

STATE OF MINNESOTA

EIGHTY-NINTH SESSION — 2016

 ONE HUNDRED FIFTH DAY

SAINT PAUL, MINNESOTA, SATURDAY, MAY 21, 2016

The House of Representatives convened at 11:00 a.m. and was called to order by Tim Sanders, Speaker pro tempore.

Prayer was offered by the Reverend Kevin Schill, Grace United Methodist Church, Burnsville, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Albright	Dean, M.	Hausman	Lillie	Newton	Scott
Anderson, C.	Dehn, R.	Heintzeman	Loeffler	Nornes	Selcer
Anderson, M.	Dettmer	Hertaus	Lohmer	Norton	Simonson
Anderson, P.	Drazkowski	Hilstrom	Loon	O'Driscoll	Slocum
Anderson, S.	Ecklund	Hoppe	Loonan	O'Neill	Smith
Anzelc	Erhardt	Hornstein	Lucero	Pelowski	Sundin
Applebaum	Erickson	Hortman	Lueck	Peppin	Swedzinski
Atkins	Fabian	Howe	Mack	Persell	Theis
Backer	Fenton	Isaacson	Mahoney	Petersburg	Thissen
Baker	Fischer	Johnson, B.	Marquart	Peterson	Torkelson
Barrett	Flanagan	Johnson, C.	Masin	Pierson	Uglen
Bennett	Franson	Johnson, S.	McDonald	Pinto	Urdahl
Bernardy	Freiberg	Kahn	McNamara	Poppe	Vogel
Bly	Garofalo	Kelly	Metsa	Pugh	Wagenius
Carlson	Green	Kiel	Miller	Quam	Ward
Christensen	Gruenhagen	Knobloch	Moran	Rarick	Whelan
Clark	Gunther	Koznick	Mullery	Rosenthal	Wills
Considine	Hackbarth	Kresha	Murphy, E.	Runbeck	Yarusso
Cornish	Halverson	Laine	Murphy, M.	Sanders	Youakim
Daniels	Hamilton	Lesch	Nash	Schoen	Zerwas
Davids	Hancock	Liebling	Nelson	Schomacker	Spk. Daudt
Davnie	Hansen	Lien	Newberger	Schultz	

A quorum was present.

Mariani and Melin were excused.

Allen was excused until 7:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

May 19, 2016

The Honorable Kurt Daudt
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Daudt:

Please be advised that I have received, approved, signed, and deposited in the Office of the Secretary of State the following House Files:

H. F. No. 3175, relating to public safety; requiring criminal history background checks for driving instructor license applicants.

H. F. No. 3014, relating to motor vehicles; establishing regulations for motorcycles.

H. F. No. 1066, relating to telecommunications; providing for competitive market regulation for certain local exchange carriers; providing for informal review and resolution of disputes; prohibiting certain call routing practices; providing for registration of wholesale transport providers.

H. F. No. 3423, relating to public safety; providing for an advisory group on statewide criminal and juvenile justice information policy and funding issues.

H. F. No. 2445, relating to health; modifying licensure requirement for osteopathic physicians; making technical changes to the composition of the Board of Medical Practice.

H. F. No. 2803, relating to civil commitment; prohibiting participation in clinical drug trials by persons subject to emergency admission or apprehend and hold orders; specifying notice requirements for early termination of an emergency admission.

H. F. No. 3482, relating to criminal justice; extending the statute of limitations for certain identity theft crimes.

H. F. No. 1036, relating to health care; modifying provisions related to physician assistants, midwives, and nurses; modifying provisions related to license suspension and contested case hearings.

H. F. No. 1333, relating to civil law; allowing for modification of spousal maintenance based on the cohabitation of the obligee.

Sincerely,

MARK DAYTON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2016 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

<i>S. F. No.</i>	<i>H. F. No.</i>	<i>Session Laws Chapter No.</i>	<i>Time and Date Approved 2016</i>	<i>Date Filed 2016</i>
	3175	113	10:49 a.m. May 19	May 19
	3014	114	10:50 a.m. May 19	May 19
	1066	115	10:51 a.m. May 19	May 19
	3423	116	10:52 a.m. May 19	May 19
2315		117	10:53 a.m. May 19	May 19
3262		118	10:53 a.m. May 19	May 19
	2445	119	10:54 a.m. May 19	May 19
	2803	120	10:55 a.m. May 19	May 19
	3482	121	10:55 a.m. May 19	May 19
2548		122	10:55 a.m. May 19	May 19
3317		123	10:57 a.m. May 19	May 19
1425		124	10:57 a.m. May 19	May 19
	1036	125	10:58 a.m. May 19	May 19
2713		126	10:59 a.m. May 19	May 19
2802		127	11:00 a.m. May 19	May 19
2733		128	11:00 a.m. May 19	May 19
2709		129	11:01 a.m. May 19	May 19
1372		130	11:02 a.m. May 19	May 19
1075		131	11:02 a.m. May 19	May 19
	1333	132	11:04 a.m. May 19	May 19
1898		133	11:04 a.m. May 19	May 19
3175		134	11:05 a.m. May 19	May 19

Sincerely,

STEVE SIMON
Secretary of State

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Franson and Gunther introduced:

H. F. No. 4022, A bill for an act relating to natural resources; permitting persons 11 years old to receive firearms safety certificates valid for hunting; amending Minnesota Statutes 2014, section 97B.015, subdivision 5.

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy.

Dettmer introduced:

H. F. No. 4023, A bill for an act relating to veterans; designating July 16 as Atomic Veterans Day; proposing coding for new law in Minnesota Statutes, chapter 10.

The bill was read for the first time and referred to the Veterans Affairs Division.

Schultz, Metsa, Freiberg, Considine and Loeffler introduced:

H. F. No. 4024, A bill for an act relating to health; appropriating money to the commissioner of health for vector-borne disease preparedness and response activities.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Loeffler introduced:

H. F. No. 4025, A bill for an act relating to human services; authorizing the commissioner of human services to develop a plan to increase the minimum hourly pay for direct service staff; requiring a report.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Barrett, Norton, O'Neill, Gruenhagen, Baker, Fischer and Dettmer introduced:

H. F. No. 4026, A bill for an act relating to health; requiring continuing education training on prescribing opioid pain medication; proposing coding for new law in Minnesota Statutes, chapter 144.

The bill was read for the first time and referred to the Committee on Health and Human Services Reform.

Peppin moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Sanders.

Kelly was excused between the hours of 7:10 p.m. and 11:05 p.m.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 3548, A bill for an act relating to transportation; amending certain regulations and penalties governing special transportation service providers; setting requirements for nonemergency medical transportation providers related to background studies; amending Minnesota Statutes 2014, section 174.30, subdivisions 1, 4a, 8, by adding a subdivision; Minnesota Statutes 2015 Supplement, sections 174.30, subdivisions 4, 10; 256B.0625, subdivision 17.

JOANNE M. ZOFF, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 2841, A bill for an act relating to solid waste; providing for management of metropolitan landfill contingency action trust account; amending Minnesota Statutes 2014, section 473.845, subdivision 1.

JOANNE M. ZOFF, Secretary of the Senate

CONCURRENCE AND REPASSAGE

McNamara moved that the House concur in the Senate amendments to H. F. No. 2841 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 2841, A bill for an act relating to solid waste; modifying electronic waste management provisions; providing for management of metropolitan landfill contingency action trust account; amending Minnesota Statutes 2014, sections 115A.1310, subdivisions 6, 7, 20, by adding subdivisions; 115A.1312, subdivisions 2, 3, 4;

115A.1316; 115A.1318, subdivisions 1, 2, by adding a subdivision; 115A.1320; 115A.1323; 473.845, subdivision 1; Minnesota Statutes 2015 Supplement, section 115A.1314, subdivision 1; repealing Minnesota Statutes 2014, section 115A.1310, subdivision 16.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Hausman	Loeffler	Nornes	Selcer
Anderson, C.	Dehn, R.	Heintzeman	Lohmer	Norton	Simonson
Anderson, M.	Dettmer	Hertaus	Loon	O'Driscoll	Slocum
Anderson, P.	Drazkowski	Hilstrom	Loonan	O'Neill	Smith
Anderson, S.	Ecklund	Hoppe	Lucero	Pelowski	Sundin
Anzelc	Erhardt	Hornstein	Lueck	Peppin	Swedzinski
Applebaum	Erickson	Hortman	Mack	Persell	Theis
Atkins	Fabian	Howe	Mahoney	Petersburg	Thissen
Backer	Fenton	Isaacson	Marquart	Peterson	Torkelson
Baker	Fischer	Johnson, B.	Masin	Pierson	Uglen
Barrett	Flanagan	Johnson, C.	McDonald	Pinto	Urdahl
Bennett	Franson	Johnson, S.	McNamara	Poppe	Vogel
Bernardy	Freiberg	Kahn	Metsa	Pugh	Wagenius
Bly	Garofalo	Kiel	Miller	Quam	Ward
Carlson	Green	Knoblach	Moran	Rarick	Whelan
Christensen	Gruenhagen	Koznick	Mullery	Rosenthal	Wills
Clark	Gunther	Kresha	Murphy, E.	Runbeck	Yarusso
Considine	Hackbarth	Laine	Murphy, M.	Sanders	Youakim
Cornish	Halverson	Lesch	Nash	Schoen	Zerwas
Daniels	Hamilton	Liebling	Nelson	Schomacker	Spk. Daudt
Davids	Hancock	Lien	Newberger	Schultz	
Davnie	Hansen	Lillie	Newton	Scott	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 3308, A bill for an act relating to civil law; requiring the court to provide information on alternative dispute resolution to parties in family law cases; amending Minnesota Statutes 2014, section 518.168.

JOANNE M. ZOFF, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Pugh moved that the House concur in the Senate amendments to H. F. No. 3308 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 3308, A bill for an act relating to civil law; requiring the court to provide information on alternative dispute resolution to parties in family law cases; amending Minnesota Statutes 2014, section 518.168.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Hansen	Loeffler	Nornes	Selcer
Allen	Dean, M.	Hausman	Lohmer	Norton	Simonson
Anderson, C.	Dehn, R.	Heintzeman	Loon	O'Driscoll	Slocum
Anderson, M.	Dettmer	Hertaus	Loonan	O'Neill	Smith
Anderson, P.	Drazkowski	Hilstrom	Lucero	Pelowski	Sundin
Anderson, S.	Ecklund	Hoppe	Lueck	Peppin	Swedzinski
Anzelc	Erhardt	Hornstein	Mack	Persell	Theis
Applebaum	Erickson	Hortman	Mahoney	Petersburg	Thissen
Atkins	Fabian	Howe	Marquart	Peterson	Torkelson
Backer	Fenton	Isaacson	Masin	Pierson	Uglem
Baker	Fischer	Johnson, B.	McDonald	Pinto	Urdahl
Barrett	Flanagan	Johnson, C.	McNamara	Poppe	Vogel
Bennett	Franson	Johnson, S.	Metsa	Pugh	Wagenius
Bernardy	Freiberg	Kahn	Miller	Quam	Ward
Bly	Garofalo	Kiel	Moran	Rarick	Whelan
Carlson	Green	Knoblach	Mullery	Rosenthal	Wills
Christensen	Gruenhagen	Koznick	Murphy, E.	Runbeck	Yarusso
Clark	Gunther	Kresha	Murphy, M.	Sanders	Youakim
Considine	Hackbarth	Lesch	Nash	Schoen	Zerwas
Cornish	Halverson	Liebling	Nelson	Schomacker	Spk. Daudt
Daniels	Hamilton	Lien	Newberger	Schultz	
Davids	Hancock	Lillie	Newton	Scott	

The bill was repassed, as amended by the Senate, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 1111.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

JOANNE M. ZOFF, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. No. 1111

A bill for an act relating to transportation; requiring drivers to stop vehicles at the direction of a school bus flagger; providing that bus driver is not subject to seat belt fines arising out of violations by certain passengers; amending Minnesota Statutes 2014, sections 169.444, subdivisions 2, 7, by adding subdivisions; 169.686, subdivision 1.

May 19, 2016

The Honorable Sandra L. Pappas
President of the Senate

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 1111 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 1111 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2014, section 169.06, is amended by adding a subdivision to read:

Subd. 4b. **Obedience to school bus flagger.** (a) A person may stop and hold vehicles in place at a location on a street or highway having a speed limit of 35 miles per hour or less until it is safe for the vehicles to proceed, if the person:

(1) is designated by the school district's transportation safety director to act as a school bus flagger;

(2) controls traffic in order to enable one or more school buses to safely leave school property and enter the adjacent street or highway, or to safely enter school property from the adjacent street or highway; and

(3) meets the safety and equipment standards for an adult crossing guard provided in the manual and specifications adopted under subdivision 1.

(b) A person operating a motor vehicle that has been stopped by a school bus flagger may proceed after stopping only on instruction by the school bus flagger or a police officer.

(c) The authority under paragraph (a) does not apply in a school zone established under section 169.14, subdivision 5a, in which the speed limit of that street or highway outside the school zone is greater than 35 miles per hour.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to violations committed on or after that date.

Sec. 2. Minnesota Statutes 2014, section 169.686, subdivision 1, is amended to read:

Subdivision 1. **Seat belt requirement.** (a) Except as provided in section 169.685, a properly adjusted and fastened seat belt, including both the shoulder and lap belt when the vehicle is so equipped, shall be worn by the driver and passengers of a passenger vehicle, commercial motor vehicle, type III vehicle, and type III Head Start vehicle.

(b) A person who is 15 years of age or older and who violates paragraph (a) is subject to a fine of \$25. The driver of the vehicle in which a violation occurs is subject to a \$25 fine for each violation of paragraph (a) by the driver or by a passenger under the age of 15, but the court may not impose more than one surcharge under section 357.021, subdivision 6, on the driver. The Department of Public Safety shall not record a violation of this subdivision on a person's driving record.

(c) The driver of a bus is not subject to the fine under paragraph (b) for a violation of paragraph (a) by a passenger under the age of 15. This paragraph does not apply to (1) a school bus, including a type III vehicle; and (2) a Head Start bus, including a type III Head Start vehicle.

EFFECTIVE DATE. This section is effective the day following final enactment, and applies to violations committed on or after that date."

Delete the title and insert:

"A bill for an act relating to transportation; requiring drivers to stop vehicles at the direction of a school bus flagger; providing that bus driver is not subject to seat belt fines arising out of violations by certain passengers; amending Minnesota Statutes 2014, sections 169.06, by adding a subdivision; 169.686, subdivision 1."

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

Senate Conferees: LYLE KOENEN, TOM SAXHAUG and GARY H. DAHMS.

House Conferees: CHRIS SWEDZINSKI, MARK UGLEM and JOHN PERSELL.

Swedzinski moved that the report of the Conference Committee on S. F. No. 1111 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 1111, A bill for an act relating to transportation; requiring drivers to stop vehicles at the direction of a school bus flagger; providing that bus driver is not subject to seat belt fines arising out of violations by certain passengers; amending Minnesota Statutes 2014, sections 169.444, subdivisions 2, 7, by adding subdivisions; 169.686, subdivision 1.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Carlson	Fabian	Hausman	Koznick	Marquart
Allen	Christensen	Fenton	Heintzeman	Kresha	Masin
Anderson, C.	Clark	Fischer	Hertaus	Laine	McDonald
Anderson, M.	Considine	Flanagan	Hilstrom	Lesch	McNamara
Anderson, P.	Cornish	Franson	Hoppe	Liebling	Metsa
Anderson, S.	Daniels	Freiberg	Hornstein	Lien	Miller
Anzelc	Davids	Garofalo	Hortman	Lillie	Moran
Applebaum	Davnie	Green	Howe	Loeffler	Mullery
Atkins	Dean, M.	Gruenhagen	Isaacson	Lohmer	Murphy, E.
Backer	Dehn, R.	Gunther	Johnson, B.	Loon	Murphy, M.
Baker	Dettmer	Hackbarth	Johnson, C.	Loonan	Nash
Barrett	Drazkowski	Halverson	Johnson, S.	Lucero	Nelson
Bennett	Ecklund	Hamilton	Kahn	Lueck	Newberger
Bernardy	Erhardt	Hancock	Kiel	Mack	Newton
Bly	Erickson	Hansen	Knoblach	Mahoney	Nornes

Norton	Peterson	Rosenthal	Selcer	Thissen	Whelan
O'Driscoll	Pierson	Runbeck	Simonson	Torkelson	Wills
O'Neill	Pinto	Sanders	Slocum	Uglem	Yarusso
Pelowski	Poppe	Schoen	Smith	Urdahl	Youakim
Peppin	Pugh	Schomacker	Sundin	Vogel	Zerwas
Persell	Quam	Schultz	Swedzinski	Wagenius	Spk. Daudt
Petersburg	Rarick	Scott	Theis	Ward	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 3368.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

JOANNE M. ZOFF, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. No. 3368

A bill for an act relating to transportation; modifying permit requirements for temporary use of certain rights-of-way; amending Minnesota Statutes 2014, section 160.27, by adding subdivisions; Minnesota Statutes 2015 Supplement, section 160.27, subdivision 10.

May 20, 2016

The Honorable Sandra L. Pappas
President of the Senate

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 3368 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 3368 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2015 Supplement, section 160.27, subdivision 10, is amended to read:

Subd. 10. **Department of Transportation temporary permit for field application.** (a) In connection with the use of ~~the~~ road right-of-way ~~of a road authority~~ controlled by the commissioner, excluding on controlled-access highways under section 160.08, a property owner or occupant of property ~~abutting the road right-of-way~~ may apply for a permit for temporary placement, for up to 14 days, of a pressurized flexible force main ~~for the~~ to transport of manure for field application.

(b) The property owner or occupant must:

- (1) identify the entire length of the right-of-way for use under the permit;
- (2) place the force main within the backslope of the ~~road authority's~~ right-of-way where possible;
- (3) place pumping equipment outside the ~~road authority's~~ right-of-way; and
- (4) meet all of the permit requirements identified by the ~~road authority~~ commissioner.

(c) Once the ~~road authority~~ commissioner has issued a permit, the property owner or occupant may ~~install~~ place the force main over the length of the right-of-way from the permittee's property to where the manure will be applied, irrespective of whether the permittee is the owner or occupant of all property abutting the portion of the right-of-way where the force main is to be ~~installed~~ placed.

(d) The commissioner may restrict the number of force mains simultaneously located in the same right-of-way.

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

Sec. 2. Minnesota Statutes 2014, section 160.27, is amended by adding a subdivision to read:

Subd. 11. Local road authority temporary permit for certain field application. (a) A local road authority may, by ordinance, establish a permitting process to authorize the placement of pressurized flexible force main within right-of-way under the jurisdiction of the local road authority to transport manure for field application. A town board must be authorized to adopt the ordinance at an annual town meeting. A local road authority must not impose a fee or other charge for the permit. A permit issued under the ordinance is valid for one year or longer as specified by the local road authority.

(b) A local road authority that has adopted an ordinance providing for a permitting process must issue a permit to any property owner or occupant who applies for a permit if:

(1) the applicant submits a complete application at least five days prior to the day the applicant intends to place the force main within the identified right-of-way or a shorter time if approved by the road authority; and

(2) the requirements under subdivision 13 are met.

Sec. 3. Minnesota Statutes 2014, section 160.27, is amended by adding a subdivision to read:

Subd. 12. General authority for certain field application. When the local road authority has not adopted an ordinance establishing a permitting process under subdivision 11, an owner or occupant may place a pressurized flexible force main within right-of-way under the jurisdiction of the local road authority to transport manure for field application if:

(1) the local road authority has not notified the owner or occupant of scheduled road authority maintenance activities that would be unduly interfered with if the placement occurred during the maintenance activity; and

(2) the requirements under subdivision 13 are met.

Sec. 4. Minnesota Statutes 2014, section 160.27, is amended by adding a subdivision to read:

Subd. 13. **General regulations regarding certain field application.** The following requirements apply when a force main is placed in a road right-of-way under subdivision 11 or 12:

(1) the owner or occupant must provide, at least one business day prior to placement of the force main, written or electronic notice to the local road authority of the intent to place a force main within an identified right-of-way;

(2) unless specifically authorized, the force main must not be left in a right-of-way for more than 21 consecutive days;

(3) the owner or occupant must identify and notify the local road authority of the intended starting and end points, and the path of the intended placement;

(4) the owner or occupant must provide to the local road authority the intended starting and ending dates the force main will be placed in the right-of-way;

(5) unless otherwise instructed by the applicable local road authority, the owner or occupant must place the force main in the backslope of the right-of-way to the extent possible;

(6) unless specifically instructed otherwise, the owner or occupant must place all pumping equipment outside of the right-of-way;

(7) the identified right-of-way must not be a controlled-access highway under section 160.08;

(8) the owner or occupant must provide the local road authority (i) the owner or occupant's full name, address, and phone number where the owner or occupant can be reached during the time the force main is placed within the right-of-way, and (ii) any other contact information where the owner or occupant can be reached after the force main has been removed from the right-of-way;

(9) field application must be performed by the holder of a valid commercial animal waste technician applicator license under section 18C.430, including proof of financial responsibility;

(10) the force main placement must not unreasonably interfere with: (i) another landowner or occupant's access to the owner or occupant's property; (ii) the safe use of the right-of-way in which the force main is placed; (iii) the safe use of any driveway or private road that the force main crosses; or (iv) maintenance activities authorized by the local road authority;

(11) no prior notice under clause (1) or permit under subdivision 11 is required if the placement of the force main is necessary to prevent overflow of a manure lagoon or manure storage pond or to deal with emergency pumping activities created by flooding, natural disaster, or declared emergency. The owner or occupant must make a good faith effort to notify the local road authority of emergency placement and operation of a force main under this clause, and must remove the force main within three days following the end of the impending overflow, flood, natural disaster response, or declared emergency;

(12) the local road authority may remove or have removed, at the owner or occupant's expense, any force main remaining in a right-of-way beyond the number of days authorized under this section;

(13) the owner or occupant is responsible for restoring the right-of-way to the preplacement condition, including the immediate cleanup of any spillage or leakage of manure into the right-of-way; and

(14) a local road authority may, by ordinance, restrict the number of force mains simultaneously located in the same right-of-way.

