

## FIFTY-FIFTH DAY

St. Paul, Minnesota, Wednesday, May 6, 2015

The Senate met at 11:00 a.m. and was called to order by the President.

**CALL OF THE SENATE**

Senator Bakk imposed a call of the Senate. The Sergeant at Arms was instructed to bring in the absent members.

Prayer was offered by the Chaplain, Rev. Hans Jorgensen.

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

The roll was called, and the following Senators answered to their names:

Anderson	Eaton	Jensen	Nienow	Senjem
Bakk	Eken	Johnson	Osmek	Sheran
Benson	Fischbach	Kent	Pappas	Sieben
Bonoff	Franzen	Kiffmeyer	Pederson, J.	Skoe
Carlson	Gazelka	Koenen	Petersen, B.	Sparks
Chamberlain	Goodwin	Latz	Pratt	Stumpf
Champion	Hall	Limmer	Reinert	Thompson
Clausen	Hann	Lourey	Rest	Tomassoni
Cohen	Hawj	Marty	Rosen	Torres Ray
Dahle	Hayden	Metzen	Ruud	Weber
Dahms	Hoffman	Miller	Saxhaug	Westrom
Dibble	Housley	Nelson	Scalze	Wiger
Dziedzic	Ingebrigtsen	Newman	Schmit	Wiklund

The President declared a quorum present.

The reading of the Journal was dispensed with and the Journal, as printed and corrected, was approved.

**EXECUTIVE AND OFFICIAL COMMUNICATIONS**

The following communications were received.

May 5, 2015

The Honorable Sandra L. Pappas  
President of the Senate

Dear Senator Pappas:

The Subcommittee on Committees of the Committee on Rules and Administration met on May 5, 2015, and by appropriate action made the following appointments:

Pursuant to Minnesota Statutes 2014

116P.05: Legislative-Citizen Commission on Minnesota Resources - Senators Dziejdzic, Hoffman, Dahms and Westrom to serve until December 31, 2016; Senator Tomassoni to serve for the term of his chairmanship.

Sincerely,  
Thomas M. Bakk  
Chair, Subcommittee on Committees  
State Senator, District 3

May 5, 2015

The Honorable Sandra L. Pappas  
President of the Senate

Dear Madam President:

Please be advised that I have received, approved, signed and deposited in the Office of the Secretary of State, Chapter 15, S.F. No. 100 and Chapter 16, S.F. No. 1455.

Sincerely,  
Mark Dayton, Governor

May 5, 2015

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

The Honorable Sandra L. Pappas  
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 2015 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 2015	Date Filed 2015
100		15	10:47 a.m. May 5	May 5
1455		16	10:47 a.m. May 5	May 5

Sincerely,  
Steve Simon  
Secretary of State

**MESSAGES FROM THE HOUSE**

Madam President:

I have the honor to announce the passage by the House of the following Senate File, AS AMENDED by the House, in which amendments the concurrence of the Senate is respectfully requested:

**S.F. No. 1218:** A bill for an act relating to legislative enactments; correcting erroneous, ambiguous, and omitted text and obsolete references; removing redundant, conflicting, and superseded provisions; making miscellaneous corrections to laws, statutes, and rules; amending Minnesota Statutes 2014, sections 5.25, subdivision 5; 13.321, subdivision 2a, by adding a subdivision; 13.3806, subdivision 1b; 13.381, subdivision 14a; 13.461, subdivisions 3, 7a; 13.602, subdivision 2; 13.681, by adding a subdivision; 13.72, subdivision 12; 13.871, subdivision 6, by adding a subdivision; 16A.126, subdivision 1; 16C.137, subdivision 2; 16D.04, subdivision 1; 81A.04, subdivision 1; 82.67, subdivision 3; 82.72, subdivision 3; 116D.04, subdivision 2a; 116L.146; 119A.50, subdivision 3; 120A.41; 122A.23, subdivision 2; 122A.414, subdivision 2; 122A.61, subdivision 1; 124D.10, subdivision 4; 124D.20, subdivision 8; 124D.861, subdivision 3; 125A.79, subdivisions 4, 8; 127A.441; 127A.49, subdivisions 2, 3; 144.0724, subdivision 4; 144.227, subdivision 1; 144A.10, subdivision 16; 161.3209, subdivision 3; 168A.03, subdivision 1; 169.781, subdivisions 1, 2; 174.12, subdivision 8; 241.332, subdivision 2; 241.335, subdivision 2; 241.336, subdivision 3; 244.05, subdivision 5; 245.466, subdivision 3a; 245.4871, subdivision 13; 245.4874, subdivision 1; 245.4877; 245.493, subdivisions 1, 1a, 2; 245A.191; 245A.192, subdivision 11; 245A.50, subdivision 4; 245C.03, subdivision 2; 245C.22, subdivision 5; 245D.061, subdivision 1; 253B.07, subdivision 7; 254B.05, subdivision 5; 256.01, subdivision 14b; 256.969, subdivisions 8, 23; 256B.0654, subdivision 2b; 256B.199; 256B.76, subdivision 4; 256J.14; 256J.21, subdivision 2; 256J.61; 260B.185, subdivision 1; 268.046, subdivision 1; 297A.68, subdivision 2; 297E.02, subdivision 6; 299C.61, subdivision 4; 299F.01, subdivision 2; 299L.02, subdivision 5; 299L.07, subdivision 5; 322C.0102, subdivision 6; 325D.40, subdivision 2; 325E.028, subdivision 4; 326B.04, subdivision 2; 403.09, subdivision 3; 412.014; 466A.01, subdivision 6; 471.87; 473.604, subdivision 3; 477A.011, subdivisions 30, 30a, 42; 477A.013, subdivisions 8, 9; 477A.015; 477A.03, subdivisions 2a, 2c; 477A.12, subdivisions 1, 2; 477A.16, subdivisions 1, 2; 477A.19, subdivisions 4, 5; 480A.09, subdivision 2; 500.215, subdivision 1; 518B.01, subdivision 4; 572A.02, subdivisions 2, 3; 609.106, subdivision 2; 609.19, subdivision 1; 609.223, subdivision 2; 609.266; 609.531, subdivision 1; 626.556, subdivision 3c; 626.8463, subdivision 1; 626.8555; 629.725; Laws 2013, chapter 143, article 8, section 40; proposing coding for new law in Minnesota Statutes, chapter 609B; repealing Minnesota Statutes 2014, sections 13.381, subdivision 17; 13.46, subdivision 13; 13.681, subdivision 7; 126C.01, subdivision 9; 239.001; 256B.0625, subdivision 50; 273.111, subdivision 9a; 469.1816; Laws 2014, chapter 228, article 1, section 2; Laws 2014, chapter 291, article 10, section 4; article 11, sections 15; 16; 21; Laws 2014, chapter 312, article 25, section 11; article 28, section 1; Minnesota Rules, parts 4900.3401; 8710.3000, subpart 5; 8710.3200, subpart 6; 8710.3310, subpart 5; 8710.3320, subpart 5; 8710.3330, subpart 5; 8710.3340, subpart 5; 8710.4000, subpart 5; 8710.4050, subpart 5; 8710.4200, subpart 5; 8710.4250, subpart 5; 8710.4300, subpart 5; 8710.4310, subpart 5; 8710.4320, subpart 5; 8710.4400, subpart 5; 8710.4450, subpart 5; 8710.4500, subpart 5; 8710.4550, subpart 5; 8710.4600, subpart 5; 8710.4650, subpart 5; 8710.4700, subpart 5; 8710.4750, subpart 9; 8710.4800, subpart 5; 8710.4850, subpart 5; 8710.4900, subpart 5; 8710.4950, subpart 9.

Senate File No. 1218 is herewith returned to the Senate.

Patrick D. Murphy, Chief Clerk, House of Representatives

Returned May 5, 2015

### CONCURRENCE AND REPASSAGE

Senator Limmer moved that the Senate concur in the amendments by the House to S.F. No. 1218 and that the bill be placed on its repassage as amended. The motion prevailed.

S.F. No. 1218 was read the third time, as amended by the House, and placed on its repassage.

The question was taken on the repassage of the bill, as amended.

The roll was called, and there were yeas 58 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eaton	Jensen	Newman	Senjem
Bakk	Eken	Johnson	Nienow	Sheran
Benson	Fischbach	Kent	Osmek	Sieben
Bonoff	Franzen	Kiffmeyer	Pappas	Sparks
Carlson	Gazelka	Koenen	Pederson, J.	Stumpf
Champion	Hall	Latz	Petersen, B.	Thompson
Clausen	Hann	Limmer	Reinert	Tomassoni
Cohen	Hawj	Lourey	Rest	Weber
Dahle	Hayden	Marty	Rosen	Wiger
Dahms	Hoffman	Metzen	Ruud	Wiklund
Dibble	Housley	Miller	Saxhaug	
Dziedzic	Ingebrigtsen	Nelson	Scalze	

So the bill, as amended, was repassed and its title was agreed to.

### MESSAGES FROM THE HOUSE - CONTINUED

Madam President:

I have the honor to announce the passage by the House of the following House Files, herewith transmitted: H.F. Nos. 450, 1556 and 1193.

Patrick D. Murphy, Chief Clerk, House of Representatives

Transmitted May 5, 2015

### FIRST READING OF HOUSE BILLS

The following bills were read the first time.

**H.F. No. 450:** A bill for an act relating to the military; establishing Military Spouses and Families Day; proposing coding for new law in Minnesota Statutes, chapter 10.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 617, now on General Orders.

**H.F. No. 1556:** A bill for an act relating to veterans; changing "Hire a Veteran Month" from May to July; amending Minnesota Statutes 2014, section 10.565.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 1446, now on General Orders.

**H.F. No. 1193:** A bill for an act relating to human services; excluding certain school-age child care programs from human services licensure; amending Minnesota Statutes 2014, section 245A.03, subdivision 2, by adding a subdivision; repealing Minnesota Statutes 2014, section 245A.03, subdivision 2c.

Referred to the Committee on Rules and Administration for comparison with S.F. No. 814, now on General Orders.

### REPORTS OF COMMITTEES

Senator Bakk moved that the Committee Reports at the Desk be now adopted, with the exception of the reports pertaining to appointments. The motion prevailed.

#### **Senator Cohen from the Committee on Finance, to which was referred**

**S.F. No. 1973:** A bill for an act relating to claims against the state; providing for settlement of certain claims; appropriating money.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete line 15 and insert:

"(2) for payment to medical providers for treatment of Keith Littler for injuries sustained while performing sentence-to-service work in St. Louis County, \$2,559.87;

(3) for payment to Leandrew Miller for permanent injuries to his right small finger sustained while performing assigned duties at Minnesota Correctional Facility - Stillwater, \$750; and

(4) for payment to Bradley Post for injuries to his back sustained while performing assigned duties in the Institution Community Work Crew Program in Nobles County, \$8,925, and to medical providers for treatment of Mr. Post, \$760.30."

And when so amended the bill do pass. Amendments adopted. Report adopted.

#### **Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 2056:** A bill for an act relating to workers' compensation; adopting recommendations of the workers' compensation advisory council regarding inpatient hospital payments; authorizing rulemaking; requiring a report; amending Minnesota Statutes 2014, section 176.136, subdivision 1b; proposing coding for new law in Minnesota Statutes, chapter 176.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 362:** A bill for an act relating to veterans; designating the Honor and Remember Flag as an official symbol of the state's commitment to military service members who have lost their lives in service to our country; encouraging display of the flag on certain days in certain public locations; proposing coding for new law in Minnesota Statutes, chapter 197.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 666:** A bill for an act relating to business organizations; modifying conversion provisions; amending Minnesota Statutes 2014, sections 66A.02, subdivision 4; 302A.011, subdivisions 19, 22, 63, 64, 68, by adding a subdivision; 302A.471, subdivision 1; 302A.691; 302A.692; 322B.03, subdivision 37, by adding subdivisions; 322B.383, subdivision 1; 322C.0105, subdivision 2, by adding a subdivision; 322C.0110, subdivisions 4, 7; 322C.0201, subdivision 2; 322C.0203, subdivision 1; 322C.0404, subdivision 1; 322C.0407, subdivisions 1, 4; 322C.0408, subdivision 6; 322C.0410, subdivision 2; 322C.0502, subdivision 4; 322C.0902; 322C.1001, subdivisions 11, 12; 322C.1007; 322C.1009; 322C.1101, subdivision 5; 322C.1204, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 302A; 322B; repealing Minnesota Statutes 2014, sections 302A.681; 302A.683; 302A.685; 302A.687; 302A.689; 322B.78; Laws 2014, chapter 157, article 2, sections 10; 11; 12; 13; 14; 15; 16; 30.

Reports the same back with the recommendation that the bill be amended as follows:

Page 6, line 26, delete "\$60" and insert "\$35"

Page 7, delete lines 7 and 8 and insert "organization shall file articles of conversion with the secretary of state, together with a total fee of \$35, which articles of conversion must be signed as provided in section 302A.011, subdivision 30, and must include:"

Page 7, before line 9, insert:

"(i) articles of incorporation for the corporation into which the converting organization is converting, which articles of incorporation must include the information required by section 302A.111, subdivision 1, paragraphs (a) to (c);"

Page 7, line 9, delete "(i)" and insert "(ii)"

Page 7, line 10, delete "(ii)" and insert "(iii)"

Page 7, line 11, delete "(iii)" and insert "(iv)"

Page 7, line 13, delete "(iv)" and insert "(v)"

Page 7, after line 20, insert:

"Subd. 3. **Certificate.** The secretary of state shall issue to the converted organization or its legal representative a certificate of conversion and, if the converted organization is a corporation, a certificate of incorporation."

Page 13, line 23, delete "\$60" and insert "\$35"

Page 28, strike lines 7 and 8 and insert "converting organization shall file articles of conversion with the secretary of state, together with a total fee of \$60, which articles of conversion must be signed as provided in section 322C.0203, subdivision 1, and must include:"

Page 28, after line 8, insert:

"(i) articles of organization for the limited liability company into which the converting organization is converting, which articles of organization must include the information required by section 322C.0201, subdivision 2, clauses (1) and (2);"

Page 28, line 9, strike "(i)" and insert "(ii)"

Page 28, line 10, after "into" insert "a limited liability company from"

Page 28, line 11, strike "(ii)" and insert "(iii)"

Page 28, line 13, strike "(iii)" and insert "(iv)"

Page 28, after line 20, insert:

"Subd. 3. **Certificate.** The secretary of state shall issue to the converted organization or its legal representative a certificate of conversion."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 280:** A bill for an act relating to state government; ratifying labor agreements and compensation plans.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 1694:** A bill for an act relating to public safety; providing for religious objections to autopsies in certain cases; amending Minnesota Statutes 2014, sections 390.005, by adding a subdivision; 390.11, subdivisions 1, 2, by adding a subdivision; 390.32, subdivisions 2, 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, delete section 4 and insert:

"Sec. 4. Minnesota Statutes 2014, section 390.11, is amended by adding a subdivision to read:

Subd. 2b. **Religious objections to autopsy.** (a) For purposes of this subdivision:

(1) "compelling state interest" means that:

(i) the autopsy is necessary to investigation of a suspicious death or suspected crime;

(ii) the autopsy is necessary to prevent a potential public health threat and essential to ascertain the cause or manner of death;

(iii) the autopsy is necessary to ascertain the cause or manner of death following an unexpected death, regardless of the decedent's underlying disease, in order to protect the public's health;

(iv) the autopsy is necessary to obtain proper toxicologic or other specimens that may represent evidence of a crime and may deteriorate over time;

(v) the death is an unexpected and unexplained death of a child;

(vi) the death is associated with police action;

(vii) the death is unnatural, unattended, or unexpected and occurred within a facility licensed by the Department of Corrections, a secure treatment facility, as defined in section 246.71, subdivision 5, or within a facility as defined in section 626.5572, subdivision 6, but excluding deaths that occurred in the home of the decedent or a caregiver of the decedent;

(viii) the death is due to acute workplace injury;

(ix) the death is caused by apparent electrocution;

(x) the death is caused by unwitnessed or suspected drowning;

(xi) the body is unidentified and the autopsy may aid in identification;

(xii) the body is skeletonized but not subject to the provisions of section 307.08;

(xiii) the death appears to be caused by fire or explosion; or

(xiv) the need for an autopsy is otherwise established under paragraph (g);

(2) "religious beliefs" means the recognized tenets, understandings, customs, or rites of any culture or recognized religion as they apply to activities described in section 149A.01, subdivision 3, paragraph (b);

(3) "religious grounds" means that performance of an autopsy is contrary to the religious beliefs of the decedent or the decedent included a religious objection to an autopsy in the decedent's health care directive; and

(4) "representative of the decedent" or "representative" means the person or persons with the right to control and duty of disposition of the body of the decedent under section 149A.80, subdivision 2.

(b) The coroner or medical examiner shall, as soon as possible, but no more than 24 hours after the discovery of the decedent's body, exercise good faith efforts to give verbal or written notice to the representative of the decedent of the intended autopsy. This verbal or written notice must include providing written materials explaining the death investigation process or providing the representative the office's Web site address where this information is located. These written materials and Web site must include information regarding Minnesota's law concerning religious objections to autopsies. A record summarizing verbal communication with a representative must be maintained indefinitely in the coroner or medical examiner's records. If, despite a good faith effort, a representative of the decedent cannot be found within 24 hours of the discovery of the decedent's body, the autopsy may proceed without further delay.

