zoo**

92.6 \$500,000 the first year and \$500,000 the
92.7 second year are for the Como Park Zoo for
92.8 program development. Priority should be
92.9 given to projects that have a nonstate cash
92.10 match of at least 25 percent of the total
92.11 eligible project costs.

92.12 **(h) Science Museum of Minnesota**

92.13 \$900,000 the first year and \$1,300,000 the
92.14 second year are for programs described in
92.15 this paragraph. Grant recipients must provide
92.16 a nonstate cash match of at least 25 percent
92.17 of the total eligible project costs:

92.18 (1) \$500,000 the first year and \$500,000
92.19 the second year are for arts, arts education,
92.20 and arts access and to preserve Minnesota's
92.21 history and cultural heritage including student
92.22 and teacher outreach and expansion of the
92.23 museum's American Indian initiatives; and

92.24 (2) \$400,000 the first year and \$800,000 the
92.25 second year are for a grant to upgrade the
92.26 Science Museum's Omnitheater audio and
92.27 projection systems.

92.28 **(i) Public Television**

92.29 \$3,950,000 the first year and \$3,950,000
92.30 the second year are for grants to the
92.31 Minnesota Public Television Association for
92.32 production and acquisition grants according
92.33 to Minnesota Statutes, section 129D.18.

92.34 **(j) Minnesota Film and TV Board**

93.1 \$500,000 the first year and \$500,000 the
 93.2 second year are for grants to the Minnesota
 93.3 Film and TV Board to develop and
 93.4 administer competitive grants to Minnesota
 93.5 filmmakers with a focus on grant awards
 93.6 that highlight Minnesota arts, culture, and
 93.7 heritage. Priority should be given to projects
 93.8 that have a nonstate cash match of at least 25
 93.9 percent of the total eligible project costs.

93.10 **(k) Small Theatre Grants**

93.11 \$100,000 the first year and \$50,000 the
 93.12 second year are for grants to theatres in
 93.13 Minnesota to purchase and install digital
 93.14 projection technology to allow continued
 93.15 access to films. Priority for grants is to
 93.16 theaters that have exclusively 35 millimeter
 93.17 projection systems in communities with few
 93.18 available theaters or to small theaters with
 93.19 only one screen. Priority should be given to
 93.20 projects that have a nonstate cash match of at
 93.21 least 65 percent of the total eligible project
 93.22 costs.

93.23 **(l) Veterans Memorial Parks**

93.24 \$80,000 the first year is for at least four grants
 93.25 to local units of government for veterans
 93.26 memorials in municipal parks to preserve the
 93.27 culture and heritage of Minnesota. The local
 93.28 unit of government must provide a nonstate
 93.29 cash match equal to the amount of the grant
 93.30 received under this paragraph.

93.31	<u>Subd. 7. Minnesota Humanities Center</u>	<u>2,325,000</u>	<u>2,525,000</u>
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93.32 (a) These amounts are appropriated to
 93.33 the Board of Directors of the Minnesota
 93.34 Humanities Center for the purposes

94.1 specified in this subdivision. The Minnesota
94.2 Humanities Center may use a portion of
94.3 the following grants to cover the cost of
94.4 administering, planning, evaluating, and
94.5 reporting these grants.

94.6 **(b) Programs and Purposes**

94.7 \$425,000 the first year and \$425,000 the
94.8 second year are for programs and purposes
94.9 of the Minnesota Humanities Center. Of
94.10 this amount, \$100,000 each year is for the
94.11 veterans' voices awards program.

94.12 The Minnesota Humanities Center may
94.13 consider museums and organizations
94.14 celebrating the identities of Minnesotans for
94.15 grants from these funds. The Minnesota
94.16 Humanities Center may develop a written
94.17 plan for the competitive issuance of these
94.18 grants and, if developed, shall submit
94.19 that plan for review and approval by the
94.20 Department of Administration.

94.21 **(c) Children's Museum Grants**

94.22 \$500,000 the first year and \$500,000 the
94.23 second year are for a competitive arts and
94.24 cultural heritage grants program for children's
94.25 museums. The board of directors shall solicit
94.26 proposals and award grants to children's
94.27 museums for projects and programs that
94.28 maintain or promote our cultural heritage.
94.29 Priority should be given to projects that have
94.30 a nonstate cash match of at least 25 percent
94.31 of the total eligible project costs.