Sec. 5. Minnesota Statutes 2014, section 160.27, is amended by adding a subdivision to read:

Subd. 14. **Damage or spills; liability and immunity.** (a) A commercial animal waste technician company licensed under section 18C.430 using a pressurized flexible force main for the transport of manure for field application under this section is liable for the costs of cleanup and repair for any spill or damage caused by a commercial animal waste technician applicator during the placement, use, or removal of the force main.

(b) Neither the commissioner nor any city, county, or town road authority is subject to any cause of action arising from the placement or operation of a pressurized flexible force main under this section.

APPLICATION. This section applies to causes of action arising after the effective date of this section.

Sec. 6. **EFFECTIVE DATE.**

This act is effective the day following final enactment."

Correct the title numbers accordingly

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

Senate Conferees: LYLE KOENEN, VICKI JENSEN and GARY H. DAHMS.

House Conferees: STEVE DRAZKOWSKI, DAN FABIAN and JERRY HERTAUS.

Drazkowski moved that the report of the Conference Committee on S. F. No. 3368 be adopted and that the bill be repassed as amended by the Conference Committee.

A roll call was requested and properly seconded.

The question was taken on the Drazkowski motion and the roll was called. There were 82 yeas and 48 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Heintzeman	Loonan	Pelowski	Smith
Anderson, C.	Drazkowski	Hertaus	Lucero	Peppin	Swedzinski
Anderson, M.	Erickson	Hoppe	Lueck	Persell	Theis
Anderson, P.	Fabian	Howe	Mack	Petersburg	Torkelson
Atkins	Fenton	Johnson, B.	Mahoney	Peterson	Uglem
Backer	Franson	Johnson, C.	McDonald	Pierson	Urdahl
Baker	Garofalo	Kiel	McNamara	Pugh	Vogel
Barrett	Green	Knoblach	Miller	Quam	Ward
Bennett	Gruenhagen	Koznick	Murphy, M.	Rarick	Whelan
Christensen	Gunther	Kresha	Nash	Runbeck	Wills
Cornish	Hackbarth	Lien	Newberger	Sanders	Zerwas
Daniels	Halverson	Lillie	Nornes	Schomacker	Spk. Daudt
Davids	Hamilton	Lohmer	O'Driscoll	Scott	
Dean, M.	Hancock	Loon	O'Neill	Simonson	

Those who voted in the negative were:

Allen	Davnie	Hausman	Lesch	Murphy, E.	Schultz
Anzelc	Dehn, R.	Hilstrom	Liebling	Nelson	Selcer
Applebaum	Ecklund	Hornstein	Loeffler	Newton	Slocum
Bernardy	Erhardt	Hortman	Marquart	Norton	Sundin
Bly	Fischer	Isaacson	Masin	Pinto	Thissen
Carlson	Flanagan	Johnson, S.	Metsa	Poppe	Wagenius
Clark	Freiberg	Kahn	Moran	Rosenthal	Yarusso
Considine	Hansen	Laine	Mullery	Schoen	Youakim

The motion prevailed.

Anderson, S., was excused between the hours of 7:30 p.m. and 11:05 p.m.

S. F. No. 3368, A bill for an act relating to transportation; modifying permit requirements for temporary use of certain rights-of-way; amending Minnesota Statutes 2014, section 160.27, by adding subdivisions; Minnesota Statutes 2015 Supplement, section 160.27, subdivision 10.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 100 yeas and 30 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Hertaus	Loon	O'Neill	Selcer
Allen	Drazkowski	Hilstrom	Loonan	Pelowski	Simonson
Anderson, C.	Erhardt	Hoppe	Lucero	Peppin	Smith
Anderson, M.	Erickson	Hortman	Lueck	Persell	Swedzinski
Anderson, P.	Fabian	Howe	Mack	Petersburg	Theis
Applebaum	Fenton	Johnson, B.	Mahoney	Peterson	Thissen
Atkins	Fischer	Johnson, C.	Marquart	Pierson	Torkelson
Backer	Franson	Kiel	McDonald	Poppe	Uglem
Baker	Garofalo	Knoblach	McNamara	Pugh	Urdahl
Barrett	Green	Koznick	Miller	Quam	Vogel
Bennett	Gruenhagen	Kresha	Moran	Rarick	Ward
Carlson	Gunther	Lesch	Murphy, M.	Rosenthal	Whelan
Christensen	Hackbarth	Liebling	Nash	Runbeck	Wills
Cornish	Halverson	Lien	Newberger	Sanders	Zerwas
Daniels	Hamilton	Lillie	Nornes	Schoen	Spk. Daudt
Davids	Hancock	Loeffler	Norton	Schomacker	
Dean, M.	Heintzeman	Lohmer	O'Driscoll	Scott	

Those who voted in the negative were:

Anzelc	Davnie	Hansen	Kahn	Murphy, E.	Slocum
Bernardy	Dehn, R.	Hausman	Laine	Nelson	Sundin
Bly	Ecklund	Hornstein	Masin	Newton	Wagenius
Clark	Flanagan	Isaacson	Metsa	Pinto	Yarusso
Considine	Freiberg	Johnson, S.	Mullery	Schultz	Youakim

The bill was repassed, as amended by Conference, and its title agreed to.

The following Conference Committee Reports were received:

CONFERENCE COMMITTEE REPORT ON H. F. No. 2553

A bill for an act relating to orders for protection; eliminating respondent filing fee requirements; amending Minnesota Statutes 2014, section 518B.01, subdivision 3a.

May 20, 2016

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

We, the undersigned conferees for H. F. No. 2553 report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

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

House Conferees: MARION O'NEILL, KATHY LOHMER and DEBRA HILSTROM.

Senate Conferees: RON LATZ, BEV SCALZE and SCOTT J. NEWMAN.

O'Neill moved that the report of the Conference Committee on H. F. No. 2553 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2553, A bill for an act relating to orders for protection; eliminating respondent filing fee requirements; amending Minnesota Statutes 2014, section 518B.01, subdivision 3a.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Barrett	Davids	Fenton	Halverson	Hortman
Allen	Bennett	Davnie	Fischer	Hamilton	Howe
Anderson, C.	Bernardy	Dean, M.	Flanagan	Hancock	Isaacson
Anderson, M.	Bly	Dehn, R.	Franson	Hansen	Johnson, B.
Anderson, P.	Carlson	Dettmer	Freiberg	Hausman	Johnson, C.
Anzelc	Christensen	Drazkowski	Garofalo	Heintzeman	Johnson, S.
Applebaum	Clark	Ecklund	Green	Hertaus	Kahn
Atkins	Considine	Erhardt	Gruenhagen	Hilstrom	Kiel
Backer	Cornish	Erickson	Gunther	Hoppe	Knoblach
Baker	Daniels	Fabian	Hackbarth	Hornstein	Koznick

Kresha	Mack	Nash	Peterson	Schultz	Urdahl
Laine	Mahoney	Nelson	Pierson	Scott	Vogel
Lesch	Marquart	Newberger	Pinto	Selcer	Wagenius
Liebling	Masin	Newton	Poppe	Simonson	Ward
Lien	McDonald	Nornes	Pugh	Slocum	Whelan
Lillie	McNamara	Norton	Quam	Smith	Wills
Loeffler	Metsa	O'Driscoll	Rarick	Sundin	Yarusso
Lohmer	Miller	O'Neill	Rosenthal	Swedzinski	Youakim
Loon	Moran	Pelowski	Runbeck	Theis	Zerwas
Loonan	Mullery	Peppin	Sanders	Thissen	Spk. Daudt
Lucero	Murphy, E.	Persell	Schoen	Torkelson	
Lueck	Murphy, M.	Petersburg	Schomacker	Uglen	

The bill was repassed, as amended by Conference, and its title agreed to.

CONFERENCE COMMITTEE REPORT ON H. F. No. 3469

A bill for an act relating to crime; modifying crime and increasing sentence of interfering with a body or scene of death; appropriating money; amending Minnesota Statutes 2014, section 609.502, subdivision 1, by adding subdivisions.

May 20, 2016

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

The Honorable Sandra L. Pappas
President of the Senate

We, the undersigned conferees for H. F. No. 3469 report that we have agreed upon the items in dispute and recommend as follows:

That the House concur in the Senate amendment and that H. F. No. 3469 be further amended as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2014, section 609.502, subdivision 1, is amended to read:

Subdivision 1. **Concealing evidence.** ~~Whoever~~ A person is guilty of a crime and may be sentenced under subdivision 1a if the person interferes with the body or scene of death with intent to:

(1) conceal the body;

(2) conceal evidence; or

(3) otherwise mislead the coroner or ~~conceal evidence is guilty of a gross misdemeanor~~ medical examiner.

EFFECTIVE DATE. This section is effective August 1, 2016, and applies to crimes committed on or after that date."

Page 2, after line 2, insert:

"Sec. 3. TITLE.

This act shall be known as "Laura's Law.""

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

House Conferees: PAUL ANDERSON, JEFF BACKER and DEBRA HILSTROM.

Senate Conferees: BILL INGEBRIGTSEN, TORREY N. WESTROM and RON LATZ.

Anderson, P., moved that the report of the Conference Committee on H. F. No. 3469 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 3469, A bill for an act relating to crime; modifying crime and increasing sentence of interfering with a body or scene of death; appropriating money; amending Minnesota Statutes 2014, section 609.502, subdivision 1, by adding subdivisions.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Dean, M.	Hausman	Loeffler	Nornes	Selcer
Allen	Dehn, R.	Heintzeman	Lohmer	Norton	Simonson
Anderson, C.	Dettmer	Hertaus	Loon	O'Driscoll	Slocum
Anderson, M.	Drazkowski	Hilstrom	Loonan	O'Neill	Smith
Anderson, P.	Ecklund	Hoppe	Lucero	Pelowski	Sundin
Anzelc	Erhardt	Hornstein	Lueck	Peppin	Swedzinski
Applebaum	Erickson	Hortman	Mack	Persell	Theis
Atkins	Fabian	Howe	Mahoney	Petersburg	Thissen
Backer	Fenton	Isaacson	Marquart	Peterson	Torkelson
Baker	Fischer	Johnson, B.	Masin	Pierson	Uglen
Barrett	Flanagan	Johnson, C.	McDonald	Pinto	Urdahl
Bennett	Franson	Johnson, S.	McNamara	Poppe	Vogel
Bernardy	Freiberg	Kahn	Metsa	Pugh	Wagenius
Bly	Garofalo	Kiel	Miller	Quam	Ward
Carlson	Green	Knoblach	Moran	Rarick	Whelan
Christensen	Gruenhagen	Koznick	Mullery	Rosenthal	Wills
Clark	Gunther	Kresha	Murphy, E.	Runbeck	Yarusso
Considine	Hackbarth	Laine	Murphy, M.	Sanders	Youakim
Cornish	Halverson	Lesch	Nash	Schoen	Zerwas
Daniels	Hamilton	Liebling	Nelson	Schomacker	Spk. Daudt
Davids	Hancock	Lien	Newberger	Schultz	
Davnie	Hansen	Lillie	Newton	Scott	

The bill was repassed, as amended by Conference, and its title agreed to.

CALENDAR FOR THE DAY

S. F. No. 3208 was reported to the House.

Franson moved to amend S. F. No. 3208, the second engrossment, as follows:

Page 2, line 16, delete the second "and"

Page 2, line 18, delete the period and insert "; and"

Page 2, after line 18, insert:

"(11) consider options for conducting exit interviews with providers who leave the child care field or choose not to be relicensed."

The motion prevailed and the amendment was adopted.

S. F. No. 3208, A bill for an act relating to human services; creating a legislative task force on child care; requiring a report to the legislature and the governor.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 126 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Hansen	Lien	Nelson	Schomacker
Allen	Dean, M.	Hausman	Lillie	Newberger	Schultz
Anderson, C.	Dehn, R.	Heintzeman	Loeffler	Newton	Scott
Anderson, M.	Dettmer	Hertaus	Lohmer	Nornes	Selcer
Anderson, P.	Ecklund	Hilstrom	Loon	Norton	Simonson
Anzelc	Erhardt	Hoppe	Loonan	O'Driscoll	Slocum
Applebaum	Erickson	Hornstein	Lucero	O'Neill	Sundin
Atkins	Fabian	Hortman	Lueck	Pelowski	Swedzinski
Backer	Fenton	Howe	Mack	Persell	Theis
Baker	Fischer	Isaacson	Mahoney	Petersburg	Torkelson
Barrett	Flanagan	Johnson, B.	Marquart	Peterson	Uglen
Bennett	Franson	Johnson, C.	Masin	Pierson	Urdahl
Bernardy	Freiberg	Johnson, S.	McDonald	Pinto	Vogel
Bly	Garofalo	Kahn	McNamara	Poppe	Wagenius
Carlson	Green	Kiel	Metsa	Pugh	Ward
Christensen	Gruenhagen	Knoblach	Miller	Quam	Whelan
Clark	Gunther	Koznick	Moran	Rarick	Wills
Considine	Hackbarth	Kresha	Mullery	Rosenthal	Yarusso
Cornish	Halverson	Laine	Murphy, E.	Runbeck	Youakim
Daniels	Hamilton	Lesch	Murphy, M.	Sanders	Zerwas
Davids	Hancock	Liebling	Nash	Schoen	Spk. Daudt

Those who voted in the negative were:

Draskowski Peppin Smith Thissen

The bill was passed, as amended, and its title agreed to.

S. F. No. 3376, A bill for an act relating to environment; providing for sulfate effluent permit compliance.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 116 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Hertaus	Loonan	Norton	Smith
Anderson, M.	Draskowski	Hilstrom	Lucero	O'Driscoll	Sundin
Anderson, P.	Ecklund	Hoppe	Lueck	O'Neill	Swedzinski
Anzelc	Erickson	Hortman	Mack	Pelowski	Theis
Applebaum	Fabian	Howe	Mahoney	Peppin	Thissen
Atkins	Fenton	Isaacson	Marquart	Persell	Torkelson
Backer	Fischer	Johnson, B.	Masin	Petersburg	Uglen
Baker	Flanagan	Johnson, C.	McDonald	Pierson	Urdahl
Barrett	Franson	Johnson, S.	McNamara	Pinto	Vogel
Bennett	Freiberg	Kiel	Metsa	Poppe	Ward
Bernardy	Garofalo	Knoblach	Miller	Pugh	Whelan
Bly	Green	Koznick	Moran	Quam	Wills
Carlson	Gruenhagen	Kresha	Mullery	Rarick	Yarusso
Christensen	Gunther	Laine	Murphy, E.	Runbeck	Youakim
Considine	Hackbarth	Lesch	Murphy, M.	Sanders	Zerwas
Cornish	Halverson	Liebling	Nash	Schoen	Spk. Daudt
Daniels	Hamilton	Lien	Nelson	Schomacker	
Davids	Hancock	Lillie	Newberger	Scott	
Dean, M.	Hansen	Loeffler	Newton	Selcer	
Dehn, R.	Heintzeman	Lohmer	Nornes	Slocum	

Those who voted in the negative were:

Allen	Clark	Erhardt	Hornstein	Loon	Rosenthal
Anderson, C.	Davnie	Hausman	Kahn	Peterson	Wagenius

The bill was passed and its title agreed to.

Pursuant to rule 1.50, Fabian moved that the House be allowed to continue in session after 12:00 midnight. The motion prevailed.

Fabian moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by Speaker pro tempore Sanders.

Atkins was excused for the remainder of today's session.

CALENDAR FOR THE DAY, Continued

S. F. No. 2759 was reported to the House.

Hackbarth moved to amend S. F. No. 2759, the second engrossment, as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2014, section 84.798, subdivision 2, is amended to read:

Subd. 2. **Exemptions.** Registration is not required for an off-road vehicle that is:

(1) owned and used by the United States, an Indian tribal government, the state, another state, or a political subdivision; ~~or~~

(2) registered in another state or country and has not been in this state for more than 30 consecutive days; or

(3) operated with a valid state trail pass according to section 84.8035.

EFFECTIVE DATE. This section is effective January 1, 2017, or when the electronic licensing system has been upgraded, whichever is sooner.

Sec. 2. Minnesota Statutes 2014, section 84.8035, is amended to read:

84.8035 ~~NONRESIDENT~~ OFF-ROAD VEHICLE STATE TRAIL PASS.

Subdivision 1. **Pass required; fee.** (a) Except as provided under paragraph (c), a nonresident person may not operate an off-road vehicle on a state or grant-in-aid off-road vehicle trail or use area unless the vehicle displays a ~~nonresident~~ an off-road vehicle state trail pass sticker issued according to this section. The pass must be viewable by a peace officer, a conservation officer, or an employee designated under section 84.0835.

(b) ~~The fee for an annual pass is \$20. The pass is valid from January 1 through December 31. The fee for a three-year pass is \$30.~~ The commissioner of natural resources shall issue a pass upon application and payment of the fee. Fees collected under this section, except for the issuing fee for licensing agents, shall be deposited in the state treasury and credited to the off-road vehicle account in the natural resources fund and, except for the electronic

licensing system commission established by the commissioner under section 84.027, subdivision 15, must be used for grants-in-aid to counties and municipalities for off-road vehicle organizations to construct and maintain off-road vehicle trails and use areas.

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

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

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

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

(d) The fee for an annual nonresident off-road vehicle state trail pass is \$20. The nonresident pass is valid from January 1 through December 31. The fee for a nonresident three-year pass is \$30.

(e) The fee for a resident off-road vehicle state trail pass is \$20. The resident pass is valid for 30 consecutive days after the date of issuance.

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

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

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

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

EFFECTIVE DATE. This section is effective January 1, 2017, or when the electronic licensing system has been upgraded, whichever is sooner.

Sec. 3. Minnesota Statutes 2014, section 97A.045, subdivision 7, is amended to read:

Subd. 7. **Duty to encourage stamp design and purchases.** (a) The commissioner shall encourage the purchase of:

(1) Minnesota migratory waterfowl stamps by nonhunters interested in migratory waterfowl preservation and habitat development;

(2) pheasant stamps by persons interested in pheasant habitat improvement;

(3) trout and salmon stamps by persons interested in trout and salmon stream and lake improvement; and

~~(4) turkey stamps by persons interested in stamp collecting; and~~

~~(5)~~ (4) walleye stamps by persons interested in walleye stocking and stamp collecting.

(b) The commissioner shall make rules governing contests for selecting a design for each stamp, including those stamps not required to be in possession while taking game or fish. The commissioner shall ensure that stamp design and characteristics are consistent with the design and characteristics that are sought by pictorial stamp collectors.

Sec. 4. Minnesota Statutes 2014, section 97A.055, subdivision 4, is amended to read:

Subd. 4. **Game and fish annual reports.** (a) By December 15 each year, the commissioner shall submit to the legislative committees having jurisdiction over appropriations and the environment and natural resources reports on each of the following:

(1) the amount of revenue from the following and purposes for which expenditures were made:

(i) the small game license surcharge under section 97A.475, subdivision 4;

(ii) the Minnesota migratory waterfowl stamp under section 97A.475, subdivision 5, clause (1);

(iii) the trout and salmon stamp under section 97A.475, subdivision 10;

(iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);

~~(v) the wild turkey management account under section 97A.075, subdivision 5;~~

~~(vi)~~ (v) the deer license donations and surcharges under section 97A.475, subdivisions 3, paragraph (b), and 3a; and

~~(vii)~~ (vi) the walleye stamp under section 97A.475, subdivision 10a;

(2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c), and the purposes for which these amounts were spent;

(3) money credited to the game and fish fund under this section and purposes for which expenditures were made from the fund;

(4) outcome goals for the expenditures from the game and fish fund; and

(5) summary and comments of citizen oversight committee reviews under subdivision 4b.

(b) The report must include the commissioner's recommendations, if any, for changes in the laws relating to the stamps and surcharge referenced in paragraph (a)."

Page 2, after line 12, insert:

"Sec. 9. Minnesota Statutes 2014, section 97A.405, subdivision 2, is amended to read:

Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from an area where a licensed activity was performed must have in personal possession either: (1) the proper license, if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation, if the license has been sold to the person by electronic means but the actual license has not been issued and received.

(b) If possession of a license or a license identification number is required, a person must exhibit, as requested by a conservation officer or peace officer, either: (1) the proper license if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation and a valid state driver's license, state identification card, or other form of identification provided by the commissioner, if the license has been sold to the person by electronic means but the actual license has not been issued and received. A person charged with violating the license possession requirement shall not be convicted if the person produces in court or the office of the arresting officer, the actual license previously issued to that person, which was valid at the time of arrest, or satisfactory proof that at the time of the arrest the person was validly licensed. Upon request of a conservation officer or peace officer, a licensee shall write the licensee's name in the presence of the officer to determine the identity of the licensee.

