

1.1 moves to amend H.F. No. 1010 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 ENVIRONMENT AND NATURAL RESOURCES FINANCE

1.5 Section 1. SUMMARY OF APPROPRIATIONS.

1.6 The amounts shown in this section summarize direct appropriations, by fund, made
1.7 in this article.

	<u>2012</u>	<u>2013</u>	<u>Total</u>
1.8 <u>General</u>	\$ 71,858,000	\$ 71,708,000	\$ 143,566,000
1.9 <u>State Government Special</u>			
1.10 <u>Revenue</u>	75,000	75,000	150,000
1.11 <u>Environmental</u>	62,614,000	62,783,000	125,397,000
1.12 <u>Natural Resources</u>	90,002,000	90,002,000	180,004,000
1.13 <u>Game and Fish</u>	87,217,000	86,617,000	173,834,000
1.14 <u>Remediation</u>	10,596,000	10,596,000	21,192,000
1.15 <u>Permanent School</u>	200,000	200,000	400,000
1.16 <u>Total</u>	\$ 322,562,000	\$ 321,981,000	\$ 644,543,000

1.18 Sec. 2. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

1.19 The sums shown in the columns marked "Appropriations" are appropriated to the
1.20 agencies and for the purposes specified in this article. The appropriations are from the
1.21 general fund, or another named fund, and are available for the fiscal years indicated
1.22 for each purpose. The figures "2012" and "2013" used in this article mean that the
1.23 appropriations listed under them are available for the fiscal year ending June 30, 2012, or
1.24 June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal
1.25 year 2013. "The biennium" is fiscal years 2012 and 2013. Appropriations for the fiscal
1.26 year ending June 30, 2011, are effective the day following final enactment.

2.1 **APPROPRIATIONS**
 2.2 **Available for the Year**
 2.3 **Ending June 30**
 2.4 **2012** **2013**

2.5 **Sec. 3. POLLUTION CONTROL AGENCY**

2.6 **Subdivision 1. Total Appropriation** **\$ 76,228,000** **\$ 76,397,000**

2.7 **Appropriations by Fund**

2.8		<u>2012</u>	<u>2013</u>
2.9	<u>General</u>	<u>3,043,000</u>	<u>3,043,000</u>
2.10	<u>State Government</u>		
2.11	<u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>
2.12	<u>Environmental</u>	<u>62,614,000</u>	<u>62,783,000</u>
2.13	<u>Remediation</u>	<u>10,496,000</u>	<u>10,496,000</u>

2.14 The amounts that may be spent for each
 2.15 purpose are specified in the following
 2.16 subdivisions.

2.17 A recipient of a grant funded by an
 2.18 appropriation under this section shall
 2.19 display on its Web site detailed information
 2.20 on the expenditure of the grant funds,
 2.21 and measurable outcomes as a result of
 2.22 the expenditure of funds and submit this
 2.23 information to the agency by June 30 each
 2.24 year. A recipient without an active Web site
 2.25 shall report to the agency by June 30 each
 2.26 year detailed information on the expenditure
 2.27 of the grant funds and measurable outcomes
 2.28 as a result of the expenditure of funds. The
 2.29 commissioner shall display the information
 2.30 received by recipients under this paragraph
 2.31 on the agency's Web site.

2.32 **Subd. 2. Water** **21,734,000** **21,734,000**

2.33 **Appropriations by Fund**

2.34		<u>2012</u>	<u>2013</u>
2.35	<u>General</u>	<u>3,043,000</u>	<u>3,043,000</u>
3.1	<u>State Government</u>		
3.2	<u>Special Revenue</u>	<u>75,000</u>	<u>75,000</u>

4.4 \$200,000 the first year and \$200,000 the
 4.5 second year are from the environmental fund
 4.6 for a monitoring program under Minnesota
 4.7 Statutes, section 116.454.

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

4.9	<u>Appropriations by Fund</u>		
4.10		<u>2012</u>	<u>2013</u>
4.11	<u>Environmental</u>	<u>6,916,000</u>	<u>6,916,000</u>
4.12	<u>Remediation</u>	<u>10,496,000</u>	<u>10,496,000</u>

4.13 All money for environmental response,
 4.14 compensation, and compliance in the
 4.15 remediation fund not otherwise appropriated
 4.16 is appropriated to the commissioners of the
 4.17 Pollution Control Agency and agriculture
 4.18 for purposes of Minnesota Statutes, section
 4.19 115B.20, subdivision 2, clauses (1), (2),
 4.20 (3), (6), and (7). At the beginning of each
 4.21 fiscal year, the two commissioners shall
 4.22 jointly submit an annual spending plan to
 4.23 the commissioner of finance that maximizes
 4.24 the utilization of resources and appropriately
 4.25 allocates the money between the two
 4.26 departments. This appropriation is available
 4.27 until June 30, 2013.

4.28 \$3,616,000 the first year and \$3,616,000 the
 4.29 second year are from the petroleum tank fund
 4.30 to be transferred to the remediation fund for
 4.31 purposes of the leaking underground storage
 4.32 tank program to protect the land.

4.33 \$252,000 the first year and \$252,000 the
 4.34 second year are from the remediation fund
 4.35 for transfer to the commissioner of health for
 5.1 private water supply monitoring and health
 5.2 assessment costs in areas contaminated
 5.3 by unpermitted mixed municipal solid

5.4 waste disposal facilities and drinking water
 5.5 advisories and public information activities
 5.6 for areas contaminated by hazardous releases.

5.7 **Subd. 5. Environmental Assistance and**
 5.8 **Cross-Media** 24,785,000 24,785,000

5.9	<u>Appropriations by Fund</u>	
5.10	<u>2012</u>	<u>2013</u>
5.11	<u>Environmental</u>	<u>24,785,000</u> <u>24,785,000</u>

5.12 \$14,250,000 the first year and \$14,250,000
 5.13 the second year are from the environmental
 5.14 fund for SCORE block grants to counties.

5.15 \$119,000 the first year and \$119,000 the
 5.16 second year are from the environmental
 5.17 fund for environmental assistance grants
 5.18 or loans under Minnesota Statutes, section
 5.19 115A.0716. Any unencumbered grant and
 5.20 loan balances in the first year do not cancel
 5.21 but are available for grants and loans in the
 5.22 second year.

5.23 \$89,000 the first year and \$89,000 the
 5.24 second year are from the environmental fund
 5.25 for duties related to harmful chemicals in
 5.26 products under Minnesota Statutes, section
 5.27 116.9401 to 116.9407. Of this amount,
 5.28 \$57,000 each year is transferred to the
 5.29 commissioner of health.

5.30 \$315,000 the first year and \$315,000 the
 5.31 second year are from the environmental fund
 5.32 for the electronics waste program under
 5.33 Minnesota Statutes, sections 115A.1310 to
 5.34 115A.1330.

6.1 All money deposited in the environmental
 6.2 fund for the metropolitan solid waste
 6.3 landfill fee in accordance with Minnesota
 6.4 Statutes, section 473.843, and not otherwise

7.6	<u>Appropriations by Fund</u>		
7.7		<u>2012</u>	<u>2013</u>
7.8	<u>General</u>	<u>2,500,000</u>	<u>2,500,000</u>
7.9	<u>Natural Resources</u>	<u>4,861,000</u>	<u>4,861,000</u>
7.10	<u>Game and Fish</u>	<u>1,402,000</u>	<u>1,402,000</u>
7.11	<u>Permanent School</u>	<u>200,000</u>	<u>200,000</u>

7.12 \$2,381,000 the first year and \$2,381,000
 7.13 the second year are from the minerals
 7.14 management account in the natural resources
 7.15 fund for use as provided in Minnesota
 7.16 Statutes, section 93.2236, paragraph (c),
 7.17 for mineral resource management, projects
 7.18 to enhance future mineral income, and
 7.19 projects to promote new mineral resource
 7.20 opportunities.

7.21 \$68,000 the first year and \$68,000 the
 7.22 second year are for minerals cooperative
 7.23 environmental research, of which \$40,000
 7.24 the first year and \$40,000 the second year are
 7.25 available only as matched by \$1 of nonstate
 7.26 money for each \$1 of state money. The
 7.27 match may be cash or in-kind.

7.28 \$251,000 the first year and \$251,000 the
 7.29 second year are for iron ore cooperative
 7.30 research. Of this amount, \$200,000 each year
 7.31 is from the minerals management account
 7.32 in the natural resources fund. \$51,000 the
 7.33 first year and \$51,000 the second year are
 7.34 available only as matched by \$1 of nonstate
 7.35 money for each \$1 of state money. The
 7.36 match may be cash or in-kind.

8.1	<u>Subd. 3. Ecological and Water Resources</u>	<u>20,107,000</u>	<u>20,107,000</u>
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8.2	<u>Appropriations by Fund</u>		
8.3		<u>2012</u>	<u>2013</u>
8.4	<u>General</u>	<u>6,728,000</u>	<u>6,728,000</u>

8.5	<u>Natural Resources</u>	<u>9,680,000</u>	<u>9,680,000</u>
8.6	<u>Game and Fish</u>	<u>3,699,000</u>	<u>3,699,000</u>

8.7 \$2,142,000 the first year and \$2,142,000 the
 8.8 second year are from the invasive species
 8.9 account, and \$1,674,000 the first year
 8.10 and \$1,674,000 the second year are from
 8.11 the general fund for management, public
 8.12 awareness, assessment and monitoring
 8.13 research, law enforcement, and water access
 8.14 inspection to prevent the spread of invasive
 8.15 species; management of invasive plants in
 8.16 public waters; and management of terrestrial
 8.17 invasive species on state-administered lands.

8.18 \$5,000,000 the first year, and \$5,000,000 the
 8.19 second year are from the water management
 8.20 account in the natural resources fund for only
 8.21 the purposes specified in Minnesota Statutes,
 8.22 section 103G.27, subdivision 2.

8.23 \$264,000 the first year and \$264,000 the
 8.24 second year are for grants for up to 50
 8.25 percent of the cost of implementation of
 8.26 the Red River mediation agreement. The
 8.27 commissioner shall submit a report to the
 8.28 chairs of the legislative committees having
 8.29 primary jurisdiction over environment and
 8.30 natural resources policy and finance on the
 8.31 accomplishments achieved with the grants
 8.32 by January 15, 2014.

8.33 \$1,636,000 the first year and \$1,636,000
 8.34 the second year are from the heritage
 8.35 enhancement account in the game and
 9.1 fish fund for only the purposes specified
 9.2 in Minnesota Statutes, section 297A.94,
 9.3 paragraph (e), clause (1).

9.4 \$1,223,000 the first year and \$1,223,000 the
 9.5 second year are from the nongame wildlife
 9.6 management account in the natural resources
 9.7 fund for the purpose of nongame wildlife
 9.8 management. Notwithstanding Minnesota
 9.9 Statutes, section 290.431, \$100,000 the first
 9.10 year and \$100,000 the second year may
 9.11 be used for nongame wildlife information,
 9.12 education, and promotion.

9.13 Subd. 4. Forest Management 31,211,000 31,211,000

9.14	<u>Appropriations by Fund</u>		
9.15		<u>2012</u>	<u>2013</u>
9.16	<u>General</u>	<u>17,854,000</u>	<u>17,854,000</u>
9.17	<u>Natural Resources</u>	<u>13,093,000</u>	<u>13,093,000</u>
9.18	<u>Game and Fish</u>	<u>264,000</u>	<u>264,000</u>

9.19 \$7,145,000 the first year and \$7,145,000
 9.20 the second year are for prevention,
 9.21 presuppression, and suppression costs of
 9.22 emergency firefighting and other costs
 9.23 incurred under Minnesota Statutes, section
 9.24 88.12. If the appropriation for either
 9.25 year is insufficient to cover all costs of
 9.26 presuppression and suppression, the amount
 9.27 necessary to pay for these costs during the
 9.28 biennium is appropriated from the general
 9.29 fund.

9.30 By January 15 of each year, the commissioner
 9.31 of natural resources shall submit a report to
 9.32 the chairs and ranking minority members
 9.33 of the house and senate committees
 9.34 and divisions having jurisdiction over
 9.35 environment and natural resources finance,
 10.1 identifying all firefighting costs incurred
 10.2 and reimbursements received in the prior
 10.3 fiscal year. These appropriations may
 10.4 not be transferred. Any reimbursement

10.5 of firefighting expenditures made to the
 10.6 commissioner from any source other than
 10.7 federal mobilizations shall be deposited into
 10.8 the general fund.

10.9 \$13,093,000 the first year and \$13,093,000
 10.10 the second year are from the forest
 10.11 management investment account in the
 10.12 natural resources fund for only the purposes
 10.13 specified in Minnesota Statutes, section
 10.14 89.039, subdivision 2.

10.15 \$580,000 the first year and \$580,000 the
 10.16 second year are for the Forest Resources
 10.17 Council for implementation of the
 10.18 Sustainable Forest Resources Act.

10.19 \$250,000 in the first year and \$250,000 in the
 10.20 second year are reductions for the FORIST
 10.21 system.

10.22 After the commissioner approves a
 10.23 sustainable resources management plan,
 10.24 any division of the Department of
 10.25 Natural Resources seeking interaction
 10.26 with the Division of Forestry on projects
 10.27 to implement the plan must reimburse
 10.28 the Division of Forestry for time spent
 10.29 responding to questions, concerns, or
 10.30 challenges to the projects.

10.31 **Subd. 5. Parks and Trails Management** 66,229,000 66,224,000

	<u>Appropriations by Fund</u>	
	<u>2012</u>	<u>2013</u>
10.34 <u>General</u>	<u>18,135,000</u>	<u>18,130,000</u>
11.1 <u>Natural Resources</u>	<u>45,900,000</u>	<u>45,900,000</u>
11.2 <u>Game and Fish</u>	<u>2,194,000</u>	<u>2,194,000</u>

11.3 \$1,000,000 the first year and \$1,000,000 the
 11.4 second year are from the water recreation
 11.5 account in the natural resources fund to

11.6 enable the department to develop and
11.7 implement best management practices for
11.8 public water access facilities to implement
11.9 aquatic invasive species prevention
11.10 strategies.

11.11 The appropriation in Laws 2003, chapter
11.12 128, article 1, section 5, subdivision 6, from
11.13 the water recreation account in the natural
11.14 resources fund for a cooperative project with
11.15 the United States Army Corps of Engineers
11.16 to develop the Mississippi Whitewater Park
11.17 is available until June 30, 2013. The project
11.18 must be designed to prevent the spread of
11.19 aquatic invasive species.

11.20 \$5,731,000 the first year and \$5,731,000 the
11.21 second year are from the natural resources
11.22 fund for state trail, park, and recreation area
11.23 operations. This appropriation is from the
11.24 revenue deposited in the natural resources
11.25 fund under Minnesota Statutes, section
11.26 297A.94, paragraph (e), clause (2).

11.27 \$8,424,000 the first year and \$8,424,000
11.28 the second year are from the snowmobile
11.29 trails and enforcement account in the
11.30 natural resources fund for the snowmobile
11.31 grants-in-aid program. Any unencumbered
11.32 balance does not cancel at the end of the first
11.33 year and is available for the second year.

