

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-SEVENTH LEGISLATURE**      **S.F. No. 2493**

(SENATE AUTHORS: INGEBRIGTSEN)

DATE	D-PG	OFFICIAL STATUS
03/15/2012	4478	Introduction and first reading (For the Committee on Environment and Natural Resources) Referred to Finance
03/21/2012	4668	Comm report: To pass
	4669	Second reading
03/22/2012	4762	Special Order
	4762	Third reading Passed
04/05/2012	5769	Returned from House with amendment
	5769	Senate not concur, conference committee of 3 requested
	5843	Senate conferees Ingebrigtsen; Carlson; Saxhaug
04/17/2012	5875	House conferees Urdahl; McNamara; Lillie
04/26/2012	6554c	Conference committee report, delete everything Senate adopted CC report and repassed bill
	6601	Third reading
04/27/2012	6608	House adopted SCC report and repassed bill Presentment date 04/27/12
05/03/2012	6836	Governor's action Approval 05/01/12
05/07/2012	6997	Secretary of State Chapter 264 05/01/12 Effective date Art. 1, Sec. 1-9, 11, Art. 2, Art. 3, Sec. 1, Art. 4-6 07/01/12; Art. 1, Sec. 10 07/01/09

(retroactive); Art. 3, Sec. 2 05/02/12

A bill for an act

1.1 relating to natural resources; appropriating money from the outdoor heritage  
1.2 fund, clean water fund, arts and cultural heritage fund, and environment and  
1.3 natural resources trust fund; modifying requirements for outdoor heritage  
1.4 fund appropriations; appropriating money for an Aquatic Invasive Species  
1.5 Cooperative Research Center; modifying prior appropriations; modifying  
1.6 certain parks and trails grant program provisions; changing provisions of  
1.7 grant management; changing control and oversight of the film production jobs  
1.8 program to the commissioner of administration; amending Minnesota Statutes  
1.9 2010, sections 16B.98, subdivisions 5, 7; 85.535, subdivision 3; 97A.056, by  
1.10 adding subdivisions; 116U.26; Minnesota Statutes 2011 Supplement, sections  
1.11 3.303, subdivision 10; 114D.30, subdivision 4; Laws 2009, chapter 172, article  
1.12 2, section 4, as amended; article 3, section 3; Laws 2011, First Special Session  
1.13 chapter 2, article 3, section 2, subdivisions 4, 9; Laws 2011, First Special Session  
1.14 chapter 6, article 2, section 7; article 4, section 2, subdivision 5.

1.15  
1.16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

OUTDOOR HERITAGE FUND

1.17  
1.18  
1.19 Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

1.20 The sums shown in the columns marked "Appropriations" are appropriated to the  
1.21 agencies and for the purposes specified in this article. The appropriations are from the  
1.22 outdoor heritage fund and are available for the fiscal years indicated for each purpose. The  
1.23 figures "2012" and "2013" used in this article mean that the appropriations listed under the  
1.24 figure are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively.  
1.25 "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium"  
1.26 is fiscal years 2012 and 2013. The appropriations in this article are onetime.

1.27 **APPROPRIATIONS**  
1.28 **Available for the Year**

	<u>Ending June 30</u>	
	<u>2012</u>	<u>2013</u>
2.1		
2.2		
2.3	<b>Sec. 2. <u>OUTDOOR HERITAGE</u></b>	
2.4	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$ -0- \$ 99,920,000</u></b>
2.5	<u>This appropriation is from the outdoor</u>	
2.6	<u>heritage fund. The amounts that may be</u>	
2.7	<u>spent for each purpose are specified in the</u>	
2.8	<u>following subdivisions.</u>	
2.9	<b><u>Subd. 2. Prairies</u></b>	<b><u>-0- 24,640,000</u></b>
2.10	<b><u>(a) Minnesota Buffers for Wildlife and Water</u></b>	
2.11	<b><u>- Phase II</u></b>	
2.12	<u>\$2,090,000 in the second year is to the</u>	
2.13	<u>Board of Water and Soil Resources in</u>	
2.14	<u>cooperation with Pheasants Forever to</u>	
2.15	<u>acquire permanent conservation easements</u>	
2.16	<u>to enhance habitat by expanding clean water</u>	
2.17	<u>fund riparian wildlife buffers on private land.</u>	
2.18	<u>A list of proposed permanent conservation</u>	
2.19	<u>easements must be provided as part of the</u>	
2.20	<u>final report. The accomplishment plan must</u>	
2.21	<u>include an easement stewardship plan. Up</u>	
2.22	<u>to \$90,000 is for establishing a monitoring</u>	
2.23	<u>and enforcement fund as approved in</u>	
2.24	<u>the accomplishment plan and subject to</u>	
2.25	<u>Minnesota Statutes, section 97A.056,</u>	
2.26	<u>subdivision 17. An annual financial report is</u>	
2.27	<u>required for any monitoring and enforcement</u>	
2.28	<u>fund established, including expenditures</u>	
2.29	<u>from the fund and a description of annual</u>	
2.30	<u>monitoring and enforcement activities.</u>	
2.31	<b><u>(b) Minnesota Prairie Recovery Project - Phase</u></b>	
2.32	<b><u>III</u></b>	
2.33	<u>\$4,610,000 in the second year is to the</u>	
2.34	<u>commissioner of natural resources for an</u>	

2.35 agreement with The Nature Conservancy to  
3.1 acquire native prairie and savanna and restore  
3.2 and enhance grasslands and savanna. A list of  
3.3 proposed land acquisitions must be provided  
3.4 as part of the required accomplishment plan.  
3.5 Annual income statements and balance sheets  
3.6 for income and expenses from land acquired  
3.7 with this appropriation must be submitted to  
3.8 the Lessard-Sams Outdoor Heritage Council  
3.9 no later than 180 days following the close of  
3.10 The Nature Conservancy's fiscal year.

3.11 **(c) Cannon River Headwaters Habitat**  
3.12 **Complex - Phase II**

3.13 \$1,760,000 in the second year is to the  
3.14 commissioner of natural resources for an  
3.15 agreement with The Trust for Public Land  
3.16 to acquire and restore lands in the Cannon  
3.17 River watershed for wildlife management  
3.18 area purposes under Minnesota Statutes,  
3.19 section 86A.05, subdivision 8, or aquatic  
3.20 management area purposes under Minnesota  
3.21 Statutes, sections 86A.05, subdivision  
3.22 14, and 97C.02. A list of proposed land  
3.23 acquisitions must be provided as part of the  
3.24 required accomplishment plan.

3.25 **(d) Wildlife Management Area Acquisition**

3.26 \$2,900,000 in the second year is to the  
3.27 commissioner of natural resources to acquire  
3.28 land in fee for wildlife management area  
3.29 purposes under Minnesota Statutes, section  
3.30 86A.05, subdivision 8. A list of proposed  
3.31 land acquisitions must be provided as part of  
3.32 the required accomplishment plan.

3.33 **(e) Northern Tallgrass Prairie National**  
3.34 **Wildlife Refuge Land Acquisition - Phase IV**

4.1 \$1,580,000 in the second year is to the  
4.2 commissioner of natural resources for an  
4.3 agreement with The Nature Conservancy  
4.4 in cooperation with the United States Fish  
4.5 and Wildlife Service to acquire land in  
4.6 fee or permanent conservation easements  
4.7 within the Northern Tallgrass Prairie Habitat  
4.8 Preservation Area in western Minnesota for  
4.9 addition to the Northern Tallgrass Prairie  
4.10 National Wildlife Refuge. A list of proposed  
4.11 land acquisitions must be provided as part  
4.12 of the required accomplishment plan. The  
4.13 accomplishment plan must include an  
4.14 easement monitoring and enforcement plan.

4.15 **(f) Accelerating the Wildlife Management Area**  
4.16 **Program - Phase IV**

4.17 \$3,300,000 in the second year is to the  
4.18 commissioner of natural resources for an  
4.19 agreement with Pheasants Forever to acquire  
4.20 land in fee for wildlife management area  
4.21 purposes under Minnesota Statutes, section  
4.22 86A.05, subdivision 8. A list of proposed  
4.23 land acquisitions must be provided as part of  
4.24 the required accomplishment plan.

4.25 **(g) Green Corridor Legacy Program - Phase IV**

4.26 \$1,730,000 in the second year is to the  
4.27 commissioner of natural resources for  
4.28 an agreement with the Redwood Area  
4.29 Development Corporation to acquire land in  
4.30 fee for wildlife management area purposes  
4.31 under Minnesota Statutes, section 86A.05,  
4.32 subdivision 8, and for aquatic management  
4.33 areas under Minnesota Statutes, sections  
4.34 86A.05, subdivision 14, and 97C.02. A list of

5.1 proposed land acquisitions must be provided  
5.2 as part of the required accomplishment plan.

5.3 **(h) Accelerated Prairie Restoration and**  
5.4 **Enhancement on DNR Lands - Phase IV**

5.5 \$4,300,000 in the second year is to the  
5.6 commissioner of natural resources to  
5.7 accelerate the restoration and enhancement  
5.8 of wildlife management areas, scientific  
5.9 and natural areas, and land under native  
5.10 prairie bank easements. A list of proposed  
5.11 restorations and enhancements must  
5.12 be provided as part of the required  
5.13 accomplishment plan.

5.14 **(i) Anoka Sand Plain Habitat Restoration and**  
5.15 **Enhancement - Phase II**

5.16 \$1,050,000 in the second year is to the  
5.17 commissioner of natural resources for  
5.18 agreements to restore and enhance habitat on  
5.19 public lands in the Anoka Sand Plain and  
5.20 along the Rum River as follows: \$558,750 to  
5.21 Great River Greening; \$99,400 to the Anoka  
5.22 Conservation District; and \$391,850 to the  
5.23 National Wild Turkey Federation. A list  
5.24 of proposed restorations and enhancements  
5.25 must be provided as part of the required  
5.26 accomplishment plan.

5.27 **(j) Enhanced Public Grasslands**

5.28 \$1,320,000 in the second year is to the  
5.29 commissioner of natural resources for  
5.30 an agreement with Pheasants Forever in  
5.31 cooperation with the Minnesota Prairie  
5.32 Chicken Society to restore and enhance  
5.33 habitat on public lands. The criteria for  
5.34 selection of projects must be included in the  
5.35 accomplishment plan. A list of proposed

6.1 restorations and enhancements must be  
6.2 provided as part of the final report.

6.3 Subd. 3. Forests -0- 15,300,000

6.4 **(a) Protecting Mississippi River Corridor**  
6.5 **Habitat ACUB Partnership - Phase II**

6.6 \$480,000 in the second year is to the  
6.7 Board of Water and Soil Resources to  
6.8 acquire permanent conservation easements  
6.9 on land adjacent to the Nokasippi River  
6.10 and the boundaries of the Minnesota  
6.11 National Guard Army compatible use buffer  
6.12 (ACUB). A list of proposed land acquisitions  
6.13 must be provided as part of the required  
6.14 accomplishment plan. The accomplishment  
6.15 plan must include an easement stewardship  
6.16 plan. Up to \$4,800 is for establishing  
6.17 a monitoring and enforcement fund as  
6.18 approved in the accomplishment plan and  
6.19 subject to Minnesota Statutes, section  
6.20 97A.056, subdivision 17. An annual financial  
6.21 report is required for any monitoring and  
6.22 enforcement fund established, including  
6.23 expenditures from the fund and a description  
6.24 of annual monitoring and enforcement  
6.25 activities.

6.26 **(b) Mississippi Northwoods Habitat Complex**  
6.27 **Protection**

6.28 \$11,040,000 in the second year is to the  
6.29 commissioner of natural resources for an  
6.30 agreement with Crow Wing County to  
6.31 acquire land in fee along the Mississippi  
6.32 River in Crow Wing County to be added  
6.33 to the county forest system. The purchase  
6.34 price must not exceed the appraised fair  
6.35 market value of the property as reviewed  
6.36 and approved under established procedures

7.1 in compliance with the Uniform Standards  
7.2 of Professional Appraisal Practice and  
7.3 the Department of Natural Resources'  
7.4 Supplemental Appraisal and Appraisal  
7.5 Review Guidelines (effective July 15,  
7.6 2009). A land description must be provided  
7.7 as part of the required accomplishment  
7.8 plan. Development of a paved trail on land  
7.9 acquired under this paragraph constitutes an  
7.10 alteration of the intended use of the interest in  
7.11 real property and must be handled according  
7.12 to Minnesota Statutes, section 97A.056,  
7.13 subdivision 15. Any plan, including trail  
7.14 alignment, for the development of a paved  
7.15 trail must be submitted to the Lessard-Sams  
7.16 Outdoor Heritage Council for approval. No  
7.17 paved trail development or paved trail use  
7.18 is allowed unless it is specified in the plan  
7.19 for trail use and alignment approved by the  
7.20 Lessard-Sams Outdoor Heritage Council.

