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1980
REPORT
TO THE
LEGISLATURE

Legislative Commission on Minnesota Resources

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Legislative Commission on Minnesota Resources

B-46 STATE CAPITOL

ST. PAUL, MINNESOTA 55155

(612) 296-2406

ROBERT E. HANSEN
EXECUTIVE DIRECTOR



September 3, 1980

Members of the Legislature:

The "1980 Report to the Legislature" is submitted as required under MS 86.11, Subdivision 5. This Report is a fulfillment of part of the Legislative Commission on Minnesota Resources (LCMR)'s responsibility to "provide the background necessary to evaluate programs proposed to preserve, develop and maintain the natural resources of this state." (MS86.02) Working cooperatively with the appropriate standing committees, the Commission will continue to identify and research emerging resource issues facing the state. The LCMR will recommend appropriations from the natural resources account for innovative and/or accelerative programs. The Commission will continue to monitor and evaluate funding from the natural resources account and other programs as directed by the Legislature.

The Commission has requested the advice of a wide range of organizations and individuals, including the appropriate standing committees, as to which resource issues present the most pressing problems to the state and which, therefore, deserve the special consideration of the Commission. After the Legislative Commission on Minnesota Resources has determined the issues with which it will deal in FY 1982-83 it will recommend appropriations from the natural resources account to provide for programs to solve or better define existing problems.

The Legislative Commission on Minnesota Resources is now, and will continue to be, an effective resource for the Legislature in dealing with emerging natural resource issues. Please call upon the Commission at any time for background information which may be available on Minnesota's resources.

Sincerely,

A handwritten signature in cursive script that reads "Gerald L. Willet".

Senator Gerald Willet, Chairman
Legislative Commission on
Minnesota Resources

GLW/swf

LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES

Present Members

Senator Jerald C. Anderson	North Branch
Senator Roger Laufenburger	Lewiston
Senator Roger D. Moe	Ada
Senator Earl Renneke	Le Sueur
Senator Wm. Luther	Brooklyn Park
Senator Gerald L. Willet	Park Rapids
Representative James Casserly	Minneapolis
Representative Douglas Carlson	Sandstone
Representative Gary Laidig	Stillwater
Representative James Metzen	South St. Paul
Representative Willard Munger	Duluth
Representative John Sarna	Minneapolis
Representative Rod Searle	Waseca

OFFICERS

Senator Gerald Willet	Chairman
Representative Rod N. Searle	Vice Chairman
Senator Roger D. Moe	Secretary

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Representative James Casserly	Legislative Review
Representative Willard Munger	Water
Senator Roger Laufenburger	Forestry
Senator Gerald Willet	Executive
Senator Roger Moe	Goals and Objectives
Senator Gerald Willet	Special Issues

STAFF

Robert E. Hansen	Executive Director
John R. Velin	Administrative Assistant
David G. Flipp	Program Analyst
Linda Clauson-Pedersen	Executive Secretary

Role of the Commission

The role of the Legislative Commission on Minnesota Resources (LCMR, formerly called the MRC) is to implement the purpose of Minnesota Statutes, Chapter 86.02:

. . . to provide the Legislature with the background necessary to evaluate programs proposed to preserve, develop and maintain the natural resources of this state. (See Appendix for full text Ch. 86)

Thus, the Commission is an advisory, oversight and monitoring body for the Legislature. The LCMR acts as an information base for the Legislature regarding various resource programs. The Commission also has a role, implicit from the types of programs with which it is involved, to make inquiries and instigate action designed to examine potential innovative and/or accelerative approaches to State policy. The latter function has evolved from the basic orientation of the LCMR, expressed through its members, toward involvement with programs designed to meet future needs or to correct past policy decisions. The Commission attempts to focus upon relatively new ideas and emerging natural resource issues, which are not otherwise to be considered as part of the regular budget process for State agencies.

The Commission is composed of fourteen Legislators: seven Senators appointed by the Senate Committee on Committees and seven Representatives appointed by the Speaker of the House. Vacancies which may occur do not affect the authority of the Commission. Members serve until a successor is appointed.

Funding Sources

The Commission performs a substantial part of its advisory role by recommending that certain programs be supported with appropriations. In most cases it recommends that those appropriations be provided from the Natural Resources Account, which receives income from several sources. Eleven percent of the cigarette tax is deposited in the General Fund and specified by appropriations laws to support the Natural Resources Account. That amount was estimated to total approximately \$19.5 million for Fiscal Years 1980-81. The second income source consists of Federal reimbursements which are earned by expenditure of the State appropriations. The reimbursements are deposited in the Federal Reimbursement Account and support the appropriation recommendations. This source will account for approximately \$8.5 million for Fiscal Years 1980-81. Additionally, the Commission reviews the State Park Development Account and recommends appropriation of that amount as part of the Natural

Resources Account. The current biennium figure is approximately \$2.4 million. Finally, certain amounts of past appropriations from the Natural Resources Account which will not be spent are added to the amount available for the next biennium. The total 1979 appropriation recommendation amounted to about \$30 million.

Each even numbered year, the Commission reviews the past programs supported by Natural Resource appropriations, as well as existing State programs of Natural Resource management. The Commission invites various statewide organizations and individuals, including the appropriate standing committees, to suggest issue areas. The Commission then selects a number of issue areas for concentration and later recommends that certain programs in those issue areas be financed with Natural Resources Account appropriations. Before the LCMR recommends an appropriation for a program, every effort is made to insure that the suggested program is not a duplication of existing State agency programs nor merely a supplement to regular agency budgets.