12.1 \$1,360,000 the first year and \$1,360,000
12.2 the second year are from the natural
12.3 resources fund for the off-highway vehicle
12.4 grants-in-aid program. Of this amount,
12.5 \$1,110,000 each year is from the all-terrain
12.6 vehicle account; \$1,150,000 each year is
12.7 from the off-highway motorcycle account;

12.8 and \$100,000 each year is from the off-road
 12.9 vehicle account. Any unencumbered balance
 12.10 does not cancel at the end of the first year
 12.11 and is available for the second year.

12.12 \$805,000 the first year and \$805,000 the
 12.13 second year are from the natural resources
 12.14 fund for trail grants to local units of
 12.15 government on land to be maintained for at
 12.16 least 20 years for the purposes of the grants.

12.17 This appropriation is from the revenue
 12.18 deposited in the natural resources fund
 12.19 under Minnesota Statutes, section 297A.94,
 12.20 paragraph (e), clause (4).

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

12.22	<u>Appropriations by Fund</u>		
12.23		<u>2012</u>	<u>2013</u>
12.24	<u>General</u>	<u>199,000</u>	<u>199,000</u>
12.25	<u>Natural Resources</u>	<u>1,899,000</u>	<u>1,899,000</u>
12.26	<u>Game and Fish</u>	<u>58,663,000</u>	<u>58,063,000</u>

12.27 \$100,000 the first year and \$100,000 the
 12.28 second year are from the nongame wildlife
 12.29 account in the natural resources fund for gray
 12.30 wolf research.

12.31 \$120,000 the first year and \$120,000 the
 12.32 second year are from the game and fish fund
 12.33 are for gray wolf management.

12.34 \$8,167,000 the first year and \$8,167,000
 12.35 the second year are from the heritage
 13.1 enhancement account in the game and
 13.2 fish fund only for activities specified in
 13.3 Minnesota Statutes, section 297A.94,
 13.4 paragraph (e), clause (1). Notwithstanding
 13.5 Minnesota Statutes, section 297A.94, five
 13.6 percent of this appropriation may be used for

13.7 expanding hunter and angler recruitment and
 13.8 retention.

13.9 Notwithstanding Minnesota Statutes, section
 13.10 84.943, \$13,000 the first year and \$13,000
 13.11 the second year from the critical habitat
 13.12 private sector matching account may be used
 13.13 to publicize the critical habitat license plate
 13.14 match program.

13.15 \$199,000 the first year and \$199,000 the
 13.16 second year are for preserving, restoring,
 13.17 and enhancing grassland/wetland complexes
 13.18 on public or private lands. Notwithstanding
 13.19 Minnesota Statutes, section 16A.28, the
 13.20 appropriations encumbered under contract
 13.21 on or before June 30, 2013, for aquatic
 13.22 restoration grants and wildlife habitat grants
 13.23 are available until June 30, 2014.

13.24 \$600,000 the first year is from the game and
 13.25 fish fund for land acquisition.

13.26 Notwithstanding Minnesota Statutes, section
 13.27 16A.28, the appropriations encumbered
 13.28 under contract on or before June 30, 2013, for
 13.29 aquatic restoration grants and wildlife habitat
 13.30 grants are available until June 30, 2014.

13.31 Subd. 7. **Enforcement** 30,928,000 31,928,000

	<u>Appropriations by Fund</u>	
	<u>2012</u>	<u>2013</u>
13.33		
13.34	<u>2,216,000</u>	<u>2,216,000</u>
13.35	<u>8,558,000</u>	<u>8,558,000</u>
14.1	<u>20,054,000</u>	<u>20,054,000</u>
14.2	<u>100,000</u>	<u>100,000</u>

14.3 \$1,204,000 the first year and \$1,307,000
 14.4 the second year are from the heritage
 14.5 enhancement account in the game and
 14.6 fish fund for only the purposes specified

14.7 in Minnesota Statutes, section 297A.94,
14.8 paragraph (e), clause (1). The base
14.9 appropriation in 2014 is \$1,297,000.

14.10 Notwithstanding Minnesota Statutes, section
14.11 84.780, \$100,000 the first year is from the
14.12 game and fish fund to fund a Conservation
14.13 Officer Academy in 2011. This is a onetime
14.14 appropriation.

14.15 \$315,000 the first year and \$315,000 the
14.16 second year are from the snowmobile
14.17 trails and enforcement account in the
14.18 natural resources fund for grants to local
14.19 law enforcement agencies for snowmobile
14.20 enforcement activities. Any unencumbered
14.21 balance does not cancel at the end of the first
14.22 year and is available for the second year.

14.23 \$250,000 the first year and \$250,000 the
14.24 second year are from the all-terrain vehicle
14.25 account for grants to qualifying organizations
14.26 to assist in safety and environmental
14.27 education and monitoring trails on public
14.28 lands under Minnesota Statutes, section
14.29 84.9011. Grants issued under this paragraph:
14.30 (1) must be issued through a formal
14.31 agreement with the organization; and (2)
14.32 must not be used as a substitute for traditional
14.33 spending by the organization. By December
14.34 15 each year, an organization receiving a
14.35 grant under this paragraph shall report to the
15.1 commissioner with details on expenditures
15.2 and outcomes from the grant. By January
15.3 15, 2013, the commissioner shall report on
15.4 the expenditures and outcomes of the grants
15.5 to the chairs and ranking minority members
15.6 of the legislative committees and divisions

15.7 having jurisdiction over natural resources
 15.8 policy and finance. Of this appropriation,
 15.9 \$25,000 each year is for administration of
 15.10 these grants. Any unencumbered balance
 15.11 does not cancel at the end of the first year
 15.12 and is available for the second year.

15.13 \$510,000 the first year and \$510,000
 15.14 the second year are from the natural
 15.15 resources fund for grants to county law
 15.16 enforcement agencies for off-highway
 15.17 vehicle enforcement and public education
 15.18 activities based on off-highway vehicle use
 15.19 in the county. Of this amount, \$498,000 each
 15.20 year is from the all-terrain vehicle account;
 15.21 \$11,000 each year is from the off-highway
 15.22 motorcycle account; and \$1,000 each year
 15.23 is from the off-road vehicle account. The
 15.24 county enforcement agencies may use
 15.25 money received under this appropriation
 15.26 to make grants to other local enforcement
 15.27 agencies within the county that have a high
 15.28 concentration of off-highway vehicle use.
 15.29 Of this appropriation, \$25,000 each year
 15.30 is for administration of these grants. Any
 15.31 unencumbered balance does not cancel at the
 15.32 end of the first year and is available for the
 15.33 second year.

15.34 **Subd. 8. Operations Support** 2,310,000 2,310,000

<u>Appropriations by Fund</u>		
	<u>2012</u>	<u>2013</u>
16.3 <u>General</u>	<u>888,000</u>	<u>888,000</u>
16.4 <u>Natural Resources</u>	<u>481,000</u>	<u>481,000</u>
16.5 <u>Game and Fish</u>	<u>941,000</u>	<u>941,000</u>

16.6 \$320,000 the first year and \$320,000 the
 16.7 second year are from the natural resources
 16.8 fund for grants to be divided equally between

16.9 the city of St. Paul for the Como Park Zoo
 16.10 and Conservatory and the city of Duluth
 16.11 for the Duluth Zoo. This appropriation
 16.12 is from the revenue deposited to the fund
 16.13 under Minnesota Statutes, section 297A.94,
 16.14 paragraph (e), clause (5).

16.15 **Sec. 5. BOARD OF WATER AND SOIL**
 16.16 **RESOURCES** **\$ 11,532,000 \$ 11,532,000**

16.17 \$2,996,000 the first year and \$2,996,000 the
 16.18 second year are for natural resources block
 16.19 grants to local governments. The board may
 16.20 reduce the amount of the natural resources
 16.21 block grant to a county by an amount equal to
 16.22 any reduction in the county's general services
 16.23 allocation to a soil and water conservation
 16.24 district from the county's previous year
 16.25 allocation when the board determines that
 16.26 the reduction was disproportionate. Grants
 16.27 must be matched with a combination of local
 16.28 cash or in-kind contributions. The base
 16.29 grant portion related to water planning must
 16.30 be matched by an amount as specified by
 16.31 Minnesota Statutes, section 103B.3369.

16.32 \$2,707,000 the first year and \$2,707,000
 16.33 the second year are for grants requested
 16.34 by soil and water conservation districts for
 16.35 general purposes, nonpoint engineering, and
 17.1 implementation of the reinvest in Minnesota
 17.2 reserve program. Upon approval of the
 17.3 board, expenditures may be made from these
 17.4 appropriations for supplies and services
 17.5 benefiting soil and water conservation
 17.6 districts. Any district requesting a grant
 17.7 under this paragraph shall maintain a Web
 17.8 page that publishes, at a minimum, its annual

- 17.9 plan, annual report, annual audit, annual
17.10 budget, including membership dues, and
17.11 meeting notices and minutes.
- 17.12 \$1,797,000 the first year and \$1,797,000
17.13 the second year are for grants to soil and
17.14 water conservation districts for cost-sharing
17.15 contracts for erosion control, water quality
17.16 management, feedlot water quality projects,
17.17 establishing and maintaining riparian
17.18 vegetation buffers of restored native
17.19 prairie, and for county cooperative weed
17.20 management programs.
- 17.21 \$386,000 the first year and \$386,000 the
17.22 second year are for implementation and
17.23 enforcement of the Wetland Conservation
17.24 Act.
- 17.25 \$51,000 the first year and \$51,000 the second
17.26 year are for staff to monitor and enforce
17.27 wetland replacement, wetland bank sites,
17.28 and the Wetland Conservation Act. The
17.29 board must include in its biennial report to
17.30 the legislature information on all state and
17.31 local units of government, including special
17.32 purpose districts and impacts on wetlands in
17.33 the state.
- 17.34 \$166,000 the first year and \$166,000 the
17.35 second year are to provide assistance to local
18.1 drainage management officials and for the
18.2 costs of the Drainage Work Group.
- 18.3 \$84,000 the first year and \$84,000 the second
18.4 year are for a grant to the Red River Basin
18.5 Commission for water quality and floodplain
18.6 management, including administration of
18.7 programs. If the appropriation in either year

18.8 is insufficient, the appropriation in the other
18.9 year is available for it.

18.10 \$120,000 the first year and \$120,000
18.11 the second year are for grants to Area
18.12 II Minnesota River Basin Projects for
18.13 floodplain management.

18.14 Notwithstanding Minnesota Statutes, section
18.15 103C.501, the board may shift cost-share
18.16 funds in this section and may adjust the
18.17 technical and administrative assistance
18.18 portion of the grant funds to leverage
18.19 federal or other nonstate funds or to address
18.20 high-priority needs identified in local water
18.21 management plans.

18.22 The appropriations for grants in this
18.23 section are available until expended. If an
18.24 appropriation for grants in either year is
18.25 insufficient, the appropriation in the other
18.26 year is available for it.

18.27 **Sec. 6. METROPOLITAN COUNCIL \$ 8,226,000 \$ 8,226,000**

18.28	<u>Appropriations by Fund</u>		
18.29		<u>2012</u>	<u>2013</u>
18.30	<u>General</u>	<u>2,856,000</u>	<u>2,856,000</u>
18.31	<u>Natural Resources</u>	<u>5,370,000</u>	<u>5,370,000</u>

18.32 \$2,856,000 the first year and \$2,856,000
18.33 the second year are for metropolitan area
18.34 regional parks operation and maintenance
19.1 according to Minnesota Statutes, section
19.2 473.351.

19.3 \$5,370,000 the first year and \$5,370,000 the
19.4 second year are from the natural resources
19.5 fund for metropolitan area regional parks
19.6 and trails maintenance and operations. This
19.7 appropriation is from the revenue deposited

20.7 year 2013. "The biennium" is fiscal years 2012 and 2013. Appropriations for the fiscal
 20.8 year ending June 30, 2011, are effective the day following final enactment.

20.9 **APPROPRIATIONS**
 20.10 **Available for the Year**
 20.11 **Ending June 30**
 20.12 **2012** **2013**

20.13 **Sec. 3. DEPARTMENT OF COMMERCE**

20.14 **Subdivision 1. Total Appropriation** **\$** **21,542,000** **\$** **21,550,000**

20.15 **Appropriations by Fund**

	<u>2012</u>	<u>2013</u>
20.16		
20.17 <u>General</u>	<u>19,739,000</u>	<u>19,747,000</u>
20.18 <u>Petroleum Cleanup</u>	<u>1,052,000</u>	<u>1,052,000</u>
20.19 <u>Workers'</u>		
20.20 <u>Compensation</u>	<u>751,000</u>	<u>751,000</u>

20.21 The amounts that may be spent for each
 20.22 purpose are specified in the following
 20.23 subdivisions.

20.24 **Subd. 2. Financial Institutions** **6,774,000** **6,778,000**

20.25 \$138,000 the first year and \$142,000
 20.26 the second year are for the regulation of
 20.27 mortgage originators and servicers under
 20.28 Minnesota Statutes, chapters 58 and 58A.

20.29 **Subd. 3. Petroleum Tank Release Cleanup**
 20.30 **Board** **1,052,000** **1,052,000**

20.31 This appropriation is from the petroleum
 20.32 tank release cleanup fund.

20.33 **Subd. 4. Administrative Services** **3,465,000** **3,465,000**

20.34 **Subd. 5. Telecommunications** **1,010,000** **1,010,000**

21.1 **Subd. 6. Market Assurance** **6,251,000** **6,255,000**

21.2 **Appropriations by Fund**

	<u>2012</u>	<u>2013</u>
21.3		
21.4 <u>General</u>	<u>5,500,000</u>	<u>5,504,000</u>
21.5 <u>Workers'</u>		
21.6 <u>Compensation</u>	<u>751,000</u>	<u>751,000</u>

21.7 **Subd. 7. Office of Energy Security** **2,990,000** **2,990,000**

21.8 Subd. 8. Transfer21.9 \$300,000 first year and \$300,000 the second21.10 year are for transfer to the commissioner21.11 of human services to supplement the21.12 ongoing operational expenses of the21.13 Minnesota Commission Serving Deaf and21.14 Hard-of-Hearing People. This appropriation21.15 is from the telecommunication access21.16 Minnesota fund, and is added to the21.17 commission's base.21.18 Sec. 4. **PUBLIC UTILITIES COMMISSION** \$ **5,432,000** \$ **5,432,000**21.19 Sec. 5. **TRANSFERS.**21.20 (a) By June 30, 2013, the commissioner21.21 of management and budget shall transfer21.22 \$3,000,000 from the special revenue fund to21.23 the general fund. The transfers must be from21.24 the following appropriation reductions and21.25 accounts with the special revenue fund:21.26 (1) \$250,000 is from the telecommunications21.27 access Minnesota fund established in21.28 Minnesota Statutes, section 237.52;21.29 (2) \$250,000 is from the Department of21.30 Commerce license technology surcharge21.31 account established in Minnesota Statutes,21.32 section 45.24;22.1 (3) \$300,000 is from the energy and22.2 conservation account established in22.3 Minnesota Statutes, section 216B.241;22.4 (4) \$500,000 is from the insurance fraud22.5 prevention account established in Minnesota22.6 Statutes, section 45.0135;

22.7 (5) \$1,500,000 is from the automobile theft
 22.8 prevention account established in Minnesota
 22.9 Statutes, section 168A.40; and

22.10 (6) \$200,000 is from the real estate education,
 22.11 research and recovery fund established in
 22.12 Minnesota Statutes, section 82.43.