94.32 **(d) Minnesota Children's Museum**

94.33 \$500,000 the first year and \$500,000 the
94.34 second year are for grants to the Minnesota

95.1 Children's Museum for arts, arts education,
95.2 and arts access and to preserve Minnesota's
95.3 history and cultural heritage. Priority should
95.4 be given to projects that have a nonstate
95.5 cash match of at least 25 percent of the total
95.6 eligible project costs.

95.7 **(e) Children's Museum of Southern Minnesota**

95.8 \$200,000 the first year and \$100,000 the
95.9 second year are for grants to the Children's
95.10 Museum of Southern Minnesota for creation
95.11 of exhibits, environments, and studios
95.12 celebrating the arts, culture, and heritage
95.13 of Minnesota. Priority should be given to
95.14 projects that have a nonstate cash match of at
95.15 least 25 percent of the total eligible project
95.16 costs.

95.17 **(f) Councils of Color**

95.18 \$500,000 the first year and \$550,000 the
95.19 second year are for competitive grants to the
95.20 Council on Asian Pacific Minnesotans, the
95.21 Council on Black Minnesotans, the Indian
95.22 Affairs Council, and the Chicano Latino
95.23 Affairs Council. Grants are for programs
95.24 and cooperation between the Minnesota
95.25 Humanities Center and the grant recipients
95.26 for community events and the programs that
95.27 celebrate and preserve artistic, historical, and
95.28 cultural heritage. Priority should be given to
95.29 projects that have a nonstate cash match of at
95.30 least 25 percent of the total eligible project
95.31 costs.

95.32 **(g) Council on Disability**

95.33 \$200,000 the first year and \$200,000 the
95.34 second year are for a grant to the Minnesota

96.1 State Council on Disability to provide
 96.2 educational opportunities in the arts, history,
 96.3 and cultural heritage of Minnesotans
 96.4 with disabilities in conjunction with the
 96.5 25th anniversary of the Americans with
 96.6 Disabilities Act. If the amount in the first
 96.7 year is insufficient, the amount in the second
 96.8 year is available in the first year. These funds
 96.9 are available until June 30, 2016.

96.10	<u>Subd. 8. Perpich Center for Arts Education</u>	<u>956,000</u>	<u>1,089,000</u>
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96.11 (a) These amounts are appropriated to the
 96.12 Board of Directors of the Perpich Center for
 96.13 Arts Education for the following programs.

96.14 (b) Notwithstanding Minnesota Statutes,
 96.15 section 16A.28, the appropriations
 96.16 encumbered on or before June 30, 2015, are
 96.17 available until June 30, 2017.

96.18 (c) **Administrative Costs**
 96.19 \$28,000 the first year and \$29,000 the second
 96.20 year are for administrative costs.

96.21 (d) **Arts Integration Networks**
 96.22 \$808,000 the first year and \$808,000 the
 96.23 second year are for the arts integration
 96.24 program to increase the capacity of
 96.25 teachers to design, implement, and assess
 96.26 collaborative arts integration in Minnesota
 96.27 schools and the capacity of administrators
 96.28 to support this instructional strategy and to
 96.29 improve standards-based student learning
 96.30 through collaborative arts integration.

96.31 (e) **Arts-Integrated High School Courses**
 96.32 \$20,000 the first year and \$152,000 the
 96.33 second year are for the development of
 96.34 rigorous and engaging arts-integrated courses

97.1 to be ready to implement in the 2015-2016
 97.2 school year.

97.3 **(f) Statewide Study on Status of Arts Education**

97.4 \$100,000 the first year and \$100,000 the
 97.5 second year are for a study for the 2014-2015
 97.6 school year on the status of arts education
 97.7 in Minnesota.

97.8 **Subd. 9. Department of Agriculture** 1,400,000 1,400,000

97.9 These amounts are appropriated to the
 97.10 commissioner of agriculture for grants to
 97.11 county agricultural societies to enhance arts
 97.12 access and education and to preserve and
 97.13 promote Minnesota's history and cultural
 97.14 heritage as embodied in its county fairs. The
 97.15 grants are in addition to the aid distributed to
 97.16 county agricultural societies under Minnesota
 97.17 Statutes, section 38.02. Of these amounts:

97.18 (1) \$700,000 each year is available for
 97.19 distribution for competitive grants to
 97.20 Minnesota county fairs to enhance arts access
 97.21 and education and to preserve and promote
 97.22 Minnesota's history and cultural heritage.
 97.23 Priority shall be given to grants that utilize
 97.24 resources through an area's regional arts
 97.25 board to encourage local arts development
 97.26 or that create traveling exhibits that are
 97.27 available for use by other county fairs; and