Once the set of programs submitted by the LCMR to the Legislature is finally adopted in appropriation laws, the Commission implements its responsibility to closely monitor the programs in order to insure that the correct problems are addressed, in a manner consistent with the intention of the Legislature. The appropriation laws require the LCMR to review for approval a detailed work program submitted by the agencies which describes the proposed implementation of the program, before the actual implementation can begin. Thus, the LCMR has an opportunity to supervise closely the program once it is approved by the Legislature. The Commission also reviews, on a regular basis, semi-annual status reports submitted on each of the programs. In those cases where a program appears to be straying from Legislative intent or suffering from lack of direction or initiative, the Commission calls upon the State agency involved to rectify the problem.

Relationship with other Committees

The LCMR maintains a constant liaison with the appropriate standing committees of the Legislature. This is accomplished in two ways. First, the membership of the Commission traditionally includes the Chair of the Senate Finance and House Appropriations Committees, the Senate Natural Resources and Agriculture Committee and the House Committee on Environment and Natural Resources. In addition, the other members of the LCMR are also key members or chair one or more standing committees. Thus, the standing committees are informed of the actions and recommendations of the Commission through the direct participation of their Chair and members, in the LCMR activities. Secondly, the staff of the LCMR maintains communication with the staff of those standing committees. Informal contacts by telephone and in person complement the

periodic formal communications. Frequently one or more of the staff people from the standing committees are invited to participate in discussions between the LCMR staff and the various organizations, agencies, and persons interested in the Commission. The staff of the Finance, Appropriations and the Senate and House Committees on Natural Resources receive all the material and communications prepared by the LCMR staff at the same time as the LCMR members.

Commission Operations

The Commission holds meetings as required in order to complete its responsibility to develop advice for the Legislature regarding various resource issues. When the LCMR or one of its subcommittees holds a meeting, the liaison officers from the various agencies and departments, as well as the general public, are informed as far in advance as feasible. The meetings are held at the State Capitol or on the site of programs which have received Natural Resources Account funding, or which require on-site review for development of LCMR background information. The Commission or subcommittee Chair frequently request State agency officials to appear and present testimony and appropriate data regarding the subject matter at hand. The Commission also conducts written correspondence between the Chair, members of its staff and various agencies of the State and Federal government which are involved in Natural Resource programs. After receiving testimony, correspondence and conducting its own intensive discussions, the Commission develops recommendations for action on given topics and delivers those recommendations to the appropriate persons, agencies and Legislative committees. Essentially, there are three alternative recommendations available to the Commission regarding the various programs under review. The Commission may recommend that a particular program receive continued Natural Resources Account funding support. A second alternative might be to conclude that a particular program represents an appropriate and effective State policy for a given problem area and recommend that the program should therefore be financed through the regular budget of the appropriate agencies. The third alternative is for the Commission to review its own evaluation of a given program and recommend that the program be no longer conducted by the State.

Recommendations 1979-81

The following are 1979 appropriations recommended by LCMR. In each case there is a detailed work program and semi-annual status report on file with the Legislative Reference Library.

ML 79 Ch. 333

Sec. 31. NATURAL RESOURCES ACCELERATION
Subdivision 1. General Operations
and Management 15,794,300 14,858,900

Approved Complement
1980 - 122 1981 - 106
General - 118 102
Federal - 4 4

The amounts that may be expended from this appropriation for each activity are more specifically described in the following subdivisions of this section. For all appropriations in this section, except as otherwise specifically provided, if the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Subd. 2. Legislative Commission
on Minnesota Resources 224,900 224,900

The commission shall during the 1979-81 biennium review the work programs and progress reports required under subdivision 12 of this section and report its findings and recommendations to the committee on finance of the senate, committee on appropriations of the house of representatives and other appropriate committees. The commission shall establish oversight committees to continue review of a variety of natural resource subject areas as it deems necessary to carry out its legislative charge.

Subd. 3. State Planning
Agency 4,765,900 4,232,500
Approved Complement - 12

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Copper Nickel Information Management
\$ 23,400 \$0

For the environmental conservation library to catalogue and manage the reports and background material from the regional copper nickel study.

(b) Copper Nickel Study Review
\$110,000 \$0

To provide continuity in developing legislative policy and assistance to the various agencies in analysis and

decision making after the study is published. The state planning agency is directed to make its final report to the committee on environment and natural resources in the house of representatives and the committee on agriculture and natural resources in the senate no later than June 30, 1979. If the legislative committees require additional expert testimony and review after June 30, 1979, such expertise shall be funded from appropriations to the legislature. The state planning agency is further directed to deliver data and reports to the state agencies and ECOL, whichever the SPA determines appropriate. Information presented to ECOL shall be indexed for reference by the SPA before presentation.

(c) Aerial Photography
\$150,000 \$0

To finish purchase of statewide high altitude aerial photographs.

(d) Outdoor Recreation Act Review
\$ 32,500 \$ 32,500
Approved Complement - 1

For the agency review process required in Minnesota Statutes, Chapter 86A.

(e) Land Use Change Analysis
\$ 75,000 \$ 75,000
Approved Complement - 2

To develop rapid and inexpensive techniques to collect and analyze land use change for use in updating land use information.

(f) Computer Work Station
\$250,000 \$ 0

For purchase of a mini-computer to augment the Minnesota land management information system analysis techniques and service capability.

(g) Geographic Information System
\$ 50,000 \$ 50,000
Approved Complement - 1

To develop improved capabilities for information organization and analysis and develop interface with other natural resource data systems.

(h) Satellite Data Analysis
\$ 35,000 \$ 35,000
Approved Complement - 1

To develop technical and computer capabilities at the state level for enhanced use of LANDSAT information and technology.

(i) Automated Reference Index
\$ 40,000 \$ 40,000
Approved Complement - 2

To provide a centralized source index for natural

resource information, including information gathered by the copper nickel project.

(j) Local Recreation and Natural

Areas Contingent Account

\$2,000,000 \$2,000,000

This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, of long term lease, acquisition and development for recreational projects for the purposes described in Laws 1965, Chapter 810, Section 23, as amended by Laws 1969, Chapter 1139, Section 48, Subdivision 7, Paragraph g, except that no lake improvement grants are authorized under this subdivision and the per project limit for state grants is \$200,000.

