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State of Minnesota

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14

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH SESSION

HOUSE FILE NO. 293

January 22, 2007

Authored by Tingelstad, Wagenius, Carlson, Ozment, Abeler and others
The bill was read for the first time and referred to the Committee on Finance

February 13, 2007

Committee Recommendation and Adoption of Report:
To Pass as Amended and re-referred to the Committee on Ways and Means

February 15, 2007

Committee Recommendation and Adoption of Report:
To Pass
Read Second Time

1.1 A bill for an act
1.2 relating to state government; appropriating money for environment and
1.3 natural resources; modifying meeting requirements of the Legislative-Citizen
1.4 Commission on Minnesota Resources; amending Minnesota Statutes 2006,
1.5 section 116P.08, subdivision 5.

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

1.7 Section 1. MINNESOTA RESOURCES APPROPRIATION.

1.8 The sums shown in the columns marked "Appropriations" are appropriated to the
1.9 agencies and for the purposes specified in this act. The appropriations are from the general
1.10 fund, or another named fund, and are available for the fiscal years indicated for each
1.11 purpose. The figures "2008" and "2009" used in this article mean that the appropriations
1.12 listed under them are available for the fiscal year ending June 30, 2008, or June 30, 2009,
1.13 respectively. "The first year" is fiscal year 2008. "The second year" is fiscal year 2009.
1.14 "The biennium" is fiscal years 2008 and 2009. Appropriations for the fiscal year ending
1.15 June 30, 2007, are effective the day following final enactment.

Table with 2 columns: 2008, 2009. Header: APPROPRIATIONS Available for the Year Ending June 30. Row 1.19: 2008, 2009

1.20 Sec. 2. MINNESOTA RESOURCES

1.21 Subdivision 1. Total Appropriation \$ 23,366,000 \$ -0-

Table with 2 columns: 2008, 2009. Header: Appropriations by Fund. Row 1.23: 2008, 2009

2.1	<u>Environment and</u>		
2.2	<u>Natural Resources</u>		
2.3	<u>Trust</u>	<u>22,866,000</u>	<u>-0-</u>
2.4	<u>State Land and</u>		
2.5	<u>Water Conservation</u>		
2.6	<u>Account</u>		
2.7	<u>(LAWCON)</u>	<u>500,000</u>	<u>-0-</u>

2.8 Appropriations are available for either year  
 2.9 of the biennium. Any unencumbered balance  
 2.10 remaining in the first year does not cancel  
 2.11 and is available for the second year of the  
 2.12 biennium.

2.13 Subd. 2. **Definitions**

2.14 (a) "Trust fund" means the Minnesota  
 2.15 environment and natural resources trust fund  
 2.16 referred to in Minnesota Statutes, section  
 2.17 116P.02, subdivision 6.

2.18 (b) "State land and water conservation  
 2.19 account (LAWCON)" means the state land  
 2.20 and water conservation account in the natural  
 2.21 resources fund referred to in Minnesota  
 2.22 Statutes, section 116P.14.

2.23	<u>Subd. 3. <b>LCCMR and Contract Administration</b></u>	<u>1,318,000</u>	<u>-0-</u>
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2.24 (a) Legislative-Citizen Commission on Minnesota  
 2.25 Resources (LCCMR)

2.26 \$1,278,000 is from the trust fund for fiscal  
 2.27 years 2008 and 2009 and is for administration  
 2.28 as provided in Minnesota Statutes, section  
 2.29 116P.09, subdivision 5.

2.30 Notwithstanding Minnesota Statutes, section  
 2.31 16A.281, the availability of up to \$50,000 of  
 2.32 the appropriation from Laws 2006, chapter  
 2.33 243, section 19, is extended to June 30, 2008,  
 2.34 for communications outreach.

2.35 (b) Contract Administration

3.1 \$40,000 is from the trust fund to the  
 3.2 commissioner of natural resources to  
 3.3 complete contract management for duties  
 3.4 assigned in Laws 2005, First Special Session  
 3.5 chapter 1, article 2, section 11, subdivision  
 3.6 3, paragraph (b), and additional duties as  
 3.7 assigned in this section.