22.13 (b) By June 30, 2013, the commissioner
 22.14 of management and budget shall transfer
 22.15 \$15,000,000 in assets of the workers'
 22.16 compensation assigned risk plan created
 22.17 under Minnesota Statutes, section 79.252, to
 22.18 the general fund.

22.19 **ARTICLE 3**

22.20 **ENVIRONMENT AND NATURAL RESOURCES STATUTORY CHANGES**

22.21 Section 1. Minnesota Statutes 2010, section 89.21, is amended to read:

22.22 **89.21 CAMPGROUNDS, ESTABLISHMENT AND FEES.**

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

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

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

22.32 **Sec. 2. [97A.052] PEACE OFFICER TRAINING ACCOUNT.**

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

22.36 Subd. 2. **Purposes of account.** Money in the peace officer training account
 22.37 may only be spent by the commissioner for peace officer training for employees of the

23.8 Department of Natural Resources who are licensed under sections 626.84 to 626.863
23.9 to enforce game and fish laws.

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

23.11 Sec. 3. Minnesota Statutes 2010, section 97A.071, subdivision 2, is amended to read:

23.12 Subd. 2. **Revenue from small game license surcharge and lifetime licenses.**

23.13 Revenue from the small game surcharge and \$6.50 annually from the lifetime fish and
23.14 wildlife trust fund, established in section 97A.4742, for each license issued under sections
23.15 97A.473, subdivisions 3 and 5, and 97A.474, subdivision 3, shall be credited to the
23.16 wildlife acquisition account and appropriated to the commissioner. The money in the
23.17 account shall be used by the commissioner only for the purposes of this section, and
23.18 acquisition and development of wildlife lands under section 97A.145 and maintenance of
23.19 the lands, in accordance with appropriations made by the legislature.

23.20 Sec. 4. Minnesota Statutes 2010, section 97A.075, is amended to read:

23.21 **97A.075 USE OF LICENSE REVENUES.**

23.22 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this
23.23 subdivision, "deer license" means a license issued under section 97A.475, subdivisions
23.24 2, clauses (5), (6), (7), (13), (14), and (15), and 3, clauses (2), (3), (4), (10), (11), and
23.25 (12), and licenses issued under section 97B.301, subdivision 4.

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

23.31 (c) \$1 from each annual deer license and each bear license and \$1 annually from
23.32 the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license
23.33 issued under section 97A.473, subdivision 4, shall be credited to the deer and bear
24.1 management account and ~~shall be used~~ is appropriated to the commissioner for deer and
24.2 bear management programs, including a computerized licensing system.

24.3 (d) Fifty cents from each deer license is credited to the emergency deer feeding and
24.4 wild cervidae health management account and is appropriated for emergency deer feeding
24.5 and wild cervidae health management. Money appropriated for emergency deer feeding
24.6 and wild cervidae health management is available until expended. The commissioner must
24.7 inform the legislative chairs of the natural resources finance committees every two years

24.8 on how the money for emergency deer feeding and wild cervidae health management
24.9 has been spent.

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

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

24.18 (1) development of wetlands and lakes in the state and designated waterfowl
24.19 management lakes for maximum migratory waterfowl production including habitat
24.20 evaluation, the construction of dikes, water control structures and impoundments, nest
24.21 cover, rough fish barriers, acquisition of sites and facilities necessary for development
24.22 and management of existing migratory waterfowl habitat and the designation of waters
24.23 under section 97A.101;

24.24 (2) management of migratory waterfowl;

24.25 (3) development, restoration, maintenance, or preservation of migratory waterfowl
24.26 habitat;

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

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

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

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

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

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

- 25.9 (3) acquisition of easements and fee title along trout waters;
- 25.10 (4) identifying easement and fee title areas along trout waters; and
- 25.11 (5) research and special management projects on trout streams, trout lakes, and
- 25.12 Lake Superior and portions of its tributaries.

25.13 (b) Money in the account may not be used for costs unless they are directly related

25.14 to a specific parcel of land or body of water under paragraph (a), to specific fish rearing

25.15 activities under paragraph (a), clause (2), or for costs associated with supplies and

25.16 equipment to implement trout and salmon management activities under paragraph (a).

25.17 Subd. 4. **Pheasant stamp.** (a) Ninety percent of the revenue from pheasant stamps

25.18 must be credited to the pheasant habitat improvement account. ~~Money in the account may~~

25.19 ~~be used~~ and is appropriated to the commissioner only for:

25.20 (1) the development, restoration, and maintenance of suitable habitat for ringnecked

25.21 pheasants on public and private land including the establishment of nesting cover, winter

25.22 cover, and reliable food sources;

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

25.24 (3) reimbursement of expenditures to provide pheasant habitat on public and private

25.25 land;

25.26 (4) the promotion of pheasant habitat development and maintenance, including

25.27 promotion and evaluation of government farm program benefits for pheasant habitat; and

25.28 (5) the acquisition of lands suitable for pheasant habitat management and public

25.29 hunting.

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

25.31 (1) costs unless they are directly related to a specific parcel of land under paragraph

25.32 (a), clause (1), (3), or (5), or to specific promotional or evaluative activities under

25.33 paragraph (a), clause (4); or

25.34 (2) any personnel costs, except that prior to July 1, 2019, personnel may be hired

25.35 to provide technical and promotional assistance for private landowners to implement

25.36 conservation provisions of state and federal programs.

26.1 Subd. 5. **Turkey account.** (a) \$4.50 from each turkey license sold, except youth

26.2 licenses under section 97A.475, subdivision 2, clause (4), and subdivision 3, clause (7),

26.3 must be credited to the wild turkey management account. ~~Money in the account may be~~

26.4 ~~used~~ and is appropriated to the commissioner only for:

26.5 (1) the development, restoration, and maintenance of suitable habitat for wild

26.6 turkeys on public and private land including forest stand improvement and establishment

26.7 of nesting cover, winter roost area, and reliable food sources;

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

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

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

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

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

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

26.18 (2) any permanent personnel costs.

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

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

26.25 Sec. 5. **[103G.27] WATER MANAGEMENT ACCOUNT.**

26.26 Subdivision 1. Account established; sources. The water management account
26.27 is created in the natural resources fund in the state treasury. Revenues collected from
26.28 water use permits, penalties, and other receipts according to section 103G.271, shall be
26.29 deposited in the account for the purposes described in subdivision 2. Interest earned on
26.30 money in the account accrues to the account.

26.31 Subd. 2. Purposes of account. Money in the water management account may
26.32 only be spent for the costs associated with permit applications, inspections, and other
26.33 expenditures under sections 103G.271 and 103G.301.

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

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

27.7 (1) \$140 for amounts not exceeding 50,000,000 gallons per year;

27.8 (2) \$3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less
27.9 than 100,000,000 gallons per year;

27.10 (3) \$4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less
27.11 than 150,000,000 gallons per year;

27.12 (4) \$4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but
27.13 less than 200,000,000 gallons per year;

27.14 (5) \$5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less
27.15 than 250,000,000 gallons per year;

27.16 (6) \$5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but
27.17 less than 300,000,000 gallons per year;

27.18 (7) \$6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less
27.19 than 350,000,000 gallons per year;

27.20 (8) \$6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but
27.21 less than 400,000,000 gallons per year;

27.22 (9) \$7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less
27.23 than 450,000,000 gallons per year;

27.24 (10) \$7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but
27.25 less than 500,000,000 gallons per year; and

27.26 (11) \$8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

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

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

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

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

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

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

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

28.1 (i) \$60,000 per year for an entity holding three or fewer permits;

28.2 (ii) \$90,000 per year for an entity holding four or five permits; or

28.3 (iii) \$300,000 per year for an entity holding more than five permits;

28.4 (3) the fee for agricultural irrigation may not exceed \$750 per year;

28.5 (4) the fee for a municipality that furnishes electric service and cogenerates steam
28.6 for home heating may not exceed \$10,000 for its permit for water use related to the
28.7 cogeneration of electricity and steam; and

28.8 (5) no fee is required for a project involving the appropriation of surface water to
28.9 prevent flood damage or to remove flood waters during a period of flooding, as determined
28.10 by the commissioner.

28.11 (e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of two
28.12 percent per month calculated from the original due date must be imposed on the unpaid
28.13 balance of fees remaining 30 days after the sending of a second notice of fees due. A fee
28.14 may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal
28.15 governmental agency holding a water appropriation permit.

28.16 (f) The minimum water use processing fee for a permit issued for irrigation of
28.17 agricultural land is \$20 for years in which:

28.18 (1) there is no appropriation of water under the permit; or

28.19 (2) the permit is suspended for more than seven consecutive days between May 1
28.20 and October 1.

28.21 (g) A surcharge of \$30 per million gallons in addition to the fee prescribed in
28.22 paragraph (a) shall be applied to the volume of water used in each of the months of June,
28.23 July, and August that exceeds the volume of water used in January for municipal water
28.24 use, irrigation of golf courses, and landscape irrigation. The surcharge for municipalities
28.25 with more than one permit shall be determined based on the total appropriations from all
28.26 permits that supply a common distribution system.

28.27 Sec. 7. Minnesota Statutes 2010, section 103G.301, subdivision 2, is amended to read:

28.28 Subd. 2. **Permit application fees.** (a) A permit application fee to defray the costs of
28.29 receiving, recording, and processing the application must be paid for a permit authorized
28.30 under this chapter and for each request to amend or transfer an existing permit. Fees
28.31 established under this subdivision, unless specified in paragraph (c), shall be compliant
28.32 with section 16A.1285.

28.33 (b) Proposed projects that require water in excess of 100 million gallons per year
28.34 must be assessed fees to recover the costs incurred to evaluate the project and the costs
29.1 incurred for environmental review. ~~Fees collected under this paragraph must be credited
29.2 to an account in the natural resources fund and are appropriated to the commissioner.~~

29.3 (c) The fee to apply for a permit to appropriate water, in addition to any fee under
29.4 paragraph (b); a permit to construct or repair a dam that is subject to dam safety inspection;
29.5 or a state general permit is \$150. The application fee for a permit to work in public waters
29.6 or to divert waters for mining must be at least \$150, but not more than \$1,000.

29.7 (d) Fees collected under this subdivision must be credited to the water management
29.8 account in the natural resources fund.

29.9 Sec. 8. Minnesota Statutes 2010, section 115A.1314, is amended to read:

29.10 **115A.1314 MANUFACTURER'S REGISTRATION FEE; ~~CREATION OF~~**
 29.11 **~~ACCOUNT.~~**

29.12 Subdivision 1. **Registration fee.** (a) Each manufacturer who registers under section
 29.13 115A.1312 must, by September 1, 2007, and each year thereafter, pay to the commissioner
 29.14 of revenue an annual registration fee. The commissioner of revenue must deposit the
 29.15 fee in the ~~account established in subdivision 2~~ state treasury and credit the fee to the
 29.16 environmental fund.

29.17 (b) ~~The registration fee for the initial program year during which a manufacturer's~~
 29.18 ~~video display devices are sold to households is \$5,000. Each year thereafter, The~~
 29.19 registration fee is equal to a base fee of \$2,500, plus a variable recycling fee calculated
 29.20 according to the formula:

29.21 $((A \times B) - (C + D)) \times E$, where:

29.22 (1) A = the number of pounds of a manufacturer's video display devices sold to
 29.23 households during the previous program year, as reported to the department under section
 29.24 115A.1316, subdivision 1;

29.25 (2) B = the proportion of sales of video display devices required to be recycled, set at
 29.26 0.6 for the first program year and 0.8 for the second program year and every year thereafter;

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

29.30 (4) D = the number of recycling credits a manufacturer elects to use to calculate the
 29.31 variable recycling fee, as reported to the department under section 115A.1316, subdivision
 29.32 1; and

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

30.3 (c) If, as specified in paragraph (b), the term $C - (A \times B)$ equals a positive number of
 30.4 pounds, that amount is defined as the manufacturer's recycling credits. A manufacturer
 30.5 may retain recycling credits to be added, in whole or in part, to the actual value of C, as
 30.6 reported under section 115A.1316, subdivision 2, during any succeeding program year,
 30.7 provided that no more than 25 percent of a manufacturer's obligation (A x B) for any
 30.8 program year may be met with recycling credits generated in a prior program year. A

30.9 manufacturer may sell any portion or all of its recycling credits to another manufacturer, at
30.10 a price negotiated by the parties, who may use the credits in the same manner.

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

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

30.18 Subd. 2. ~~Creation of account; appropriations Use of registration fees. (a) The~~
30.19 ~~electronic waste account is established in the environmental fund. The commissioner of~~
30.20 ~~revenue must deposit receipts from the fee established in subdivision 1 in the account.~~
30.21 ~~Any interest earned on the account must be credited to the account. Money from other~~
30.22 ~~sources may be credited to the account. Beginning in the second program year and~~
30.23 ~~continuing each program year thereafter, as of the last day of each program year, the~~
30.24 ~~commissioner shall determine the total amount of the variable fees that were collected. To~~
30.25 ~~the extent that the total fees collected by the commissioner in connection with this section~~
30.26 ~~exceed the amount the commissioner determines necessary to operate the program for the~~
30.27 ~~new program year, the commissioner shall refund on a pro rata basis, to all manufacturers~~
30.28 ~~who paid any fees for the previous program year, the amount of fees collected by the~~
30.29 ~~commissioner in excess of the amount necessary to operate the program for the new~~
30.30 ~~program year. No individual refund is required of amounts of \$100 or less for a fiscal~~
30.31 ~~year. Manufacturers who report collections less than 50 percent of their obligation for~~
30.32 ~~the previous program year are not eligible for a refund.~~

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

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

31.3 (2) ~~to the commissioner of the Pollution Control Agency to be distributed on~~
31.4 ~~a competitive basis through contracts with grants to~~ counties outside the 11-county
31.5 metropolitan area, as defined in paragraph ~~(e)~~ (b), and ~~with~~ to private entities that collect
31.6 for recycling covered electronic devices in counties outside the 11-county metropolitan
31.7 area, where the collection and recycling is consistent with the respective county's solid
31.8 waste plan, for the purpose of carrying out the activities under sections 115A.1312 to

31.9 115A.1330. In awarding competitive grants under this clause, the commissioner must
 31.10 give preference to counties and private entities that are working cooperatively with
 31.11 manufacturers to help them meet their recycling obligations under section 115A.1318,
 31.12 subdivision 1.