\$1,000,000 of this appropriation each year is reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2. The state planning agency shall administer the natural resources and land and water conservation fund grants-in-aid to local units of government. Notwithstanding any other law to the contrary these grants are not contingent upon the matching of federal grants. This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures.

(k) Regional Recreation and Natural

Areas Contingent Account

\$2,000,000 \$2,000,000

This appropriation is available to pay up to 50 percent of the total cost or 50 percent of the local share if federal matching funds are used, for long term lease, acquisition and major development for recreation projects, natural areas and open space serving a regional need to counties, local units of government and special units of government authorized to acquire, maintain and operate recreational and natural areas.

\$2,000,000 of this appropriation shall be reserved for projects outside the metropolitan area as defined in Minnesota Statutes, Section 473.121, Subdivision 2. Priorities for the use of funds provided in this subdivision will be given to projects eligible for federal funding and which are consistent with priorities established by regional recreation and open space plans.

The amount needed but not to exceed \$1,000,000 in fiscal year 1980 and \$1,000,000 in fiscal year 1981, from this appropriation shall be transferred to the metropolitan council to pay principal and interest coming due in the respective fiscal years on bonds issued pursuant to Laws 1974, Chapter 563, Section 7, Subdivision 2; none of this amount may be expended for professional services.

The state planning agency shall administer the natural resources and land and water grants-in-aid program. This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding such expenditures.

(1) Recreation and Natural Areas
Contingent Account Administration
Approved Complement - 5

Of the amounts appropriated in paragraphs (g) and (h) of this subdivision, up to \$313,000 is available for administration.

Subd. 4. Department of Natural
Resources \$6,948,200 \$6,754,800
Approved Complement - 86

The amounts that may be expended from this appropriation for each activity are as follows:

(a) State Park and Recreation
Area Development
\$4,644,500 \$4,644,500
Approved Complement - 28

To be expended in accordance with Minnesota Statutes, Chapter 86A. Of this amount, \$2,400,000 is appropriated from the state parks development account. At least 80 percent of the appropriation shall be spent only upon projects eligible for at least 50 percent federal match or reimbursement. Up to \$2,700,000 of the appropriation may be used for major rehabilitation. The department shall obtain great river road federal funding in all feasible projects. Up to \$1,304,000 of the appropriation is available for professional services.

(b) Outdoor Recreation Act
Implementation
\$643,300 \$562,400
Approved Complement - 31

For the master planning and other activities required by Minnesota Statutes 1978, Chapter 86A. Of this amount \$600,000 and 14 staff complement are for parks, \$80,900 and 5 staff are for wildlife, through March 1980, \$455,000 and 11 staff are for wild, scenic and recreational rivers and \$69,800 and 1 staff for scientific and natural areas.

(c) Long Range Plan
\$173,800 \$173,800
Approved Complement - 4

To continue development of a long range plan which lays out interdisciplinary goals, objectives, policies and an ongoing planning process to guide resource management in Minnesota. Data shall be collected in a format consistent

and compatible with the Minnesota land management information system.

(d) Peat Inventory

\$ 96,500 \$ 96,500

Approved Complement - 4

To continue the inventorying of peat by reporting the type, quality, quantity and depth of an additional one million acres which will complete the reconnaissance inventory of the major peat bogs, including those with energy and chemical industrial use potential. Data shall be collected in a format consistent and compatible with the Minnesota land management information system. Grants or matching money received are appropriated for this purpose.

(e) Iron Range Information Analysis

\$ 50,000 \$ 0

In addition to the \$25,000 in the regular budget for this purpose, this appropriation is for continued development and implementation of a system for pertinent information. Existing and prospective data shall be organized in a format consistent and compatible with the Minnesota land management information system and provided to that system. Money necessary for this project after March, 1980 shall be requested from the iron range resources and rehabilitation board.

(f) Heavy Metals Release Study

\$ 37,500 \$ 0

Approved Complement - 1

To develop techniques to control release of heavy metals from gabbro materials. The department shall propose relevant policies for gabbro development as a result of this study. Money necessary for this project after March, 1980 shall be requested from the iron range resources and rehabilitation board.

(g) Water Use Data System

\$ 41,000 \$ 41,000

Approved Complement - 1

Update and expand a water appropriations data base on withdrawals, use and discharge. The system shall be useable by all water resource managers in identifying withdrawal, use and discharge. The information shall be collected in a format consistent and compatible with the Minnesota land management information system.

(h) Floodwater Retention Assistance

\$531,400 \$531,400

Approved Complement - 1

To assist the lower Red River watershed management board in providing up to 50 percent of the non-federal share of the cost of projects approved by the board for floodwater retention in the jurisdiction of the board. All available local, state, federal and private sources

shall be requested to provide financial assistance. Of this amount, up to \$62,800 is available for the biennium to the department for staff and essential equipment.

(i) Stream Inventory and Data

Retrieval Systems

\$ 68,700 \$ 68,700

Approved Complement - 1

For development of standardized stream location and river mile indexing systems which will enhance the water management information system and be compatible with the Minnesota land management information system.

(j) Uranium Information

\$ 25,000 \$ 0

To prepare and publish a report by July 1, 1980 which summarizes and reviews available information on uranium mining and processing including geology, technology, leasing considerations, and environmental impacts.

(k) Accelerate Private Forest

Management

\$251,000 \$251,000

Approved Complement - 10

To provide increased technical management assistance to private non-industrial forest land owners throughout the state, and, in cooperation with the soil and water conservation board, encourage landowners to apply for available federal cost sharing assistance for implementation of practices. Of this amount, \$100,000 is available for a pilot project in the seven counties within the Richard J. Dorer memorial hardwood forest to provide up to 50 percent of the non-federal share of the costs of implementing forestry practices which are eligible for federal cost sharing assistance. After October 1, 1980, the unused portion for the pilot project may also be used for cost sharing assistance in other areas of the state as indicated by landowner interest and request.