7.21 If additional money is needed to acquire  
7.22 the land under this paragraph, by December  
7.23 15, 2012, the amount necessary to complete  
7.24 the acquisition shall be transferred from  
7.25 unspent appropriations under subdivision  
7.26 5, paragraph (h), and added to this  
7.27 appropriation.

7.28 **(c) Northeastern Minnesota Sharp-Tailed**  
7.29 **Grouse Habitat Partnership - Phase III**

7.30 \$1,340,000 in the second year is to the  
7.31 commissioner of natural resources for  
7.32 an agreement with Pheasants Forever in  
7.33 cooperation with the Minnesota Sharp-Tailed  
7.34 Grouse Society to acquire and enhance  
7.35 lands for wildlife management area purposes  
7.36 under Minnesota Statutes, section 86A.05,

8.1 subdivision 8. A list of proposed land  
8.2 acquisitions must be provided as part of the  
8.3 required accomplishment plan.

8.4 **(d) Protect Key Forest Habitat Lands in Cass**  
8.5 **County - Phase III**

8.6 \$480,000 in the second year is to the  
8.7 commissioner of natural resources for an  
8.8 agreement with Cass County to acquire land  
8.9 in fee in Cass County for forest wildlife  
8.10 habitat. A list of proposed land acquisitions  
8.11 must be provided as part of the required  
8.12 accomplishment plan.

8.13 **(e) Minnesota Moose Habitat Collaborative**

8.14 \$960,000 in the second year is to the  
8.15 commissioner of natural resources for an  
8.16 agreement with the Minnesota Deer Hunters  
8.17 Association to restore and enhance public  
8.18 forest lands in northeastern Minnesota  
8.19 for moose habitat purposes. A list of  
8.20 proposed restorations and enhancements  
8.21 must be provided as part of the required  
8.22 accomplishment plan.

8.23 **(f) LaSalle Lake: Protecting Critical Minnesota**  
8.24 **Headwaters Habitat**

8.25 \$1,000,000 in the second year is added  
8.26 to the appropriation in Laws 2011, First  
8.27 Special Session chapter 6, article 1, section  
8.28 2, subdivision 3, paragraph (b).

8.29 Subd. 4. **Wetlands** -0- 31,140,000

8.30 **(a) Reinvest in Minnesota Wetlands Reserve**  
8.31 **Program Partnership - Phase IV**

8.32 \$13,810,000 in the second year is to the  
8.33 Board of Water and Soil Resources to  
8.34 acquire permanent conservation easements  
8.35 and restore wetlands and associated upland

9.1 habitat in cooperation with the United  
9.2 States Department of Agriculture Wetlands  
9.3 Reserve Program. A list of land acquisitions  
9.4 must be provided as part of the final report.  
9.5 The accomplishment plan must include  
9.6 an easement stewardship plan. Up to  
9.7 \$180,000 is for establishing a monitoring  
9.8 and enforcement fund as approved in  
9.9 the accomplishment plan and subject to  
9.10 Minnesota Statutes, section 97A.056,  
9.11 subdivision 17. An annual financial report is  
9.12 required for any monitoring and enforcement  
9.13 fund established, including expenditures  
9.14 from the fund and a description of annual  
9.15 monitoring and enforcement activities.

9.16 **(b) Accelerating the Waterfowl Production**  
9.17 **Area Program - Phase IV**

9.18 \$5,400,000 in the second 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 managed and designated 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) Columbus Lake Conservation Area**

9.28 \$940,000 in the second year is to the  
9.29 commissioner of natural resources for an  
9.30 agreement with Anoka County to acquire  
9.31 land in fee for conservation purposes that  
9.32 connect wetlands and shallow lakes to  
9.33 the Lamprey Pass Wildlife Management  
9.34 Area. A list of proposed land acquisitions

10.1 must be provided as part of the required  
10.2 accomplishment plan.

10.3 **(d) Living Shallow Lakes and Wetlands**  
10.4 **Initiative - Phase II**

10.5 \$4,490,000 in the second year is to the  
10.6 commissioner of natural resources for an  
10.7 agreement with Ducks Unlimited to assess,  
10.8 restore, and enhance shallow lakes and  
10.9 wetlands, including technical assistance,  
10.10 survey, design, and engineering to develop  
10.11 new enhancement and restoration projects  
10.12 for future implementation. A list of  
10.13 proposed restorations and enhancements  
10.14 must be provided as part of the required  
10.15 accomplishment plan.

10.16 **(e) Accelerated Shallow Lakes and Wetlands**  
10.17 **Enhancement - Phase IV**

10.18 \$3,870,000 in the second year is to the  
10.19 commissioner of natural resources to  
10.20 develop engineering designs and complete  
10.21 construction to enhance shallow lakes and  
10.22 wetlands. A list of proposed restorations and  
10.23 enhancements must be provided as part of  
10.24 the required accomplishment plan. Work  
10.25 must be completed within three years of the  
10.26 effective date of this article.

10.27 **(f) Marsh Lake Enhancement**

10.28 \$2,630,000 in the second year is to the  
10.29 commissioner of natural resources to  
10.30 complete design and construction to modify  
10.31 the dam at Marsh Lake and return the historic  
10.32 outlet of the Pomme de Terre River to Lac  
10.33 Qui Parle.

10.34 **Subd. 5. Habitats**

-0-

28,620,000

10.35 **(a) DNR Aquatic Habitat - Phase IV**

11.1 \$3,480,000 in the second year is to the  
11.2 commissioner of natural resources to  
11.3 acquire interests in land in fee or permanent  
11.4 conservation easements for aquatic  
11.5 management areas under Minnesota Statutes,  
11.6 sections 86A.05, subdivision 14, and  
11.7 97C.02, and to restore and enhance aquatic  
11.8 habitat. A list of proposed land acquisitions  
11.9 must be provided as part of the required  
11.10 accomplishment plan. The accomplishment  
11.11 plan must include an easement stewardship  
11.12 plan. Up to \$25,000 is for establishing  
11.13 a monitoring and enforcement fund as  
11.14 approved in the accomplishment plan and  
11.15 subject to Minnesota Statutes, section  
11.16 97A.056, subdivision 17. An annual financial  
11.17 report is required for any monitoring and  
11.18 enforcement fund established, including  
11.19 expenditures from the fund and a description  
11.20 of annual monitoring and enforcement  
11.21 activities.

11.22 **(b) Metro Big Rivers Habitat - Phase III**

11.23 \$3,680,000 in the second year is to the  
11.24 commissioner of natural resources for  
11.25 agreements to acquire interests in land in  
11.26 fee or permanent conservation easements  
11.27 and to restore and enhance natural systems  
11.28 associated with the Mississippi, Minnesota,  
11.29 and St. Croix Rivers as follows: \$1,000,000  
11.30 to the Minnesota Valley National Wildlife  
11.31 Refuge Trust, Inc.; \$375,000 to the Friends  
11.32 of the Mississippi; \$375,000 to Great River  
11.33 Greening; \$930,000 to The Minnesota  
11.34 Land Trust; and \$1,000,000 to The Trust  
11.35 for Public Land. A list of proposed  
11.36 acquisitions, restorations, and enhancements

12.1 must be provided as part of the required  
12.2 accomplishment plan. The accomplishment  
12.3 plan must include an easement stewardship  
12.4 plan. Up to \$51,000 is for establishing  
12.5 a monitoring and enforcement fund as  
12.6 approved in the accomplishment plan and  
12.7 subject to Minnesota Statutes, section  
12.8 97A.056, subdivision 17. An annual financial  
12.9 report is required for any monitoring and  
12.10 enforcement fund established, including  
12.11 expenditures from the fund and a description  
12.12 of annual monitoring and enforcement  
12.13 activities.

12.14 **(c) Dakota County Riparian and Lakeshore**  
12.15 **Protection and Management - Phase III**

12.16 \$480,000 in the second year is to the  
12.17 commissioner of natural resources for an  
12.18 agreement with Dakota County to acquire  
12.19 permanent conservation easements and  
12.20 restore and enhance habitats along the  
12.21 Mississippi, Cannon, and Vermillion Rivers.  
12.22 A list of proposed acquisitions, restorations,  
12.23 and enhancements must be provided as  
12.24 part of the required accomplishment plan.  
12.25 The accomplishment plan must include  
12.26 an easement stewardship plan. Up to  
12.27 \$20,000 is for establishing a monitoring  
12.28 and enforcement fund as approved in  
12.29 the accomplishment plan and subject to  
12.30 Minnesota Statutes, section 97A.056,  
12.31 subdivision 17. An annual financial report is  
12.32 required for any monitoring and enforcement  
12.33 fund established, including expenditures  
12.34 from the fund and a description of annual  
12.35 monitoring and enforcement activities.

12.36 **(d) Lower St. Louis River Habitat Restoration**

13.1 \$3,670,000 in the second year is to the  
13.2 commissioner of natural resources to restore  
13.3 habitat in the lower St. Louis River estuary.  
13.4 A list of proposed projects must be provided  
13.5 as part of the required accomplishment plan.

13.6 **(e) Coldwater Fish Habitat Enhancement -**  
13.7 **Phase IV**

13.8 \$2,120,000 in the second year is to the  
13.9 commissioner of natural resources for an  
13.10 agreement with Minnesota Trout Unlimited  
13.11 to restore and enhance coldwater fish lake,  
13.12 river, and stream habitats in Minnesota. A list  
13.13 of proposed restorations and enhancements  
13.14 must be provided as part of the required  
13.15 accomplishment plan.

13.16 **(f) Grand Marais Creek Outlet Restoration**

13.17 \$2,320,000 in the second year is to the  
13.18 commissioner of natural resources for an  
13.19 agreement with the Red Lake Watershed  
13.20 District to restore and enhance stream and  
13.21 related habitat in Grand Marais Creek. A list  
13.22 of proposed restorations and enhancements  
13.23 must be provided as part of the required  
13.24 accomplishment plan.

13.25 **(g) Knife River Habitat Restoration**

13.26 \$380,000 in the second year is to the  
13.27 commissioner of natural resources for an  
13.28 agreement with the Lake Superior Steelhead  
13.29 Association to restore trout habitat in the  
13.30 Upper Knife River Watershed. A list of  
13.31 proposed restorations must be provided as  
13.32 part of the required accomplishment plan.  
13.33 Notwithstanding rules of the commissioner  
13.34 of natural resources, restorations conducted

14.1 pursuant to this paragraph may be  
14.2 accomplished by excavation.

14.3 **(h) Protect Aquatic Habitat from Asian Carp**

14.4 \$7,500,000 in the second year is to the  
14.5 commissioner of natural resources to  
14.6 design, construct, operate, and evaluate  
14.7 structural deterrents for Asian carp to protect  
14.8 Minnesota's aquatic habitat. Use of this  
14.9 money requires a one-to-one match for  
14.10 projects on state boundary waters.

14.11 **(i) Outdoor Heritage Conservation Partners**  
14.12 **Grant Program - Phase IV**

14.13 \$4,990,000 in the second year is to the  
14.14 commissioner of natural resources for a  
14.15 program to provide competitive, matching  
14.16 grants of up to \$400,000 to local, regional,  
14.17 state, and national organizations for  
14.18 enhancing, restoring, or protecting forests,  
14.19 wetlands, prairies, and habitat for fish, game,  
14.20 or wildlife in Minnesota. Grants shall not  
14.21 be made for activities required to fulfill  
14.22 the duties of owners of lands subject to  
14.23 conservation easements. Grants shall not be  
14.24 made from appropriations in this paragraph  
14.25 for projects that have a total project cost  
14.26 exceeding \$575,000. \$366,000 of this  
14.27 appropriation may be spent for personnel  
14.28 costs and other direct and necessary  
14.29 administrative costs. Grantees may acquire  
14.30 land or interests in land. Easements must be  
14.31 permanent. Land acquired in fee must be  
14.32 open to hunting and fishing during the open  
14.33 season unless otherwise provided by state  
14.34 law. The program shall require a match of  
14.35 at least ten percent from nonstate sources

15.1 for all grants. The match may be cash or  
15.2 in-kind resources. For grant applications  
15.3 of \$25,000 or less, the commissioner shall  
15.4 provide a separate, simplified application  
15.5 process. Subject to Minnesota Statutes, the  
15.6 commissioner of natural resources shall,  
15.7 when evaluating projects of equal value,  
15.8 give priority to organizations that have a  
15.9 history of receiving or charter to receive  
15.10 private contributions for local conservation  
15.11 or habitat projects. If acquiring land or a  
15.12 conservation easement, priority shall be  
15.13 given to projects associated with existing  
15.14 wildlife management areas under Minnesota  
15.15 Statutes, section 86A.05, subdivision 8;  
15.16 scientific and natural areas under Minnesota  
15.17 Statutes, sections 84.033 and 86A.05,  
15.18 subdivision 5; and aquatic management areas  
15.19 under Minnesota Statutes, sections 86A.05,  
15.20 subdivision 14, and 97C.02. All restoration  
15.21 or enhancement projects must be on land  
15.22 permanently protected by a conservation  
15.23 easement or public ownership or in public  
15.24 waters as defined in Minnesota Statutes,  
15.25 section 103G.005, subdivision 15. Priority  
15.26 shall be given to restoration and enhancement  
15.27 projects on public lands. Minnesota Statutes,  
15.28 section 97A.056, subdivision 13, applies  
15.29 to grants awarded under this paragraph.  
15.30 This appropriation is available until June  
15.31 30, 2016. No less than five percent of the  
15.32 amount of each grant must be held back from  
15.33 reimbursement until the grant recipient has  
15.34 completed a grant accomplishment report by  
15.35 the deadline and in the form prescribed by  
15.36 and satisfactory to the Lessard-Sams Outdoor

16.1 Heritage Council. The commissioner shall  
16.2 provide notice of the grant program in  
16.3 the game and fish law summaries that are  
16.4 prepared under Minnesota Statutes, section  
16.5 97A.051, subdivision 2.