(c) If the representative of the decedent does not object to the autopsy on religious grounds, the autopsy may be performed without delay.

(d) If the representative of the decedent objects to the autopsy on religious grounds, an autopsy must not be performed unless the coroner or medical examiner determines that there is a compelling



state interest to perform the autopsy. The coroner or medical examiner may require a representative of the decedent or a person representing a class of representatives to present an affidavit stating the person's relationship to the decedent, any religious affiliation of the decedent, that the decedent had a religious objection to an autopsy and the basis for that belief, and that the person will assume responsibility for the lawful disposition of the body of the deceased.

(e) If the coroner or medical examiner determines that a compelling state interest to perform an autopsy exists under paragraph (a), clause (1), items (i) to (xiii), the autopsy may proceed without further delay.

(f) The district court may waive the waiting period under paragraph (b) upon ex parte motion if it determines that the delay may prejudice the accuracy of the autopsy or threaten public health.

(g) If the coroner or medical examiner determines that there is a compelling state interest to perform an autopsy under circumstances not described in paragraph (a), clause (1), items (i) to (xiii), and the representative of the decedent objects based on religious grounds and submits written information to the coroner or medical examiner showing reason to believe that the autopsy is contrary to the religious beliefs of the decedent, the coroner or medical examiner may bring an action in district court for an order authorizing the autopsy. The action must be brought by notice of an order to show cause served on the representative of the decedent or, if the representative is not available, on another party if directed by the court. The proceeding must be determined summarily upon the petition and the oral or written evidence offered by the parties. The court shall grant the relief sought in the petition if it finds that the petitioner demonstrates by a preponderance of the evidence that the autopsy is necessary and that need outweighs the state's interest in observing the decedent's religious beliefs. If the petition is denied and no stay is granted by the court, the body must immediately be released in accordance with chapter 149A.

(h) Autopsies performed after a religious objection under this subdivision must be the least intrusive procedure consistent with the state's compelling interest in performing the autopsy. This subdivision does not prohibit a coroner or medical examiner from obtaining voluntary permission from a representative of the decedent to conduct an examination and inquiry involving less intrusive means than an autopsy.

(i) A coroner or medical examiner is not liable for the failure to perform an autopsy if an objection to the autopsy on religious grounds has been made under this subdivision.

(j) In a court proceeding related to this subdivision, the petitioner may file data that are investigative data under section 13.83, subdivision 4, under seal with the court. The data must be examined by the court in camera. The investigative data filed with the court remain confidential consistent with the provisions of section 13.83, subdivision 4, except where disclosure is ordered as provided by section 13.83, subdivision 7.

(k) Actions or determinations by the coroner or medical examiner under this subdivision are exempt from chapter 14."

Page 6, delete section 7

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Bakk from the Committee on Rules and Administration, to which was referred**

**S.F. No. 1974:** A resolution memorializing the President and Congress to provide reimbursement under Medicaid for services provided at the Anoka-Metro Regional Treatment Center.

Reports the same back with the recommendation that the resolution do pass. Report adopted.

**Senator Bakk from the Committee on Rules and Administration, to which was referred under Joint Rule 2.03, together with the committee report thereon,**

**S.F. No. 1735:** A bill for an act relating to energy; allowing performance-based, multiyear rate plans; amending Minnesota Statutes 2014, section 216B.16, subdivision 19, by adding a subdivision.

Reports the same back with the recommendation that Joint Rule 2.03 be suspended for all further proceedings on S.F. No. 1735 and that the report from the Committee on Environment and Energy, shown in the Journal for April 16, 2015, be adopted; that committee recommendation being:

"the bill be amended and when so amended the bill do pass". Amendments adopted. Report adopted.

**Senator Bonoff from the Committee on Higher Education and Workforce Development, to which were referred the following appointments:**

## MINNESOTA HIGHER EDUCATION FACILITIES AUTHORITY

Michael Ranum

Nancy Sampair

Reports the same back with the recommendation that the appointments be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

**Senator Bonoff from the Committee on Higher Education and Workforce Development, to which was referred the following appointment:**

## BOARD OF TRUSTEES OF THE MINNESOTA STATE COLLEGES AND UNIVERSITIES

John Cowles

Reports the same back with the recommendation that the appointment be confirmed.

Senator Bakk moved that the foregoing committee report be laid on the table. The motion prevailed.

**SECOND READING OF SENATE BILLS**

S.F. Nos. 1973, 2056, 362, 666, 280, 1694, 1974 and 1735 were read the second time.

**INTRODUCTION AND FIRST READING OF SENATE BILLS**

The following bills were read the first time.

**Senators Fischbach and Pederson, J. introduced—**

**S.F. No. 2148:** A bill for an act relating to capital investment; appropriating money for capital improvements and betterments at military affairs facilities statewide; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Pratt, Dahle and Hall introduced—**

**S.F. No. 2149:** A bill for an act relating to transportation; capital investment; appropriating money for construction of an interchange in Jordan; authorizing the sale and issuance of trunk highway bonds.

Referred to the Committee on Capital Investment.

**Senator Limmer introduced—**

**S.F. No. 2150:** A bill for an act relating to transportation; establishing certain requirements governing the marked Trunk Highway 610 extension project.

Referred to the Committee on Transportation and Public Safety.

**Senator Limmer introduced—**

**S.F. No. 2151:** A bill for an act relating to transportation; capital investment; appropriating money for certain components of the marked Trunk Highway 610 extension project; authorizing the sale and issuance of state bonds.

Referred to the Committee on Capital Investment.

**Senators Dzedzic, Senjem, Hayden, Sparks and Pappas introduced—**

**S.F. No. 2152:** A bill for an act relating to capital improvements; authorizing the sale and issuance of state bonds; appropriating money for the Cedar Cultural Center in Minneapolis.

Referred to the Committee on Capital Investment.

**Senator Latz introduced—**

**S.F. No. 2153:** A bill for an act relating to public safety; amending the statute of limitations; amending Minnesota Statutes 2014, section 628.26.

Referred to the Committee on Judiciary.

**Senators Eaton, Benson, Hoffman, Hayden and Nelson introduced—**

**S.F. No. 2154:** A bill for an act relating to health; creating licensing for the practice of clinical lactation services; establishing fees; requiring a report; proposing coding for new law in Minnesota Statutes, chapter 148.

Referred to the Committee on Health, Human Services and Housing.

### MOTIONS AND RESOLUTIONS

Senator Johnson moved that the name of Senator Kent be added as a co-author to S.F. No. 2090. The motion prevailed.

Senator Ingebrigtsen moved that the name of Senator Nelson be added as a co-author to S.F. No. 2097. The motion prevailed.

Senator Latz moved that S.F. No. 2143 be withdrawn from the Committee on Judiciary and re-referred to the Committee on Rules and Administration. The motion prevailed.

#### **Senators Hann, Kiffmeyer, Koenen, Limmer and Gazelka introduced –**

**Senate Resolution No. 147:** A Senate resolution recognizing May 7, 2015, as a Day of Prayer in Minnesota.

Referred to the Committee on Rules and Administration.

#### **Senator Sheran introduced –**

**Senate Resolution No. 148:** A Senate resolution proclaiming May 6-12, 2015, as Nurses Week.

Referred to the Committee on Rules and Administration.

Senator Bakk moved that H.F. No. 1437 be taken from the table and given a second reading. The motion prevailed.

**H.F. No. 1437:** A bill for an act relating to agriculture; establishing a budget for agriculture; appropriating money for agriculture, animal health, avian influenza response activities, and agricultural utilization research; making policy and technical changes to various agricultural related provisions, including provisions related to pesticide control, plant protection, nursery law, seeds, dairy, food handlers, food, farmland, farming, and loans; authorizing the Industrial Hemp Development Act; establishing poultry worker extra unemployment benefits; modifying license exclusions for the direct sale of certain prepared food; establishing the Agriculture Research, Education, Extension, and Technology Transfer Advisory Board; providing incentive payments; requiring studies; requiring reports; providing a vocational training pilot program; establishing the farm opportunity loan program; modifying fees and surcharges; creating accounts; amending Minnesota Statutes 2014, sections 3.737, by adding a subdivision; 13.643, subdivision 1; 18B.01, subdivisions 28, 29; 18B.05, subdivision 1; 18B.32, subdivision 1; 18B.33, subdivision 1; 18B.34, subdivision 1; 18C.425, subdivision 6; 18C.70, subdivision 2; 18G.10, subdivisions 3, 4, 5; 18H.02, subdivision 20, by adding subdivisions; 18H.06, subdivision 2; 18H.07; 18H.17; 18J.01; 18J.02; 18J.03; 18J.04, subdivisions 1, 2, 3, 4; 18J.05, subdivisions 1, 2, 6; 18J.06; 18J.07, subdivisions 3, 4, 5; 18J.09; 18J.11, subdivision 1, by adding a subdivision; 21.89, subdivision 2; 21.891, subdivisions 2, 5; 25.341, subdivision 2; 25.39, subdivisions 1, 1a; 28A.03, by adding a subdivision; 32.075; 32.105; 41B.03, subdivision 6, by adding a subdivision; 41B.04, subdivision 17; 41B.043, subdivision 3; 41B.045, subdivisions 3, 4; 41B.046, subdivision 5; 41B.047, subdivisions 1, 3, 4; 41B.048, subdivision 6; 41B.049, subdivision 4; 41B.055, subdivision 3; 41B.056, subdivision 2; 41B.06; 135A.52, by adding a subdivision; 375.30, subdivision 2; 500.24, subdivision 4; Laws

2014, chapter 312, article 12, section 3; proposing coding for new law in Minnesota Statutes, chapters 18C; 28A; 41A; 41B; proposing coding for new law as Minnesota Statutes, chapter 18K; repealing Minnesota Statutes 2014, sections 17.115; 28A.15, subdivisions 9, 10; 116V.03.

H.F. No. 1437 was read the second time.

Senator Bakk moved that H.F. No. 1437 be laid on the table. The motion prevailed.

### SPECIAL ORDERS

Pursuant to Rule 26, Senator Bakk, Chair of the Committee on Rules and Administration, designated the following bills a Special Orders Calendar to be heard immediately:

H.F. No. 1358 and S.F. Nos. 1698, 1293, 1504, 233 and 1765.

### SPECIAL ORDER

**H.F. No. 1358:** A bill for an act relating to local government; adding to the definition of "energy conservation measure" in the Uniform Municipal Contracting Law; amending Minnesota Statutes 2014, section 471.345, subdivision 13.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 60 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eaton	Jensen	Newman	Scalze
Benson	Eken	Johnson	Nienow	Senjem
Bonoff	Fischbach	Kent	Osmek	Sheran
Carlson	Franzen	Kiffmeyer	Pappas	Sieben
Chamberlain	Gazelka	Koenen	Pederson, J.	Sparks
Champion	Hall	Latz	Petersen, B.	Stumpf
Clausen	Hann	Limmer	Pratt	Thompson
Cohen	Hawj	Lourey	Reinert	Tomassoni
Dahle	Hayden	Marty	Rest	Torres Ray
Dahms	Hoffman	Metzen	Rosen	Weber
Dibble	Housley	Miller	Ruud	Wiger
Dziedzic	Ingebrigtsen	Nelson	Saxhaug	Wiklund

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1698:** A bill for an act relating to commerce; weights and measures; modifying the commissioner of commerce's powers; clarifying diesel fuel advertisement sign requirements; modifying the definition for ethanol flex fuels; updating fuel standard references; correcting cross-references; amending Minnesota Statutes 2014, sections 239.011, subdivision 2; 239.44; 239.751, by adding a subdivision; 239.761, subdivisions 3, 4, 6, 10, 11, 13, by adding a subdivision; 296A.01, subdivisions 7, 8, 19, 23, 24.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eken	Kent	Pappas	Skoe
Benson	Fischbach	Kiffmeyer	Pederson, J.	Sparks
Bonoff	Franzen	Koenen	Petersen, B.	Stumpf
Carlson	Gazelka	Latz	Pratt	Thompson
Chamberlain	Hall	Limmer	Reinert	Tomassoni
Champion	Hann	Lourey	Rest	Torres Ray
Clausen	Hawj	Marty	Rosen	Weber
Cohen	Hayden	Metzen	Ruud	Wiger
Dahle	Hoffman	Miller	Saxhaug	Wiklund
Dahms	Housley	Nelson	Scalze	
Dibble	Ingebrigtsen	Newman	Senjem	
Dziedzic	Jensen	Nienow	Sheran	
Eaton	Johnson	Osmek	Sieben	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1293:** A bill for an act relating to public safety; expanding the offense of fifth degree criminal sexual conduct; creating the crime of adulteration by bodily fluid; amending Minnesota Statutes 2014, section 609.3451, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 609.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 63 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eken	Johnson	Osmek	Sheran
Benson	Fischbach	Kent	Pappas	Sieben
Bonoff	Franzen	Kiffmeyer	Pederson, J.	Skoe
Carlson	Gazelka	Koenen	Petersen, B.	Sparks
Chamberlain	Goodwin	Latz	Pratt	Stumpf
Champion	Hall	Limmer	Reinert	Thompson
Clausen	Hann	Lourey	Rest	Tomassoni
Cohen	Hawj	Marty	Rosen	Torres Ray
Dahle	Hayden	Metzen	Ruud	Weber
Dahms	Hoffman	Miller	Saxhaug	Wiger
Dibble	Housley	Nelson	Scalze	Wiklund
Dziedzic	Ingebrigtsen	Newman	Schmit	
Eaton	Jensen	Nienow	Senjem	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1504:** A bill for an act relating to health; changing the expiration date for e-Health Advisory Committee, the Trauma Advisory Council, and the Maternal and Child Health Advisory Task Force; suggesting review of data collection on stillbirths and prenatal protocols to prevent stillbirths; amending Minnesota Statutes 2014, sections 62J.495, subdivision 2; 144.608, subdivision 2; 145.8811, subdivision 1.

Senator Sieben moved to amend S.F. No. 1504 as follows:

Page 2, after line 34, insert:

"Sec. 4. Minnesota Statutes 2014, section 241.88, subdivision 1, is amended to read:

Subdivision 1. **Restraint.** (a) A representative of a correctional facility may not restrain a woman known to be pregnant unless the representative makes an individualized determination that restraints are reasonably necessary for the legitimate safety and security needs of the woman, correctional staff, other inmates, or public. If restraints are determined to be necessary, the restraints must be the least restrictive available and the most reasonable under the circumstances.

(b) A representative of a correctional facility may not restrain a woman known to be pregnant while the woman is being transported if the restraint is through the use of waist chains or other devices that cross or otherwise touch the woman's abdomen or handcuffs or other devices that cross or otherwise touch the woman's wrists when affixed behind the woman's back. If used, wrist restraints should be applied in such a way that the pregnant woman may be able to protect herself and her fetus in the event of a forward fall.

(c) A representative of a correctional facility may restrain a woman who is in labor or who has given birth within the preceding three days only if:

(1) there is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the woman, the staff of the correctional or medical facility, other inmates, or the public;

(2) the representative has made an individualized determination that restraints are necessary to prevent escape or injury;

(3) there is no objection from the treating medical care provider; and

(4) the restraints used are the least restrictive type and are used in the least restrictive manner.

(d) Section 645.241 does not apply to this section.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 5. Minnesota Statutes 2014, section 241.88, is amended by adding a subdivision to read:

Subd. 3. **Required annual report.** By February 15 of each year, the commissioner shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding on the use of restraints on pregnant women, women in labor, and women who have given birth in the preceding three days, who are incarcerated in state and local correctional facilities during the preceding calendar year. For reporting purposes, the use of restraints does not include use of hand cuffs on the front of the body of a pregnant woman.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 6. Minnesota Statutes 2014, section 241.89, subdivision 1, is amended to read:

Subdivision 1. **Applicability.** This section applies only to a woman:

(1) incarcerated following conviction; ~~and~~ or

(2) incarcerated before conviction beyond the period specified for the woman's initial appearance before the court in Rules of Criminal Procedure, rules 3.02, 4.01, and 4.02.

**EFFECTIVE DATE.** This section is effective July 1, 2015.

Sec. 7. Minnesota Statutes 2014, section 241.89, subdivision 2, is amended to read:

Subd. 2. **Requirements.** The head of each correctional facility shall ensure that every woman incarcerated at the facility:

(1) is tested for pregnancy on or before day 14 of incarceration, if under 50 years of age unless the inmate refuses the test;

(2) if pregnant ~~and agrees to testing, is tested for sexually transmitted diseases, including HIV<sub>2</sub>~~, is provided the prevailing standard of care or current practice by the medical care provider's peer group;

(3) if pregnant or has given birth in the past six weeks, is provided appropriate educational materials and resources related to pregnancy, childbirth, breastfeeding, and parenting;

(4) if pregnant or has given birth in the past six weeks, has access to doula services if these services are provided by a certified doula without charge to the correctional facility or the incarcerated woman pays for the certified doula services;

(5) if pregnant or has given birth in the past six months, has access to a mental health assessment and, if necessary, treatment;

(6) if pregnant or has given birth in the past six months and determined to be suffering from a mental illness, has access to evidence-based mental health treatment including psychotropic medication;

(7) if pregnant or has given birth in the past six months and determined to be suffering from postpartum depression, has access to evidence-based therapeutic care for the depression; and

(8) if pregnant or has given birth in the past six months, is advised, orally or in writing, of applicable laws and policies governing incarcerated pregnant women.