(l) Fire Management Analysis

\$ 81,200 \$ 81,200

Approved Complement - 3

To conduct a system analysis of fire management in the department's northwest number one and northeast number two regions. The results shall show the cost effective levels of protection in those areas and the method of analysis most applicable to the central, metropolitan and southern regions.

(m) Wildlife Management Area

Inventory

\$ 29,300 \$ 29,300

Approved Complement - 1

To begin a four year inventory of physical facilities and resource characteristics on approximately 200 units

(n) Public Access to Metropolitan Area Lakes

- 12 -

(a) Lake Improvement Grants-in-Aid

\$527,400 \$527,400

Approved Complement - 2

The agency shall administer this appropriation to provide grants-in-aid to local units of government including lake improvement districts. Only grant proposals eligible for aid from the federal water pollution control act, 33 U.S.C.A. Section 1324, shall be eligible under this program. State grants shall be available to provide up to 50 percent of the non-federal share of each project and available only to projects with an approved federal grant. This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. Of the appropriation, up to \$69,000 is available for administration.

(b) Lake Classification

\$ 42,900 \$128,600

Approved Complement

Federal - 4

The agency shall classify publicly owned lakes in accordance with 33 U.S.C.A., Section 1324, Paragraph (a). \$42,857 of this appropriation shall be used to match available federal moneys for phase I. \$128,571 of this appropriation shall be used to match available federal money for phase II. Federal match money is appropriated.

(c) Feasibility Studies

Grants-In-Aid

\$ 30,000 \$ 30,000

The agency shall administer this appropriation to provide grants-in-aid to local units of government including lake improvement districts. Only grant proposals eligible for aid for feasibility studies under 33 U.S.C.A. Section 1324 shall be eligible for this program. State grants shall be available up to 50 percent of the non-federal share.

Subd. 7. Energy Agency

\$164,200 \$229,200

Approved Complement - 3

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Solar Technical Assistance

\$ 96,600 \$ 96,600

Approved Complement - 2

To increase the technical assistance to current and potential solar users in conjunction with the state

solar office operation; evaluate passive solar retrofit techniques; prepare and publish manuals for adapting passive solar techniques and the economics of solar water heaters; and develop a media presentation on solar energy.

(b) Timber and Wood Residue

\$ 52,600 \$ 52,600

Approved Complement - 1

To develop a plan for waste wood utilization and prepare a list of potential wood energy demonstration sites; develop engineering studies for wood utilization.

(c) Hydropower Development

\$ 5,000 \$ 5,000

To prepare feasibility studies on potential hydropower sites. All available federal funding shall be requested.

(d) Ice Air Conditioning

Commercialization

\$ 10,000 \$ 75,000

For evaluation of ice air conditioning for commercial application.

Subd. 8. Regents of the

University of Minnesota

\$1,515,600 \$1,444,200

The amounts that may be expended from this appropriation for each activity are as follows:

(a) Non-Ferrous Minerals Directory

\$ 20,000 \$ 0

To the civil and mineral engineering school mineral resources research center for initial publication of a directory which addresses non-ferrous mineral activity. Future publication shall be requested in the regular budget.

(b) Accelerated Detailed Soil Survey

\$772,700 \$772,700

To the agricultural experiment station to continue the 12 year program begun in 1975 to provide detailed county soil surveys. Program costs shall be shared among local, state and federal governments on a prorata basis depending upon land ownership pattern.

(c) Aeromagnetic Mapping

\$375,000 \$375,000

To the Minnesota geologic survey for airborne electronic measurement of statewide geology. If federal match money becomes available, it is appropriated along with this amount.

(d) Geology of Southeast Minnesota

\$ 38,000 \$ 38,000

To the Minnesota geologic survey for continued analysis of the karst geology to determine subsurface drainage and hydrology.

(e) Engineering Geology

\$ 50,000 \$ 50,000

To the Minnesota geologic survey for expanded mapping and data collection on the subsurface geology in part of the twin cities metropolitan area and preparation of the information for planning the use of underground space. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system as appropriate.

(f) Subsurface Geology Data

\$ 90,000 \$ 90,000

To the Minnesota geologic survey to complete evaluation of existing well logs for geologic and hydrologic purposes, as initiated in Minnesota Laws 1977, Chapter 446. Data shall be collected in a format consistent and compatible with the Minnesota land management information system and provided to that system and the water management information system as appropriate.

(g) Underground Commercial Facility

Design Study

\$ 61,000 \$ 61,000

To the civil and mineral engineering school underground space center to develop and publish the design criteria applicable to potential commercial construction in underground space.

(h) Multiple Residence Earth Sheltered

Design Study

\$ 51,400 \$ 0

To the civil and mineral engineering school underground space center to develop and publish the design criteria applicable to multiple residential developments.

(i) Direct Reduction Technology Evaluation

\$ 57,500 \$ 57,500

To the civil and mineral engineering school mineral resources research center for analysis of innovative approaches to cost effective reduction of minerals aimed toward creating higher value concentrate at production facilities within the state.

Subd. 9. Minnesota Historical
Society

\$ 75,000 \$ 75,000

Approved Complement - 4

For the second and final biennium of the program to develop an archeologic data base which is compatible with the Minnesota land management information system. The society shall publish a report on the location, characteristics and significance for preservation of archeologic sites which will serve to eliminate the delays in environmental assessments and impact statements. Confidentiality and disclosure requirements shall be observed concerning publication of this report.