3.8 **Subd. 4. Land** 14,835,000 -0-

3.9 Appropriations by Fund

3.10 <u>Environment and</u>		
3.11 <u>Natural Resources</u>		
3.12 <u>Trust</u>	<u>14,335,000</u>	<u>-0-</u>
3.13 <u>LAWCON</u>	<u>500,000</u>	<u>-0-</u>

3.14 (a) Forest Legacy Conservation Easements  
 3.15 \$2,000,000 is from the trust fund to the  
 3.16 commissioner of natural resources to acquire  
 3.17 permanent working forest conservation  
 3.18 easements on private forests in northern  
 3.19 Minnesota, the Mississippi blufflands, and  
 3.20 other areas identified through the state forest  
 3.21 legacy program. Priority must be given to  
 3.22 acquiring easements on private lands within  
 3.23 existing Minnesota state forest boundaries.  
 3.24 Any easements acquired must have a  
 3.25 sustainable forestry practice management  
 3.26 plan. Land subject to easements acquired  
 3.27 under this appropriation may not be enrolled  
 3.28 in the sustainable forest management  
 3.29 incentive program under Minnesota Statutes,  
 3.30 chapter 290C. The commissioner must  
 3.31 report to the Legislative-Citizen Commission  
 3.32 on Minnesota Resources with proposed  
 3.33 minimum standards for forest conservation  
 3.34 easements by June 1, 2007. The commission  
 3.35 shall consider the proposed standards as  
 3.36 part of the work program approval by June

4.1 30, 2007. No funds shall be expended until  
4.2 the commission has reviewed and approved  
4.3 minimum standards for forest conservation  
4.4 easements funded by the trust fund.

4.5 (b) Minnesota Habitat Corridors Partnership -  
4.6 Phase IV

4.7 \$4,200,000 is from the trust fund to the  
4.8 commissioner of natural resources for  
4.9 acceleration of agency programs and  
4.10 cooperative agreements with Pheasants  
4.11 Forever; Minnesota Deer Hunters  
4.12 Association; Ducks Unlimited, Inc.; National  
4.13 Wild Turkey Federation; The Nature  
4.14 Conservancy; Minnesota Land Trust; The  
4.15 Trust for Public Land; Minnesota Valley  
4.16 National Wildlife Refuge Trust, Inc.; United  
4.17 States Fish and Wildlife Service; Red Lake  
4.18 Band of Chippewa; Leech Lake Band of  
4.19 Chippewa; Fond du Lac Band of Chippewa;  
4.20 USDA-Natural Resources Conservation  
4.21 Service; and the Board of Water and Soil  
4.22 Resources to plan, restore, and acquire  
4.23 fragmented landscape corridors that connect  
4.24 areas of quality habitat to sustain fish,  
4.25 wildlife, and plants. Expenditures are limited  
4.26 to the project corridor areas as defined in  
4.27 the work program. Land acquired with this  
4.28 appropriation must be sufficiently improved  
4.29 to meet at least minimum habitat and facility  
4.30 management standards as determined by  
4.31 the commissioner. This appropriation may  
4.32 not be used for the purchase of residential  
4.33 structures, unless expressly approved in the  
4.34 work program. All conservation easements  
4.35 must be perpetual and have a natural resource  
4.36 management plan. Any land acquired in fee

