

Senator Frederickson introduced—

S.F. No. 2872: Referred to the Committee on Environment and Natural Resources.

A bill for an act

relating to natural resources; providing for temporary state park permits for towed vehicles; modifying state park permit requirements and fees; amending Minnesota Statutes 2004, sections 85.053, by adding a subdivision; 85.054, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 85.053, subdivision 2; 85.055, subdivision 1.

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

Section 1. Minnesota Statutes 2005 Supplement, section 85.053, subdivision 2, is amended to read:

Subd. 2. **Requirement.** Except as provided in section 85.054, a motor vehicle may not enter a state park, state recreation area, or state wayside over 50 acres in area, without a state park permit issued under this section. Except for vehicles permitted under ~~subdivision~~ subdivisions 7, paragraph (a), clause (2), and 8, the state park permit must be affixed to the lower right corner windshield of the motor vehicle and must be completely affixed by its own adhesive to the windshield, or the commissioner may, by written order, provide an alternative means to display and validate annual permits.

Sec. 2. Minnesota Statutes 2004, section 85.053, is amended by adding a subdivision to read:

Subd. 8. Towed vehicles. The commissioner shall prescribe and issue a temporary permit for a vehicle that enters a park towed by a vehicle used for camping. The temporary permit shall be issued with the camping permit and allows the towed vehicle to be driven in state parks until the camping permit expires.

2.1 Sec. 3. Minnesota Statutes 2004, section 85.054, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 12. Soudan Underground Mine State Park. A state park permit is not
2.4 required and a fee may not be charged for motor vehicle entry or parking at the visitor
2.5 parking area of Soudan Underground Mine State Park.

2.6 Sec. 4. Minnesota Statutes 2005 Supplement, section 85.055, subdivision 1, is
2.7 amended to read:

2.8 Subdivision 1. Fees. The fee for state park permits for:

- 2.9 (1) an annual use of state parks is \$25;
- 2.10 (2) a second vehicle state park permit is \$18;
- 2.11 (3) a state park permit valid for one day is ~~\$7~~ \$5;
- 2.12 (4) a daily vehicle state park permit for groups is ~~\$5~~ \$3;
- 2.13 (5) an annual permit for motorcycles is \$20;
- 2.14 (6) an employee's state park permit is without charge; and
- 2.15 ~~(6)~~ (7) a state park permit for ~~handicapped~~ disabled persons under section 85.053,
- 2.16 subdivision 7, clauses (1) and (2), is \$12.

2.17 The fees specified in this subdivision include any sales tax required by state law.

Senator Sams introduced--

S.F. No. 2999: Referred to the Committee on Environment and Natural Resources.

A bill for an act relating to natural resources; providing for a horse trail pass; appropriating money; amending Minnesota Statutes 2004, section 84.0835, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 85.

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

Section 1. Minnesota Statutes 2004, section 84.0835, subdivision 3, is amended to read:

Subd. 3. Citation authority. Employees designated by the commissioner under subdivision 1 may issue citations, as specifically authorized under this subdivision, for violations of:

(1) sections 85.052, subdivision 3 (payment of camping fees in state parks) and, 85.45, subdivision 1 (cross-country ski pass), and 85.46 (horse trail pass);

(2) rules relating to hours and days of operation, restricted areas, noise, fireworks, environmental protection, fires and refuse, pets, picnicking, camping and dispersed camping, nonmotorized uses, construction of unauthorized permanent trails, mooring of boats, fish cleaning, swimming, storage and abandonment of personal property, structures and stands, animal trespass, state park individual and group motor vehicle permits, licensed motor vehicles, designated roads, and snowmobile operation off trails;

(3) rules relating to off-highway vehicle registration, display of registration numbers, required equipment, operation restrictions, off-trail use for hunting and trapping, and operation in lakes, rivers, and streams;

(4) rules relating to off-highway vehicle and snowmobile operation causing damage or in closed areas within the Richard J. Dorer Memorial Hardwood State Forest;

(5) rules relating to parking, snow removal, and damage on state forest roads; and

(6) rules relating to controlled hunting zones on major wildlife management units.

2.1 **Sec. 2. [85.46] HORSE TRAIL PASS.**

2.2 **Subdivision 1. Pass in possession. While riding, leading, or driving a horse on**
2.3 **horse trails and associated day use areas on state trails, in state parks, in state recreation**
2.4 **areas, and in state forests, a person 16 years of age or over shall carry in immediate**
2.5 **possession and visibly display on person or horse tack, a valid horse trail pass. The pass**
2.6 **must be available for inspection by a peace officer, a conservation officer, or an employee**
2.7 **designated under section 84.0835.**

2.8 **Subd. 2. License agents. (a) The commissioner of natural resources may appoint**
2.9 **agents to issue and sell horse trail passes. The commissioner may revoke the appointment**
2.10 **of an agent at any time.**

2.11 **(b) The commissioner may adopt additional rules as provided in section 97A.485,**
2.12 **subdivision 11. An agent shall observe all rules adopted by the commissioner for the**
2.13 **accounting and handling of passes according to section 97A.485, subdivision 11.**

2.14 **(c) An agent must promptly deposit and remit all money received from the sale of**
2.15 **passes, except issuing fees, to the commissioner.**

2.16 **Subd. 3. Issuance. The commissioner of natural resources and agents shall issue**
2.17 **and sell horse trail passes. The pass shall include the applicant's signature and other**
2.18 **information deemed necessary by the commissioner. To be valid, a pass must be signed by**
2.19 **the person riding, leading, or driving the horse.**

2.20 **Subd. 4. Pass fees. (a) The fee for an annual horse trail pass is \$20 for an individual**
2.21 **16 years of age and over. The fee shall be collected at the time the pass is purchased.**
2.22 **Annual passes are valid for one year beginning January 1 and ending December 31.**

2.23 **(b) The fee for a daily horse trail pass is \$4 for an individual 16 years of age and**
2.24 **over. The fee shall be collected at the time the pass is purchased. The daily pass is valid**
2.25 **only for the date designated on the pass form.**

2.26 **Subd. 5. Issuing fee. In addition to the fee for a horse trail pass, an issuing fee of**
2.27 **\$1 per pass shall be charged. The issuing fee shall be retained by the seller of the pass.**
2.28 **Issuing fees for passes sold by the commissioner of natural resources shall be deposited in**
2.29 **the state treasury and credited to the horse trail account in the natural resources fund and**
2.30 **are appropriated to the commissioner for the operation of the electronic licensing system.**
2.31 **A pass shall indicate the amount of the fee that is retained by the seller.**

2.32 **Subd. 6. Disposition of receipts. Fees collected under this section, except for the**
2.33 **issuing fee, shall be deposited in the state treasury and credited to the horse trail account**
2.34 **in the natural resources fund. Except for the electronic licensing system commission**
2.35 **established by the commissioner under section 84.027, subdivision 15, the fees are**
2.36 **appropriated to the commissioner of natural resources for trail acquisition, trail and facility**

3.1 development, and maintenance, enforcement, and rehabilitation of horse trails or trails
3.2 authorized for horse use, whether for riding, leading, or driving, on state trails and in state
3.3 parks, state recreation areas, and state forests.

3.4 Subd. 7. Duplicate horse trail passes. The commissioner of natural resources and
3.5 agents shall issue a duplicate pass to a person whose pass is lost or destroyed using the
3.6 process established under section 97A.405, subdivision 3, and rules adopted thereunder.
3.7 The fee for a duplicate horse trail pass is \$2, with an issuing fee of 50 cents.

3.8 **Sec. 3. EFFECTIVE DATE.**

3.9 Sections 1 and 2 are effective January 1, 2007.

A bill for an act

relating to natural resources; modifying and renaming the Legislative Commission on Minnesota Resources; adding citizens and making structural changes; appropriating money; amending Minnesota Statutes 2004, sections 116P.02, subdivision 4; 116P.03; 116P.04, subdivision 5; 116P.05, as amended; 116P.07; 116P.08, subdivisions 3, 4, 5, 6; 116P.09, subdivisions 1, 6, by adding a subdivision; 116P.11; Minnesota Statutes 2005 Supplement, section 10A.01, subdivision 35; repealing Minnesota Statutes 2004, sections 116P.02, subdivision 2; 116P.06; Laws 2005, First Special Session chapter 1, article 2, section 156, subdivision 2.

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

Section 1. Minnesota Statutes 2005 Supplement, section 10A.01, subdivision 35, is amended to read:

Subd. 35. **Public official.** "Public official" means any:

(1) member of the legislature;

(2) individual employed by the legislature as secretary of the senate, legislative auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or attorney in the Office of Senate Counsel and Research or House Research;

(3) constitutional officer in the executive branch and the officer's chief administrative deputy;

(4) solicitor general or deputy, assistant, or special assistant attorney general;

(5) commissioner, deputy commissioner, or assistant commissioner of any state department or agency as listed in section 15.01 or 15.06, or the state chief information officer;

(6) member, chief administrative officer, or deputy chief administrative officer of a state board or commission that has either the power to adopt, amend, or repeal rules under chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

- 2.1 (7) individual employed in the executive branch who is authorized to adopt, amend,
 2.2 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- 2.3 (8) executive director of the State Board of Investment;
- 2.4 (9) deputy of any official listed in clauses (7) and (8);
- 2.5 (10) judge of the Workers' Compensation Court of Appeals;
- 2.6 (11) administrative law judge or compensation judge in the State Office of
 2.7 Administrative Hearings or referee in the Department of Employment and Economic
 2.8 Development;
- 2.9 (12) member, regional administrator, division director, general counsel, or operations
 2.10 manager of the Metropolitan Council;
- 2.11 (13) member or chief administrator of a metropolitan agency;
- 2.12 (14) director of the Division of Alcohol and Gambling Enforcement in the
 2.13 Department of Public Safety;
- 2.14 (15) member or executive director of the Higher Education Facilities Authority;
- 2.15 (16) member of the board of directors or president of Minnesota Technology, Inc.; or
- 2.16 (17) member of the board of directors or executive director of the Minnesota State
 2.17 High School League; or
- 2.18 (18) a citizen member of the Legislative-Citizen Commission on Minnesota
 2.19 Resources.