**EFFECTIVE DATE.** This section is effective July 1, 2015."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

Senator Benson questioned whether the amendment was germane.

The President ruled that the amendment was not germane.

S.F. No. 1504 was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 61 and nays 3, as follows:

Those who voted in the affirmative were:

Anderson	Cohen	Eken	Hann	Jensen
Bonoff	Dahle	Fischbach	Hawj	Johnson
Carlson	Dahms	Franzen	Hayden	Kent
Chamberlain	Dibble	Gazelka	Hoffman	Kiffmeyer
Champion	Dziedzic	Goodwin	Housley	Koenen
Clausen	Eaton	Hall	Ingebrigtsen	Latz



Limmer	Nienow	Rosen	Sieben	Westrom
Lourey	Osmek	Ruud	Skoe	Wiger
Marty	Pappas	Saxhaug	Sparks	Wiklund
Metzen	Pederson, J.	Scalze	Stumpf	
Miller	Pratt	Schmit	Tomassoni	
Nelson	Reinert	Senjem	Torres Ray	
Newman	Rest	Sheran	Weber	

Those who voted in the negative were:

Benson                      Petersen, B.                      Thompson

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 233:** A bill for an act relating to health; providing additional accrediting organization for ambulatory health care; amending Minnesota Statutes 2014, section 62Q.37, subdivision 2.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Eken	Johnson	Osmek	Sheran
Benson	Fischbach	Kent	Pappas	Sieben
Bonoff	Franzen	Kiffmeyer	Pederson, J.	Skoe
Carlson	Gazelka	Koenen	Petersen, B.	Sparks
Chamberlain	Goodwin	Latz	Pratt	Stumpf
Champion	Hall	Limmer	Reinert	Thompson
Clausen	Hann	Lourey	Rest	Tomassoni
Cohen	Hawj	Marty	Rosen	Torres Ray
Dahle	Hayden	Metzen	Ruud	Weber
Dahms	Hoffman	Miller	Saxhaug	Westrom
Dibble	Housley	Nelson	Scalze	Wiger
Dziedzic	Ingebrigtsen	Newman	Schmit	Wiklund
Eaton	Jensen	Nienow	Senjem	

So the bill passed and its title was agreed to.

### SPECIAL ORDER

**S.F. No. 1765:** A bill for an act relating to health; modifying definitions; increasing the permitted ratio of pharmacy technicians to pharmacists; increasing the size of the Board of Pharmacy; amending Minnesota Statutes 2014, sections 151.01, subdivisions 15a, 27; 151.02; 151.102.

Was read the third time and placed on its final passage.

The question was taken on the passage of the bill.

The roll was called, and there were yeas 64 and nays 0, as follows:

Those who voted in the affirmative were:

Anderson	Chamberlain	Dahle	Eaton	Gazelka
Benson	Champion	Dahms	Eken	Goodwin
Bonoff	Clausen	Dibble	Fischbach	Hall
Carlson	Cohen	Dziedzic	Franzen	Hann

Hawj	Koenen	Nienow	Ruud	Stumpf
Hayden	Latz	Osmek	Saxhaug	Thompson
Hoffman	Limmer	Pappas	Scalze	Tomassoni
Housley	Lourey	Pederson, J.	Schmit	Torres Ray
Ingebrigtsen	Marty	Petersen, B.	Senjem	Weber
Jensen	Metzen	Pratt	Sheran	Westrom
Johnson	Miller	Reinert	Sieben	Wiger
Kent	Nelson	Rest	Skoe	Wiklund
Kiffmeyer	Newman	Rosen	Sparks	

So the bill passed and its title was agreed to.

### MOTIONS AND RESOLUTIONS - CONTINUED

Without objection, remaining on the Order of Business of Motions and Resolutions, the Senate reverted to the Orders of Business of Reports of Committees, Second Reading of Senate Bills and Second Reading of House Bills.

### REPORTS OF COMMITTEES

Senator Latz moved that the Committee Reports at the Desk be now adopted. The motion prevailed.

#### **Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 86:** A bill for an act relating to data practices; classifying data related to automated license plate readers; requiring a log of use; requiring data to be destroyed in certain circumstances; amending Minnesota Statutes 2014, section 13.82, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 626.

Reports the same back with the recommendation that the bill do pass. Report adopted.

#### **Senator Cohen from the Committee on Finance, to which was referred**

**S.F. No. 698:** A bill for an act relating to natural resources; appropriating money from environment and natural resources trust fund; modifying provisions for Legislative-Citizen Commission on Minnesota Resources; amending Minnesota Statutes 2014, sections 116P.05, subdivision 2; 116P.08, subdivisions 5, 6, 7; 116P.09, subdivisions 6, 8.

Reports the same back with the recommendation that the bill be amended as follows:

Page 27, line 6, delete "135" and insert "35"

Page 38, after line 34, insert:

#### **"Subd. 18. Carryforward; Extension**

(a) The availability of the appropriations for the following projects are extended to June 30, 2016:

(1) Laws 2013, chapter 52, section 2, subdivision 4, paragraph (l), Restorations Evaluations;

(2) Laws 2013, chapter 52, section 2, subdivision 6, paragraph (b), detecting and monitoring certain carp populations; and

(3) Laws 2011, First Special Session chapter 2, article 3, section 2, subdivision 4, paragraph (g), Minnesota River Valley Green Corridor Scientific and Natural Area Acquisition.

(b) The availability of the appropriations for the following projects are extended to June 30, 2017:

(1) Laws 2013, chapter 52, section 2, subdivision 5, paragraph (e), Measuring Hydrologic Benefits from Glacial Ridge Habitat Restoration; and

(2) Laws 2014, chapter 226, section 2, subdivision 3, paragraph (m), Measuring Hydrologic Benefits from Glacial Ridge Habitat Restoration.

(c) The availability of the appropriation for the following project is extended to June 30, 2019: Laws 2014, chapter 226, section 2, subdivision 6, paragraph (a), Enhancing Pollinator Landscapes.

(d) The following project may be extended statewide, Laws 2014, chapter 226, section 2, subdivision 9, paragraph (c), Urban Environmental Education Engaging Students in Local Resources."

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 1471:** A bill for an act relating to health; making changes to provisions governing receivership of nursing homes or certified boarding care homes; amending Minnesota Statutes 2014, sections 144A.15; 256B.0641, subdivision 3; 256B.495, subdivisions 1, 5; repealing Minnesota Statutes 2014, sections 144A.14; 256B.495, subdivisions 1a, 2, 4.

Reports the same back with the recommendation that the bill be amended as follows:

Page 3, line 19, delete "The commissioner"

Page 3, delete lines 20 to 22

Page 3, line 23, delete "health and safety."

Page 3, line 32, after the period, insert "The receiver shall take action as is reasonably necessary to protect or conserve the tangible assets or property during receivership."

Page 3, line 33, delete the new language

Page 3, lines 34 to 36, reinstate the stricken language

Page 5, after line 3, insert:

"Sec. 2. Minnesota Statutes 2014, section 152.34, is amended to read:

**152.34 NURSING HEALTH CARE FACILITIES.**

Nursing (a) Health care facilities licensed under chapter 144A, boarding care homes licensed under section 144.50, and assisted living facilities, and facilities owned, controlled, managed, or under common control with hospitals licensed under chapter 144, may adopt reasonable restrictions on the use of medical cannabis by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility will not store or maintain the patient's supply of medical cannabis, that the facility is not responsible for providing the medical cannabis for patients, and that medical cannabis be used only in a place specified by the facility.

(b) Any employee or agent of a facility listed in this section or a person licensed under chapter 144E is not subject to violations under this chapter for possession of medical cannabis while carrying out employment duties, including providing or supervising care to a registered patient, or distribution of medical cannabis to a registered patient who resides at or is actively receiving treatment or care at the facility with which the employee or agent is affiliated. Nothing contained in this section shall require the facilities to adopt such restrictions and no facility shall unreasonably limit a patient's access to or use of medical cannabis to the extent that use is authorized by the patient under sections 152.22 to 152.37.

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

Page 6, delete section 4 and insert:

"Sec. 5. Minnesota Statutes 2014, section 256B.495, subdivision 5, is amended to read:

Subd. 5. **Sale or transfer of a nursing facility in receivership after closure.** (a) Upon the subsequent sale or transfer of a nursing facility in receivership, the commissioner ~~must~~ shall seek to recover from the prior licensee any amounts paid through payment rate adjustments under subdivision 4 ~~which exceed the normal cost of operating the nursing facility. Examples of costs in excess of the normal cost of operating the nursing facility include the managing agent's fee, directly identifiable costs of the managing agent, bonuses paid to employees for their continued employment during the downsizing to closure of the nursing facility, prereceivership expenditures paid by the receiver, additional professional services such as accountants, psychologists, and dietitians, and other similar costs incurred by the receiver to complete receivership~~ 1. The buyer or transferee prior licensee shall repay this amount to the commissioner within 60 days after the commissioner notifies the buyer or transferee prior licensee of the obligation to repay. The buyer or transferee must also repay the private-pay resident the amount the private-pay resident paid through payment rate adjustment.

(b) The commissioner may recover amounts paid through the receivership fee by means of withholding from the prior licensee payments related to any other medical assistance provider of the prior licensee in Minnesota. The prior licensee must also repay private-pay residents the amount the private-pay resident paid for the receivership fee.

(c) If a nursing facility with payment rates subject to subdivision 4, paragraph (a), determined under subdivision 1 is later sold while the nursing facility is in receivership, the payment rates in effect prior to the receivership shall be the new owner's payment rates. Those payment rates shall continue to be in effect until the rate year following the reporting period ending on September 30 for the new owner. The reporting period shall, whenever possible, be at least five consecutive months. If the reporting period is less than five months but more than three months, the nursing facility's resident days for the last two months of the reporting period must be annualized over the reporting period for the purpose of computing the payment rate for the rate year following the reporting period. The commissioner shall apply to these rates any rate adjustment provided to other nursing facilities for which the facility is qualified."

Page 7, line 15, delete "6" and insert "7"

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 383:** A bill for an act relating to health occupations; changing provisions for licensing of optometrists; amending Minnesota Statutes 2014, sections 148.52; 148.54; 148.57; 148.574; 148.575; 148.577; 148.59; 148.603; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 2014, sections 148.571; 148.572; 148.573, subdivision 1; 148.576, subdivisions 1, 2.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 7, insert:

"Section 1. Minnesota Statutes 2014, section 148.03, is amended to read:

**148.03 APPOINTMENT.**

The governor shall appoint a Board of Chiropractic Examiners consisting of two public members as defined by section 214.02 and five resident chiropractors who shall have practiced chiropractic in this state for at least three years immediately prior to the time of appointment, all of whom shall be graduates of a course of chiropractic, ~~but no more than two of whom shall be graduates of the same school or college of chiropractic.~~ Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements shall be as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the review and processing of complaints; the setting of board fees; and other provisions relating to board operations shall be as provided in chapter 214. The board shall have the authority to prescribe rules relative to the examination of applicants for license to practice chiropractic and for the annual renewal of licenses. Vacancies caused by death or otherwise shall be filled by the governor within 60 days. No member of the board shall be financially interested in any chiropractic

school or college or be in any way affiliated with the practice of other methods of healing as are now regulated by law in this state."

Page 6, delete section 7

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 455:** A bill for an act relating to elections; modifying various provisions related to election administration, including provisions related to school districts, voters, ballots, candidates, political party designation, military and overseas voting, and other election-related provisions; establishing the Elections Emergency Planning Task Force; enacting the Uniform Faithful Presidential Electors Act; amending voter registration procedures; restoring right to vote upon release from incarceration for a felony offense; providing for early voting; requiring use of actual address for redistricting purposes; making conforming changes; making technical changes; appropriating money; amending Minnesota Statutes 2014, sections 13.607, by adding a subdivision; 103C.311, subdivision 2; 123B.09, subdivision 1, by adding a subdivision; 200.02, subdivisions 7, 23, by adding subdivisions; 201.014, by adding a subdivision; 201.022, subdivision 1; 201.054, subdivisions 1, 2; 201.061, by adding a subdivision; 201.071, subdivision 1; 201.091, subdivision 4; 201.12, subdivisions 2, 3; 201.13, subdivision 3; 201.14; 201.157; 201.158; 201.161; 203B.001; 203B.01, subdivision 3, by adding a subdivision; 203B.03, subdivision 1; 203B.05, subdivision 1; 203B.07, subdivision 1; 203B.08, subdivisions 1, 3; 203B.081; 203B.085; 203B.121, subdivisions 1, 2, 3, 4, 5, by adding a subdivision; 203B.16, subdivisions 1, 2; 203B.17, subdivisions 1, 2; 204B.06, subdivision 1b; 204B.07, subdivision 2; 204B.145; 204B.19, subdivision 6; 204B.28, subdivision 2; 204B.36, subdivisions 1, 2, 3, 4; 204B.45, subdivisions 1, 2; 204C.04, subdivision 2; 204C.08, subdivision 1d; 204C.10; 204C.13, subdivisions 2, 3, 5; 204C.15, subdivision 1; 204C.22, subdivisions 3, 4, 7, 10; 204C.35, subdivisions 1, 2; 204C.36, subdivisions 1, 2; 204C.40, subdivision 2; 204D.11, subdivision 4; 204D.27, subdivision 11; 205.84, subdivision 1; 206.82, subdivision 1; 206.83; 206.90, subdivision 6; 208.02; 208.03; 208.06; 209.01, subdivision 2; 209.021, subdivisions 2, 3; 209.09, subdivision 2; 365.22, subdivisions 2, 3; 367.31, subdivision 4; 368.85, subdivision 4; 375.025, subdivision 1; 375A.09, subdivision 4; 376.04; 383B.68, subdivision 4; 412.551, subdivision 2; 473.123, subdivision 3a; 609.165, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 123B; 201; 203B; 208; 241; 243; repealing Minnesota Statutes 2014, sections 123B.09, subdivision 5; 201.155; 201.275; 204B.14, subdivision 6; 204C.13, subdivision 4; 204C.30, subdivision 1; 208.07; 208.08; 383A.555.

Reports the same back with the recommendation that the bill be amended as follows:

Page 23, after line 19, insert:

"Sec. 42. Minnesota Statutes 2014, section 205.13, subdivision 3, is amended to read:

Subd. 3. **Filing fees.** ~~Unless the charter of a city provides the amount of the fee for filing an application or affidavit of candidacy for city office~~ (a) Except as otherwise provided in this section, the filing fee for a municipal office is as follows:

(a) (1) in first class cities, \$20;

(b) (2) in second and third class cities, \$5; and

(c) (3) in fourth class cities and towns, \$2.

(b) A home rule charter or statutory city may adopt, by ordinance, a filing fee of a different amount not to exceed the following:

(1) in first class cities, \$80;

(2) in second and third class cities, \$40; and

(3) in fourth class cities, \$15.

(c) A home rule charter city that sets filing fees by authority provided in city charter is not subject to the fee limits in this section."

Page 63, line 19, delete "\$....." and insert "\$22,000"

Page 63, line 22, delete "\$....." and insert "\$77,000"

Page 63, line 23, after the period, insert "The base for fiscal year 2018 is \$47,000 and for fiscal year 2019 is \$6,000."

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 1771:** A bill for an act relating to health; changing provisions in the medical cannabis program; amending Minnesota Statutes 2014, sections 152.25, subdivision 1; 152.27, subdivision 6; 152.29, subdivision 1; Laws 2014, chapter 311, sections 17, subdivision 2; 20.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, after line 6, insert:

"Section 1. Minnesota Statutes 2014, section 152.22, subdivision 6, is amended to read:

Subd. 6. **Medical cannabis.** (a) "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of:

(1) liquid, including, but not limited to, oil;

(2) pill;

(3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; or

(4) any other method, excluding smoking, approved by the commissioner.

(b) This definition includes any part of the genus cannabis plant prior to being processed into a form allowed under paragraph (a), that is possessed by a person while that person is engaged

in employment duties necessary to carry out a requirement under sections 152.22 to 152.37 for a registered manufacturer or a laboratory under contract with a registered manufacturer.

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

Page 5, after line 4, insert:

"Sec. 5. Minnesota Statutes 2014, section 152.34, is amended to read:

**152.34 NURSING HEALTH CARE FACILITIES.**

Nursing (a) Health care facilities licensed under chapter 144A, boarding care homes licensed under section 144.50, and assisted living facilities, and facilities owned, controlled, managed, or under common control with hospitals licensed under chapter 144, may adopt reasonable restrictions on the use of medical cannabis by a patient enrolled in the registry program who resides at or is actively receiving treatment or care at the facility. The restrictions may include a provision that the facility will not store or maintain the patient's supply of medical cannabis, that the facility is not responsible for providing the medical cannabis for patients, and that medical cannabis be used only in a place specified by the facility.

(b) Any employee or agent of a facility listed in this section or a person licensed under chapter 144E is not subject to violations under this chapter for possession of medical cannabis while carrying out employment duties, including providing or supervising care to a registered patient, or distribution of medical cannabis to a registered patient who resides at or is actively receiving treatment or care at the facility with which the employee or agent is affiliated. Nothing contained in this section shall require the facilities to adopt such restrictions and no facility shall unreasonably limit a patient's access to or use of medical cannabis to the extent that use is authorized by the patient under sections 152.22 to 152.37.

