

1.1 A bill for an act
 1.2 relating to state government; appropriating money for environment and natural
 1.3 resources; modifying administration of the Lessard Outdoor Heritage Council;
 1.4 amending Minnesota Statutes 2008, section 97A.056, subdivisions 2, 7.

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

1.6 Section 1. **OUTDOOR HERITAGE APPROPRIATION.**

1.7 The sums shown in the columns marked "Appropriations" are appropriated to the
 1.8 agencies and for the purposes specified in this act. The appropriations are from the
 1.9 outdoor heritage fund and are available for the fiscal years indicated for each purpose. The
 1.10 figures "2010" and "2011" used in this act mean that the appropriations listed under them
 1.11 are available for the fiscal year ending June 30, 2010, or June 30, 2011, respectively. "The
 1.12 first year" is fiscal year 2010. "The second year" is fiscal year 2011. "The biennium" is
 1.13 fiscal years 2010 and 2011.

1.14		<u>APPROPRIATIONS</u>	
1.15		<u>Available for the Year</u>	
1.16		<u>Ending June 30</u>	
1.17		<u>2010</u>	<u>2011</u>

1.18 Sec. 2. **OUTDOOR HERITAGE**

1.19	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>69,522,000</u>	<u>\$</u>	<u>-0-</u>
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1.20 This appropriation is from the outdoor
 1.21 heritage fund.

1.22 The amounts that may be spent for each
 1.23 purpose are specified in the following
 1.24 subdivisions.

2.1 Subd. 2. Prairies 14,213,000 -0-

2.2 (a) Accelerated Prairie and Grassland
2.3 Management

2.4 \$3,913,000 in fiscal year 2010 is to the
2.5 commissioner of natural resources to
2.6 accelerate the restoration and enhancement
2.7 of native prairie vegetation on public
2.8 lands, including roadsides. A list of
2.9 proposed projects, describing the types and
2.10 locations of restorations and enhancements,
2.11 must be provided as part of the required
2.12 accomplishment plan.

2.13 (b) Minnesota River Valley Green Corridor
2.14 Program

2.15 \$1,617,000 in fiscal year 2010 is to the
2.16 commissioner of natural resources for an
2.17 agreement with the Southwest Initiative
2.18 Foundation to acquire land in the Minnesota
2.19 River Valley to be added to the state outdoor
2.20 recreation system. A list of proposed fee
2.21 title acquisitions must be provided as part
2.22 of the required accomplishment plan. The
2.23 commissioner of natural resources must
2.24 agree to each proposed acquisition. No more
2.25 than five percent of this appropriation may
2.26 be spent on professional services directly
2.27 related to this appropriation's purposes.

2.28 (c) Prairie Heritage Fund – Acquisition and
2.29 Restoration

2.30 \$3,000,000 in fiscal year 2010 is to the
2.31 commissioner of natural resources for an
2.32 agreement with Pheasants Forever to acquire
2.33 and restore land to be added to the state
2.34 wildlife management area system. A list
2.35 of proposed fee title acquisitions and a list

3.1 of proposed restoration projects, describing
3.2 the types and locations of restorations,
3.3 must be provided as part of the required
3.4 accomplishment plan. The commissioner
3.5 of natural resources must agree to each
3.6 proposed acquisition.

3.7 **(d) Accelerated Prairie Grassland Wildlife**
3.8 **Management Area Acquisition**

3.9 \$1,700,000 in fiscal year 2010 is to the
3.10 commissioner of natural resources to
3.11 acquire land for wildlife management areas
3.12 with native prairie or grassland habitats.
3.13 A list of proposed fee title acquisitions
3.14 must be provided as part of the required
3.15 accomplishment plan.

3.16 **(e) Northern Tall Grass Prairie National**
3.17 **Wildlife Refuge Protection**

3.18 \$1,583,000 in fiscal year 2010 is to the
3.19 commissioner of natural resources for an
3.20 agreement with the United States Fish and
3.21 Wildlife Service to acquire land or easements
3.22 within the Northern Tall Grass Prairie Habitat
3.23 Preservation Area in western Minnesota.
3.24 The commissioner may advance funds to
3.25 the United States Fish and Wildlife Service.
3.26 A list of proposed fee title and easement
3.27 acquisitions must be provided as part of the
3.28 required accomplishment plan.