16.6 Subd. 6. Administration -0- 220,000

16.7 (a) Contract Management

16.8 \$175,000 in the second year is to the  
16.9 commissioner of natural resources for  
16.10 contract management duties assigned in this  
16.11 section. The commissioner shall provide a  
16.12 work program in the form specified by the  
16.13 Lessard-Sams Outdoor Heritage Council  
16.14 on the expenditure of this appropriation.  
16.15 No money may be expended prior to  
16.16 Lessard-Sams Outdoor Heritage Council  
16.17 approval of the work program.

16.18 (b) Technical Evaluation Panel

16.19 \$45,000 in the second year is to the  
16.20 commissioner of natural resources for a  
16.21 technical evaluation panel to conduct up to  
16.22 ten restoration evaluations under Minnesota  
16.23 Statutes, section 97A.056, subdivision 10.

16.24 Subd. 7. Availability of Appropriation

16.25 Money appropriated in this section may  
16.26 not be spent on activities unless they are  
16.27 directly related to and necessary for a  
16.28 specific appropriation and are specified in  
16.29 the accomplishment plan approved by the  
16.30 Lessard-Sams Outdoor Heritage Council.  
16.31 Money appropriated in this section must not  
16.32 be spent on indirect costs or other institutional  
16.33 overhead charges that are not directly related  
16.34 to and necessary for a specific appropriation.

17.1 Unless otherwise provided, the amounts  
17.2 in this section are available until June 30,  
17.3 2015, when projects must be completed and  
17.4 final accomplishments reported. Funds for  
17.5 restoration or enhancement are available  
17.6 until June 30, 2017, or four years after  
17.7 acquisition, whichever is later, in order to  
17.8 complete initial restoration or enhancement  
17.9 work. If a project receives federal funds,  
17.10 the time period of the appropriation is  
17.11 extended to equal the availability of federal  
17.12 funding. Funds appropriated for fee title  
17.13 acquisition of land may be used to restore,  
17.14 enhance, and provide for public use of the  
17.15 land acquired with the appropriation. Public  
17.16 use facilities must have a minimal impact  
17.17 on habitat in acquired lands. If the purchase  
17.18 price for a fee title acquisition funded with  
17.19 an appropriation in this article falls below  
17.20 the estimated purchase price contained in  
17.21 the approved accomplishment plan and no  
17.22 other acquisitions are listed in the approved  
17.23 accomplishment plan, the difference between  
17.24 the purchase price and the estimated purchase  
17.25 price is canceled for the project and added  
17.26 to the appropriation under subdivision 5,  
17.27 paragraph (h).

17.28 **Subd. 8. Payment Conditions and Capital**  
17.29 **Equipment Expenditures**

17.30 All agreements referred to in this section must  
17.31 be administered on a reimbursement basis  
17.32 unless otherwise provided in this section.  
17.33 Notwithstanding Minnesota Statutes, section  
17.34 16A.41, expenditures directly related to each  
17.35 appropriation's purpose made on or after July  
17.36 1, 2012, or the date of accomplishment plan

18.1 approval, whichever is later, are eligible for  
18.2 reimbursement unless otherwise provided in  
18.3 this section. Periodic reimbursement must  
18.4 be made upon receiving documentation that  
18.5 the items articulated in the accomplishment  
18.6 plan approved by the Lessard-Sams Outdoor  
18.7 Heritage Council have been achieved,  
18.8 including partial achievements as evidenced  
18.9 by progress reports approved by the  
18.10 Lessard-Sams Outdoor Heritage Council.  
18.11 Reasonable amounts may be advanced to  
18.12 projects to accommodate cash flow needs,  
18.13 support future management of acquired  
18.14 lands, or match a federal share. The  
18.15 advances must be approved as part of the  
18.16 accomplishment plan. Capital equipment  
18.17 expenditures for specific items in excess of  
18.18 \$10,000 must be itemized in and approved as  
18.19 part of the accomplishment plan.

18.20 Sec. 3. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision  
18.21 to read:

18.22 Subd. 12. **Accomplishment plans.** It is a condition of acceptance of money  
18.23 appropriated from the outdoor heritage fund that the agency or entity using the  
18.24 appropriation submits an accomplishment plan and periodic accomplishment reports  
18.25 to the Lessard-Sams Outdoor Heritage Council in the form determined by the council.  
18.26 The accomplishment plan must identify the project manager responsible for expending  
18.27 the appropriation and the final product. The accomplishment plan must account for  
18.28 the use of the appropriation and outcomes of the expenditure in measures of wetlands,  
18.29 prairies, forests, and fish, game, and wildlife habitat restored, protected, and enhanced.  
18.30 The plan must include an evaluation of results. If lands are acquired by fee with money  
18.31 from the outdoor heritage fund, the accomplishment plan must include a hunting and  
18.32 fishing management plan for the lands acquired by fee. No money appropriated from the  
18.33 outdoor heritage fund may be expended unless the council has approved the pertinent  
18.34 accomplishment plan.

19.1 Sec. 4. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision  
19.2 to read:

19.3 Subd. 13. **Project requirements.** (a) As a condition of accepting money  
19.4 appropriated from the outdoor heritage fund, an agency or entity receiving money from  
19.5 an appropriation must comply with this subdivision for any project funded in whole or  
19.6 in part with funds from the appropriation.

19.7 (b) All conservation easements acquired with money appropriated from the outdoor  
19.8 heritage fund must:

19.9 (1) be permanent;

19.10 (2) specify the parties to the easement;

19.11 (3) specify all of the provisions of an agreement that are permanent;

19.12 (4) specify the habitat types and location being protected;

19.13 (5) where appropriate for conservation or water protection outcomes, require the  
19.14 grantor to employ practices retaining water on the eased land as long as practicable;

19.15 (6) specify the responsibilities of the parties for habitat enhancement and restoration  
19.16 and the associated costs of these activities;

19.17 (7) be sent to the office of the Lessard-Sams Outdoor Heritage Council;

19.18 (8) include a long-term stewardship plan and identify the sources and amount of  
19.19 funding for monitoring and enforcing the easement agreement; and

19.20 (9) identify the parties responsible for monitoring and enforcing the easement  
19.21 agreement.

19.22 (c) For all restorations, a recipient must prepare and retain an ecological restoration  
19.23 and management plan that, to the degree practicable, is consistent with current  
19.24 conservation science and ecological goals for the restoration site. Consideration should  
19.25 be given to soil, geology, topography, and other relevant factors that would provide the  
19.26 best chance for long-term success and durability of the restoration. The plan must include  
19.27 the proposed timetable for implementing the restoration, including, but not limited to,  
19.28 site preparation, establishment of diverse plant species, maintenance, and additional  
19.29 enhancement to establish the restoration; identify long-term maintenance and management  
19.30 needs of the restoration and how the maintenance, management, and enhancement will be  
19.31 financed; and use current conservation science to achieve the best restoration.

19.32 (d) For new lands acquired, a recipient must prepare a restoration and management  
19.33 plan in compliance with paragraph (c), including identification of sufficient funding for  
19.34 implementation.

19.35 (e) To ensure public accountability for the use of public funds, a recipient must  
19.36 provide to the Lessard-Sams Outdoor Heritage Council documentation of the process used

20.1 to select parcels acquired in fee or as permanent conservation easements and must provide  
20.2 the council with documentation of all related transaction costs, including, but not limited  
20.3 to, appraisals, legal fees, recording fees, commissions, other similar costs, and donations.  
20.4 This information must be provided for all parties involved in the transaction. The recipient  
20.5 must also report to the Lessard-Sams Outdoor Heritage Council any difference between  
20.6 the acquisition amount paid to the seller and the state-certified or state-reviewed appraisal,  
20.7 if a state-certified or state-reviewed appraisal was conducted. Acquisition data such as  
20.8 appraisals may remain private during negotiations but must ultimately be made public  
20.9 according to chapter 13.

20.10 (f) Except as otherwise provided in the appropriation, all restoration and  
20.11 enhancement projects funded with money appropriated from the outdoor heritage fund  
20.12 must be on land permanently protected by a conservation easement or public ownership or  
20.13 in public waters as defined in section 103G.005, subdivision 15.

20.14 (g) To the extent an appropriation is used to acquire an interest in real property,  
20.15 a recipient of an appropriation from the outdoor heritage fund must provide to the  
20.16 Lessard-Sams Outdoor Heritage Council and the commissioner of management and  
20.17 budget an analysis of increased operation and maintenance costs likely to be incurred by  
20.18 public entities as a result of the acquisition and of how the costs are to be paid.

20.19 (h) A recipient of money appropriated from the outdoor heritage fund must give  
20.20 consideration to and make timely written contact with Conservation Corps Minnesota for  
20.21 possible use of the corps' services to contract for restoration and enhancement services.  
20.22 A copy of the written contact must be filed with the Lessard-Sams Outdoor Heritage  
20.23 Council within 15 days of execution.

20.24 (i) A recipient of money appropriated from the outdoor heritage fund must erect  
20.25 signage according to Laws 2009, chapter 172, article 5, section 10.

20.26 Sec. 5. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision  
20.27 to read:

20.28 Subd. 14. **Purchase of recycled and recyclable materials.** A political subdivision,  
20.29 public or private corporation, or other entity that receives money appropriated from the  
20.30 outdoor heritage fund must use the money in compliance with sections 16B.121, regarding  
20.31 purchase of recycled, repairable, and durable materials, and 16B.122, regarding purchase  
20.32 and use of paper stock and printing.

20.33 Sec. 6. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision  
20.34 to read:

21.1            Subd. 15. Land acquisition restrictions. (a) An interest in real property, including,  
21.2 but not limited to, an easement or fee title, that is acquired with money appropriated  
21.3 from the outdoor heritage fund must be used in perpetuity or for the specific term of an  
21.4 easement interest for the purpose for which the appropriation was made. The ownership  
21.5 of the interest in real property transfers to the state if: (1) the holder of the interest in  
21.6 real property fails to comply with the terms and conditions of the grant agreement or  
21.7 accomplishment plan; or (2) restrictions are placed on the land that preclude its use for the  
21.8 intended purpose as specified in the appropriation.

21.9            (b) A recipient of funding that acquires an interest in real property subject to this  
21.10 subdivision may not alter the intended use of the interest in real property or convey any  
21.11 interest in the real property acquired with the appropriation without the prior review and  
21.12 approval of the Lessard-Sams Outdoor Heritage Council or its successor. The council  
21.13 shall notify the chairs and ranking minority members of the legislative committees and  
21.14 divisions with jurisdiction over the outdoor heritage fund at least 15 business days before  
21.15 approval under this paragraph. The council shall establish procedures to review requests  
21.16 from recipients to alter the use of or convey an interest in real property. These procedures  
21.17 shall allow for the replacement of the interest in real property with another interest in real  
21.18 property meeting the following criteria:

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

21.21            (2) the interest must be in a reasonably equivalent location and have a reasonably  
21.22 equivalent useful conservation purpose compared to the interest being replaced, taking  
21.23 into consideration all effects from fragmentation of the whole habitat.

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

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

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

21.31            (3) a reference to this section; and

21.32            (4) the following statement: "This interest in real property shall be administered in  
21.33 accordance with the terms, conditions, and purposes of the grant agreement controlling the  
21.34 acquisition of the property. The interest in real property, or any portion of the interest in  
21.35 real property, shall not be sold, transferred, pledged, or otherwise disposed of or further  
21.36 encumbered without obtaining the prior written approval of the Lessard-Sams Outdoor

22.1 Heritage Council or its successor. The ownership of the interest in real property transfers to  
22.2 the state if: (1) the holder of the interest in real property fails to comply with the terms and  
22.3 conditions of the grant agreement or accomplishment plan; or (2) restrictions are placed  
22.4 on the land that preclude its use for the intended purpose as specified in the appropriation."