97.28 (2) \$700,000 each year is available for a
 97.29 competitive arts and cultural heritage grants
 97.30 program for county fairs. The commissioner
 97.31 shall award grants for the development or
 97.32 enhancement of county fair facilities or other
 97.33 projects or programs that provide access
 97.34 to the arts, arts education, or agricultural,
 97.35 historical, and cultural heritage programs,

98.1 including but not limited to agricultural
 98.2 education centers, arts buildings, and
 98.3 performance stages.

98.4 **Subd. 10. Minnesota Zoo** 1,750,000 1,750,000

98.5 These amounts are appropriated to the
 98.6 Minnesota Zoological Board for programs
 98.7 and development of the Minnesota
 98.8 Zoological Garden and to provide access to
 98.9 the arts, arts education, and cultural heritage
 98.10 of Minnesota.

98.11 **Subd. 11. Indian Affairs Council** 1,150,000 1,150,000

98.12 (a) These amounts are appropriated to the
 98.13 Indian Affairs Council for the purposes
 98.14 identified in this subdivision.

98.15 **(b) Grants to Preserve Dakota and Ojibwe**
 98.16 **Language**

98.17 \$650,000 the first year and \$650,000 the
 98.18 second year are for grants for programs that
 98.19 preserve Dakota and Ojibwe Indian language
 98.20 and to foster educational programs in Dakota
 98.21 and Ojibwe languages.

98.22 **(c) Language Immersion**

98.23 \$250,000 the first year and \$250,000 the
 98.24 second year are for grants of \$125,000 each
 98.25 year to the Niigaane Ojibwe Immersion
 98.26 School and the Wicoie Nandagikendan urban
 98.27 immersion project.

98.28 **(d) Competitive Grants for Language**
 98.29 **Immersion**

98.30 \$250,000 the first year and \$250,000 the
 98.31 second year are for competitive grants for
 98.32 language immersion schools to:

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

98.34 (2) provide fluent speakers in the classroom;

99.1	<u>(3) develop appropriate testing and</u>		
99.2	<u>evaluation procedures; and</u>		
99.3	<u>(4) develop community-based training and</u>		
99.4	<u>engagement.</u>		
99.5	<u>Subd. 12. Legislature</u>	<u>14,000</u>	<u>-0-</u>
99.6	<u>This amount is appropriated to the Legislative</u>		
99.7	<u>Coordinating Commission to operate the</u>		
99.8	<u>Web site for dedicated funds required</u>		
99.9	<u>under Minnesota Statutes, section 3.303,</u>		
99.10	<u>subdivision 10.</u>		
99.11	<u>Subd. 13. Motion Picture Production</u>		
99.12	<u>Investment Incentive Program</u>	<u>50,000</u>	<u>-0-</u>
99.13	<u>\$50,000 the first year is to the commissioner</u>		
99.14	<u>of employment and economic development</u>		
99.15	<u>to enter into an agreement with an</u>		
99.16	<u>organization to establish and administer a</u>		
99.17	<u>motion picture investment program that</u>		
99.18	<u>provides investment into feature-length films</u>		
99.19	<u>beyond any available state tax incentives</u>		
99.20	<u>or rebate programs that may be available.</u>		
99.21	<u>The commissioner should give priority to an</u>		
99.22	<u>organization that has a reputable history of</u>		
99.23	<u>working on motion pictures, with principals</u>		
99.24	<u>who have produced a substantial number of</u>		
99.25	<u>films, and which has professional writers,</u>		
99.26	<u>directors, and producers with appropriate</u>		
99.27	<u>accreditation from the motion picture</u>		
99.28	<u>industry. The organization must be able</u>		
99.29	<u>to create studio-based partnerships with</u>		
99.30	<u>the purpose of building a motion picture</u>		
99.31	<u>production economy in Minnesota.</u>		

99.32 Sec. 3. Minnesota Statutes 2012, section 129D.17, subdivision 2, is amended to read:

99.33 Subd. 2. **Expenditures; accountability.** (a) Funding from the arts and cultural
 99.34 heritage fund may be spent only for arts, arts education, and arts access, and to preserve

100.1 Minnesota's history and cultural heritage. A project or program receiving funding from
100.2 the arts and cultural heritage fund must include measurable outcomes, and a plan for
100.3 measuring and evaluating the results. A project or program must be consistent with current
100.4 scholarship, or best practices, when appropriate and must incorporate state-of-the-art
100.5 technology when appropriate.