5.1 title by the commissioner with money from  
5.2 this appropriation must be designated:  
5.3 (1) as an outdoor recreation unit under  
5.4 Minnesota Statutes, section 86A.07; or  
5.5 (2) as provided in Minnesota Statutes,  
5.6 sections 89.018, subdivision 2, paragraph (a);  
5.7 97A.101; 97A.125; 97C.001; and 97C.011.  
5.8 The commissioner may similarly designate  
5.9 any lands acquired in less than fee title.  
5.10 (c) Metro Conservation Corridors - Phase III  
5.11 \$2,500,000 is from the trust fund to the  
5.12 commissioner of natural resources for  
5.13 acceleration of agency programs and  
5.14 cooperative agreements with The Trust for  
5.15 Public Land; Friends of the Mississippi  
5.16 River; Great River Greening; Minnesota  
5.17 Land Trust; Minnesota Valley National  
5.18 Wildlife Refuge Trust, Inc.; Trout Unlimited;  
5.19 and Friends of the Minnesota Valley for  
5.20 the purposes of planning, restoring, and  
5.21 protecting important natural areas in the  
5.22 metropolitan region, as defined by Minnesota  
5.23 Statutes, section 473.121, subdivision 2,  
5.24 and portions of the surrounding counties,  
5.25 through grants, contracted services,  
5.26 conservation easements, and fee acquisition.  
5.27 Land acquired with this appropriation  
5.28 must be sufficiently improved to meet at  
5.29 least minimum management standards  
5.30 as determined by the commissioner.  
5.31 Expenditures are limited to the identified  
5.32 project corridor areas as defined in the work  
5.33 program. This appropriation may not be used  
5.34 for the purchase of residential structures,  
5.35 unless expressly approved in the work

6.1 program. All conservation easements must  
6.2 be perpetual and have a natural resource  
6.3 management plan. Any land acquired in fee  
6.4 title by the commissioner of natural resources  
6.5 with money from this appropriation must be  
6.6 designated:

6.7 (1) as an outdoor recreation unit under  
6.8 Minnesota Statutes, section 86A.07; or  
6.9 (2) as provided in Minnesota Statutes,  
6.10 sections 89.018, subdivision 2, paragraph (a);  
6.11 97A.101; 97A.125; 97C.001; and 97C.011.

6.12 The commissioner may similarly designate  
6.13 any lands acquired in less than fee title.

6.14 (d) Prairie Stewardship Assistance for Private  
6.15 Landowners

6.16 \$220,000 is from the trust fund to the  
6.17 commissioner of natural resources to develop  
6.18 stewardship plans and implement prairie  
6.19 management on private prairie lands on a  
6.20 cost-share basis with private or federal funds.

6.21 (e) State Park and Trail Land Acquisition

6.22 \$1,500,000 is from the trust fund to the  
6.23 commissioner of natural resources to acquire  
6.24 land for state trails and in-holdings for state  
6.25 parks. Land acquired with this appropriation  
6.26 must be sufficiently improved to meet at  
6.27 least minimum management standards as  
6.28 determined by the commissioner.

6.29 (f) Metropolitan Regional Park System Land  
6.30 Acquisition

6.31 \$2,500,000 is from the trust fund to the  
6.32 Metropolitan Council for subgrants for the  
6.33 acquisition of lands within the approved park  
6.34 unit boundaries of the metropolitan regional  
6.35 park system. This appropriation may not

7.1 be used for the purchase of residential  
7.2 structures. Subdivision 12 applies to grants  
7.3 awarded in the approved work program. This  
7.4 appropriation must be matched by at least  
7.5 40 percent of nonstate money and must be  
7.6 committed by December 31, 2007, or the  
7.7 appropriation cancels. This appropriation  
7.8 is available until June 30, 2010, at which  
7.9 time the project must be completed and final  
7.10 products delivered, unless an earlier date is  
7.11 specified in the work program.

7.12 (g) Nonmetropolitan Regional Parks and Natural  
7.13 and Scenic Area Acquisitions

7.14 \$1,000,000 is from the trust fund to the  
7.15 commissioner of natural resources to provide  
7.16 matching grants to local governments for  
7.17 acquisition of natural and scenic areas, as  
7.18 provided in Minnesota Statutes, section  
7.19 85.019, subdivision 4a, and regional parks  
7.20 outside of the metropolitan area, as defined  
7.21 in Minnesota Statutes, section 473.121,  
7.22 subdivision 2. The local match required for  
7.23 a grant to acquire a regional park or regional  
7.24 outdoor recreation area is \$2 of nonstate  
7.25 money for each \$3 of state money. For the  
7.26 purposes of this paragraph, the match may  
7.27 be either cash or a qualifying land donation.  
7.28 Recipients may receive funding for more  
7.29 than one project in any given grant period.  
7.30 Subdivision 12 applies to grants awarded in  
7.31 the approved work program.