3.29 **(f) Bluffland Prairie Protection Initiative**

3.30 \$500,000 in fiscal year 2010 is to the
3.31 commissioner of natural resources for an
3.32 agreement with the Minnesota Land Trust to
3.33 acquire easements protecting critical prairie
3.34 and grassland habitats in the blufflands
3.35 in southeastern Minnesota. A list of

4.1 proposed fee title and easement acquisitions
 4.2 must be provided as part of the required
 4.3 accomplishment plan.

4.4 **(g) Rum River – Cedar Creek Initiative**

4.5 \$1,900,000 in fiscal year 2010 is to the
 4.6 commissioner of natural resources for an
 4.7 agreement with Anoka County to acquire
 4.8 land at the confluence of the Rum River and
 4.9 Cedar Creek in Anoka County. Acquired
 4.10 land must remain open to hunting and
 4.11 fishing, consistent with the capacity of the
 4.12 land, during the open season, as determined
 4.13 by the commissioner of natural resources.
 4.14 This is the first of two planned appropriations
 4.15 for this acquisition.

4.16 **Subd. 3. Forests** 20,000,000 -0-

4.17 \$20,000,000 in fiscal year 2010 is to the
 4.18 commissioner of natural resources to acquire
 4.19 land or permanent working forest easements
 4.20 on private forests in areas identified through
 4.21 the state forest for the future program.
 4.22 Priority must be given to acquiring land
 4.23 or interests in private lands within existing
 4.24 Minnesota state forest boundaries. Any
 4.25 easements acquired must have a sustainable
 4.26 forestry practice management plan. A list of
 4.27 proposed fee title and easement acquisitions
 4.28 must be provided as part of the required
 4.29 accomplishment plan. The appropriation is
 4.30 available for closings taking place after April
 4.31 30, 2010. This is the first of two planned
 4.32 appropriations for this program.

4.33 **Subd. 4. Wetlands** 20,836,000 -0-

4.34 **(a) Accelerated Wildlife Management Area**
 4.35 **Acquisition**

5.1 \$2,900,000 in fiscal year 2010 is to the
5.2 commissioner of natural resources to
5.3 acquire land for wildlife management areas.

5.4 A list of proposed fee title acquisitions
5.5 must be provided as part of the required
5.6 accomplishment plan.

5.7 **(b) Accelerated Shallow Lake Restorations and**
5.8 **Enhancements**

5.9 \$2,528,000 in fiscal year 2010 is to the
5.10 commissioner of natural resources for an
5.11 agreement with Ducks Unlimited, Inc. to
5.12 restore and enhance shallow lake habitats.
5.13 Up to \$400,000 of this appropriation may be
5.14 used for easements necessary for restorations
5.15 and enhancements. A list of proposed
5.16 easements and projects, describing the types
5.17 and locations of easements, restorations,
5.18 and enhancements, must be provided as part
5.19 of the required accomplishment plan. The
5.20 commissioner of natural resources must
5.21 agree to each easement, restoration, and
5.22 enhancement.

5.23 **(c) Accelerate the Waterfowl Production Area**
5.24 **Program in Minnesota**

5.25 \$5,600,000 in fiscal year 2010 is to the
5.26 commissioner of natural resources for
5.27 an agreement with Pheasants Forever to
5.28 acquire and restore wetland and related
5.29 upland habitats to be managed as waterfowl
5.30 production areas. A list of proposed
5.31 acquisitions and a list of proposed projects,
5.32 describing the types and locations of
5.33 restorations, must be provided as part of the
5.34 required accomplishment plan.

5.35 **(d) Reinvest in Minnesota Wetlands Reserve**
5.36 **Program Acquisition and Restoration**

6.1 \$9,058,000 in fiscal year 2010 is to the
 6.2 Board of Water and Soil Resources to
 6.3 acquire easements and restore wetlands and
 6.4 associated uplands in cooperation with the
 6.5 United States Department of Agriculture
 6.6 Wetlands Reserve Program. A list of
 6.7 proposed acquisitions and a list of proposed
 6.8 projects, describing the types and locations
 6.9 of restorations, must be provided as part of
 6.10 the required accomplishment plan.

6.11 **(e) Shallow Lake Critical Shoreland Easements**

6.12 \$450,000 in fiscal year 2010 is to the
 6.13 commissioner of natural resources for an
 6.14 agreement with Ducks Unlimited, Inc. to
 6.15 protect habitat by acquiring land associated
 6.16 with shallow lakes. A list of proposed
 6.17 easement acquisitions must be provided as
 6.18 part of the required accomplishment plan.
 6.19 The commissioner of natural resources must
 6.20 agree to each proposed acquisition.