2.20 Sec. 2. Minnesota Statutes 2004, section 116P.02, subdivision 4, is amended to read:

2.21 Subd. 4. **Commission.** "Commission" means the ~~Legislative~~ Legislative-Citizen
 2.22 Commission on Minnesota Resources.

2.23 Sec. 3. Minnesota Statutes 2004, section 116P.03, is amended to read:

2.24 **116P.03 TRUST FUND NOT TO SUPPLANT EXISTING FUNDING;**
 2.25 **APPROPRIATIONS.**

2.26 (a) The trust fund may not be used as a substitute for traditional sources of funding
 2.27 environmental and natural resources activities, but the trust fund shall supplement the
 2.28 traditional sources, including those sources used to support the criteria in section 116P.08,
 2.29 subdivision 1. The trust fund must be used primarily to support activities whose benefits
 2.30 become available only over an extended period of time.

2.31 (b) The commission must determine the amount of the state budget spent from
 2.32 traditional sources to fund environmental and natural resources activities before and after
 2.33 the trust fund is established and include a comparison of the amount in the report under
 2.34 section 116P.09, subdivision 7.

3.1 (c) For the fiscal year beginning July 1, 2007, and each year thereafter, the amount of
3.2 the environment and natural resources trust fund that is available for appropriation under
3.3 the terms of the Minnesota Constitution, article XI, section 14, shall be appropriated by a
3.4 law passed by the legislature and signed by the governor.

3.5 (d) The amount appropriated from the environment and natural resources trust fund
3.6 may be spent only for the public purpose of protection, conservation, preservation, and
3.7 enhancement of the state's air, water, land, fish, wildlife, and other natural resources.
3.8 Recommendations made by the commission under this chapter must be consistent with
3.9 the Minnesota Constitution, article XI, section 14; chapter 116P; and the strategic plan
3.10 adopted under section 116P.08, subdivision 3, and must demonstrate a direct benefit to the
3.11 state's environment and natural resources.

3.12 Sec. 4. Minnesota Statutes 2004, section 116P.04, subdivision 5, is amended to read:

3.13 Subd. 5. **Audits required.** The legislative auditor shall audit trust fund expenditures
3.14 to ensure that the money is spent for the purposes ~~provided in the commission's budget~~
3.15 plan for which the money was appropriated.

3.16 Sec. 5. Minnesota Statutes 2004, section 116P.05, as amended by Laws 2005, First
3.17 Special Session chapter 1, article 2, section 135, is amended to read:

3.18 **116P.05 LEGISLATIVE LEGISLATIVE-CITIZEN COMMISSION ON**
3.19 **MINNESOTA RESOURCES.**

3.20 Subdivision 1. **Membership.** (a) A ~~Legislative~~ Legislative-Citizen Commission on
3.21 Minnesota Resources of ~~20~~ 17 members is created in the legislative branch, consisting
3.22 ~~of the chairs of the house and senate committees on environment and natural resources~~
3.23 ~~or designees appointed for the terms of the chairs~~, the chairs of the house and senate
3.24 committees on environment and natural resources finance or designees appointed for
3.25 the terms of the chairs, ~~the chairs of the house Ways and Means and Senate Finance~~
3.26 ~~Committees or designees appointed for the terms of the chairs~~, ~~seven~~ four members of
3.27 the senate appointed by the Subcommittee on Committees of the Committee on Rules
3.28 and Administration, and ~~seven~~ four members of the house appointed by the speaker.
3.29 Legislative members must have knowledge and expertise in the state's environment and
3.30 natural resource issues across the various regions of the state.

3.31 At least ~~three~~ two members from the senate and ~~three~~ two members from the house
3.32 must be from the minority caucus. Members are entitled to reimbursement for per diem
3.33 expenses plus travel expenses incurred in the services of the commission.

4.1 Seven citizens are members of the commission, three appointed by the governor,
4.2 two appointed by the Senate Subcommittee on Committees of the Committee on Rules
4.3 and Administration, and two appointed by the speaker of the house. The citizen members
4.4 are selected and recommended to the appointing authorities according to subdivision
4.5 1a and must:

4.6 (1) have experience or expertise in the science, policy, or practice of the protection,
4.7 conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife,
4.8 and other natural resources;

4.9 (2) have strong knowledge in the state's environment and natural resource issues
4.10 around the state; and

4.11 (3) have demonstrated ability to work in a collaborative environment.

4.12 (b) Members shall ~~appoint~~ develop procedures to elect a chair ~~who~~ that rotates
4.13 between legislative and citizen members. The chair shall preside and convene meetings as
4.14 often as necessary to conduct duties prescribed by this chapter.

4.15 (c) Appointed legislative members shall serve on the commission ~~until their~~
4.16 successors are appointed for two-year terms, beginning in January of each odd-numbered
4.17 year and continuing through the end of December of the next even-numbered year. An
4.18 appointed legislative member may not serve on the commission for more than three
4.19 consecutive full two-year terms. A citizen member may not serve on the commission for
4.20 more than two consecutive full three-year terms. Citizen and legislative members continue
4.21 to serve until their successors are appointed.

4.22 (d) A citizen member may be removed by an appointing authority for cause.
4.23 Vacancies occurring on the commission shall not affect the authority of the remaining
4.24 members of the commission to carry out their duties, and vacancies shall be filled for the
4.25 remainder of the term in the same manner under paragraph (a).

4.26 (e) Citizen members shall be initially appointed according to the following schedule
4.27 of terms:

4.28 (1) two members appointed by the governor for a term ending the first Monday in
4.29 January 2010;

4.30 (2) two members appointed by the senate Subcommittee on Committees of the
4.31 Committee on Rules and Administration for a term ending the first Monday in January
4.32 2010 and two members appointed by the speaker of the house for a term ending the first
4.33 Monday in January 2010; and

4.34 (3) one member appointed by the governor for a term ending the first Monday in
4.35 January 2009.

5.1 (f) Citizen members are entitled to per diem and reimbursement for expenses
5.2 incurred in the services of the commission, as provided in section 15.059, subdivision 3.

3 Subd. 1a. Citizen selection committee. The governor shall appoint a trust fund
5.4 citizen selection committee of five to eight members who come from different regions
5.5 of the state and who have knowledge and experience of state environment and natural
5.6 resource issues.

5.7 The duties of the trust fund citizen selection committee shall be to:

5.8 (1) identify citizen candidates to be members of the commission as part of the open
5.9 appointments process under section 15.0597;

5.10 (2) request and review citizen candidate applications to be members of the
5.11 commission; and

5.12 (3) interview the citizen candidates and recommend an adequate pool of candidates
5.13 to be selected for commission membership by the governor, the senate, and the house
5.14 of representatives.

5.15 Members are entitled to travel expenses incurred to fulfill their duties under this
5.16 subdivision as provided in section 15.059, subdivision 6.

5.17 Subd. 2. Duties. (a) The commission shall recommend a budget plan an annual
5.18 legislative bill for expenditures appropriations from the environment and natural resources
5.19 trust fund and shall adopt a strategic plan as provided in section 116P.08. Approval of
5.20 the recommended legislative bill requires an affirmative vote of at least 12 members
5.21 of the commission.

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

4 (c) It is a condition of acceptance of the appropriations made from the Minnesota
5.25 environment and natural resources trust fund, and oil overcharge money under section
5.26 4.071, subdivision 2, that the agency or entity receiving the appropriation must submit a
5.27 work program and semiannual progress reports in the form determined by the Legislative
5.28 Legislative-Citizen Commission on Minnesota Resources, and comply with applicable
5.29 reporting requirements under section 116P.16. None of the money provided may be spent
5.30 unless the commission has approved the pertinent work program.

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

5.34 (e) The commission may adopt operating procedures to fulfill its duties under
5.35 chapter 116P.

5.36 (f) As part of the operating procedures, the commission shall:

- 6.1 (1) ensure that members' expectations are to participate in all meetings related to
6.2 funding decision recommendations;
- 6.3 (2) recommend adequate funding for increased citizen outreach and communications
6.4 for trust fund expenditure planning;
- 6.5 (3) allow administrative expenses as part of individual project expenditures based
6.6 on need;
- 6.7 (4) provide for project outcome evaluation;
- 6.8 (5) keep the grant application, administration, and review process as simple as
6.9 possible; and
- 6.10 (6) define and emphasize the leveraging of additional sources of money that project
6.11 proposers should consider when making trust fund proposals.