(c) If the actual license has been issued and received, a receipt for license fees, a copy of a license, or evidence showing the issuance of a license, including the license identification number or stamp validation, does not entitle a licensee to exercise the rights or privileges conferred by a license.

(d) A license issued electronically and not immediately provided to the licensee shall be mailed to the licensee within 30 days of purchase of the license. A pictorial migratory waterfowl, pheasant, trout and salmon, or walleye stamp shall be provided to the licensee after purchase of a stamp validation only if the licensee pays an additional fee that covers the costs of producing and mailing a pictorial stamp. ~~A pictorial turkey stamp may be purchased for a fee that covers the costs of producing and mailing the pictorial stamp.~~ Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish fees for providing the pictorial stamps. The fees must be set in an amount that does not recover significantly more or less than the cost of producing and mailing the stamps. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply."

Page 3, after line 21, insert:

"Sec. 12. Minnesota Statutes 2014, section 97A.473, subdivision 3, is amended to read:

Subd. 3. **Lifetime small game hunting license; fee.** (a) A resident lifetime small game hunting license authorizes a person to hunt and trap small game, other than wolves, in the state. The license authorizes those hunting and trapping activities authorized by the annual resident small game hunting license and the trapping license for fur-bearing animals other than wolves. The license does not include ~~a turkey stamp validation or any other~~ hunting stamps required by law.

(b) The fees for a resident lifetime small game hunting license are:

(1) age 3 and under, \$223;

(2) age 4 to age 15, \$301;

(3) age 16 to age 50, \$430; and

(4) age 51 and over, \$274.

Sec. 13. Minnesota Statutes 2014, section 97A.473, subdivision 5, is amended to read:

Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt and trap small game, other than wolves, in the state. The license authorizes those activities authorized by the annual resident angling and resident small game hunting licenses and the resident trapping license for fur-bearing animals other than wolves. The license does not include a trout and salmon stamp validation, ~~a turkey stamp validation,~~ a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting license are:

- (1) age 3 and under, \$485;
- (2) age 4 to age 15, \$659;
- (3) age 16 to age 50, \$861; and
- (4) age 51 and over, \$560.

Sec. 14. Minnesota Statutes 2014, section 97A.473, subdivision 5a, is amended to read:

Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident lifetime sporting with spearing option license authorizes a person to take fish by angling or spearing and hunt and trap small game, other than wolves, in the state. The license authorizes those activities authorized by the annual resident angling, spearing, and resident small game hunting licenses and the resident trapping license for fur-bearing animals other than wolves. The license does not include a trout and salmon stamp validation, ~~a turkey stamp validation~~, a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting with spearing option license are:

- (1) age 3 and under, \$562;
- (2) age 4 to age 15, \$765;
- (3) age 16 to age 50, \$961; and
- (4) age 51 and over, \$612.

Sec. 15. Minnesota Statutes 2014, section 97A.474, subdivision 3, is amended to read:

Subd. 3. **Nonresident lifetime small game hunting license; fee.** (a) A nonresident lifetime small game hunting license authorizes a person to hunt small game in the state. The license authorizes those hunting activities authorized by the annual nonresident small game hunting license. The license does not include ~~a turkey stamp validation~~ or any other hunting stamps required by law.

(b) The fees for a nonresident lifetime small game hunting license are:

- (1) age 3 and under, \$947;
- (2) age 4 to age 15, \$1,280;
- (3) age 16 to age 50, \$1,633; and
- (4) age 51 and over, \$1,083.

Sec. 16. Minnesota Statutes 2014, section 97A.475, subdivision 2, is amended to read:

Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents only, are:

- (1) for persons age 18 or over and under age 65 to take small game, \$15.50;

- (2) for persons age 65 or over, \$7 to take small game;
- (3) for persons age 18 or over to take turkey, ~~\$26~~ \$21;
- (4) for persons age 13 or over and under age 18 to take turkey, \$5;
- (5) for persons age 18 or over to take deer with firearms during the regular firearms season, \$30;
- (6) for persons age 18 or over to take deer by archery, \$30;
- (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$30;
- (8) to take moose, for a party of not more than six persons, \$356;
- (9) for persons age 18 or over to take bear, \$44;
- (10) to take elk, for a party of not more than two persons, \$287;
- (11) to take Canada geese during a special season, \$4;
- (12) to take prairie chickens, \$23;
- (13) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season, \$5;
- (14) for persons age 13 or over and under age 18 to take deer by archery, \$5;
- (15) for persons age 13 or over and under age 18 to take deer by muzzleloader during the muzzleloader season, \$5;
- (16) for persons age 10, 11, or 12 to take bear, no fee;
- (17) for persons age 13 or over and under age 18 to take bear, \$5;
- (18) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, \$19, of which an amount equal to: one-half of the fee for the migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under subdivision 4, shall be deposited in the wildlife acquisition account;
- (19) for persons age 16 or over and under age 18 to take small game, \$5;
- (20) to take wolf, \$30;
- (21) for persons age 12 and under to take turkey, no fee;
- (22) for persons age 10, 11, or 12 to take deer by firearm, no fee;
- (23) for persons age 10, 11, or 12 to take deer by archery, no fee; and
- (24) for persons age 10, 11, or 12 to take deer by muzzleloader during the muzzleloader season, no fee.

Sec. 17. Minnesota Statutes 2014, section 97A.475, subdivision 3, is amended to read:

Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to nonresidents, are:

- (1) for persons age 18 or over to take small game, \$90.50;
- (2) for persons age 18 or over to take deer with firearms during the regular firearms season, \$160;
- (3) for persons age 18 or over to take deer by archery, \$160;
- (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$160;
- (5) for persons age 18 or over to take bear, \$225;
- (6) for persons age 18 or over to take turkey, ~~\$91~~ \$86;
- (7) for persons age 13 or over and under age 18 to take turkey, \$5;
- (8) to take raccoon or bobcat, \$178;
- (9) to take Canada geese during a special season, \$4;
- (10) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season in any open season option or time period, \$5;
- (11) for persons age 13 or over and under age 18 to take deer by archery, \$5;
- (12) for persons age 13 or over and under age 18 to take deer during the muzzleloader season, \$5;
- (13) for persons age 13 or over and under 18 to take bear, \$5;
- (14) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, \$75, of which an amount equal to: one-half of the fee for the migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under subdivision 4, shall be deposited into the wildlife acquisition account;
- (15) for persons age 16 or 17 to take small game, \$5;
- (16) to take wolf, \$250;
- (17) for persons age 12 and under to take turkey, no fee;
- (18) for persons age ten, 11, or 12 to take deer by firearm, no fee;
- (19) for persons age ten, 11, or 12 to take deer by archery, no fee;
- (20) for persons age ten, 11, or 12 to take deer by muzzleloader during the muzzleloader season, no fee; and
- (21) for persons age 10, 11, or 12 to take bear, no fee.

(b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this surcharge.

Sec. 18. **97B.032] RULES LIMITING USE OF LEAD SHOT PROHIBITED.**

The commissioner of natural resources shall not adopt rules further restricting the use of lead shot.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to rules adopted on or after that date.

Sec. 19. Minnesota Statutes 2015 Supplement, section 97B.063, is amended to read:

97B.063 DEER HUNTER SATISFACTION SURVEY.

The commissioner shall annually administer the collection of deer hunter information related to participation and satisfaction. This may include information on preferences, values, interests, participation rates and patterns, barriers to participation, or other factors. The data shall be collected using established social science methods. The commissioner shall annually submit a summary of the information gathered under this section to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources no later than January 1 for the preceding fiscal year. The commissioner shall also make the summary information available on the department's Web site. The commissioner must use existing resources from the game and fish fund to satisfy the requirements of this section.

Sec. 20. Minnesota Statutes 2014, section 97B.071, is amended to read:

97B.071 ~~BLAZE ORANGE~~ CLOTHING REQUIREMENTS; BLAZE ORANGE OR BLAZE PINK.

(a) Except as provided in rules adopted under paragraph (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within each foot square. This section does not apply to migratory waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

(b) Except as provided in rules adopted under paragraph (c), and in addition to the requirement in paragraph (a), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except while trapping, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary location while hunting deer by archery or when hunting small game by falconry.

(c) The commissioner may, by rule, prescribe an alternative color in cases where paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141.

(d) A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning.

Sec. 21. Minnesota Statutes 2014, section 97B.731, subdivision 3, is amended to read:

Subd. 3. **Crow season.** ~~The commissioner shall prescribe a 124-day open season and restrictions seasons for taking crows are from March 17 through March 31 and from July 15 through October 31. The open season may not be shorter than the maximum season allowed under federal law.~~ The remainder of the year crows may be taken as allowed by federal law.

Sec. 22. **[97C.008] MUSKELLUNGE IN CERTAIN WATERS PROHIBITED.**

The commissioner of natural resources shall not introduce muskellunge or stock muskellunge in the following waters:

- (1) Big Marine Lake in Washington County;
- (2) Fairmont Chain of Lakes in Martin County;
- (3) Gull Chain of Lakes in Cass and Crow Wing Counties;
- (4) Franklin Lake in Otter Tail County;
- (5) Lizzie Lake in Otter Tail County; and
- (6) Loon Lake in Otter Tail County.

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

Sec. 23. Minnesota Statutes 2014, section 97C.401, subdivision 2, is amended to read:

Subd. 2. **Walleye; northern pike.** (a) Except as provided in paragraph (b), a person may have no more than one walleye larger than 20 inches ~~and one northern pike larger than 30 inches~~ in possession.

(b) ~~The restrictions in Paragraph (a) do~~ does not apply to boundary waters.

Sec. 24. **RULEMAKING; NORTHERN PIKE.**

(a) The commissioner of natural resources shall amend Minnesota Rules, part 6262.0200, subpart 1, item G, to establish the daily and possession limits for northern pike in management zones according to paragraphs (b) to (e).

(b) The northeastern management zone includes all inland waters lying east and north of U.S. Highway 53 from International Falls to Duluth. In the northeastern management zone, the daily and possession limit for northern pike is two. When taking northern pike by angling in the northeastern management zone, only one over 40 inches in length may be in possession, and all northern pike from 30 to 40 inches in length must be immediately returned to the water. When taking northern pike by dark house spearing, only one over 26 inches in length may be in possession.

(c) The north central management zone includes all inland waters lying west and south of U.S. Highway 53 from International Falls to Duluth and north of a line described as follows: from the South Dakota border, along State Highway 7 to State Highway 22, thence south on State Highway 22 to U.S. Highway 212, thence east on U.S. Highway 212 to State Highway 41, thence south on State Highway 41 to the near or north bank of the Minnesota River, thence along the near banks of the Minnesota and Mississippi Rivers to the Wisconsin border. The north central management zone does not include waters of the Minnesota or Mississippi Rivers where those waters create the southern boundary of the zone. In the north central management zone, the daily and possession limit for northern pike is ten.

(1) When taking northern pike by angling in the north central management zone, only two over 26 inches in length may be in possession, and all northern pike from 22 to 26 inches must be immediately returned to the water.

(2) When taking northern pike by dark house spearing in the north central management zone:

(i) only two northern pike over 26 inches in length and no northern pike from 22 to 26 inches in length may be in possession; or

(ii) only one northern pike from 22 to 26 inches in length and one northern pike over 26 inches in length may be in possession.

(d) The southern management zone includes all inland waters lying south of a line described as follows: from the South Dakota border, along State Highway 7 to State Highway 22, thence south on State Highway 22 to U.S. Highway 212, thence east on U.S. Highway 212 to State Highway 41, thence south on State Highway 41 to and including the waters of the Minnesota River, thence along the Minnesota River to and including the waters of the Mississippi River to the Wisconsin border. In the southern management zone, the daily and possession limit for northern pike is two. The minimum size for northern pike taken by angling or dark house spearing in the southern management zone is 24 inches in length.

(e) The restrictions in paragraphs (b) to (d) do not apply in boundary waters.

(f) The commissioner may use the good cause exemption rulemaking procedure under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388.

(g) No later than January 15, 2027, the commissioner must report on the success of the northern pike regulations, together with recommendations on whether to keep or change the regulations. The report must be submitted to the senate and house of representatives committees having jurisdiction over environment and natural resources policy and finance.

Sec. 25. **RULEMAKING; BLAZE PINK.**

(a) The commissioner of natural resources shall amend Minnesota Rules, parts 6232.2500, 6232.2550, 6232.2560, 6232.3700, and 6232.4400, to allow a person to wear blaze pink as provided in Minnesota Statutes, section 97B.071.

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

Sec. 26. **PROSPECTORS ATV TRAIL; APPROPRIATION.**

\$1,000,000 in fiscal year 2017 is appropriated from the natural resources fund to the commissioner of natural resources for a grant to Lake County for construction, including bridges, of the Prospectors ATV Trail System linking the communities of Ely, Babbitt, Embarrass, and Tower; Bear Head Lake and Lake Vermilion-Soudan Underground Mine State Parks; the Taconite State Trail; and the Lake County Regional ATV Trail System. Of this amount, \$900,000 is from the all-terrain vehicle account, \$50,000 is from the off-highway motorcycle account, and \$50,000 is from the off-road vehicle account.

Sec. 27. **REPEALER.**

Minnesota Statutes 2014, section 97A.075, subdivision 5, is repealed."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Metsa moved to amend the Hackbarth amendment to S. F. No. 2759, the second engrossment, as follows:

Page 10, delete section 22

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

CALL OF THE HOUSE

On the motion of Thissen and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Allen	Davnie	Hansen	Lien	Newberger	Schultz
Anderson, C.	Dehn, R.	Hausman	Lillie	Newton	Scott
Anderson, M.	Dettmer	Heintzeman	Loeffler	Nornes	Selcer
Anderson, P.	Drazkowski	Hertaus	Lohmer	Norton	Simonson
Anderson, S.	Ecklund	Hilstrom	Loonan	O'Driscoll	Slocum
Anzelc	Erhardt	Hoppe	Lucero	O'Neill	Sundin
Applebaum	Erickson	Hornstein	Lueck	Persell	Swedzinski
Backer	Fabian	Hortman	Mack	Petersburg	Theis
Baker	Fenton	Isaacson	Mahoney	Peterson	Thissen
Barrett	Fischer	Johnson, B.	Marquart	Pierson	Torkelson
Bennett	Flanagan	Johnson, C.	Masin	Pinto	Uglen
Bernardy	Franson	Johnson, S.	McDonald	Poppe	Urdahl
Bly	Freiberg	Kahn	Metsa	Pugh	Vogel
Carlson	Green	Kelly	Miller	Quam	Wagenius
Christensen	Gruenhagen	Kiel	Moran	Rarick	Ward
Clark	Gunther	Koznick	Mullery	Rosenthal	Whelan
Considine	Hackbarth	Kresha	Murphy, E.	Runbeck	Wills
Cornish	Halverson	Laine	Murphy, M.	Sanders	Yarusso
Daniels	Hamilton	Lesch	Nash	Schoen	Youakim
Davids	Hancock	Liebling	Nelson	Schomacker	Zerwas

Fabian moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

Anderson, S., was excused between the hours of 11:30 p.m. and 1:10 a.m.

The question recurred on the Metsa amendment to the Hackbarth amendment and the roll was called.

Fabian moved that those not voting be excused from voting. The motion prevailed.

There were 61 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Allen	Dean, M.	Hornstein	Loeffler	Norton	Sundin
Anderson, P.	Dehn, R.	Hortman	Mahoney	Pelowski	Swedzinski
Anzelc	Ecklund	Isaacson	Marquart	Persell	Thissen
Applebaum	Fischer	Johnson, C.	Metsa	Pinto	Ward
Baker	Flanagan	Johnson, S.	Moran	Poppe	Yarusso
Bernardy	Franson	Kahn	Mullery	Rosenthal	Youakim
Bly	Freiberg	Laine	Murphy, E.	Schoen	
Carlson	Halverson	Lesch	Murphy, M.	Schultz	
Clark	Hansen	Liebling	Nash	Selcer	
Considine	Hausman	Lien	Nelson	Simonson	
Davnie	Hilstrom	Lillie	Newton	Slocum	

Those who voted in the negative were:

Albright	Drazkowski	Heintzeman	Loonan	O'Neill	Scott
Anderson, C.	Erhardt	Hertaus	Lucero	Peppin	Smith
Anderson, M.	Erickson	Hoppe	Lueck	Petersburg	Theis
Backer	Fabian	Howe	Mack	Peterson	Torkelson
Barrett	Fenton	Johnson, B.	Masin	Pierson	Ugelm
Bennett	Green	Kelly	McDonald	Pugh	Vogel
Christensen	Gruenhagen	Kiel	McNamara	Quam	Whelan
Cornish	Gunther	Koznick	Miller	Rarick	Wills
Daniels	Hackbarth	Kresha	Newberger	Runbeck	Zerwas
Davids	Hamilton	Lohmer	Nornes	Sanders	Spk. Daudt
Dettmer	Hancock	Loon	O'Driscoll	Schomacker	

The motion did not prevail and the amendment to the amendment was not adopted.

Pelowski was excused between the hours of 11:35 p.m. and 12:15 a.m.

Barrett and Drazkowski were excused between the hours of 11:35 p.m. and 12:20 a.m.

Davids was excused between the hours of 11:35 p.m. and 12:30 a.m.

Garofalo was excused for the remainder of today's session.

POINT OF ORDER

Hortman raised a point of order pursuant to rule 3.21 that the Hackbarth amendment was not in order. Speaker pro tempore Sanders ruled the point of order not well taken and the Hackbarth amendment in order.

Hortman appealed the decision of Speaker pro tempore Sanders.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of Speaker pro tempore Sanders stand as the judgment of the House?" and the roll was called. There were 68 yeas and 57 nays as follows:

Those who voted in the affirmative were:

Albright	Erickson	Hoppe	Lueck	Peterson	Torkelson
Anderson, C.	Fabian	Howe	Mack	Pierson	Uglen
Anderson, M.	Fenton	Johnson, B.	McDonald	Pugh	Urdahl
Anderson, P.	Franson	Kelly	McNamara	Quam	Vogel
Backer	Green	Kiel	Miller	Rarick	Whelan
Baker	Gruenhagen	Knoblach	Nash	Runbeck	Wills
Bennett	Gunther	Koznick	Newberger	Sanders	Zerwas
Christensen	Hackbarth	Kresha	Nornes	Schomacker	Spk. Daudt
Cornish	Hamilton	Lohmer	O'Driscoll	Scott	
Daniels	Hancock	Loon	O'Neill	Smith	
Dean, M.	Heintzeman	Loonan	Peppin	Swedzinski	
Dettmer	Hertaus	Lucero	Petersburg	Theis	

Those who voted in the negative were:

Allen	Ecklund	Hortman	Loeffler	Newton	Slocum
Anzelc	Erhardt	Isaacson	Mahoney	Norton	Sundin
Applebaum	Fischer	Johnson, C.	Marquart	Persell	Thissen
Bernardy	Flanagan	Johnson, S.	Masin	Pinto	Wagenius
Bly	Freiberg	Kahn	Metsa	Poppe	Ward
Carlson	Halverson	Laine	Moran	Rosenthal	Yarusso
Clark	Hansen	Lesch	Mullery	Schoen	Youakim
Considine	Hausman	Liebling	Murphy, E.	Schultz	
Davnie	Hilstrom	Lien	Murphy, M.	Selcer	
Dehn, R.	Hornstein	Lillie	Nelson	Simonson	

So it was the judgment of the House that the decision of Speaker pro tempore Sanders should stand.

CALL OF THE HOUSE LIFTED

Thissen moved that the call of the House be lifted. The motion prevailed and it was so ordered.

POINT OF ORDER

Pinto raised a point of order pursuant to rule 4.03, relating to Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills, that the Hackbarth amendment was not in order. Speaker pro tempore Sanders ruled the point of order not well taken and the Hackbarth amendment in order.

The question recurred on the Hackbarth amendment and the roll was called. There were 76 yeas and 49 nays as follows:

Those who voted in the affirmative were:

Albright	Anderson, P.	Baker	Cornish	Dettmer	Fabian
Anderson, C.	Anzelc	Bennett	Daniels	Ecklund	Fenton
Anderson, M.	Backer	Christensen	Dean, M.	Erickson	Green

Gruenhagen	Johnson, B.	Lucero	Nornes	Rarick	Torkelson
Gunther	Kelly	Lueck	O'Driscoll	Runbeck	Uglem
Hackbarth	Kiel	Mack	O'Neill	Sanders	Urdahl
Hamilton	Knoblach	Marquart	Peppin	Schomacker	Vogel
Hancock	Koznick	McDonald	Petersburg	Scott	Whelan
Heintzeman	Kresha	McNamara	Peterson	Smith	Wills
Hertaus	Lillie	Miller	Pierson	Sundin	Zerwas
Hilstrom	Lohmer	Nash	Poppe	Swedzinski	Spk. Daudt
Hoppe	Loon	Newberger	Pugh	Theis	
Howe	Loonan	Newton	Quam	Thissen	

Those who voted in the negative were:

Allen	Erhardt	Hortman	Loeffler	Norton	Wagenius
Applebaum	Fischer	Isaacson	Mahoney	Persell	Ward
Bernardy	Flanagan	Johnson, C.	Masin	Pinto	Yarusso
Bly	Franson	Johnson, S.	Metsa	Rosenthal	Youakim
Carlson	Freiberg	Kahn	Moran	Schoen	
Clark	Halverson	Laine	Mullery	Schultz	
Considine	Hansen	Lesch	Murphy, E.	Selcer	
Davnie	Hausman	Liebling	Murphy, M.	Simonson	
Dehn, R.	Hornstein	Lien	Nelson	Slocum	

The motion prevailed and the amendment was adopted.

