

to him by his mother. While Mr. Lawson had entered into a repurchase agreement under Minnesota Statutes, sections 282.241 to 282.324, after the property had forfeited to the state for nonpayment of property taxes, he defaulted on a payment required under that law, and the repurchase was canceled.

**Sec. 7. EFFECTIVE DATE.**

Sections 1 to 6 are effective the day following final enactment.

Presented to the governor May 4, 1994

Signed by the governor May 6, 1994, 11:30 a.m.

**CHAPTER 580—H.F.No. 2234**

*An act relating to natural resources; personnel working on certain projects; terms and conditions of certain 1993 appropriations; appropriating money; amending Minnesota Statutes 1992, sections 116P.05, subdivision 2; 116P.08, subdivisions 6 and 7; and 116P.09, subdivision 4; Minnesota Statutes 1993 Supplement, section 116P.11; Laws 1993, chapter 172, section 14, subdivisions 4 and 11.*

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

Section 1. Minnesota Statutes 1992, section 116P.05, subdivision 2, is amended to read:

Subd. 2. **DUTIES.** (a) The commission shall recommend a budget plan for expenditures from the environment and natural resources trust fund and shall adopt a strategic plan as provided in section 116P.08.

(b) The commission shall recommend expenditures to the legislature from the Minnesota future resources fund under section 116P.13.

(c) It is a condition of acceptance of the appropriations made from the Minnesota future resources fund, Minnesota environment and natural resources trust fund, and oil overcharge money under section 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit a work program and semiannual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided may be spent unless the commission has approved the pertinent work program.

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

(e) The commission may adopt operating procedures to fulfill its duties under sections 116P.01 to 116P.13.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 2. Minnesota Statutes 1992, section 116P.08, subdivision 6, is amended to read:

Subd. 6. **PEER REVIEW.** (a) Research proposals must include a stated purpose, timeline, potential outcomes, and an explanation of the need for the research. All research proposals must be reviewed by a peer review panel before receiving an appropriation ~~from the trust fund~~.

(b) In conducting research proposal reviews, the peer review panel shall:

(1) comment on the methodology proposed and whether it can be expected to yield appropriate and useful information and data;

(2) comment on the need for the research and about similar existing information available, if any; and

(3) ~~comment on whether the research proposed meets the categories of subdivision 1;~~ and

(4) report to the commission and advisory committee on clauses (1) ~~to~~ (3) and (2).

(c) The peer review panel also must review completed research proposals that have received an appropriation ~~from the trust fund~~ and comment and report upon whether the project reached the intended goals.

Sec. 3. Minnesota Statutes 1992, section 116P.08, subdivision 7, is amended to read:

Subd. 7. **PEER REVIEW PANEL MEMBERSHIP.** (a) The peer review panel must consist of at least five ~~but not more than 11~~ members who are knowledgeable in general research methods; ~~including but not limited to~~ in the areas of air quality research; water research; forest research; fish and wildlife management research; environmental health research; and soil conservation research environment and natural resources. Not more than two members of the panel may be employees of state agencies in Minnesota.

(b) ~~Members of the peer review panel shall be selected by the commission and serve four-year staggered terms according to section 15.059. The commission may select additional temporary members for any research proposal deemed to be too technical for adequate peer review by the panel in paragraph (a). Members of the peer review panel~~ The commission shall elect select a chair every two years who shall be responsible for convening meetings of the panel as often as is necessary to fulfill its duties as prescribed in this section. Compensation of panel members is governed by section 15.059, subdivision 3.

Sec. 4. Minnesota Statutes 1992, section 116P.09, subdivision 4, is amended to read:

Subd. 4. **PERSONNEL.** Persons who are employed by a state agency to

New language is indicated by underline, deletions by ~~strikeout~~.

work on a project and are paid by an appropriation from the trust fund or Minnesota future resources fund are in the unclassified civil service, and their continued employment is contingent upon the availability of money from the appropriation. When the appropriation has been spent, their positions must be canceled and the approved complement of the agency reduced accordingly. Part-time employment of persons for a project is authorized. The use of classified employees is authorized when approved as part of the work program required by section 116P.05, subdivision 2, paragraph (c).