Subd. 10. Department of Health \$ 12,200 \$ 12,300
Approved Complement - 1

For completion of the development of a water well data system containing water quality information by geographic reference compatible with the water management information system.

Subd. 11. Department of
Transportation \$200,000 \$200,000

The department of transportation shall administer this appropriation to provide grants-in-aid to local units of government that qualify for funding of amenity projects under the federal great river road program. State grants shall be available to provide up to 50 percent of the non-federal share of each project.

Subd. 12. Work Programs

It is a condition of acceptance of the appropriations made by this section that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program.

Subd. 13. Complement Temporary

Persons employed by a state agency and paid by an appropriation in this section 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 expended, their positions shall be cancelled and the approved complement of the agency reduced accordingly.

Subd. 14. Natural Resources Federal
Reimbursement Account \$1,000,000 \$1,000,000

This appropriation is from the natural resources federal reimbursement account.

At least \$1,000,000 of this appropriation shall be used only for forestry matters deemed necessary by the legislative commission on Minnesota resources, including but not limited to a forestry study.

In addition to the appropriations recommended by the LCMR, language requiring LCMR overview was contained in the following 1979 and 1980 appropriations. Detailed work programs and semi-annual status reports for these programs are on file in the

ML 79 Ch. 333

Sec. 26. NATURAL RESOURCES

Mineral Resources Management

\$1,892,900 \$1,892,900

\$216,900 in fiscal 1980 and \$216,900 in fiscal 1981 is for mineland reclamation. \$350,000 in fiscal 1980 and \$350,000 in fiscal 1981 is for peat inventory or studies. It is a condition of acceptance of the appropriations for peat inventory or studies that the agency or entity receiving the appropriation shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided in this paragraph may be expended unless the commission has approved the pertinent work program. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Forest Management

\$7,962,300 \$7,962,300

\$500,000 each year is from the consolidated conservation areas account.

\$215,000 each year is from the iron range resources and rehabilitation account.

\$750,000 the first year is to implement the federal Boundary Waters Canoe Area legislation. The commissioner shall submit work programs and semi-annual progress reports in the form determined by the legislative commission on Minnesota resources. None of the money provided for this purpose may be expended unless the commission has approved the pertinent work program.

\$750,000 the second year is available only to match federal money on a basis of 80 percent federal, 20 percent state.

\$300,000 each year is for emergency fire fighting. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. Except on an emergency basis, no part of this appropriation shall be expended for contracts for standby air tankers until the department has attempted to make similar arrangements for the use of air national guard tankers.

\$50,000 each year is additional funding for forest campground maintenance and development.

Planning and Research

\$ 537,000 \$ 537,000

It is a condition of acceptance of the appropriation for trails planning that the department shall submit a work

program and semi-annual progress reports to the legislative commission on Minnesota resources in a form determined by the commission. None of the appropriation may be expended unless the commission approves the work program. The commissioner of natural resources with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Trails - Grants-in-Aid

\$1,207,500 each year represents unrefunded gas taxes paid for snowmobiles and shall be used for acquisition, development and maintenance of recreational trails and for related purposes. It is a condition of acceptance of this appropriation that the department shall submit a work program and semi-annual progress reports to the legislative commission on Minnesota resources in a form determined by the commission. None of the appropriation may be expended unless the commission approves the work program.

ML 79 Ch. 301

Sec. 3. The following sums are appropriated from the state building fund to the commissioner of natural resources for the acquisition and betterment of public outdoor recreation lands and capital improvements described as follows, respectively:

- | | |
|--|--------------------|
| <u>(1) For acquisition of state trails listed and described in Minnesota Statutes, Section 85.015, and pursuant to Minnesota Statutes, Section 84.029, Subdivision 2</u> | <u>\$ 750,000</u> |
| <u>(2) For betterment of state trails</u> | <u>\$1,800,000</u> |

No further expenditure of money shall be made on the Luce Line trail west of the eastern corporate limits of the city of Winsted except for maintenance and replacement of drainage tile, culverts and fences, noxious weed control and similar expenses. No further expenditure of money for development of the Luce Line trail shall be made until the commissioner of natural resources has prepared a comprehensive management plan covering development of the trail, submitted the plan to the senate agriculture and natural resources committee, to the house environment and natural resources committee, the house appropriations committee, and the senate finance

committee for the purpose of consultation, and received their recommendations thereon. The recommendations are advisory only.

- (3) For betterment of public land and improvements needed for skiing, hiking and bicycling within state parks and recreation areas listed and described in sections 85.012 and 85.013 and state forests, as listed and described in section 89.021 \$1,105,000
- (4) For acquisition of state forests listed and described in Minnesota Statutes, Section 89.021 \$2,000,000
- (5) For betterment of state forests, priority to be given to the Richard J. Dorer Memorial Hardwood Forest \$ 130,000
- (6) For acquisition of fishing management lands including riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to Minnesota Statutes, Section 97.48, Subdivisions 8, 11 and 15 \$1,008,000
- (7) For acquisition of wildlife management areas pursuant to Minnesota Statutes, Section 97.48, Subdivision 14 and Section 97.481 \$4,000,000
- (8) For betterment of such wildlife management areas \$ 500,000
- (9) For acquisition of natural and scientific areas designated pursuant to Minnesota Statutes, Section 84.033 \$ 538,000
- (10) For costs of staff and independent professional services necessary for the acquisition and betterment of the lands and improvements described above \$2,081,500
- (11) For acquisition of lands to provide access for the public to public waters outside the counties of Hennepin, Ramsey, Anoka, Dakota, Washington, Scott and Carver \$1,500,000
- (12) For development and improvement of lands, owned by the state or any of its subdivisions, which give the public free access to and use of public waters outside the counties of Hennepin, Ramsey, Anoka, Dakota, Washington, Scott and Carver \$1,000,000

Sec. 4. Lands shall be acquired by the commissioner

of administration upon request of the commissioner of natural resources and in accordance with the policies established in Minnesota Statutes, Sections 86A.01 to 86A.09. Those acquired for each unit of the outdoor recreation system shall be suited for the purpose of that unit and suited for management in accordance with the principles applicable to it. The commissioner of natural resources shall submit semiannual work progress reports to the legislative commission on Minnesota resources, in the form requested by the commission, and shall submit a work program to the commission and request its recommendation thereon before expending any funds appropriated by this act for any purpose. The commission's recommendation shall be advisory only. Failure to respond to a request within 60 days after receipt shall be deemed a negative recommendation.