S. F. No. 2759, A bill for an act relating to game and fish; modifying penalties for gross overlimits; providing criminal penalties; amending Minnesota Statutes 2014, sections 97A.201, subdivision 2, by adding a subdivision; 97A.301, subdivision 1; 97A.338; 97A.420, subdivision 1; 97A.421, subdivision 2a.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 80 yeas and 44 nays as follows:

Those who voted in the affirmative were:

Albright	Erhardt	Howe	Lueck	Persell	Swedzinski
Anderson, C.	Erickson	Johnson, B.	Mack	Petersburg	Theis
Anderson, M.	Fabian	Johnson, C.	Marquart	Peterson	Torkelson
Anderson, P.	Fenton	Kelly	McDonald	Pierson	Uglem
Anzelc	Franson	Kiel	McNamara	Poppe	Urdahl
Backer	Green	Knoblach	Miller	Pugh	Vogel
Baker	Gruenhagen	Koznick	Murphy, M.	Quam	Whelan
Bennett	Gunther	Kresha	Nash	Rarick	Wills
Christensen	Hackbarth	Lien	Newberger	Runbeck	Zerwas
Cornish	Hamilton	Lillie	Newton	Sanders	Spk. Daudt
Daniels	Hancock	Lohmer	Nornes	Schomacker	
Dean, M.	Heintzeman	Loon	O'Driscoll	Scott	
Dettmer	Hertaus	Loonan	O'Neill	Smith	
Ecklund	Hoppe	Lucero	Peppin	Sundin	

Those who voted in the negative were:

Allen	Dehn, R.	Hortman	Mahoney	Pinto	Wagenius
Applebaum	Fischer	Isaacson	Masin	Rosenthal	Ward
Bernardy	Flanagan	Johnson, S.	Metsa	Schoen	Yarusso
Bly	Freiberg	Kahn	Moran	Schultz	Youakim
Carlson	Halverson	Laine	Mullery	Selcer	
Clark	Hansen	Lesch	Murphy, E.	Simonson	
Considine	Hilstrom	Liebling	Nelson	Slocum	
Davnie	Hornstein	Loeffler	Norton	Thissen	

The bill was passed, as amended, and its title agreed to.

S. F. No. 2378, A bill for an act relating to human services; requiring the commissioner to reform the continuum of treatment for individuals with substance use disorders; proposing coding for new law in Minnesota Statutes, chapter 254B.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 125 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Albright	Dettmer	Hilstrom	Lohmer	Nornes	Selcer
Allen	Ecklund	Hoppe	Loon	Norton	Simonson
Anderson, C.	Erhardt	Hornstein	Loonan	O'Driscoll	Slocum
Anderson, M.	Erickson	Hortman	Lucero	O'Neill	Smith
Anderson, P.	Fabian	Howe	Lueck	Peppin	Sundin
Anzalc	Fenton	Isaacson	Mack	Persell	Swedzinski
Applebaum	Fischer	Johnson, B.	Mahoney	Petersburg	Theis
Backer	Flanagan	Johnson, C.	Marquart	Peterson	Thissen
Baker	Franson	Johnson, S.	Masin	Pierson	Torkelson
Bennett	Freiberg	Kahn	McDonald	Pinto	Uglen
Bernardy	Green	Kelly	McNamara	Poppe	Urdahl
Bly	Gruenhagen	Kiel	Metsa	Pugh	Vogel
Carlson	Gunther	Knoblach	Miller	Quam	Wagenius
Christensen	Hackbarth	Koznick	Moran	Rarick	Ward
Clark	Halverson	Kresha	Mullery	Rosenthal	Whelan
Considine	Hamilton	Laine	Murphy, E.	Runbeck	Wills
Cornish	Hancock	Lesch	Murphy, M.	Sanders	Yarusso
Daniels	Hansen	Liebling	Nash	Schoen	Youakim
Davnie	Hausman	Lien	Nelson	Schomacker	Zerwas
Dean, M.	Heintzeman	Lillie	Newberger	Schultz	Spk. Daudt
Dehn, R.	Hertaus	Loeffler	Newton	Scott	

The bill was passed and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 498.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

JOANNE M. ZOFF, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. No. 498

A bill for an act relating to data practices; classifying portable recording system data; establishing requirements for the destruction of data; requiring policies; imposing requirements on vendors and providing for damage awards; amending Minnesota Statutes 2014, section 13.82, subdivision 15, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 626.

May 21, 2016

The Honorable Sandra L. Pappas
President of the Senate

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 498 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendments and that S. F. No. 498 be further amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2015 Supplement, section 13.82, subdivision 2, is amended to read:

Subd. 2. **Arrest data.** The following data created or collected by law enforcement agencies which document any actions taken by them to cite, arrest, incarcerate or otherwise substantially deprive an adult individual of liberty shall be public at all times in the originating agency:

- (a) time, date and place of the action;
- (b) any resistance encountered by the agency;
- (c) any pursuit engaged in by the agency;

- (d) whether any weapons were used by the agency or other individual;
- (e) the charge, arrest or search warrants, or other legal basis for the action;
- (f) the identities of the agencies, units within the agencies and individual persons taking the action;
- (g) whether and where the individual is being held in custody or is being incarcerated by the agency;
- (h) the date, time and legal basis for any transfer of custody and the identity of the agency or person who received custody;
- (i) the date, time and legal basis for any release from custody or incarceration;
- (j) the name, age, sex and last known address of an adult person or the age and sex of any juvenile person cited, arrested, incarcerated or otherwise substantially deprived of liberty;
- (k) whether the agency employed ~~an~~ a portable recording system, automated license plate reader, wiretaps or other eavesdropping techniques, unless the release of this specific data would jeopardize an ongoing investigation;
- (l) the manner in which the agencies received the information that led to the arrest and the names of individuals who supplied the information unless the identities of those individuals qualify for protection under subdivision 17; and
- (m) response or incident report number.

Sec. 2. Minnesota Statutes 2014, section 13.82, subdivision 6, is amended to read:

Subd. 6. **Response or incident data.** The following data created or collected by law enforcement agencies which document the agency's response to a request for service including, but not limited to, responses to traffic accidents, or which describe actions taken by the agency on its own initiative shall be public government data:

- (a) date, time and place of the action;
- (b) agencies, units of agencies and individual agency personnel participating in the action unless the identities of agency personnel qualify for protection under subdivision 17;
- (c) any resistance encountered by the agency;
- (d) any pursuit engaged in by the agency;
- (e) whether any weapons were used by the agency or other individuals;
- (f) a brief factual reconstruction of events associated with the action;
- (g) names and addresses of witnesses to the agency action or the incident unless the identity of any witness qualifies for protection under subdivision 17;
- (h) names and addresses of any victims or casualties unless the identities of those individuals qualify for protection under subdivision 17;
- (i) the name and location of the health care facility to which victims or casualties were taken;

- (j) response or incident report number;
- (k) dates of birth of the parties involved in a traffic accident;
- (l) whether the parties involved were wearing seat belts; ~~and~~
- (m) the alcohol concentration of each driver; and
- (n) whether the agency used a portable recording system to document the agency's response or actions.

Sec. 3. Minnesota Statutes 2014, section 13.82, subdivision 7, is amended to read:

Subd. 7. **Criminal investigative data.** Except for the data defined in subdivisions 2, 3, and 6, investigative data collected or created by a law enforcement agency in order to prepare a case against a person, whether known or unknown, for the commission of a crime or other offense for which the agency has primary investigative responsibility are confidential or protected nonpublic while the investigation is active. Inactive investigative data are public unless the release of the data would jeopardize another ongoing investigation or would reveal the identity of individuals protected under subdivision 17. Images and recordings, including photographs, video, and audio records, which are part of inactive investigative files and which are clearly offensive to common sensibilities are classified as private or nonpublic data, provided that the existence of the ~~photographs~~ images and recordings shall be disclosed to any person requesting access to the inactive investigative file. An investigation becomes inactive upon the occurrence of any of the following events:

- (a) a decision by the agency or appropriate prosecutorial authority not to pursue the case;
- (b) expiration of the time to bring a charge or file a complaint under the applicable statute of limitations, or 30 years after the commission of the offense, whichever comes earliest; or
- (c) exhaustion of or expiration of all rights of appeal by a person convicted on the basis of the investigative data.

Any investigative data presented as evidence in court shall be public. Data determined to be inactive under clause (a) may become active if the agency or appropriate prosecutorial authority decides to renew the investigation.

During the time when an investigation is active, any person may bring an action in the district court located in the county where the data are being maintained to authorize disclosure of investigative data. The court may order that all or part of the data relating to a particular investigation be released to the public or to the person bringing the action. In making the determination as to whether investigative data shall be disclosed, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the agency or to any person identified in the data. The data in dispute shall be examined by the court in camera.

Sec. 4. Minnesota Statutes 2014, section 13.82, subdivision 15, is amended to read:

Subd. 15. **Public benefit data.** Any law enforcement agency may make any data classified as confidential or protected nonpublic pursuant to subdivision 7 or as private or nonpublic under section 13.825 accessible to any person, agency, or the public if the agency determines that the access will aid the law enforcement process, promote public safety, or dispel widespread rumor or unrest.

Sec. 5. **[13.825] PORTABLE RECORDING SYSTEMS.**

Subdivision 1. Application; definition. (a) This section applies to law enforcement agencies that maintain a portable recording system for use in investigations, or in response to emergencies, incidents, and requests for service.

(b) As used in this section:

(1) "portable recording system" means a device worn by a peace officer that is capable of both video and audio recording of the officer's activities and interactions with others or collecting digital multimedia evidence as part of an investigation;

(2) "portable recording system data" means audio or video data collected by a portable recording system; and

(3) "redact" means to blur video or distort audio so that the identity of the subject in a recording is obscured sufficiently to render the subject unidentifiable.

Subd. 2. Data classification; court-authorized disclosure. (a) Data collected by a portable recording system are private data on individuals or nonpublic data, subject to the following:

(1) data that document the discharge of a firearm by a peace officer in the course of duty, if a notice is required under section 626.553, subdivision 2, or the use of force by a peace officer that results in substantial bodily harm, as defined in section 609.02, subdivision 7a, are public;

(2) data are public if a subject of the data requests it be made accessible to the public, except that, if practicable, (i) data on a subject who is not a peace officer and who does not consent to the release must be redacted, and (ii) data on a peace officer whose identity is protected under section 13.82, subdivision 17, clause (a), must be redacted;

(3) portable recording system data that are active criminal investigative data are governed by section 13.82, subdivision 7, and portable recording system data that are inactive criminal investigative data are governed by this section;

(4) portable recording system data that are public personnel data under section 13.43, subdivision 2, clause (5), are public; and

(5) data that are not public data under other provisions of this chapter retain that classification.

(b) A law enforcement agency may redact or withhold access to portions of data that are public under this subdivision if those portions of data are clearly offensive to common sensibilities.

(c) Section 13.04, subdivision 2, does not apply to collection of data classified by this subdivision.

(d) Any person may bring an action in the district court located in the county where portable recording system data are being maintained to authorize disclosure of data that are private or nonpublic under this section or to challenge a determination under paragraph (b) to redact or withhold access to portions of data because the data are clearly offensive to common sensibilities. The person bringing the action must give notice of the action to the law enforcement agency and subjects of the data, if known. The law enforcement agency must give notice to other subjects of the data, if known, who did not receive the notice from the person bringing the action. The court may order that all or part of the data be released to the public or to the person bringing the action. In making this determination, the court shall consider whether the benefit to the person bringing the action or to the public outweighs any harm to the public, to the law enforcement agency, or to a subject of the data and, if the action is

challenging a determination under paragraph (b), whether the data are clearly offensive to common sensibilities. The data in dispute must be examined by the court in camera. This paragraph does not affect the right of a defendant in a criminal proceeding to obtain access to portable recording system data under the Rules of Criminal Procedure.

Subd. 3. **Retention of data.** (a) Portable recording system data that are not active or inactive criminal investigative data and are not described in paragraph (b) must be maintained for at least 90 days and destroyed according to the agency's records retention schedule approved pursuant to section 138.17.

(b) Portable recording system data must be maintained for at least one year and destroyed according to the agency's records retention schedule approved pursuant to section 138.17 if:

(1) the data document (i) the discharge of a firearm by a peace officer in the course of duty if a notice is required under section 626.553, subdivision 2, or (ii) the use of force by a peace officer that results in substantial bodily harm; or

(2) a formal complaint is made against a peace officer related to the incident.

(c) If a subject of the data submits a written request to the law enforcement agency to retain the recording beyond the applicable retention period for possible evidentiary or exculpatory use related to the circumstances under which the data were collected, the law enforcement agency shall retain the recording for an additional time period requested by the subject of up to 180 days and notify the requester that the recording will then be destroyed unless a new request is made under this paragraph.

(d) Notwithstanding paragraph (b) or (c), a government entity may retain a recording for as long as reasonably necessary for possible evidentiary or exculpatory use related to the incident with respect to which the data were collected.

Subd. 4. **Access by data subjects.** (a) For purposes of this chapter, a portable recording system data subject includes the peace officer who collected the data, and any other individual or entity, including any other peace officer, regardless of whether the officer is or can be identified by the recording, whose image or voice is documented in the data.

(b) An individual who is the subject of portable recording system data has access to the data, including data on other individuals who are the subject of the recording. If the individual requests a copy of the recording, data on other individuals who do not consent to its release must be redacted from the copy. The identity and activities of an on-duty peace officer engaged in an investigation or response to an emergency, incident, or request for service may not be redacted, unless the officer's identity is subject to protection under section 13.82, subdivision 17, clause (a).

Subd. 5. **Inventory of portable recording system technology.** A law enforcement agency that uses a portable recording system must maintain the following information, which is public data:

(1) the total number of recording devices owned or maintained by the agency;

(2) a daily record of the total number of recording devices actually deployed and used by officers and, if applicable, the precincts in which they were used;

(3) the policies and procedures for use of portable recording systems required by section 626.8473; and

(4) the total amount of recorded audio and video data collected by the portable recording system and maintained by the agency, the agency's retention schedule for the data, and the agency's procedures for destruction of the data.

Subd. 6. **Use of agency-issued portable recording systems.** While on duty, a peace officer may only use a portable recording system issued and maintained by the officer's agency in documenting the officer's activities.

Subd. 7. **Authorization to access data.** (a) A law enforcement agency must comply with sections 13.05, subdivision 5, and 13.055 in the operation of portable recording systems and in maintaining portable recording system data.

(b) The responsible authority for a law enforcement agency must establish written procedures to ensure that law enforcement personnel have access to the portable recording system data that are not public only if authorized in writing by the chief of police, sheriff, or head of the law enforcement agency, or their designee, to obtain access to the data for a legitimate, specified law enforcement purpose.

Subd. 8. **Sharing among agencies.** (a) Portable recording system data that are not public may only be shared with or disseminated to another law enforcement agency, a government entity, or a federal agency upon meeting the standards for requesting access to data as provided in subdivision 7.

(b) If data collected by a portable recording system are shared with another state or local law enforcement agency under this subdivision, the agency that receives the data must comply with all data classification, destruction, and security requirements of this section.

(c) Portable recording system data may not be shared with, disseminated to, sold to, or traded with any other individual or entity unless explicitly authorized by this section or other applicable law.

Subd. 9. **Biennial audit.** (a) A law enforcement agency must maintain records showing the date and time portable recording system data were collected and the applicable classification of the data. The law enforcement agency shall arrange for an independent, biennial audit of the data to determine whether data are appropriately classified according to this section, how the data are used, and whether the data are destroyed as required under this section, and to verify compliance with subdivisions 7 and 8. If the governing body with jurisdiction over the budget of the agency determines that the agency is not complying with this section or other applicable law, the governing body may order additional independent audits. Data in the records required under this paragraph are classified as provided in subdivision 2.

(b) The results of the audit are public, except for data that are otherwise classified under law. The governing body with jurisdiction over the budget of the law enforcement agency shall review the results of the audit. If the governing body determines that there is a pattern of substantial noncompliance with this section, the governing body must order that operation of all portable recording systems be suspended until the governing body has authorized the agency to reinstate their use. An order of suspension under this paragraph may only be made following review of the results of the audit and review of the applicable provisions of this chapter, and after providing the agency and members of the public a reasonable opportunity to respond to the audit's findings in a public meeting.

(c) A report summarizing the results of each audit must be provided to the governing body with jurisdiction over the budget of the law enforcement agency and to the Legislative Commission on Data Practices and Personal Data Privacy no later than 60 days following completion of the audit.

Subd. 10. **Notification to BCA.** Within ten days of obtaining new surveillance technology that expands the type or scope of surveillance capability of a portable recording system device beyond video or audio recording, a law enforcement agency must notify the Bureau of Criminal Apprehension that it has obtained the new surveillance technology. The notice must include a description of the technology and its surveillance capability and intended uses. The notices are accessible to the public and must be available on the bureau's Web site.

Subd. 11. Portable recording system vendor. (a) For purposes of this subdivision, "portable recording system vendor" means a person who is not a government entity and who provides services for the creation, collection, retention, maintenance, processing, or dissemination of portable recording system data for a law enforcement agency or other government entity. By providing these services to a government entity, a vendor is subject to all of the requirements of this chapter as if it were a government entity.

(b) A portable recording system vendor that stores portable recording system data in the cloud must protect the data in accordance with the security requirements of the United States Federal Bureau of Investigation Criminal Justice Information Services Division Security Policy 5.4 or its successor version.

(c) Subject to paragraph (d), in an action against a vendor under section 13.08 for a violation of this chapter, the vendor is liable for presumed damages of \$2,500 or actual damages, whichever is greater, and reasonable attorney fees.

(d) In an action against a vendor that improperly discloses data made not public by this chapter or any other statute classifying data as not public, the vendor is liable for presumed damages of \$10,000 or actual damages, whichever is greater, and reasonable attorney fees.

Subd. 12. Penalties for violation. In addition to any other remedies provided by law, in the case of a willful violation of this section a law enforcement agency is subject to exemplary damages of not less than twice the minimum, nor more than twice the maximum allowable for exemplary damages under section 13.08, subdivision 1.

EFFECTIVE DATE. This section is effective August 1, 2016. Data collected before the effective date of this section must be destroyed, if required by this section, no later than 15 days after the date this section becomes effective.

Sec. 6. **[626.8473] PORTABLE RECORDING SYSTEMS ADOPTION; WRITTEN POLICY REQUIRED.**

Subdivision 1. Definition. As used in this section, "portable recording system" has the meaning provided in section 13.825, subdivision 1.

Subd. 2. Public comment. A local law enforcement agency must provide an opportunity for public comment before it purchases or implements a portable recording system. At a minimum, the agency must accept public comments submitted electronically or by mail, and the governing body with jurisdiction over the budget of the law enforcement agency must provide an opportunity for public comment at a regularly-scheduled meeting.

Subd. 3. Written policies and procedures required. (a) The chief officer of every state and local law enforcement agency that uses or proposes to use a portable recording system must establish and enforce a written policy governing its use. In developing and adopting the policy, the law enforcement agency must provide for public comment and input as provided in subdivision 2. Use of a portable recording system without adoption of a written policy meeting the requirements of this section is prohibited. The written policy must be posted on the agency's Web site, if the agency has a Web site.

(b) At a minimum, the written policy must incorporate the following:

(1) the requirements of section 13.825 and other data classifications, access procedures, retention policies, and data security safeguards that, at a minimum, meet the requirements of chapter 13 and other applicable law;

(2) procedures for testing the portable recording system to ensure adequate functioning;

(3) procedures to address a system malfunction or failure, including requirements for documentation by the officer using the system at the time of a malfunction or failure;

(4) circumstances under which recording is mandatory, prohibited, or at the discretion of the officer using the system;

(5) circumstances under which a data subject must be given notice of a recording;

(6) circumstances under which a recording may be ended while an investigation, response, or incident is ongoing;

(7) procedures for the secure storage of portable recording system data and the creation of backup copies of the data; and

(8) procedures to ensure compliance and address violations of the policy, which must include, at a minimum, supervisory or internal audits and reviews, and the employee discipline standards for unauthorized access to data contained in section 13.09.

EFFECTIVE DATE. This section is effective August 1, 2016, provided that a law enforcement agency using a portable recording system on that date must adopt the policy required under this section no later than January 15, 2017.

Sec. 7. **LEGISLATIVE AUDITOR REVIEW.**

Beginning no earlier than January 1, 2019, the legislative auditor is requested to conduct a comprehensive review of compliance with the requirements of Minnesota Statutes, sections 13.825 and 626.8473. Data used for purposes of the review must include the results of the biennial audits required by Minnesota Statutes, section 13.825, subdivision 9, and may also include any other data that, in the judgment of the legislative auditor, assists in developing a complete understanding of any compliance or implementation issues resulting from enactment of those sections. The legislative auditor is requested to submit the results of the comprehensive review to the legislature no later than January 15, 2020."