7.32 (h) LAWCON Federal Reimbursements

7.33 \$500,000 is from the state land and water  
7.34 conservation account (LAWCON) in the  
7.35 natural resources fund to the commissioner of

8.1 natural resources for priorities established by  
8.2 the commissioner for eligible state projects  
8.3 and administrative and planning activities  
8.4 consistent with Minnesota Statutes, section  
8.5 116P.14, and the federal Land and Water  
8.6 Conservation Fund Act. Subdivision 12  
8.7 applies to grants awarded in the approved  
8.8 work program. This appropriation is  
8.9 contingent upon receipt of the federal  
8.10 obligation and remains available until June  
8.11 30, 2010, at which time the project must  
8.12 be completed and final products delivered,  
8.13 unless an earlier date is specified in the work  
8.14 program.

8.15 (i) Biological Control of European Buckthorn and  
8.16 Garlic Mustard

8.17 \$300,000 is from the trust fund to the  
8.18 commissioner of natural resources to  
8.19 research potential insects for biological  
8.20 control of invasive European buckthorn  
8.21 species for the third biennium and to  
8.22 introduce and evaluate insects for biological  
8.23 control of garlic mustard for the second  
8.24 biennium. This appropriation is available  
8.25 until June 30, 2010, at which time the  
8.26 project must be completed and final products  
8.27 delivered, unless an earlier date is specified  
8.28 in the work program.

8.29 (j) Neutralization of Reed Canary Grass Root  
8.30 Exudates

8.31 \$115,000 is from the trust fund to Minnesota  
8.32 State University, Mankato, to assess  
8.33 plant-soil feedback contribution to the  
8.34 invasiveness of reed canary grass through  
8.35 identification and neutralization of inhibitory  
8.36 root exudates.

9.1	<b><u>Subd. 5. Water Resources</u></b>	<u>5,051,000</u>	<u>-0-</u>
9.2	<u>(a) Local Water Management Matching Challenge</u>		
9.3	<u>Grants</u>		
9.4	<u>\$350,000 is from the trust fund to the Board</u>		
9.5	<u>of Water and Soil Resources to accelerate</u>		
9.6	<u>the local water management challenge</u>		
9.7	<u>grant program under Minnesota Statutes,</u>		
9.8	<u>sections 103B.3361 to 103B.3369, through</u>		
9.9	<u>matching grants to implement high priority</u>		
9.10	<u>activities in state-approved comprehensive</u>		
9.11	<u>water management plans. For the purposes</u>		
9.12	<u>of this paragraph, the match must be a</u>		
9.13	<u>nonstate contribution and may be either cash</u>		
9.14	<u>or qualifying in-kind. The grants may be</u>		
9.15	<u>provided on an advance basis as specified</u>		
9.16	<u>in the work program. This appropriation</u>		
9.17	<u>is available until June 30, 2010, at which</u>		
9.18	<u>time the project must be completed and final</u>		
9.19	<u>products delivered, unless an earlier date is</u>		
9.20	<u>specified in the work program.</u>		
9.21	<u>(b) Protection of Rare and Unique Rock Outcrop</u>		
9.22	<u>Wetlands</u>		
9.23	<u>\$563,000 is from the trust fund to the Board</u>		
9.24	<u>of Water and Soil Resources in cooperation</u>		
9.25	<u>with Renville and Redwood Soil and</u>		
9.26	<u>Water Conservation Districts for perpetual</u>		
9.27	<u>easements of unique wetland and riparian</u>		
9.28	<u>habitats associated with rock outcrops in the</u>		
9.29	<u>Minnesota River Valley.</u>		
9.30	<u>(c) Land Retirement Effects on Minnesota River</u>		
9.31	<u>Basin Streams</u>		
9.32	<u>\$275,000 is from the trust fund for the</u>		
9.33	<u>second biennium to the Board of Water and</u>		
9.34	<u>Soil Resources for a cooperative agreement</u>		
9.35	<u>with the United States Geological Survey to</u>		

10.1 define the relation between land retirement  
10.2 and water quality and biological integrity in  
10.3 Minnesota River subbasins and to determine  
10.4 if nutrient transport reductions improve  
10.5 habitat and biodiversity in order to enhance  
10.6 prioritization of future land retirements.