6.12 Subd. 3. Sunset. This section expires June 30, 2016, unless extended by the
6.13 legislature.

6.14 Sec. 6. Minnesota Statutes 2004, section 116P.07, is amended to read:

6.15 **116P.07 INFORMATION GATHERING.**

6.16 The commission may convene public forums or employ other methods to gather
6.17 information for establishing priorities for funding.

6.18 Sec. 7. Minnesota Statutes 2004, section 116P.08, subdivision 3, is amended to read:

6.19 Subd. 3. **Strategic plan required.** (a) The commission shall adopt a strategic
6.20 plan for making expenditures from the trust fund, including identifying the priority
6.21 areas for funding for the next six years. The strategic plan must be ~~updated~~ reviewed
6.22 every two years. ~~The plan is advisory only. The commission shall submit the plan, as a~~
6.23 ~~recommendation, to the house of representatives Ways and Means and senate Finance~~
6.24 ~~Committees by January 1 of each odd-numbered year.~~ The strategic plan must have clearly
6.25 stated short- and long-term goals and strategies for trust fund expenditures, must provide
6.26 measurable outcomes for expenditures, and must determine areas of emphasis for funding.

6.27 (b) The commission ~~may accept or modify the draft of the strategic plan submitted~~
6.28 ~~to it by the advisory committee before voting on the plan's adoption~~ shall consider the
6.29 long-term strategic plans of agencies with environment and natural resource programs
6.30 and responsibilities and plans of conservation and environmental organizations during the
6.31 development and review of the strategic plan.

6.32 Sec. 8. Minnesota Statutes 2004, section 116P.08, subdivision 4, is amended to read:

7.1 Subd. 4. ~~Budget plan~~ Legislative recommendations. (a) Funding may be provided
7.2 only for those projects that meet the categories established in subdivision 1.

7.3 (b) ~~Projects submitted to the commission for funding may be referred to the advisory~~
7.4 ~~committee for recommendation.~~

7.5 (c) ~~The commission must adopt a budget plan~~ recommend an annual legislative bill
7.6 to make expenditures appropriations from the trust fund for the purposes provided in
7.7 subdivision 1. The budget plan recommendations must be submitted to the governor for
7.8 inclusion in the biennial budget and supplemental budget submitted to the legislature.

7.9 (c) The commission may recommend regional block grants for a portion of trust
7.10 fund expenditures to partner with existing regional organizations that have strong citizen
7.11 involvement, to address unique local needs and capacity, and to leverage all available
7.12 funding sources for projects.

7.13 (d) The commission may recommend the establishment of an annual emerging
7.14 issues account in its annual legislative bill for funding emerging issues, which come up
7.15 unexpectedly, but which still adhere to the commission's strategic plan, to be approved by
7.16 the governor after initiation and recommendation by the commission.

7.17 (d) (e) Money in the trust fund may not be spent except under an appropriation
7.18 by law.

7.19 Sec. 9. Minnesota Statutes 2004, section 116P.08, subdivision 5, is amended to read:

7.20 Subd. 5. **Public meetings.** ~~All Technical~~ advisory committee and commission
7.21 meetings must be open to the public. The commission shall attempt to meet at least once
7.22 in each of the state's congressional districts throughout various regions of the state during
7.23 each biennium.

7.24 Sec. 10. Minnesota Statutes 2004, section 116P.08, subdivision 6, is amended to read:

7.25 Subd. 6. **Peer review.** (a) Research proposals must include a stated purpose directly
7.26 connected to the trust fund's constitutional mandate, chapter 116P, and the adopted
7.27 strategic plan under subdivision 3, a timeline, potential outcomes, and an explanation of
7.28 the need for the research. All research proposals must be reviewed by a peer review
7.29 panel before receiving an appropriation.

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

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

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

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

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

8.5 Sec. 11. Minnesota Statutes 2004, section 116P.09, subdivision 1, is amended to read:

8.6 Subdivision 1. **Administrative authority.** The commission may appoint legal
8.7 and other personnel and consultants necessary to carry out functions and duties of the
8.8 commission. Permanent employees shall be in the unclassified service. In addition,
8.9 the commission may request staff assistance and data from any other agency of state
8.10 government as needed for the execution of the responsibilities of the commission ~~and~~
8.11 ~~advisory committee~~ and an agency must promptly furnish it.

8.12 Sec. 12. Minnesota Statutes 2004, section 116P.09, subdivision 6, is amended to read:

8.13 Subd. 6. **Conflict of interest.** A commission member, a technical advisory
8.14 committee member, a peer review panelist, or an employee of the commission may not
8.15 participate in or vote on a decision of the commission, advisory committee, or peer
8.16 review panel relating to an organization in which the member, panelist, or employee has
8.17 either a direct or indirect personal financial interest. While serving on the ~~legislative~~
8.18 commission, technical advisory committee, or peer review panel, or being an employee of
8.19 the commission, a person shall avoid any potential conflict of interest.

8.20 Sec. 13. Minnesota Statutes 2004, section 116P.09, is amended by adding a subdivision
8.21 to read:

8.22 Subd. 8. **Technical advisory committees.** The commission shall make use of
8.23 available public and private expertise on environment and natural resource issues by
8.24 appointing necessary technical advisory committees to review funding proposals and
8.25 evaluate project outcomes. Compensation for technical advisory committee members is
8.26 governed by section 15.059, subdivision 6.

8.27 Sec. 14. Minnesota Statutes 2004, section 116P.11, is amended to read:

8.28 **116P.11 AVAILABILITY OF FUNDS FOR DISBURSEMENT.**

8.29 (a) The amount ~~biennially~~ annually available from the trust fund for the ~~budget plan~~
8.30 legislative bill developed by the commission is as defined in the Minnesota Constitution,
8.31 article XI, section 14.

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

9.3 Sec. 15. CONTINUITY.

9.4 (a) The Legislative Commission on Minnesota Resources shall continue to operate
9.5 until the full membership of the Legislative-Citizen Commission on Minnesota Resources
9.6 is appointed under section 5, but no later than August 15, 2006.

9.7 (b) The staff of the Legislative Commission on Minnesota Resources shall provide
9.8 administrative and professional services to the Legislative-Citizen Commission on
9.9 Minnesota Resources, as provided in Minnesota Statutes, section 15.039, subdivision 7.

9.10 Sec. 16. TRANSITION PROVISIONS FOR LEGISLATIVE MEMBERS.

9.11 (a) Legislative members initially appointed to the Legislative-Citizen Commission
9.12 on Minnesota Resources serve through January 2, 2007, or for those who are still
9.13 legislators in January 2007, until their successors are appointed.

9.14 (b) Legislative service on the former Legislative Commission on Minnesota
9.15 Resources is not counted for purposes of the term limits for service on the
9.16 Legislative-Citizen Commission on Minnesota Resources.

9.17 Sec. 17. APPROPRIATION.

9.18 (a) \$450,000 in fiscal year 2007 is appropriated from the environment and natural
9.19 resources trust fund to the Legislative-Citizen Commission on Minnesota Resources for
9.20 administration, as provided in Minnesota Statutes, section 116P.09, subdivision 5.

9.21 (b) The fiscal year 2006 administrative budget under Laws 2005, First Special
9.22 Session chapter 1, article 2, section 11, subdivision 3, is for the Legislative Commission
9.23 on Minnesota Resources or its successor commission, as provided in Minnesota Statutes,
9.24 section 15.039, subdivision 6.

9.25 Sec. 18. REVISOR'S INSTRUCTION.

9.26 The revisor of statutes shall change the term "Legislative Commission on Minnesota
9.27 Resources" to "Legislative-Citizen Commission on Minnesota Resources" wherever it
9.28 appears in Minnesota Statutes and Minnesota Rules.

9.29 Sec. 19. REPEALER.

9.30 Minnesota Statutes 2004, sections 116P.02, subdivision 2; and 116P.06; and Laws
9.31 2005, First Special Session chapter 1, article 2, section 156, subdivision 2, are repealed.

10.1 Sec. 20. **EFFECTIVE DATE.**

10.2 Sections 1 to 4; 5, subdivisions 1, 2, and 3; and 6 to 19, are effective June 1, 2006.

10.3 Section 5, subdivision 1a, is effective the day following final enactment.

**Senate Counsel, Research,
and Fiscal Analysis**

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S.F. No. 2814 - 1st Engrossment, Reform of the Legislative Commission on Minnesota Resources

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This bill contains recommendations from a legislatively mandated advisory task force that met during the 2005-06 interim to recommend changes in the structure and organization of the Legislative Commission on Minnesota Resources (LCMR). The principal changes include the addition of nonlegislative citizens to the commission and clarifying the use and importance of the strategic plan in making recommendations for appropriations from the Environment and Natural Resources Trust Fund (the "trust fund"). The new commission sunsets on June 30, 2016.

Section 1 [PUBLIC OFFICIAL.] amends the definition of public official to include the citizen members of the Legislative-Citizen Commission on Minnesota Resources created in this bill. This will make the citizen members of the commission subject to the requirements for public officials, such as investment disclosure.

Section 2 [COMMISSION.] redefines "commission" in Minnesota Statutes, chapter 116P, to mean the Legislative-Citizen Commission on Minnesota Resources. This name reflects the new membership of the commission.