6.21	<u>Subd. 5. Fish, Game, and Wildlife Habitat</u>	<u>13,903,000</u>	<u>-0-</u>
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6.22 **(a) Outdoor Heritage Conservation Partners**
 6.23 **Grant Program**

6.24 \$4,000,000 in fiscal year 2010 is to the
 6.25 commissioner of natural resources for
 6.26 an agreement with the National Fish and
 6.27 Wildlife Foundation to provide competitive,
 6.28 matching grants of up to \$400,000 to local,
 6.29 regional, state, and national organizations
 6.30 for enhancement, restoration, or protection
 6.31 of forests, wetlands, prairies, and habitat for
 6.32 fish, game, or wildlife in Minnesota. The
 6.33 funds may be advanced in three equal sums,
 6.34 on or after November 1, 2009, February
 6.35 1, 2010, and April 1, 2010. Grantees may

7.1 protect land through acquisition of land
 7.2 or interests in land. Easements must be
 7.3 permanent. Land acquired in fee must be
 7.4 open to hunting and fishing during the open
 7.5 season unless otherwise provided by state
 7.6 law. The program shall require a match of
 7.7 at least \$1 nonstate funds to \$10 state funds.
 7.8 Nonstate dollars match may be in-kind. The
 7.9 criteria for evaluating grant applications
 7.10 must include amount of habitat restored,
 7.11 local support, degree of collaboration,
 7.12 urgency, multiple benefits, habitat benefits
 7.13 provided, science incorporated, adjacency to
 7.14 protected lands, full funding of the project,
 7.15 supplementing existing funding, public
 7.16 access for hunting and fishing during the
 7.17 open season, sustainability, and use of native
 7.18 plant materials. All projects must conform
 7.19 to the Minnesota statewide conservation and
 7.20 preservation plan. Wildlife habitat plans
 7.21 must also conform to the state wildlife action
 7.22 plan. All restoration or enhancement projects
 7.23 must be on land permanently protected by
 7.24 public ownership or conservation easement.
 7.25 No more than four of the members of the
 7.26 Lessard Outdoor Heritage Council may
 7.27 be selected to sit on any recommendation
 7.28 panel developed by the National Fish and
 7.29 Wildlife Foundation. The program must be
 7.30 open for application year-round and grants
 7.31 must be evaluated and granted at least every
 7.32 three months. Up to ~~five~~ percent of this
 7.33 appropriation is available for grant program
 7.34 management expenses of the National Fish
 7.35 and Wildlife Foundation. The National Fish
 7.36 and Wildlife Foundation's administration

Six and one-half

WUB

8.1 and management must be consistent with
8.2 Minnesota Statutes, sections 16B.97 and
8.3 16B.98, and policies adopted thereunder by
8.4 the Department of Administration, Office of
8.5 Grants Management. Subdivision 10 applies
8.6 to grants awarded under this paragraph. This
8.7 appropriation is available until June 30,
8.8 2013, at which time all grant projects must
8.9 be completed and final products delivered,
8.10 unless an earlier date is specified in the grant
8.11 agreement. No less than 15 percent of the
8.12 amount of each grant must be held back from
8.13 reimbursement until the grant recipient has
8.14 completed a grant accomplishment report in
8.15 the form prescribed by and satisfactory to the
8.16 Lessard Outdoor Heritage Council.

8.17 **(b) Aquatic Management Area Acquisition**

8.18 \$5,748,000 in fiscal year 2010 is to the
8.19 commissioner of natural resources to acquire
8.20 land in fee title and easement to be added to
8.21 the state aquatic management area system.
8.22 Acquired land must remain open to hunting
8.23 and fishing, consistent with the capacity
8.24 of the land, during the open season, as
8.25 determined by the commissioner of natural
8.26 resources. A list of proposed fee title and
8.27 easement acquisitions must be provided as
8.28 part of the required accomplishment plan.