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

31.15 Sec. 9. Minnesota Statutes 2010, section 115A.1320, subdivision 1, is amended to read:

31.16 Subdivision 1. **Duties of the agency.** (a) The agency shall administer sections
 31.17 115A.1310 to 115A.1330.

31.18 (b) The agency shall establish procedures for:

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

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

31.23 (c) The agency shall annually review the value of the following variables that are
 31.24 part of the formula used to calculate a manufacturer's annual registration fee under section
 31.25 115A.1314, subdivision 1:

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

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

31.30 (3) the base registration fee; and

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

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

32.7 ~~(e) The agency shall manage the account established in section 115A.1314,~~
 32.8 ~~subdivision 2. If the revenues in the account exceed the amount that the agency determines~~

32.9 ~~is necessary for efficient and effective administration of the program, including any~~
32.10 ~~amount for contingencies, the agency must recommend to the legislature that the base~~
32.11 ~~registration fee, the proportion of sales of video display devices required to be recycled,~~
32.12 ~~or the estimated per pound cost of recycling established under section 115A.1314,~~
32.13 ~~subdivision 1, paragraph (b), or any combination thereof, be lowered in order to reduce~~
32.14 ~~revenues collected in the subsequent program year by the estimated amount of the excess.~~

32.15 ~~(f)~~ (e) On or before December 1, 2010, and each year thereafter, the agency shall
32.16 provide a report to the governor and the legislature on the implementation of sections
32.17 115A.1310 to 115A.1330. For each program year, the report must discuss the total weight
32.18 of covered electronic devices recycled and a summary of information in the reports
32.19 submitted by manufacturers and recyclers under section 115A.1316. The report must
32.20 also discuss the various collection programs used by manufacturers to collect covered
32.21 electronic devices; information regarding covered electronic devices that are being
32.22 collected by persons other than registered manufacturers, collectors, and recyclers; and
32.23 information about covered electronic devices, if any, being disposed of in landfills in
32.24 this state. The report must include a description of enforcement actions under sections
32.25 115A.1310 to 115A.1330. The agency may include in its report other information received
32.26 by the agency regarding the implementation of sections 115A.1312 to 115A.1330.

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

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

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

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

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

33.5 Sec. 10. Minnesota Statutes 2010, section 115C.13, is amended to read:

33.6 **115C.13 REPEALER.**

33.7 Sections 115C.01, 115C.02, 115C.021, 115C.03, 115C.04, 115C.045, 115C.05,
33.8 115C.06, 115C.065, 115C.07, 115C.08, 115C.09, 115C.093, 115C.094, 115C.10, 115C.11,
33.9 115C.111, 115C.112, 115C.113, 115C.12, and 115C.13, are repealed effective June 30,
33.10 ~~2012~~ 2017.

33.11 Sec. 11. Minnesota Statutes 2010, section 116.07, subdivision 4d, is amended to read:

33.12 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not
33.13 greater than those necessary to cover the reasonable costs of developing, reviewing,
33.14 and acting upon applications for agency permits and implementing and enforcing the
33.15 conditions of the permits pursuant to agency rules. Permit fees shall not include the costs
33.16 of litigation. The fee schedule must reflect reasonable and routine direct and indirect costs
33.17 associated with permitting, implementation, and enforcement. The agency may impose
33.18 an additional enforcement fee to be collected for a period of up to two years to cover the
33.19 reasonable costs of implementing and enforcing the conditions of a permit under the
33.20 rules of the agency. Any money collected under this paragraph shall be deposited in
33.21 the environmental fund.

33.22 (b) Notwithstanding paragraph (a), the agency shall collect an annual fee from
33.23 the owner or operator of all stationary sources, emission facilities, emissions units, air
33.24 contaminant treatment facilities, treatment facilities, potential air contaminant storage
33.25 facilities, or storage facilities subject to the requirement to obtain a permit under
33.26 subchapter V of the federal Clean Air Act, United States Code, title 42, section 7401 et
33.27 seq., or section 116.081. The annual fee shall be used to pay for all direct and indirect
33.28 reasonable costs, including attorney general costs, required to develop and administer
33.29 the permit program requirements of subchapter V of the federal Clean Air Act, United
33.30 States Code, title 42, section 7401 et seq., and sections of this chapter and the rules
33.31 adopted under this chapter related to air contamination and noise. Those costs include the
33.32 reasonable costs of reviewing and acting upon an application for a permit; implementing
33.33 and enforcing statutes, rules, and the terms and conditions of a permit; emissions, ambient,
33.34 and deposition monitoring; preparing generally applicable regulations; responding to
34.1 federal guidance; modeling, analyses, and demonstrations; preparing inventories and
34.2 tracking emissions; and providing information to the public about these activities.

34.3 (c) The agency shall set fees that:

34.4 (1) will result in the collection, in the aggregate, from the sources listed in paragraph
34.5 (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant
34.6 regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112

34.7 of the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a
34.8 national primary ambient air quality standard has been promulgated;

34.9 (2) may result in the collection, in the aggregate, from the sources listed in paragraph
34.10 (b), of an amount not less than \$25 per ton of each pollutant not listed in clause (1) that is
34.11 regulated under this chapter or air quality rules adopted under this chapter; and

34.12 (3) shall collect, in the aggregate, from the sources listed in paragraph (b), the
34.13 amount needed to match grant funds received by the state under United States Code, title
34.14 42, section 7405 (section 105 of the federal Clean Air Act).

34.15 The agency must not include in the calculation of the aggregate amount to be collected
34.16 under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant
34.17 from a source. The increase in air permit fees to match federal grant funds shall be a
34.18 surcharge on existing fees. The commissioner may not collect the surcharge after the grant
34.19 funds become unavailable. In addition, the commissioner shall use nonfee funds to the
34.20 extent practical to match the grant funds so that the fee surcharge is minimized.

34.21 (d) To cover the reasonable costs described in paragraph (b), the agency shall
34.22 provide in the rules promulgated under paragraph (c) for an increase in the fee collected
34.23 in each year by the percentage, if any, by which the Consumer Price Index for the most
34.24 recent calendar year ending before the beginning of the year the fee is collected exceeds
34.25 the Consumer Price Index for the calendar year 1989. For purposes of this paragraph the
34.26 Consumer Price Index for any calendar year is the average of the Consumer Price Index
34.27 for all-urban consumers published by the United States Department of Labor, as of the
34.28 close of the 12-month period ending on August 31 of each calendar year. The revision
34.29 of the Consumer Price Index that is most consistent with the Consumer Price Index for
34.30 calendar year 1989 shall be used.

34.31 (e) Any money collected under paragraphs (b) to (d) must be deposited in the
34.32 environmental fund and must be used solely for the activities listed in paragraph (b).

34.33 (f) Persons who wish to construct or expand a facility may offer to reimburse the
34.34 agency for the costs of staff overtime or consultant services needed to expedite permit
34.35 review. The reimbursement shall be in addition to fees imposed by law. When the agency
34.36 determines that it needs additional resources to review the permit application in an
35.1 expedited manner, and that expediting the review would not disrupt permitting program
35.2 priorities, the agency may accept the reimbursement. Reimbursements accepted by the
35.3 agency are appropriated to the agency for the purpose of reviewing the permit application.
35.4 Reimbursement by a permit applicant shall precede and not be contingent upon issuance
35.5 of a permit and shall not affect the agency's decision on whether to issue or deny a permit,

35.6 what conditions are included in a permit, or the application of state and federal statutes
35.7 and rules governing permit determinations.

35.8 (g) Persons who wish the agency to consider unique financial assurance mechanisms
35.9 to meet their obligations under subdivisions 4f, 4g, and 4h must reimburse the agency
35.10 for the costs of consultant services needed to complete a review to determine the
35.11 appropriateness of the proposed mechanism. The reimbursement shall be in addition to
35.12 any other fees imposed by law. Reimbursements accepted by the agency are deposited
35.13 in the miscellaneous special revenue fund and appropriated to the agency for the cost to
35.14 review the financial assurance mechanism.

35.15 (h) The fees under this subdivision are exempt from section 16A.1285.

35.16 Sec. 12. Minnesota Statutes 2010, section 127A.31, is amended to read:

35.17 **127A.31 GOAL OF THE PERMANENT SCHOOL FUND.**

35.18 The legislature intends that it is the goal of the permanent school fund to secure the
35.19 maximum long-term economic return from the school trust lands consistent with the
35.20 fiduciary responsibilities imposed by the trust relationship established in the Minnesota
35.21 Constitution, ~~with sound natural resource conservation and management principles, and~~
35.22 ~~with other specific policy provided in state law.~~

35.23 Sec. 13. Minnesota Statutes 2010, section 357.021, subdivision 7, is amended to read:

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

35.28 (1) one percent shall be credited to the peace officer training account in the game and
35.29 fish fund to provide and is annually appropriated to the commissioner of natural resources
35.30 for peace officer training for employees of the Department of Natural Resources who are
35.31 licensed under sections 626.84 to 626.863, and who possess peace officer authority for the
35.32 purpose of enforcing game and fish laws;

35.33 (2) 39 percent shall be credited to the peace officers training account in the special
35.34 revenue fund; and

36.1 (3) 60 percent shall be credited to the general fund.

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

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

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

36.14 Sec. 14. **WILD RICE STANDARDS; RULEMAKING.**

36.15 (a) Within 30 days of enactment, the commissioner of the Pollution Control
36.16 Agency shall initiate a process to amend Minnesota Rules, chapter 7050, which may
36.17 be accomplished through rulemaking already in progress related to the water quality
36.18 standards contained in Minnesota Rules, chapter 7050. The amended rule shall designate
36.19 each body of water, or specific portion thereof, to which the wild rice water quality
36.20 standards apply and the specific times of year during which the standard applies. Before
36.21 designating waters containing natural beds of wild rice as waters subject to a standard,
36.22 the commissioner shall establish criteria for such waters after consultation with the
36.23 commissioner of natural resources, Minnesota Indian tribes, and other interested parties
36.24 and after public notice and comment. The criteria shall include, but not be limited to,
36.25 documented history of wild rice harvests, minimum acreage, and wild rice density. Waters
36.26 where individual wild rice plants or isolated, sparse stands of wild rice exist shall not
36.27 be designated as subject to the standard.

36.28 (b) Within 30 days of enactment the commissioner of the Pollution Control Agency
36.29 must create an advisory group to provide input to the commissioner on a protocol for
36.30 scientific research to assess the impacts of sulfates and other substances on the growth of
36.31 wild rice, review research results, and provide other advice on the development of future
36.32 rule amendments to protect wild rice. The advisory group must include representatives of
36.33 tribal governments, municipal wastewater treatment facilities, industrial dischargers, wild
36.34 rice harvesters, and wild rice research experts.

37.1 (c) After receiving the advice of the advisory group under paragraph (b), the
37.2 commissioner shall, after consultation with the commissioner of natural resources and
37.3 review of all available scientific research on water quality and other environmental
37.4 impacts on the growth of wild rice, adopt and implement a wild rice research plan using

37.5 the funding appropriated for a wild rice standards study in this act to contract with
37.6 appropriate scientific experts. The commissioner shall periodically review the results of
37.7 the research with the commissioner of natural resources and the advisory group.

37.8 (d) Upon completion of the research referenced in paragraph (c), the commissioner
37.9 shall initiate a process to amend Minnesota Rules to revise water quality standards related
37.10 to the protection of wild rice to be consistent with the results of the research.

37.11 (e) Until the rule amendment described in paragraph (d) is complete, in any permit
37.12 issued for the discharge of waste water, the commissioner of the Pollution Control Agency
37.13 may only require that the permittee monitor sulfate concentrations in discharges, and if
37.14 appropriate based on site-specific conditions, implement a sulfate minimization plan to
37.15 avoid or minimize sulfate concentrations during periods when wild rice may be susceptible
37.16 to damage, but may not require expenditures for design and implementation of sulfate
37.17 treatment technologies. Upon completion of the rule amendment processes described in
37.18 paragraph (d), the commissioner of the Pollution Control Agency shall provide permittees
37.19 a reasonable period of time in which to comply with the amended standards.

37.20 (f) By December 15, 2011, the commissioner shall submit a report to the chairs of
37.21 the house of representatives and senate committees and divisions with jurisdiction over
37.22 environment and natural resources policy and finance on the status of implementation of
37.23 this section. The report must include an estimated timeline for completion of the wild
37.24 rice research plan and initiation and completion of the formal rulemaking process under
37.25 Minnesota Statutes, chapter 14.

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

37.27 Sec. 15. **WILD RICE WATER QUALITY STANDARD.**

37.28 Notwithstanding Minnesota Rules, part 7050.0224, subpart 2, the water quality
37.29 standard for sulfates in Class 4A waters is 250 milligrams per liter, applicable to water
37.30 used for production of wild rice during periods when the rice may be susceptible to
37.31 damage by high sulfate levels. This standard is effective until the new standard developed
37.32 through the rulemaking required under this act goes into effect.

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

38.1 Sec. 16. **REPEALER.**

38.2 Minnesota Statutes 2010, section 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, and 8, are
38.3 repealed.

ARTICLE 4

ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

Section 1. MINNESOTA RESOURCES APPROPRIATIONS.

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

APPROPRIATIONS
Available for the Year
Ending June 30
2012 **2013**

Sec. 2. MINNESOTA RESOURCES

Subdivision 1. Total Appropriations \$ 26,062,000 \$ 25,311,000

Appropriations by Fund

	<u>2012</u>	<u>2013</u>
<u>Environment and natural resources trust fund</u>	<u>25,312,000</u>	<u>25,311,000</u>
<u>State land and water conservation account (LAWCON)</u>	<u>750,000</u>	<u>-0-</u>

Appropriations are available for two years beginning July 1, 2011, unless otherwise stated in the appropriation. Any unencumbered balance remaining in the first year does not cancel and is available for the second year.

Subd. 2. Definitions

(a) "Trust fund" means the Minnesota environment and natural resources trust fund referred to in Minnesota Statutes, section 116P.02, subdivision 6.

39.5 (b) "State land and water conservation
 39.6 account (LAWCON)" means the state land
 39.7 and water conservation account in the natural
 39.8 resources fund referred to in Minnesota
 39.9 Statutes, section 116P.14.

39.10 **Subd. 3. Natural Resource Data and**
 39.11 **Information**

3,793,000

5,294,000

39.12 **(a) Minnesota County Biological Survey**

39.13 \$1,125,000 the first year and \$1,125,000
 39.14 the second year are from the trust fund
 39.15 to the commissioner of natural resources
 39.16 for continuation of the Minnesota county
 39.17 biological survey to provide a foundation
 39.18 for conserving biological diversity by
 39.19 systematically collecting, interpreting,
 39.20 and delivering data on plant and animal
 39.21 distribution and ecology, native plant
 39.22 communities, and functional landscapes.