10.7 This appropriation must be matched by an  
10.8 equal amount of nonstate money and must  
10.9 be committed by December 31, 2007, or the  
10.10 appropriation cancels.

10.11 (d) Demonstrating Benefits of Conservation  
10.12 Grasslands on Water Quality

10.13 \$374,000 is from the trust fund to the  
10.14 Science Museum of Minnesota to assess the  
10.15 long-term benefits of conservation grasslands  
10.16 in reducing sediment and nutrient loads  
10.17 through quantitative lake sediment analysis  
10.18 in small watersheds with different grassland  
10.19 acreages. This appropriation is available  
10.20 until June 30, 2010, at which time the  
10.21 project must be completed and final products  
10.22 delivered, unless an earlier date is specified  
10.23 in the work program.

10.24 (e) Improved River Quality Monitoring Using  
10.25 Airborne Remote Sensing

10.26 \$159,000 is from the trust fund to Minnesota  
10.27 State University, Mankato, to monitor river  
10.28 water quality and riparian habitat through  
10.29 airborne dynamic hyperspectral remote  
10.30 sensing on the Blue Earth River.

10.31 (f) Evaluating Riparian Timber Harvesting  
10.32 Guidelines - Phase III

10.33 \$400,000 is from the trust fund to the  
10.34 University of Minnesota to assess the timber  
10.35 harvesting riparian management guidelines

- 11.1 for postharvest impacts on terrestrial, aquatic,  
11.2 and wildlife habitats.
- 11.3 (g) Innovative Springshed Mapping for Trout  
11.4 Stream Management
- 11.5 \$270,000 is from the trust fund to the  
11.6 University of Minnesota to identify and  
11.7 delineate supply areas and springsheds, for  
11.8 springs serving as coldwater sources for  
11.9 modern and historic trout streams, and to  
11.10 assess the impacts from development and  
11.11 groundwater appropriations.
- 11.12 (h) Intra-lake Zoning to Protect Sensitive  
11.13 Lakeshore Areas
- 11.14 \$110,000 is from the trust fund to the  
11.15 commissioner of natural resources in  
11.16 cooperation with Cass County to identify  
11.17 sensitive shorelines of the highest priority  
11.18 lakes to protect water quality and near-shore  
11.19 habitat through improved shoreland zoning  
11.20 by Cass County.
- 11.21 (i) Water Resource Sustainability
- 11.22 \$292,000 is from the trust fund to the  
11.23 University of Minnesota to quantify  
11.24 sustainable supplies of surface and  
11.25 groundwater by integrating surface water,  
11.26 vadose zone, and groundwater systems into  
11.27 defined hydrologic units.
- 11.28 (j) County Geologic Atlas Program Acceleration
- 11.29 \$400,000 is from the trust fund to the  
11.30 University of Minnesota, Minnesota  
11.31 Geologic Survey, to accelerate the production  
11.32 of county geologic atlases that describe  
11.33 location, size, boundaries, and vulnerability  
11.34 of aquifers to enhance the protection and use  
11.35 of groundwater.

12.1 (k) Minnesota's Water Resources: Impacts of  
12.2 Climate Change - Phase II

12.3 \$300,000 is from the trust fund for the second  
12.4 biennium to the University of Minnesota,  
12.5 Natural Resources Research Institute, to  
12.6 quantify climate, hydrologic, and ecological  
12.7 variability and trends, along with economic  
12.8 impacts of environmental fluctuation on  
12.9 water resources, and to identify indicators  
12.10 of future climate change effects on aquatic  
12.11 systems. This appropriation is available until  
12.12 June 30, 2010, at which time the project must  
12.13 be completed and final products delivered,  
12.14 unless an earlier date is specified in the work  
12.15 program.