Section 3 [TRUST FUND.] specifies that appropriations from the trust fund must be made in a law passed by the Legislature and signed by the Governor, and that amounts appropriated must be consistent with constitutional requirements and requirements of the strategic plan adopted by the commission.

Section 4 [AUDITS REQUIRED.] requires that the Legislative Auditor audit trust fund expenditures to ensure that they are consistent with the purposes for which the money was appropriated.

Section 5 [LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES.]

Subdivision 1 [MEMBERSHIP.] changes the membership of the new Legislative and Citizen Commission on Minnesota Resources by reducing it from 20 to 17 members, and reducing the number of legislative members from 20 to ten. The legislative membership includes chairs of the House and Senate Environment and Natural Resources Finance Committees or their designees; four members of the Senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration; and four members of the House appointed by the Speaker. At least two members from each body of the Legislature must be from the minority caucus in that body. Requires seven citizens to serve on the commission, including three appointed by the Governor and two each appointed by the Senate and the House. Establishes the qualifications for citizens who serve on the commission, including experience and expertise in relevant conservation and natural resource areas, and the ability to work in a collaborative environment. Authorizes the membership of the new commission to develop procedures to elect their chair, which must rotate between legislative and citizen members. Limits legislative members on the commission to a maximum of three full two-year terms and citizen membership to two full three-year terms. This subdivision also establishes the initial terms for new citizen members of the commission and clarifies that citizen members are entitled to per diem and reimbursement as provided in Minnesota Statutes, section 15.059, subdivision 3.

Subdivision 1a [CITIZEN SELECTION COMMITTEE.] requires the Governor to appoint a trust fund citizen selection committee consisting of five to seven members who must identify citizen candidates for membership on the commission. The Governor is not required to make appointments from the list provided by this committee.

Subdivision 2 [DUTIES.] requires the new commission to recommend an annual bill containing appropriations from the trust fund. Specifies that the commission approval for the bill requires an affirmative vote of 12 members of the commission. This subdivision specifies that the new commission must follow certain operating procedures, including the participation of all members in all meetings related to funding decision recommendations and funding components for recommended projects.

Subdivision 3 [SUNSET.] sunsets the new commission on June 30, 2016.

Section 6 [INFORMATION GATHERING.] allows the commission to make use of a variety of methods to gather information from the public to establish priorities for funding.

Section 7 [STRATEGIC PLAN.] changes the use of the strategic plan in the funding process. Requires clear short- and long-term goals for expenditures and measurable outcomes. Requires the

commission to consider long-term strategic plans of state agencies with environmental programs during the developmental review of the plan.

Section 8 [LEGISLATIVE RECOMMENDATIONS.] specifically authorizes the new commission to recommend regional block grants to existing regional organizations with strong citizen involvement. Also allows the commission to recommend an annual emerging issues account for issues that come up unexpectedly, but still fit within the strategic plan for approval by the Governor after initiation and recommendation by the commission.

Section 9 [PUBLIC MEETINGS.] requires the commission to attempt to meet in various regions of the state during the biennium.

Section 10 [PEER REVIEW.] specifies that research proposals must include a focus that is directly related to the constitutional mandate for the trust fund and to the strategic plan adopted by the commission.

Section 11 [ADMINISTRATIVE AUTHORITY.] makes a technical change to delete a reference to the former citizens' advisory committee.

Section 12 [CONFLICT OF INTEREST.] makes technical changes to reflect the creation of the new technical advisory committees in section 13 of the bill.

Section 13 [TECHNICAL ADVISORY COMMITTEES.] authorizes the commission to use public and private expertise by appointing technical advisory committees as necessary to review funding proposals and evaluate project outcomes.

Section 14 [AVAILABILITY OF FUNDS.] makes a technical change to reflect the elimination of the former budget plan and to include the new requirement for a legislative bill to provide funding recommendations from the commission.

Section 15 [CONTINUITY.] specifies that the existing Legislative Commission on Minnesota Resources must continue to operate until the full membership of the new commission has been appointed, but in no event will the existing commission continue to function beyond August 15, 2006. Also specifies that existing staff will provide the same services to the new commission.

Section 16 [TRANSITION PROVISION FOR LEGISLATIVE MEMBERS.] Provides for initial legislative appointments to the new commission serving until January 2, 2007, or until their successors are appointed. Legislative service on the legislative commission on Minnesota Resources does not count for the purpose of term limits.

Section 17 [APPROPRIATION.] provides the same funding in fiscal year 2007 to the new commission that was provided in fiscal year 2006 for the existing commission. This section also specifies that the fiscal year 2006 administrative budget for the existing commission is also for the successor commission.

Section 18 [REVISOR'S INSTRUCTION.] requires the Revisor to change the name of the existing Legislative Commission on Minnesota Resources to the new Legislative and Citizen Commission on Minnesota Resources.

Section 19 [REPEALERS.] repeals the existing statutes for the citizens' advisory committee to the LCMR and the June 30, 2006, and repeals the sunset for the LCMR that passed in the 2005 session.

Section 20 [EFFECTIVE DATE.] makes the citizen selection committee appointment and interview process effective the day following enactment and the remainder of the bill effective June 1, 2006.

TSB:rdr

- 1.1 Senator moves to amend S.F. No. 2814 as follows:
- 1.2 Page 4, line 1, delete "three" and insert "five"
- 1.3 Page 4, line 2, delete "two" and insert "one"
- 1.4 Page 4, line 3, delete "two" and insert "one"
- 1.5 Page 4, line 17, delete everything after the period
- 1.6 Page 4, delete lines 18 and 19
- 1.7 Page 4, line 20, delete everything before "Citizen"
- 1.8 Page 4, lines 30 and 32, delete "two" and insert "one"
- 1.9 Page 4, line 33, delete "and"
- 1.10 Page 4, line 34, delete "one member" and insert "two members"
- 1.11 Page 4, line 35, after "2009" insert "; and" and delete the period
- 1.12 Page 4, after line 35, insert:
- 1.13 "(4) one member appointed by the governor for a term ending the first Monday
- 1.14 in January 2008."
- 1.15 Page 9, line 11, delete "(a)"
- 1.16 Page 9, delete lines 14 to 16

Senator Chaudhary introduced-

S.F. No. 2969: Referred to the Committee on Environment and Natural Resources.

A bill for an act

1.2 relating to state government; authorizing advance deposits or payments for boat
1.3 slip rental; amending Minnesota Statutes 2004, section 16A.065.

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

1.5 Section 1. Minnesota Statutes 2004, section 16A.065, is amended to read:

1.6 **16A.065 PREPAY SOFTWARE, SUBSCRIPTIONS, UNITED STATES**
1.7 **DOCUMENTS.**

1.8 Notwithstanding section 16A.41, subdivision 1, the commissioner may allow an
1.9 agency to make advance deposits or payments for software or software maintenance
1.10 services for state-owned or leased electronic data processing equipment, for sole source
11 maintenance agreements where it is not cost-effective to pay in arrears, for exhibit booth
1.12 space or boat slip rental when required by the renter to guarantee the availability of space,
1.13 for registration fees where advance payment is required or advance payment discount is
1.14 provided, and for newspaper, magazine, and other subscription fees customarily paid for
1.15 in advance. The commissioner may also allow advance deposits by any department with
1.16 the Library of Congress and federal Supervisor of Documents for items to be purchased
1.17 from those federal agencies.



Department of Natural Resources Fact Sheet



STATE PARKS PERMIT MODIFICATION BILL

Summary

This bill will:

- Amend State Park permit fees as follows:
 - 1) Reduce the state park permit valid for one day from \$7 to \$5.
 - 2) Reduce the daily vehicle state park permit for groups from \$5 to \$3.
 - 3) Create an annual permit for motorcycles for \$20.
- Provide for temporary state park permits for towed vehicles.
- Modify state park permit requirements at Soudan Mine.

It is needed because

State Parks over the last five years has seen a marginal increase (approximately 10%) in annual permit sales. However, during that same period of time, daily permits have declined 42%. This level of decline has prompted concern especially given that 86% of our visitation (approximately 8MM) is day use. By reducing the daily entrance from \$7 to \$5 the DNR hopes to recapture some of the day users.

The new annual motorcycle permit is being promoted to garner more interest in state parks from clubs, organizations and individual riders both within and outside Minnesota. It is anticipated that, through marketing, pricing and promotional efforts, the revenue produced will help offset other fee reductions. Last year, Minn. Stat., Ch.85.053 (state park permits) was changed to allow for an alternate means of displaying and validating annual permits. The requirement to affix permits to the vehicle has historically been a deterrent for motorcyclists visiting state parks.

Soudan Underground Mine State Park has an annual attendance of approximately 32,000 visitors. These folks visit the park to tour the mine and associated lab facilities and must use the parking area that services the shaft entrance. We are asking to eliminate the daily "per car" fee (of \$7 at the parking area) and to add a modest

"per person" (\$1) fee to the tour price. This will solve a persistent visitor complaint.

The demand for accommodating larger units (i.e. RV's) and towed vehicles is growing in our state park system. Currently, the DNR charges both vehicles for permits. Generally, the larger unit is used for camping and the towed vehicle for park or area touring. This issue has prompted numerous complaints. If the camping unit has a valid vehicle permit, it seems reasonable (for that park during their camping stay) to provide a "courtesy" pass for the towed vehicle. Vehicles that are trailered or carried on the motor home would not qualify for the towed courtesy pass.