39.23 **(b) County Geologic Atlases for**
 39.24 **Sustainable Water Management**

39.25 \$900,000 the first year and \$900,000 the
 39.26 second year are from the trust fund to
 39.27 accelerate the production of county geologic
 39.28 atlases to provide information essential to
 39.29 sustainable management of ground water
 39.30 resources by defining aquifer boundaries
 39.31 and the connection of aquifers to the land
 39.32 surface and surface water resources. Of
 39.33 this appropriation, \$600,000 each year is
 39.34 to the Board of Regents of the University
 39.35 of Minnesota for the Geologic Survey and
 40.1 \$300,000 each year is to the commissioner
 40.2 of natural resources. This appropriation
 40.3 is available until June 30, 2015, by which

40.4 time the project must be completed and final
40.5 products delivered.

40.6 **(c) Completion of Statewide Digital Soil**
40.7 **Survey**

40.8 \$250,000 the first year and \$250,000 the
40.9 second year are from the trust fund to
40.10 the Board of Water and Soil Resources
40.11 to accelerate the completion of county
40.12 soil survey mapping and Web-based data
40.13 delivery. The soil surveys must be done on a
40.14 cost-share basis with local and federal funds.

40.15 **(d) Updating National Wetlands Inventory**
40.16 **for Minnesota - Phase III**

40.17 \$1,500,000 the second year is from the trust
40.18 fund to the commissioner of natural resources
40.19 to continue the update of wetland inventory
40.20 maps for Minnesota. This appropriation
40.21 is available until June 30, 2015, by which
40.22 time the project must be completed and final
40.23 products delivered.

40.24 **(e) Minnesota Breeding Bird Atlas - Phase**
40.25 **III**

40.26 \$71,000 the first year and \$71,000 the
40.27 second year are from the trust fund to the
40.28 commissioner of natural resources for an
40.29 agreement with the National Audubon
40.30 Society. The atlas must be available for
40.31 downloading on the Internet free of charge.
40.32 This appropriation is available until June
40.33 30, 2015, by which time the project must be
40.34 completed and final products delivered.

41.1 **(f) Determining Causes of Mortality in**
41.2 **Moose Populations**

41.3 \$300,000 the first year and \$300,000 the
41.4 second year are from the trust fund to
41.5 the commissioner of natural resources to
41.6 determine specific causes of moose mortality
41.7 and population decline in Minnesota and
41.8 to develop specific management actions to
41.9 prevent further population decline. This
41.10 appropriation is available until June 30,
41.11 2014, by which time the project must be
41.12 completed and final products delivered.

41.13 **(g) Prairie Management for Wildlife and**
41.14 **Bioenergy - Phase II**

41.15 \$300,000 the first year and \$300,000 the
41.16 second year are from the trust fund to the
41.17 Board of Regents of the University of
41.18 Minnesota to research and evaluate methods
41.19 of managing diverse working prairies for
41.20 wildlife and renewable bioenergy production.
41.21 This appropriation is available until June
41.22 30, 2014, by which time the project must be
41.23 completed and final products delivered.

41.24 **(h) Evaluation of Biomass Harvesting**
41.25 **Impacts on Minnesota's Forests**

41.26 \$175,000 the first year and \$175,000 the
41.27 second year are from the trust fund to the
41.28 Board of Regents of the University of
41.29 Minnesota to assess the impacts biomass
41.30 harvests for energy have on soil nutrients,
41.31 native forest vegetation, invasive species
41.32 spread, and long-term tree productivity within
41.33 Minnesota's forests. This appropriation is
41.34 available until June 30, 2014, by which time
42.1 the project must be completed and final
42.2 products delivered.

42.3 **(i) Information System for Wildlife and**
42.4 **Aquatic Management Areas**
42.5 \$250,000 the first year and \$250,000 the
42.6 second year are from the trust fund to the
42.7 commissioner of natural resources to develop
42.8 an information system to facilitate improved
42.9 management of wildlife and fish habitat and
42.10 facilities. This appropriation is available
42.11 until June 30, 2014, by which time the
42.12 project must be completed and final products
42.13 delivered.

42.14 **(j) Strengthening Natural Resource**
42.15 **Management with LiDAR Training**
42.16 \$90,000 the first year and \$90,000 the second
42.17 year are from the trust fund to the Board of
42.18 Regents of the University of Minnesota to
42.19 provide workshops and Web-based training
42.20 and information on the use of LiDAR
42.21 elevation data in planning for and managing
42.22 natural resources.

42.23 **(k) Measuring Conservation Practice**
42.24 **Outcomes**
42.25 \$170,000 the first year and \$170,000 the
42.26 second year are from the trust fund to
42.27 the Board of Water and Soil Resources
42.28 to improve measurement of impacts of
42.29 conservation practices through refinement
42.30 of existing and development of new
42.31 pollution estimators and by providing local
42.32 government training.

42.33 **(l) Conservation-Based Approach for**
42.34 **Assessing Public Drainage Benefits**
43.1 \$75,000 the first year and \$75,000 the second
43.2 year are from the trust fund to the Board

43.3 of Water and Soil Resources to develop an
 43.4 alternative framework to assess drainage
 43.5 benefits on public systems to enhance water
 43.6 conservation. This appropriation is available
 43.7 until June 30, 2014, by which time the
 43.8 project must be completed and final products
 43.9 delivered.

43.10 **(m) Mississippi River Central Minnesota**
 43.11 **Conservation Planning**

43.12 \$87,000 the first year and \$88,000 the
 43.13 second year are from the trust fund to the
 43.14 commissioner of natural resources for an
 43.15 agreement with Stearns County Soil and
 43.16 Water Conservation District to develop
 43.17 and adopt river protection strategies in
 43.18 cooperation with local jurisdictions in
 43.19 the communities of the 26 miles of the
 43.20 Mississippi River between Benton and
 43.21 Stearns Counties. This appropriation must
 43.22 be matched by \$175,000 of nonstate cash or
 43.23 qualifying in-kind funds.

43.24 **Subd. 4. Land, Habitat, and Recreation** 15,993,000 13,404,000

	<u>Summary by Fund</u>	
43.25		
43.26	<u>Environment and</u>	
43.27	<u>natural resources</u>	
43.28	<u>trust fund</u>	<u>15,243,000</u>
		<u>13,404,000</u>
43.29	<u>State land and</u>	
43.30	<u>water conservation</u>	
43.31	<u>account (LAWCON)</u>	<u>750,000</u>
		<u>-0-</u>

43.32 **(a) Lake Vermilion State Park**
 43.33 **Development**

43.34 \$2,421,000 the first year and \$579,000 the
 43.35 second year are from the trust fund to the
 43.36 commissioner of natural resources for initial
 44.1 phases of development of Lake Vermilion
 44.2 State Park. A master plan must be completed

44.3 and a specific list of proposed projects
44.4 and project elements must be provided to
44.5 the Legislative-Citizen Commission on
44.6 Minnesota Resources before any expenditure
44.7 of money appropriated in this paragraph.

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

44.9 **Acquisition**

44.10 \$1,500,000 the first year and \$1,500,000 the
44.11 second year are from the trust fund to the
44.12 commissioner of natural resources to acquire
44.13 state trails and critical parcels within the
44.14 statutory boundaries of state parks. State
44.15 park land acquired with this appropriation
44.16 must be sufficiently improved to meet at
44.17 least minimum management standards, as
44.18 determined by the commissioner of natural
44.19 resources. A list of proposed acquisitions
44.20 must be provided as part of the grant
44.21 agreement. This appropriation is available
44.22 until June 30, 2014, by which time the
44.23 project must be completed and final products
44.24 delivered.

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

44.26 **Acquisition**

44.27 \$1,125,000 the first year and \$1,125,000
44.28 the second year are from the trust fund to
44.29 the Metropolitan Council for grants for the
44.30 acquisition of lands within the approved park
44.31 unit boundaries of the metropolitan regional
44.32 park system. This appropriation may not be
44.33 used for the purchase of residential structures.
44.34 A list of proposed fee title and easement
44.35 acquisitions must be provided as part of the
45.1 grant agreement. This appropriation must be
45.2 matched by at least 40 percent of nonstate

45.3 money and must be committed by December
45.4 31, 2011, or the appropriation cancels. This
45.5 appropriation is available until June 30, 2014,
45.6 at which time the project must be completed
45.7 and final products delivered, unless an earlier
45.8 date is specified in the grant agreement.

45.9 **(d) Regional Park, Trail, and Connection**
45.10 **Acquisition and Development Grants**

45.11 \$1,000,000 the first year and \$1,000,000 the
45.12 second year are from the trust fund to the
45.13 commissioner of natural resources to provide
45.14 matching grants to local units of government
45.15 for acquisition and development of regional
45.16 parks, regional trails, and trail connections.
45.17 The local match required for a grant to
45.18 acquire a regional park or regional outdoor
45.19 recreation area is two dollars of nonstate
45.20 money for each three dollars of state money.
45.21 This appropriation is available until June
45.22 30, 2014, by which time the project must be
45.23 completed and final products delivered.

45.24 **(e) Scientific and Natural Area Acquisition**
45.25 **and Restoration**

45.26 \$1,640,000 the first year and \$1,640,000
45.27 the second year are from the trust fund
45.28 to the commissioner of natural resources
45.29 to acquire lands with high-quality native
45.30 plant communities and rare features to be
45.31 established as scientific and natural areas
45.32 as provided in Minnesota Statutes, section
45.33 86A.05, subdivision 5, restore parts of
45.34 scientific and natural areas, and provide
45.35 technical assistance and outreach. A list of
46.1 proposed acquisitions must be provided as
46.2 part of the grant agreement. Land acquired

46.3 with this appropriation must be sufficiently
46.4 improved to meet at least minimum
46.5 management standards, as determined by
46.6 the commissioner of natural resources. This
46.7 appropriation is available until June 30,
46.8 2014, by which time the project must be
46.9 completed and final products delivered.

46.10 **(f) LaSalle Lake Scientific and Natural**
46.11 **Area Acquisition**

46.12 \$1,000,000 the first year and \$1,000,000 the
46.13 second year are from the trust fund to the
46.14 commissioner of natural resources for an
46.15 agreement with The Trust for Public Land
46.16 to acquire approximately 190 acres to be
46.17 designated as a scientific and natural area
46.18 as provided in Minnesota Statutes, section
46.19 86A.05, subdivision 5, on LaSalle Lake
46.20 adjacent to the upper Mississippi River. If
46.21 this acquisition is not completed by July 15,
46.22 2012, then the appropriation is available to
46.23 the Department of Natural Resources for
46.24 other scientific and natural area acquisitions
46.25 on the priority list. Up to \$10,000 may
46.26 be retained by the Department of Natural
46.27 Resources at the request of The Trust for
46.28 Public Land for transaction costs, associated
46.29 professional services, and restoration needs.

46.30 **(g) Minnesota River Valley Green**
46.31 **Corridor Scientific and Natural Area**
46.32 **Acquisition**

46.33 \$1,000,000 the first year and \$1,000,000
46.34 the second year are from the trust fund
46.35 to the commissioner of natural resources
47.1 for an agreement with the Redwood Area
47.2 Communities Foundation to acquire lands

47.3 with high-quality native plant communities
47.4 and rare features to be established as scientific
47.5 and natural areas as provided in Minnesota
47.6 Statutes, section 86A.05, subdivision 5.
47.7 A list of proposed acquisitions must be
47.8 provided as part of the grant agreement.
47.9 Land acquired with this appropriation
47.10 must be sufficiently improved to meet at
47.11 least minimum management standards, as
47.12 determined by the commissioner of natural
47.13 resources. Up to \$54,000 may be retained by
47.14 the Department of Natural Resources at the
47.15 request of the Redwood Area Communities
47.16 Foundation for transaction costs, associated
47.17 professional services, and restoration needs.
47.18 This appropriation is available until June
47.19 30, 2014, by which time the project must be
47.20 completed and final products delivered.

47.21 **(h) Native Prairie Stewardship and Native**
47.22 **Prairie Bank Acquisition**

47.23 \$500,000 the first year and \$500,000 the
47.24 second year are from the trust fund to the
47.25 commissioner of natural resources to acquire
47.26 native prairie bank easements, prepare
47.27 baseline property assessments, restore and
47.28 enhance native prairie sites, and provide
47.29 technical assistance to landowners. This
47.30 appropriation is available until June 30,
47.31 2014, by which time the project must be
47.32 completed and final products delivered.

47.33 **(i) Metropolitan Conservation Corridors**
47.34 **(MeCC) - Phase VI**

48.1 \$1,737,000 the first year and \$1,738,000
48.2 the second year are from the trust fund
48.3 to the commissioner of natural resources

48.4 for the acceleration of agency programs
48.5 and cooperative agreements. Of this
48.6 appropriation, \$150,000 the first year
48.7 and \$150,000 the second year are to the
48.8 commissioner of natural resources for
48.9 agency programs and \$3,175,000 is for the
48.10 agreements as follows: \$100,000 the first
48.11 year and \$100,000 the second year with
48.12 Friends of the Mississippi River; \$517,000
48.13 the first year and \$518,000 the second year
48.14 with Dakota County; \$200,000 the first year
48.15 and \$200,000 the second year with Great
48.16 River Greening; \$220,000 the first year and
48.17 \$220,000 the second year with Minnesota
48.18 Land Trust; \$300,000 the first year and
48.19 \$300,000 the second year with Minnesota
48.20 Valley National Wildlife Refuge Trust, Inc.;
48.21 and \$250,000 the first year and \$250,000
48.22 the second year with The Trust for Public
48.23 Land for planning, restoring, and protecting
48.24 priority natural areas in the metropolitan area,
48.25 as defined under Minnesota Statutes, section
48.26 473.121, subdivision 2, and portions of the
48.27 surrounding counties, through contracted
48.28 services, technical assistance, conservation
48.29 easements, and fee title acquisition. Land
48.30 acquired with this appropriation must
48.31 be sufficiently improved to meet at least
48.32 minimum management standards, as
48.33 determined by the commissioner of natural
48.34 resources. Expenditures are limited to the
48.35 identified project corridor areas as defined
48.36 in the grant agreement. This appropriation
49.1 may not be used for the purchase of habitable
49.2 residential structures, unless expressly
49.3 approved in the grant agreement. All

49.4 conservation easements must be perpetual
49.5 and have a natural resource management
49.6 plan. Any land acquired in fee title by the
49.7 commissioner of natural resources with
49.8 money from this appropriation must be
49.9 designated as an outdoor recreation unit
49.10 under Minnesota Statutes, section 86A.07.
49.11 The commissioner may similarly designate
49.12 any lands acquired in less than fee title. A
49.13 list of proposed restorations and fee title
49.14 and easement acquisitions must be provided
49.15 as part of the grant agreement. An entity
49.16 that acquires a conservation easement with
49.17 appropriations from the trust fund must
49.18 have a long-term stewardship plan for
49.19 the easement and a fund established for
49.20 monitoring and enforcing the agreement
49.21 as provided in subdivision 17. This
49.22 appropriation is available until June 30,
49.23 2014, by which time the project must be
49.24 completed and final products delivered.