Sec. 6. GRANTS FOR PARKS AND TRAILS. Subdivision 1. The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. Appropriations made for this purpose shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal money.

Subd. 2. The sum of \$1,600,000 is appropriated from the state building fund to the state planning agency for the purposes of this section. \$1,000,000 of this appropriation shall be used for grants for acquisition of parks and trails, \$600,000 of this appropriation shall be used for grants for betterment of parks, trails, conservatories, zoos and other special use facilities.

Sec. 10. TETTEGOUCHE STATE PARK. Subdivision 1. Tettegouche State Park is established in Lake County.

Subd. 4. (b) The commissioner shall select lands for

sale that minimize impact on timber production and public recreation and have maximum potential for private development with minimum public costs or allow consolidation of ownership. The commissioner shall consult with the Lake County board before offering lands for sale or declaring lands surplus. Prior to September 1, 1979, the commissioner shall identify the lands to be offered for sale and submit a list of these lands to the legislative commission on Minnesota resources. The commissioner may modify this list thereafter with the approval of the legislative commission on Minnesota resources.

1980 Legislation

ML80, Chap. 490
Acid Precipitation \$100,000

ML80, Chap. 458
Land Owner Bill of Rights

ML80, Chap. 579, Sec. 32
Subd. 11
Fuelwood Management Program \$250,000

ML80, Chap. 579, Sec. 29
Minnesota Biomass Center \$ 50,000

ML80, Chap. 548
Water Planning Board \$288,000

ML80, Chap. 614, Sec. 16
Heron Lake \$ 75,000

Recommendations 1981-83

The Commission is currently engaged in the review of issues as previously discussed under Role of the Commission. The LCMR recommendations for the 1981 session will be directed to the Legislature as early in the next session as possible.

APPENDICES

Recreation

MS CHAPTER 86

NATURAL RESOURCES AND RECREATION

ACT OF 1963; PURPOSES

86.01 CITATION. Laws 1963, Chapter 790, may be cited as the Omnibus Natural Resources and Recreation Act of 1963.
(1963 c 790 art 1 s 1)

86.02 PURPOSE. The purpose of the legislature in this enactment is to provide the legislature with the background necessary to evaluate programs proposed to preserve, develop and maintain the natural resources of this state. Such resources include, but without limitation, forests, parks, historic sites, wildlife areas, access to an improvement of lakes, rivers, streams, scenic areas, and camping grounds. It is the intention of this legislature to study and examine anticipated future needs and the extent to which private and commercial facilities will need supplementation of publicly subsidized and operated facilities and opportunities.
(1963 c 790 art 1 s 2; 1967 c 867 s 1)

86.03 FUNDS. This legislature anticipates the tax hereinafter provided will be adequate to insure funds for carrying out the program herein contemplated for the period of years necessary for its accomplishment.
(1963 c 790 art 1 s 3)

LEGISLATIVE COMMISSION ON MINNESOTA
RESOURCES; POWERS AND DUTIES

86.06 DEFINITIONS. For the purposes of Laws 1963, Chapter 790, as amended, the following definitions obtain:

- (1) "Commission" shall mean the legislative commission on Minnesota resources;
- (2) "Resources" shall mean the land and water areas in the state of Minnesota.
(1963 c 790 art 2 s 1; 1967 c 867 s 2; 1975 c 271 s 6)

86.07 COMMISSION. Subdivision 1. Creation, membership, vacancies. The commission hereby created shall consist of 14 members appointed as follows:

- (1) Seven members of the senate to be appointed by the committee on committees to be chosen before the close of each regular session of the legislature and to serve until their successors are appointed;
- (2) Seven members of the house to be appointed by the speaker to be chosen before the close of each regular session of the

legislature and to serve until their successors are appointed;

(3) Vacancies occurring on the commission shall not affect the authority of the remaining members of the commission to carry out the functions thereof, and such vacancies shall be filled in the same manner as the original positions.

Subd. 2. Expenses. Commission members shall be entitled to reimbursement for actual expenses not exceeding \$25 per day plus travel expenses incurred in the services of the commission.

Subd. 3. Organization. The commission shall convene as soon as practicable following appointment of its members, to implement the purposes and objectives of Laws 1963, Chapter 790.

(1963 c 790 art 2 s 2; 1965 c 810 s 1,2)

86.08 PERSONNEL. Subdivision 1. Staff. The commission is authorized, without regard to the civil service laws and regulations, to appoint and fix the compensation of such additional legal and other personnel and consultants as may be necessary to enable it to carry out its functions, or to contract for services to supply necessary data, including the full or part-time services of a recreation and planning coordinator, except that any state employees subject to the civil service laws and regulations who may be assigned to the commission shall retain civil service status without interruption or loss of status or privilege.

Subd. 2. Liaison officers. The commission shall request each department or head of all state agencies with a direct interest and responsibility in any phase of outdoor recreation to appoint, and the latter shall appoint for his agency, a liaison officer who shall work closely with the commission and its staff.