8.29 **(c) Cold Water River and Stream Restoration,**
8.30 **Protection, and Enhancement**

8.31 \$2,050,000 in fiscal year 2010 is to the
8.32 commissioner of natural resources for an
8.33 agreement with Trout Unlimited to restore,
8.34 enhance, and protect cold water river and
8.35 stream habitats in Minnesota. Acquisition

9.1 of land and easements to protect cold
9.2 water rivers and streams is permitted. A
9.3 list of proposed acquisitions and a list of
9.4 proposed projects, describing the types and
9.5 locations of restorations and enhancements,
9.6 must be provided as part of the required
9.7 accomplishment plan. The commissioner
9.8 of natural resources must agree to each
9.9 proposed acquisition, restoration, and
9.10 enhancement.

9.11 **(d) Dakota County Habitat Protection**

9.12 \$1,000,000 in fiscal year 2010 is to the
9.13 commissioner of natural resources for
9.14 an agreement with Dakota County for
9.15 acquisition and restoration of land in the
9.16 Dakota County regional park system.
9.17 Acquired land must remain open to hunting
9.18 and fishing, consistent with the capacity
9.19 of the land, during the open season, as
9.20 determined by the commissioner of natural
9.21 resources. A list of proposed acquisitions
9.22 and a list of proposed projects, describing
9.23 the types and locations of restorations,
9.24 must be provided as part of the required
9.25 accomplishment plan.

9.26 **(e) Lake Rebecca Water Quality Improvement**
9.27 **Project**

9.28 \$450,000 in fiscal year 2010 is to the
9.29 commissioner of natural resources for an
9.30 agreement with the Three Rivers Park
9.31 District to improve the water quality in Lake
9.32 Rebecca in Lake Rebecca Park Reserve in
9.33 Hennepin County.

9.34 **(f) Fountain Lake Fish Barriers**

10.1 \$655,000 in fiscal year 2010 is to the
 10.2 commissioner of natural resources for
 10.3 an agreement with the Shell Rock River
 10.4 Watershed District to construct fish barriers
 10.5 at three locations on Fountain Lake. A list
 10.6 of proposed projects, describing the types
 10.7 and locations of barriers, must be provided
 10.8 as part of the required accomplishment plan.
 10.9 The commissioner of natural resources must
 10.10 agree to each proposed barrier.

land acquisition necessary for fish barrier construction is permitted. WHB

10.11 Subd. 6. Administration and Other 870,000 -0-

10.12 (a) Contract Management

10.13 \$175,000 in fiscal year 2010 is to the
 10.14 commissioner of natural resources for
 10.15 contract management for duties assigned in
 10.16 this section.

10.17 (b) Legislative Coordinating Commission

10.18 \$695,000 in fiscal year 2010 is to the
 10.19 Legislative Coordinating Commission for
 10.20 administrative expenses of the Lessard
 10.21 Outdoor Heritage Council and for
 10.22 compensation and expense reimbursement
 10.23 of council members. Up to \$100,000 may
 10.24 be transferred to the game and fish fund as
 10.25 reimbursement for advances to the Lessard
 10.26 Outdoor Heritage Council made in fiscal
 10.27 year 2009.

10.28 (c) Lessard Outdoor Heritage Council Site
 10.29 Visit Exception

10.30 Travel to and from site visits by council
 10.31 members paid for under paragraph (b) are
 10.32 not meetings of the council for purposes *the purposes of receiving information under*
 10.33 of Minnesota Statutes, section 97A.056,
 10.34 subdivision 5.

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11.1 **Subd. 7. Availability of Appropriation**

11.2 Unless otherwise provided, the amounts in
11.3 this section are available until June 30, 2011,
11.4 when projects must be completed and final
11.5 accomplishments reported. For acquisition
11.6 of real property, the amounts in this section
11.7 are available until June 30, 2012. If a project
11.8 receives a federal grant, the time period of
11.9 the appropriation is extended to equal the
11.10 federal grant period.

11.11 **Subd. 8. Cash Advances**

11.12 When the operations of the outdoor heritage
11.13 fund would be impeded by projected cash
11.14 deficiencies resulting from delays in the
11.15 receipt of dedicated income, and when the
11.16 deficiencies would be corrected within the
11.17 budget period involved, the commissioner of
11.18 finance may use fund-level cash reserves to
11.19 meet cash demands of the outdoor heritage
11.20 fund. If funds are transferred from the
11.21 general fund to meet cash flow needs, the
11.22 cash flow transfers must be returned to
11.23 the general fund as soon as sufficient cash
11.24 balances are available in the outdoor heritage
11.25 fund. Any interest earned on general fund
11.26 cash flow transfers accrues to the general
11.27 fund and not to the outdoor heritage fund.