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

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 26:** A bill for an act relating to insurance; regulating the sale of self-service storage insurance; proposing coding for new law in Minnesota Statutes, chapter 60K.

Reports the same back with the recommendation that the bill do pass. Report adopted.

**Senator Cohen from the Committee on Finance, to which was re-referred**

**S.F. No. 1398:** A bill for an act relating to retirement; modifying actuarial assumptions; modifying postretirement adjustment triggers; modifying contribution stabilizers; amending police and firefighter retirement state supplemental aid; creating a monthly benefit division of the statewide volunteer firefighter retirement plan; adopting recommendations of the volunteer firefighter relief association working group; modifying local firefighter relief associations; making small group retirement changes; making administrative changes to the Minnesota State Retirement System, Teachers Retirement Association, and Public Employees Retirement Association; making technical and conforming changes; merging the Minneapolis Employees Retirement Fund Division into



PERA-General; requiring a state financial contribution to fund the merger; permanently extending supplemental fire state aid to volunteer firefighter relief associations; amending Minnesota Statutes 2014, sections 3A.03, subdivision 2; 11A.17, subdivision 2; 69.051, subdivision 1a; 69.80; 256D.21; 352.01, subdivisions 2a, 11, 13a, 15; 352.017, subdivision 2; 352.021, subdivisions 1, 3, 4; 352.029, subdivision 2; 352.04, subdivisions 8, 9; 352.045; 352.22, subdivisions 8, 10; 352.23; 352.27; 352.75, subdivision 2; 352.87, subdivision 8; 352.91, subdivision 3e; 352.955, subdivision 3; 352B.011, subdivision 3; 352B.013, subdivision 2; 352B.07; 352B.085; 352B.086; 352B.10, subdivision 5; 352B.105; 352B.11, subdivision 4; 352B.25; 352D.02, subdivision 1; 352D.05, subdivision 4; 352D.11, subdivision 2; 352D.12; 353.01, subdivisions 2a, 2b, 6, 10, 11a, 16, 17, 28, 36, 48; 353.0161, subdivision 2, by adding a subdivision; 353.0162; 353.017, subdivision 2; 353.03, subdivision 3; 353.031, subdivisions 5, 10; 353.05; 353.06; 353.27, subdivisions 1, 3b, 7a, 10, 12, 12a, by adding a subdivision; 353.28, subdivision 5; 353.29, subdivision 7; 353.33, subdivisions 6, 13; 353.34, subdivision 1; 353.35, subdivision 1; 353.37, subdivision 1; 353.46, subdivisions 2, 6; 353.50, subdivision 6; 353.505; 353.64, subdivisions 7a, 8, 9, 10; 353.656, subdivisions 1a, 1b, 2, 4, 5a; 353D.03, subdivision 3; 353D.071, subdivision 2; 353E.06, subdivisions 5, 6; 353F.01; 353F.02, subdivisions 3, 5a; 353F.04, subdivision 2; 353F.051, subdivisions 1, 2, 3; 353G.01, subdivisions 6, 7, 11, 12, by adding subdivisions; 353G.02; 353G.03; 353G.04; 353G.05; 353G.06; 353G.07; 353G.08; 353G.09; 353G.10; 353G.11; 353G.115; 353G.12, subdivision 2, by adding a subdivision; 353G.13; 353G.14; 353G.15; 353G.16; 354.05, subdivisions 10, 13, 25; 354.07, subdivision 5; 354.092, subdivision 4; 354.42, subdivisions 1a, 4b, 4d; 354.44, subdivisions 8, 9; 354.445; 354.45, subdivision 1a; 354.48, subdivision 3; 354.51, subdivisions 1, 5; 354.52, subdivision 4c; 354.55, subdivision 10; 354.72, subdivision 2; 354A.011, subdivision 6; 354A.092; 354A.093, subdivision 6; 354A.096; 354A.108; 354A.12, subdivision 3c; 354A.29, subdivisions 7, 8, 9; 354A.31, subdivision 7; 354A.38, subdivision 3; 355.01, subdivision 3j; 355.07; 356.195, subdivision 2; 356.214, subdivision 1; 356.215, subdivisions 1, 8, 11, 18; 356.245; 356.30, subdivision 3; 356.302, subdivision 7; 356.303, subdivision 4; 356.32, subdivisions 1, 2; 356.40; 356.401, subdivision 3; 356.407, subdivisions 1, 2; 356.415, subdivisions 1, 1a, 1c, 1d, 1e, 1f, 2; 356.431; 356.44; 356.461, subdivision 2; 356.465, subdivision 3; 356.50, subdivision 2; 356.551, subdivision 2; 356.62; 356.635, subdivision 9, by adding a subdivision; 356B.10, subdivisions 2, 3, 4, 5, 6, 7; 423A.02, subdivision 1b; 423A.022, subdivision 5; 424A.001, subdivision 10, by adding a subdivision; 424A.002, subdivision 1; 424A.016, subdivision 4; 424A.02, subdivisions 3, 3a, 9a; 424A.05, subdivisions 2, 3; 424A.092, subdivisions 3, 6; 424A.093, subdivisions 5, 6; 480.181, subdivision 2; 490.121, subdivision 4; 490.1211; 490.124, subdivision 12; proposing coding for new law in Minnesota Statutes, chapter 353G; repealing Minnesota Statutes 2014, sections 352.271; 352.75, subdivisions 1, 3, 4, 5, 6; 352.76; 352.91, subdivisions 3a, 3b; 352B.29; 353.01, subdivision 49; 353.025; 353.27, subdivision 1a; 353.50, subdivisions 1, 2, 3, 4, 5, 7, 8, 9, 10; 353.83; 353.84; 353.85; 353D.03, subdivision 4; 354.146, subdivisions 1, 3; 354.33, subdivisions 5, 6; 354.39; 354.55, subdivisions 13, 16, 19; 354.58; 354.71; 354A.35, subdivision 2a; 354A.42; 356.405; 356.49, subdivision 2; 424A.03, subdivision 3.

Reports the same back with the recommendation that the bill be amended as follows:

Page 35, line 28, delete "current" and before the semicolon, insert "of the calendar year immediately before the adjustment"

Page 35, line 30, delete "current"

Page 35, line 31, after "30" insert "of the calendar year immediately before the adjustment"

Page 36, line 17, strike "18" and insert "12"

Page 36, line 18, delete "current" and after "30" insert "of the calendar year immediately before the adjustment"

Page 36, line 22, delete "current"

Page 36, line 23, after "30" insert "of the calendar year immediately before the adjustment"

Page 37, after line 32, insert:

"Sec. 6. Minnesota Statutes 2014, section 356.415, subdivision 1b, is amended to read:

Subd. 1b. **Annual postretirement adjustments; PERA; general employees retirement plan and local government correctional retirement plan.** (a) Retirement annuity, disability benefit, or survivor benefit recipients of the general employees retirement plan of the Public Employees Retirement Association and the local government correctional service retirement plan are entitled to a postretirement adjustment annually on January 1, as follows:

(1) for each successive January 1 until funding stability is restored for the applicable retirement plan, a postretirement increase of one percent must be applied each year, effective on January 1, to the monthly annuity or benefit amount of each annuitant or benefit recipient who has been receiving an annuity or benefit for at least 12 full months as of the ~~current~~ June 30 of the calendar year immediately before the adjustment;

(2) for each successive January 1 until funding stability is restored for the applicable retirement plan, for each annuitant or benefit recipient who has been receiving an annuity or a benefit for at least one full month, but less than 12 full months as of the ~~current~~ June 30 of the calendar year immediately before the adjustment, an annual postretirement increase of 1/12 of one percent for each month the person has been receiving an annuity or benefit must be applied;

(3) for each January 1 following the restoration of funding stability for the applicable retirement plan, a postretirement increase of 2.5 percent must be applied each year, effective January 1, to the monthly annuity or benefit amount of each annuitant or benefit recipient who has been receiving an annuity or benefit for at least 12 full months as of the ~~current~~ June 30 of the calendar year immediately before the adjustment; and

(4) for each January 1 following restoration of funding stability for the applicable retirement plan, for each annuity or benefit recipient who has been receiving an annuity or a benefit for at least one full month, but less than 12 full months as of the ~~current~~ June 30 of the calendar year immediately before the adjustment, an annual postretirement increase of 1/12 of 2.5 percent for each month the person has been receiving an annuity or benefit must be applied.

(b) Funding stability is restored when the market value of assets of the applicable retirement plan equals or exceeds 90 percent of the actuarial accrued liabilities of the applicable plan in the two most recent consecutive actuarial valuations prepared under section 356.215 and the standards for actuarial work by the approved actuary retained by the Public Employees Retirement Association under section 356.214.

(c) After having met the definition of funding stability under paragraph (b), the increase provided in paragraph (a), clauses (1) and (2), rather than an increase under subdivision 1, is again to be

applied in a subsequent year or years if the market value of assets of the applicable plan equals or is less than:

(1) 85 percent of the actuarial accrued liabilities of the applicable plan for two consecutive actuarial valuations; or

(2) 80 percent of the actuarial accrued liabilities of the applicable plan for the most recent actuarial valuation.

(d) An increase in annuity or benefit payments under this section must be made automatically unless written notice is filed by the annuitant or benefit recipient with the executive director of the Public Employees Retirement Association requesting that the increase not be made.

**EFFECTIVE DATE.** This section is effective June 30, 2015."

Page 40, lines 2 and 14, delete "current" and before the semicolon, insert "of the calendar year immediately before the adjustment"

Page 40, lines 6 , delete "current" and before the comma, insert "of the calendar year immediately before the adjustment"

Page 40, line 17, delete "current"

Page 40, line 18, after "30" insert "of the calendar year immediately before the adjustment"

Page 41, line 21, delete "current" and after "30" insert "of the calendar year immediately before the adjustment"

Page 41, line 23, delete "current"

Page 41, line 24, after "30" insert "of the calendar year immediately before the adjustment"

Page 42, line 14, delete "current" and after "30" insert "of the calendar year immediately before the adjustment"

Page 42, line 16, delete "current"

Page 42, line 17, after "30" insert "of the calendar year immediately before the adjustment"

Page 43, line 9, delete "current" and after "30" insert "of the calendar year immediately before the adjustment"

Page 43, line 11, delete "current"

Page 43, line 12, after "30" insert "of the calendar year immediately before the adjustment"

Page 115, line 34, delete "8" and insert "2"

Page 115, line 35, delete "April 1," and insert "March 12,"

Page 116, line 31, delete everything after "2015"

Page 116, line 32, delete everything before the period

Page 201, after line 26, insert:

"Sec. 15. Minnesota Statutes 2014, section 353.50, subdivision 8, is amended to read:

Subd. 8. **Minneapolis Municipal Retirement Association dues.** If authorized by an annuitant or retirement benefit recipient in writing on a form prescribed by the executive director of the Public Employees Retirement Association, the executive director shall deduct the dues for the Minneapolis Municipal Retirement Association from the person's annuity or retirement benefit. ~~This dues deduction authority expires upon the eventual full consolidation of the MERF account under subdivision 9."~~

Page 201, line 32, strike the period

Page 202, line 27, strike ", or on" and insert a period

Page 202, line 28, strike the old language

Page 202, lines 29 to 35, delete the new language and strike the old language

Page 213, line 32, delete "8,"

Renumber the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

**Senator Cohen from the Committee on Finance, to which was referred**

**H.F. No. 303:** A bill for an act relating to state government; appropriating money from the outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; establishing policy on milkweed; modifying provisions of Lessard-Sams Outdoor Heritage Council and Clean Water Council; modifying Water Law; modifying use of legacy funds; modifying previous appropriations; modifying certain grant eligibility; requiring a report; amending Minnesota Statutes 2014, sections 16B.24, by adding a subdivision; 85.53, subdivision 2; 97A.056, subdivisions 2, 8, 11, by adding subdivisions; 103A.206; 103B.101, by adding a subdivision; 103C.101, by adding a subdivision; 103C.401, subdivision 1; 103C.501, subdivision 5; 114D.30, subdivision 2; 114D.50, subdivision 4; 129D.17, subdivision 2; Laws 2012, chapter 264, article 1, section 2, subdivision 5; Laws 2013, chapter 137, article 2, section 6; article 3, section 4; Laws 2014, chapter 256, article 1, section 2, subdivision 5; Laws 2014, chapter 295, section 10, subdivision 12; proposing coding for new law in Minnesota Statutes, chapters 84; 103B.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

**"ARTICLE 1**

**OUTDOOR HERITAGE FUND**

Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

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

2017. The "biennium" is fiscal years 2016 and 2017, respectively. The appropriations in this article are onetime.

**APPROPRIATIONS**  
**Available for the Year**  
**Ending June 30**  
**2016**                      **2017**

Sec. 2. **OUTDOOR HERITAGE FUND**

<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>99,386,000</u></b>	<b><u>\$</u></b>	<b><u>607,000</u></b>
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This appropriation is from the outdoor heritage fund. The amounts that may be spent for each purpose are specified in the following subdivisions.

<b><u>Subd. 2. Prairies</u></b>		<b><u>40,948,000</u></b>		<b><u>-0-</u></b>
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**(a) DNR Wildlife Management Area and Scientific and Natural Area Acquisition - Phase VII**

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

**(b) Accelerating Wildlife Management Area Acquisition - Phase VII**

\$7,452,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire land in fee for wildlife management area purposes under Minnesota Statutes, section 86A.05, subdivision 8. Subject to evaluation

criteria in Minnesota Rules, part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(c) Minnesota Prairie Recovery Project - Phase VI**

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

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

\$3,430,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy in cooperation with the United States Fish and Wildlife Service to acquire land in fee or permanent conservation easements within the Northern Tallgrass Prairie Habitat Preservation Area in western Minnesota for addition to the Northern Tallgrass Prairie National Wildlife Refuge. Subject to evaluation criteria in Minnesota Rules,

part 6136.0900, priority must be given to acquisition of lands that are eligible for the native prairie bank under Minnesota Statutes, section 84.96, or lands adjacent to protected native prairie. A list of proposed land acquisitions must be provided as part of the required accomplishment plan and must be consistent with the priorities in the Minnesota Prairie Conservation Plan.

**(e) Accelerated Native Prairie Bank Protection - Phase IV**

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

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

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

**(g) Cannon River Headwaters Habitat Complex - Phase V**

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

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

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

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

\$1,730,000 in the first year is to the commissioner of natural resources for agreements to acquire conservation easements within important bird areas identified in the Minnesota Prairie Conservation Plan, to be used as follows: \$408,000 is to Audubon Minnesota and \$1,322,000 is to Minnesota Land Trust, of which up to \$100,000 is for establishing



monitoring and enforcement funds as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of permanent conservation easements must be provided as part of the final report.

**(j) Wild Rice River Corridor Habitat Restoration**

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

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

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

**(l) Enhanced Public Land Grasslands - Phase II**

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

Subd. 3. Forests

14,822,000

-0-

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

\$2,188,000 in the first year is to the commissioner of natural resources for an

agreement with the White Earth Nation to acquire lands in fee to be managed for wildlife habitat purposes. As a condition of receiving the grant under this paragraph, the White Earth Nation shall ensure that current access roads and trails on the property are maintained and open to continue the current access to adjoining lands. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(b) Camp Ripley Partnership - Phase V**

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

**(c) Southeast Minnesota Protection and Restoration - Phase III**

\$2,910,000 in the first year is to the commissioner of natural resources for an agreement with The Nature Conservancy to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8; to acquire land in fee for scientific and natural areas under Minnesota Statutes, section 86A.05, subdivision 5; for state forest purposes under Minnesota Statutes, section 86A.05, subdivision 7; and to enhance grasslands, forest, and savanna. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**(d) Protecting Pinelands Sands Aquifer Forestlands - Phase II**

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

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

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

**(f) Critical Shoreland Protection Program - Phase III**

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

**(g) Mississippi Headwaters Habitat Partnership**

\$3,002,000 in the first year is to the commissioner of natural resources to acquire lands in fee and for permanent conservation easements in the Mississippi Headwaters and for agreements as follows: \$1,217,000 to The Trust for Public Land; and \$824,000 to Minnesota Land Trust,

of which up to \$80,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed acquisitions must be included as part of the required accomplishment plan.

**(h) Southeast Forest Habitat Enhancement**

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

**Subd. 4. Wetlands**

20,390,000

-0-

**(a) Accelerating the Waterfowl Production Area Acquisition - Phase VII**

\$7,620,000 in the first year is to the commissioner of natural resources for an agreement with Pheasants Forever to acquire land in fee to be designated and managed as waterfowl production areas in Minnesota, in cooperation with the United States Fish and Wildlife Service. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(b) Living Shallow Lakes and Wetland Initiative - Phase V**

\$9,040,000 in the first year is to the commissioner of natural resources for an agreement with Ducks Unlimited to acquire land in fee for wildlife management purposes under Minnesota Statutes, section 86A.05, subdivision 8. A list of proposed acquisitions must be provided as part of the required accomplishment plan.

**(c) Wild Rice Shoreland Protection Program - Phase IV**

\$131,000 in the first year is to the commissioner of natural resources for the

acquisition of land in fee and \$1,469,000 is to the Board of Water and Soil Resources to acquire permanent conservation easements on wild rice lake shoreland habitat for native wild rice bed protection. Of this amount, up to \$90,000 to the Board of Water and Soil Resources is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed fee land acquisitions must be included as part of the required accomplishment plan by the Department of Natural Resources and a list of permanent conservation easements must be provided as part of the final report by the Board of Water and Soil Resources.