(1963 c 790 art 2 s 3; 1965 c 810 s 3)

86.09 (Repealed, 1967 c 867 s 10)

86.10 RESOURCES AND OPPORTUNITIES. Subdivision 1. Appraisal and evaluation. The commission shall obtain and appraise all information available through private organizations and groups, utilizing to the fullest extent possible studies, data and reports previously prepared or currently in progress by public agencies, private organizations, groups, and others, concerning trends in population, leisure, transportation, and all other pertinent factors and shall determine the amount, kind, quality, and location of such outdoor recreation resources and opportunities as will be required by the year 2000.

Subd. 2. Data from state agencies, availability. The commission may request information from any state officer or agency in order to assist in carrying out the terms of Laws 1963, Chapter 790, and such officer or agency is authorized and directed to promptly furnish any data required.

Subd. 3. (Repealed, 1967 c 867 s 10)

(1963 c 790 art 2 s 5; 1965 c 810 s 4; 1967 c 867 s 3)

86.11 DUTIES. Subdivision 1. Public access, use, fees, etc., study of problem. The commission shall study the state policy relating to public access, shall study the system of user fees and permits and concession awards with a view toward making provision for adequate maintenance and improvement of facilities to be afforded, shall study use permits and license fees imposed in the other parts of the United States for similar outdoor recreational facilities and compile data upon the fees and charges made by private enterprise for affording similar outdoor recreational facilities to the public.

Subd. 2. Control of algae and scum, study of problem. The commission shall study the problem of noxious aquatic vegetation, control of algae and scum conditions on public waters, methods of combating and controlling the same, and shall recommend methods and agencies for control and an equitable method for apportioning the costs thereof and levying assessments therefor.

Subd. 3. (Repealed, 1965 c 810 s 22)

Subd. 4. Cooperation with Historical Society. The commission shall study in cooperation with the Minnesota State Historical Society the establishment and maintenance of historic sites.

Subd. 5. Reports and recommendations. The commission shall present by November 15 of each even numbered year a report as of that time of its review, a compilation of its data, and its recommendations to the legislature. In addition the commission shall report to the legislature from time to time setting forth its findings as a result of its investigations and studies, and shall make such recommendations as it deems proper to assist the legislature in formulating legislation. Any data compiled by the commission will be made available to any standing or interim committee of the legislature upon request of the chairman of the respective committee.

Subd. 6. Hearings. The commission is authorized to conduct public hearings and otherwise to secure data and expressions of opinion.

Subd. 7. Land exchange study. The commission shall study the desirability and advisability of further land exchanges between the state and the federal government, particularly with respect to lands in the Chippewa and Superior National Forests. It shall consider the overlapping of activities of federal, state, and county agencies concerned, and methods of coordination. It shall consider the programs of federal agencies for acquiring further lands within the state and the desirability of state consent to such acquisition. It shall consider the desirability and worth of federal policies in the Boundary Waters Canoe Area, and shall review the subject of federal control and ownership as contrasted with the worth of state development and control. It shall report its findings and conclusions to the legislature.

Subd. 8. Timber cutting polies study. The commission

shall make a study of timber cutting "natural area" policies in Itasca and other Minnesota state parks.

Subd. 9. Historical and archaeological sites study. The commission shall make a special study of joint management problems concerning historical and archaeological sites in state parks and make recommendations for legislation with reference to the proper management thereof.

(1963 c 790 art 2 s 6; 1965 c 810 s 5-7; 1967 c 867 s 4,5; 1974 c 406 s 61)

86.12 COORDINATION OF MULTIPLE USES. The commission in its inquiries, findings and recommendations shall recognize that wherever feasible outdoor recreational facilities may be provided by private enterprise, and that the responsibility of government is to supplement such facilities and opportunities rather than to compete therewith. The commission shall recognize that lands, waters, forests, wetlands, wildlife and such other natural resources which serve economic purposes also serve to varying degrees and for varying uses outdoor recreation purposes, and that sound planning of resource utilization for the full future welfare of this state must include coordination and integration of all such multiple uses.

(1963 c 790 art 2 s 7)

CONSERVATION WORK PROJECTS

86.31 CONSERVATION WORK PROJECTS. To the extent of funds provided herein the commissioner of natural resources is authorized to engage in work projects authorized by law for conservation of the natural resources and property of the state not otherwise undertaken by him by reason of the unavailability of appropriated funds.

(1963 c 790 art 7 s 1; 1969 c 1129 art 10 s 2)

86.32 EMPLOYMENT OF NEEDY PERSONS. For these purposes the commissioner of natural resources shall employ only needy persons from areas of economic distress except such skilled and supervisory personnel as may be needed.

(1963 c 790 art 7 s 2; 1969 c 1129 art 10 s 2)

86.33 APPROVAL OF PROJECT BY GOVERNOR. All such projects shall be first approved by the governor upon the recommendation of the commissioner of natural resources and after consultation with the legislative advisory commission in the same manner as he consults with such commission in making expenditures from the general contingent fund as provided by section 3.30.

(1963 c 790 art 7 s 3; 1969 c 1129 art 10 s 2; 1975 c 271 s 6)

86.34 PURPOSE. It is the purpose of sections 86.31 to 86.35 to promote the conservation of natural resources and to

provide for employment in areas of economic distress.

(1963 c 790 art 7 s 4)

86.35 ELIGIBILITY FOR EMPLOYMENT. Eligibility for employment on work projects authorized by sections 86.31 to 86.35 shall be governed by procedures established by the department of natural resources. Any procedures or rules and regulations promulgated in connection therewith may be made by the department of natural resources without compliance with any existing law or statutory provision relating to the promulgation of rules and regulations by departments, agencies or instrumentalities of the state.