Delete the title and insert:

"A bill for an act relating to data practices; classifying portable recording system data; establishing requirements for the destruction of data; requiring written policies and procedures; imposing requirements on vendors; providing for damage awards; requiring a legislative auditor review; amending Minnesota Statutes 2014, section 13.82, subdivisions 6, 7, 15; Minnesota Statutes 2015 Supplement, section 13.82, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 13; 626."

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

Senate Conferees: RON LATZ, SUSAN KENT and BILL INGEBRIGTSEN.

House Conferees: TONY CORNISH, BRIAN JOHNSON and DEBRA HILSTROM.

Cornish moved that the report of the Conference Committee on S. F. No. 498 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

Speaker pro tempore Sanders called Davids to the Chair.

S. F. No. 498, A bill for an act relating to data practices; classifying portable recording system data; establishing requirements for the destruction of data; requiring policies; imposing requirements on vendors and providing for damage awards; amending Minnesota Statutes 2014, section 13.82, subdivision 15, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 626.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 96 yeas and 34 nays as follows:

Those who voted in the affirmative were:

Albright	Daniels	Hamilton	Lillie	O'Driscoll	Selcer
Anderson, C.	Davids	Hancock	Lohmer	O'Neill	Slocum
Anderson, M.	Dettmer	Hansen	Loon	Pelowski	Smith
Anderson, P.	Ecklund	Heintzeman	Loonan	Peppin	Sundin
Anderson, S.	Erhardt	Hertaus	Lueck	Persell	Swedzinski
Anzelc	Erickson	Hilstrom	Mack	Petersburg	Theis
Applebaum	Fabian	Hortman	Marquart	Peterson	Thissen
Backer	Fenton	Howe	Masin	Pierson	Torkelson
Baker	Fischer	Isaacson	McDonald	Pinto	Uglen
Barrett	Franson	Johnson, B.	McNamara	Poppe	Urdahl
Bennett	Freiberg	Johnson, C.	Miller	Quam	Vogel
Bly	Green	Kelly	Murphy, M.	Rarick	Wills
Carlson	Gruenhagen	Kiel	Nelson	Rosenthal	Yarusso
Christensen	Gunther	Knoblach	Newton	Sanders	Youakim
Considine	Hackbarth	Kresha	Nornes	Schoen	Zerwas
Cornish	Halverson	Lien	Norton	Schomacker	Spk. Daudt

Those who voted in the negative were:

Allen	Drazkowski	Kahn	Lucero	Nash	Simonson
Bernardy	Flanagan	Koznick	Mahoney	Newberger	Wagenius
Clark	Hausman	Laine	Metsa	Pugh	Ward
Davnie	Hoppe	Lesch	Moran	Runbeck	Whelan
Dean, M.	Hornstein	Liebling	Mullery	Schultz	
Dehn, R.	Johnson, S.	Loeffler	Murphy, E.	Scott	

The bill was repassed, as amended by Conference, and its title agreed to.

Mr. Speaker:

I hereby announce that the Senate has concurred in and adopted the report of the Conference Committee on:

S. F. No. 2527.

The Senate has repassed said bill in accordance with the recommendation and report of the Conference Committee. Said Senate File is herewith transmitted to the House.

JOANNE M. ZOFF, Secretary of the Senate

CONFERENCE COMMITTEE REPORT ON S. F. No. 2527

A bill for an act relating to natural resources; appropriating money from outdoor heritage fund; modifying evaluation provisions; modifying prior appropriations; amending Minnesota Statutes 2014, section 97A.056, subdivision 10; Laws 2015, First Special Session chapter 2, article 1, section 2, subdivisions 2, 3, 5.

May 20, 2016

The Honorable Sandra L. Pappas
President of the Senate

The Honorable Kurt L. Daudt
Speaker of the House of Representatives

We, the undersigned conferees for S. F. No. 2527 report that we have agreed upon the items in dispute and recommend as follows:

That the House recede from its amendment and that S. F. No. 2527 be further amended as follows:

Delete everything after the enacting clause and insert:

"ARTICLE 1
OUTDOOR HERITAGE FUND

Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the outdoor heritage fund for the fiscal year indicated for each purpose. The figures "2016" and "2017" used in this act mean that the appropriations listed under them are available for the fiscal year ending June 30, 2016, or June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal year 2017. "The biennium" is fiscal years 2016 and 2017. The appropriations in this act are onetime.

	<u>APPROPRIATIONS</u>	
	<u>Available for the Year</u>	
	<u>Ending June 30</u>	
	<u>2016</u>	<u>2017</u>
Sec. 2. <u>OUTDOOR HERITAGE FUND</u>		
Subdivision 1. <u>Total Appropriation</u>	<u>\$-0-</u>	<u>\$109,847,000</u>
<u>This appropriation is from the outdoor heritage fund. The amounts that may be spent for each purpose are specified in the following subdivisions.</u>		
Subd. 2. <u>Prairies</u>	<u>-0-</u>	<u>31,000,000</u>
<u>(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition - Phase VIII</u>		

\$3,250,000 the second year is to the commissioner of natural resources to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to

acquire land in fee for scientific and natural area purposes under Minnesota Statutes, section 86A.05, subdivision 5. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Accelerating Wildlife Management Area Acquisition - Phase VIII

\$5,229,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore lands for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Martin County/Fox Lake Wildlife Management Area Acquisition

\$1,000,000 the second year is to the commissioner of natural resources for an agreement with Fox Lake Conservation League, Inc. to acquire land in fee and restore strategic prairie grassland, wetland, and other wildlife habitat for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase VII

\$2,754,000 the second year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements and restore lands within the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(e) Cannon River Headwaters Habitat Complex - Phase VI

\$583,000 the second year is to the commissioner of natural resources for an agreement with The Trust for Public Land to acquire land in fee and restore lands in the Cannon River watershed for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(f) Accelerated Native Prairie Bank Protection - Phase V

\$2,541,000 the second year is to the commissioner of natural resources to implement the Minnesota Prairie Conservation Plan through the acquisition of permanent conservation easements to protect and restore native prairie. Of this amount, up to \$120,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of permanent conservation easements must be provided as part of the final report.

(g) Reinvest In Minnesota (RIM) Buffers for Wildlife and Water - Phase VI

\$6,708,000 the second year is to the Board of Water and Soil Resources to acquire permanent conservation easements and restore habitat under Minnesota Statutes, section 103F.515, to protect, restore, and enhance habitat by expanding the clean water fund riparian buffer program for at least equal wildlife benefits from buffers on private land. Of this amount, up to \$130,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(h) Prairie Chicken Habitat Partnership of the Southern Red River Valley - Phase II

\$2,269,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever, in cooperation with the Minnesota Prairie Chicken Society, to acquire land in fee and restore and enhance lands in the southern Red River Valley for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or for designation and management as

waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(i) Grassland Conservation Partnership - Phase II

\$1,475,000 the second year is to the commissioner of natural resources for an agreement with The Conservation Fund, in cooperation with Minnesota Land Trust, to acquire permanent conservation easements and restore high priority grassland, prairie, and wetland habitats as follows: \$64,000 to The Conservation Fund; and \$1,411,000 to Minnesota Land Trust, of which up to \$100,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(j) Accelerated Prairie Restoration and Enhancement on DNR Lands - Phase VIII

\$3,983,000 the second year is to the commissioner of natural resources to accelerate restoration and enhancement of prairies, grasslands, and savannas on wildlife management areas, scientific and natural areas, native prairie bank land, and bluff prairies on state forest land in southeastern Minnesota. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(k) Anoka Sandplain Habitat Restoration and Enhancement - Phase IV

\$1,208,000 the second year is to the commissioner of natural resources for agreements to restore and enhance wildlife habitat on public lands in Anoka, Isanti, Morrison, Sherburne, and Todd Counties as follows: \$93,000 to Anoka Conservation District; \$25,000 to Isanti County Parks and Recreation Department; \$813,000 to Great River Greening; and \$277,000 to the National Wild Turkey Federation. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

Subd. 3. Forests

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18,379,000**(a) Young Forest Conservation - Phase II**

\$1,369,000 the second year is to the commissioner of natural resources for an agreement with the American Bird Conservancy to restore publicly owned, permanently protected forest lands for wildlife management purposes. A list of proposed forest land restorations must be provided as part of the required accomplishment plan.

(b) Jack Pine Forest/Crow Wing River Watershed Habitat Acquisition

\$3,570,000 the second year is to the commissioner of natural resources for an agreement with the Minnesota Deer Hunters Association to acquire in fee and restore and enhance forest habitat lands in Cass and Hubbard Counties for county forest purposes. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Camp Ripley Partnership - Phase VI

\$1,500,000 the second year is to the Board of Water and Soil Resources, in cooperation with the Morrison County Soil and Water Conservation District, to acquire permanent conservation easements and restore forest wildlife habitat within the boundaries of the Minnesota National Guard Camp Ripley Compatible Use Buffer. Of this amount, up to \$72,000 is to establish a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(d) Southeast Minnesota Protection and Restoration - Phase IV

\$5,000,000 the second year is to the commissioner of natural resources for an agreement with The Nature Conservancy, in cooperation with The Trust for Public Land and Minnesota Land Trust, to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, to acquire land in fee for scientific and natural areas under Minnesota Statutes, section 86A.05, subdivision 5, to acquire land in fee for state forest purposes under Minnesota Statutes, section 86A.05, subdivision 7, to acquire permanent conservation easements, and to restore and enhance prairie, grasslands, forest, and savanna as follows: \$1,506,000 to The Nature Conservancy; \$2,930,000 to The Trust for Public Land; and \$564,000 to Minnesota Land Trust, of which up to \$80,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section

97A.056, subdivision 17. Annual income statements and balance sheets for income and expenses from land acquired in fee with this appropriation and not transferred to state or local government ownership must be submitted to the Lessard-Sams Outdoor Heritage Council. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(e) Minnesota Forests for the Future - Phase IV

\$1,840,000 the second year is to the commissioner of natural resources to acquire forest, wetland, and shoreline habitat through working forest permanent conservation easements under the Minnesota forests for the future program pursuant to Minnesota Statutes, section 84.66. A conservation easement acquired with money appropriated under this paragraph must comply with Minnesota Statutes, section 97A.056, subdivision 13. The accomplishment plan must include an easement monitoring and enforcement plan. Of this amount, up to \$25,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(f) Protect Key Forest Lands in Cass County - Phase VII

\$500,000 the second year is to the commissioner of natural resources for an agreement with Cass County to acquire land in fee in Cass County for forest wildlife habitat or to prevent forest fragmentation. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(g) State Forest Acquisitions - Phase III

\$1,000,000 the second year is to the commissioner of natural resources to acquire lands in fee for wildlife habitat purposes under Minnesota Statutes, section 86A.05, subdivision 7. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(h) Forest Habitat Protection Revolving Account

\$1,000,000 the second year is to the commissioner of natural resources to acquire lands in fee and permanent conservation easements for wildlife habitat purposes, for forest consolidation and connective corridor purposes, or to prevent forest fragmentation under Minnesota Statutes, section 86A.05, subdivision 7. Proceeds from any subsequent sale of lands acquired with this appropriation must be used for the purposes of this appropriation. Any sale proceeds remaining unused upon close of the appropriation availability must be returned to the outdoor heritage fund. A list of proposed land acquisitions must be

provided as part of the required accomplishment plan. Unless otherwise provided, this appropriation is available until June 30, 2022. For acquisition of real property, this appropriation is available until June 30, 2023, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2022, and closed no later than June 30, 2023. Of this amount, up to \$50,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(i) Mississippi River Floodplain Forest Enhancement - Phase II

\$412,000 the second year is to the commissioner of natural resources for an agreement with the National Audubon Society to restore and enhance floodplain forest habitat for wildlife on public lands along the Mississippi River. A list of restorations and enhancements must be provided as part of the required accomplishment plan.

(j) Protecting Forest Wildlife Habitat in the Wild Rice River Watershed

\$2,188,000 the second year is to the commissioner of natural resources for an agreement with the White Earth Band of Ojibwe to acquire lands in fee in Clearwater County to be managed for wildlife habitat purposes. A list of proposed land acquisitions must be provided as part of the required accomplishment plan. As a condition of receiving the grant under this paragraph, the White Earth Band of Ojibwe shall:

(1) ensure that current access roads and trails on the property are maintained and open to continue the current access to adjoining lands;

(2) ensure that the property remains open to hunting and fishing for individuals of the public who are not members of a federally recognized tribe in a manner consistent with current law; and

(3) not transfer fee interest in whole or in part to the United States either directly or through an intermediary in trust for the White Earth Band of Ojibwe.

Failure to comply with the provisions of this paragraph shall trigger the reversion provisions of Minnesota Statutes, section 97A.056, subdivision 15.

Subd. 4. **Wetlands**

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31,055,000

(a) Accelerating the Waterfowl Production Area Acquisition - Phase VIII

\$5,650,000 the second year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire in fee and restore and enhance wetlands and grasslands to be

designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(b) Shallow Lake and Wetland Protection Program - Phase V

\$5,801,000 the second year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire in fee and restore prairie lands, wetlands, and land buffering shallow lakes for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(c) RIM Wetlands Partnership - Phase VII

\$13,808,000 the second year is to the Board of Water and Soil Resources to acquire lands in permanent conservation easements and to restore wetlands and native grassland habitat under Minnesota Statutes, section 103F.515. Of this amount, up to \$195,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(d) Wetland Habitat Protection Program - Phase II

\$1,629,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements in high-priority wetland habitat complexes in the prairie and forest/prairie transition regions. Of this amount, up to \$180,000 is to establish a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed easement acquisitions must be provided as part of the final report.

(e) Accelerated Shallow Lakes and Wetlands Enhancement - Phase VIII

\$2,167,000 the second year is to the commissioner of natural resources to enhance and restore shallow lakes and wetland habitat statewide. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(f) Marsh Lake - Phase II

\$2,000,000 the second year is to the commissioner of natural resources to modify the dam at Marsh Lake for improved habitat management and to return the historic outlet of the Pomme de Terre River to Lac Qui Parle.

Subd. 5. Habitats-0-29,138,000**(a) DNR Aquatic Habitat Protection - Phase VIII**

\$1,578,000 the second year is to the commissioner of natural resources to acquire land in fee and permanent conservation easements for aquatic management purposes under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02, to acquire permanent conservation easements under the Minnesota forests for the future program pursuant to Minnesota Statutes, section 84.66, and to restore and enhance aquatic and adjacent upland habitat. Of this amount, up to \$153,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions, conservation easements, restorations, and enhancements must be provided as part of the required accomplishment plan.

(b) Metro Big Rivers Habitat - Phase VII

\$4,000,000 the second year is to the commissioner of natural resources for agreements to acquire land in fee and permanent conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers within the metropolitan area as follows: \$500,000 to Minnesota Valley National Wildlife Refuge Trust, Inc.; \$430,000 to Friends of the Mississippi River; \$1,170,000 to Great River Greening; \$800,000 to The Trust for Public Land; and \$1,100,000 to Minnesota Land Trust, of which up to \$60,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

(c) Mississippi Headwaters Habitat Corridor Partnership - Phase II

\$2,105,000 the second year is to the commissioner of natural resources for agreements to acquire lands in fee in the Mississippi Headwaters and for agreements as follows: \$76,000 to the Mississippi Headwaters Board; and \$2,029,000 to The Trust for Public Land. \$1,045,000 the second year is to the Board of Water and Soil Resources to acquire permanent conservation easements and to restore wildlife habitat, of which up to \$78,000 is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

(d) Fisheries Habitat Protection on Strategic North Central Minnesota Lakes - Phase II

\$1,425,000 the second year is to the commissioner of natural resources for agreements with the Leech Lake Area Watershed Foundation and Minnesota Land Trust to acquire land in fee and permanent conservation easements to sustain healthy fish habitat on cold water lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties as follows: \$480,000 to Leech Lake Area Watershed Foundation; and \$945,000 to Minnesota Land Trust, of which up to \$180,000 to Minnesota Land Trust is to establish a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(e) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase VIII

\$1,975,000 the second year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to restore or enhance habitat for trout and other species in and along cold water rivers, lakes, and streams in Minnesota. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

(f) DNR Stream Habitat

\$2,074,000 the second year is to the commissioner of natural resources to restore and enhance habitat to facilitate fish passage, degraded streams, and critical aquatic species habitat. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(g) St. Louis River Restoration Initiative - Phase III

\$2,707,000 the second year is to the commissioner of natural resources to restore aquatic habitats in the St. Louis River estuary. A list of proposed restorations must be provided as part of the required accomplishment plan.

(h) Sand Hill River Fish Passage - Phase II

\$828,000 the second year is to the commissioner of natural resources for an agreement with the Sand Hill River Watershed District, in cooperation with the Department of Natural Resources and Army Corps of Engineers, to restore and enhance fish passage and habitat in the Sand Hill River watershed. A list of proposed restorations must be provided as part of the required accomplishment plan.

(i) Shell Rock River Watershed Habitat Restoration Program - Phase V

\$1,200,000 the second year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to acquire in fee, restore, and enhance aquatic habitat in the Shell Rock River watershed. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

(j) Roseau Lake Rehabilitation

\$2,763,000 the second year is to the commissioner of natural resources to acquire land in fee and permanent conservation easements for wildlife management purposes in Roseau County under Minnesota Statutes, section 86A.05, subdivision 8, to restore and enhance wildlife habitat. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

(k) Conservation Partners Legacy Grant Program: Statewide and Metro Habitat - Phase VIII

\$7,438,000 the second year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, up to \$2,500,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or greater. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of the total appropriation, \$588,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to organizations that have a history of receiving or a charter to receive private contributions for local conservation or habitat projects. If acquiring land in fee or a conservation easement, priority must be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section

86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, by public ownership, or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2020. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

Subd. 6. Administration

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275,000

(a) Contract Management

\$150,000 the second year is to the commissioner of natural resources for contract management duties assigned in this section. The commissioner shall provide an accomplishment plan in the form specified by the Lessard-Sams Outdoor Heritage Council on the expenditure of this appropriation. The accomplishment plan must include a copy of the grant contract template and reimbursement manual. No money may be expended prior to Lessard-Sams Outdoor Heritage Council approval of the accomplishment plan.

(b) Technical Evaluation Panel

\$125,000 the second year is to the commissioner of natural resources for a technical evaluation panel to conduct up to 15 restoration and enhancement evaluations under Minnesota Statutes, section 97A.056, subdivision 10.

Subd. 7. Availability of Appropriation

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Unless otherwise

provided, the amounts in this section are available until June 30, 2019. For acquisition of real property, the amounts in this section are available until June 30, 2020, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2019, and closed no later than June 30, 2020. Funds for restoration or enhancement are available until June 30, 2021, or five years after acquisition, whichever is later, in order to complete initial restoration or enhancement work. If a project receives at least 15 percent of its funding from federal funds, the time period of the appropriation may be extended to equal the availability of federal funding to a maximum of six years, provided the federal funding was confirmed and included in the first draft accomplishment plan. Money appropriated for fee title acquisition of land may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public use facilities must have a minimal impact on habitat in acquired lands.

Subd. 8. Payment Conditions and Capital Equipment Expenditures

All agreements referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section. Notwithstanding Minnesota Statutes, section 16A.41, expenditures directly related to each appropriation's purpose made on or after July 1, 2016, or the date of accomplishment plan approval, whichever is later, are eligible for reimbursement unless otherwise provided in this section. For the purposes of administering appropriations and legislatively authorized agreements paid out of the outdoor heritage fund, an expense must be considered reimbursable by the administering agency when the recipient presents the agency with an invoice, or binding agreement with the landowner, and the recipient attests that the goods have been received or the landowner agreement is binding. Periodic reimbursement must be made upon receiving documentation that the items articulated in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council have been achieved, including partial achievements as evidenced by progress reports approved by the Lessard-Sams Outdoor Heritage Council. Reasonable amounts may be advanced to projects to accommodate cash flow needs, support future management of acquired lands, or match a federal share. The advances must be approved as part of the accomplishment plan. Capital equipment expenditures for specific items in excess of \$10,000 must be itemized in and approved as part of the accomplishment plan.

Subd. 9. Mapping

Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must provide geographic information to the Lessard-Sams Outdoor Heritage Council for mapping of any lands acquired in fee with

funds appropriated in this section and open to public taking of fish and game. The commissioner of natural resources shall include the lands acquired in fee with money appropriated in this section on maps showing public recreation opportunities. Maps must include information on and acknowledgment of the outdoor heritage fund, including a notation of any restrictions.

Subd. 10. RIM Buffers for Wildlife and Water Restorations

The following appropriations to the Board of Water and Soil Resources for the RIM buffers for wildlife and water program may be used for restoration of lands acquired by conservation easement with the appropriations:

(1) Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 2, paragraph (f);

(2) Laws 2014, chapter 256, article 1, section 2, subdivision 2, paragraph (f);

(3) Laws 2013, chapter 137, article 1, section 2, subdivision 2, paragraph (e);

(4) Laws 2012, chapter 264, article 1, section 2, subdivision 2, paragraph (a); and

(5) Laws 2011, First Special Session chapter 6, article 1, section 2, subdivision 2, paragraph (c).