11.28 **Subd. 9. Accomplishment Plans**

11.29 It is a condition of acceptance of the
11.30 appropriations made by this section that the
11.31 agency or entity using the appropriation shall
11.32 submit to the council an accomplishment
11.33 plan and periodic accomplishment reports in
11.34 the form determined by the Lessard Outdoor

12.1 Heritage Council. The accomplishment plan
12.2 must account for the use of the appropriation
12.3 and outcomes of the expenditure in measures
12.4 of wetlands, prairies, forests, and fish, game,
12.5 and wildlife habitat restored, protected, and
12.6 enhanced. The plan must include evaluation
12.7 of results. None of the money provided
12.8 in this section may be expended unless
12.9 the council has approved the pertinent
12.10 accomplishment plan.

12.11 **Subd. 10. Project Requirements**

12.12 (a) As a condition of accepting an
12.13 appropriation in this section, any agency or
12.14 entity receiving an appropriation must, for
12.15 any project funded in whole or in part with
12.16 funds from the appropriation:

12.17 (1) plant vegetation only of native ecotypes
12.18 to Minnesota and preferably of the local
12.19 ecotype using a high diversity of species
12.20 grown as close to the restoration site as
12.21 possible;

12.22 (2) provide that all easements:

12.23 (i) are perpetual;

12.24 (ii) specify the parties to an easement in the
12.25 easement;

12.26 (iii) specify all of the provisions of an
12.27 agreement that are perpetual;

12.28 (iv) are sent to the office of the Lessard
12.29 Outdoor Heritage Council; and

12.30 (v) include a long-term stewardship plan and
12.31 funding for monitoring and enforcing the
12.32 easement agreement;

12.33 (3) for all restorations, prepare an ecological
12.34 restoration and management plan that, to

13.1 the degree practicable, is consistent with the
13.2 highest quality conservation and ecological
13.3 goals for the restoration site. Consideration
13.4 should be given to soil, geology, topography,
13.5 and other relevant factors that would provide
13.6 the best chance for long-term success of the
13.7 restoration projects. The plan shall include
13.8 the proposed timetable for implementing
13.9 the restoration, including site preparation,
13.10 establishment of diverse plant species,
13.11 maintenance, and additional enhancement to
13.12 establish the restoration; identify long-term
13.13 maintenance and management needs of
13.14 the restoration and how the maintenance,
13.15 management, and enhancement will be
13.16 financed; and take advantage of the best
13.17 available science to achieve the best
13.18 restoration;
13.19 (4) for new lands acquired, prepare a
13.20 restoration and management plan in
13.21 compliance with clause (3), including
13.22 sufficient funding for implementation;
13.23 (5) to ensure public accountability for the
13.24 use of public funds, provide to the Lessard
13.25 Outdoor Heritage Council documentation
13.26 of the selection process used to identify
13.27 parcels acquired and provide documentation
13.28 of all related transaction costs, including
13.29 but not limited to appraisals, legal fees,
13.30 recording fees, commissions, other similar
13.31 costs, and donations. This information must
13.32 be provided for all parties involved in the
13.33 transaction. The recipient shall also report to
13.34 the Lessard Outdoor Heritage Council any
13.35 difference between the acquisition amount
13.36 paid to the seller and the state-certified or

14.1 state-reviewed appraisal. Acquisition data
14.2 such as appraisals may remain private during
14.3 negotiations but must ultimately be made
14.4 public according to Minnesota Statutes,
14.5 chapter 13; and
14.6 (6) give consideration to contracting with the
14.7 Minnesota Conservation Corps for contract
14.8 restoration and enhancement services.
14.9 (b) The Lessard Outdoor Heritage Council
14.10 may waive the application of paragraph (a),
14.11 clause (5), for specific projects.
14.12 **Subd. 11. Payment Conditions and Capital**
14.13 **Equipment Expenditures**
14.14 All agreements, grants, or contracts referred
14.15 to in this section must be administered on
14.16 a reimbursement basis unless otherwise
14.17 provided in this section. Payments for
14.18 reimbursement may not be made before
14.19 November 1, 2009. Notwithstanding
14.20 Minnesota Statutes, section 16A.41,
14.21 expenditures made on or after July 1,
14.22 2009, are eligible for reimbursement unless
14.23 otherwise provided in this section. Periodic
14.24 payment must be made upon receiving
14.25 documentation that the deliverable items
14.26 articulated in the approved accomplishment
14.27 plan have been achieved, including partial
14.28 achievements as evidenced by approved
14.29 progress reports. Reasonable amounts may
14.30 be advanced to projects to accommodate
14.31 cash flow needs or to match federal money.
14.32 The advances must be approved as part of
14.33 the accomplishment plan. Capital equipment
14.34 expenditures in excess of \$10,000 must be
14.35 approved as part of the accomplishment plan.