Financial Implications (if appropriate)

- The number of daily permits sold in 2005 was 161,024. In reducing the permit price from \$7 to \$5, the estimated loss would be \$322,000. (By reducing the daily entrance fee the DNR hopes to increase the number of daily permits sold.)
- The number of group dailies sold in 2005 was 6508. In reducing the permit price from \$5 to \$3, the estimated loss would be \$13,016.
- Department of Motor Vehicle records for 2004 estimate there are 166,903 registered motorcycles. Given 10% participation rate for the annual motorcycle permit, priced at \$20, we have a potential revenue gain of \$333,806.
- The elimination of the parking fee at Soudan Underground Mine State Park would result in a loss of \$34,143(3 year average.). The park estimate for tour attendance in 2005 was 32,000. To offset this reduction, we would be proposing to raise both adult and youth fees by \$1.

For further information contact:

John Lilly, Assistant to the Director
DNR, Division of Parks and Recreation
(651) 259-5589
john.lilly@dnr.state.mn.us



Department of Natural Resources Fact Sheet



HORSE TRAIL PASS BILL

Summary

This proposal is for the establishment of a horse trail pass for individuals riding on state trails, state forests, state parks, and state recreation areas. A \$4 daily and a \$20 annual pass fee would be charged, with trail use free to users under the age of 16. Receipts would be deposited in a horse trail account in the natural resources fund and would be dedicated for horse trail and trail facility development, maintenance and enforcement in state trails, forests, parks and recreation areas

It is needed because

This initiative will provide funding to support the development, maintenance, and repair of horse trails or trails authorized for horse use whether riding or driving on state trails, state forests, state parks, and state recreation areas. This proposal is consistent with the goal to provide a high quality and diverse recreation system.

There are over 1,000 miles of horseback trails on state trails, parks, state recreation areas, and state forests.

At present there are limited funds available to maintain the existing trails and no funds available to develop new trails. Wisconsin and Three-Rivers Park District currently require "bridle" or trail pass fees for users of horse trails.

Financial Implications

In 2004 the Outdoor Recreation Participation Survey of Minnesotans indicated that there are 157,000 horseback riders age 20 and over. Preliminary revenue estimates are \$314,000 annually, based on 10% of horseback riders using trails on state recreation lands.

Background

The Minnesota Trail Riders Association and the Minnesota Horse Council support this trail pass.

For further information contact:

Laurie Martinson, Director
DNR, Trails and Waterways
(651) 259-5626
laurie.martinson@dnr.state.mn.us

Tom Danger Trails Program Manager
DNR, Division Trails and Waterways
(651) 296-4782
tom.danger@dnr.state.mn.us

Date: March 13, 2006

To: Committee members

Re: HF 3199/ SF2999

Good afternoon, my name is Barb Scottston, and I pay real estate taxes in Anoka and Houston counties. I am here today as a member of the Minnesota Trail Riders Association.

MTRA is a grassroots organization of approximately 650 horse people. I have been a member since 1979, and served several terms on its board. But, I became an avid rider well before that. I am a recreational rider, not a professional horseperson. Trail riding has been one of our family sports. My kids grew up going horse camping. We didn't have the traditional Minnesota-cabin-up-north. We took our horses – or ponies (depending on the kids' age) – to various campgrounds, and rode through the woods all day long. I realize a Minnesotan who doesn't fish may seem odd to you, but I still thank you for your interest and concern in hearing about how *we* enjoy the state's natural resources!

While I truly value my many years of finding all the wooded corners to discover on horseback, these same long years have shown me the effect of fewer public dollars for improving our recreation facilities in parks and forests, recreation areas, and state trails. It's not even "improving" any longer, we're down to a serious concern for basic "maintenance."

It is unreasonable to take funding away from education, health, and welfare to subsidize recreation facilities. At the same time, losing the quality of our recreation facilities -- and the opportunity to develop additional facilities -- because of lack of funding for acquisition and development, **or** for operation and maintenance, serves no one. We need more sources for viable and suitable funding.

One funding source has been – and will continue to be -- user *group* contributions, which have certainly made an impact. Since 1993, MTRA has donated \$153,000 to public recreation facilities for maintenance and improvement projects. MTRA does apply for federal grants on behalf of public recreation facilities, but the requests and the needs far exceed the resources of our non-profit group. In addition to MTRA, the Minnesota Horse Council has donated money to fund projects in many locations.

Another potential funding source brings us here today – user-purchased horse trail passes. Over the last 12 years, we have looked at Minnesota's ski pass system, Hennepin County Park's trail pass system, and Wisconsin's trail pass system. Currently day users of state horse trails are only required to display a vehicle permit in *parks*. There are also local residents, stables and private campgrounds that surround public recreation facilities and use these state facilities for "free."

A significant portion of the dollars allocated towards horse trails could come from the users themselves. The allocation of funds (collected from horse trail pass purchases) *directly* back to the trails is especially important for the non-motorized forests which have little or no budget for maintenance

These concerns eventually brought the MTRA to a board resolution in November of 2004, which began our active support of this proposal. We have worked collaboratively with the Minnesota Horse Council to promote mutual goals for horse trail users. Through many meetings with DNR staff, the outcome is the bill you have for consideration today.

Users should support, at least in part, maintenance and development of their recreation facilities. And no, not every trail rider will enthusiastically plop down his or her dollars to buy a trail pass. We expect some backlash from even our own membership. Folks sometimes just think their tax dollars should "do it all." Sometimes when you have the wrong answer, it's because you just don't understand the question. We don't want to slowly lose any more of the riding resources in our state.

We need additional funding sources now. Thank you.

MINNESOTA HORSE COUNCIL

Subject: Minnesota Legislative Files HF3199/SF2999
Name: Dr. Thomas Tweeten
Home: Prior Lake, MN
Representing: Minnesota Horse Council Trail Blazers Committee

My name is Dr. Tom Tweeten. I am a professional chemist and food scientist. I live on a small farm in Prior Lake, Minnesota where I raise and work with horses.

I am the current president of the Minnesota Horse Council. The Minnesota Horse Council, a Minnesota not-for-profit Corporation, was founded in 1935 to provide a vehicle for horse owners and exhibitors to coordinate horse activities with the Minnesota State Fair Board.

From this humble beginning the Minnesota Horse Council has evolved to fill the gaps between the breed organizations, horse show events, horse clubs, and recreational riders to see that all of interests of the horse industry are addressed in our state. We have 150 individual and family memberships, over 50 stables that we have certified, and 60 plus corporate, club, breed and show association members. Those breed, club, and show association members represent a vast majority of the horse owners in Minnesota.

Our Goals are to:

1. Promote and support equine educational activities.
2. Improve communication between those involved in horse related activities and with the general public.

To that end, I invite all of you to visit our Minnesota Horse Expo April 28th to 30th at the Minnesota State Fairgrounds. We had over 55,000 visitors last year.

Now, why are we interested in HF 3199/SF2999?

Though our Trail Blazers Committee, the Minnesota Horse Council over the past 10 years has worked with the Department of Natural Resources to invest more than \$450,000 from our Council to be used with matching grants to acquire additional land for trails and upgrade parking areas and trails used by equestrians. In addition we have helped organized volunteer trail maintenance work groups to work with park staff to repair existing trails. We publish and make available to the public flyers and brochures containing information about equestrian camping and trail facilities within our state.

Surveys show that more than 157,000 riders over the age of 20 use our trails each year. With that level of interest in equestrian trail use, more funds are needed to both maintain existing trails as well as look for ways to accommodate the growing need for access to additional equestrian day-use facilities and trails. While some of our members do see a fee for use system as an additional financial burden, many agree that it represents a way to direct funds specifically back into the parks and forest system for better maintenance of trails, day-use facilities/parking, and overnight horse picket areas used by the recreational equestrian. While the proposed is similar to some already in place, I want to clearly say again that for the Minnesota Horse Council to support this proposed bill, the specified horse trail pass fees

MINNESOTA HORSE COUNCIL

collected must go back into the parks and trails system earmarked for equestrian trail and related facility maintenance and improvement.

There are currently trails covering more than 1,100 miles in our state parks and forests available for use by equestrians for everything from recreation trail rides to competitive trail riding events. The outcome of an earmarked fee for use horse trail pass program should be better and safer trails and campsites for use by people and their horses who want to share the outdoors with other horse owners and friends. Who knows, by having well maintained trails, good trailer parking facilities, and adequate overnight horse picket areas along with the attractive brochures that the Minnesota Horse Council already has available, we could also attract visitors from out of state which would bring additional revenue to Minnesota.

Thank you for your time and consideration of HF 3199/SF2999.