**(d) Accelerated Shallow Lakes and Wetlands Enhancement - Phase VII**

\$2,130,000 in the first year is to the commissioner of natural resources to enhance and restore shallow lakes statewide. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

Subd. 5. **Habitats**

22,368,000

-0-

**(a) DNR Aquatic Habitat - Phase VII**

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

land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

**(b) Metro Big Rivers - Phase VI**

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

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

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

**(d) Lake Bemidji South Shore Restoration and Enhancement**

\$1,650,000 in the first year is to the commissioner of natural resources for an agreement with the city of Bemidji to restore and enhance fish habitat on Lake Bemidji. A list of proposed restorations and

enhancements must be provided as part of the required accomplishment plan.

**(e) Sand Hill River Fish Passage**

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

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

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

**(g) Lake Nokomis Integrated Habitat Enhancement**

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

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

\$8,440,000 in the first year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in Minnesota. Of this amount, \$3,692,000 is for grants in the seven-county metropolitan area and cities with a population

of 50,000 or greater. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of this appropriation, \$596,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. The program must require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to organizations that have a history of receiving or a charter to receive private contributions for local conservation or habitat projects. If acquiring land or a conservation easement, priority must be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority must be given to restoration and enhancement projects on public lands. Minnesota Statutes,



section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2018. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

**Subd. 6. Administration**

858,000

607,000

**(a) Contract Management**

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

**(b) Legislative Coordinating Commission**

\$608,000 in the first year and \$607,000 in the second year are to the Legislative Coordinating Commission for administrative expenses of the Lessard-Sams Outdoor Heritage Council and for compensation and expense reimbursement of council members. This appropriation is available until June 30, 2017. Minnesota Statutes, section 16A.281, applies to this appropriation.

**(c) Technical Evaluation Panel**

\$100,000 in the first year is to the commissioner of natural resources for a

technical evaluation panel to conduct up to ten restoration evaluations under Minnesota Statutes, section 97A.056, subdivision 10.

**Subd. 7. Availability of Appropriation**

Money appropriated in this section may not be spent on activities unless they are directly related to and necessary for a specific appropriation and are specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council. Money appropriated in this section must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Unless otherwise provided, the amounts in this section are available until June 30, 2018. For acquisition of real property, the amounts in this section are available until June 30, 2019, if a binding agreement with a landowner or purchase agreement is entered into by June 30, 2018, and closed no later than June 30, 2019. Money for restoration or enhancement is available until June 30, 2020, or five years after acquisition, whichever is later, in order to complete initial restoration or enhancement work. If a project receives at least 15 percent of its funding from federal funds, the time period of the appropriation may be extended to equal the availability of federal funding to a maximum of six years, provided the federal funding was confirmed and included within the first draft accomplishment plan. Money appropriated for fee title acquisition of land may be used to restore, enhance, and provide for public use of the land acquired with the appropriation. Public use facilities must have a minimal impact on habitat in acquired lands.

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

All agreements referred to in this section must be administered on a reimbursement basis unless otherwise provided in this section.

Notwithstanding Minnesota Statutes, section 16A.41, expenditures directly related to each appropriation's purpose made on or after July 1, 2015, or the date of accomplishment plan approval, whichever is later, are eligible for reimbursement unless otherwise provided in this section. For the purposes of administering appropriations and legislatively authorized agreements paid out of the outdoor heritage fund, an expense must be considered reimbursable by the administering agency when the recipient presents the agency with an invoice or binding agreement with the landowner, and the recipient attests that the goods have been received or the landowner agreement is binding. Periodic reimbursement must be made upon receiving documentation that the items articulated in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council have been achieved, including partial achievements as evidenced by progress reports approved by the Lessard-Sams Outdoor Heritage Council. Reasonable amounts may be advanced to projects to accommodate cash flow needs, support future management of acquired lands, or match a federal share. The advances must be approved as part of the accomplishment plan. Capital equipment expenditures for specific items in excess of \$10,000 must be itemized in and approved as part of the accomplishment plan.

**Subd. 9. Mapping**

Each direct recipient of money appropriated in this section, as well as each recipient of a grant awarded pursuant to this section, must provide geographic information to the Lessard-Sams Outdoor Heritage Council for mapping any lands acquired in fee with money appropriated in this section and open to public taking of fish and game. The commissioner of natural resources shall include the lands acquired in fee with money appropriated in this section on maps showing public recreation opportunities. Maps must include information on and acknowledgement

of the outdoor heritage fund, including a notation of any restrictions.

**Subd. 10. Disability Access**

Where appropriate, grant recipients of the outdoor heritage fund, in consultation with the Council on Disability, should make progress toward providing greater access to programs, print publications, and digital media for people with disabilities related to the programs the recipient funds using appropriations made in this article.

Sec. 3. Minnesota Statutes 2014, section 97A.056, subdivision 8, is amended to read:

Subd. 8. **Revenues.** (a) When a parcel of land that was previously purchased with money from the outdoor heritage funds fund is transferred to the state, the owner of the land shall disclose to the council and commissioner of natural resources:

(1) all revenues generated from activities on the land from the time the land was purchased with money from the outdoor heritage funds fund until the land was transferred to the state;

(2) all holding costs associated with managing the land between the time of purchase with money from the outdoor heritage funds fund and the time the land was transferred to the state; and

(3) the total net revenues as determined by subtracting the costs described in clause (2) from the revenues described in clause (1).

(b) The owner of the land shall submit the total net revenues determined under paragraph (a), clause (3), to the state no later than 60 days after the land is transferred to the state.

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

Subd. 20. **Donations.** A recipient shall not accept a monetary donation or payment from an owner of land that is acquired in fee in whole or in part with an appropriation from the outdoor heritage fund that exceeds the documented expenses that are directly related to and necessary for activities specified in the accomplishment plan approved by the Lessard-Sams Outdoor Heritage Council, unless expressly approved by the Lessard-Sams Outdoor Heritage Council in the accomplishment plan. This subdivision does not apply to donations that are not connected with the acquisition transaction or bargain sales, as defined by Code of Federal Regulations, title 26, section 1.1011-2, provided that the purchase price reimbursed by the state does not exceed the purchase price paid by the recipient.

**EFFECTIVE DATE.** This section is effective July 1, 2016, and applies to money appropriated on or after that date.

Sec. 5. Minnesota Statutes 2014, section 97A.056, is amended by adding a subdivision to read:

Subd. 21. **Haying and grazing.** Lands acquired with money appropriated from the outdoor heritage fund may not be used for emergency haying and grazing in response to federal or state

disaster declarations. Conservation grazing under a management plan that is being implemented prior to the emergency declaration may continue.

Sec. 6. Laws 2012, chapter 264, article 1, section 2, subdivision 5, is amended to read:

Subd. 5. **Habitats** -0- 28,620,000

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

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

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

\$3,680,000 in the second year is to the commissioner of natural resources for agreements to acquire interests in land in fee or permanent conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers as follows: \$1,000,000 to the Minnesota Valley National Wildlife Refuge Trust, Inc.; \$375,000 to the Friends of the Mississippi; \$375,000 to Great River Greening; \$930,000 to The Minnesota Land Trust; and \$1,000,000 to The Trust for Public Land. A list of proposed acquisitions, restorations, and enhancements must be provided as part of the required accomplishment plan. The accomplishment

plan must include an easement stewardship plan. Up to \$51,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. An annual financial report is required for any monitoring and enforcement fund established, including expenditures from the fund and a description of annual monitoring and enforcement activities.

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

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

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

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

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

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

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

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

**(g) Knife River Habitat Restoration**

\$380,000 in the second year is to the commissioner of natural resources for an agreement with the Lake Superior Steelhead Association to restore trout habitat in the Upper Knife River Watershed. A list of proposed restorations must be provided as part of the required accomplishment plan. Notwithstanding rules of the commissioner of natural resources, restorations conducted pursuant to this paragraph may be accomplished by excavation.

**(h) Protect Aquatic Habitat from Asian-Invasive Carp**

\$7,500,000 in the second year is to the commissioner of natural resources to ~~for design, construct, operate, and evaluate~~ construction, including acquisition, operation, and evaluation of structural deterrents for Asian invasive carp to protect Minnesota's aquatic habitat. Use of this money requires a one-to-one match for projects on state boundary waters.

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

\$4,990,000 in the second year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, and habitat for fish, game, or wildlife in Minnesota. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from appropriations in this paragraph for projects that have a total project cost exceeding \$575,000. \$366,000 of this appropriation may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by state law. The program shall require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to organizations that have a history of receiving or charter to receive private contributions for local conservation or habitat projects. If acquiring land or a conservation easement, priority shall be given to projects associated with existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; and aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a



conservation easement or public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority shall be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2016. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summaries that are prepared under Minnesota Statutes, section 97A.051, subdivision 2.

Sec. 7. Laws 2014, chapter 256, article 1, section 2, subdivision 5, is amended to read:

Subd. 5. **Habitats**

-0-

30,890,000

**(a) DNR Aquatic Habitat - Phase VI**

\$2,560,000 in the second year is to the commissioner of natural resources to acquire interests in land in fee and permanent conservation easements for aquatic management purposes under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02, and to restore and enhance aquatic habitat. Up to \$32,500 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

**(b) Fisheries Habitat Protection on Strategic North Central Minnesota Lakes**

\$2,130,000 in the second year is to the commissioner of natural resources for agreements with the Leech Lake Area Watershed Foundation and Minnesota Land

Trust to acquire land in fee and permanent conservation easements to sustain healthy fish habitat on lakes in Aitkin, Cass, Crow Wing, and Hubbard Counties as follows: \$1,150,300 to Leech Lake Area Watershed Foundation; and \$979,700 to Minnesota Land Trust, of which up to \$120,000 to Minnesota Land Trust is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(c) Habitat Protection in Dakota County - Phase V**

\$1,190,000 in the second year is to the commissioner of natural resources for a contract with Dakota County to acquire permanent conservation easements and land in fee and to restore and enhance habitats in rivers and lake watersheds in Dakota County. Up to \$15,000 to Dakota County is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17. Lands acquired or lands with easements acquired with this appropriation may not be used for emergency haying and grazing in response to federal or state disaster declarations. Conservation grazing under a management plan that is already being implemented may continue. A list of proposed land acquisitions and restorations and enhancements must be provided as part of the required accomplishment plan.

**(d) Metro Big Rivers - Phase V**

\$2,650,000 in the second year is to the commissioner of natural resources for agreements to acquire land in fee and permanent conservation easements and to restore and enhance natural systems associated with the Mississippi, Minnesota, and St. Croix Rivers as follows: \$600,000

to Minnesota Valley National Wildlife Refuge Trust, Inc.; \$160,000 to Friends of the Mississippi River; \$400,000 to Great River Greening; \$590,000 to Minnesota Land Trust, of which up to \$77,000 is for establishing a monitoring and enforcement fund as approved in the accomplishment plan and subject to Minnesota Statutes, section 97A.056, subdivision 17; and \$900,000 to The Trust for Public Land. Lands acquired or lands with easements acquired with this appropriation may not be used for emergency haying and grazing in response to federal or state disaster declarations. Conservation grazing under a management plan that is already being implemented may continue. A list of proposed land acquisitions and permanent conservation easements must be provided as part of the required accomplishment plan.

**(e) Mustinka River Fish and Wildlife Habitat Corridor Rehabilitation**

\$2,440,000 in the second year is to the commissioner of natural resources for an agreement with the Bois de Sioux Watershed District to acquire land in fee and to restore natural systems associated with the Mustinka River located within the Bois de Sioux Watershed. Lands acquired with this appropriation may not be used for emergency haying and grazing in response to federal or state disaster declarations. Conservation grazing under a management plan that is already being implemented may continue. A list of proposed land acquisitions must be provided as part of the required accomplishment plan.

**(f) Minnesota Trout Unlimited Coldwater Fish Habitat Enhancement and Restoration - Phase VI**

\$1,900,000 in the second year is to the commissioner of natural resources for an agreement with Minnesota Trout Unlimited to restore and enhance habitat for trout and other species in and along coldwater

rivers and streams in Minnesota. A list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(g) St. Louis River Restoration Initiative - Phase II**

\$2,290,000 in the second year is to the commissioner of natural resources to restore habitat in the lower St. Louis River estuary. Of this appropriation, up to \$500,000 is for an agreement with Minnesota Land Trust. A list of proposed restorations must be provided as part of the required accomplishment plan.

**(h) Knife River Habitat Rehabilitation - Phase II**

\$1,410,000 in the second year is to the commissioner of natural resources for an agreement with the Lake Superior Steelhead Association to enhance trout habitat in the Knife River watershed. A list of proposed enhancements must be provided as part of the required accomplishment plan.

**(i) Restoration and Enhancement of Washington County Public Lands**

\$430,000 in the second year is to the commissioner of natural resources for an agreement with Washington County to restore and enhance habitat on public lands in Washington County. A restoration and enhancement plan and a list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(j) Wirth Park Enhancements**

\$600,000 in the second year is to the commissioner of natural resources for an agreement with the Minneapolis Park Board to enhance riparian and upland habitat within Wirth Park in Hennepin County. A restoration and enhancement plan and a list of proposed land restorations and enhancements must be provided as part of the required accomplishment plan.

**(k) Evaluate Effectiveness of Aquatic Invasive Species Prevention Strategies**

\$4,040,000 in the second year is to the commissioner of natural resources for an agreement with the Central Minnesota Initiative Fund to develop a series of pilot projects to enhance aquatic habitat by preventing the spread of aquatic invasive species, including pilot projects conducting education and outreach, inspection and decontamination, enforcement, and other activities. All pilot projects must be conducted on a reimbursement basis and require a match of nonoutdoor heritage fund dollars. A required evaluation of results must be funded with nonoutdoor heritage fund dollars. The required evaluation must evaluate the efficacy of inspection and decontamination activities utilized in any of the pilot projects in preventing the spread of aquatic invasive species. A list of pilot projects must be included in the required final report. This appropriation is available until June 30, 2019. The accomplishment plan must accelerate the start of the pilot project.

**(l) Albert Lea Lake Management and Invasive Species Control Structure - Supplement**

\$700,000 in the second year is added to the appropriation contained in Laws 2013, chapter 137, article 1, section 2, subdivision 5, paragraph (h), to the commissioner of natural resources for an agreement with the Shell Rock River Watershed District to construct structural deterrents and lake level controls.

**(m) Conservation Partners Legacy Grant Program - Phase VI**

\$4,550,000 in the second year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game,

or wildlife in Minnesota. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of this appropriation, ~~\$460,000~~ \$265,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless otherwise provided by law. Lands acquired or lands with easements acquired with this appropriation may not be used for emergency haying and grazing in response to federal or state disaster declarations. Conservation grazing under a management plan that is already being implemented may continue. The program shall require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to organizations that have a history of receiving or charter to receive private contributions for local conservation or habitat projects. If acquiring land or a conservation easement, priority shall be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual

maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority shall be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2018. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

**(n) Conservation Partners Legacy Metro Grant Program**

\$4,000,000 in the second year is to the commissioner of natural resources for a program to provide competitive, matching grants of up to \$400,000 to local, regional, state, and national organizations for enhancing, restoring, or protecting forests, wetlands, prairies, or habitat for fish, game, or wildlife in the seven-county metropolitan area and cities with a population of 50,000 or greater. Grants shall not be made for activities required to fulfill the duties of owners of lands subject to conservation easements. Grants shall not be made from the appropriation in this paragraph for projects that have a total project cost exceeding \$575,000. Of this appropriation, ~~\$70,000~~ \$250,000 may be spent for personnel costs and other direct and necessary administrative costs. Grantees may acquire land or interests in land. Easements must be permanent. Grants may not be used to establish easement stewardship accounts. Land acquired in fee must be open to hunting and fishing during the open season unless

otherwise provided by law. Lands acquired or lands with easements acquired with this appropriation may not be used for emergency haying and grazing in response to federal or state disaster declarations. Conservation grazing under a management plan that is already being implemented may continue. The program shall require a match of at least ten percent from nonstate sources for all grants. The match may be cash or in-kind resources. For grant applications of \$25,000 or less, the commissioner shall provide a separate, simplified application process. Subject to Minnesota Statutes, the commissioner of natural resources shall, when evaluating projects of equal value, give priority to organizations that have a history of receiving or charter to receive private contributions for local conservation or habitat projects. If acquiring land or a conservation easement, priority shall be given to projects associated with or within one mile of existing wildlife management areas under Minnesota Statutes, section 86A.05, subdivision 8; scientific and natural areas under Minnesota Statutes, sections 84.033 and 86A.05, subdivision 5; or aquatic management areas under Minnesota Statutes, sections 86A.05, subdivision 14, and 97C.02. All restoration or enhancement projects must be on land permanently protected by a permanent covenant ensuring perpetual maintenance and protection of restored and enhanced habitat, by a conservation easement, or by public ownership or in public waters as defined in Minnesota Statutes, section 103G.005, subdivision 15. Priority shall be given to restoration and enhancement projects on public lands. Minnesota Statutes, section 97A.056, subdivision 13, applies to grants awarded under this paragraph. This appropriation is available until June 30, 2018. No less than five percent of the amount of each grant must be held back from reimbursement until the grant recipient has completed a grant accomplishment report by the deadline and in the form prescribed



by and satisfactory to the Lessard-Sams Outdoor Heritage Council. The commissioner shall provide notice of the grant program in the game and fish law summary prepared under Minnesota Statutes, section 97A.051, subdivision 2.