22.5 Sec. 7. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision  
22.6 to read:

22.7 Subd. 16. **Real property interest report.** (a) By December 1 each year, a recipient  
22.8 of money appropriated from the outdoor heritage fund that is used for the acquisition of an  
22.9 interest in real property, including, but not limited to, an easement or fee title, must submit  
22.10 annual reports on the status of the real property to the Lessard-Sams Outdoor Heritage  
22.11 Council or its successor in a form determined by the council. If lands are acquired by fee  
22.12 with money from the outdoor heritage fund, the real property interest report must include  
22.13 a verification of the status of the hunting and fishing management plan for the lands  
22.14 acquired by fee. The responsibility for reporting under this subdivision may be transferred  
22.15 by the recipient of the appropriation to another person or entity that holds the interest in  
22.16 the real property. To complete the transfer of reporting responsibility, the recipient of  
22.17 the appropriation must:

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

22.20 (2) inform the person to whom the responsibility is transferred of the property  
22.21 restrictions under subdivision 15; and

22.22 (3) provide written notice to the council of the transfer of reporting responsibility,  
22.23 including contact information for the person to whom the responsibility is transferred.

22.24 (b) After the transfer, the person or entity that holds the interest in the real property  
22.25 is responsible for reporting requirements under this subdivision.

22.26 Sec. 8. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision  
22.27 to read:

22.28 Subd. 17. **Easement monitoring and enforcement requirements.** Money  
22.29 appropriated from the outdoor heritage fund for easement monitoring and enforcement  
22.30 may be spent only on activities included in an easement monitoring and enforcement  
22.31 plan contained within the accomplishment plan. Money received for monitoring and  
22.32 enforcement, including earnings on the money received, shall be kept in a monitoring  
22.33 and enforcement fund held by the organization and is appropriated for monitoring and  
22.34 enforcing conservation easements in the state. Within 120 days after the close of the

23.1 entity's fiscal year, an entity receiving appropriations for easement monitoring and  
23.2 enforcement must provide an annual financial report to the Lessard-Sams Outdoor  
23.3 Heritage Council on the easement monitoring and enforcement fund as specified in the  
23.4 accomplishment plan. Money appropriated from the outdoor heritage fund for monitoring  
23.5 and enforcement of easements and earnings on the money appropriated shall revert  
23.6 to the state if:

- 23.7 (1) the easement transfers to the state under subdivision 15;  
23.8 (2) the holder of the easement fails to file an annual report and then fails to cure that  
23.9 default within 30 days of notification of the default by the state; or  
23.10 (3) the holder of the easement fails to comply with the terms of the monitoring and  
23.11 enforcement plan contained within the accomplishment plan and fails to cure that default  
23.12 within 90 days of notification of the default by the state.

23.13 Sec. 9. Minnesota Statutes 2010, section 97A.056, is amended by adding a subdivision  
23.14 to read:

23.15 Subd. 18. **Successor organizations.** The Lessard-Sams Outdoor Heritage Council  
23.16 may approve the continuation of a project with an organization that has adopted a new  
23.17 name. Continuation of a project with an organization that has undergone a significant  
23.18 change in mission, structure, or purpose requires:

- 23.19 (1) notice to the chairs of the legislative committees and divisions with jurisdiction  
23.20 over the outdoor heritage fund; and  
23.21 (2) presentation by the council of proposed legislation either ratifying or rejecting  
23.22 continued involvement with the new organization.

23.23 Sec. 10. Minnesota Statutes 2010, section 97A.056, is amended by adding a  
23.24 subdivision to read:

23.25 Subd. 19. **Fee title acquisition; open season.** (a) Lands acquired by fee with  
23.26 money appropriated from the outdoor heritage fund that are held by the state must be open  
23.27 to the public taking of fish and game during the open season, unless otherwise provided by  
23.28 state law.

23.29 (b) Lands acquired by fee with money appropriated from the outdoor heritage fund  
23.30 that are held by the U.S. Fish and Wildlife Service must be open to the public taking of  
23.31 fish and game during the open season according to the National Wildlife Refuge System  
23.32 Improvement Act, United States Code, title 16, section 668dd, et seq.

23.33 (c) Except as provided in paragraph (b), lands acquired by fee with money  
23.34 appropriated from the outdoor heritage fund that are held by a nonstate entity must be open

24.1 to the public taking of fish and game during the open season, unless otherwise prescribed  
24.2 by the commissioner of natural resources.

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

24.4 Sec. 11. **LEGACY FUNDING REQUIREMENTS APPLY.**

24.5 Each direct recipient of money appropriated in this article, as well as each  
24.6 recipient of a grant awarded pursuant to this article, must satisfy all reporting and other  
24.7 requirements incumbent upon legacy funding recipients as provided in Laws 2011, First  
24.8 Special Session chapter 6, article 5.

24.9 **ARTICLE 2**

24.10 **CLEAN WATER FUND**

24.11 Section 1. Minnesota Statutes 2011 Supplement, section 114D.30, subdivision 4, is  
24.12 amended to read:

24.13 Subd. 4. **Terms; compensation; removal.** The terms of members representing the  
24.14 state agencies and the Metropolitan Council are four years and are coterminous with the  
24.15 governor. The terms of other nonlegislative members of the council shall be as provided  
24.16 in section 15.059, subdivision 2. Members may serve until their successors are appointed  
24.17 and qualify. Compensation and removal of nonlegislative council members is as provided  
24.18 in section 15.059, subdivisions 3 and 4. Compensation of legislative members is as  
24.19 determined by the appointing authority. The Pollution Control Agency may reimburse  
24.20 legislative members for expenses. A vacancy on the council may be filled by the  
24.21 appointing authority provided in subdivision 1 for the remainder of the unexpired term.

24.22 Sec. 2. Laws 2009, chapter 172, article 2, section 4, as amended by Laws 2010, chapter  
24.23 361, article 2, section 2, and Laws 2011, First Special Session chapter 6, article 2, section  
24.24 23, is amended to read:

24.25 **Sec. 4. POLLUTION CONTROL AGENCY \$ 24,076,000 \$ 27,630,000**

24.26 (a) \$9,000,000 the first year and \$9,000,000  
24.27 the second year are to develop total  
24.28 maximum daily load (TMDL) studies and  
24.29 TMDL implementation plans for waters  
24.30 listed on the United States Environmental  
24.31 Protection Agency approved impaired  
24.32 waters list in accordance with Minnesota

25.1 Statutes, chapter 114D. The agency shall  
25.2 complete an average of ten percent of the  
25.3 TMDLs each year over the biennium. Of  
25.4 this amount, \$348,000 the first year is to  
25.5 retest the comprehensive assessment of the  
25.6 biological conditions of the lower Minnesota  
25.7 River and its tributaries within the Lower  
25.8 Minnesota River Major Watershed, as  
25.9 previously assessed from 1976 to 1992 under  
25.10 the Minnesota River Assessment Project  
25.11 (MRAP). The assessment must include the  
25.12 same fish species sampling at the same 116  
25.13 locations and the same macroinvertebrate  
25.14 sampling at the same 41 locations as the  
25.15 MRAP assessment. The assessment must:  
25.16 (1) include an analysis of the findings; and  
25.17 (2) identify factors that limit aquatic life in  
25.18 the Minnesota River.

25.19 Of this amount, \$250,000 the first year is  
25.20 for a pilot project for the development of  
25.21 total maximum daily load (TMDL) studies  
25.22 conducted on a watershed basis within  
25.23 the Buffalo River watershed in order to  
25.24 protect, enhance, and restore water quality  
25.25 in lakes, rivers, and streams. The pilot  
25.26 project shall include all necessary field  
25.27 work to develop TMDL studies for all  
25.28 impaired subwatersheds within the Buffalo  
25.29 River watershed and provide information  
25.30 necessary to complete reports for most of the  
25.31 remaining watersheds, including analysis of  
25.32 water quality data, identification of sources  
25.33 of water quality degradation and stressors,  
25.34 load allocation development, development  
25.35 of reports that provide protection plans

26.1 for subwatersheds that meet water quality  
26.2 standards, and development of reports that  
26.3 provide information necessary to complete  
26.4 TMDL studies for subwatersheds that do not  
26.5 meet water quality standards, but are not  
26.6 listed as impaired.

26.7 (b) \$500,000 the first year is for development  
26.8 of an enhanced TMDL database to manage  
26.9 and track progress. Of this amount, \$63,000  
26.10 the first year is to promulgate rules. By  
26.11 November 1, 2010, the commissioner shall  
26.12 submit a report to the chairs of the house of  
26.13 representatives and senate committees with  
26.14 jurisdiction over environment and natural  
26.15 resources finance on the outcomes achieved  
26.16 with this appropriation.

26.17 (c) \$1,500,000 the first year and \$3,169,000  
26.18 the second year are for grants under  
26.19 Minnesota Statutes, section 116.195, to  
26.20 political subdivisions for up to 50 percent of  
26.21 the costs to predesign, design, and implement  
26.22 capital projects that use storm water or  
26.23 treated municipal wastewater instead of  
26.24 groundwater from drinking water aquifers,  
26.25 in order to demonstrate the beneficial use  
26.26 of wastewater or storm water, including  
26.27 the conservation and protection of water  
26.28 resources. Of this amount, \$1,000,000 the  
26.29 first year is for grants to ethanol plants that  
26.30 are within one and one-half miles of a city for  
26.31 improvements that use storm water or reuse  
26.32 ~~greater than 300,000 gallons of wastewater~~  
26.33 ~~per day~~. This appropriation is available until  
26.34 June 30, 2016.

27.1 (d) \$1,125,000 the first year and \$1,125,000  
27.2 the second year are for groundwater  
27.3 assessment and drinking water protection to  
27.4 include:

27.5 (1) the installation and sampling of at least  
27.6 30 new monitoring wells;

27.7 (2) the analysis of samples from at least 40  
27.8 shallow monitoring wells each year for the  
27.9 presence of endocrine disrupting compounds;  
27.10 and

27.11 (3) the completion of at least four to  
27.12 five groundwater models for TMDL and  
27.13 watershed plans.

27.14 (e) \$2,500,000 the first year is for the clean  
27.15 water partnership program. Priority shall be  
27.16 given to projects preventing impairments and  
27.17 degradation of lakes, rivers, streams, and  
27.18 groundwater in accordance with Minnesota  
27.19 Statutes, section 114D.20, subdivision 2,  
27.20 clause (4). Any balance remaining in the first  
27.21 year does not cancel and is available for the  
27.22 second year.

27.23 (f) \$896,000 the first year is to establish  
27.24 a network of water monitoring sites, to  
27.25 include at least 20 additional sites, in public  
27.26 waters adjacent to wastewater treatment  
27.27 facilities across the state to assess levels of  
27.28 endocrine-disrupting compounds, antibiotic  
27.29 compounds, and pharmaceuticals as required  
27.30 in this article. The data must be placed on  
27.31 the agency's Web site.

27.32 (g) \$155,000 the first year is to provide  
27.33 notification of the potential for coal tar  
27.34 contamination, establish a storm water  
27.35 pond inventory schedule, and develop best

28.1 management practices for treating and  
28.2 cleaning up contaminated sediments as  
28.3 required in this article. \$490,000 the second  
28.4 year is to provide grants to local units of  
28.5 government for up to 50 percent of the costs  
28.6 to implement best management practices to  
28.7 treat or clean up contaminated sediments  
28.8 in storm water ponds and other waters as  
28.9 defined under this article. Local governments  
28.10 must have adopted an ordinance for the  
28.11 restricted use of undiluted coal tar sealants  
28.12 in order to be eligible for a grant, unless a  
28.13 statewide restriction has been implemented.  
28.14 A grant awarded under this paragraph must  
28.15 not exceed \$100,000. Up to \$145,000 of the  
28.16 appropriation in the second year may be used  
28.17 to complete work required under section 28,  
28.18 paragraph (c).

28.19 (h) \$350,000 the first year and \$600,000 the  
28.20 second year are for a restoration project in  
28.21 the lower St. Louis River and Duluth harbor  
28.22 in order to improve water quality. This  
28.23 appropriation must be matched by nonstate  
28.24 money at a rate of at least \$2 for every \$1 of  
28.25 state money.

28.26 (i) \$150,000 the first year and \$196,000 the  
28.27 second year are for grants to the Red River  
28.28 Watershed Management Board to enhance  
28.29 and expand existing river watch activities in  
28.30 the Red River of the North. The Red River  
28.31 Watershed Management Board shall provide  
28.32 a report that includes formal evaluation  
28.33 results from the river watch program to the  
28.34 commissioners of education and the Pollution  
28.35 Control Agency and to the legislative natural  
28.36 resources finance and policy committees

29.1 and K-12 finance and policy committees by  
29.2 February 15, 2011.