Sec. 5. Minnesota Statutes 1993 Supplement, section 116P.11, is amended to read:

#### 116P.11 AVAILABILITY OF FUNDS FOR DISBURSEMENT.

(a) The amount biennially available from the trust fund for the budget plan developed by the commission consists of the ~~interest~~ earnings generated from the trust fund. ~~Interest~~ Earnings generated from the trust fund shall equal the amount of interest on debt securities and dividends on equity securities. Gains and losses arising from the sale of securities shall be apportioned as follows:

(1) if the sale of securities results in a net gain during a fiscal year, the gain shall be apportioned in equal installments over the next ten fiscal years to offset net losses in those years. If any portion of an installment is not needed to recover subsequent losses identified in paragraph (b), it shall be added to the principal of the fund; and

(2) if the sale of securities results in a net loss during a fiscal year, the net loss shall be recovered from the gains in paragraph (a) apportioned to that fiscal year. If such gains are insufficient, any remaining net loss shall be recovered from interest and dividend income in equal installments over the following ten fiscal years.

(b) For funding projects ~~through~~ until fiscal year 1997, the following additional amounts are available from the trust fund for the budget plans developed by the commission:

(1) for the 1991-1993 biennium, up to 25 percent of the revenue deposited in the trust fund in fiscal years 1990 and 1991;

(2) for the 1993-1995 biennium, up to 20 percent of the revenue deposited in the trust fund in fiscal year 1992 and up to 15 percent of the revenue deposited in the fund in fiscal year 1993;

(3) for the 1993-1995 biennium, up to 25 percent of the revenue deposited in the trust fund in fiscal years 1994 and 1995, to be expended only for capital investments in parks and trails; and

(4) for the 1995-1997 biennium, up to ten percent of the revenue deposited in the fund in fiscal year 1996.

New language is indicated by underline, deletions by ~~strikeout~~.

(c) Any appropriated funds not encumbered in the biennium in which they are appropriated cancel and must be credited to the principal of the trust fund.

Sec. 6. Laws 1993, chapter 172, section 14, subdivision 4, is amended to read:

Subd. 4. Energy

(a) Reducing Energy and CO2 230,000

This appropriation is from the oil overcharge money to the commissioner of administration for a contract with the center for energy and urban environment to develop a comprehensive action plan that will focus on energy efficiency, alternative energy, and fuel switching through an assessment of opportunities for the reduction of CO2 and other greenhouse gases.

(b) Photovoltaic Demonstration Project 230,000

This appropriation is from the future resources fund to the commissioner of public service for a grant to the St. Paul school district for purchase and installation of a photovoltaic demonstration system at the Battle Creek environmental magnet school.

(c) Operational Implications of Alternate Transit Bus Fuels 78,000

This appropriation is from the oil overcharge money to the commissioner of administration for a contract with the metropolitan transit commission to test alternate bus fuels to evaluate their potential for reduced fuel consumption and increased operational efficiency.

(d) The Bus, Bike, or Car Pool (B-BOP) Challenge 150,000

This appropriation is from the oil overcharge money to the commissioner of administration for a contract with the center for energy and urban environment to reduce energy use by the delivery of an employer-based program that

New language is indicated by underline, deletions by ~~strikeout~~.

cost effectively reduces the use of single occupant vehicles by commuters who pledge to B-BOP or telecommute regularly during the summer.

(e) Tree and Grass Production for Ethanol 380,000

This appropriation is from the oil overcharge money to the commissioner of administration for a contract with the agricultural utilization research institute to implement a program to supply biomass feedstock derived from trees and grass to a national renewable energy laboratory (NREL), United States Department of Energy Engineering Development facility for converting biomass to ethanol and thermochemical fuels. This appropriation is contingent on a NREL an agreement by January 1, ~~1994~~, to purchase biomass.

Sec. 7. Laws 1993, chapter 172, section 14, subdivision 11, is amended to read:

Subd. 11. Water

(a) Minnesota River Implementation - Continuation 1,100,000

This appropriation is from the trust fund to the commissioner of the pollution control agency to accelerate the adoption of best management practices (BMPs) and to accelerate related state and local implementation activities for the Minnesota river basin.