Subd. 11. Carryforward of Appropriation

(a) The availability of the appropriation in Laws 2013, chapter 137, article 1, section 2, subdivision 5, paragraph (b), for Habitat Protection in Dakota County - Phase IV is extended to June 30, 2017.

(b) Paragraph (a) is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2014, section 97A.056, subdivision 2, is amended to read:

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

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

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

(3) four public members appointed by the governor;

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

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

(b) Members appointed under paragraph (a) must not be registered lobbyists. In making appointments, the governor, senate Subcommittee on Committees of the Committee on Rules and Administration, and the speaker of the house shall consider geographic balance, gender, age, ethnicity, and varying interests including hunting and fishing. The governor's appointments to the council are subject to the advice and consent of the senate.

(c) Public members appointed under paragraph (a) shall have practical experience or expertise or demonstrated knowledge in the science, policy, or practice of restoring, protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and wildlife.

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

(e) Public members serve four-year terms. Appointed legislative members serve at the pleasure of the appointing authority. Public and legislative members continue to serve until their successors are appointed. Public members shall be initially appointed according to the following schedule of terms:

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

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

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

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

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

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

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

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

(h) ~~Upon coordination with~~ The Legislative Coordinating Commission, ~~the council~~ may appoint nonpartisan staff and contract with consultants as necessary to ~~carry out~~ support the functions of the council. The council has final approval authority for the hiring of a candidate for executive director. Up to one percent of the money appropriated from the fund may be used to pay for administrative expenses of the council and for compensation and expense reimbursement of council members.

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

Sec. 4. Minnesota Statutes 2014, section 97A.056, subdivision 10, is amended to read:

Subd. 10. **Restoration and enhancements evaluations.** The commissioner of natural resources and the Board of Water and Soil Resources ~~may~~ must convene a technical evaluation panel comprised of five members, including one technical representative from the Board of Water and Soil Resources, one technical representative from the

Department of Natural Resources, one technical expert from the University of Minnesota or the Minnesota State Colleges and Universities, and two representatives with expertise in the project being evaluated. The board and the commissioner may add a technical representative from a unit of federal or local government. The members of the technical evaluation panel may not be associated with the restoration or enhancement, may vary depending upon the projects being reviewed, and shall avoid any potential conflicts of interest. Each year, the board and the commissioner may assign a coordinator to identify ~~a sample of up to ten~~ habitat restoration or enhancement projects completed with outdoor heritage funding. The coordinator shall secure the ~~restoration~~ plans for the projects specified and direct the technical evaluation panel to evaluate the restorations and enhancements relative to the law, current science, and the stated goals and standards in the ~~restoration project~~ plan and, when applicable, to the Board of Water and Soil Resources' native vegetation establishment and enhancement guidelines. The coordinator shall summarize the findings of the panel and provide a report to the chair of the Lessard-Sams Outdoor Heritage Council and the chairs of the respective house of representatives and senate policy and finance committees with jurisdiction over natural resources and spending from the outdoor heritage fund. The report shall determine if the restorations and enhancements are meeting planned goals, any problems with the implementation of restorations and enhancements, and, if necessary, recommendations on improving restorations and enhancements. The report shall be focused on improving future restorations and enhancements. At least one-tenth of one percent of forecasted receipts from the outdoor heritage fund must be used for restoration and enhancements evaluations under this section.

Sec. 5. Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 2, is amended to read:

Subd. 2. Prairies	40,948,000	-0-
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(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition - Phase VII

\$4,570,000 in the first year is to the commissioner of natural resources to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire land in fee for scientific and natural area purposes under Minnesota Statutes, section 86A.05, subdivision 5. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land and permanent conservation easement acquisitions must be provided as part of the required accomplishment plan.

(b) Accelerating Wildlife Management Area Acquisition - Phase VII

\$7,452,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire land in fee for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(c) Minnesota Prairie Recovery Project - Phase VI

\$4,032,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire native prairie, wetlands, and savanna and restore and enhance grasslands, wetlands, and savanna. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. Annual income statements and balance sheets for income and expenses from land acquired with this appropriation must be submitted to the Lessard-Sams Outdoor Heritage Council no later than 180 days following the close of The Nature Conservancy's fiscal year. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities identified in the Minnesota Prairie Conservation Plan.

(d) Northern Tallgrass Prairie National Wildlife Refuge Land Acquisition - Phase ~~V~~ VI

\$3,430,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements within the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

(e) Accelerated Native Prairie Bank Protection - Phase IV

\$3,740,000 in the first year is to the commissioner of natural resources to implement the Minnesota Prairie Conservation Plan through the acquisition of permanent conservation easements to protect native prairie and grasslands. Up to \$165,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of permanent conservation easements must be provided as part of the final report.

(f) Minnesota Buffers for Wildlife and Water - Phase V

\$4,544,000 in the first year is to the Board of Water and Soil Resources to acquire permanent conservation easements to protect and enhance habitat by expanding the clean water fund riparian buffer program for at least equal wildlife benefits from buffers on private land. Up to \$72,500 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(g) Cannon River Headwaters Habitat Complex - Phase V

\$1,380,000 in the first year is to the commissioner of natural resources for an agreement with The Trust for Public Land to acquire and restore lands in the Cannon River watershed for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(h) Prairie Chicken Habitat Partnership of the Southern Red River Valley

\$1,800,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever in cooperation with the Minnesota Prairie Chicken Society to acquire and restore lands in the southern Red River Valley for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, or for designation and management as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(i) Protecting and Restoring Minnesota's Important Bird Areas

\$1,730,000 in the first year is to the commissioner of natural resources for agreements to acquire conservation easements within important bird areas identified in the Minnesota Prairie Conservation Plan, to be used as follows: \$408,000 is to Audubon Minnesota and \$1,322,000 is to Minnesota Land Trust, of which up to \$100,000 is for establishing monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(j) Wild Rice River Corridor Habitat Restoration

\$2,270,000 in the first year is to the commissioner of natural resources for an agreement with the Wild Rice Watershed District to acquire land in fee and permanent conservation easement and to restore river and related habitat in the Wild Rice River corridor. A list of proposed acquisitions and restorations must be provided as part of the required accomplishment plan.

(k) Accelerated Prairie Restoration and Enhancement on DNR Lands - Phase VII

\$4,880,000 in the first year is to the commissioner of natural resources to accelerate the restoration and enhancement of prairie communities on wildlife management areas, scientific and natural areas, state forest land, and land under native prairie bank easements. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

(l) Enhanced Public Land Grasslands - Phase II

\$1,120,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to enhance and restore habitat on public lands. A list of proposed land restorations and enhancements must be provided as part of the final report.

Sec. 6. Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 3, is amended to read:

Subd. 3. **Forests**

12,634,000

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(a) Camp Ripley Partnership - Phase V

\$1,500,000 in the first year is to the Board of Water and Soil Resources in cooperation with the Morrison County Soil and Water Conservation District to acquire permanent conservation easements within the boundaries of the Minnesota National Guard Compatible Use Buffer to protect forest wildlife habitat. Up to \$55,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

(b) Southeast Minnesota Protection and Restoration - Phase III

\$2,910,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8; to acquire land in fee for scientific and natural areas under Minnesota Statutes, section 86A.05, subdivision 5; for state forest purposes under

Minnesota Statutes, section 86A.05, subdivision 7; and to enhance grasslands, forest, and savanna. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

(c) Protecting Pinelands Sands Aquifer Forestlands - Phase II

\$2,180,000 in the first year is to the commissioner of natural resources to acquire forest lands in Cass, Hubbard, and Wadena Counties for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8, and to acquire land in fee for state forests under Minnesota Statutes, section 86A.05, subdivision 7. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(d) Protect Key Forest Lands in Cass County - Phase VI

\$442,000 in the first year is to the commissioner of natural resources for an agreement with Cass County to acquire land in fee in Cass County for forest wildlife habitat or to prevent forest fragmentation. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

(e) Critical Shoreland Protection Program - Phase III

\$1,690,000 in the first year is to the commissioner of natural resources for an agreement with Minnesota Land Trust to acquire permanent conservation easements along rivers and lakes in the northern forest region. Up to \$220,000 is for establishing a monitoring and enforcement fund, as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed permanent conservation easements must be provided as part of the required accomplishment plan.

(f) Mississippi Headwaters Habitat Partnership

\$3,002,000 in the first year is to the commissioner of natural resources to acquire lands in fee and for permanent conservation easements in the Mississippi Headwaters and for agreements as follows: \$1,217,000 to The Trust for Public Land; and \$824,000 to Minnesota Land Trust, of which up to \$80,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

(g) Southeast Forest Habitat Enhancement

\$910,000 in the first year is to the commissioner of natural resources to enhance forests in southeastern Minnesota. A list of proposed land enhancements must be provided as part of the required accomplishment plan.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2015.

Sec. 7. Laws 2015, First Special Session chapter 2, article 1, section 2, subdivision 5, is amended to read:

Subd. 5. **Habitats**

22,368,000

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(a) DNR Aquatic Habitat - Phase VII

\$4,540,000 in the first year is to the commissioner of natural resources to acquire interests in land in fee and permanent conservation easements for aquatic management purposes under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02, to acquire interests in land in permanent conservation easements for fish and wildlife habitat under Minnesota Statutes, section 84.66, and to restore and enhance aquatic habitat. Up to \$130,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

(b) Metro Big Rivers - Phase VI

\$2,000,000 in the first year is to the commissioner of natural resources for agreements to acquire land in fee and in permanent conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers as follows: \$475,000 to Minnesota Valley National Wildlife Refuge Trust, Inc.; \$275,000 to Friends of the Mississippi River; \$400,000 to Great River Greening; \$375,000 to Minnesota Land Trust; and \$475,000 to The Trust for Public Land. Up to \$60,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

(c) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase VII

\$1,890,000 in the first year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to restore and enhance habitat for trout and other species in and along coldwater rivers and streams in Minnesota. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

(d) Lake Bemidji South Shore Restoration and Enhancement

\$1,650,000 in the first year is to the commissioner of natural resources for an agreement with the city of Bemidji to restore and enhance fish habitat on Lake Bemidji. A list of proposed restorations and enhancements must be provided as part of the required accomplishment plan.

(e) Sand Hill River Fish Passage

\$990,000 in the first year is to the commissioner of natural resources for an agreement with the Sand Hill River Watershed District to restore fish habitat in the Sand Hill River watershed. A list of proposed restorations must be provided as part of the required accomplishment plan.

(f) Shell Rock River Watershed Habitat Restoration Program - Phase IV

\$2,414,000 in the first year is to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to protect, restore, and enhance aquatic habitat in the Shell Rock River watershed. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan.

(g) Lake Nokomis Integrated Habitat Enhancement

\$444,000 in the first year is to the commissioner of natural resources for an agreement with the Minneapolis Park and Recreation Board to enhance aquatic habitat on Lake Nokomis. A list of proposed enhancements must be provided as part of the required accomplishment plan.

(h) Conservation Partners Legacy Grant Program: Statewide and Metro Habitat - Phase VII

\$8,440,000 in the first year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, \$3,692,000 is for grants in the seven-county metropolitan area and cities with a population of 50,000 or greater. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of this appropriation, \$596,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects

of equal value, give priority to organizations that have a history of receiving or a charter to receive private contributions for local conservation or habitat projects. If acquiring land or a conservation easement, priority must be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, ~~2018~~ 2019. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

ARTICLE 2
CLEAN WATER FUND

Section 1. Laws 2011, First Special Session chapter 6, article 2, section 3, is amended to read:

Sec. 3. DEPARTMENT OF AGRICULTURE	\$7,700,000	\$ 7,700,000 <u>7,110,000</u>
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(a) \$350,000 the first year and \$350,000 the second year are to increase monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess pesticide use practices.

(b) \$850,000 the first year and \$850,000 the second year are to increase monitoring and evaluate trends in the concentration of nitrates in groundwater in high-risk areas and regionally and to promote and evaluate regional and crop-specific nutrient best management practices. This appropriation is available until June 30, 2016.

(c) \$4,500,000 the first year and \$4,500,000 the second year are for the agriculture best management practices loan program. At least \$3,500,000 the first year and at least \$3,900,000 the second year are for transfer to the clean water agricultural best management practices loan account and are available for pass-through to local

governments and lenders for low-interest loans under Minnesota Statutes, section 17.117. Any unencumbered balance that is not used for pass-through to local governments does not cancel at the end of the first year and is available for the second year.

(d) \$775,000 the first year and ~~\$775,000~~ \$675,000 the second year are for research, pilot projects, and technical assistance on proper implementation of best management practices and more precise information on nonpoint contributions to impaired waters. This appropriation is available until June 30, 2016.

(e) \$1,050,000 the first year and ~~\$1,050,000~~ \$560,000 the second year are for research to quantify agricultural contributions to impaired waters and for development and evaluation of best management practices to protect and restore water resources while maintaining productivity. This appropriation is available until June 30, 2016.

(f) \$175,000 the first year and \$175,000 the second year are for a research inventory database containing water-related research activities. This appropriation is available until June 30, 2016.

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

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

Sec. 5. POLLUTION CONTROL AGENCY	\$24,212,000	\$ 23,558,000 <u>23,400,000</u>
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(a) \$7,500,000 the first year and ~~\$7,500,000~~ \$7,485,000 the second year are for completion of 20 percent of the needed statewide assessments of surface water quality and trends. Of this amount, \$100,000 the first year and \$100,000 the second year are for grants to the Red River Watershed Management Board to enhance and expand the existing water quality and watershed monitoring river watch activities in the schools in the Red River of the North. The Red River Watershed Management Board shall provide a report to the commissioner of the Pollution Control Agency and the legislative committees and divisions with jurisdiction over environment and natural resources finance and policy and the clean water fund by February 15, 2013, on the expenditure of these funds.

(b) \$9,400,000 the first year and ~~\$9,400,000~~ \$9,261,000 the second year are to develop total maximum daily load (TMDL) studies and TMDL implementation plans for waters listed on the United States Environmental Protection Agency approved impaired waters list in accordance with Minnesota Statutes, chapter 114D. The agency shall complete an average of ten percent of the TMDL's each year over the biennium.

(c) \$1,125,000 the first year and \$1,125,000 the second year are for groundwater assessment, including enhancing the ambient monitoring network, modeling, and continuing to monitor for and assess contaminants of emerging concern.

(d) \$750,000 the first year and \$750,000 the second year are for water quality improvements in the lower St. Louis River and Duluth harbor. This appropriation must be matched at a rate of 65 percent nonstate money to 35 percent state money.

(e) \$1,000,000 the first year and \$1,000,000 the second year are for the clean water partnership program to provide grants to protect and improve the basins and watersheds of the state and provide financial and technical assistance to study waters with nonpoint source pollution problems. Priority shall be given to projects preventing impairments and degradation of lakes, rivers, streams, and groundwater in accordance with Minnesota Statutes, section 114D.20, subdivision 2, clause (4). Any balance remaining in the first year does not cancel and is available for the second year.

(f) \$400,000 the first year and \$400,000 the second year are for storm water research and guidance.

(g) \$1,150,000 the first year and \$1,150,000 the second year are for TMDL research and database development.

(h) \$800,000 the first year and \$800,000 the second year are for national pollutant discharge elimination system wastewater and storm water TMDL implementation efforts.

(i) \$225,000 the first year and \$225,000 the second year are transferred to the commissioner of administration for the Environmental Quality Board in cooperation with the United States Geological Survey to characterize groundwater flow and aquifer properties in the I-94 corridor in cooperation with local units of government. This appropriation is available until June 30, 2016.

(j) \$1,000,000 the first year and \$500,000 the second year are for a wild rice standards study.

(k) \$862,000 the first year and ~~\$708,000~~ \$704,000 the second year are for groundwater protection or prevention of groundwater degradation activities through enhancing the county-level delivery system for subsurface sewage treatment systems (SSTS). The commissioner shall consult with the SSTS Compliance Task Force in developing a distribution allocation for the county base grants.

(l) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2013, as grants or contracts in this section are available until June 30, 2016.

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

Sec. 3. Laws 2011, First Special Session chapter 6, article 2, section 7, as amended by Laws 2012, chapter 264, article 2, section 3, is amended to read:

Sec. 7. BOARD OF WATER AND SOIL RESOURCES	\$27,534,000	\$ 31,734,000 <u>30,662,000</u>
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(a) \$13,750,000 the first year and ~~\$15,350,000~~ \$14,751,000 the second year are for pollution reduction and restoration grants to local government units and joint powers organizations of local government units to protect surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system (SSTS) projects and stream bank, stream channel, and shoreline restoration projects. The projects must be of long-lasting public benefit, include a match, and be consistent with TMDL implementation plans or local water management plans.

(b) \$3,000,000 the first year and ~~\$3,600,000~~ \$3,475,000 the second year are for targeted local resource protection and enhancement grants. The board shall give priority consideration to projects and practices that complement, supplement, or exceed current state standards for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation. Of this amount, at least \$1,500,000 each year is for county SSTS implementation.

(c) \$900,000 the first year and ~~\$1,200,000~~ \$897,000 the second year are to provide state oversight and accountability, evaluate results, and develop an electronic system to measure and track the value of conservation program implementation by local governments, including submission to the legislature by March 1 each year an annual report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, detailing the recipients and projects funded under this section. The board shall require grantees to specify the outcomes that will be achieved by the grants prior to any grant awards.

(d) \$1,000,000 the first year and \$1,700,000 the second year are for technical assistance and grants for the conservation drainage program in consultation with the Drainage Work Group, created under Minnesota Statutes, section 103B.101, subdivision 13, to facilitate the installation of conservation practices on drainage systems that will result in water quality improvements and evaluate the outcomes of these installations. The board shall coordinate practice standards with the Natural Resources Conservation Service of the United States Department of Agriculture and seek to leverage federal funds as part of conservation drainage program implementation.

(e) \$6,000,000 the first year and \$6,000,000 the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road, or other impediment beyond the control of the landowner. This appropriation may be used for restoration of riparian buffers protected by easements purchased with this appropriation and for stream bank restorations when the riparian buffers have been restored.

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

(g) \$1,500,000 the first year and ~~\$1,500,000~~ \$1,455,000 the second year are for community partners grants to local units of government for: (1) structural or vegetative management practices that reduce storm water runoff from developed or disturbed lands to reduce the movement of sediment, nutrients, and pollutants for restoration, protection, or enhancement of water quality in lakes, rivers, and streams and to protect groundwater and drinking water; and (2) installation of proven and effective water retention practices including, but not limited to, rain gardens and other vegetated infiltration basins and sediment control basins in order to keep water on the land. The projects must be of long-lasting public benefit, include a local match, and be consistent with TMDL implementation plans or local water management plans. Local government unit staff and administration costs may be used as a match.

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

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

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

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

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

Sec. 4. Laws 2013, chapter 137, article 2, section 3, is amended to read:

Sec. 3. DEPARTMENT OF AGRICULTURE	\$7,310,000	\$ 7,460,000
		<u>7,399,000</u>

(a) \$350,000 the first year and \$350,000 the second year are to increase monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess pesticide use practices.

(b) \$2,500,000 the first year and \$2,500,000 the second year are to increase monitoring and evaluate trends in the concentration of nitrates in groundwater in areas vulnerable to groundwater degradation, including a substantial increase of monitoring of private wells in cooperation with the commissioner of health, monitoring for pesticides when nitrates are detected, and promoting and evaluating regional and crop-specific nutrient best management practices to protect groundwater from degradation. Of this amount, \$75,000 may be used for accelerating the update for the commercial manure applicator manual. This amount is to be matched with general funds. This appropriation is available until June 30, 2016, when the commissioner shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over agriculture and environment and natural resources policy and finance on the expenditure of these funds, including the progress in preventing groundwater degradation and recommendations. By October 15, 2014, the commissioner shall submit an interim report to the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over agriculture and environment and natural resources policy and finance on the expenditure of these funds, including recommendations.

(c) \$200,000 the first year and \$200,000 the second year are for the agriculture best management practices loan program. At least \$170,000 each year is for transfer to an agricultural and environmental revolving account created under Minnesota Statutes, section 17.117, subdivision 5a, and is available for pass-through to local government and lenders for low-interest loans under Minnesota Statutes, section 17.117. Any

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

(d) \$1,500,000 the first year and \$1,500,000 the second year are for research, pilot projects, and technical assistance on proper implementation of best management practices and more precise information on nonpoint contributions to impaired waters. This appropriation is available until June 30, 2018.

(e) \$1,000,000 the first year and \$1,100,000 the second year are for research to quantify agricultural contributions to impaired waters and for development and evaluation of best management practices to protect and restore water resources while maintaining productivity. This appropriation is available until June 30, 2018.

(f) \$100,000 the first year and ~~\$150,000~~ \$90,000 the second year are for a research inventory database containing water-related research activities. Any information technology development or support or costs necessary for this research inventory database will be incorporated into the agency's service level agreement with and paid to the Office of Enterprise Technology. This appropriation is available until June 30, 2018.

(g) \$1,500,000 the first year and \$1,500,000 the second year are to implement a Minnesota agricultural water quality certification program. This appropriation is available until June 30, 2018.

(h) \$110,000 the first year and \$110,000 the second year are to provide funding for a regional irrigation water quality specialist through University of Minnesota Extension.

(i) \$50,000 the first year and ~~\$50,000~~ \$49,000 the second year are to develop and implement a comprehensive, up-to-date instruction system for animal waste technicians who apply manure to the ground for hire.