29.3 (j) \$200,000 the first year and \$300,000 the  
29.4 second year are for coordination with the  
29.5 state of Wisconsin and the National Park  
29.6 Service on comprehensive water monitoring  
29.7 and phosphorus reduction activities in the  
29.8 Lake St. Croix portion of the St. Croix  
29.9 River. The Pollution Control Agency  
29.10 shall work with the St. Croix Basin Water  
29.11 Resources Planning Team and the St. Croix  
29.12 River Association in implementing the  
29.13 water monitoring and phosphorus reduction  
29.14 activities. This appropriation is available  
29.15 to the extent matched by nonstate sources.  
29.16 Money not matched by November 15, 2010,  
29.17 cancels for this purpose and is available for  
29.18 the purposes of paragraph (a).

29.19 (k) \$7,500,000 the first year and \$7,500,000  
29.20 the second year are for completion of 20  
29.21 percent of the needed statewide assessments  
29.22 of surface water quality and trends. Of this  
29.23 amount, \$175,000 the first year and \$200,000  
29.24 the second year are for monitoring and  
29.25 analyzing endocrine disruptors in surface  
29.26 waters.

29.27 (l) \$100,000 the first year and \$150,000  
29.28 the second year are for civic engagement  
29.29 in TMDL development. The agency shall  
29.30 develop a plan for expenditures under  
29.31 this paragraph. The agency shall give  
29.32 consideration to civic engagement proposals  
29.33 from basin or sub-basin organizations,  
29.34 including the Mississippi Headwaters Board,  
29.35 the Minnesota River Joint Powers Board,

30.1 Area II Minnesota River Basin Projects,  
30.2 and the Red River Basin Commission.  
30.3 By November 15, 2009, the plan shall be  
30.4 submitted to the house and senate chairs  
30.5 and ranking minority members of the  
30.6 environmental finance divisions.

30.7 (m) \$5,000,000 the second year is for  
30.8 groundwater protection or prevention of  
30.9 groundwater degradation activities. By  
30.10 January 15, 2010, the commissioner, in  
30.11 consultation with the commissioner of  
30.12 natural resources, the Board of Water and  
30.13 Soil Resources, and other agencies, shall  
30.14 submit a report to the chairs of the house of  
30.15 representatives and senate committees with  
30.16 jurisdiction over the clean water fund on the  
30.17 intended use of these funds. The legislature  
30.18 must approve expenditure of these funds by  
30.19 law.

30.20 Notwithstanding Minnesota Statutes, section  
30.21 16A.28, the appropriations encumbered on or  
30.22 before June 30, 2011, as grants or contracts in  
30.23 this section are available until June 30, 2013.

30.24 Sec. 3. Laws 2011, First Special Session chapter 6, article 2, section 7, is amended to  
30.25 read:

30.26	Sec. 7. <b>BOARD OF WATER AND SOIL</b>			<b>27,534,000</b>
30.27	<b>RESOURCES</b>	\$	<b>27,534,000</b>	\$ <u>31,734,000</u>

30.28 (a) \$13,750,000 the first year and  
30.29 ~~\$13,750,000~~ \$15,350,000 the second year are  
30.30 for pollution reduction and restoration grants  
30.31 to local government units and joint powers  
30.32 organizations of local government units to  
30.33 protect surface water and drinking water; to  
30.34 keep water on the land; to protect, enhance,  
30.35 and restore water quality in lakes, rivers,

31.1 and streams; and to protect groundwater  
31.2 and drinking water, including feedlot water  
31.3 quality and subsurface sewage treatment  
31.4 system (SSTS) projects and stream bank,  
31.5 stream channel, and shoreline restoration  
31.6 projects. The projects must be of long-lasting  
31.7 public benefit, include a match, and be  
31.8 consistent with TMDL implementation plans  
31.9 or local water management plans.

31.10 (b) \$3,000,000 the first year and ~~\$3,000,000~~  
31.11 \$3,600,000 the second year are for targeted  
31.12 local resource protection and enhancement  
31.13 grants. The board shall give priority  
31.14 consideration to projects and practices  
31.15 that complement, supplement, or exceed  
31.16 current state standards for protection,  
31.17 enhancement, and restoration of water  
31.18 quality in lakes, rivers, and streams or that  
31.19 protect groundwater from degradation. Of  
31.20 this amount, at least \$1,500,000 each year is  
31.21 for county SSTS implementation.

31.22 (c) \$900,000 the first year and ~~\$900,000~~  
31.23 \$1,200,000 the second year are to  
31.24 provide state oversight and accountability,  
31.25 evaluate results, and develop an electronic  
31.26 system to measure and track the value of  
31.27 conservation program implementation by  
31.28 local governments, including submission  
31.29 to the legislature by March 1 each year  
31.30 an annual report prepared by the board,  
31.31 in consultation with the commissioners of  
31.32 natural resources, health, agriculture, and  
31.33 the Pollution Control Agency, detailing the  
31.34 recipients and projects funded under this  
31.35 section. The board shall require grantees to

- 32.1 specify the outcomes that will be achieved  
32.2 by the grants prior to any grant awards.
- 32.3 (d) \$1,000,000 the first year and ~~\$1,000,000~~  
32.4 \$1,700,000 the second year are for technical  
32.5 assistance and grants for the conservation  
32.6 drainage program in consultation with  
32.7 the Drainage Work Group, created under  
32.8 Minnesota Statutes, section 103B.101,  
32.9 subdivision 13, ~~that consists of projects to~~  
32.10 to facilitate the installation of conservation  
32.11 practices on drainage systems that will result  
32.12 in water quality improvements and evaluate  
32.13 the outcomes of these installations. ~~retrofit~~  
32.14 ~~existing drainage systems with water quality~~  
32.15 ~~improvement practices, evaluate outcomes,~~  
32.16 ~~and provide outreach to landowners, public~~  
32.17 ~~drainage authorities, drainage engineers~~  
32.18 ~~and contractors, and others.~~ The board  
32.19 shall coordinate practice standards with the  
32.20 Natural Resources Conservation Service of  
32.21 the United States Department of Agriculture  
32.22 and seek to leverage federal funds as  
32.23 part of conservation drainage program  
32.24 implementation.
- 32.25 (e) \$6,000,000 the first year and \$6,000,000  
32.26 the second year are to purchase and restore  
32.27 permanent conservation easements on  
32.28 riparian buffers adjacent to public waters,  
32.29 excluding wetlands, to keep water on the  
32.30 land in order to decrease sediment, pollutant,  
32.31 and nutrient transport; reduce hydrologic  
32.32 impacts to surface waters; and increase  
32.33 infiltration for groundwater recharge. The  
32.34 riparian buffers must be at least 50 feet  
32.35 unless there is a natural impediment, a road,  
32.36 or other impediment beyond the control

33.1 of the landowner. This appropriation may  
33.2 be used for restoration of riparian buffers  
33.3 protected by easements purchased with  
33.4 this appropriation and for stream bank  
33.5 restorations when the riparian buffers have  
33.6 been restored.

33.7 (f) \$1,300,000 the first year and ~~\$1,300,000~~  
33.8 \$2,300,000 the second year are for  
33.9 permanent conservation easements on  
33.10 wellhead protection areas under Minnesota  
33.11 Statutes, section 103F.515, subdivision 2,  
33.12 paragraph (d). Priority must be placed on  
33.13 land that is located where the vulnerability  
33.14 of the drinking water supply is designated  
33.15 as high or very high by the commissioner  
33.16 of health. The board shall coordinate  
33.17 with the United States Geological Survey,  
33.18 the commissioners of health and natural  
33.19 resources, and local communities contained  
33.20 in the Decorah and St. Lawrence Edge areas  
33.21 of Winona, Goodhue, Olmsted, and Wabasha  
33.22 Counties to obtain easements in identified  
33.23 areas as having the most vulnerability to  
33.24 groundwater contamination.

33.25 (g) \$1,500,000 the first year and \$1,500,000  
33.26 the second year are for community partners  
33.27 grants to local units of government for:  
33.28 (1) structural or vegetative management  
33.29 practices that reduce storm water runoff  
33.30 from developed or disturbed lands to reduce  
33.31 the movement of sediment, nutrients, and  
33.32 pollutants for restoration, protection, or  
33.33 enhancement of water quality in lakes, rivers,  
33.34 and streams and to protect groundwater  
33.35 and drinking water; and (2) installation  
33.36 of proven and effective water retention

34.1 practices including, but not limited to, rain  
34.2 gardens and other vegetated infiltration  
34.3 basins and sediment control basins in order  
34.4 to keep water on the land. The projects  
34.5 must be of long-lasting public benefit,  
34.6 include a local match, and be consistent with  
34.7 TMDL implementation plans or local water  
34.8 management plans. Local government unit  
34.9 staff and administration costs may be used  
34.10 as a match.

34.11 (h) \$84,000 the first year and \$84,000 the  
34.12 second year are for a technical evaluation  
34.13 panel to conduct up to ten restoration  
34.14 evaluations under Minnesota Statutes,  
34.15 section 114D.50, subdivision 6.

34.16 (i) The board shall contract for services  
34.17 with Conservation Corps Minnesota for  
34.18 restoration, maintenance, and other activities  
34.19 under this section for \$500,000 the first year  
34.20 and \$500,000 the second year.

34.21 (j) The board may shift grant or cost-share  
34.22 funds in this section and may adjust the  
34.23 technical and administrative assistance  
34.24 portion of the funds to leverage federal or  
34.25 other nonstate funds or to address oversight  
34.26 responsibilities or high-priority needs  
34.27 identified in local water management plans.

34.28 (k) The appropriations in this section are  
34.29 available until June 30, 2016.

34.30 **Sec. 4. AQUATIC INVASIVE SPECIES COOPERATIVE RESEARCH**  
34.31 **CENTER; APPROPRIATION.**

34.32 \$1,800,000 is appropriated in fiscal year 2013 from the clean water fund to the Board  
34.33 of Regents of the University of Minnesota to develop and implement an Aquatic Invasive  
34.34 Species Cooperative Research Center, including equipment and facility development. As

35.1 a condition of receiving this appropriation, the University of Minnesota is requested to  
35.2 collaborate with the commissioner of natural resources in developing solutions to control  
35.3 aquatic invasive species. A portion of this appropriation may be used for educating  
35.4 and engaging citizens on preventing the spread of aquatic invasive species. Money  
35.5 appropriated in this section may not be spent on activities unless they are directly related  
35.6 to and necessary for the purposes of this section. Money appropriated in this section must  
35.7 not be spent on indirect costs or other institutional overhead charges that are not directly  
35.8 related to and necessary for the purposes of this section. This is a onetime appropriation  
35.9 and is available until June 30, 2018. Minnesota Statutes, section 116P.10, applies to  
35.10 this appropriation. For the purpose of this appropriation, the term "fund" means the  
35.11 clean water fund and the term "commission" means the Clean Water Council as used in  
35.12 Minnesota Statutes, section 116P.10.

35.13 Sec. 5. **LEGACY FUNDING REQUIREMENTS APPLY.**

35.14 All appropriations in this article are onetime and are subject to the requirements  
35.15 and availability provisions provided under Laws 2011, First Special Session chapter 6,  
35.16 articles 2 and 5. Each direct recipient of money appropriated in this article, as well as each  
35.17 recipient of a grant awarded pursuant to this article, must satisfy all reporting and other  
35.18 requirements incumbent upon legacy funding recipients as provided in Laws 2011, First  
35.19 Special Session chapter 6, articles 2 and 5.

35.20 **ARTICLE 3**

35.21 **PARKS AND TRAILS FUND**

35.22 Section 1. Minnesota Statutes 2010, section 85.535, subdivision 3, is amended to read:

35.23 Subd. 3. ~~Match Grant amount. Recipients must provide a nonstate cash match~~  
35.24 ~~of at least 25 percent of the total eligible project costs~~ A grant amount is not subject to a  
35.25 maximum grant award limitation. Additional consideration shall be given to applicants  
35.26 who provide a nonstate cash match.

35.27 Sec. 2. Laws 2009, chapter 172, article 3, section 3, is amended to read:

35.28 Sec. 3. **METROPOLITAN COUNCIL**                      \$        **12,641,000** \$        **15,140,000**

35.29 (a) \$12,641,000 the first year and  
35.30 \$15,140,000 the second year are from the  
35.31 parks and trails fund to be distributed as  
35.32 required under new Minnesota Statutes,

36.1 section 85.535, subdivision 3, except that  
36.2 of this amount, \$40,000 the first year is for  
36.3 a grant to Hennepin County to plant trees  
36.4 along the Victory Memorial Parkway. For  
36.5 acquisition of an interest in real property,  
36.6 appropriations under this section are  
36.7 available until June 30, 2013.

36.8 (b) The Metropolitan Council shall submit  
36.9 a report on the expenditure and use of  
36.10 money appropriated under this section to  
36.11 the legislature as provided in Minnesota  
36.12 Statutes, section 3.195, by March 1 of each  
36.13 year. The report must detail the outcomes in  
36.14 terms of additional use of parks and trails  
36.15 resources, user satisfaction surveys, and  
36.16 other appropriate outcomes.