49.25 **(j) Habitat Conservation Partnership**
49.26 **(HCP) - Phase VII**

49.27 \$1,737,000 the first year and \$1,738,000
49.28 the second year are from the trust fund
49.29 to the commissioner of natural resources
49.30 for the acceleration of agency programs
49.31 and cooperative agreements. Of this
49.32 appropriation, \$125,000 the first year
49.33 and \$125,000 the second year are to the
49.34 commissioner of natural resources for
49.35 agency programs and \$3,225,000 is for
49.36 agreements as follows: \$637,000 the first
50.1 year and \$638,000 the second year with
50.2 Ducks Unlimited, Inc.; \$38,000 the first year
50.3 and \$37,000 the second year with Friends

50.4 of Detroit Lakes Wetland Management
50.5 District; \$25,000 the first year and \$25,000
50.6 the second year with Leech Lake Band of
50.7 Ojibwe; \$225,000 the first year and \$225,000
50.8 the second year with Minnesota Land Trust;
50.9 \$200,000 the first year and \$200,000 the
50.10 second year with Minnesota Valley National
50.11 Wildlife Refuge Trust, Inc.; \$242,000 the
50.12 first year and \$243,000 the second year
50.13 with Pheasants Forever, Inc.; and \$245,000
50.14 the first year and \$245,000 the second year
50.15 with The Trust for Public Land to plan,
50.16 restore, and acquire fragmented landscape
50.17 corridors that connect areas of quality habitat
50.18 to sustain fish, wildlife, and plants. The
50.19 United States Department of Agriculture,
50.20 Natural Resources Conservation Service,
50.21 is an authorized cooperating partner in the
50.22 appropriation. Expenditures are limited
50.23 to the project corridor areas as defined in
50.24 the grant agreement. Land acquired with
50.25 this appropriation must be sufficiently
50.26 improved to meet at least minimum habitat
50.27 and facility management standards, as
50.28 determined by the commissioner of natural
50.29 resources. This appropriation may not be
50.30 used for the purchase of habitable residential
50.31 structures, unless expressly approved in
50.32 the grant agreement. All conservation
50.33 easements must be perpetual and have a
50.34 natural resource management plan. Any land
50.35 acquired in fee title by the commissioner
50.36 of natural resources with money from this
51.1 appropriation must be designated as an
51.2 outdoor recreation unit under Minnesota
51.3 Statutes, section 86A.07. The commissioner

51.4 may similarly designate any lands acquired
51.5 in less than fee title. A list of proposed
51.6 restorations and fee title and easement
51.7 acquisitions must be provided as part of the
51.8 grant agreement. An entity that acquires a
51.9 conservation easement with appropriations
51.10 from the trust fund must have a long-term
51.11 stewardship plan for the easement and a fund
51.12 established for monitoring and enforcing the
51.13 agreement as provided in subdivision 17.
51.14 This appropriation is available until June
51.15 30, 2014, by which time the project must be
51.16 completed and final products delivered.

51.17 **(k) Natural and Scenic Area Acquisition**
51.18 **Grants**

51.19 \$500,000 the first year and \$500,000 the
51.20 second year are from the trust fund to the
51.21 commissioner of natural resources to provide
51.22 matching grants to local governments for
51.23 acquisition of natural and scenic areas, as
51.24 provided in Minnesota Statutes, section
51.25 85.019, subdivision 4a. This appropriation
51.26 is available until June 30, 2014, by which
51.27 time the project must be completed and final
51.28 products delivered.

51.29 **(l) Acceleration of Minnesota Conservation**
51.30 **Assistance**

51.31 \$313,000 the first year and \$312,000 the
51.32 second year are from the trust fund to the
51.33 Board of Water and Soil Resources to provide
51.34 grants to soil and water conservation districts
51.35 to provide technical assistance to secure
52.1 enrollment and retention of private lands in
52.2 federal and state programs for conservation.

52.3 **(m) Conservation Easement Stewardship**
 52.4 **and Enforcement Program - Phase II**

52.5 \$250,000 the first year and \$250,000 the
 52.6 second year are from the trust fund to
 52.7 the commissioner of natural resources to
 52.8 accelerate the implementation of the Phase
 52.9 I Conservation Easement Stewardship Plan
 52.10 being developed with an appropriation
 52.11 from Laws 2008, chapter 367, section 2,
 52.12 subdivision 5, paragraph (h).

52.13 **(n) Recovery of At-Risk Native Prairie**
 52.14 **Species**

52.15 \$73,000 the first year and \$74,000 the second
 52.16 year are from the trust fund to the Board of
 52.17 Water and Soil Resources for an agreement
 52.18 with the Martin County Soil and Water
 52.19 Conservation District to collect, propagate,
 52.20 and plant declining, at-risk native species
 52.21 on protected habitat and to enhance private
 52.22 market sources for local ecotype native seed.
 52.23 This appropriation is available until June
 52.24 30, 2014, by which time the project must be
 52.25 completed and final products delivered.

52.26 **(o) Understanding Threats, Genetic**
 52.27 **Diversity, and Conservation Options for**
 52.28 **Wild Rice**

52.29 \$97,000 the first year and \$98,000 the second
 52.30 year are from the trust fund to the Board
 52.31 of Regents of the University of Minnesota
 52.32 to research the genetic diversity of wild
 52.33 rice population throughout Minnesota for
 52.34 use in related conservation and restoration
 53.1 efforts. This appropriation is contingent upon
 53.2 demonstration of review and cooperation
 53.3 with the Native American tribal nations

53.4 in Minnesota. Equipment purchased with
53.5 this appropriation must be available for
53.6 future publicly funded projects at no charge
53.7 except for typical operating expenses. This
53.8 appropriation is available until June 30,
53.9 2014, by which time the project must be
53.10 completed and final products delivered.

53.11 **(p) Southeast Minnesota Stream**

53.12 **Restoration**

53.13 \$125,000 the first year and \$125,000 the
53.14 second year are from the trust fund to the
53.15 commissioner of natural resources for an
53.16 agreement with Trout Unlimited to restore at
53.17 least four miles of riparian corridor for trout
53.18 and nongame species in southeast Minnesota
53.19 and increase local capacities to implement
53.20 stream restoration through training and
53.21 technical assistance. This appropriation is
53.22 available until June 30, 2014, by which time
53.23 the project must be completed and final
53.24 products delivered.

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

53.26 **Peatland Scientific and Natural Areas**

53.27 \$100,000 the first year and \$100,000 the
53.28 second year are from the trust fund to the
53.29 commissioner of natural resources to evaluate
53.30 the hydrology and habitat of the Winter Road
53.31 Lake peatland watershed protection area to
53.32 determine the effects of ditch abandonment
53.33 and examine the potential for restoration
53.34 of patterned peatlands. This appropriation
53.35 is available until June 30, 2014, by which
54.1 time the project must be completed and final
54.2 products delivered.

54.3 **(r) Northeast Minnesota White Cedar**54.4 **Plant Community Restoration**

54.5 \$125,000 for the first year and \$125,000
 54.6 the second year are from the trust fund to
 54.7 the Board of Water and Soil Resources to
 54.8 assess the decline of northern white cedar
 54.9 plant communities in northeast Minnesota,
 54.10 prioritize cedar sites for restoration, and
 54.11 provide cedar restoration training to local
 54.12 units of government.

54.13 **(s) Land and Water Conservation Account**54.14 **(LAWCON) Federal Reimbursement**

54.15 \$750,000 is from the state land and water
 54.16 conservation account (LAWCON) in the
 54.17 natural resources fund to the commissioner of
 54.18 natural resources for priorities established by
 54.19 the commissioner for eligible state projects
 54.20 and administrative and planning activities
 54.21 consistent with Minnesota Statutes, section
 54.22 116P.14, and the federal Land and Water
 54.23 Conservation Fund Act. This appropriation
 54.24 is available until June 30, 2014, by which
 54.25 time the project must be completed and final
 54.26 products delivered.

54.27 **Subd. 5. Water Resources**778,000779,00054.28 **(a) Itasca County Sensitive Lakeshore**54.29 **Identification**

54.30 \$80,000 the first year and \$80,000 the
 54.31 second year are from the trust fund to the
 54.32 commissioner of natural resources for an
 54.33 agreement with Itasca County Soil and Water
 54.34 Conservation District to identify sensitive
 55.1 lakeshore and restorable shoreline in Itasca
 55.2 County. Up to \$130,000 may be retained by

55.3 the Department of Natural Resources at the
55.4 request of Itasca County to provide technical
55.5 assistance.

55.6 **(b) Trout Stream Springshed Mapping in**
55.7 **Southeast Minnesota - Phase III**

55.8 \$250,000 the first year and \$250,000 the
55.9 second year are from the trust fund to
55.10 continue to identify and delineate water
55.11 supply areas and springsheds for springs
55.12 servicing as cold water sources for trout
55.13 streams and to assess the impacts from
55.14 development and water appropriations. Of
55.15 this appropriation, \$140,000 each year is to
55.16 the Board of Regents of the University of
55.17 Minnesota and \$110,000 each year is to the
55.18 commissioner of natural resources.

55.19 **(c) Mississippi River Water Quality**
55.20 **Assessment**

55.21 \$278,000 the first year and \$279,000 the
55.22 second year are from the trust fund to the
55.23 Board of Regents of the University of
55.24 Minnesota to assess water quality in the
55.25 Mississippi River using DNA sequencing
55.26 approaches and chemical analyses. The
55.27 assessments shall be incorporated into
55.28 a Web-based educational tool for use
55.29 in classrooms and public exhibits. This
55.30 appropriation is available until June 30,
55.31 2014, by which time the project must be
55.32 completed and final products delivered.

55.33 **(d) Zumbro River Watershed Restoration**
55.34 **Prioritization**

56.1 \$75,000 the first year and \$75,000 the
56.2 second year are from the trust fund to the

56.3 commissioner of natural resources for an
 56.4 agreement with the Zumbro Watershed
 56.5 Partnership, Inc. to identify sources of
 56.6 erosion and runoff in the Zumbro River
 56.7 Watershed in order to prioritize restoration
 56.8 and protection projects.

56.9 **(e) Assessment of Minnesota River**
 56.10 **Antibiotic Concentrations**

56.11 \$95,000 the first year and \$95,000 the
 56.12 second year are from the trust fund to the
 56.13 commissioner of natural resources for an
 56.14 agreement with Saint Thomas University
 56.15 in cooperation with Gustavus Adolphus
 56.16 College and the University of Minnesota
 56.17 to measure antibiotic concentrations and
 56.18 antibiotic resistance levels at sites on the
 56.19 Minnesota River.

56.20 **Subd. 6. Aquatic and Terrestrial Invasive**
 56.21 **Species**

550,000

549,000

56.22 **(a) Improved Detection of Harmful**
 56.23 **Microbes in Ballast Water**

56.24 \$125,000 the first year and \$125,000 the
 56.25 second year are from the trust fund to the
 56.26 Board of Regents of the University of
 56.27 Minnesota for the University of Minnesota
 56.28 Duluth to identify and analyze potentially
 56.29 harmful bacteria transported into Lake
 56.30 Superior through ship ballast water
 56.31 discharge. This appropriation is available
 56.32 until June 30, 2014, by which time the
 56.33 project must be completed and final products
 56.34 delivered.

57.1 **(b) Emerald Ash Borer Biocontrol**
 57.2 **Research and Implementation**

57.3 \$250,000 the first year and \$250,000 the
57.4 second year are from the trust fund to the
57.5 commissioner of agriculture to assess a
57.6 biocontrol method for suppressing emerald
57.7 ash borers by testing bioagent winter survival
57.8 potential, developing release and monitoring
57.9 methods, and piloting implementation
57.10 of emerald ash borer biocontrol. This
57.11 appropriation is available until June 30,
57.12 2014, by which time the project must be
57.13 completed and final products delivered.

57.14 **(c) Emerald Ash Borer Landscape**

57.15 **Management Impacts**

57.16 \$115,000 the first year and \$114,000 the
57.17 second year are from the trust fund to the
57.18 Board of Regents of the University of
57.19 Minnesota to research impacts of insecticides
57.20 used for managing emerald ash borers on
57.21 other insects and birds. This appropriation
57.22 is available until June 30, 2014, by which
57.23 time the project must be completed and final
57.24 products delivered.

57.25 **(d) Evaluation of Switchgrass as Biofuel**

57.26 **Crop**

57.27 \$60,000 the first year and \$60,000 the second
57.28 year are from the trust fund to the Minnesota
57.29 State Colleges and Universities System for
57.30 Central Lakes College in cooperation with
57.31 the University of Minnesota to determine
57.32 the invasion risk of selectively bred
57.33 native grasses for biofuel production and
57.34 develop strategies to minimize the invasion
57.35 potential and impacts on biodiversity. This
58.1 appropriation is available until June 30,

58.2	<u>2014, by which time the project must be</u>		
58.3	<u>completed and final products delivered.</u>		
58.4	<u>Subd. 7. Renewable Energy and Air Quality</u>	<u>75,000</u>	<u>75,000</u>
58.5	<u>Supporting Community-Driven</u>		
58.6	<u>Sustainable Bioenergy Projects</u>		
58.7	<u>\$75,000 the first year and \$75,000 the</u>		
58.8	<u>second year are from the trust fund to</u>		
58.9	<u>the commissioner of natural resources</u>		
58.10	<u>for an agreement with Dovetail Partners,</u>		
58.11	<u>Inc. in cooperation with the University of</u>		
58.12	<u>Minnesota to assess feasibility, impacts,</u>		
58.13	<u>and management needs of community-scale</u>		
58.14	<u>forest bioenergy systems through pilot</u>		
58.15	<u>studies in Ely and Cook County and to</u>		
58.16	<u>disseminate findings to inform related efforts</u>		
58.17	<u>in other communities.</u>		
58.18	<u>Subd. 8. Environmental Education</u>	<u>123,000</u>	<u>123,000</u>
58.19	<u>Youth-Led Renewable Energy and</u>		
58.20	<u>Energy Conservation in West Central and</u>		
58.21	<u>Southwest Minnesota</u>		
58.22	<u>\$123,000 the first year and \$123,000 the</u>		
58.23	<u>second year are from the trust fund to</u>		
58.24	<u>the commissioner of natural resources</u>		
58.25	<u>for an agreement with Prairie Woods</u>		
58.26	<u>Environmental Learning Center to initiate</u>		
58.27	<u>youth-led renewable energy and conservation</u>		
58.28	<u>projects in over 30 communities in west</u>		
58.29	<u>central and southwest Minnesota.</u>		
58.30	<u>Subd. 9. Emerging Issues</u>	<u>4,164,000</u>	<u>4,504,000</u>
58.31	<u>(a) Minnesota Conservation Apprentice</u>		
58.32	<u>Academy</u>		
59.1	<u>\$100,000 the first year and \$100,000 the</u>		
59.2	<u>second year are from the trust fund to</u>		

59.3 the Board of Water and Soil Resources
59.4 in cooperation with Conservation Corps
59.5 Minnesota to train and mentor future
59.6 conservation professionals by providing
59.7 apprenticeship service opportunities to
59.8 soil and water conservation districts. This
59.9 appropriation is available until June 30,
59.10 2014, by which time the project must be
59.11 completed and the final products delivered.