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

Sec. 5. Laws 2013, chapter 137, article 2, section 5, is amended to read:

Sec. 5. POLLUTION CONTROL AGENCY	\$28,365,000	\$ 28,265,000 <u>28,010,000</u>
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(a) \$7,600,000 the first year and ~~\$7,600,000~~ \$7,522,000 the second year are for completion of 20 percent of the needed statewide assessments of surface water quality and trends. Of this amount, \$500,000 each year is to monitor and assess contaminants of emerging concern in groundwater and surface water, and \$100,000 each year is for grants to the Red River Watershed Management Board to enhance and expand the existing water quality and

watershed monitoring river watch activities in the schools in the Red River of the North Watershed. The Red River Watershed Management Board shall provide a report to the commissioner of the Pollution Control Agency and the legislative committees and divisions with jurisdiction over environment and natural resources finance and policy and the clean water fund by February 15, 2015, on the expenditure of these funds.

(b) \$9,400,000 the first year and ~~\$9,400,000~~ \$9,323,000 the second year are to develop watershed restoration and protection strategies (WRAPS), which include total maximum daily load (TMDL) studies and TMDL implementation plans for waters listed on the United States Environmental Protection Agency approved impaired waters list in accordance with Minnesota Statutes, chapter 114D. The agency shall complete an average of ten percent of the TMDL's each year over the biennium.

(c) \$1,125,000 the first year and ~~\$1,125,000~~ \$1,108,000 the second year are for groundwater assessment, including enhancing the ambient monitoring network, modeling, and evaluating trends, including the reassessment of groundwater that was assessed ten to 15 years ago and found to be contaminated. By January 15, 2016, the commissioner shall submit a report with recommendations for reducing or preventing groundwater degradation from contaminants to the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over environment and natural resources policy and finance.

(d) \$750,000 the first year and \$750,000 the second year are for water quality improvements in the lower St. Louis River and Duluth harbor within the St. Louis River System Area of Concern. This appropriation must be matched at a rate of 65 percent nonstate money to 35 percent state money.

(e) \$1,000,000 the first year and \$2,000,000 the second year are for the clean water partnership program to provide grants to protect and improve the basins and watersheds of the state and provide financial and technical assistance to study waters with nonpoint source pollution problems. Priority shall be given to projects preventing impairments and degradation of lakes, rivers, streams, and groundwater in accordance with Minnesota Statutes, section 114D.20, subdivision 2, clause (4). Any balance remaining in the first year does not cancel and is available for the second year.

(f) \$275,000 the first year and \$275,000 the second year are for storm water research and guidance.

(g) \$1,150,000 the first year and ~~\$1,150,000~~ \$1,131,000 the second year are for TMDL research and database development.

(h) \$1,000,000 the first year and ~~\$1,000,000~~ \$936,000 the second year are to initiate development of a multiagency watershed database reporting portal. Any information technology development or support or costs necessary for this research inventory database will be incorporated into the agency's service level agreement with and paid to the Office of Enterprise Technology.

(i) \$900,000 the first year and \$900,000 the second year are for national pollutant discharge elimination system wastewater and storm water TMDL implementation efforts.

(j) \$3,250,000 the first year and \$3,650,000 the second year are for enhancing the county-level delivery systems for subsurface sewage treatment systems (SSTS) activities necessary to implement Minnesota Statutes, sections 115.55 and 115.56, for protection of groundwater, including base grants for all counties with SSTS programs and competitive grants to counties with specific plans to significantly reduce water pollution by reducing the number of systems that are an imminent threat to public health or safety or are otherwise failing. Counties that receive base grants must report the number of sewage noncompliant properties upgraded through SSTS replacement, connection to a centralized sewer system, or other means including property abandonment or buy-out. Counties also must report the number of compliance inspections of existing SSTS's conducted in areas under county jurisdiction. These required reports are to be part of established annual reporting for SSTS programs. Counties that conduct SSTS inventories or those with an ordinance in place that requires an SSTS to be inspected as a condition of transferring property or as a condition of obtaining a local permit shall be given priority for competitive grants under this paragraph. Of this amount, \$750,000 each year is available to counties for grants to low-income landowners to address systems that pose an imminent threat to public health or safety or fail to protect groundwater. A grant awarded under this paragraph may not exceed \$500,000 for the biennium. A county receiving a grant under this paragraph must submit a report to the agency listing the projects funded, including an account of the expenditures.

(k) \$1,500,000 the first year is for a competitive grant program for sewer projects that helps protect or restore the water quality of waters in any national park located in the state. Grants may be awarded to local government units and must be matched with 25 percent non-clean-water-fund dollars.

(l) \$375,000 the first year and \$375,000 the second year are for developing wastewater treatment system designs and practices and providing technical assistance. Of this amount, \$145,000 each year is for transfer to the Board of Regents of the University of Minnesota to provide ongoing support for design teams with scientific and technical expertise pertaining to wastewater

management and treatment that will include representatives from the University of Minnesota, Pollution Control Agency, and municipal wastewater utilities and other wastewater engineering experts. The design teams shall promote the use of new technology, designs, and practices to address existing and emerging wastewater treatment challenges, including the treatment of wastewater for reuse and the emergence of new and other unregulated contaminants. This appropriation is available until June 30, 2016.

(m) \$40,000 the first year and \$40,000 the second year are to support activities of the Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1.

(n) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2015, as grants or contracts in this section are available until June 30, 2018.

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

Sec. 6. Laws 2013, chapter 137, article 2, section 6, as amended by Laws 2015, First Special Session chapter 2, article 2, section 17, is amended to read:

Sec. 6. DEPARTMENT OF NATURAL RESOURCES	\$ 12,135,000	\$8,950,000
	<u>10,943,000</u>	

(a) \$2,000,000 the first year and \$2,000,000 the second year are for stream flow monitoring, including the installation of additional monitoring gauges, and monitoring necessary to determine the relationship between stream flow and groundwater.

(b) \$1,300,000 the first year and \$1,300,000 the second year are for lake Index of Biological Integrity (IBI) assessments.

(c) \$135,000 the first year and \$135,000 the second year are for assessing mercury and other contaminants of fish, including monitoring to track the status of waters impaired by mercury and mercury reduction efforts over time.

(d) \$1,850,000 the first year and \$1,850,000 the second year are for developing targeted, science-based watershed restoration and protection strategies, including regional technical assistance for TMDL plans and development of a watershed assessment tool, in cooperation with the commissioner of the Pollution Control Agency. By January 15, 2016, the commissioner shall submit a report to the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over environment and natural resources policy and finance providing the outcomes to lakes, rivers, streams, and groundwater achieved with this appropriation and recommendations.

(e) \$1,375,000 the first year and \$1,375,000 the second year are for water supply planning, aquifer protection, and monitoring activities.

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

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

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

(i) \$85,000 the first year is to develop design standards and best management practices for public water access sites to maintain and improve water quality by avoiding shoreline erosion and runoff.

(j) ~~\$3,000,000~~ \$1,808,000 the first year is for beginning to develop and designate groundwater management areas under Minnesota Statutes, section 103G.287, subdivision 4. The commissioner, in consultation with the commissioners of the Pollution Control Agency, health, and agriculture, shall establish a uniform statewide hydrogeologic mapping system that will include designated groundwater management areas. The mapping system must include wellhead protection areas, special well construction areas, groundwater provinces, groundwater recharge areas, and other designated or geographical areas related to groundwater. This mapping system shall be used to implement all groundwater-related laws and for reporting and evaluations. This appropriation is available until June 30, 2017.

(k) \$100,000 the first year is for the commissioner of natural resources for rulemaking under Minnesota Statutes, section 116G.15, subdivision 7.

EFFECTIVE DATE. This section is effective July 1, 2016.

Sec. 7. Laws 2013, chapter 137, article 2, section 7, is amended to read:

Sec. 7. **BOARD OF WATER AND SOIL RESOURCES**

\$30,689,000

\$ 34,740,000

34,647,000

(a) \$5,000,000 the first year and \$7,000,000 the second year are for grants to local government units organized for the management of water in a watershed or subwatershed that have multiyear plans

that will result in a significant reduction in water pollution in a selected subwatershed. The grants may be used for the following purposes: establishment of riparian buffers; practices to store water for natural treatment and infiltration, including rain gardens; capturing storm water for reuse; stream bank, shoreland, and ravine stabilization; enforcement activities; and implementation of best management practices for feedlots within riparian areas and other practices demonstrated to be most effective in protecting, enhancing, and restoring water quality in lakes, rivers, and streams and protecting groundwater from degradation. Grant recipients must identify a nonstate cash match of at least 25 percent of the total eligible project costs. Grant recipients may use other legacy funds to supplement projects funded under this paragraph. Grants awarded under this paragraph are available for four years and priority shall be given to the three to six best designed plans each year. By January 15, 2016, the board shall submit an interim report on the outcomes achieved with this appropriation, including recommendations, to the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over environment and natural resources policy and finance. This appropriation is available until June 30, 2018.

(b) \$9,705,000 the first year and ~~\$10,756,000~~ \$10,684,000 the second year are for grants to protect and restore surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system (SSTS) projects and stream bank, stream channel, shoreline restoration, and ravine stabilization projects. The projects must use practices demonstrated to be effective, be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans or local water management plans or their equivalents.

(c) \$3,500,000 the first year and \$4,500,000 the second year are for targeted local resource protection and enhancement grants for projects and practices that supplement or exceed current state standards for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation, including compliance.

(d) \$950,000 the first year and \$950,000 the second year are to provide state oversight and accountability, evaluate results, and measure the value of conservation program implementation by local governments, including submission to the legislature by March 1 each year an annual report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, detailing the recipients, projects funded under this section, and the amount of pollution reduced.

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

(f) \$6,500,000 the first year and \$6,500,000 the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to lakes, rivers, streams, and tributaries, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. This appropriation may be used for restoration of riparian buffers protected by easements purchased with this appropriation and for stream bank restorations when the riparian buffers have been restored.

(g) \$1,300,000 the first year and \$1,300,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d). Priority must be placed on land that is located where the vulnerability of the drinking water supply is designated as high or very high by the commissioner of health.

(h) \$1,500,000 the first year and ~~\$1,500,000~~ \$1,479,000 the second year are for community partners grants to local units of government for: (1) structural or vegetative management practices that reduce storm water runoff from developed or disturbed lands to reduce the movement of sediment, nutrients, and pollutants for restoration, protection, or enhancement of water quality in lakes, rivers, and streams and to protect groundwater and drinking water; and (2) installation of proven and effective water retention practices including, but not limited to, rain gardens and other vegetated infiltration basins and sediment control basins in order to keep water on the land. The projects must be of long-lasting public benefit, include a local match, and be consistent with TMDL implementation plans or local water management plans or their equivalents. Local government unit costs may be used as a match.

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

(j) \$450,000 the first year and \$450,000 the second year are for assistance and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D.

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

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

(m) The board shall require grantees to specify the outcomes that will be achieved by the grants prior to any grant awards.

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

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

Sec. 8. Laws 2013, chapter 137, article 2, section 8, is amended to read:

Sec. 8. **DEPARTMENT OF HEALTH**

\$4,635,000

**\$ ~~4,635,000~~
4,535,000**

(a) \$1,150,000 the first year and \$1,150,000 the second year are for addressing public health concerns related to contaminants found in Minnesota drinking water for which no health-based drinking water standards exist, including accelerating the development of health risk limits, including triclosan, and improving the capacity of the department's laboratory to analyze unregulated contaminants.

(b) \$1,615,000 the first year and \$1,615,000 the second year are for protection of drinking water sources.

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

(d) \$390,000 the first year and ~~\$390,000~~ \$290,000 the second year are to update and expand the county well index, in cooperation with the commissioner of natural resources.

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

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

(g) \$800,000 the first year and \$800,000 the second year are for the development and implementation of a groundwater virus monitoring plan, including an epidemiological study to determine the association between groundwater virus concentration and community illness rates. This appropriation is available until June 30, 2017.

(h) Unless otherwise specified, the appropriations in this section are available until June 30, 2016.

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

Sec. 9. Laws 2015, First Special Session chapter 2, article 2, section 3, is amended to read:

Sec. 3. **DEPARTMENT OF AGRICULTURE**

\$8,584,000

\$ 5,082,000
7,582,000

(a) \$350,000 the first year and \$350,000 the second year are to increase monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess pesticide use practices.

(b) \$2,586,000 the first year and \$2,585,000 the second year are for monitoring and evaluating trends in the concentration of nitrate in groundwater in areas vulnerable to groundwater degradation; monitoring for pesticides when nitrate is detected; promoting, developing, and evaluating regional and crop-specific nutrient best management practices; assessing best management practice adoption; education and technical support from University of Minnesota Extension; and other actions to protect groundwater from degradation from nitrate. This appropriation is available until June 30, 2018.

(c) \$75,000 the first year and \$75,000 the second year are for administering clean water funds managed through the agriculture best management practices loan program. Any unencumbered balance at the end of the second year shall be added to the corpus of the loan fund.

(d) \$1,125,000 the first year and \$1,125,000 the second year are for technical assistance, research, and demonstration projects on proper implementation of best management practices and more precise information on nonpoint contributions to impaired waters. This appropriation is available until June 30, 2020.

(e) \$788,000 the first year and \$787,000 the second year are for research to quantify and reduce agricultural contributions to impaired waters and for development and evaluation of best management practices to protect and restore water resources. This appropriation is available until June 30, 2020.

(f) \$50,000 the first year and \$50,000 the second year are for a research inventory database containing water-related research activities. Costs for information technology development or support for this research inventory database may be paid to the Office of MN.IT Services. This appropriation is available until June 30, 2018.

(g) ~~\$2,500,000 the first year is and \$2,500,000 the second year are~~ to implement the Minnesota agricultural water quality certification program statewide. The commissioner of agriculture shall consult with the United States Department of Agriculture to determine whether other state spending would qualify as a match for the agricultural water quality certification program funds available from the federal government. By January 1, 2016, the commissioner shall submit a report on funding recommendations to the Clean Water Council and the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over agriculture, the environment and natural resources, and the clean water fund. Funds appropriated in this paragraph are available until June 30, ~~2016,~~ and ~~the commissioner may request additional funding for this program for fiscal year 2017~~ 2019.

(h) \$110,000 the first year and \$110,000 the second year are to provide funding for a regional irrigation water quality specialist through University of Minnesota Extension.

(i) \$1,000,000 the first year is for grants to the Board of Regents of the University of Minnesota to fund the Forever Green Agriculture Initiative and to protect the state's natural resources while increasing the efficiency, profitability, and productivity of Minnesota farmers by incorporating perennial and winter-annual crops into existing agricultural practices.

(j) A portion of the funds in this section may be used for programs to train state and local outreach staff in the intersection between agricultural economics and agricultural conservation.

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

Sec. 10. Laws 2015, First Special Session chapter 2, article 2, section 5, is amended to read:

Sec. 5. **POLLUTION CONTROL AGENCY**

\$ 27,350,000	\$ 27,348,000
<u>27,205,000</u>	<u>28,098,000</u>

(a) \$8,350,000 the first year and ~~\$8,350,000~~ \$8,400,000 the second year are for completion of 20 percent of the needed statewide assessments of surface water quality and trends. Of this amount,

\$100,000 each year is for grants to the Red River Watershed Management Board to enhance and expand the existing water quality and watershed monitoring river watch activities in the schools along the Red River of the North. The Red River Watershed Management Board shall provide a report to the commissioner of the Pollution Control Agency and the legislative committees and divisions with jurisdiction over environment and natural resources finance and policy and the clean water fund by February 15, 2017, on the expenditure of this appropriation. If the amount in the first year is insufficient, the amount in the second year is available in the first year.

(b) \$9,795,000 the first year and ~~\$9,795,000~~ \$10,495,000 the second year are to develop watershed restoration and protection strategies (WRAPS), which include total maximum daily load (TMDL) studies and TMDL implementation plans for waters listed on the United States Environmental Protection Agency approved impaired waters list in accordance with Minnesota Statutes, chapter 114D. The agency shall complete an average of ten percent of the TMDLs each year over the biennium.

(c) \$1,182,000 the first year and \$1,181,000 the second year are for groundwater assessment, including enhancing the ambient monitoring network, modeling, and evaluating trends, including the reassessment of groundwater that was assessed ten to 15 years ago and found to be contaminated.

(d) \$750,000 the first year and \$750,000 the second year are for implementation of the St. Louis River System Area of Concern Remedial Action Plan. This appropriation must be matched at a rate of 65 percent nonstate money to 35 percent state money.

(e) \$275,000 the first year and \$275,000 the second year are for storm water research and guidance.

(f) ~~\$1,150,000~~ \$1,005,000 the first year and \$1,150,000 the second year are for TMDL research and database development.

(g) \$900,000 the first year and \$900,000 the second year are for national pollutant discharge elimination system wastewater and storm water TMDL implementation efforts.

(h) \$3,623,000 the first year and \$3,622,000 the second year are for enhancing the county-level delivery systems for subsurface sewage treatment system (SSTS) activities necessary to implement Minnesota Statutes, sections 115.55 and 115.56, for protection of groundwater, including base grants for all counties with SSTS programs and competitive grants to counties with specific plans to significantly reduce water pollution by reducing the number of systems that are an imminent threat to public health or safety or are otherwise failing. Counties that receive base grants must report the number of sewage noncompliant properties upgraded through

SSTS replacement, connection to a centralized sewer system, or other means, including property abandonment or buy-out. Counties also must report the number of existing SSTS compliance inspections conducted in areas under county jurisdiction. These required reports are to be part of established annual reporting for SSTS programs. Counties that conduct SSTS inventories or those with an ordinance in place that requires an SSTS to be inspected as a condition of transferring property or as a condition of obtaining a local permit must be given priority for competitive grants under this paragraph. Of this amount, \$750,000 each year is available to counties for grants to low-income landowners to address systems that pose an imminent threat to public health or safety or fail to protect groundwater. A grant awarded under this paragraph may not exceed \$500,000 for the biennium. A county receiving a grant under this paragraph must submit a report to the agency listing the projects funded, including an account of the expenditures.

(i) \$275,000 the first year and \$275,000 the second year are for a storm water best management practice performance evaluation and technology transfer program to enhance data and information management of storm water best management practices; evaluate best management performance and effectiveness to support meeting total maximum daily loads; develop standards and incorporate state of the art guidance using minimal impact design standards as the model; and implement a knowledge and technology transfer system across local government, industry, and regulatory sectors for pass-through to the University of Minnesota. This appropriation is available until June 30, 2018.

(j) \$50,000 the first year and \$50,000 the second year are to support activities of the Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1.

(k) \$1,000,000 the first year and \$1,000,000 the second year are for a grant program for sanitary sewer projects that are included in the draft or any updated Voyageurs National Park Clean Water Project Comprehensive Plan to restore the water quality of waters within Voyageurs National Park. Grants must be awarded to local government units for projects approved by the Voyageurs National Park Clean Water Joint Powers Board and must be matched by at least 25 percent from sources other than the clean water fund.

(l) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations in this section encumbered on or before June 30, 2017, as grants or contracts are available until June 30, 2020.

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

Sec. 11. Laws 2015, First Special Session chapter 2, article 2, section 7, is amended to read:

Sec. 7. BOARD OF WATER AND SOIL RESOURCES	\$ 56,841,000	\$56,322,000
	<u>56,341,000</u>	

(a) \$4,875,000 the first year and \$4,875,000 the second year are for grants to local government units organized for the management of water in a watershed or subwatershed that have multiyear plans

that will result in a significant reduction in water pollution in a selected subwatershed. The grants may be used for establishment of riparian buffers; practices to store water for natural treatment and infiltration, including rain gardens; capturing storm water for reuse; stream bank, shoreland, and ravine stabilization; enforcement activities; and implementation of best management practices for feedlots within riparian areas and other practices demonstrated to be most effective in protecting, enhancing, and restoring water quality in lakes, rivers, and streams and protecting groundwater from degradation. Grant recipients must identify a nonstate match and may use other legacy funds to supplement projects funded under this paragraph. Grants awarded under this paragraph are available for four years and priority must be given to the best designed plans each year.

(b) \$10,187,000 the first year and \$10,188,000 the second year are for grants to protect and restore surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system projects and stream bank, stream channel, shoreline restoration, and ravine stabilization projects. The projects must use practices demonstrated to be effective, be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans, watershed restoration and protection strategies (WRAPS), or local water management plans or their equivalents. A portion of these funds may be used to seek administrative efficiencies through shared resources by multiple local governmental units.

(c) ~~\$6,000,000~~ \$5,500,000 the first year and \$6,000,000 the second year are for targeted local resource protection and enhancement grants and statewide program enhancements for technical assistance, citizen and community outreach, and training and certification, as well as projects, practices, and programs that supplement or otherwise exceed current state standards for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation, including compliance.

(d) \$950,000 the first year and \$950,000 the second year are to provide state oversight and accountability, evaluate results, provide implementation tools, and measure the value of conservation program implementation by local governments, including submission to the legislature by March 1 each even-numbered year a biennial report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, detailing the recipients, the projects funded under this section, and the amount of pollution reduced.

(e) \$2,500,000 the first year and \$2,500,000 the second year are for grants to local units of government to enhance compliance with riparian buffer or alternate practice requirements.