**EFFECTIVE DATE.** This section is effective retroactively from July 1, 2014.

## ARTICLE 2

### CLEAN WATER FUND

#### Section 1. CLEAN WATER FUND APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the clean water fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2016" and "2017" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2016, or June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal year 2017. "The biennium" is fiscal years 2016 and 2017. The appropriations in this article are onetime.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2016</u></b>	<b><u>2017</u></b>

#### Sec. 2. CLEAN WATER

Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>112,451,000</u></b>	<b><u>\$</u></b>	<b><u>112,246,000</u></b>
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The amounts that may be spent for each purpose are specified in the following sections.

#### Subd. 2. Availability of Appropriation

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget's Guidance to Agencies on Legacy Fund Expenditure. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2016 appropriations are available until June

30, 2017, and fiscal year 2017 appropriations are available until June 30, 2018. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding.

**Subd. 3. Disability Access**

Where appropriate, grant recipients of clean water funds, in consultation with the Council on Disability, should make progress toward providing greater access to programs, print publications, and digital media for people with disabilities related to the programs the recipient funds using appropriations made in this article.

Sec. 3. <b><u>DEPARTMENT OF AGRICULTURE</u></b>	<b><u>\$</u></b>	<b><u>8,584,000</u></b>	<b><u>\$</u></b>	<b><u>8,582,000</u></b>
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(a) \$350,000 the first year and \$350,000 the second year are to increase monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess pesticide use practices.

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

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

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

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

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

(g) \$2,500,000 the first year and \$2,500,000 the second year are to implement the Minnesota agricultural water quality certification program statewide. This appropriation is available until June 30, 2020.

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

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

Sec. 4. <u>PUBLIC FACILITIES AUTHORITY</u>	<u>\$</u>	<u>9,250,000</u>	<u>\$</u>	<u>9,250,000</u>
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(a) \$9,000,000 the first year and \$9,000,000 the second year are for the point source implementation grants program under Minnesota Statutes, section 446A.073. This appropriation is available until June 30, 2020.

(b) \$250,000 the first year and \$250,000 the second year are for small community wastewater treatment grants and loans under Minnesota Statutes, section 446A.075. This appropriation is available until June 30, 2020.

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

Sec. 5. <u>POLLUTION CONTROL AGENCY</u>	\$	<u>28,855,000</u>	\$	<u>28,853,000</u>
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(a) \$8,550,000 the first year and \$8,550,000 the second year are for completion of 20 percent of the needed statewide assessments of surface water quality and trends. Of this amount, \$100,000 each year is for grants to the Red River Watershed Management Board to enhance and expand the existing water quality and watershed monitoring river watch activities in the schools along the Red River of the North. The Red River Watershed Management Board shall provide a report to the commissioner of the Pollution Control Agency and the legislative committees and divisions with jurisdiction over environment and natural resources finance and policy and the clean water fund by February 15, 2017, on the expenditure of this appropriation. If the amount in the first year is insufficient, the amount in the second year is available in the first year.

(b) \$10,600,000 the first year and \$10,600,000 the second year are to develop watershed restoration and protection strategies (WRAPS), which include total maximum daily load (TMDL) studies and

TMDL implementation plans for waters listed on the Unites States Environmental Protection Agency approved impaired waters list in accordance with Minnesota Statutes, chapter 114D. The agency shall complete an average of ten percent of the TMDLs each year over the biennium.

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

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

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

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

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

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

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

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

(j) \$50,000 the first year and \$50,000 the second year are to support activities of the

Clean Water Council according to Minnesota Statutes, section 114D.30, subdivision 1.

(k) \$1,500,000 the first year and \$1,500,000 the second year are for a grant program for sanitary sewer projects that are included in the draft or any updated Voyageurs National Park Clean Water Project Comprehensive Plan to restore the water quality of waters within Voyageurs National Park. Grants must be awarded to local government units for projects approved by the Voyageurs National Park Clean Water Joint Powers Board and must be matched by at least 25 percent from sources other than the clean water fund.

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

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

**\$ 8,500,000 \$ 8,500,000**

(a) \$2,000,000 the first year and \$2,000,000 the second year are for stream flow monitoring.

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

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

(d) \$1,940,000 the first year and \$1,940,000 the second year are for developing targeted, science-based watershed restoration and protection strategies.

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

(f) \$500,000 the first year and \$500,000 the second year are for technical assistance to support local implementation of nonpoint

source restoration and protection activities, including water quality protection in forested watersheds.

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

(h) \$250,000 the first year and \$250,000 the second year are for developing county geologic atlases.

(i) \$325,000 the first year and \$325,000 the second year are for analysis and mapping in each county related to compliance with riparian buffer or alternate practice requirements and to provide statewide coordination and guidance to local units of government for implementation of buffer requirements. Maps must be provided to local units of government and made available to landowners on the Department of Natural Resources' Web site.

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

**\$ 51,274,000 \$ 51,274,000**

(a) \$5,480,000 the first year and \$6,000,000 the second year are for grants to local government units organized for the management of water in a watershed or subwatershed that have multiyear plans that will result in a significant reduction in water pollution in a selected subwatershed. The grants may be used for establishment of riparian buffers; practices to store water for natural treatment and infiltration, including rain gardens; capturing storm water for reuse; stream bank, shoreland, and ravine stabilization; enforcement activities; and implementation of best management practices for feedlots within riparian areas and other



practices demonstrated to be most effective in protecting, enhancing, and restoring water quality in lakes, rivers, and streams and protecting groundwater from degradation. Grant recipients must identify a nonstate match and may use other legacy funds to supplement projects funded under this paragraph. Grants awarded under this paragraph are available for four years and priority must be given to the best designed plans each year.

(b) \$13,890,000 the first year and \$13,890,000 the second year are for grants to protect and restore surface water and drinking water; to keep water on the land; to protect, enhance, and restore water quality in lakes, rivers, and streams; and to protect groundwater and drinking water, including feedlot water quality and subsurface sewage treatment system projects and stream bank, stream channel, shoreline restoration, and ravine stabilization projects. The projects must use practices demonstrated to be effective, be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans, watershed restoration and protection strategies (WRAPS), or local water management plans or their equivalents.

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

(d) \$950,000 the first year and \$950,000 the second year are to provide state oversight and accountability, evaluate results, provide implementation tools, and

measure the value of conservation program implementation by local governments, including submission to the legislature by March 1 each even-numbered year a biennial report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, detailing the recipients, the projects funded under this section, and the amount of pollution reduced.

(e) \$1,000,000 the first year and \$1,000,000 the second year are for grants to local units of government to enhance compliance with riparian buffer or alternate practice requirements.

(f) \$7,500,000 the first year and \$7,500,000 the second year are to restore or preserve permanent conservation on riparian buffers adjacent to lakes, rivers, streams, and tributaries, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. This appropriation may be used for restoration of riparian buffers permanently protected by easements purchased with this appropriation or contracts to achieve permanent protection for riparian buffers or stream bank restorations when the riparian buffers have been restored. Up to \$344,000 is for deposit in a monitoring and enforcement account.

(g) \$1,750,000 the first year and \$1,750,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d), or for grants to local units of government for fee title acquisition to permanently protect groundwater supply sources on wellhead protection areas or for otherwise assuring long-term protection of groundwater supply sources as described under alternative management tools in the Department of Agriculture's Nitrogen Fertilizer

Management Plan, including low nitrogen cropping systems or implementing nitrogen fertilizer best management practices. Priority must be placed on land that is located where the vulnerability of the drinking water supply is designated as high or very high by the commissioner of health and where drinking water protection plans have identified specific activities that will achieve long-term protection. Up to \$52,500 is for deposit in a monitoring and enforcement account.

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

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

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

Statutes, chapters 103B, 103C, 103D, and 114D.

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

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

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

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

(o) \$520,000 the first year is for a grant to Washington County for a water quality improvement project that will improve water quality and restore an essential backwater aquatic area by reconnecting Grey Cloud Slough to the main channel of the Mississippi River Area. This appropriation is not

available until at least an equal amount is committed from nonstate sources.

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

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

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

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

Sec. 8. <b><u>DEPARTMENT OF HEALTH</u></b>	<b><u>\$</u></b>	<b><u>4,013,000</u></b>	<b><u>\$</u></b>	<b><u>3,812,000</u></b>
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(a) \$1,100,000 the first year and \$1,100,000 the second year are for addressing public health concerns related to contaminants found in Minnesota drinking water for which no health-based drinking water standards exist, including accelerating the development of health risk limits and improving the capacity of the department's laboratory to analyze unregulated contaminants. The commissioner shall contract with the Board of Regents of the University of Minnesota to provide an independent review of the department's drinking water contaminants of emerging concern program. The review must include an assessment of the process used by the department to rank contaminants that are threats to drinking water supplies and include a comparison of efforts at the department with efforts by other states and the United

States Environmental Protection Agency. The review must be submitted to the Clean Water Council and the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources by June 1, 2016.

(b) \$1,900,000 the first year and \$1,900,000 the second year are for protection of drinking water sources.

(c) \$113,000 the first year and \$112,000 the second year are for cost-share assistance to public and private well owners for up to 50 percent of the cost of sealing unused wells.

(d) \$125,000 the first year and \$125,000 the second year are to develop and deliver groundwater restoration and protection strategies for use on a watershed scale for use in local water planning efforts and to provide resources to local governments for drinking water source protection activities.

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

(f) \$275,000 the first year and \$75,000 the second year are for development and implementation of a groundwater virus monitoring plan, including an epidemiological study to determine the association between groundwater virus concentration and community illness rates.

(g) \$175,000 the first year and \$175,000 the second year are to prepare a comprehensive study of and recommendations for regulatory and nonregulatory approaches to water reuse for use in the development of state policy for water reuse in Minnesota.

(h) Unless otherwise specified, the appropriations in this section are available until June 30, 2019.

Sec. 9. <b><u>METROPOLITAN COUNCIL</u></b>	<b><u>\$</u></b>	<b><u>1,975,000</u></b>	<b><u>\$</u></b>	<b><u>1,975,000</u></b>
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(a) \$975,000 the first year and \$975,000 the second year are to implement projects that address emerging drinking water supply threats, provide cost-effective regional solutions, leverage interjurisdictional coordination, support local implementation of water supply reliability projects, and prevent degradation of groundwater resources in the metropolitan area. These projects will provide to communities:

(1) potential solutions to leverage regional water use through utilization of surface water, storm water, wastewater, and groundwater;

(2) an analysis of infrastructure requirements for different alternatives;

(3) development of planning level cost estimates, including capital cost and operation cost;

(4) identification of funding mechanisms and an equitable cost-sharing structure for regionally beneficial water supply development projects; and

(5) development of subregional groundwater models.

(b) \$250,000 the first year and \$250,000 the second year are for the water demand reduction grant program to encourage implementation of water demand reduction measures by municipalities in the metropolitan area to ensure the reliability and protection of drinking water supplies.

(c) \$750,000 the first year and \$750,000 the second year are for grants or loans for local inflow and infiltration reduction programs addressing high-priority areas in the metropolitan area, as defined in Minnesota Statutes, section 473.121, subdivision 2. This appropriation is available until June 30, 2019.

Sec. 10. Minnesota Statutes 2014, section 103A.206, is amended to read:

**103A.206 SOIL AND WATER CONSERVATION POLICY.**

Maintaining and enhancing the quality of soil and water for the environmental and economic benefits they produce, preventing degradation, and restoring degraded soil and water resources of this state contribute greatly to the health, safety, economic well-being, and general welfare of this state and its citizens. Land occupiers have the responsibility to implement practices that conserve the soil and water resources of the state. Soil and water conservation measures implemented on private lands in this state provide benefits to the general public by reducing erosion, sedimentation, siltation, water pollution, and damages caused by floods. The soil and water conservation policy of the state is to encourage land occupiers to conserve soil, water, and the natural resources they support through the implementation of practices that:

- (1) control or prevent erosion, sedimentation, siltation, and related pollution in order to preserve natural resources;
- (2) ensure continued soil health, as defined under section 103C.101, subdivision 10a, and soil productivity;
- (3) protect water quality;
- (4) prevent impairment of dams and reservoirs;
- (5) reduce damages caused by floods;
- (6) preserve wildlife;
- (7) protect the tax base; and
- (8) protect public lands and waters.

Sec. 11. Minnesota Statutes 2014, section 103B.101, is amended by adding a subdivision to read:

Subd. 16. **Water quality practices; standardized specifications.** The Board of Water and Soil Resources shall work with state and federal agencies, academic institutions, local governments, practitioners, and stakeholders to foster mutual understanding and provide recommendations for standardized specifications for water quality and soil conservation protection and improvement practices and projects. The board may convene working groups or work teams to develop information, education, and recommendations.

Sec. 12. **[103B.801] COMPREHENSIVE WATERSHED MANAGEMENT PLANNING PROGRAM.**

Subdivision 1. **Definitions.** The definitions under section 103B.3363, subdivisions 2 to 4, apply to this section.

Subd. 2. **Program purposes.** The purposes of the comprehensive watershed management plan program under section 103B.101, subdivision 14, paragraph (a), are to:

- (1) align local water planning purposes and procedures under chapters 103B, 103C, and 103D on watershed boundaries to create a systematic, watershed-wide, science-based approach to watershed management;



(2) acknowledge and build off existing local government structure, water plan services, and local capacity;

(3) incorporate and make use of data and information, including watershed restoration and protection strategies under section 114D.26;

(4) solicit input and engage experts from agencies, citizens, and stakeholder groups;

(5) focus on implementation of prioritized and targeted actions capable of achieving measurable progress; and

(6) serve as a substitute for a comprehensive plan, local water management plan, or watershed management plan developed or amended, approved, and adopted, according to chapter 103B, 103C, or 103D.

Subd. 3. **Coordination.** The board shall develop policies for coordination and development of comprehensive watershed management plans. To ensure effectiveness and accountability in meeting the purposes of subdivision 2, these policies must address, at a minimum:

(1) a boundary framework consistent with section 103B.101, subdivision 14, paragraph (a), and procedures, requirements, and criteria for establishing or modifying the framework consistent with the goals of section 103A.212. The metropolitan area, as defined under section 473.121, subdivision 2, may be considered for inclusion in the boundary framework. If included, the metropolitan area is not excluded from the water management programs under sections 103B.201 to 103B.255;

(2) requirements for coordination, participation, and commitment between local government units in the development, approval, adoption, and implementation of comprehensive watershed management plans within planning boundaries identified according to this subdivision;

(3) requirements for consistency with state agency-adopted water and natural resources-related plans and documents required by chapters 103A, 103B, 103C, 103D, 103E, 103F, 103G, and 114D; and

(4) procedures for plan development, review, and approval consistent with the intent of sections 103B.201, 103B.255, 103B.311, 103B.321, 103D.401, and 103D.405. If the procedures in these sections are contradictory as applied to a specific proceeding, the board must establish a forum where the public interest conflicts involved can be presented and, by consideration of the whole body of water law, the controlling policy can be determined and apparent inconsistencies resolved.

Subd. 4. **Plan content.** The board shall develop policies for required comprehensive watershed management plan content consistent with comprehensive local water management planning. To ensure effectiveness and accountability in meeting the purposes of subdivision 2, plan content must include, at a minimum:

(1) an analysis and prioritization of issues and resource concerns;

(2) measurable goals to address the issues and concerns, including but not limited to:

(i) restoration, protection, and preservation of natural surface water and groundwater storage and retention systems;

(ii) minimization of public capital expenditures needed to correct flooding and water quality problems;

- (iii) restoration, protection, and improvement of surface water and groundwater quality;
  - (iv) establishment of more uniform local policies and official controls for surface water and groundwater management;
  - (v) identification of priority areas for wetland enhancement, restoration, and establishment;
  - (vi) identification of priority areas for riparian zone management and buffers;
  - (vii) prevention of erosion and soil transport into surface water systems;
  - (viii) promotion of groundwater recharge;
  - (ix) protection and enhancement of fish and wildlife habitat and water recreational facilities; and
  - (x) securing other benefits associated with the proper management of surface water and groundwater;
- (3) a targeted implementation schedule describing at a minimum the actions, locations, timeline, estimated costs, method of measurement, and identification of roles and responsible government units;
- (4) a description of implementation programs, including how the implementation schedule will be achieved and how the plan will be administered and coordinated between local water management responsibilities; and
- (5) a land and water resource inventory.

Subd. 5. **Timelines; administration.** (a) The board shall develop and adopt, by June 30, 2016, a transition plan for development, approval, adoption, and coordination of plans consistent with section 103A.212. The transition plan must include a goal of completing statewide transition to comprehensive watershed management plans by 2025. The metropolitan area may be considered for inclusion in the transition plan.

(b) The board may use the authority under section 103B.3369, subdivision 9, to support development or implementation of a comprehensive watershed management plan under this section.