59.12 **(b) Wild Rice Standards**

59.13 \$1,000,000 the first year is from the trust
59.14 fund to the commissioner of the Pollution
59.15 Control Agency for a wild rice standards
59.16 study. This appropriation is available until
59.17 June 30, 2015.

59.18 **(c) Chronic Wasting Disease and Animal**
59.19 **Health**

59.20 \$600,000 the first year and \$600,000 the
59.21 second year are from the trust fund to the
59.22 commissioner of natural resources to address
59.23 chronic wasting disease and accelerate
59.24 wildlife health programs.

59.25 **(d) Aquatic Invasive Species**

59.26 \$1,822,000 the first year and \$3,804,000
59.27 the second year are from the trust fund
59.28 to the commissioner of natural resources
59.29 to accelerate aquatic invasive species
59.30 programs, including the development
59.31 and implementation of best management
59.32 practices for public water access facilities
59.33 to implement aquatic invasive species
59.34 prevention strategies.

60.1 **(e) Coon Rapids Dam**

60.2 \$442,000 the first year is from the trust fund
 60.3 to the commissioner of natural resources
 60.4 for a grant to Three Rivers Park District for
 60.5 predesign and design of the Coon Rapids
 60.6 Dam for improvements and to function as a
 60.7 barrier to invasive fish.

60.8 **(f) Accelerated Land Sales and Exchanges**

60.9 \$200,000 the first year is from the trust fund
 60.10 to the commissioner of natural resources to
 60.11 accelerate the evaluation of its land holdings
 60.12 and sell, exchange, and acquire property
 60.13 more efficiently and effectively achieve its
 60.14 land management goals in counties where
 60.15 public land ownership exceeds 50 percent.

60.16 **Subd. 10. Administration and Contract**
 60.17 **Management**

586,000

583,000

60.18 **(a) Legislative-Citizen Commission on**
 60.19 **Minnesota Resources (LCCMR)**

60.20 \$473,000 the first year and \$473,000 the
 60.21 second year are from the trust fund to the
 60.22 LCCMR for administration as provided
 60.23 in Minnesota Statutes, section 116P.09,
 60.24 subdivision 5.

60.25 **(b) Contract Management**

60.26 \$110,000 the first year and \$110,000 the
 60.27 second year are from the trust fund to
 60.28 the Legislative-Citizen Commission on
 60.29 Minnesota Resources to contract with the
 60.30 commissioner of natural resources for
 60.31 expenses incurred for contract fiscal services
 60.32 for the agreements specified in this section.

60.33 The contract management services must
 60.34 be done on a reimbursement basis. This
 61.1 appropriation is available until June 30,

61.2 2014, by which time the project must be
61.3 completed and final products delivered.

61.4 **(c) LCC Web Site**

61.5 \$3,000 in the first year is appropriated to the
61.6 Legislative Coordinating Commission for
61.7 the Web site required in Minnesota Statutes,
61.8 section 3.303, subdivision 10.

61.9 **Subd. 11. Availability of Appropriations**

61.10 Money appropriated in this section may
61.11 not be spent on activities unless they are
61.12 directly related to the specific appropriation
61.13 and are specified in the grant agreement.

61.14 Money appropriated in this section must
61.15 not be spent on indirect costs or other
61.16 institutional overhead charges. Unless
61.17 otherwise provided, the amounts in this
61.18 section are available until June 30, 2013,
61.19 when projects must be completed and final
61.20 products delivered. For acquisition of real
61.21 property, the amounts in this section are
61.22 available until June 30, 2014, if a binding
61.23 contract is entered into by June 30, 2013,
61.24 and closed not later than June 30, 2014. If
61.25 a project receives a federal grant, the time
61.26 period of the appropriation is extended to
61.27 equal the federal grant period.

61.28 **Subd. 12. Data Availability Requirements**

61.29 Data collected by the projects funded under
61.30 this section must conform to guidelines and
61.31 standards adopted by the Office of Enterprise
61.32 Technology. Spatial data also must conform
61.33 to additional guidelines and standards
61.34 designed to support data coordination and
62.1 distribution that have been published by the

- 62.2 Minnesota Geospatial Information Office.
- 62.3 Descriptions of spatial data must be prepared
- 62.4 as specified in the state's geographic metadata
- 62.5 guideline and must be submitted to the
- 62.6 Minnesota Geospatial Information Office.
- 62.7 All data must be accessible and free to the
- 62.8 public unless made private under the Data
- 62.9 Practices Act, Minnesota Statutes, chapter
- 62.10 13.
- 62.11 To the extent practicable, summary data and
- 62.12 results of projects funded under this section
- 62.13 should be readily accessible on the Internet
- 62.14 and identified as an environment and natural
- 62.15 resources trust fund project.
- 62.16 **Subd. 13. Project Requirements**
- 62.17 (a) For all restorations conducted with money
- 62.18 appropriated under this section, a recipient
- 62.19 must prepare an ecological restoration
- 62.20 and management plan that, to the degree
- 62.21 practicable, is consistent with the highest
- 62.22 quality conservation and ecological goals for
- 62.23 the restoration site. Consideration should
- 62.24 be given to soil, geology, topography, and
- 62.25 other relevant factors that would provide
- 62.26 the best chance for long-term success of the
- 62.27 restoration projects. The plan must include
- 62.28 the proposed timetable for implementing
- 62.29 the restoration, including site preparation,
- 62.30 establishment of diverse plant species,
- 62.31 maintenance, and additional enhancement to
- 62.32 establish the restoration; identify long-term
- 62.33 maintenance and management needs of
- 62.34 the restoration and how the maintenance,
- 62.35 management, and enhancement will be
- 63.1 financed; and take advantage of the best

63.2 available science and include innovative
63.3 techniques to achieve the best restoration.

63.4 (b) Any entity receiving an appropriation in
63.5 this section for restoration activities must
63.6 provide an initial restoration evaluation
63.7 at the completion of the appropriation
63.8 and an evaluation three years beyond the
63.9 completion of the expenditure. Restorations
63.10 must be evaluated relative to the stated
63.11 goals and standards in the restoration plan,
63.12 current science, and, when applicable, the
63.13 Board of Water and Soil Resources' native
63.14 vegetation establishment and enhancement
63.15 guidelines. The evaluation shall determine
63.16 whether the restorations are meeting planned
63.17 goals, identify any problems with the
63.18 implementation of the restorations, and,
63.19 if necessary, give recommendations on
63.20 improving restorations. The evaluation shall
63.21 be focused on improving future restorations.

63.22 (c) Except as otherwise provided in this
63.23 section, all restoration and enhancement
63.24 projects funded with money appropriated in
63.25 this section must be on land permanently
63.26 protected by a conservation easement or
63.27 public ownership or in public waters as
63.28 defined in Minnesota Statutes, section
63.29 103G.005, subdivision 15.

63.30 (d) A recipient of money from an
63.31 appropriation under this section must
63.32 give consideration to contracting with
63.33 Conservation Corps Minnesota or its
63.34 successor for contract restoration and
63.35 enhancement services.

64.1 (e) All conservation easements acquired with
64.2 money appropriated under this section must:
64.3 (1) be perpetual;
64.4 (2) specify the parties to an easement in the
64.5 easement;
64.6 (3) specify all of the provisions of an
64.7 agreement that are perpetual;
64.8 (4) be sent to the Office of the
64.9 Legislative-Citizen Commission on
64.10 Minnesota Resources in an electronic format;
64.11 (5) include a long-term monitoring and
64.12 enforcement plan and funding for monitoring
64.13 and enforcing the easement agreement; and
64.14 (6) include requirements in the easement
64.15 document to address specific water quality
64.16 protection activities such as keeping water
64.17 on the landscape, reducing nutrient and
64.18 contaminant loading, protecting groundwater,
64.19 and not permitting artificial hydrological
64.20 modifications.
64.21 (f) For any acquisition of land or interest in
64.22 land, a recipient of money appropriated under
64.23 this section must give priority to high quality
64.24 natural resources or conservation lands that
64.25 provide natural buffers to water resources.
64.26 (g) For new lands acquired with money
64.27 appropriated under this section, a recipient
64.28 must prepare a restoration and management
64.29 plan in compliance with paragraph
64.30 (a), including sufficient funding for
64.31 implementation unless the grant agreement
64.32 addresses why a portion of the money is
64.33 not necessary to achieve a high quality
64.34 restoration.

65.1 (h) To the extent an appropriation is used to
65.2 acquire an interest in real property, a recipient
65.3 of an appropriation under this section must
65.4 provide to the Legislative-Citizen
65.5 Commission on Minnesota Resources and
65.6 the commissioner of management and budget
65.7 an analysis of increased operations and
65.8 maintenance costs likely to be incurred by
65.9 public entities as a result of the acquisition
65.10 and how these costs are to be paid.

65.11 (i) To ensure public accountability for the
65.12 use of public funds, a recipient of money
65.13 appropriated under this section must provide
65.14 to the Legislative-Citizen Commission on
65.15 Minnesota Resources documentation of the
65.16 selection process used to identify parcels
65.17 acquired and provide documentation of all
65.18 related transaction costs, including but not
65.19 limited to appraisals, legal fees, recording
65.20 fees, commissions, other similar costs,
65.21 and donations. This information must be
65.22 provided for all parties involved in the
65.23 transaction. The recipient must also report
65.24 to the Legislative-Citizen Commission on
65.25 Minnesota Resources any difference between
65.26 the acquisition amount paid to the seller
65.27 and the state-certified or state-reviewed
65.28 appraisal, if a state-certified or state-reviewed
65.29 appraisal was conducted. Acquisition data
65.30 such as appraisals may remain private
65.31 during negotiations but must ultimately
65.32 be made public according to Minnesota
65.33 Statutes, chapter 13. The Legislative-Citizen
65.34 Commission on Minnesota Resources shall
65.35 review the requirement in this paragraph
65.36 and provide a recommendation on whether

66.1 to continue or modify the requirement in
66.2 future years. The commission may waive
66.3 the application of this paragraph for specific
66.4 projects.

66.5 (j) A recipient of an appropriation from
66.6 the trust fund under this section must
66.7 acknowledge financial support from the
66.8 Minnesota environment and natural resources
66.9 trust fund in project publications, signage,
66.10 and other public communications and
66.11 outreach related to work completed using the
66.12 appropriation. Acknowledgment may occur,
66.13 as appropriate, through use of the trust fund
66.14 logo or inclusion of language attributing
66.15 support from the trust fund.

66.16 **Subd. 14. Payment Conditions and Capital**
66.17 **Equipment Expenditures**

66.18 All agreements, grants, or contracts referred
66.19 to in this section must be administered on
66.20 a reimbursement basis unless otherwise
66.21 provided in this section. Notwithstanding
66.22 Minnesota Statutes, section 16A.41,
66.23 expenditures made on or after July 1,
66.24 2011, or the date the grant agreement is
66.25 approved, whichever is later, are eligible for
66.26 reimbursement unless otherwise provided
66.27 in this section. Periodic payment must
66.28 be made upon receiving documentation
66.29 that the deliverable items articulated in
66.30 the grant agreement have been achieved,
66.31 including partial achievements as evidenced
66.32 by approved progress reports. Reasonable
66.33 amounts may be advanced to projects to
66.34 accommodate cash flow needs or match
66.35 federal money. The advances must be
66.36 approved as part of the grant agreement.

67.1 No expenditures for capital equipment are
67.2 allowed unless expressly authorized in the
67.3 project grant agreement.

67.4 **Subd. 15. Purchase of Recycled and Recyclable**
67.5 **Materials**

67.6 A political subdivision, public or private
67.7 corporation, or other entity that receives an
67.8 appropriation under this section must use the
67.9 appropriation in compliance with Minnesota
67.10 Statutes, section 16B.121, regarding
67.11 purchase of recycled, repairable, and durable
67.12 materials; and Minnesota Statutes, section
67.13 16B.122, regarding purchase and use of
67.14 paper stock and printing.

67.15 **Subd. 16. Energy Conservation and**
67.16 **Sustainable Building Guidelines**

67.17 A recipient to whom an appropriation is made
67.18 under this section for a capital improvement
67.19 project must ensure that the project complies
67.20 with the applicable energy conservation and
67.21 sustainable building guidelines and standards
67.22 contained in law, including Minnesota
67.23 Statutes, sections 16B.325, 216C.19, and
67.24 216C.20, and rules adopted under those
67.25 sections. The recipient may use the energy
67.26 planning, advocacy, and State Energy Office
67.27 units of the Department of Commerce to
67.28 obtain information and technical assistance
67.29 on energy conservation and alternative
67.30 energy development relating to the planning
67.31 and construction of the capital improvement
67.32 project.

67.33 **Subd. .17 Easement Monitoring and**
67.34 **Enforcement Requirements**

68.1 Money appropriated under this section and
68.2 adjustments made under subdivision 20, for
68.3 easement monitoring and enforcement may
68.4 be spent only on activities included in an
68.5 easement monitoring and enforcement plan
68.6 contained within the grant agreement. Money
68.7 received for monitoring and enforcement,
68.8 including earnings on the money received,
68.9 shall be kept in a monitoring and enforcement
68.10 fund held by the organization and dedicated
68.11 to monitoring and enforcing conservation
68.12 easements within Minnesota. Within 120
68.13 days after the close of the entity's fiscal
68.14 year, an entity receiving appropriations
68.15 for easement monitoring and enforcement
68.16 must provide an annual financial report
68.17 to the Legislative-Citizen Commission
68.18 on Minnesota Resources on the easement
68.19 monitoring and enforcement fund as specified
68.20 in the grant agreement. Money appropriated
68.21 under this section for monitoring and
68.22 enforcement of easements and earnings on
68.23 the money appropriated shall revert to the
68.24 state if:

68.25 (1) the easement transfers to the state;

68.26 (2) the holder of the easement fails to file
68.27 an annual report and then fails to cure that
68.28 default within 30 days of notification of the
68.29 default by the state; or

68.30 (3) the holder of the easement fails to
68.31 comply with the terms of the monitoring and
68.32 enforcement plan contained within the grant
68.33 agreement and fails to cure that default within
68.34 90 days of notification of the default by the
68.35 state.

69.1 Subd. 18. Accessibility

69.2 Structural and nonstructural facilities must
69.3 meet the design standards in the Americans
69.4 with Disabilities Act (ADA) accessibility
69.5 guidelines.

69.6 Subd. 19. Carryforward

69.7 (a) The availability of the appropriation for
69.8 the following projects is extended to June
69.9 30, 2012:

69.10 (1) Laws 2008, chapter 367, section
69.11 2, subdivision 4, paragraph (f), Native
69.12 Shoreland Buffer Incentives Program;

69.13 (2) Laws 2008, chapter 367, section 2,
69.14 subdivision 4, paragraph (g), Southeast
69.15 Minnesota Stream Restoration Projects;

69.16 (3) Laws 2009, chapter 143, section 2,
69.17 subdivision 4, paragraph (a), State Park
69.18 Acquisition;

69.19 (4) Laws 2009, chapter 143, section 2,
69.20 subdivision 4, paragraph (b), State Trail
69.21 Acquisition;

69.22 (5) Laws 2009, chapter 143, section 2,
69.23 subdivision 6, paragraph (c), Improving
69.24 Emerging Fish Disease Surveillance in
69.25 Minnesota; and

69.26 (6) Laws 2009, chapter 143, section 2,
69.27 subdivision 8, paragraph (a), Contract
69.28 Management.