12.16 (l) Pharmaceutical and Microbiological Pollution

12.17 \$302,000 is from the trust fund to  
12.18 the University of Minnesota to  
12.19 develop technologies that eliminate  
12.20 antibiotic-resistant bacteria, hormones,  
12.21 and other pharmaceutical compounds from  
12.22 Minnesota's surface waters.

12.23 (m) Threat of Emerging Contaminants to Upper  
12.24 Mississippi Walleye

12.25 \$97,000 is from the trust fund to St. Cloud  
12.26 State University to assess whether the genetic  
12.27 diversity of walleye in the Upper Mississippi  
12.28 is negatively impacted by emerging  
12.29 contaminants at pollution hotspots where  
12.30 feminized male fish have been identified.

12.31 (n) Cedar Creek Groundwater Project using  
12.32 Prairie Biofuel Buffers

12.33 \$659,000 is from the trust fund to the  
12.34 University of Minnesota, Cedar Creek  
12.35 Natural History Area, to provide quantitative

13.1 data on the ability of diverse prairie buffers to  
 13.2 capture runoff pollutants, to produce biofuel  
 13.3 with minimal water requirements, and to  
 13.4 provide high carbon sequestration. This  
 13.5 appropriation is available until June 30, 2010,  
 13.6 at which time the project must be completed  
 13.7 and final products delivered, unless an earlier  
 13.8 date is specified in the work program.

13.9 (o) Pyrolysis Pilot Project

13.10 \$500,000 is from the trust fund to the  
 13.11 University of Minnesota in cooperation with  
 13.12 Rural Advantage to demonstrate a water-free  
 13.13 pyrolysis technology for converting biomass  
 13.14 feedstock to biofuels. This appropriation  
 13.15 is available until June 30, 2010, at which  
 13.16 time the project must be completed and final  
 13.17 products delivered, unless an earlier date is  
 13.18 specified in the work program.

13.19	<u>Subd. 6. <b>Natural Resource Information</b></u>	<u>2,002,000</u>	<u>-0-</u>
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13.20 (a) Minnesota County Biological Survey

13.21 \$1,500,000 is from the trust fund to  
 13.22 the commissioner of natural resources to  
 13.23 accelerate the biological survey that identifies  
 13.24 significant natural areas and systematically  
 13.25 collects and interprets data on the distribution  
 13.26 and ecology of native plant communities,  
 13.27 rare plants, and rare animals.

13.28 (b) Soil Survey

13.29 \$400,000 is from the trust fund to the Board  
 13.30 of Water and Soil Resources to accelerate  
 13.31 the completion of soil survey mapping and  
 13.32 Web-based data delivery in five or more  
 13.33 counties. The new soil surveys must be done

14.1 on a cost-share basis with local and federal  
 14.2 funds.

14.3 (c) Field Guide for Evaluating Vegetation of  
 14.4 Restored Wetlands

14.5 \$53,000 is from the trust fund to the Board of  
 14.6 Water and Soil Resources for an agreement  
 14.7 with Bonestroo, Rosene, Anderlik, &  
 14.8 Associates to develop a printed and  
 14.9 Web-based field guide to assist the evaluation  
 14.10 of the quality of wetland restorations in  
 14.11 Minnesota. This wetland guide must be  
 14.12 available for downloading free of charge on  
 14.13 the Internet.

14.14 (d) Natural Resource Data Collection and  
 14.15 Mapping

14.16 \$49,000 is from the trust fund to the  
 14.17 Legislative-Citizen Commission on  
 14.18 Minnesota Resources for analysis and  
 14.19 implementation of critical state natural  
 14.20 resource data collection and mapping.

14.21 **Subd. 7. Emerging Issues Account** 160,000 -0-

14.22 \$160,000 is from the trust fund to an  
 14.23 emerging issues account as authorized  
 14.24 in Minnesota Statutes, section 116P.08,  
 14.25 subdivision 4, paragraph (d).