(b) Local River Planning - Continuation 480,000

This appropriation is from the future resources fund to the commissioner of natural resources for contracts of up to two-thirds of the cost to counties or groups of counties acting pursuant to a joint powers agreement, to develop comprehensive plans for the management and protection of rivers in north-

New language is indicated by underline, deletions by ~~strikeout~~.

ern and central Minnesota. The commissioner of natural resources shall include in the work plan for review and approval by the legislative commission on Minnesota resources a proposed list of rivers and a planning process developed by the consensus of the affected counties. All plans must meet or exceed the requirements of state shoreland and floodplain laws. Up to \$100,000 is available for administration and technical assistance.

(c) Mercury Reduction in Fish - Continuation

200,000

This appropriation is from the trust fund to the commissioner of the pollution control agency for a contract with the University of Minnesota to complete pilot studies testing mercury reduction in fish for Minnesota waters. Grant requests to supplement this appropriation must be submitted to the United States Environmental Protection Agency and the results reported to the legislative commission on Minnesota resources.

(d) Stream Flow Protection

280,000

This appropriation is from the future resources fund to the commissioner of natural resources to collect stream habitat data (width, depth, velocity, substrate, water elevation) in up to 39 watersheds to develop community-based flows that protect stream resources. This project must comply with the data compatibility requirements set forth in subdivision 15.

(e) The South Central Minnesota Groundwater Contamination Susceptibility Project - Continuation

290,000

This appropriation is from the future resources fund to the commissioner of natural resources for a contract with Mankato state university to couple sur-

New language is indicated by underline, deletions by ~~strikeout~~.

face hydrology, subsurface geology, and hydrogeology for environmental analysis to assess present environmental conditions, establish benchmarks, and develop regional priorities for south central Minnesota. This project must comply with the data compatibility requirements set forth in subdivision 14.

(f) White Bear Lake Levels  
Feasibility Study

~~228,000~~ 175,000

This appropriation is from the future resources fund to the commissioner of natural resources to ~~install additional observation wells at White Bear Lake (\$50,000); to study lake and groundwater relationships; to conduct a feasibility study to address lake level issues (\$50,000); and to abandon or retrofit existing augmentation wells (\$128,000)~~ develop an enhanced water budgeting computer model (\$100,000) and to install ground water level observation wells around White Bear Lake (\$75,000). This appropriation is available until June 30, 1996.

(g) County Geologic Atlases and  
Regional Hydrogeologic Assessments -  
Continuation

850,000

\$425,000 is from the trust fund to the University of Minnesota, Minnesota geologic survey, and \$425,000 is from the trust fund to the commissioner of natural resources to expand production of county geologic atlases and regional hydrogeologic assessments. This project must comply with the data compatibility requirements set forth in subdivision 14.

(h) Septic System Replacement for  
Water Related Tourism Businesses

500,000

This appropriation is from the future resources fund to the commissioner of trade and economic development to

New language is indicated by underline, deletions by ~~strikeout~~.

provide matching grants of up to \$10,000 to resorts and related tourism businesses located on lakes and rivers for replacement of failing or nonconforming septic systems. Businesses that begin replacement of failing or nonconforming septic systems after the effective date of this act are eligible for these grants.

(i) Optical Brighteners: Indicators of Sewage Contamination of Groundwaters

157,000

This appropriation is from the future resources fund to the commissioner of the pollution control agency for a contract with Dakota county to study the correlation of optical brighteners present in domestic sewage from detergent use with nonagricultural nitrogen as interferences with atrazine detection.

#### Sec. 8. APPROPRIATION.

\$300,000 is appropriated from the future resources fund to the commissioner of natural resources for the restoration of the Niemackl watershed by improvement of water quality, flood reduction, fish and wildlife habitat, and recreation through citizen participation with federal, state, and local governments, and nongovernment agencies. \$150,000 is contingent on a match of \$300,000 of nonstate funds by October 1, 1994.

#### Sec. 9. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor May 4, 1994

Signed by the governor May 6, 1994, 11:32 a.m.

### CHAPTER 581—H.F.No. 2567

*An act relating to state government; permitting state employees to donate vacation leave for the benefit of a certain state employee.*

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

New language is indicated by underline, deletions by ~~strikeout~~.