(f) \$4,875,000 the first year and \$4,875,000 the second year are to restore or preserve permanent conservation on riparian buffers adjacent to lakes, rivers, streams, and tributaries, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. This appropriation may be used for restoration of riparian buffers permanently protected by easements purchased with this appropriation or contracts to achieve permanent protection for riparian buffers or stream bank restorations when the riparian buffers have been restored. Up to \$344,000 is for deposit in a monitoring and enforcement account.

(g) \$1,750,000 the first year and \$1,750,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d), or for grants to local units of government for fee title acquisition to permanently protect groundwater supply sources on wellhead protection areas or for otherwise assuring long-term protection of groundwater supply sources as described under alternative management tools in the Department of Agriculture's Nitrogen Fertilizer Management Plan, including low nitrogen cropping systems or implementing nitrogen fertilizer best management practices. Priority must be placed on land that is located where the vulnerability of the drinking water supply is designated as high or very high by the commissioner of health, where drinking water protection plans have identified specific activities that will achieve long-term protection, and on lands with expiring Conservation Reserve Program contracts. Up to \$52,500 is for deposit in a monitoring and enforcement account.

(h) \$750,000 the first year and \$750,000 the second year are for community partner grants to local units of government for: (1) structural or vegetative management practices that reduce storm water runoff from developed or disturbed lands to reduce the movement of sediment, nutrients, and pollutants for restoration, protection, or enhancement of water quality in lakes, rivers, and streams and to protect groundwater and drinking water; and (2) installation of proven and effective water retention practices including, but not limited to, rain gardens and other vegetated infiltration basins and sediment control basins in order to keep water on the land. The projects must be of long-lasting public benefit, include a local match, and be consistent with TMDL implementation plans, watershed restoration and protection strategies (WRAPS), or local water management plans or their equivalents. Local government unit costs may be used as a match.

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

(j) \$2,100,000 the first year and \$2,100,000 the second year are for assistance, oversight, and grants to local governments to transition local water management plans to a watershed approach as provided for in Minnesota Statutes, chapters 103B, 103C, 103D, and 114D.

(k) \$750,000 the first year and \$750,000 the second year are for technical assistance and grants for the conservation drainage program in consultation with the Drainage Work Group, coordinated under Minnesota Statutes, section 103B.101, subdivision 13, that includes projects to improve multipurpose water management under Minnesota Statutes, section 103E.015.

(l) \$9,000,000 the first year and \$9,000,000 the second year are to purchase and restore permanent conservation sites via easements or contracts to treat and store water on the land for water quality improvement purposes and related technical assistance. This work may be done in cooperation with the United States Department of Agriculture with a first priority use to accomplish a conservation reserve enhancement program, or equivalent, in the state. Up to \$1,285,000 is for deposit in a monitoring and enforcement account.

(m) \$1,000,000 the first year and \$1,000,000 the second year are to purchase permanent conservation easements to protect lands adjacent to public waters with good water quality but threatened with degradation. Up to \$190,000 is for deposit in a monitoring and enforcement account.

(n) \$500,000 the first year and \$500,000 the second year are for a program to systematically collect data and produce county, watershed, and statewide estimates of soil erosion caused by water and wind along with tracking adoption of conservation measures to address erosion.

(o) \$11,000,000 the first year and \$11,000,000 the second year are for payments to soil and water conservation districts for the purposes of Minnesota Statutes, sections 103C.321 and 103C.331. From this appropriation, each soil and water conservation district shall receive an increase in its base funding of \$100,000 per year. Money remaining after the base increase is available for matching grants to soil and water conservation districts based on county allocations to soil and water conservation districts. The board and other agencies may reduce the amount of grants to a county by an amount equal to any reduction in the county's allocation to a soil and water conservation district from the county's previous-year allocation when the board determines that the reduction was disproportionate. The second-year appropriation cancels if new buffer requirements are not enacted in 2015.

(p) \$520,000 the first year is for a grant to Washington County for a water quality improvement project that will improve water quality and restore an essential backwater aquatic area by

reconnecting Grey Cloud Slough to the main channel of the Mississippi River Area. This appropriation is not available until at least an equal amount is committed from nonstate sources.

(q) The Board of Water and Soil Resources must consider the inclusion of environmentally suitable annuals the next time the board establishes or revises vegetation establishment and enhancement guidelines for the purposes of riparian buffers.

(r) The board shall contract for delivery of services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for up to \$500,000 the first year and up to \$500,000 the second year.

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

(t) The board shall require grantees to specify the outcomes that will be achieved by the grants prior to any grant awards.

(u) The appropriations in this section are available until June 30, 2020. Returned grant funds are available until expended and shall be regranted consistent with the purposes of this section.

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

Sec. 12. **WHITE BEAR LAKE AUGMENTATION.**

(a) \$150,000 in fiscal year 2017 is appropriated from the clean water fund to the commissioner of natural resources for development of three design-build proposals. The commissioner shall request design-build qualifications and select three qualified entities to develop design-build proposals. The proposals must address increasing the water level in White Bear Lake by piping water from Vadnais Lake to White Bear Lake. The design work must ensure that the water in White Bear Lake and Vadnais Lake will remain at least as clean and clear as before the augmentation project is implemented. Among any other issues to be addressed, the design work must ensure that the project does not allow the spread of any invasive species or increase phosphorus levels. The commissioner must develop the design-build request for proposals in consultation with the commissioner of administration with regard to procedures, and in consultation with the Metropolitan Council and its water supply policy and technical advisory committees and the Minnesota Pollution Control Agency with regard to water quality and environmental issues. Any limitations in law on the number or value of design-build contracts do not apply to this project.

(b) No detailed design or construction for the White Bear Lake augmentation project may be undertaken by the commissioner until the commissioner, the city of Vadnais Heights, the White Bear Lake Conservation District, the Metropolitan Council, and any other communities, agencies, or entities involved in the White Bear Lake augmentation project using water drawn from Vadnais Lake enter an agreement as to how the project will proceed, with protections for the city of Vadnais Heights' water system and property including, but not limited to, the following assurances for the city of Vadnais Heights, that:

(1) the city will not lose its ability to develop lands near Vadnais Lake;

(2) the city will be consulted regarding all aspects, including the legal planning process, of the siting of any proposed water filtration or treatment plant facility within its borders necessitated by the augmentation project;

(3) the city will not be required to contribute financially to the construction, maintenance, or operations of the proposed augmentation project and the proposed filtration or treatment plant facility;

(4) all city and county roads and streets affected by the proposed augmentation project and the proposed filtration or treatment plant facility will be reconstructed following project completion;

(5) efforts will be made to minimize disruption and adverse impacts to residents and businesses during construction of the proposed augmentation project and the proposed filtration or treatment plant facility; and

(6) the city will be given authority to force change to ongoing project operations that negatively affect the immediate neighborhood.

ARTICLE 3 PARKS AND TRAILS FUND

Section 1. Minnesota Statutes 2015 Supplement, section 85.53, subdivision 2, is amended to read:

Subd. 2. **Expenditures; accountability.** (a) A project or program receiving funding from the parks and trails fund must meet or exceed the constitutional requirement to support parks and trails of regional or statewide significance. A project or program receiving funding from the parks and trails fund must include measurable outcomes, as defined in section 3.303, subdivision 10, and a plan for measuring and evaluating the results. A project or program must be consistent with current science and incorporate state-of-the-art technology, except when the project or program is a portrayal or restoration of historical significance.

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

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

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

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

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

(g) Future eligibility for money from the parks and trails fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law. If the Office of the Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient of money from the parks and trails fund has not complied with the laws, rules, or regulations in this section or other laws applicable to the recipient, the recipient must be listed in an annual report to the legislative committees with jurisdiction over the legacy funds. The list must be publicly available. The legislative auditor shall remove a recipient from the list upon determination that the recipient is in compliance. A recipient on the list is not eligible for future funding from the parks and trails fund until the recipient demonstrates compliance to the legislative auditor.

(h) Any state agency or organization requesting a direct appropriation from the parks and trails fund must inform the house of representatives and senate committees having jurisdiction over the parks and trails fund, at the time the request for funding is made, whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

ARTICLE 4 ARTS AND CULTURAL HERITAGE FUND

Section 1. Minnesota Statutes 2015 Supplement, section 129D.17, subdivision 2, is amended to read:

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

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

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

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

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

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

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

(h) Future eligibility for money from the arts and cultural heritage fund is contingent upon a state agency or other recipient satisfying all applicable requirements in this section, as well as any additional requirements contained in applicable session law. If the Office of the Legislative Auditor, in the course of an audit or investigation, publicly reports that a recipient of money from the arts and cultural heritage fund has not complied with the laws, rules, or regulations in this section or other laws applicable to the recipient, the recipient must be listed in an annual report to the legislative committees with jurisdiction over the legacy funds. The list must be publicly available. The legislative auditor shall remove a recipient from the list upon determination that the recipient is in compliance. A recipient on the list is not eligible for future funding from the arts and cultural heritage fund until the recipient demonstrates compliance to the legislative auditor.

(i) Any state agency or organization requesting a direct appropriation from the arts and cultural heritage fund must inform the house of representatives and senate committees having jurisdiction over the arts and cultural heritage fund, at the time the request for funding is made, whether the request is supplanting or is a substitution for any previous funding that was not from a legacy fund and was used for the same purpose.

Sec. 2. Laws 2015, First Special Session chapter 2, article 4, section 2, subdivision 3, is amended to read:

Subd. 3. Minnesota State Arts Board	26,819,000	31,312,000
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(a) These amounts are appropriated to the Minnesota State Arts Board for arts, arts education, arts preservation, and arts access. Grant agreements entered into by the Minnesota State Arts Board and other recipients of appropriations in this subdivision must ensure that these funds are used to supplement and not substitute for traditional sources of funding. Each grant program established within this appropriation must be separately administered from other state appropriations for program planning and outcome measurements, but may take into consideration other state resources awarded in the selection of applicants and grant award size.

(b) Arts and Arts Access Initiatives

\$21,155,000 the first year and \$25,350,000 the second year are to support Minnesota artists and arts organizations in creating, producing, and presenting high-quality arts activities; to overcome barriers to accessing high-quality arts activities; to preserve, maintain, and interpret art forms and works of art so that they are accessible to Minnesota audiences; and to instill the arts into the community and public life in this state.

(c) Arts Education

\$4,248,000 the first year and \$4,472,000 the second year are for high-quality, age-appropriate arts education for Minnesotans of all ages to develop knowledge, skills, and understanding of the arts.

(d) Arts and Cultural Heritage

\$1,416,000 the first year and \$1,490,000 the second year are for events and activities that represent, preserve, and maintain the diverse cultural arts traditions, including folk and traditional artists and art organizations, represented in this state.

(e) Up to 4.5 percent of the funds appropriated in paragraphs (b) to (d) may be used by the board for administering grant programs, delivering technical services, providing fiscal oversight for the statewide system, and ensuring accountability.

(f) Up to thirty percent of the remaining total appropriation to each of the categories listed in paragraphs (b) to (d) is for grants to the regional arts councils. Notwithstanding any other provision of law, regional arts council grants or other arts council grants for touring programs, projects, or exhibits must ensure the programs, projects, or exhibits are able to tour in their own region as well as all other regions of the state.

(g) Any unencumbered balance remaining under this section in the first year does not cancel, but is available for the second year of the biennium."

Delete the title and insert:

"A bill for an act relating to state government; appropriating money from outdoor heritage fund and clean water fund; modifying Lessard-Sams Outdoor Heritage Council provisions; modifying legacy funds provisions; modifying prior appropriations; amending Minnesota Statutes 2014, section 97A.056, subdivisions 2, 10; Minnesota Statutes 2015 Supplement, sections 85.53, subdivision 2; 129D.17, subdivision 2; Laws 2011, First Special Session chapter 6, article 2, sections 3; 5; 7, as amended; Laws 2013, chapter 137, article 2, sections 3; 5; 6, as amended; 7; 8; Laws 2015, First Special Session chapter 2, article 1, section 2, subdivisions 2, 3, 5; article 2, sections 3; 5; 7; article 4, section 2, subdivision 3."

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

Senate Conferees: TOM SAXHAUG, DAN SPARKS, TONY LOUREY, BILL INGEBRIGTSEN and RICHARD COHEN.

House Conferees: DEAN URDAHL, DENNY MCNAMARA, PAUL TORKELSON, JOSH HEINTZEMAN and LEON LILLIE.

Urdahl moved that the report of the Conference Committee on S. F. No. 2527 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

S. F. No. 2527, A bill for an act relating to natural resources; appropriating money from outdoor heritage fund; modifying evaluation provisions; modifying prior appropriations; amending Minnesota Statutes 2014, section 97A.056, subdivision 10; Laws 2015, First Special Session chapter 2, article 1, section 2, subdivisions 2, 3, 5.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 100 yeas and 29 nays as follows:

Those who voted in the affirmative were:

Allen	Davnie	Hoppe	Loeffler	Norton	Slocum
Anderson, C.	Dean, M.	Hornstein	Loon	O'Driscoll	Smith
Anderson, P.	Dehn, R.	Hortman	Loonan	Pelowski	Sundin
Anderson, S.	Dettmer	Howe	Lueck	Peppin	Swedzinski
Anzelc	Ecklund	Isaacson	Mack	Persell	Theis
Applebaum	Erhardt	Johnson, B.	Mahoney	Petersburg	Thissen
Baker	Fenton	Johnson, C.	Marquart	Peterson	Torkelson
Barrett	Fischer	Johnson, S.	Masin	Pierson	Uglen
Bennett	Flanagan	Kahn	McNamara	Pinto	Urdahl
Bernardy	Franson	Kelly	Metsa	Poppe	Wagenius
Bly	Freiberg	Knoblach	Moran	Rosenthal	Ward
Carlson	Halverson	Kresha	Mullery	Sanders	Wills
Clark	Hamilton	Laine	Murphy, E.	Schoen	Yarusso
Considine	Hansen	Lesch	Murphy, M.	Schomacker	Youakim
Cornish	Hausman	Liebling	Nelson	Schultz	Spk. Daudt
Daniels	Heintzeman	Lien	Newton	Selcer	
Dauids	Hilstrom	Lillie	Nornes	Simonson	

Those who voted in the negative were:

Albright	Erickson	Hancock	Lucero	O'Neill	Scott
Anderson, M.	Fabian	Hertaus	McDonald	Pugh	Vogel
Backer	Green	Kiel	Miller	Quam	Whelan
Christensen	Gruenhagen	Koznick	Nash	Rarick	Zerwas
Drazkowski	Hackbarth	Lohmer	Newberger	Runbeck	

The bill was repassed, as amended by Conference, and its title agreed to.

There being no objection, the order of business reverted to Reports of Standing Committees and Divisions.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Knoblach from the Committee on Ways and Means to which was referred:

S. F. No. 2626, A bill for an act relating to state government; changing certain provisions of the board of directors for the Minnesota State Retirement System; ratifying labor agreements and compensation plans; ratifying the salary increase of certain agency directors; amending Minnesota Statutes 2014, sections 352.03, subdivision 5; 353.03, subdivision 3a; 354.06, subdivision 2.

Reported the same back with the recommendation that the bill be placed on the General Register.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 2626 was read for the second time.

DECLARATION OF URGENCY

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Lillie moved that the rule therein be suspended and an urgency be declared and that the rules of the House be so far suspended so that S. F. No. 2626 be given its third reading and be placed upon its final passage. The motion prevailed.

S. F. No. 2626, A bill for an act relating to state government; changing certain provisions of the board of directors for the Minnesota State Retirement System; ratifying labor agreements and compensation plans; ratifying the salary increase of certain agency directors; amending Minnesota Statutes 2014, sections 352.03, subdivision 5; 353.03, subdivision 3a; 354.06, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 25 nays as follows:

Those who voted in the affirmative were:

Albright	Davnie	Hoppe	Loeffler	Nornes	Slocum
Allen	Dehn, R.	Hornstein	Lohmer	Norton	Sundin
Anderson, C.	Dettmer	Hortman	Loon	O'Driscoll	Swedzinski
Anderson, P.	Ecklund	Howe	Loonan	O'Neill	Theis
Anzelc	Erhardt	Isaacson	Lueck	Pelowski	Thissen
Applebaum	Fabian	Johnson, B.	Mack	Persell	Torkelson
Backer	Fenton	Johnson, C.	Mahoney	Petersburg	Uglen
Baker	Fischer	Johnson, S.	Marquart	Pierson	Urdahl
Barrett	Flanagan	Kahn	Masin	Pinto	Wagenius
Bennett	Freiberg	Kelly	McNamara	Poppe	Ward
Bernardy	Gunther	Kiel	Metsa	Rarick	Wills
Bly	Hackbarth	Knoblach	Miller	Rosenthal	Yarusso
Carlson	Halverson	Kresha	Moran	Sanders	Youakim
Clark	Hamilton	Laine	Mullery	Schoen	Zerwas
Considine	Hansen	Lesch	Murphy, E.	Schomacker	
Cornish	Hausman	Liebling	Murphy, M.	Schultz	
Daniels	Heintzeman	Lien	Nelson	Selcer	
Davids	Hilstrom	Lillie	Newton	Simonson	

Those who voted in the negative were:

Anderson, M.	Erickson	Hertaus	Newberger	Scott
Anderson, S.	Franson	Koznick	Peppin	Smith
Christensen	Green	Lucero	Pugh	Vogel
Dean, M.	Gruenhagen	McDonald	Quam	Whelan
Drazkowski	Hancock	Nash	Runbeck	Spk. Daudt

The bill was passed and its title agreed to.

REPORTS FROM THE COMMITTEE ON
RULES AND LEGISLATIVE ADMINISTRATION

Peppin for the Committee on Rules and Legislative Administration offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that during the time between adjournment in 2016 and the convening of the House of Representatives in 2017, the Chief Clerk and Chief Sergeant at Arms under the direction of the Speaker shall maintain House facilities in the Capitol Complex. To the extent practicable during ongoing construction, the House chamber, retiring room, hearing and conference rooms, and offices shall be set up and made ready for legislative use and reserved for the House and its committees. Those rooms, if available, may be reserved for use by others that are not in conflict with use by the House. If available, the House Chamber, retiring room, and hearing rooms may be used by YMCA Youth in Government, Girls' State, Young Leaders Organization, and 4-H Leadership Conference. The House chamber in the Capitol building shall be made useable for all legislative purposes during the 2017 legislative session.

The motion prevailed and the resolution was adopted.

Peppin for the Committee on Rules and Legislative Administration offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that it retains the use of the Speaker's parking place in front of the capitol building just east of the porte-cochère, parking lots B, C, D, N, O, the state office building parking ramp, the upper Capitol Mall parking lot, and the lower Capitol Mall parking lot for members and employees of the House of Representatives during the time between adjournment in 2016 and the convening of the House of Representatives in 2017. The Sergeant at Arms is directed to manage the use of the lots and ramp while the House of Representatives is adjourned. The Controller of the House may continue to deduct from the check of any legislator or legislative employee a sum adequate to cover the exercise of the parking privilege.

The motion prevailed and the resolution was adopted.

Peppin for the Committee on Rules and Legislative Administration offered the following resolution and moved its adoption:

Be It Resolved, by the House of Representatives of the State of Minnesota, that the Chief Clerk is directed to correct and approve the Journal of the House for the last day of the 2016 Regular Session.

Be It Further Resolved that the Chief Clerk is authorized to include in the Journal for the last day of the 2016 Regular Session any proceedings, including subsequent proceedings and any legislative interim committees or commissions created or appointments made to them by legislative action or by law.

The motion prevailed and the resolution was adopted.

MOTIONS AND RESOLUTIONS

Halverson moved that the name of Loeffler be added as an author on H. F. No. 2767. The motion prevailed.

Moran moved that the name of Loeffler be added as an author on H. F. No. 2860. The motion prevailed.

Hansen moved that the name of Loeffler be added as an author on H. F. No. 2880. The motion prevailed.

Hilstrom moved that the name of Loeffler be added as an author on H. F. No. 2895. The motion prevailed.

Hortman moved that the name of Loeffler be added as an author on H. F. No. 2923. The motion prevailed.

Hortman moved that the name of Loeffler be added as an author on H. F. No. 2924. The motion prevailed.

Hortman moved that the name of Loeffler be added as an author on H. F. No. 2925. The motion prevailed.

Thissen moved that the name of Loeffler be added as an author on H. F. No. 3025. The motion prevailed.

Freiberg moved that the name of Theis be added as an author on H. F. No. 3244. The motion prevailed.

Hornstein moved that the name of Loeffler be added as an author on H. F. No. 3461. The motion prevailed.

Davnie moved that the name of Loeffler be added as an author on H. F. No. 3574. The motion prevailed.

Wagenius moved that the name of Loeffler be added as an author on H. F. No. 3644. The motion prevailed.

Dettmer moved that the name of Erickson be added as an author on H. F. No. 4023. The motion prevailed.

Schultz moved that the name of Erhardt be added as an author on H. F. No. 4024. The motion prevailed.

ADJOURNMENT

Peppin moved that when the House adjourns today it adjourn until 10:00 a.m., Sunday, May 22, 2016. The motion prevailed.

Peppin moved that the House adjourn. The motion prevailed, and Speaker pro tempore Davids declared the House stands adjourned until 10:00 a.m., Sunday, May 22, 2016.

PATRICK D. MURPHY, Chief Clerk, House of Representatives