15.1 Subd. 12. Purchase of Recycled and Recyclable
15.2 Materials

15.3 A political subdivision, public or private
15.4 corporation, or other entity that receives an
15.5 appropriation in this section must use the
15.6 appropriation in compliance with Minnesota
15.7 Statutes, sections 16B.121, regarding
15.8 purchase of recycled, repairable, and durable
15.9 materials, and 16B.122, regarding purchase
15.10 and use of paper stock and printing.

15.11 Subd. 13. Accessibility

15.12 Structural and nonstructural facilities must
15.13 meet the design standards in the Americans
15.14 with Disabilities Act (ADA) accessibility
15.15 guidelines.

15.16 Subd. 14. Land Acquisition Restrictions

15.17 (a) An interest in real property, including but
15.18 not limited to an easement or fee title, that
15.19 is acquired with money appropriated under
15.20 this section must be used in perpetuity or for
15.21 the specific term of an easement interest for
15.22 the purpose for which the appropriation was
15.23 made.

15.24 (b) A recipient of funding who acquires
15.25 an interest in real property subject to this
15.26 subdivision may not alter the intended use
15.27 of the interest in real property or convey
15.28 any interest in the real property acquired
15.29 with the appropriation without the prior
15.30 review and approval of the Lessard Outdoor
15.31 Heritage Council. The council shall establish
15.32 procedures to review requests from recipients
15.33 to alter the use of or convey an interest in
15.34 real property. These procedures shall allow
15.35 for the replacement of the interest in real

- 16.1 property with another interest in real property
16.2 meeting the following criteria:
- 16.3 (1) the interest is at least equal in fair market
16.4 value, as certified by the commissioner
16.5 of natural resources, to the interest being
16.6 replaced; and
- 16.7 (2) the interest is in a reasonably equivalent
16.8 location and has a reasonably equivalent
16.9 usefulness compared to the interest being
16.10 replaced.
- 16.11 (c) A recipient of funding who acquires an
16.12 interest in real property under paragraph
16.13 (a) must separately record a notice of
16.14 funding restrictions in the appropriate local
16.15 government office where the conveyance
16.16 of the interest in real property is filed. The
16.17 notice of funding agreement must contain:
- 16.18 (1) a legal description of the interest in real
16.19 property covered by the funding agreement;
- 16.20 (2) a reference to the underlying funding
16.21 agreement;
- 16.22 (3) a reference to this section; and
- 16.23 (4) the following statement: "This interest
16.24 in real property shall be administered in
16.25 accordance with the terms, conditions, and
16.26 purposes of the grant agreement controlling
16.27 the acquisition of the property. The interest
16.28 in real property, or any portion of the interest
16.29 in real property, shall not be sold, transferred,
16.30 pledged, or otherwise disposed of or further
16.31 encumbered without obtaining the prior
16.32 written approval of the Lessard Outdoor
16.33 Heritage Council or its successor. If the
16.34 holder of the interest in real property fails to

17.1 comply with the terms and conditions of the
17.2 grant agreement or work program, ownership
17.3 of the interest in real property shall transfer
17.4 to the state."

17.5 **Subd. 15. Real Property Interest Report**

17.6 By December 1 each year, a recipient of
17.7 money appropriated under this section that
17.8 is used for the acquisition of an interest in
17.9 real property, including but not limited to an
17.10 easement or fee title, must submit annual
17.11 reports on the status of the real property
17.12 to the Lessard Outdoor Heritage Council
17.13 in a form determined by the council. The
17.14 responsibility for reporting under this section
17.15 may be transferred by the recipient of the
17.16 appropriation to another person who holds
17.17 the interest in the real property. To complete
17.18 the transfer of reporting responsibility, the
17.19 recipient of the appropriation must:

17.20 (1) inform the person to whom the
17.21 responsibility is transferred of that person's
17.22 reporting responsibility;

17.23 (2) inform the person to whom the
17.24 responsibility is transferred of the property
17.25 restrictions under subdivision 14; and

17.26 (3) provide written notice to the council
17.27 of the transfer of reporting responsibility,
17.28 including contact information for the person
17.29 to whom the responsibility is transferred.