36.17 (c) Grant agreements entered into by the  
36.18 Metropolitan Council and recipients of  
36.19 money appropriated under this section shall  
36.20 ensure that the funds are used to supplement  
36.21 and not substitute for traditional sources of  
36.22 funding.

36.23 (d) The implementing agencies receiving  
36.24 appropriations under this section shall  
36.25 give consideration to contracting with the  
36.26 Minnesota Conservation Corps for contract  
36.27 restoration, maintenance, and other activities.

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

## 36.29 **ARTICLE 4**

### 36.30 **ENVIRONMENT AND NATURAL RESOURCE TRUST FUND**

36.31 Section 1. Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision  
36.32 4, is amended to read:

**S.F. No. 2493, 1st Engrossment - 87th Legislative Session (2011-2012) [S2493-1]**

37.1			<del>13,755,000</del>
37.2	<b>Subd. 4. Land, Habitat, and Recreation</b>	14,629,000	<u>12,755,000</u>
37.3	Summary by Fund		
37.4	Environment and		
37.5	natural resources		<del>13,755,000</del>
37.6	trust fund	13,879,000	<u>12,755,000</u>
37.7	State land and		
37.8	water conservation		
37.9	account (LAWCON)	750,000	-0-

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

37.11 **Operations and Improvements**

37.12 \$1,877,000 the first year and \$1,750,000  
 37.13 the second year are from the trust fund to  
 37.14 the commissioner of natural resources for  
 37.15 state park and recreation area operations  
 37.16 and improvements, including activities  
 37.17 directly related to and necessary for this  
 37.18 appropriation. This appropriation is not  
 37.19 subject to Minnesota Statutes, sections  
 37.20 116P.05, subdivision 2, paragraph (b), and  
 37.21 116P.09, subdivision 4.

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

37.23 **Acquisition**

37.24 \$1,500,000 the first year and \$1,500,000 the  
 37.25 second year are from the trust fund to the  
 37.26 commissioner of natural resources to acquire  
 37.27 state trails and critical parcels within the  
 37.28 statutory boundaries of state parks. State  
 37.29 park land acquired with this appropriation  
 37.30 must be sufficiently improved to meet at  
 37.31 least minimum management standards, as  
 37.32 determined by the commissioner of natural  
 37.33 resources. A list of proposed acquisitions  
 37.34 must be provided as part of the required work  
 37.35 program. This appropriation is available  
 37.36 until June 30, 2014, by which time the

38.1 project must be completed and final products  
38.2 delivered.

38.3 **(c) Metropolitan Regional Park System**  
38.4 **Acquisition**

38.5 \$1,125,000 the first year and \$1,125,000  
38.6 the second year are from the trust fund to  
38.7 the Metropolitan Council for grants for the  
38.8 acquisition of lands within the approved park  
38.9 unit boundaries of the metropolitan regional  
38.10 park system. This appropriation may not  
38.11 be used for the purchase of residential  
38.12 structures. A list of proposed fee title and  
38.13 easement acquisitions must be provided as  
38.14 part of the required work program. This  
38.15 appropriation must be matched by at least  
38.16 40 percent of nonstate money and must be  
38.17 committed by December 31, 2011, or the  
38.18 appropriation cancels. This appropriation  
38.19 is available until June 30, 2014, at which  
38.20 time the project must be completed and final  
38.21 products delivered, unless an earlier date is  
38.22 specified in the work program.

38.23 **(d) Regional Park, Trail, and Connection**  
38.24 **Acquisition and Development Grants**

38.25 \$1,000,000 the first year and \$1,000,000 the  
38.26 second year are from the trust fund to the  
38.27 commissioner of natural resources to provide  
38.28 matching grants to local units of government  
38.29 for acquisition and development of regional  
38.30 parks, regional trails, and trail connections.  
38.31 The local match required for a grant to  
38.32 acquire a regional park or regional outdoor  
38.33 recreation area is two dollars of nonstate  
38.34 money for each three dollars of state money.  
38.35 This appropriation is available until June

39.1 30, 2014, by which time the project must be  
39.2 completed and final products delivered.

39.3 **(e) Scientific and Natural Area Acquisition**  
39.4 **and Restoration**

39.5 \$820,000 the first year and \$820,000 the  
39.6 second year are from the trust fund to  
39.7 the commissioner of natural resources  
39.8 to acquire lands with high-quality native  
39.9 plant communities and rare features to be  
39.10 established as scientific and natural areas  
39.11 as provided in Minnesota Statutes, section  
39.12 86A.05, subdivision 5, restore parts of  
39.13 scientific and natural areas, and provide  
39.14 technical assistance and outreach. A list  
39.15 of proposed acquisitions must be provided  
39.16 as part of the required work program.  
39.17 Land acquired with this appropriation  
39.18 must be sufficiently improved to meet at  
39.19 least minimum management standards, as  
39.20 determined by the commissioner of natural  
39.21 resources. This appropriation is available  
39.22 until June 30, 2014, by which time the  
39.23 project must be completed and final products  
39.24 delivered.

39.25 **(f) La Salle Lake State Recreation Area**  
39.26 **Acquisition**

39.27 \$1,000,000 the first year ~~and \$1,000,000~~  
39.28 ~~the second year are~~ is from the trust fund  
39.29 to the commissioner of natural resources  
39.30 for an agreement with The Trust for Public  
39.31 Land to acquire ~~approximately 190 acres~~  
39.32 land to be designated as a state recreation  
39.33 area as provided in Minnesota Statutes,  
39.34 section 86A.05, subdivision 3, on La Salle  
39.35 Lake adjacent to the upper Mississippi

40.1 River. If this acquisition is not completed  
40.2 by July 15, 2012, then the appropriation  
40.3 is available to the Department of Natural  
40.4 Resources for other state park and recreation  
40.5 area acquisitions on the priority list. Up to  
40.6 \$10,000 may be retained by the Department  
40.7 of Natural Resources at the request of  
40.8 The Trust for Public Land for transaction  
40.9 costs, associated professional services, and  
40.10 restoration needs.

40.11 **(g) Minnesota River Valley Green**  
40.12 **Corridor Scientific and Natural Area**  
40.13 **Acquisition**

40.14 \$1,000,000 the first year and \$1,000,000  
40.15 the second year are from the trust fund  
40.16 to the commissioner of natural resources  
40.17 for an agreement with the Redwood Area  
40.18 Communities Foundation to acquire lands  
40.19 with high-quality native plant communities  
40.20 and rare features to be established as scientific  
40.21 and natural areas as provided in Minnesota  
40.22 Statutes, section 86A.05, subdivision 5. A list  
40.23 of proposed acquisitions must be provided  
40.24 as part of the required work program.  
40.25 Land acquired with this appropriation  
40.26 must be sufficiently improved to meet at  
40.27 least minimum management standards, as  
40.28 determined by the commissioner of natural  
40.29 resources. Up to \$54,000 may be retained by  
40.30 the Department of Natural Resources at the  
40.31 request of the Redwood Area Communities  
40.32 Foundation for transaction costs, associated  
40.33 professional services, and restoration needs.  
40.34 This appropriation is available until June  
40.35 30, 2014, by which time the project must be  
40.36 completed and final products delivered.

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

41.2 **Prairie Bank Acquisition**

41.3 \$500,000 the first year and \$500,000 the  
41.4 second year are from the trust fund to the  
41.5 commissioner of natural resources to acquire  
41.6 native prairie bank easements, prepare  
41.7 baseline property assessments, restore and  
41.8 enhance native prairie sites, and provide  
41.9 technical assistance to landowners. This  
41.10 appropriation is available until June 30,  
41.11 2014, by which time the project must be  
41.12 completed and final products delivered.

41.13 **(i) Metropolitan Conservation Corridors**

41.14 **(MeCC) - Phase VI**

41.15 \$1,737,000 the first year and \$1,738,000  
41.16 the second year are from the trust fund  
41.17 to the commissioner of natural resources  
41.18 for the acceleration of agency programs  
41.19 and cooperative agreements. Of this  
41.20 appropriation, \$150,000 the first year  
41.21 and \$150,000 the second year are to the  
41.22 commissioner of natural resources for  
41.23 agency programs and \$3,175,000 is for the  
41.24 agreements as follows: \$100,000 the first  
41.25 year and \$100,000 the second year with  
41.26 Friends of the Mississippi River; \$517,000  
41.27 the first year and \$518,000 the second year  
41.28 with Dakota County; \$200,000 the first year  
41.29 and \$200,000 the second year with Great  
41.30 River Greening; \$220,000 the first year and  
41.31 \$220,000 the second year with Minnesota  
41.32 Land Trust; \$300,000 the first year and  
41.33 \$300,000 the second year with Minnesota  
41.34 Valley National Wildlife Refuge Trust, Inc.;

41.35 and \$250,000 the first year and \$250,000

42.1 the second year with The Trust for Public  
42.2 Land for planning, restoring, and protecting  
42.3 priority natural areas in the metropolitan area,  
42.4 as defined under Minnesota Statutes, section  
42.5 473.121, subdivision 2, and portions of the  
42.6 surrounding counties, through contracted  
42.7 services, technical assistance, conservation  
42.8 easements, and fee title acquisition. Land  
42.9 acquired with this appropriation must  
42.10 be sufficiently improved to meet at least  
42.11 minimum management standards, as  
42.12 determined by the commissioner of natural  
42.13 resources. Expenditures are limited to the  
42.14 identified project corridor areas as defined  
42.15 in the work program. This appropriation  
42.16 may not be used for the purchase of  
42.17 habitable residential structures, unless  
42.18 expressly approved in the work program. All  
42.19 conservation easements must be perpetual  
42.20 and have a natural resource management  
42.21 plan. Any land acquired in fee title by the  
42.22 commissioner of natural resources with  
42.23 money from this appropriation must be  
42.24 designated as an outdoor recreation unit  
42.25 under Minnesota Statutes, section 86A.07.  
42.26 The commissioner may similarly designate  
42.27 any lands acquired in less than fee title. A  
42.28 list of proposed restorations and fee title  
42.29 and easement acquisitions must be provided  
42.30 as part of the required work program. An  
42.31 entity that acquires a conservation easement  
42.32 with appropriations from the trust fund  
42.33 must have a long-term stewardship plan  
42.34 for the easement and a fund established for  
42.35 monitoring and enforcing the agreement.  
42.36 Money appropriated from the trust fund for

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

43.11 **(j) Habitat Conservation Partnership**  
43.12 **(HCP) - Phase VII**

43.13 \$1,737,000 the first year and \$1,738,000  
43.14 the second year are from the trust fund  
43.15 to the commissioner of natural resources  
43.16 for the acceleration of agency programs  
43.17 and cooperative agreements. Of this  
43.18 appropriation, \$125,000 the first year  
43.19 and \$125,000 the second year are to the  
43.20 commissioner of natural resources for  
43.21 agency programs and \$3,225,000 is for  
43.22 agreements as follows: \$637,000 the first  
43.23 year and \$638,000 the second year with  
43.24 Ducks Unlimited, Inc.; \$38,000 the first year  
43.25 and \$37,000 the second year with Friends  
43.26 of Detroit Lakes Wetland Management  
43.27 District; \$25,000 the first year and \$25,000  
43.28 the second year with Leech Lake Band of  
43.29 Ojibwe; \$225,000 the first year and \$225,000  
43.30 the second year with Minnesota Land Trust;  
43.31 \$200,000 the first year and \$200,000 the  
43.32 second year with Minnesota Valley National  
43.33 Wildlife Refuge Trust, Inc.; \$242,000 the  
43.34 first year and \$243,000 the second year  
43.35 with Pheasants Forever, Inc.; and \$245,000  
43.36 the first year and \$245,000 the second year

44.1 with The Trust for Public Land to plan,  
44.2 restore, and acquire fragmented landscape  
44.3 corridors that connect areas of quality habitat  
44.4 to sustain fish, wildlife, and plants. The  
44.5 United States Department of Agriculture,  
44.6 Natural Resources Conservation Service,  
44.7 is an authorized cooperating partner in the  
44.8 appropriation. Expenditures are limited to  
44.9 the project corridor areas as defined in the  
44.10 work program. Land acquired with this  
44.11 appropriation must be sufficiently improved  
44.12 to meet at least minimum habitat and facility  
44.13 management standards, as determined by  
44.14 the commissioner of natural resources.  
44.15 This appropriation may not be used for the  
44.16 purchase of habitable residential structures,  
44.17 unless expressly approved in the work  
44.18 program. All conservation easements must  
44.19 be perpetual and have a natural resource  
44.20 management plan. Any land acquired in fee  
44.21 title by the commissioner of natural resources  
44.22 with money from this appropriation must  
44.23 be designated as an outdoor recreation unit  
44.24 under Minnesota Statutes, section 86A.07.  
44.25 The commissioner may similarly designate  
44.26 any lands acquired in less than fee title. A  
44.27 list of proposed restorations and fee title  
44.28 and easement acquisitions must be provided  
44.29 as part of the required work program. An  
44.30 entity who acquires a conservation easement  
44.31 with appropriations from the trust fund  
44.32 must have a long-term stewardship plan  
44.33 for the easement and a fund established for  
44.34 monitoring and enforcing the agreement.  
44.35 Money appropriated from the trust fund for  
44.36 easement acquisition may be used to establish

45.1 a monitoring, management, and enforcement  
45.2 fund as approved in the work program. An  
45.3 annual financial report is required for any  
45.4 monitoring, management, and enforcement  
45.5 fund established, including expenditures  
45.6 from the fund. This appropriation is available  
45.7 until June 30, 2014, by which time the  
45.8 project must be completed and final products  
45.9 delivered.