Respectfully submitted:

Thomas N. Twitten

Report of the Environment and Natural Resources Trust Fund Advisory Task Force

February 15, 2006
Adopted February 7, 2006

Advisory Task Force authorizing law, appointments and membership

Minnesota Constitution Article XI, Sec. 14

Sec. 14. **ENVIRONMENT AND NATURAL RESOURCES FUND.** A permanent environment and natural resources trust fund is established in the state treasury. Loans may be made of up to five percent of the principal of the fund for water system improvements as provided by law. The assets of the fund shall be appropriated by law for the public purpose of protection, conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources. The amount appropriated each year of a biennium, commencing on July 1 in each odd-numbered year and ending on and including June 30 in the next odd-numbered year, may be up to 5-1/2 percent of the market value of the fund on June 30 one year before the start of the biennium. Not less than 40 percent of the net proceeds from any state-operated lottery must be credited to the fund until the year 2025. [Adopted, November 8, 1988; Amended, November 6, 1990; November 3, 1998]

Per ML 2005, First Special Session, Chapter 1, Article 2, Section 156:

Sec. 156. [ENVIRONMENT AND NATURAL RESOURCES TRUST FUND; ADVISORY TASK FORCE.]

Subdivision 1. [ESTABLISHMENT.] (a) An advisory task force to examine the process for making recommendations on expenditures from the environment and natural resources trust fund is created, consisting of:

- (1) four former members of the current Legislative Commission on Minnesota Resources from the house of representatives, appointed by the executive committee of the commission;
 - (2) four former members of the current Legislative Commission on Minnesota Resources from the senate, appointed by the executive committee of the commission; and
 - (3) eight public members who are not current or past members of the Legislative Commission on Natural Resources or the Citizens Advisory Council, established under Minnesota Statutes, section 116P.06, but who have submitted trust fund proposals for funding, appointed by the governor.
- (b) The members of the task force shall select a chair who shall preside and convene meetings of the task force. At least two house members and two senate members appointed must be from the minority caucus. Current legislative members of the task force are entitled to reimbursement for per diem expenses plus travel expenses incurred in the services of the task force. Public members of the task force shall be compensated as provided in Minnesota Statutes, section 15.0575.
- (c) The task force shall examine the current process for recommending appropriations from the environment and natural resources trust fund and make recommendations for changes in the process. (d) By February 15, 2006, the task force shall report on its recommendations to the governor and the legislative committees and divisions with jurisdiction over environment and natural resources policy and finance.

Subd. 2. [SUNSET.] The duties of the Legislative Commission on Minnesota Resources to recommend expenditures from the environment and natural resources trust fund expire on June 30, 2006.

Advisory Task Force Membership

Governor Pawlenty Appointments:

David Zentner – Co-chair, Karen Bowen, Jeff Broberg, Joe Duggan, Wayne Enger, Ryan Heiniger, Pam Landers, Craig Shaver.

LCMR Executive Committee Appointments:

Loren Solberg – Co-chair, Charlie Berg**, Dave Bishop, Ron Erhardt, Phyllis Kahn, Jane Krentz, Gary Laidig, Steve Morse, Earl Renneke**.

** Earl Renneke resigned on January 6, 2006. He was replaced by Charlie Berg.

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EXECUTIVE SUMMARY

The Advisory Task Force for the Environment and Natural Resources Trust Fund (“Task Force”) was established in ML 2005, First Special Session, Chapter 1, Article 2, Section 156 to “examine the process for making recommendations on expenditures from the environment and natural resources trust fund...”

The Task Force was composed of sixteen members with many years of legislative and citizen expertise in the environment, natural resource and governance issues. Although Task Force members had diverse perspectives, they shared a common goal of assuring the preservation and enhancement of Minnesota’s environment and natural resources through the best possible stewardship of Trust Fund expenditures. This report reflects the consensus views of the Task Force on how this goal can best be achieved.

The Advisory Task Force held its first meeting on Sept. 27, 2005, and met an additional seven times before the report deadline of February 15, 2006.

The Task Force deliberations served to balance two overriding interests:

- The interest in providing meaningful citizen involvement in the Environment and Natural Resources Trust Fund decision making process; and
- The interest in maintaining the constitutional responsibility of the legislature to appropriate money and oversee the spending of any appropriation.

The Task Force concluded that the goal of increasing citizen input could be achieved by:

- Adding non-legislative citizen appointments to make final funding recommendations by creating a joint Legislative Citizen Commission on Minnesota Resources (Commission).
- Regularly rotating the chair between the citizen and legislative members.
- Requiring a two-thirds majority vote for all final funding decision recommendations.
- Creating a Citizen Selection Committee appointed by the Governor to make recommendations for the citizen appointments.
- Providing for the establishment and use of technical expert advisory committees to assist in strategic plan development and proposal review and evaluation.
- Allocating a portion of the Trust Fund dollars to regions, to engage citizens at the local level and to invest in projects that address the unique needs of the area served.

The Task Force also concluded that the constitutional responsibility of the legislature to appropriate money and oversee the spending of any appropriation could be assured by:

- Maintaining legislative members on the Legislative Citizen Commission on Minnesota Resources to determine final project funding recommendations.
- Forwarding final project funding recommendations from the Commission to the full Legislature for review and appropriation.

Key Findings of the Task Force:

- The Trust Fund expenditures must follow the constitutional “mandate” as defined in MS 116P.02 and allowed in MS 116P.08.
- The Trust Fund must be appropriated by the Legislature.
- The Trust Fund expenditures must provide a long-term benefit to Minnesota’s environment and natural resources.
- The Trust Fund expenditures must supplement and not supplant other environment and natural resource funding.

Summary of Task Force Recommendations:

The Advisory Task Force Recommendations for changes to the process used for expenditures from the Environment and Natural Resources Trust Fund are in the four major areas of:

- Governance
- Long Range Planning
- Grant Administration
- Other Funds to Enhance Trust Fund Expenditures

The Task Force Recommendations include:

The full recommendations are on page 8.

Governance:

In order to provide increased citizen involvement the Task Force recommends replacing the current Legislative Commission on Minnesota Resources (LCMR) and Citizen Advisory Committee (CAC) process for making recommendations for the Trust Fund expenditures to the Legislature with a 17 member Commission composed of citizen and legislative appointed membership.

The 17 members are composed of: 7 citizen appointees, 5 House members and 5 Senate members. The citizen members are appointed by the Governor (5), the Senate (1) and the House (1).

The citizen members are appointed by the Governor, House, and Senate from recommendations received by the Citizen Selection Committee appointed by the Governor. The House and Senate appoint the 10 legislative members.

The chair of the Commission is elected by the membership and rotates between citizen and legislative members. A super majority of 12 of the 17 members (two-thirds) is required for Trust Fund expenditure recommendations.

Technical Advisory Expert Committees must be established to assist in long range planning for expenditures and proposal review and evaluation.

Annually, the Legislature will receive the Commission's recommendations for review and appropriation to forward to the Governor for signature.

Long Range Plan:

The Commission must adopt a 6 –year strategic long range plan for Trust Fund expenditures with measurable outcomes and determine areas of emphasis for funding.

Grant Administration and Funding Cycle

To make the funding available on a more timely basis, the funding cycle is adjusted as follows:

- (1) the cycle is changed from biennial to annual;
- (2) the Legislature is asked to take action on the funding recommendations at the beginning of its annual legislative session as stand alone appropriation legislation;
- (3) regional block grants are encouraged; and
- (4) an account should be set up to fund emerging issues outside of the proposed annual grant cycle with final approval by the Governor.

Other Funds to Enhance Trust Fund Expenditures

- Trust Fund Expenditures should seek to maximize leveraging of non-state dollars in project funding
- The Governor and the Legislative should restore the funding for the MN Future Resources Fund for environment and natural resource expenditures.

INTRODUCTION

Advisory Task Force Charge

The Advisory Task Force for the Environment and Natural Resources Trust Fund was established in ML 2005, First Special Session, Chapter 1, Article 2, Section 156 to “examine the process for making recommendations on expenditures from the environment and natural resources trust fund...”

Advisory Task Force Meetings

The Advisory Task Force held its first meeting on Sept. 27, 2005, and met an additional seven times before the report deadline of February 15, 2006. The Task Force Report was adopted on February 7, 2006 by a unanimous vote.

All materials distributed at the Advisory Task Force meetings and meeting minutes are available on the web at www.lcmr.leg.mn. In addition, the audio of all Advisory Task Force meetings is located at this web site.

Facilitation of the Advisory Task Force was conducted under contract with the Department of Administration.

Information Gathering

The Task Force reviewed the Constitutional amendments for the Trust Fund and MS 116P, the statute that implements the constitutional amendment. Various constitutional issues related to governance structures and expenditure options were provided by House and Senate Research for discussion.

The Advisory Task Force also reviewed the current process for Trust Fund expenditures and programs and processes used by other states, local and national foundations and other state grant programs. Included in the review were presentations from:

- **House, Senate and the Office of the Governor.** House and Senate conference committee members, a representative from the Governor’s office and the current LCMR chair shared their thoughts on the establishment of the Advisory Task Force and its charge.
- **Public Testimony.** The public was invited to share comments and suggestions to improve the process for Trust Fund expenditures. On November 17, 2005, twenty-three people presented testimony. An additional sixteen written comments were received.

- **Citizen Advisory Committee for the Environment and Natural Resources Trust Fund (CAC).**
All current and former CAC members were invited to share their perspectives with the Task Force during the November 17, 2005 meeting. Three CAC members provided testimony. In addition Nancy Gibson, Chair of the CAC, provided written comments.

- **States with Constitutionally Dedicated Environment and Natural Resource Funding and/or Established Trust Funds.**
Representatives of Great Outdoors Colorado, the Nebraska Environmental Trust, and the Missouri Department of Conservation presented overviews of the programs and activities in their states. House Research provided an Issue Brief on “State Environmental Trust Funds” (Appendix A).