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

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

100.12 (d) A state agency or other recipient of a direct appropriation from the arts and
100.13 cultural heritage fund must compile and submit all information for funded projects or
100.14 programs, including the proposed measurable outcomes and all other items required
100.15 under section 3.303, subdivision 10, to the Legislative Coordinating Commission as soon
100.16 as practicable or by January 15 of the applicable fiscal year, whichever comes first. The
100.17 Legislative Coordinating Commission must post submitted information on the Web site
100.18 required under section 3.303, subdivision 10, as soon as it becomes available.

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

100.23 (f) All money from the arts and cultural heritage fund must be for projects located in
100.24 Minnesota. Money from the arts and cultural heritage fund may be used to travel outside
100.25 the state of Minnesota if the travel is directly related to and necessary for a project that is
100.26 based in Minnesota.

100.27 (g) When practicable, a direct recipient of an appropriation from the arts and cultural
100.28 heritage fund shall prominently display on the recipient's Web site home page the legacy
100.29 logo required under Laws 2009, chapter 172, article 5, section 10, as amended by Laws
100.30 2010, chapter 361, article 3, section 5, accompanied by the phrase "Click here for more
100.31 information." When a person clicks on the legacy logo image, the Web site must direct
100.32 the person to a Web page that includes both the contact information that a person may
100.33 use to obtain additional information, as well as a link to the Legislative Coordinating
100.34 Commission Web site required under section 3.303, subdivision 10.

100.35 (h) Future eligibility for money from the arts and cultural heritage fund is contingent
100.36 upon a state agency or other recipient satisfying all applicable requirements in this section,

101.1 as well as any additional requirements contained in applicable session law. If the Office of
101.2 the Legislative Auditor determines that a recipient of money from the arts and cultural
101.3 heritage fund has not complied with the laws, rules, or regulations in this section or other
101.4 laws applicable to the recipient, the recipient is not eligible for future funding from the
101.5 arts and cultural heritage fund until the recipient demonstrates compliance.

101.6 Sec. 4. Minnesota Statutes 2012, section 129D.19, subdivision 1, is amended to read:

101.7 Subdivision 1. **Applicability.** This section applies only to the Association of
101.8 Minnesota Public Educational Radio Stations and the noncommercial radio stations that
101.9 are members of the Association of Minnesota Public Educational Radio Stations.

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

101.11 Sec. 5. Minnesota Statutes 2012, section 129D.19, subdivision 2, is amended to read:

101.12 Subd. 2. **Use of grant funds.** Money appropriated from the Minnesota arts and
101.13 cultural heritage fund may be designated to make grants to the Association of Minnesota
101.14 Public Educational Radio Stations and its member stations and noncommercial radio
101.15 stations, as defined in section 129D.14, subdivision 2. Grants received under this section
101.16 must be used to create, produce, acquire, or distribute programs that educate, enhance, or
101.17 promote local, regional, or statewide items of artistic, cultural, or historic significance.
101.18 Grant funds may be used to cover any expenses associated with the creation, production,
101.19 acquisition, or distribution of noncommercial radio programs through broadcast.

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

101.21 Sec. 6. Laws 2001, chapter 193, section 10, is amended to read:

101.22 Sec. 10. **CAPITOL CAFETERIA; WINE AND BEER LICENSE.**

101.23 Notwithstanding Minnesota Statutes, section 340A.412, subdivision 4, paragraph
101.24 (a), clause (2), the city of St. Paul may issue an on-sale wine and malt liquor license
101.25 ~~for the premises known as the capitol cafeteria, for special events held at the capitol~~
101.26 ~~cafeteria.~~ to the Capitol cafeteria, also called the Rathskeller café. The commissioner of
101.27 administration must enter into an agreement with the food service vendor or another
101.28 vendor on all matters related to the sale of wine and malt liquor in the Capitol. Minnesota
101.29 Statutes, section 16B.275 does not apply to the sale of wine and malt liquor in the Capitol
101.30 cafeteria and all profits earned by the Department of Administration from the sale of wine
101.31 and malt liquor in the Capitol must be deposited in the arts and cultural heritage fund. The
101.32 Capitol must sell wine and malt liquor that are made in Minnesota.