17.30 After the transfer, the person who holds the
17.31 interest in the real property is responsible for
17.32 reporting requirements under this section.

17.33 Sec. 3. Minnesota Statutes 2008, section 97A.056, subdivision 2, is amended to read:

- 18.1 Subd. 2. **Lessard Outdoor Heritage Council.** (a) The Lessard Outdoor Heritage
18.2 Council of 12 members is created in the legislative branch, consisting of:
- 18.3 (1) two public members appointed by the senate Subcommittee on Committees of
18.4 the Committee on Rules and Administration;
- 18.5 (2) two public members appointed by the speaker of the house;
- 18.6 (3) four public members appointed by the governor;
- 18.7 (4) two members of the senate appointed by the senate Subcommittee on Committees
18.8 of the Committee on Rules and Administration; and
- 18.9 (5) two members of the house of representatives appointed by the speaker of the
18.10 house.
- 18.11 (b) Members appointed under paragraph (a) must not be registered lobbyists.
18.12 In making appointments, the governor, senate Subcommittee on Committees of the
18.13 Committee on Rules and Administration, and the speaker of the house shall consider
18.14 geographic balance, gender, age, ethnicity, and varying interests including hunting and
18.15 fishing. The governor's appointments to the council are subject to the advice and consent
18.16 of the senate.
- 18.17 (c) Public members appointed under paragraph (a) shall have practical experience
18.18 or expertise or demonstrated knowledge in the science, policy, or practice of restoring,
18.19 protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and
18.20 wildlife.
- 18.21 (d) Legislative members appointed under paragraph (a) shall include the chairs
18.22 of the legislative committees with jurisdiction over environment and natural resources
18.23 finance or their designee, one member from the minority party of the senate, and one
18.24 member from the minority party of the house of representatives.
- 18.25 (e) Members serve four-year terms and shall be initially appointed according to
18.26 the following schedule of terms:
- 18.27 (1) two public members appointed by the governor for a term ending the first
18.28 Monday in January 2011;
- 18.29 (2) one public member appointed by the senate Subcommittee on Committees of the
18.30 Committee on Rules and Administration for a term ending the first Monday in January
18.31 2011;
- 18.32 (3) one public member appointed by the speaker of the house for a term ending
18.33 the first Monday in January 2011;
- 18.34 (4) two public members appointed by the governor for a term ending the first
18.35 Monday in January 2013;

19.1 (5) one public member appointed by the senate Subcommittee on Committees of the
19.2 Committee on Rules and Administration for a term ending the first Monday in January
19.3 2013;

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

19.6 (7) two members of the senate appointed by the senate Subcommittee on Committees
19.7 of the Committee on Rules and Administration for a term ending the first Monday in
19.8 January 2013, and two members of the house of representatives appointed by the speaker
19.9 of the house for a term ending the first Monday in January 2013.

19.10 (f) Compensation and removal of public members are as provided in section
19.11 15.0575. A vacancy on the council may be filled by the appointing authority for the
19.12 remainder of the unexpired term.

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

19.17 (h) ~~The Department of Natural Resources shall provide administrative support for~~
19.18 council may employ staff and contract with consultants as necessary to carry out the
19.19 functions of the council. Up to one percent of the money appropriated from the fund may
19.20 be used to cover the staffing and related administrative expenses of the department and to
19.21 cover the compensation and travel expenses pay for administrative expenses of the council
19.22 and for compensation and expense reimbursement of council members.

19.23 Sec. 4. Minnesota Statutes 2008, section 97A.056, subdivision 7, is amended to read:

19.24 Subd. 7. **Legislative oversight.** (a) The senate and house of representatives chairs
19.25 of the committees with jurisdiction over the environment and natural resources budget
19.26 shall convene a joint hearing to review the activities and evaluate the effectiveness of the
19.27 council and evaluate the effectiveness and efficiency of the ~~department's~~ administration
19.28 and staffing of the council after five years but no later than June 30, 2014.

19.29 (b) By January 15, 2013, a professional outside review authority shall be chosen by
19.30 the chairs of the house of representatives and senate committees with jurisdiction over
19.31 environment and natural resources to evaluate the effectiveness and efficiency of the
19.32 ~~department's~~ administration and staffing of the council. A report shall be submitted to
19.33 the chairs by January 15, 2014.