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

45.11 **Grants**

45.12 \$500,000 the first year and \$500,000 the  
45.13 second year are from the trust fund to the  
45.14 commissioner of natural resources to provide  
45.15 matching grants to local governments for  
45.16 acquisition of natural and scenic areas, as  
45.17 provided in Minnesota Statutes, section  
45.18 85.019, subdivision 4a. This appropriation  
45.19 is available until June 30, 2014, by which  
45.20 time the project must be completed and final  
45.21 products delivered.

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

45.23 **Assistance**

45.24 \$313,000 the first year and \$312,000 the  
45.25 second year are from the trust fund to the  
45.26 Board of Water and Soil Resources to provide  
45.27 grants to soil and water conservation districts  
45.28 to provide technical assistance to secure  
45.29 enrollment and retention of private lands in  
45.30 federal and state programs for conservation.

45.31 **(m) Conservation Easement Stewardship**

45.32 **and Enforcement Program - Phase II**

45.33 \$250,000 the first year and \$250,000 the  
45.34 second year are from the trust fund to  
45.35 the commissioner of natural resources to

46.1 accelerate the implementation of the Phase  
46.2 I Conservation Easement Stewardship Plan  
46.3 being developed with an appropriation  
46.4 from Laws 2008, chapter 367, section 2,  
46.5 subdivision 5, paragraph (h).

46.6 **(n) Recovery of At-Risk Native Prairie**  
46.7 **Species**

46.8 \$73,000 the first year and \$74,000 the second  
46.9 year are from the trust fund to the Board of  
46.10 Water and Soil Resources for an agreement  
46.11 with the Martin County Soil and Water  
46.12 Conservation District to collect, propagate,  
46.13 and plant declining, at-risk native species  
46.14 on protected habitat and to enhance private  
46.15 market sources for local ecotype native seed.  
46.16 This appropriation is available until June  
46.17 30, 2014, by which time the project must be  
46.18 completed and final products delivered.

46.19 **(o) Understanding Threats, Genetic**  
46.20 **Diversity, and Conservation Options for**  
46.21 **Wild Rice**

46.22 \$97,000 the first year and \$98,000 the second  
46.23 year are from the trust fund to the Board  
46.24 of Regents of the University of Minnesota  
46.25 to research the genetic diversity of wild  
46.26 rice population throughout Minnesota for  
46.27 use in related conservation and restoration  
46.28 efforts. This appropriation is contingent upon  
46.29 demonstration of review and cooperation  
46.30 with the Native American tribal nations  
46.31 in Minnesota. Equipment purchased with  
46.32 this appropriation must be available for  
46.33 future publicly funded projects at no charge  
46.34 except for typical operating expenses. This  
46.35 appropriation is available until June 30,

47.1 2014, by which time the project must be  
47.2 completed and final products delivered.

47.3 **(p) Southeast Minnesota Stream**  
47.4 **Restoration**

47.5 \$125,000 the first year and \$125,000 the  
47.6 second year are from the trust fund to the  
47.7 commissioner of natural resources for an  
47.8 agreement with Trout Unlimited to restore at  
47.9 least four miles of riparian corridor for trout  
47.10 and nongame species in southeast Minnesota  
47.11 and increase local capacities to implement  
47.12 stream restoration through training and  
47.13 technical assistance. This appropriation is  
47.14 available until June 30, 2014, by which time  
47.15 the project must be completed and final  
47.16 products delivered.

47.17 **(q) Restoration Strategies for Ditched**  
47.18 **Peatland Scientific and Natural Areas**

47.19 \$100,000 the first year and \$100,000 the  
47.20 second year are from the trust fund to the  
47.21 commissioner of natural resources to evaluate  
47.22 the hydrology and habitat of the Winter Road  
47.23 Lake peatland watershed protection area to  
47.24 determine the effects of ditch abandonment  
47.25 and examine the potential for restoration  
47.26 of patterned peatlands. This appropriation  
47.27 is available until June 30, 2014, by which  
47.28 time the project must be completed and final  
47.29 products delivered.

47.30 **(r) Northeast Minnesota White Cedar**  
47.31 **Plant Community Restoration**

47.32 \$125,000 for the first year and \$125,000  
47.33 the second year are from the trust fund to  
47.34 the Board of Water and Soil Resources to  
47.35 assess the decline of northern white cedar

48.1 plant communities in northeast Minnesota,  
48.2 prioritize cedar sites for restoration, and  
48.3 provide cedar restoration training to local  
48.4 units of government.

48.5 **(s) Land and Water Conservation Account**  
48.6 **(LAWCON) Federal Reimbursement**

48.7 \$750,000 is from the state land and water  
48.8 conservation account (LAWCON) in the  
48.9 natural resources fund to the commissioner of  
48.10 natural resources for priorities established by  
48.11 the commissioner for eligible state projects  
48.12 and administrative and planning activities  
48.13 consistent with Minnesota Statutes, section  
48.14 116P.14, and the federal Land and Water  
48.15 Conservation Fund Act. This appropriation  
48.16 is available until June 30, 2014, by which  
48.17 time the project must be completed and final  
48.18 products delivered.

48.19 Sec. 2. Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 9,  
48.20 is amended to read:

48.21			<u>4,213,000</u>
48.22	Subd. 9. <b>Emerging Issues</b>	4,522,000	<u>3,213,000</u>

48.23 **(a) Minnesota Conservation Apprentice**  
48.24 **Academy**

48.25 \$100,000 the first year and \$100,000 the  
48.26 second year are from the trust fund to  
48.27 the Board of Water and Soil Resources  
48.28 in cooperation with Conservation Corps  
48.29 Minnesota to train and mentor future  
48.30 conservation professionals by providing  
48.31 apprenticeship service opportunities to  
48.32 soil and water conservation districts. This  
48.33 appropriation is available until June 30,

49.1 2014, by which time the project must be  
49.2 completed and the final products delivered.

49.3 **(b) Chronic Wasting Disease and Animal**  
49.4 **Health**

49.5 \$600,000 the first year and \$600,000 the  
49.6 second year are from the trust fund to the  
49.7 commissioner of natural resources to address  
49.8 chronic wasting disease and accelerate  
49.9 wildlife health programs, including activities  
49.10 directly related to and necessary for this  
49.11 appropriation.

49.12 **(c) Aquatic Invasive Species**

49.13 \$2,177,000 the first year and ~~\$3,513,000~~  
49.14 \$2,513,000 the second year are from the  
49.15 trust fund to the commissioner of natural  
49.16 resources to accelerate aquatic invasive  
49.17 species programs, including the development  
49.18 and implementation of best management  
49.19 practices for public water access facilities  
49.20 to implement aquatic invasive species  
49.21 prevention strategies, including activities  
49.22 directly related to and necessary for this  
49.23 appropriation. \$50,000 is for a grant  
49.24 to develop and produce a documentary  
49.25 identifying the challenges presented by  
49.26 aquatic invasive species. The documentary  
49.27 shall be available to the Department of  
49.28 Natural Resources to distribute to watercraft  
49.29 license purchasers and the general public  
49.30 through online and other media.

49.31 **(d) Reinvest in Minnesota Wetlands**  
49.32 **Reserve Acquisition and Restoration**  
49.33 **Program Partnership**

49.34 \$1,645,000 the first year is to the Board  
49.35 of Water and Soil Resources to acquire

50.1 permanent conservation easements and  
50.2 restore wetlands and associated upland  
50.3 habitat in cooperation with the United States  
50.4 Department of Agriculture Wetlands Reserve  
50.5 Program. A list of proposed land acquisitions  
50.6 must be provided as part of the required work  
50.7 program.

50.8 **(e) Limitation**

50.9 Appropriations in paragraphs (b) and (c) are  
50.10 not subject to Minnesota Statutes, sections  
50.11 116P.05, subdivision 2, paragraph (b), and  
50.12 116P.09, subdivision 4.

50.13 Sec. 3. **AQUATIC INVASIVE SPECIES COOPERATIVE RESEARCH**  
50.14 **CENTER; APPROPRIATION.**

50.15 \$2,000,000 is appropriated in fiscal year 2013 from the environment and natural  
50.16 resources trust fund to the Board of Regents of the University of Minnesota to develop  
50.17 and implement an Aquatic Invasive Species Cooperative Research Center, including  
50.18 equipment and facility development. As a condition of receiving this appropriation, the  
50.19 University of Minnesota is requested to collaborate with the commissioner of natural  
50.20 resources in developing solutions to control aquatic invasive species. Money appropriated  
50.21 in this section may not be spent on activities unless they are directly related to and  
50.22 necessary for the purposes of this section. Money appropriated in this section must not be  
50.23 spent on indirect costs or other institutional overhead charges that are not directly related  
50.24 to and necessary for the purposes of this section. This is a onetime appropriation and  
50.25 is available until June 30, 2018.

50.26 **ARTICLE 5**

50.27 **ARTS AND CULTURAL HERITAGE FUND**

50.28 Section 1. Minnesota Statutes 2010, section 16B.98, subdivision 5, is amended to read:

50.29 Subd. 5. **Creation and validity of grant agreements.** (a) A grant agreement is  
50.30 not valid and the state is not bound by the grant unless:

50.31 (1) the grant has been executed by the head of the agency or a delegate who is  
50.32 party to the grant; ~~and~~

51.1 (2) the accounting system shows an encumbrance for the amount of the grant in  
51.2 accordance with policy approved by the commissioner; and

51.3 (3) the grant agreement includes an effective date that references either section  
51.4 16C.05, subdivision 2, or 16B.98, subdivisions 5 and 7, as determined by the granting  
51.5 agency.

51.6 (b) The combined grant agreement and amendments must not exceed five years  
51.7 without specific, written approval by the commissioner according to established policy,  
51.8 procedures, and standards, or unless the commissioner determines that a longer duration is  
51.9 in the best interest of the state.

51.10 (c) A fully executed copy of the grant agreement with all amendments and other  
51.11 required records relating to the grant must be kept on file at the granting agency for a time  
51.12 equal to that required of grantees in subdivision 8.

51.13 (d) Grant agreements must comply with policies established by the commissioner  
51.14 for minimum grant agreement standards and practices.

51.15 (e) The attorney general may periodically review and evaluate a sample of state  
51.16 agency grants to ensure compliance with applicable laws.

51.17 Sec. 2. Minnesota Statutes 2010, section 16B.98, subdivision 7, is amended to read:

51.18 Subd. 7. **Grant payments.** Payments to the grantee may not be issued until the  
51.19 grant agreement is fully executed. Encumbrances for grants issued by June 30 may be  
51.20 certified for a period of one year beyond the year in which the funds were originally  
51.21 appropriated as provided by section 16A.28, subdivision 6.

51.22 Sec. 3. Minnesota Statutes 2010, section 116U.26, is amended to read:

51.23 **116U.26 FILM PRODUCTION JOBS PROGRAM.**

51.24 (a) The film production jobs program is created. The program shall be operated  
51.25 by the Minnesota Film and TV Board with administrative oversight and control by the  
51.26 ~~director of Explore Minnesota Tourism~~ commissioner of administration. The program  
51.27 shall make payment to producers of feature films, national television or Internet programs,  
51.28 documentaries, music videos, and commercials that directly create new film jobs in  
51.29 Minnesota. To be eligible for a payment, a producer must submit documentation to the  
51.30 Minnesota Film and TV Board of expenditures for production costs incurred in Minnesota  
51.31 that are directly attributable to the production in Minnesota of a film product.

51.32 The Minnesota Film and TV Board shall make recommendations to the ~~director of~~  
51.33 ~~Explore Minnesota Tourism~~ commissioner of administration about program payment, but  
51.34 the ~~director~~ commissioner has the authority to make the final determination on payments.

**S.F. No. 2493, 1st Engrossment - 87th Legislative Session (2011-2012) [S2493-1]**

52.1 The ~~director's~~ commissioner's determination must be based on proper documentation of  
52.2 eligible production costs submitted for payments. No more than five percent of the funds  
52.3 appropriated for the program in any year may be expended for administration.