- **Foundations and State Grant Programs.** The McKnight Foundation, the National Fish and Wildlife Foundation, and the Minnesota Arts Board presented overviews of their funding governance and process.

FINDINGS AND CONCLUSIONS

The Task Force deliberations served to balance two overriding interests:

- The interest in providing meaningful citizen involvement in the Environment and Natural Resources Trust Fund decision making process; and
- The interest in maintaining the constitutional responsibility of the legislature to appropriate money and oversee the spending of any appropriation.

The Task Force concluded that the goal of increasing citizen input could be achieved by:

- Adding non-legislative citizen appointments to the make final funding recommendations by creating a Legislative Citizen Commission on Minnesota Resources (Commission).
- Regularly rotating the chair between the citizen and legislative members.
- Requiring a two-thirds majority vote for all final funding decision recommendations.
- Creating a Citizen Selection Committee appointed by the Governor to make recommendations for the citizen appointments.
- Providing for the establishment and use of technical expert advisory committees by the Commission to assist in strategic plan development and proposal review and evaluation.
- Allocating a portion of the Trust Fund dollars to regions, to engage citizens at the local level and to invest in projects that address the unique needs of the area served.

The Task Force also concluded that the constitutional responsibility of the legislature to appropriate money and oversee the spending of any appropriation would be assured by:

- Maintaining legislative members on the Legislative Citizen Commission on Minnesota Resources to determine final project funding recommendations.
- Forwarding final project funding recommendations from the Commission to the full Legislature for review and appropriation.

The Task Force identified the following additional findings and conclusions, based on the results of their information gathering and deliberations.

Guiding principles for Trust Fund Expenditures:

- The Trust Fund expenditures must follow the constitutional “mandate” as defined in MS 116P.02 and allowed in MS 116P.08.
- The Trust Fund must be appropriated by the Legislature.
- The Trust Fund expenditures must provide a long-term benefit to Minnesota’s environment and natural resources.
- The Trust Fund expenditures must supplement and not supplant other environment and natural resource funding.

Governance

- Ensure an open public process in the development of the strategic plan and project funding review.
- Increase the involvement of Minnesota citizens in the Trust Fund strategic plan and expenditure decisions.
- Increase the public outreach for reporting the funding accomplishments.

Long Range Planning

- The long-range plan (strategic plan) must conform to the Trust Fund Constitution and M.S. 116P. 08, Environment and Natural Resources Trust Fund allowed expenditures, and definitions in M. S. 116P.02.
- The strategic plan required in M.S. 116P.08, Subd. 3, must provide measurable outcomes for expenditures and determine areas of emphasis for funding.

Grant Administration

- Increase the frequency of the funding cycle.
- Provide for regional grants to address unique needs of the regions.
- Increase responsiveness to emerging issues.

Other Funds to Enhance Trust Fund Expenditures

- Additional state and non-state sources of funds should be leveraged to enhance and maximize the impact of Trust Fund expenditures.

RECOMMENDATIONS

The Advisory Task Force Recommendations address four major areas including,

- Governance
- Long Range Planning
- Grant Administration
- Other Funds to Enhance Trust Fund Expenditures

The Advisory Task Force recommends that a sunset of June 30, 2016 apply to all of its recommendations.

Governance Structure and Membership

- A 17 member Legislative Citizen Commission on Minnesota Resources (Commission) composed of legislative members and citizen appointed members is created to make final recommendations on the Trust Fund expenditures to the legislature.
- The Commission should consist of a membership size that can provide for streamlined decision making and represent diverse points of view and opinions of elected and non-elected citizens.
- All appointments made to the Commission must take into consideration the appointee's qualifications and interest in the mission of the Trust Fund.
- Members are expected to participate in all meetings related to funding decision recommendations through procedures established by the Commission.
- A conflict of interest process would apply to all members of the Commission.

Composition and Duties

- The composition of the 17 member Commission legislative and non-legislative citizen members is:
 - 7 citizen members
 - 5 House members
 - 5 Senate members
- The Commission makes final project funding recommendations for the Trust Fund to the Legislature.
- Funding decision recommendations require a two-thirds majority vote of the full membership (12 members).
- The Commission must establish and use technical expert advisory panels.
- Citizen appointed members will be selected to chair the technical expert advisory panels.
- The Commission must adopt and regularly review a long-term strategic plan.
- The Commission shall operate within the current legislative administrative structure.

Membership

- Appointment process
 - Legislative members are appointed by the House and Senate.
 - Citizen members are appointed by the Governor (5), House (1) and Senate, (1) based on the recommendations of Governor's appointed Citizen Selection Committee.
- The Commission chair is elected by Commission membership. Selection of the chair rotates between citizen membership and legislative membership.
- Membership Terms
 - The Task Force recommends that the legislature develop term limits for the citizen and legislative appointees, such as:
 - Citizen Membership: Staggered 3-year terms, with a maximum of two full terms
 - Legislative Membership: 2-year terms, with a maximum of 3 full terms.

Citizen Membership Criteria

- Criteria for citizen members to the Commission includes:
 - Demonstrated expertise and experience in the science, policy, or practice of the protection, conservation, prevention and enhancement of the State's air, water, land, fish, wildlife and other natural resources (as defined in 116P).
 - Demonstrated ability to work in a collaborative environment.
 - A strong knowledge of the environment and natural resource issues faced across the variety of geographic regions of the state.

Legislative Membership Criteria

- Criteria for legislative members to the Commission includes:
 - Limiting automatic appointments to be the chairs of the environment finance/budget committees in the House and the Senate, or the Chairs' designees.
 - At least 2 of the 5 appointments from the House and Senate must be minority members.
 - A strong knowledge of the environment and natural resource issues faced across the variety of geographic regions of the state.

Citizen Selection Committee Composition and Duties

- A committee totaling 5 – 8 members, representing a geographic balance and diversity in the environment and natural resource interests, appointed by the Governor, recommends citizen members for appointment to the Commission.
- The Citizen Selection Committee duties include:
 - Identification of citizen Commission member candidates from the open appointments process "pool."
 - Requesting and reviewing special applications for citizen member candidates.
 - Interviewing and recommending a "pool" of member candidates to the Governor, House and Senate.

Long-Range Plan

- The strategic plan required in M.S. 116P.08, Subd. 3, (6- year plan, reviewed every 2 years) must provide measurable outcomes for expenditures and determine areas of emphasis for funding.
- The strategic plan must have clearly stated short and long term goals and strategies for Trust Fund expenditures that can move the environment and natural resources toward the desired outcomes.
- The Commission shall consider the long term strategic plans of agencies with environmental programs and responsibilities and conservation and environmental organizations during the development and review of the Trust Fund strategic plan.
- The long-range plan (strategic plan) adopted by the Commission must conform to the Trust Fund Constitution, M.S. 116P.08, Environment and Natural Resources Trust Fund allowed expenditures, and definitions in M.S. 116P.02.

The Task Force recommends that the Commission strategic plan development consider the following as part of its process:

The Commission should develop the first draft of the Trust Fund long range content plan from their combined expertise on and understanding of statewide issues. Once the first draft of the long range plan has been written, the Commission should review the state agency long range plans to determine what portions of the Commission trust fund plan are already being addressed. The Trust Fund long range plan could then be revised to emphasize funding those identified needs not being addressed in the agency plans.

Additionally, the Advisory Task Force recommends that:

- The Commission recommend adequate funding for the Advisory Task Force recommendations for increased citizen outreach and communications as part of the long-range planning and grant-making functions.

Grants Administration

The Legislature is asked to take action on the project funding recommendations at the beginning of its annual legislative session as stand alone appropriation legislation.

Additionally, it is recommended that the Commission:

- Increase the frequency of the funding cycle to an annual cycle (Example of annual cycle in Appendix B).
- Continue to allow for direct administrative expenses for the project expenditures, as needed
- Establish and use technical advisory review committee(s), in proposal

- evaluation and project outcome evaluation.
- Continue to conduct scientific peer reviews for research proposals.
 - Research expenditures must focus on the environment and natural resources identified in the Trust Fund Constitution and long-range plan.
 - Simplify the grant application and review process.
 - Streamline the administration of the project expenditures for recipients.
 - Continue to ensure the accountability of the expenditures and provide for the evaluation of the projects and the auditing of the expenditures.

The Advisory Task Force also recommends that staff of the Commission be given a stronger role in the screening and initial evaluation of proposals.

In addition to making specific project funding recommendations, the Commission should consider recommending funding for regional block grants and an account for emerging issues.

Regional Block Grants

The Commission should consider establishing regional block grants for a portion of the funding to:

- Partner with existing administrative structures that have strong citizen involvement
- Leverage local and federal funding.
- Help build local capacity for the environment and natural resource activities, education and awareness.
- Address unique needs of areas served.
- Capture potentially high-return, local citizen efforts.

The Commission should consider providing the block grants to existing regional organizations.

The regional block grant expenditures must conform to Constitutional and statutory authorizations and the adopted long-range plan.

Grant recipients must report their grant awards and evaluation results to the Commission and be expected to maximize the funding provided to projects, minimize the administrative dollars, and leverage additional funds.