102.1 **EFFECTIVE DATE.** This section is effective the day after the governing body of
 102.2 St. Paul and its chief clerical officer timely complete compliance with Minnesota Statutes,
 102.3 section 645.021, subdivisions 2 and 3.

102.4 **Sec. 7. MINNESOTA ORCHESTRA; ST. PAUL CHAMBER ORCHESTRA.**

102.5 (a) The commissioner of management and budget must recapture funds that have been
 102.6 granted to either the Minnesota Orchestra or the St. Paul Chamber Orchestra from the arts
 102.7 and cultural heritage fund 30 days after final enactment of this section and return the funds
 102.8 to the arts and cultural heritage fund, if either orchestra has not settled on an agreement to
 102.9 end the labor dispute and begun performances with the previously contracted musicians.
 102.10 Any grant agreement with a Minnesota state agency with either the Minnesota Orchestra
 102.11 or the St. Paul Chamber Orchestra is canceled 30 days after final enactment of this section
 102.12 and any unexpended funds returned to the arts and cultural heritage fund, if either the
 102.13 Minnesota Orchestra or the St. Paul Chamber Orchestra have not settled on an agreement
 102.14 to end the labor dispute and begun performances with the previously contracted musicians.

102.15 (b) Any money returned to the arts and cultural heritage fund under paragraph (a) is
 102.16 appropriated to the Minnesota Arts Board for grants to programs that employ orchestral
 102.17 musicians for live performances in Minnesota.

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

102.19 **Sec. 8. ECONOMIC IMPACT STUDY; MOTION PICTURE INDUSTRY.**

102.20 The commissioner of employment and economic development must conduct a study
 102.21 to examine the economic impact of the motion picture industry on the state's economy.
 102.22 The study must examine what the potential impact of the motion picture industry could
 102.23 be on the Minnesota economy. The study must look at the use of investments, rebates,
 102.24 tax credits, and other programs and how those programs can improve economic returns,
 102.25 stimulate the economy, and provide jobs. The commissioner may contract with a qualified
 102.26 entity to conduct the study. The commissioner must report study findings and any
 102.27 recommendations to the legislature by February 15, 2014.

102.28 **ARTICLE 5**

102.29 **GENERAL PROVISIONS; ALL LEGACY FUNDS**

102.30 Section 1. Minnesota Statutes 2012, section 3.9741, subdivision 3, is amended to read:

102.31 Subd. 3. **Legacy funds.** The outdoor heritage fund, the clean water fund, the parks
 102.32 and trails fund, and the arts and cultural heritage fund ~~must each reimburse the general~~

103.1 ~~fund, in the manner prescribed in section 16A.127,~~ are liable for costs incurred by the
103.2 legislative auditor in examining financial activities relating to each fund. At the conclusion
103.3 of an examination, the legislative auditor shall certify the costs of the examination to the
103.4 commissioner of management and budget. The amount requested is appropriated from the
103.5 appropriate legacy fund to the commissioner of management and budget, who shall transfer
103.6 the appropriation to the legislative auditor to recover the cost of the audit from each fund.

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

103.8 Sec. 2. **COMMISSIONER DETERMINATION; FUND AVAILABILITY.**

103.9 The commissioner of management and budget shall determine if sufficient funds
103.10 are available in the four legacy funds to allow payment of all appropriations made by
103.11 the legislature. If the commissioner determines that a shortfall in available revenues
103.12 will limit the availability of appropriations of the legacy funds, the commissioner must
103.13 withhold payment of each appropriation in an equal or equitable amount, as needed to
103.14 balance available revenue with expenditures from each fund. The commissioner must
103.15 report all reductions required under this section to the Legislative Advisory Commission
103.16 in a timely fashion.

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

APPENDIX
Article locations in H1183-4

ARTICLE 1	OUTDOOR HERITAGE FUND	Page.Ln 1.22
ARTICLE 2	CLEAN WATER FUND	Page.Ln 31.11
ARTICLE 3	PARKS AND TRAILS FUND	Page.Ln 66.17
ARTICLE 4	ARTS AND CULTURAL HERITAGE FUND	Page.Ln 84.11
ARTICLE 5	GENERAL PROVISIONS; ALL LEGACY FUNDS	Page.Ln 102.28

APPENDIX
Repealed Minnesota Statutes: H1183-4

116.201 COAL TAR.

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