52.4 (b) For the purposes of this section:

52.5 (1) "production costs" means the cost of the following:

52.6 (i) a story and scenario to be used for a film;

52.7 (ii) salaries of talent, management, and labor, including payments to personal  
52.8 services corporations for the services of a performing artist;

52.9 (iii) set construction and operations, wardrobe, accessories, and related services;

52.10 (iv) photography, sound synchronization, lighting, and related services;

52.11 (v) editing and related services;

52.12 (vi) rental of facilities and equipment; or

52.13 (vii) other direct costs of producing the film in accordance with generally accepted  
52.14 entertainment industry practice; and

52.15 (2) "film" means a feature film, television or Internet show, documentary, music  
52.16 video, or television commercial, whether on film, video, or digital media. Film does not  
52.17 include news, current events, public programming, or a program that includes weather  
52.18 or market reports; a talk show; a production with respect to a questionnaire or contest; a  
52.19 sports event or sports activity; a gala presentation or awards show; a finished production  
52.20 that solicits funds; or a production for which the production company is required under  
52.21 United States Code, title 18, section 2257, to maintain records with respect to a performer  
52.22 portrayed in a single-media or multimedia program.

52.23 (c) Notwithstanding any other law to the contrary, the Minnesota Film and TV Board  
52.24 may make reimbursements of: (1) up to 20 percent of film production costs for films that  
52.25 locate production outside the metropolitan area, as defined in section 473.121, subdivision  
52.26 2, or that incur production costs in excess of \$5,000,000 in the metropolitan area within  
52.27 a 12-month period; or (2) up to 15 percent of film production costs for films that incur  
52.28 production costs of \$5,000,000 or less in the metropolitan area within a 12-month period.

52.29 Sec. 4. Laws 2011, First Special Session chapter 6, article 4, section 2, subdivision 5,  
52.30 is amended to read:

52.31			<del>12,050,000</del>
52.32	Subd. 5. <b>Minnesota Historical Society</b>	12,050,000	<u>12,950,000</u>

52.33 These amounts are appropriated to the  
52.34 governing board of the Minnesota Historical  
52.35 Society to preserve and enhance access to

53.1 Minnesota's history and its cultural and  
53.2 historical resources. Grant agreements  
53.3 entered into by the Minnesota Historical  
53.4 Society and other recipients of appropriations  
53.5 in this subdivision shall ensure that  
53.6 these funds are used to supplement and  
53.7 not substitute for traditional sources of  
53.8 funding. Funds directly appropriated to the  
53.9 Minnesota Historical Society shall be used to  
53.10 supplement, and not substitute for, traditional  
53.11 sources of funding. Notwithstanding  
53.12 Minnesota Statutes, section 16A.28, for  
53.13 historic preservation projects that improve  
53.14 historic structures, the amounts are available  
53.15 until June 30, 2015.

53.16 **Statewide Historic and Cultural Grants.**  
53.17 \$5,250,000 the first year and ~~\$5,250,000~~  
53.18 \$5,450,000 the second year are for history  
53.19 programs and projects operated or conducted  
53.20 by or through local, county, regional, or  
53.21 other historical or cultural organizations; or  
53.22 for activities to preserve significant historic  
53.23 and cultural resources. Funds are to be  
53.24 distributed through a competitive grants  
53.25 process. The Minnesota Historical Society  
53.26 shall administer these funds using established  
53.27 grants mechanisms, with assistance from  
53.28 the advisory committee created under Laws  
53.29 2009, chapter 172, article 4, section 2,  
53.30 subdivision 4, paragraph (b), item (ii).

53.31 **Programs.** \$4,800,000 the first year and  
53.32 ~~\$4,800,000~~ \$5,200,000 the second year are  
53.33 for programs and purposes related to the  
53.34 historical and cultural heritage of the state  
53.35 of Minnesota, conducted by the Minnesota  
53.36 Historical Society.

54.1 **History Partnerships.** \$1,500,000 the first  
54.2 year and ~~\$1,500,000~~ \$1,700,000 the second  
54.3 year are for partnerships involving multiple  
54.4 organizations, which may include the  
54.5 Minnesota Historical Society, to preserve and  
54.6 enhance access to Minnesota's history and  
54.7 cultural heritage in all regions of the state.

54.8 **Statewide Survey of Historical and**  
54.9 **Archaeological Sites.** \$250,000 the first  
54.10 year and \$250,000 the second year are  
54.11 for a contract or contracts to be let on a  
54.12 competitive basis to conduct statewide  
54.13 surveys of Minnesota's sites of historical,  
54.14 archaeological, and cultural significance.  
54.15 Results of this survey must be published in  
54.16 a searchable form, available to the public on  
54.17 a cost-free basis. The Minnesota Historical  
54.18 Society, the Office of the State Archaeologist,  
54.19 and the Indian Affairs Council shall each  
54.20 appoint a representative to an oversight  
54.21 board to select contractors and direct the  
54.22 conduct of these surveys. The oversight  
54.23 board shall consult with the Departments of  
54.24 Transportation and Natural Resources.

54.25 **Digital Library.** \$250,000 the first year and  
54.26 \$250,000 the second year are for a digital  
54.27 library project to preserve, digitize, and share  
54.28 Minnesota images, documents, and historical  
54.29 materials. The Minnesota Historical Society  
54.30 shall cooperate with the Minitex interlibrary  
54.31 loan system and shall jointly share this  
54.32 appropriation for these purposes.

54.33 **Commemoration Activities.** \$100,000  
54.34 the second year is for activities that  
54.35 commemorate the sesquicentennial of

55.1 the American Civil War and the Dakota  
55.2 Conflict, as recommended by the Civil War  
55.3 Commemoration Task Force established in  
55.4 Executive Order 11-15 (2011).

55.5 **Sec. 5. COMMEMORATION PROGRAMMING; APPROPRIATION.**

55.6 \$80,000 is appropriated in fiscal year 2013 from the arts and cultural heritage fund  
55.7 to the commissioner of administration for grants to public broadcasting organizations to  
55.8 develop programming that commemorates the sesquicentennial. Of this appropriation,  
55.9 \$50,000 is for grants to the Minnesota Public Television Association and \$30,000 is for  
55.10 public radio grants.

55.11 **Sec. 6. FILM PRODUCTION INCENTIVE PROGRAM; APPROPRIATION.**

55.12 \$600,000 is appropriated in fiscal year 2013 from the arts and cultural heritage fund  
55.13 to the commissioner of administration for a grant to the Minnesota Film and TV Board  
55.14 for a new competitive film production incentive program. The Minnesota Film and TV  
55.15 Board in consultation with Independent Feature Project/Minnesota shall reimburse film  
55.16 producers for eligible production costs incurred to produce a film or documentary in  
55.17 Minnesota. Eligible production costs are expenditures incurred in Minnesota that are  
55.18 directly attributable to the production of a film or documentary in Minnesota. Eligible  
55.19 production costs include talent, management, labor, set construction and operation,  
55.20 wardrobe, sound synchronization, lighting, editing, rental facilities and equipment, and  
55.21 other direct costs of producing a film or documentary in accordance with generally  
55.22 accepted entertainment industry practices. A producer must agree, to the greatest extent  
55.23 possible, to procure all eligible production inputs in Minnesota. A producer must submit  
55.24 proper documentation of eligible production costs incurred. The commissioner of  
55.25 administration may use up to one percent of this appropriation for grant administration.

55.26 **Sec. 7. HISTORICAL RULEMAKING WEB SITE; APPROPRIATION.**

55.27 \$35,000 is appropriated in fiscal year 2013 from the arts and cultural heritage fund to  
55.28 the revisor of statutes to design and implement a Web site to provide the public searchable  
55.29 access to historical documents relating to state agency rulemaking. It is anticipated that  
55.30 the revisor of statutes will match this appropriation from carryforward funds and that the  
55.31 revisor will use the carryforward funds to design and implement a Web site that will  
55.32 provide the public searchable access to future state agency rulemaking documents.

56.1 Sec. 8. **LEGACY FUNDING REQUIREMENTS APPLY.**

56.2 All appropriations in this article are onetime and are subject to the requirements  
56.3 and availability provisions provided under Laws 2011, First Special Session chapter 6,  
56.4 articles 4 and 5. Each direct recipient of money appropriated in this article, as well as each  
56.5 recipient of a grant awarded pursuant to this article, must satisfy all reporting and other  
56.6 requirements incumbent upon legacy funding recipients as provided in Laws 2011, First  
56.7 Special Session chapter 6, articles 4 and 5.

56.8 **ARTICLE 6**

56.9 **GENERAL**

56.10 Section 1. Minnesota Statutes 2011 Supplement, section 3.303, subdivision 10, is  
56.11 amended to read:

56.12 Subd. 10. **Constitutionally dedicated funding accountability.** (a) The Legislative  
56.13 Coordinating Commission shall develop and maintain a user-friendly, public-oriented  
56.14 Web site that informs, educates, and demonstrates to the public how the constitutionally  
56.15 dedicated funds in the arts and cultural heritage fund, outdoor heritage fund, clean water  
56.16 fund, parks and trails fund, and environment and natural resources trust fund are being  
56.17 expended to meet the requirements established for each fund in the state constitution.

56.18 Information provided on the Web site must include, but is not limited to:

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

56.21 (2) information on all projects receiving funding, including:

56.22 (i) the name of the project and a project description;

56.23 (ii) the name, telephone number, members of the board or equivalent governing  
56.24 body, and e-mail address of the funding recipient and, when applicable, the Web site  
56.25 address where the public can directly access detailed information on the recipient's receipt  
56.26 and use of money for the project;

56.27 (iii) the amount and source of funding, including the fiscal year of the appropriation;

56.28 (iv) the amount and source of any additional funding or leverage;

56.29 (v) the duration of the project;

56.30 (vi) the number of full-time equivalents funded under the project. For the purposes  
56.31 of this item, "full-time equivalent" means a position directly attributed to the receipt of  
56.32 money from one or more of the funds covered under this section, calculated as the total  
56.33 number of hours planned for the position divided by 2,088;

56.34 (vii) the direct expenses and administration costs of the project;

57.1 (viii) proposed measurable outcomes and the plan for measuring and evaluating  
57.2 the results;

57.3 (ix) for pass-through, noncompetitive grants, the entity acting as the fiscal agent or  
57.4 administering agency and a point of contact for additional information; and

57.5 (x) for competitive grants, the name and a brief description of the qualifications of  
57.6 all board members or members of an equivalent governing body ultimately responsible  
57.7 for awarding the grants, as well as any grant-making advisory group. In addition, an  
57.8 entity that awards competitive grants, including but not limited to a state agency or any  
57.9 statewide, regional, or local organization, must report whether an employee, decision  
57.10 maker, advisory group member, or other person involved in the grant process disclosed  
57.11 a conflict of interest or potential conflict of interest. If the entity reports that a conflict  
57.12 of interest or potential conflict of interest was disclosed, the entity must provide the  
57.13 Legislative Coordinating Commission with a contact person for additional information and  
57.14 the Legislative Coordinating Commission must post this information on the Web site. An  
57.15 entity that awards competitive grants must obtain and apply the conflict of interest policies  
57.16 developed by the commissioner of administration under section 16B.98, subdivision 3,  
57.17 unless the entity maintains and applies its own documented conflict of interest policies  
57.18 which are substantially similar to the commissioner of administration's policies;

57.19 (3) actual measured outcomes and evaluation of projects as required under sections  
57.20 85.53, subdivision 2; 114D.50, subdivision 4; and 129D.17, subdivision 2;

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

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

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

57.26 Information that could be used to identify, contact, or locate an individual minor  
57.27 shall be withheld from the information required for the Web site.

57.28 (b) As soon as practicable or by January 15 of the applicable fiscal year, whichever  
57.29 comes first, a state agency or other recipient of a direct appropriation from a fund covered  
57.30 under this section shall submit the information required under paragraph (a) and, when  
57.31 applicable, compile and submit the same information for any grant recipient or other  
57.32 subrecipient of funding. All information for proposed and funded projects, including  
57.33 the proposed measurable outcomes, must be made available on the Web site as soon  
57.34 as practicable. Information on the measured outcomes and evaluation must be posted  
57.35 as soon as it becomes available. The costs of these activities shall be paid out of the  
57.36 arts and cultural heritage fund, outdoor heritage fund, clean water fund, parks and

58.1 trails fund, and the environment and natural resources trust fund proportionately. For  
58.2 purposes of this section, "measurable outcomes" means outcomes, indicators, or other  
58.3 performance measures that may be quantified or otherwise measured in order to measure  
58.4 the effectiveness of a project or program in meeting its intended goal or purpose.

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

APPENDIX  
Article locations in S2493-1

ARTICLE 1	OUTDOOR HERITAGE FUND .....	Page.Ln 1.17
ARTICLE 2	CLEAN WATER FUND .....	Page.Ln 24.9
ARTICLE 3	PARKS AND TRAILS FUND .....	Page.Ln 35.20
ARTICLE 4	ENVIRONMENT AND NATURAL RESOURCE TRUST FUND .....	Page.Ln 36.29
ARTICLE 5	ARTS AND CULTURAL HERITAGE FUND .....	Page.Ln 50.26
ARTICLE 6	GENERAL .....	Page.Ln 56.8