Emerging Issues Account

The Commission is encouraged to establish an account for emerging issues to be appropriated by the legislature for the Commission to respond rapidly to emerging issues brought to their attention. Expenditures would need to conform to the adopted strategic long-range plan. Recommendations for the account expenditures are subject to final approval by the Governor.

Other Funds to Enhance Trust Fund Expenditures

- Trust Fund expenditures should seek to maximize the leveraging of non-state dollars in project funding by partnering with 501c(3)s, other organizations and agencies.
- It is recommended the Governor and the Legislature restore the funding for the MN Future Resources Fund for environment and natural resource expenditures.
- The Governor and Legislature are encouraged to recognize the need for the environment and natural resource project funding in the capital bonding considerations.

*David Zentner
2116 Columbus Ave.
Duluth, MN 55803*

The Honorable Dallas Sams
State Senator
328 State Capitol
St. Paul, MN 55155

March 13, 2006

Dear Senator Sams:

Please accept my thanks for your willingness and leadership to advance reforms to the governance and use of the Environment and Natural Resource Trust Fund. With your help, the recommendations of the Environment and Natural Resources Trust Fund Advisory Task Force will be adopted into law and Minnesota's governance of the great outdoors will be improved.

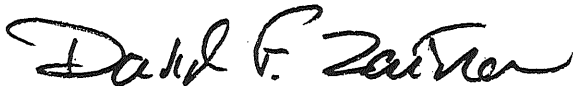
However, I bring to your attention my concern regarding a recently accepted amendment to your bill (S.F. 2814). Under the amendment, the appointment authority to the newly formed Legislative-Citizen Commission on Minnesota Resources, as adopted unanimously by the Task Force, would be seriously altered in a manner inconsistent with the Task Force's wishes. I strongly urge you to remove this provision and return to Task Force's proposal.

I believe the amendment (granting 7 appointments to the both the House and Senate, while reducing the appointments of the Governor to 3) substantially undermines the principle of balance the Task Force sought between the executive and legislative branches.

Remaining faithful to the Task Force's recommendations and the principle of balance between the legislature/executive branch and citizens/elected officials must be of paramount concern as this legislation advances through the process. Doing so will achieve our shared interest of putting more citizen trust back in the trust fund – anything less only reminds citizens of why we needed a Task Force in the first place.

Again, thank you for your leadership on this important effort.

Sincerely,



David F. Zentner
Co-Chair,
Environment and Natural Resources Trust Fund Advisory Task Force

C: Representative Loren Solberg
Representative Kathy Tingelstad
Members, Environment and Natural Resources Trust Fund Advisory Task Force
Member, Senate Environment and Natural Resources Committee
Senator David Tomassoni



Department of Natural Resources Fact Sheet



BOAT SLIP LEASE PRE-PAYMENT AUTHORIZATION

Summary

This bill will authorize advance deposits or payments for boat slips leased by DNR in the same language/manner as subscriptions, registration fees, and software maintenance (Minn. Stat. 16A.065).

The normal business practice for leasing boat slips is to pre-pay the lease to reserve the space before the boating season.

Background

The Department has about 20 boat slip leases at this time. Conservation Officers currently have boat slip leases at such locations as Lake Pepin, Mississippi River in Southeastern Minnesota, St. Croix River, Lake Vermillion, Rainy Lake, and Mille Lacs Lake. Fisheries has about a dozen boat slip locations as well.

Generally, these boat slips are in key locations of several major bodies of water that require a more stable and permanent facility for work operations, and that might otherwise monopolize busy public access sites with Department equipment.

It is needed because

The Department needs to be able to obtain boat slip leases, and not lose key slip locations to other parties that pre-pay the lease for the summer. Currently, a mix of monthly and quarterly payment contracts have been implemented but this change would allow the Department to reserve appropriate boat slips that are needed for Conservation Officers and Fisheries. The changes in this bill would correct and formalize some current practices.

Financial Implications

No change in costs to the state are identified. The Department of Administration has delegated authority to enter into agreements for boat slips to the Department of Natural Resources.

For further information contact:

COL Michael R. Hamm, Chief Conservation Officer
DNR, Director of Enforcement
(651) 259-5042
mike.hamm@dnr.state.mn.us

Patricia Watts, Policy/Legal Analyst
DNR, Division of Enforcement
(651) 259-5058
pat.watts@dnr.state.mn.us

1.1 **Senator Marty from the Committee on Environment and Natural Resources,**
1.2 **to which was referred**

1.3 **S.F. No. 2872:** A bill for an act relating to natural resources; providing for
1.5 temporary state park permits for towed vehicles; modifying state park permit requirements
1.6 and fees; amending Minnesota Statutes 2004, sections 85.053, by adding a subdivision;
1.7 85.054, by adding a subdivision; Minnesota Statutes 2005 Supplement, sections 85.053,
subdivision 2; 85.055, subdivision 1.

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

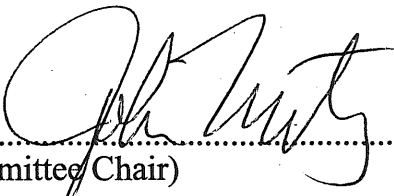
1.9 Page 2, after line 17, insert:

1.10 "Sec. 5. EFFECTIVE DATE.

1.11 This act is effective May 1, 2006."

1.12 And when so amended the bill do pass and be re-referred to the Committee on
1.13 Finance. Amendments adopted. Report adopted.

1.14
5

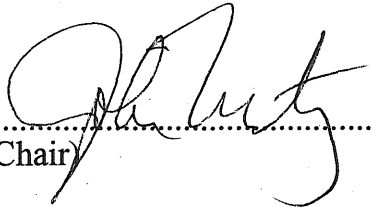

.....
(Committee Chair)

1.16 March 13, 2006
1.17 (Date of Committee recommendation)

1.1 **Senator Marty from the Committee on Environment and Natural Resources,**
1.2 **to which was referred**

1.3 **S.F. No. 2999:** A bill for an act relating to natural resources; providing for a horse
1.4 trail pass; appropriating money; amending Minnesota Statutes 2004, section 84.0835,
1.5 subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 85.

1.6 Reports the same back with the recommendation that the bill do pass and be
1.7 re-referred to the Committee on Finance. Report adopted.

1.8
1.9 (Committee Chair) 

1.10 March 13, 2006
1.11 (Date of Committee recommendation)

1.1 Senator Marty from the Committee on Environment and Natural Resources, to
1.2 which was re-referred

1.3 S.F. No. 2814: A bill for an act relating to natural resources; modifying and
1.4 renaming the Legislative Commission on Minnesota Resources; adding citizens and
1.5 making structural changes; appropriating money; amending Minnesota Statutes 2004,
1.6 sections 116P.02, subdivision 4; 116P.03; 116P.04, subdivision 5; 116P.05, as amended;
1.7 116P.07; 116P.08, subdivisions 3, 4, 5, 6; 116P.09, subdivisions 1, 6, by adding a
1.8 subdivision; 116P.11; Minnesota Statutes 2005 Supplement, section 10A.01, subdivision
1.9 35; repealing Minnesota Statutes 2004, sections 116P.02, subdivision 2; 116P.06; Laws
1.10 2005, First Special Session chapter 1, article 2, section 156, subdivision 2.

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

1.12 Page 4, line 1, delete "three" and insert "five"

1.13 Page 4, line 2, delete "two" and insert "one"

1.14 Page 4, line 3, delete "two" and insert "one"

1.15 Page 4, line 17, delete everything after the period

1.16 Page 4, delete lines 18 and 19

1.17 Page 4, line 20, delete everything before "Citizen"

1.18 Page 4, lines 30 and 32, delete "two members" and insert "one member"

1.19 Page 4, line 33, delete "and"

1.20 Page 4, line 34, delete "one member" and insert "two members"

1.21 Page 4, line 35, after "2009" insert "; and" and delete the period

1.22 Page 4, after line 35, insert:

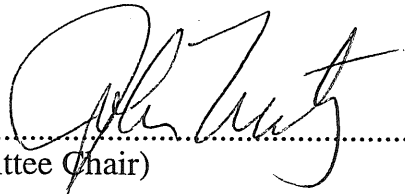
1.23 "(4) one member appointed by the governor for a term ending the first Monday
1.24 in January 2008."

1.25 Page 9, line 11, delete "(a)"

1.26 Page 9, delete lines 14 to 16

1.27 And when so amended the bill do pass and be re-referred to the Committee on
1.28 Finance. Amendments adopted. Report adopted.

1.29
1.30 (Committee Chair)



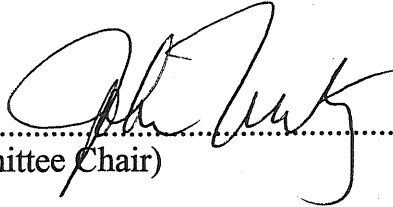
1.31 March 13, 2006
1.32 (Date of Committee recommendation)

1.1 **Senator Marty from the Committee on Environment and Natural Resources,**
1.2 **to which was referred**

1.3 **S.F. No. 2969:** A bill for an act relating to state government; authorizing advance
1.4 deposits or payments for boat slip rental; amending Minnesota Statutes 2004, section
1.5 16A.065.

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

1.8
1.9 (Committee Chair)



1.10 March 13, 2006
1.11 (Date of Committee recommendation)