14.26 **Subd. 8. Availability of Appropriations**

14.27 Unless otherwise provided, the amounts in  
 14.28 this section are available until June 30, 2009,  
 14.29 when projects must be completed and final  
 14.30 products delivered. For acquisition of real  
 14.31 property, the amounts in this section are  
 14.32 available until June 30, 2010, if a binding  
 14.33 contract is entered into by June 30, 2009,  
 14.34 and closed not later than June 30, 2010. The  
 14.35 amounts available in this section may be

15.1 extended through an approved work program  
15.2 by up to one year. If a project receives  
15.3 a federal grant, the appropriation for the  
15.4 project shall be extended to equal the federal  
15.5 grant period.

15.6 **Subd. 9. Leveraged Funds for Real Property**  
15.7 **Interest Requirement**

15.8 The work program for every appropriation  
15.9 for acquisition of a real property interest  
15.10 shall identify nonstate leveraged funds and a  
15.11 plan for expenditure of funds to maximize  
15.12 the benefit of the trust fund allocation. Any  
15.13 work program that proposes materially less  
15.14 leverage than the proposal shall be brought  
15.15 to the Legislative-Citizen Commission  
15.16 on Minnesota Resources for review and  
15.17 approval or disapproval. The final report  
15.18 of each project shall identify all leverage  
15.19 obtained. Leveraged funds shall be spent  
15.20 concurrently with trust fund appropriations  
15.21 to the extent possible.

15.22 **Subd. 10. Data Availability Requirements**

15.23 (a) Data collected by the projects funded  
15.24 under this section that have value for  
15.25 planning and management of natural  
15.26 resource, emergency preparedness, and  
15.27 infrastructure investments must conform  
15.28 to the enterprise technical architecture  
15.29 maintained by the Office of Enterprise  
15.30 Technology. Spatial data must conform to  
15.31 geographic information system guidelines  
15.32 and standards outlined in that architecture  
15.33 and adopted by the Minnesota Geographic  
15.34 Data Clearinghouse at the Land Management  
15.35 Information Center. A description of spatial

16.1 data collected must adhere to Office of  
16.2 Enterprise Technology geographic metadata  
16.3 standards and must be submitted to the Land  
16.4 Management Information Center to be made  
16.5 available online through the clearinghouse  
16.6 and the data themselves must be accessible  
16.7 and free to the public unless made private  
16.8 under the Data Practices Act, Minnesota  
16.9 Statutes, chapter 13.

16.10 (b) To the extent practicable, summary data  
16.11 and results of projects funded under this  
16.12 section should be readily accessible on the  
16.13 Internet and identified as an environment and  
16.14 natural resources trust fund project.

16.15 **Subd. 11. Project Requirements**

16.16 It is a condition of acceptance of the  
16.17 appropriations in this section that any agency  
16.18 or entity receiving the appropriation must  
16.19 comply with Minnesota Statutes, chapter  
16.20 116P; vegetation planted must be of native  
16.21 ecotypes to Minnesota, and preferably  
16.22 of the local ecotype, unless expressly  
16.23 approved in the work program; parties to an  
16.24 easement must specify in the easement all  
16.25 the provisions of their agreement that are  
16.26 perpetual; an electronic copy of the terms  
16.27 of an easement acquired must be sent to the  
16.28 commission office; and in any acquisition of  
16.29 land or interest in land, priority must be given  
16.30 to lands with high quality natural resources  
16.31 or conservation lands that provide natural  
16.32 buffers to water resources.

16.33 **Subd. 12. Payment Conditions and Capital**  
16.34 **Equipment Expenditures**

17.1 All agreements, grants, or contracts referred  
17.2 to in this section must be administered on  
17.3 a reimbursement basis unless otherwise  
17.4 provided in this section. Notwithstanding  
17.5 Minnesota Statutes, section 16A.41,  
17.6 expenditures made on or after July 1,  
17.7 2007, or the date the work program is  
17.8 approved, whichever is later, are eligible for  
17.9 reimbursement unless otherwise provided  
17.10 in this section. Periodic payment must  
17.11 be made upon receiving documentation  
17.12 that the deliverable items articulated in  
17.13 the approved work program have been  
17.14 achieved, including partial achievements  
17.15 as evidenced by approved progress reports.  
17.16 Reasonable amounts may be advanced to  
17.17 projects to accommodate cash flow needs or  
17.18 match federal money. The advances must  
17.19 be approved as part of the work program.  
17.20 No expenditures for capital equipment are  
17.21 allowed unless expressly authorized in the  
17.22 project work program.