Subd. 6. **Authority.** Notwithstanding any laws to the contrary, the authorities granted to local government through chapters 103B, 103C, and 103D are retained when a comprehensive watershed management plan is adopted as a substitute for a watershed management plan required under section 103B.231, a county groundwater plan authorized under section 103B.255, a county water plan authorized under section 103B.311, a comprehensive plan authorized under section 103C.331, or a watershed management plan required under section 103D.401 or 103D.405.

Sec. 13. Minnesota Statutes 2014, section 103C.101, is amended by adding a subdivision to read:

Subd. 10a. **Soil health.** "Soil health" means the continued capacity of soil to function as a vital living system that sustains plants, animals, and humans. Indicators of soil health include water infiltration capacity; organic matter content; water holding capacity; biological capacity to break down plant residue and other substances and to maintain soil aggregation; nutrient sequestration and cycling capacity; carbon sequestration; and soil resistance.

Sec. 14. Minnesota Statutes 2014, section 103C.401, subdivision 1, is amended to read:

Subdivision 1. **Powers and duties.** In addition to the powers and duties of the state board provided by other law, the state board shall:

- (1) offer to assist the district boards to implement their programs;
- (2) keep the district boards of the state informed of the activities and experience of other districts and facilitate cooperation and an interchange of advice and experience among the districts;
- (3) coordinate the programs and activities of the districts with appropriate agencies by advice and consultation;
- (4) approve or disapprove the plans or programs of districts relating to the use of state funds administered by the state board;
- (5) secure the cooperation and assistance of agencies in the work of the districts and develop a program to advise and assist appropriate agencies in obtaining state and federal funds for erosion, sedimentation, flooding, and agriculturally related pollution control programs;
- (6) develop and implement a public information program concerning the districts' activities and programs, the problems and preventive practices relating to erosion control, sedimentation, agriculturally related pollution, flood prevention, and the advantages of formation of districts in areas where their organization is desirable;
- (7) consolidate districts without a hearing or a referendum;
- (8) assist the statewide program to inventory and classify the types of soils in the state as determined by the Minnesota Cooperative Soil Survey;
- (9) identify research needs and cooperate with other public agencies in research concerning the nature and extent of erosion, sedimentation, flooding and agriculturally related pollution, the amounts and sources of sediment and pollutants delivered to the waters of the state, and long-term soil productivity;
- (10) develop structural, land use management practice, and other programs to reduce or prevent soil erosion, sedimentation, flooding, and agriculturally related pollution;
- (11) develop a system of priorities to identify the erosion, flooding, sediment, and agriculturally related pollution problem areas that most need control systems;
- (12) ensure compliance with statewide programs and policies established by the state board by advice, consultation, and approval of grant agreements with the districts; ~~and~~
- (13) service requests from districts to consolidate districts across county boundaries and facilitate other agreed-to reorganizations of districts with other districts or other local units of government, including making grants, within the limits of available funds, to offset the cost of consolidation or reorganization; and
- (14) develop and implement a state-led technical training and certification program.

Sec. 15. Minnesota Statutes 2014, section 103C.501, subdivision 5, is amended to read:

Subd. 5. **Contracts by districts.** (a) A district board may contract on a cost-share basis to furnish financial aid to a land occupier or to a state agency for permanent systems for erosion or

sedimentation control or water quality or water quantity improvements that are consistent with the district's comprehensive and annual work plans.

(b) A district board, with approval from the state board and consistent with state board rules and policies, may contract on a cost-share basis to furnish financial aid to a land occupier for nonstructural land management practices that are part of a planned erosion control or water quality improvement plan.

~~(b)~~ (c) The duration of the contract must, at a minimum, be the time required to complete the planned systems. A contract must specify that the land occupier is liable for monetary damages and penalties in an amount up to 150 percent of the financial assistance received from the district, for failure to complete the systems or practices in a timely manner or maintain the systems or practices as specified in the contract.

~~(c)~~ (d) A contract may provide for cooperation or funding with federal agencies. A land occupier or state agency may provide the cost-sharing portion of the contract through services in kind.

~~(d)~~ (e) The state board or the district board may not furnish any financial aid for practices designed only to increase land productivity.

~~(e)~~ (f) When a district board determines that long-term maintenance of a system or practice is desirable, the board may require that maintenance be made a covenant upon the land for the effective life of the practice. A covenant under this subdivision shall be construed in the same manner as a conservation restriction under section 84.65.

Sec. 16. Minnesota Statutes 2014, section 103F.731, subdivision 2, is amended to read:

Subd. 2. **Eligibility; documents required.** (a) Local units of government are eligible to apply for assistance. An applicant for assistance shall submit:

- (1) a project proposal form as prescribed by the agency; and
  - (2) evidence that the applicant has consulted with the involved local soil and water conservation districts and watershed districts, where they exist, in preparing the application.
- (b) The proposed project must be identified in at least one of the following documents:
- (1) the comprehensive water plan authorized under sections 103B.301 to 103B.355;
  - (2) a surface water management plan required under section 103B.231;
  - (3) a comprehensive watershed management plan developed under section 103B.801, subdivision 4;
  - (4) an overall plan required under chapter 103D;
  - ~~(4)~~ (5) any other local plan that provides an inventory of existing physical and hydrologic information on the area, a general identification of water quality problems and goals, and that demonstrates a local commitment to water quality protection, enhancement, or restoration;
  - ~~(5)~~ (6) an approved total maximum daily load (TMDL) or a TMDL implementation plan; or
  - ~~(6)~~ (7) a watershed protection and restoration strategy implementation plan.

Sec. 17. Laws 2013, chapter 137, article 2, section 6, is amended to read:

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

**\$ 12,635,000 \$ 9,450,000**

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

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

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

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

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

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

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

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

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

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

(k) \$500,000 the first year and \$500,000 the second year are for grants a grant program to help counties and other local units of government to adopt and implement advanced shoreland protection measures standards. The grants awarded under this paragraph shall be for up to \$100,000 and must be used to ~~restore and enhance riparian~~

~~areas cover the costs of developing and adopting ordinances with advanced shoreland protection standards or implementing advanced shoreland protection standards to protect, enhance, and restore water quality in public water lakes, public water wetlands, and public water rivers; and streams. Grant recipients must submit a report to the commissioner on the outcomes achieved with the grant. To be eligible for a grant under this paragraph, a county or other local unit of government must be adopting or have adopted an ordinance for the subdivision, use, redevelopment, and development of shoreland that has been approved by the commissioner of natural resources as having advanced shoreland protection measures. An ordinance~~ Recipients will be reimbursed for eligible costs upon adoption of ordinances and completion of implementation activities as provided in this paragraph and as stipulated in the grant agreement. Ordinances adopted under this grant program must be approved by the commissioner and meet or exceed the following standards:

- (1) requires new sewage treatment systems to be set back at least 100 feet from the ordinary high water level for recreational development lake shorelands and 75 feet for general development lake shorelands;
- (2) requires redevelopment and new development on shoreland to have at least a 50-foot vegetative buffer. An access path and recreational use area may be allowed;
- (3) requires mitigation when any variance to standards designed to protect public water lakes, public water wetlands, and public water rivers; and streams is granted;
- (4) requires best management practices to be used to control storm water and sediment as part of a land alteration;
- (5) includes other criteria standards developed by the commissioner; and
- (6) has been adopted by July 1, ~~2015~~ 2017.

An ordinance that does not exceed all the standards in clauses (1) to (5) is considered to meet the requirement if the commissioner determines that the ordinance provides significantly greater protection for both public waters and shoreland shorelands than those standards. Implementation activities funded under this grant program must meet the advanced shoreland protection standards and criteria described above. Grants awarded under this program may not be used to reimburse ordinance adoption or shoreland protection implementation expenses incurred prior to the date of a fully executed grant agreement.

The commissioner of natural resources may develop additional criteria for the grants awarded under this paragraph program. In developing the criteria, the commissioner shall consider the proposed changes to the department's shoreland rules discussed during the rulemaking process authorized under Laws 2007, chapter 57, article 1, section 4, subdivision 3.

This appropriation is available until spent.

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

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

Sec. 18. Laws 2013, chapter 137, article 2, section 7, is amended to read:

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

\$	<b>30,689,000</b>	\$	<b>34,740,000</b>
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(a) \$5,000,000 the first year and \$7,000,000 the second year are for grants to local government units organized for the management of water in a watershed or subwatershed that have multiyear plans that will result in a significant reduction in water pollution in a selected subwatershed. The grants may be used for the following purposes: establishment of riparian buffers; practices to store water for natural treatment



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

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

(c) \$3,500,000 the first year and \$4,500,000 the second year are for targeted local resource

protection and enhancement grants for projects and practices that supplement or exceed current state standards for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation, including compliance.

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

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

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

purchased with this appropriation and for stream bank restorations when the riparian buffers have been restored.

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

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

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

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

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

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

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

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

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

**Sec. 19. CANCELLATION OF PRIOR APPROPRIATIONS.**

(a) The unspent balance of the appropriation to the Public Facilities Authority for the clean water legacy phosphorus reduction grant program under Minnesota Statutes 2012, section 446A.074, in Laws 2009, chapter 172, article 2, section 3, paragraph (b), is canceled.

(b) The unspent balance of the appropriation to the Public Facilities Authority for the clean water legacy phosphorus reduction grant program under Minnesota Statutes 2012, section 446A.074, in Laws 2011, First Special Session chapter 6, article 2, section 4, paragraph (b), is canceled.

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

**ARTICLE 3**

**PARKS AND TRAILS FUND**

**Section 1. PARKS AND TRAILS FUND APPROPRIATIONS.**

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

**APPROPRIATIONS**  
**Available for the Year**  
**Ending June 30**  
**2016**                      **2017**

Sec. 2. **PARKS AND TRAILS**

<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>44,702,000</u></b>	<b><u>\$</u></b>	<b><u>44,461,000</u></b>
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The amounts that may be spent for each purpose are specified in the following sections.

Subd. 2. **Availability of Appropriation**

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must be spent in accordance with Minnesota Management and Budget's Guidance to Agencies on Legacy Fund Expenditure. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2016 appropriations are available until June 30, 2018, and fiscal year 2017 appropriations are available until June 30, 2019. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding.

Subd. 3. **Disability Access**

Where appropriate, grant recipients of parks and trails funds, in consultation with the Council on Disability, should make progress toward providing greater access to programs, print publications, and digital media for people with disabilities related to the programs the recipient funds using appropriations made in this article.

<b><u>Sec. 3. DEPARTMENT OF NATURAL RESOURCES</u></b>	<b><u>\$</u></b>	<b><u>26,880,000</u></b>	<b><u>\$</u></b>	<b><u>26,899,000</u></b>
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(a) \$17,562,000 the first year and \$17,562,000 the second year are for state parks, recreation areas, and trails to:

- (1) connect people to the outdoors;
- (2) acquire land and create opportunities;
- (3) maintain existing holdings; and
- (4) improve cooperation by coordinating with partners to implement the 25-year long-range parks and trails legacy plan.

The appropriation in this paragraph includes money to acquire right-of-way and construct segments of the Goodhue Pioneer State Trail.

(b) \$8,782,000 the first year and \$8,782,000 the second year are for grants for parks and trails of regional significance outside the seven-county metropolitan area under Minnesota Statutes, section 85.535. The grants must be based on the recommendations to the commissioner from the Greater Minnesota Regional Parks and Trails Commission established under Minnesota Statutes, section 85.536. The appropriation in this paragraph includes money to: (1) design, engineer, acquire right-of-way, and construct segments of the Mesabi Trail from Embarass to Tower and the Wagon Wheel Trail; and (2) provide a grant to Douglas County for the first phase of the acquisition of land, including a ski hill, for use as a regional park. Up to 2.5 percent of the appropriation may be used by the commissioner for the actual cost of issuing and monitoring the grants for the commission. Of the amount appropriated, \$356,000 in fiscal year 2016 and \$362,000 in fiscal year 2017 are for the Greater Minnesota Regional Parks and Trails Commission to carry out its duties under Minnesota Statutes, section 85.536, including the continued development of a statewide system plan for regional parks and trails outside the seven-county metropolitan area.

(c) \$536,000 the first year and \$555,000 the second year are for coordination and projects

between the department, Metropolitan Council, and the Greater Minnesota Regional Parks and Trails Commission; enhanced Web-based information for park and trail users; and support of activities of the Parks and Trails Legacy Advisory Committee.

(d) The commissioner shall contract for services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for at least \$1,000,000 the first year and \$1,000,000 the second year.

(e) The implementing agencies receiving appropriations under this section shall give consideration to contracting with Conservation Corps Minnesota for restoration, maintenance, and other activities.

Sec. 4. METROPOLITAN COUNCIL

\$ 17,562,000 \$ 17,562,000

(a) \$17,562,000 the first year and \$17,562,000 the second year are for distribution according to Minnesota Statutes, section 85.53, subdivision 3.

(b) Money appropriated under this section and distributed to implementing agencies must be used to fund the list of recommended projects in the report submitted pursuant to Laws 2013, chapter 137, article 3, section 4, paragraph (o). Projects funded by the money appropriated under this section must be substantially consistent with the project descriptions and dollar amounts in the report. Of the amount received in the distribution by the implementing agencies under Minnesota Statutes, section 85.53, subdivision 3: (1) \$50,000 the first year to Ramsey County is for a grant to the Minnesota China Friendship Garden Society to plan and design a chinese garden to be located in Phalen Park in St. Paul; and (2) \$150,000 the first year to Ramsey County is to develop and install in parks in Ramsey County activity facilities for culturally relevant games that are reflective of the current demographic of the county. Any funds remaining after completion of the listed

projects may be spent by the implementing agencies on projects to support parks and trails.

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

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

Sec. 5. UNIVERSITY OF MINNESOTA                      \$                      260,000 \$                      -0-

\$260,000 the first year is for the University of Minnesota Center for Changing Landscapes to complete the Parks and Trails Legacy Tracking Project by completing an interactive Web based mapping system to share legacy fund parks and trails information for use by state, local, regional and federal parks and trails managers and funders, policy makers and the general public, and to implement the common user survey to understand the overall use and user needs and perceptions related to parks and trails use in Minnesota. The information, application, and system created as part of this effort must be compatible with and available within the Minnesota Geospatial Commons.

Sec. 6. Laws 2013, chapter 137, article 3, section 4, is amended to read:

Sec. 4. METROPOLITAN COUNCIL                      \$                      16,821,000 \$                      16,953,000

(a) \$16,821,000 the first year and \$16,953,000 the second year are for parks and trails of regional or statewide significance in the metropolitan area, distributed according to paragraphs (b) to (1). Any funds remaining after completion of the listed project may be spent on projects to support parks and trails by the implementing agency.



(b) \$1,443,000 the first year and \$1,455,000 the second year are for grants to Anoka County for:

(1) a trail connection for Bunker Hills Regional Park from Avocet Street;

(2) restoration, including erosion repair, along Pleasure Creek and the Mississippi River Regional Trail at the Coon Rapids Dam Regional Park;

(3) a new playground and surfacing at Lake George Regional Park;

(4) land acquisition for the Rice Creek Chain of Lakes Park Reserve;

(5) improvements at the Rice Creek Chain of Lakes Park Reserve, including maintenance shop rehabilitation, road and parking construction, fencing, beach improvements, and roof repairs;

(6) trail reconstruction under East River Road on the Rice Creek West Regional Trail;

(7) contracts with Conservation Corps Minnesota;

(8) a volunteer or resource coordinator position;

(9) a landscape designer or architect;

(10) design, engineering, and construction of the Central Anoka County Regional Trail;

(11) road rehabilitation at Lake George Regional Park;

(12) reconstruction of a retaining wall on the Mississippi River Regional Trail;

(13) a trail connection on the Mississippi River Regional Trail to connect Mississippi West Regional Park to the city of Ramsey;

(14) improvements of the Heritage Laboratory/Day Camp at the Rice Creek Chain of Lakes Park Reserve; and

(15) trail reconstruction on the Rice Creek North Regional Trail from Lexington Avenue to Golden Lake Elementary School.

(c) \$289,000 the first year and \$292,000 the second year are for grants to the city of Bloomington to reconstruct parking lots at the Hyland-Bush-Anderson Lakes Park Reserve.

(d) \$294,000 the first year and \$297,000 the second year are for grants to Carver County to connect the Minnesota River Bluffs Regional Trail and Southwest Regional Trail and for trail and bridge construction on the Minnesota River Bluff Regional Trail.

(e) \$1,174,000 the first year and \$1,183,000 the second year are for grants to Dakota County for:

(1) engineering to extend the Mississippi River Regional Trail and Big Rivers Regional Trails, including extensions to St. Paul, and to provide a connection to Lilydale Regional Trail;

(2) a trail connection for the Mississippi River Regional Trail to connect St. Paul and to construct a bridge over railroad tracks;

(3) engineering and construction of regional trail segments throughout the county;

(4) engineering and construction of a bridge and trails through the Minnesota Zoological Garden on the North Creek Regional Greenway; and

(5) resource management of the county's parks and trails system.