69.29 (b) The availability of the appropriation for
69.30 the following project is extended to June 30,
69.31 2013:

70.1 (1) Laws 2010, chapter 362, section 2,
70.2 subdivision 8, paragraph (f), Expanding
70.3 Outdoor Classrooms at Minnesota Schools;
70.4 and

70.5 (2) Laws 2010, chapter 362, section 2,
70.6 subdivision 8, paragraph (g), Integrating
70.7 Environmental and Outdoor Education in
70.8 Grades 7-12.

70.9 Subd. 20. Appropriations Adjustment

70.10 (a) Metropolitan Conservation Corridors

70.11 (1) Of the amount appropriated in Laws
70.12 2003, chapter 128, article 1, section 9,
70.13 subdivision 5, paragraph (b), \$48,000 is for
70.14 deposit in a monitoring and enforcement
70.15 account as authorized in subdivision 17.

70.16 (2) Of the amount appropriated in Laws
70.17 2005, First Special Session chapter 1, article
70.18 2, section 11, subdivision 5, paragraph
70.19 (b), \$49,000 is for deposit in a monitoring
70.20 and enforcement account as authorized in
70.21 subdivision 17.

70.22 (3) Of the amount appropriated in Laws
70.23 2007, chapter 30, section 2, subdivision
70.24 4, paragraph (c), \$59,000 is for deposit in
70.25 a monitoring and enforcement account as
70.26 authorized in subdivision 17.

70.27 (4) Of the amount appropriated in Laws
70.28 2008, chapter 367, section 2, subdivision
70.29 3, paragraph (a), \$42,000 is for deposit in
70.30 a monitoring and enforcement account as
70.31 authorized in subdivision 17.

70.32 (5) Of the amount appropriated in Laws
70.33 2009, chapter 143, section 2, subdivision

71.1 4, paragraph (f), \$80,000 is for deposit in
71.2 a monitoring and enforcement account as
71.3 authorized in subdivision 17.

71.4 (6) Of the amount appropriated in Laws
71.5 2010, chapter 362, section 2, subdivision
71.6 4, paragraph (g), \$10,000 is for deposit in
71.7 a monitoring and enforcement account as
71.8 authorized in subdivision 18.

71.9 **(b) Habitat Conservation Partnership**

71.10 (1) Of the amount appropriated in Laws
71.11 2001, chapter 2, section 14, subdivision 4,
71.12 paragraph (e), \$288,000 is for deposit in
71.13 a monitoring and enforcement account as
71.14 authorized in subdivision 17.

71.15 (2) Of the amount appropriated in Laws
71.16 2003, chapter 128, article 1, section 9,
71.17 subdivision 5, paragraph (a), up to \$78,000 is
71.18 for deposit in a monitoring and enforcement
71.19 account as authorized in subdivision 17.

71.20 (3) Of the amount appropriated in Laws
71.21 2005, First Special Session chapter 1, section
71.22 11, subdivision 5, paragraph (a), \$25,000 is
71.23 for deposit in a monitoring and enforcement
71.24 account as authorized in subdivision 17.

71.25 (4) Of the amount appropriated in Laws
71.26 2007, chapter 30, section 2, subdivision
71.27 4, paragraph (b), \$69,000 is for deposit in
71.28 a monitoring and enforcement account as
71.29 authorized in subdivision 17.

71.30 (5) Of the amount appropriated in Laws
71.31 2008, chapter 367, section 2, subdivision
71.32 3, paragraph (c), \$66,000 is for deposit in
71.33 a monitoring and enforcement account as
71.34 authorized in subdivision 17.

72.1 (6) Of the amount appropriated in Laws
 72.2 2009, chapter 143, section 2, subdivision
 72.3 4, paragraph (e), \$60,000 is for deposit in
 72.4 a monitoring and enforcement account as
 72.5 authorized in subdivision 17.

72.6 (7) Of the amount appropriated in Laws
 72.7 2010, chapter 362, section 2, subdivision
 72.8 4, paragraph (f), \$30,000 is for deposit in
 72.9 a monitoring and enforcement account as
 72.10 authorized in subdivision 17.

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

72.12 Of the amount appropriated in Laws 2008,
 72.13 chapter 367, section 2, subdivision 3,
 72.14 paragraph (d), \$120,000 is for deposit in
 72.15 a monitoring and enforcement account as
 72.16 authorized in subdivision 17.

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

72.18 Of the amount appropriated in Laws 1997,
 72.19 chapter 216, section 15, subdivision 9,
 72.20 paragraph (d), up to \$33,000 is for deposit
 72.21 in a monitoring and enforcement account as
 72.22 authorized in subdivision 17.

72.23 **(e) Conservation-Based Development**

72.24 **Program**

72.25 Of the amount appropriated in Laws 1999,
 72.26 chapter 231, section 16, subdivision 8,
 72.27 paragraph (e), \$5,000 is for deposit in a
 72.28 monitoring and enforcement account as
 72.29 authorized in subdivision 17.

72.30 Sec. 3. Minnesota Statutes 2010, section 4.071, subdivision 2, is amended to read:

72.31 Subd. 2. **Minnesota resources projects.** The legislature intends to appropriate
 72.32 one-half of the oil overcharge money for projects that have been reviewed and
 72.33 recommended by the Legislative-Citizen Commission on Minnesota Resources. ~~A work~~

73.1 ~~plan must be prepared for each proposed project for review by the commission. The~~
 73.2 ~~commission must recommend specific projects to the legislature.~~

73.3 Sec. 4. Minnesota Statutes 2010, section 84.027, subdivision 11, is amended to read:

73.4 Subd. 11. **Federal conservation grants.** (a) The commissioner of natural resources
 73.5 ~~shall~~ is designated as the state agency to receive and administer grants under the land
 73.6 and water conservation grant program authorized by Congress in the Land and Water
 73.7 Conservation Fund Act of 1965, as amended.

73.8 (b) Fifty percent of all money made available to the state from funds granted under
 73.9 paragraph (a) shall be distributed for projects to be acquired, developed, and maintained
 73.10 by local units of government, providing that any project approved is consistent with
 73.11 a statewide, county, or regional recreation plan and compatible with the statewide
 73.12 recreational plan. All money received by the commissioner for local units of government
 73.13 is appropriated annually to carry out the purposes for which the funds are received.

73.14 (c) Fifty percent of the money made available to the state from funds granted
 73.15 under paragraph (a) shall be used for state land acquisition and development for the state
 73.16 outdoor recreation system under chapter 86A and the administrative expenses necessary to
 73.17 maintain eligibility for the federal land and water conservation fund.

73.18 Sec. 5. Minnesota Statutes 2010, section 84.0274, subdivision 7, is amended to read:

73.19 Subd. 7. **Disclosure.** When the state proposes to purchase lands for natural
 73.20 resources purposes, the landowner shall be given a written statement in lay terms of the
 73.21 rights and responsibilities provided for in subdivisions 5 and 6. Before a purchase can be
 73.22 made, the landowner must sign a statement acknowledging in writing that the statement
 73.23 has been provided and explained to the landowner. ~~Within 60 days following the date of~~
 73.24 ~~final approval of Laws 1980, chapter 45B, the commissioner of natural resources shall~~
 73.25 ~~submit a proposed form for the statement to the Legislative-Citizen Commission on~~
 73.26 ~~Minnesota Resources. The commission shall review the proposed form for compliance~~
 73.27 ~~with the intent of this section and shall make any changes which it deems proper.~~

73.28 Sec. 6. Minnesota Statutes 2010, section 89.022, subdivision 2, is amended to read:

73.29 Subd. 2. **Exemption.** The commissioner of natural resources may apply to the
 73.30 ~~Legislative-Citizen Commission on Minnesota Resources~~ Minnesota Land Exchange
 73.31 Board for an exemption from the exchange or sale requirements of subdivision 1 in
 73.32 instances where it can be demonstrated that unique recreational, historical or scientific
 73.33 values would be destroyed by the exchange or sale of tillable land or a farm homestead.

74.1 Exemptions shall be decided by the commission on an individual basis. If the application
 74.2 for exemption is not decided by the commission within 90 days, the application shall
 74.3 be deemed to have been denied.

74.4 Sec. 7. Minnesota Statutes 2010, section 116P.05, subdivision 2, is amended to read:

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

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

74.11 ~~(c) It is a condition of acceptance of the appropriations made from the Minnesota
 74.12 environment and natural resources trust fund, and oil overcharge money under section
 74.13 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit
 74.14 a work program and semiannual progress reports in the form determined by the
 74.15 Legislative-Citizen Commission on Minnesota Resources, and comply with applicable
 74.16 reporting requirements under section 116P.16. None of the money provided may be spent
 74.17 unless the commission has approved the pertinent work program.~~

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

74.21 ~~(e)~~ (c) The commission may adopt operating procedures to fulfill its duties under
 74.22 this chapter.

74.23 ~~(f)~~ (d) As part of the operating procedures, the commission shall:

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

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

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

74.30 (4) provide for project outcome evaluation;

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

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

75.1 Sec. 8. Minnesota Statutes 2010, section 116P.09, subdivision 4, is amended to read:

75.2 Subd. 4. **Personnel.** Persons who are employed by a state agency to work on a
75.3 project and are paid by an appropriation from the trust fund are in the unclassified civil
75.4 service, and their continued employment is contingent upon the availability of money
75.5 from the appropriation. When the appropriation has been spent, their positions must be
75.6 canceled and the approved complement of the agency reduced accordingly. Part-time
75.7 employment of persons for a project is authorized. ~~The use of classified employees is~~
75.8 ~~authorized when approved as part of the work program required by section 116P.05,~~
75.9 ~~subdivision 2, paragraph (c).~~

75.10 Sec. 9. Minnesota Statutes 2010, section 290.431, is amended to read:

75.11 **290.431 NONGAME WILDLIFE CHECKOFF.**

75.12 Every individual who files an income tax return or property tax refund claim form
75.13 may designate on their original return that \$1 or more shall be added to the tax or deducted
75.14 from the refund that would otherwise be payable by or to that individual and paid into an
75.15 account to be established for the management of nongame wildlife. The commissioner
75.16 of revenue shall, on the income tax return and the property tax refund claim form, notify
75.17 filers of their right to designate that a portion of their tax or refund shall be paid into the
75.18 nongame wildlife management account. The sum of the amounts so designated to be paid
75.19 shall be credited to the nongame wildlife management account for use by the nongame
75.20 program in the Department of Natural Resources. All interest earned on money accrued,
75.21 gifts to the program, contributions to the program, and reimbursements of expenditures
75.22 in the nongame wildlife management account shall be credited to the account by the
75.23 commissioner of management and budget, except that gifts or contributions received
75.24 directly by the commissioner of natural resources and directed by the contributor for
75.25 use in specific nongame field projects or geographic areas shall be handled according to
75.26 section 84.085, subdivision 1. ~~The commissioner of natural resources shall submit a work~~
75.27 ~~program for each fiscal year and semiannual progress reports to the Legislative-Citizen~~
75.28 ~~Commission on Minnesota Resources in the form determined by the commission.~~

75.29 The state pledges and agrees with all contributors to the nongame wildlife
75.30 management account to use the funds contributed solely for the management of nongame
75.31 wildlife projects and further agrees that it will not impose additional conditions or
75.32 restrictions that will limit or otherwise restrict the ability of the commissioner of natural
75.33 resources to use the available funds for the most efficient and effective management of
75.34 nongame wildlife. The commissioner may use funds appropriated for nongame wildlife
75.35 programs for the purpose of developing, preserving, restoring, and maintaining wintering

76.1 habitat for neotropical migrant birds in Latin America and the Caribbean under agreement
 76.2 or contract with any nonprofit organization dedicated to the construction, maintenance, and
 76.3 repair of such projects that are acceptable to the governmental agency having jurisdiction
 76.4 over the land and water affected by the projects. Under this authority, the commissioner
 76.5 may execute agreements and contracts if the commissioner determines that the use of the
 76.6 funds will benefit neotropical migrant birds that breed in or migrate through the state.

76.7 Sec. 10. Minnesota Statutes 2010, section 290.432, is amended to read:

76.8 **290.432 CORPORATE NONGAME WILDLIFE CHECKOFF.**

76.9 A corporation that files an income tax return may designate on its original return that
 76.10 \$1 or more shall be added to the tax or deducted from the refund that would otherwise
 76.11 be payable by or to that corporation and paid into the nongame wildlife management
 76.12 account established by section 290.431 for use by the Department of Natural Resources
 76.13 for its nongame wildlife program. The commissioner of revenue shall, on the corporate
 76.14 tax return, notify filers of their right to designate that a portion of their tax return be paid
 76.15 into the nongame wildlife management account for the protection of endangered natural
 76.16 resources. All interest earned on money accrued, gifts to the program, contributions to
 76.17 the program, and reimbursements of expenditures in the nongame wildlife management
 76.18 account shall be credited to the account by the commissioner of management and budget,
 76.19 except that gifts or contributions received directly by the commissioner of natural
 76.20 resources and directed by the contributor for use in specific nongame field projects or
 76.21 geographic areas shall be handled according to section 84.085, subdivision 1. ~~The~~
 76.22 ~~commissioner of natural resources shall submit a work program for each fiscal year to~~
 76.23 ~~the Legislative-Citizen Commission on Minnesota Resources in the form determined~~
 76.24 ~~by the commission.~~

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

76.30 Sec. 11. **REPEALER.**

76.31 Minnesota Statutes 2010, sections 116P.14; and 116Q.02, subdivision 2, are
 76.32 repealed."

76.33 Delete the title and insert:

76.34 "A bill for an act

77.1 relating to state government; appropriating money for environment, natural
77.2 resources, and energy; creating accounts; modifying disposition of certain
77.3 receipts; modifying responsibilities and authorities; repealing definitions and
77.4 requirements; requiring rulemaking on wild rice standards; amending Minnesota
77.5 Statutes 2010, sections 4.071, subdivision 2; 84.027, subdivision 11; 84.0274,
77.6 subdivision 7; 89.022, subdivision 2; 89.21; 97A.071, subdivision 2; 97A.075;
77.7 103G.271, subdivision 6; 103G.301, subdivision 2; 115A.1314; 115A.1320,
77.8 subdivision 1; 115C.13; 116.07, subdivision 4d; 116P.05, subdivision 2; 116P.09,
77.9 subdivision 4; 127A.31; 290.431; 290.432; 357.021, subdivision 7; proposing
77.10 coding for new law in Minnesota Statutes, chapters 97A; 103G; repealing
77.11 Minnesota Statutes 2010, sections 84.02, subdivisions 1, 2, 3, 4, 5, 6, 7, 8;
77.12 116P.14; 116Q.02, subdivision 2."