17.23 **Subd. 13. Purchase of Recycled and Recyclable**  
17.24 **Materials**

17.25 A political subdivision, public or private  
17.26 corporation, or other entity that receives  
17.27 an appropriation in this section must use  
17.28 the appropriation in compliance with  
17.29 Minnesota Statutes, sections 16B.121 and  
17.30 16B.122, requiring the purchase of recycled,  
17.31 repairable, and durable materials; the  
17.32 purchase of uncoated paper stock; and the  
17.33 use of soy-based ink.

17.34 **Subd. 14. Energy Conservation and**  
17.35 **Sustainable Building Guidelines**

18.1 A recipient to whom an appropriation is made  
18.2 in this section for a capital improvement  
18.3 project shall ensure that the project complies  
18.4 with the applicable energy conservation and  
18.5 sustainable building guidelines and standards  
18.6 contained in law, including Minnesota  
18.7 Statutes, sections 16B.325, 216C.19, and  
18.8 216C.20, and rules adopted thereunder.

18.9 The recipient may use the energy planning,  
18.10 advocacy, and state energy office units of  
18.11 the Department of Commerce to obtain  
18.12 information and technical assistance on  
18.13 energy conservation and alternative energy  
18.14 development relating to the planning and  
18.15 construction of the capital improvement  
18.16 project.

18.17 Subd. 15. **Accessibility**

18.18 Structural and nonstructural facilities must  
18.19 meet the design standards in the federal  
18.20 Americans with Disability Act (ADA)  
18.21 accessibility guidelines.

18.22 Subd. 16. **Carryforward**

18.23 (a) The availability of the appropriations for  
18.24 the following projects is extended to June  
18.25 30, 2008:

18.26 (1) Laws 2005, First Special Session  
18.27 chapter 1, article 2, section 11, subdivision  
18.28 7, paragraph (j), improving impaired  
18.29 watersheds: conservation drainage research;

18.30 (2) Laws 2005, First Special Session chapter  
18.31 1, article 2, section 11, subdivision 8,  
18.32 paragraph (d), open space planning and  
18.33 protection; and

- 19.1 (3) Laws 2005, First Special Session chapter  
 19.2 1, article 2, section 11, subdivision 10,  
 19.3 paragraph (d), dairy farm digesters.
- 19.4 (b) The availability of the appropriation for  
 19.5 the following project is extended to June 30,  
 19.6 2009:
- 19.7 (1) Laws 2005, First Special Session  
 19.8 chapter 1, article 2, section 11, subdivision  
 19.9 9, paragraph (a), completing third-party  
 19.10 certification of DNR forest lands; and
- 19.11 (2) Laws 2005, First Special Session  
 19.12 chapter 1, article 2, section 11, subdivision  
 19.13 10, paragraph (e), wind to hydrogen  
 19.14 demonstration.

19.15 Sec. 3. Minnesota Statutes 2006, section 116P.08, subdivision 5, is amended to read:

19.16 Subd. 5. **Public meetings.** ~~Technical advisory committee and commission~~ (a)  
 19.17 Meetings of the commission, committees or subcommittees of the commission, technical  
 19.18 advisory committees, and peer review panels must be open to the public. The commission  
 19.19 shall attempt to meet throughout various regions of the state during each biennium. For  
 19.20 purposes of this subdivision, a meeting occurs when a quorum is present and action  
 19.21 is taken regarding a matter within the jurisdiction of the commission, a committee or  
 19.22 subcommittee of the commission, a technical advisory committee, or a peer review panel.

19.23 (b) For legislative members of the commission, enforcement of this subdivision is  
 19.24 governed by section 3.055, subdivision 2. For nonlegislative members of the commission,  
 19.25 enforcement of this subdivision is governed by section 13D.06, subdivisions 1 and 2.