(f) \$3,221,000 the first year and \$3,246,000 the second are for grants to the Minneapolis Park and Recreation Board for:

(1) design and construction of trail loops, river access areas, landscapes, and storm water management improvements at Above the Falls Regional Park;

(2) land acquisition at Above the Falls Regional Park;

(3) a master plan and trail design for Central Mississippi Riverfront Regional Park;

(4) planning and design for the Central Riverfront including the water works and the Mississippi Whitewater Park sites;

(5) trail, path, and shoreline improvements and play area rehabilitation at Nokomis-Hiawatha Regional Park;

(6) trail, shoreline, water access, picnic, sailboat facility, and concession improvements at Minneapolis Chain of Lakes Regional Park;

(7) a bird sanctuary, trail stabilization, habitat restoration, accessibility improvements, and construction of new entrances at Minneapolis Chain of Lakes Regional Park;

(8) a trail connection for the Minnehaha Parkway Regional Trail below Lyndale Avenue; and

(9) trail work at Theodore Wirth Regional Park.

(g) \$1,299,000 the first year and \$1,309,000 the second year are for grants to Ramsey County for:

(1) wayfinding for cross-country ski trails at Battle Creek Regional Park, Tamarack Nature Center, and Grass-Vadnais-Snail Lakes Regional Park;

(2) contracts with Conservation Corps Minnesota;

(3) design and construction of an early learning center at Tamarack Nature Center and pedestrian connections, landscape restoration, signage, and other site amenities at Bald Eagle-Otter Lakes Regional Park;

(4) improvements to Tamarack Nature Center;

(5) building and supporting a volunteer corps for Tamarack Nature Center and Discovery Hollow;

(6) trail development to connect Tamarack Nature Center to the Otter Lake boat launch;

(7) a trail on Vadnais Lake, storm water management improvements, and site amenities at Grass-Vadnais-Snail Lakes Regional Park;

(8) trail development and connection, storm water management improvements, and site amenities at Rice Creek North Regional Trail; and

(9) the Bruce Vento Regional Trail.

(h) \$2,378,000 the first year and \$2,397,000 the second year are for grants to the city of Saint Paul for:

(1) an education coordinator;

(2) a volunteer coordinator;

(3) Como Regional Park shuttle operation;

(4) a trail connection to connect Harriet Island to the Mississippi Regional Trail;

(5) Estabrook Road reconstruction and lighting upgrades at Como Regional Park; and

(6) a trail connection and railroad bridge reconstruction at Lilydale Regional Park.

(i) \$550,000 the first year and \$554,000 the second year are for grants to Scott County for construction at Cedar Lake Farm Regional Park.

(j) \$3,669,000 the first year and \$3,697,000 the second year are for grants to Three Rivers Park District for:

(1) a trail connection to connect Grand Rounds to Nine Mile Creek Trail;

(2) a ~~trail bridge over~~ safe trail crossing of County State-Aid Highway 19 for the Lake Minnetonka LRT Regional Trail;

(3) trail construction on the Crystal Lake Regional Trail;

(4) trail construction on the Bassett Creek Regional Trail;

(5) trail construction on the Twin Lakes Regional Trail; and

(6) trail construction on the Nine Mile Creek Regional Trail.

(k) \$821,000 the first year and \$827,000 the second year are for grants to Washington County for:

(1) parking, buildings, and other improvements at the Swim Pond in Lake Elmo Park Reserve;

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

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

(l) \$1,682,000 the first year and \$1,695,000 the second year are for grants to implementing agencies for land acquisition within Metropolitan Council approved regional parks and trails master plan boundaries as provided under Minnesota Statutes, section 85.53, subdivision 3, clause (4).

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

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

(o) By January 15, 2015, the council shall submit a list of projects, ranked in priority order, that contains the council's recommendations for funding from the parks and trails fund for the 2016 and

2017 biennium to the chairs and ranking minority members of the senate and house of representatives committees and divisions with jurisdiction over the environment and natural resources and the parks and trails fund.

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

Sec. 7. **MESABI TRAIL GRANT EXTENSION.**

Notwithstanding Minnesota Statutes, section 16A.28, or other law to the contrary, \$512,000 of the money appropriated in fiscal year 2013 under Laws 2011, First Special Session chapter 6, article 3, section 3, paragraph (c), clause (1), for grants under Minnesota Statutes, section 85.535, is available until June 30, 2017. The commissioner of natural resources shall extend the \$512,000 grant to the St. Louis and Lake Counties Regional Railroad Authority for extension of the Mesabi Trail to June 30, 2017.

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

**ARTICLE 4**

**ARTS AND CULTURAL HERITAGE FUND**

Section 1. **ARTS AND CULTURAL HERITAGE FUND APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the entities and for the purposes specified in this article. The appropriations are from the arts and cultural heritage fund and are available for the fiscal years indicated for allowable activities under the Minnesota Constitution, article XI, section 15. The figures "2016" and "2017" used in this article mean that the appropriations listed under the figure are available for the fiscal year ending June 30, 2016, and June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second year" is fiscal year 2017. "The biennium" is fiscal years 2016 and 2017. All appropriations in this article are onetime.

<b><u>APPROPRIATIONS</u></b>	
<b><u>Available for the Year</u></b>	
<b><u>Ending June 30</u></b>	
<b><u>2016</u></b>	<b><u>2017</u></b>

Sec. 2. **ARTS AND CULTURAL HERITAGE**

Subdivision 1. <b><u>Total Appropriation</u></b>	<b><u>\$</u></b>	<b><u>62,727,000</u></b>	<b><u>\$</u></b>	<b><u>60,609,000</u></b>
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The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Availability of Appropriation**

Money appropriated in this article may not be spent on activities unless they are directly related to and necessary for a specific appropriation. Money appropriated in this article must not be spent on indirect costs or other institutional overhead charges that are not directly related to and necessary for a specific appropriation. Notwithstanding Minnesota Statutes, section 16A.28, and unless otherwise specified in this article, fiscal year 2016 appropriations are available until June 30, 2017, and fiscal year 2017 appropriations are available until June 30, 2018. If a project receives federal funds, the time period of the appropriation is extended to equal the availability of federal funding.

**Subd. 3. Minnesota State Arts Board**

28,247,000

29,759,000

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

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

\$22,598,000 the first year and \$23,807,000 the second year are to support Minnesota artists and arts organizations in creating, producing, and presenting high-quality arts activities; to overcome barriers to accessing high-quality arts activities; and to instill the arts into the community and public life in this state.

**(c) Arts Education**

\$4,237,000 the first year and \$4,464,000 the second year are for high-quality, age-appropriate arts education for Minnesotans of all ages to develop knowledge, skills, and understanding of the arts.

**(d) Arts and Cultural Heritage**

\$1,412,000 the first year and \$1,488,000 the second year are for events and activities that represent the diverse cultural arts traditions, including folk and traditional artists and art organizations, represented in this state.

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

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

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

**Subd. 4. Minnesota Historical Society**

13,650,000

13,950,000

(a) These amounts are appropriated to the governing board of the Minnesota Historical Society to preserve and enhance access to Minnesota's history and its cultural and historical resources. Grant agreements entered into by the Minnesota Historical Society and other recipients of appropriations in this subdivision must ensure that these funds are used to supplement and not



substitute for traditional sources of funding. Funds directly appropriated to the Minnesota Historical Society must be used to supplement and not substitute for traditional sources of funding. Notwithstanding Minnesota Statutes, section 16A.28, for historic preservation projects that improve historic structures, the amounts are available until June 30, 2019. The Minnesota Historical Society or grant recipients of the Minnesota Historical Society using arts and cultural heritage funds under this subdivision must give consideration to Conservation Corps Minnesota and Northern Bedrock Conservation Corps, or an organization carrying out similar work, for projects with the potential to need historic preservation services.

**(b) Historical Grants and Programs**

**(1) Statewide Historic and Cultural Grants**

\$5,525,000 the first year and \$5,675,000 the second year are for history programs and projects operated or conducted by or through local, county, regional, or other historical or cultural organizations or for activities to preserve significant historic and cultural resources. Funds are to be distributed through a competitive grant process. The Minnesota Historical Society shall administer these funds using established grant mechanisms, with assistance from the advisory committee created under Laws 2009, chapter 172, article 4, section 2, subdivision 4, paragraph (b), item (ii). The appropriation in this paragraph includes money to plan, design, and engineer the reconstruction of the historic Hibbing High School Auditorium and to fund Phase 1 of the project.

**(2) Statewide History Programs**

\$5,525,000 the first year and \$5,675,000 the second year are for programs and purposes related to the historical and cultural heritage

of the state of Minnesota, conducted by the Minnesota Historical Society.

(3) History Partnerships

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

(4) Statewide Survey of Historical and Archaeological Sites

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

(5) Digital Library

\$300,000 the first year and \$300,000 the second year are for a digital library project to preserve, digitize, and share Minnesota images, documents, and historical materials. The Minnesota Historical Society shall cooperate with the Minitex interlibrary loan system and shall jointly share this appropriation for these purposes.

Subd. 5. Department of Education

2,950,000

2,950,000

These amounts are appropriated to the commissioner of education for grants to the 12 Minnesota regional library systems to

provide educational opportunities in the arts, history, literary arts, and cultural heritage of Minnesota. These funds must be allocated using the formulas in Minnesota Statutes, section 134.355, subdivisions 3, 4, and 5, with the remaining 25 percent to be distributed to all qualifying systems in an amount proportionate to the number of qualifying system entities in each system. For purposes of this subdivision, "qualifying system entity" means a public library, a regional library system, a regional library system headquarters, a county, or an outreach service program. These funds may be used to sponsor programs provided by regional libraries or to provide grants to local arts and cultural heritage programs for programs in partnership with regional libraries. These funds must be distributed in ten equal payments per year. Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2017, as grants or contracts in this subdivision are available until June 30, 2019.

**Subd. 6. Department of Administration**

12,305,000

8,775,000

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

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

**(c) Minnesota Public Radio**

\$1,600,000 each year is for Minnesota Public Radio to create programming and expand news service on Minnesota's cultural heritage and history.

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

\$1,600,000 each year is appropriated for a grant to the Association of Minnesota Public Educational Radio Stations for production and acquisition grants in accordance with Minnesota Statutes, section 129D.19.

**(e) Public Television**

\$3,900,000 the first year and \$3,900,000 the second year are for grants to the Minnesota Public Television Association for production and acquisition grants according to Minnesota Statutes, section 129D.18.

**(f) Wilderness Inquiry**

\$100,000 each year is for grants to Wilderness Inquiry to preserve Minnesota's outdoor history, culture, and heritage by connecting Minnesota youth to natural resources.

**(g) Como Park Zoo**

\$750,000 each year is for the Como Park Zoo for program development that features education programs and habitat enhancement, special exhibits, music appreciation programs, and historical garden access and preservation.

**(h) Lake Superior Zoo**

\$150,000 each year is for development of educational exhibits using animals and the environment.

**(i) Science Museum of Minnesota**

\$600,000 each year is for arts, arts education, and arts access and to preserve Minnesota's history and cultural heritage, including student and teacher outreach and expansion of the museum's American Indian initiatives programs.

**(j) Lake Superior Center Authority**

\$250,000 the first year is for development, preparation, and construction of an exhibit on the unsalted seas to preserve Minnesota's history and cultural heritage related to fresh water lakes.

**(k) Minnesota State Band**

\$25,000 each year is for a grant to the Minnesota State Band to promote and increase public performances across Minnesota, and to preserve the history of the state band.

**(l) Midwest Art Conservation Center**

\$50,000 each year is for a grant to the Midwest Art Conservation Center, a nonprofit regional arts center, for the preservation and conservation of art and artifacts. The grant is to support providing treatment, education, and training for museums, historical societies, libraries, and other cultural institutions, as well as public and private clients.

**(m) Capitol Arts Restoration**

\$3,250,000 the first year is for restoration and preservation of the fine art located in the State Capitol complex.

**(n) Historical Memorial Bust**

\$30,000 the first year is for a bust of Nellie Stone Johnson to be placed in the State Capitol Building.

**Subd. 7. Minnesota Zoo**

1,750,000

1,750,000

These amounts are appropriated to the Minnesota Zoological Board for programs and development of the Minnesota Zoological Garden and to provide access and education related to programs on the cultural heritage of Minnesota.

**Subd. 8. Minnesota Humanities Center**

2,225,000

1,625,000

(a) These amounts are appropriated to the Board of Directors of the Minnesota

Humanities Center for the purposes specified in this subdivision. The Minnesota Humanities Center may use a portion of the following grants to cover the cost of administering, planning, evaluating, and reporting these grants. The Minnesota Humanities Center must develop a written plan to issue the grants in this subdivision and shall submit the plan for review and approval by the Department of Administration.

**(b) Programs and Purposes**

\$850,000 each year is for programs and purposes of the Minnesota Humanities Center.

The Minnesota Humanities Center may consider museums and organizations celebrating the identities of Minnesotans for grants from these funds.

**(c) Council on Disability**

\$150,000 the first year is for a grant to the Minnesota State Council on Disability to preserve Minnesota's disability history and culture and increase disability awareness statewide.

**(d) Children's Museum Grants**

\$1,225,000 the first year and \$775,000 the second year are for arts and cultural heritage grants to children's museums.

Of this amount, \$475,000 each year is for the Minnesota Children's Museum, including the Minnesota Children's Museum in Rochester; \$200,000 each year is for the Duluth Children's Museum; \$150,000 the first year and \$100,000 the second year are for the Grand Rapids Children's Museum; and \$400,000 the first year is for the Southern Minnesota Children's Museum.

**Subd. 9. Perpich Center for Arts Education**

600,000

750,000

(a) These amounts are appropriated to the Board of Directors of the Perpich Center

for Arts Education for the program under paragraph (c).

(b) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2017, are available until June 30, 2019.

**(c) Turnaround Arts Program**

\$600,000 the first year and \$800,000 the second year are for the Turnaround Arts program to assist schools and programs throughout the state.

**Subd. 10. Indian Affairs Council**

1,000,000

1,000,000

(a) \$1,000,000 each year is for the Indian Affairs Council to provide grants to preserve Dakota and Ojibwe Indian language and to foster education programs and immersion programs in Dakota and Ojibwe language.

**Subd. 11. Disability Access**

Where appropriate, grant recipients of arts and cultural heritage funds, in consultation with the Council on Disability, should make progress toward providing greater access to programs, print publications, and digital media for people with disabilities related to the programs the recipient funds using appropriations made in this section.

Sec. 3. Laws 2014, chapter 295, section 10, subdivision 12, is amended to read:

**Subd. 12. St. Paul - Minnesota Children's Museum**

7,485,000

For a grant to the city of St. Paul to predesign, design, construct, furnish, and equip an expansion and renovation of the Minnesota Children's Museum. The expansion and exhibit upgrades should incorporate the latest research on early learning, allow for new state-of-the art education facilities, and increase the capacity of visitors to galleries and programming areas. This appropriation is not available until the commissioner of management and budget has determined that at least an equal amount \$4,000,000 has been

committed from nonstate sources. Amounts expended for this project by nonstate sources since October 1, 2010, shall count toward the nonstate match.

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

Sec. 4. Laws 2014, chapter 295, section 12, is amended to read:

Sec. 12. **MINNESOTA HISTORICAL SOCIETY** **\$ 1,400,000**

To the Minnesota Historical Society to be allocated to county and local jurisdictions as matching money for historic preservation projects of a capital nature, as provided in Minnesota Statutes, section 138.0525. Notwithstanding Minnesota Statutes, section 138.0525, of this amount: (1) \$50,000 is for a grant to the Fulda Heritage Society to expand the display areas for historic materials; and (2) \$250,000 is for a grant to the Gunflint Trail Historical Society to complete phase two of the Chik-Wauk Museum and Nature Center. Work within the National Register of Historic Places property shall be approved by the Minnesota Historical Society."

Delete the title and insert:

"A bill for an act relating to state government; appropriating money from the outdoor heritage fund, clean water fund, parks and trails fund, and arts and cultural heritage fund; modifying Water Law; modifying use of legacy funds; modifying previous appropriations; modifying certain grant eligibility; amending Minnesota Statutes 2014, sections 97A.056, subdivision 8, by adding subdivisions; 103A.206; 103B.101, by adding a subdivision; 103C.101, by adding a subdivision; 103C.401, subdivision 1; 103C.501, subdivision 5; 103F.731, subdivision 2; Laws 2012, chapter 264, article 1, section 2, subdivision 5; Laws 2013, chapter 137, article 2, sections 6; 7; article 3, section 4; Laws 2014, chapter 256, article 1, section 2, subdivision 5; Laws 2014, chapter 295, sections 10, subdivision 12; 12; proposing coding for new law in Minnesota Statutes, chapter 103B."

And when so amended the bill do pass. Amendments adopted. Report adopted.

### SECOND READING OF SENATE BILLS

S.F. Nos. 86, 698, 1471, 383, 455, 1771, 26 and 1398 were read the second time.

### SECOND READING OF HOUSE BILLS

H.F. No. 303 was read the second time.



**RECESS**

Senator Bakk moved that the Senate do now recess subject to the call of the President. The motion prevailed.

After a brief recess, the President called the Senate to order.

**MEMBERS EXCUSED**

Senators Brown and Ortman were excused from the Session of today. Senators Pratt and Torres Ray were excused from the Session of today from 11:00 to 11:20 a.m. Senators Goodwin and Schmit were excused from the Session of today from 11:00 to 11:30 a.m. Senator Westrom was excused from the Session of today from 11:00 to 11:45 a.m. Senator Bakk was excused from the Session of today from 11:20 a.m. to 12:00 noon.

**ADJOURNMENT**

Senator Bakk moved that the Senate do now adjourn until 11:00 a.m., Thursday, May 7, 2015. The motion prevailed.

JoAnne M. Zoff, Secretary of the Senate