(1963 c 790 art 7 s 5; 1969 c 1129 art 10 s 2)

ACQUISITION OF LAND

86.41 LAND ACQUISITIONS. Within the limits of appropriations contained in Laws 1963, Chapter 790, the commissioner of administration for the commissioner of natural resources is authorized to acquire the lands designated in Laws 1963, Chapter 790, in Article V, and in Article VIII, Section 6, Subdivisions 2, and 3. All other land acquisitions shall be made only after consultation with and after obtaining advice from the commission established in Article II upon the same basis and the same procedures as used by the governor in expending emergency appropriations upon the advice and consent of the legislative advisory commission under section 3.30. Under this article land for park purposes may be acquired in any manner and to the extent authorized by the act establishing the park for which the acquisition is made; but all other land for conservation or recreational purposes may be acquired under Laws 1963, Chapter 790, only by gift, purchase, lease, or license.

(1963 c 790 art 8 s 1; 1969 c 1129 art 10 s 2; 1976 c 239 s 20)

86.42 APPROPRIATIONS. Subdivision 1. There is hereby appropriated from the general fund the sum of \$150,000, together with any sums received as grants in aid from federal sources and any sums granted by private sources to carry out the purposes of sections 86.06 to 86.12. Such moneys shall be available to the commission until expended.

Subd. 2. MS 1974 (Expired)

(1963 c 790 art 8 s 2; 1965 c 810 s 10; 1969 c 399 s 1)

LETTING OF CONTRACTS

86.51 CONTRACTS, MANNER OF LETTING. Insofar as is reasonably practicable, the studies and the improvements to be planned and constructed under Laws 1963, Chapter 790, requiring professional and non-professional services shall be accomplished by letting contracts therefor pursuant to the provisions of Min-

Minnesota Statutes 1961, Chapter 16, and any act amendatory thereof. Whenever any study or improvement over \$10,000 is planned the department should present to the commissioner of administration, in writing, a cost breakdown showing why direct employment was necessary on the particular project. Where the direct employment of persons furnishing material or services is necessary, such persons shall be employed for a fixed term and shall be in the unclassified services of the state.

(1963 c 790 art 9 s 1; 1965 c 810 s 20)

86.52 (Repealed, 1967 c 867 s 10)

86.53 EMPLOYEES. Persons employed by the commissioner of natural resources and by the commissioner of administration in order to carry out the terms and provisions of Laws 1963, Chapter 790, shall not be deemed to be part of the normal complement of either the department of natural resources or the department of administration. The continued employment of such persons shall be contingent upon the availability of funds as provided in Laws 1963, Chapter 790.

(1963 c 790 art 9 s 3; 1969 c 1129 art 10 s 2)

LIMITATIONS ON EXPENDITURES

86.61 EXPENDITURES. All moneys expended pursuant to any appropriation made by Laws 1963, Chapter 790, are subject to the provisions of Minnesota Statutes 1961, Chapter 16, and any act amendatory thereof. None of the provisions of this section, however shall apply to any appropriation made to the Minnesota outdoor recreation resources commission established by section 86.07.

(1963 c 790 art 10 s 1; 1965 c 5 s 1)

FEDERAL FUNDS

86.71 FEDERAL LAND AND WATER FUND; ACCEPTANCE OF FUNDS; DISTRIBUTION. Subdivision 1. The governor is designated as the state agency to apply for, accept, receive and disburse federal funds and private funds which are granted to the state of Minnesota from the Federal Land and Water Fund Act.

Subd. 2. The governor may designate a state agency or agencies to act for him in applying for, receiving, and accepting federal funds under the provisions of subdivision 1. Such designation of a state department or agency shall be filed in the office of the secretary of state.

Subd. 3. The governor or any state department or agency designated by him shall comply with any and all requirements of federal law and any rules and regulations promulgated thereunder to enable the application for, the receipt of, and the acceptance of such federal funds. The expenditure of any such

funds received shall be governed by the laws of the state except insofar as federal requirements may otherwise provide. All such moneys received by the governor or any state department or agency designated by him for such purpose shall be deposited in the state treasury and are hereby appropriated annually in order to enable the governor or the state department or agency designated by him for such purpose to carry out the purposes for which the funds are received. None of such federal moneys so deposited in the state treasury shall cancel and they shall be available for expenditure in accordance with the requirements of federal law.

Subd. 4. Fifty percent of all moneys made available to the state from funds granted under subdivision 1 shall be distributed for projects to be acquired, developed and maintained by local units of government, providing that any project approved is consistent with a statewide or a county or regional recreational plan and compatible with the statewide recreational plan.

Subd. 5. Any guidelines established by the state for distribution of moneys made available to the state under subdivision 1 shall, after July 1, 1967, be distributed on a statewide and regional priorities basis other than a formula based on population and land areas.

(1965 c 810 s 21; 1967 c 867 s 6,7)

86.72 NATURAL RESOURCES FEDERAL REIMBURSEMENT ACCOUNT.

Subdivision 1. Except as otherwise specifically provided, federal reimbursements and match money received for the purposes described in chapter 86, regardless of the source of state match, credit or value used to earn the reimbursement or match, other than the federal match for state money appropriated to the local recreation and natural areas grant-in-aid account, shall in the first instance be credited to a federal receipt account by the state agency receiving the reimbursement or match. Any state department or agency, including the Minnesota historical society and the University of Minnesota, that receives reimbursements or matching moneys as described above shall transfer those amounts to the natural resources federal reimbursement account.

Subd. 2. Money appropriated from the account shall be expended for state land acquisition and development that is part of a natural resources acceleration activity, when the acquisition and development is deemed to be of an emergency or critical nature. In addition this money is available for studies initiated by the legislative commission on Minnesota resources that are found to be proper in order for the commission to carry out its legislative charge.

Subd. 3. Requests for allocation from the account for acquisition or development shall be accompanied by a certificate signed jointly by the director of the state planning agency and commissioner of natural resources, showing a review of the appli-

cation against Minnesota Statutes, Chapter 86A. Copies of the certification shall be submitted to the appropriate legislative committees and commissions. Appropriations from the account shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures.

Subd. 4. Any land and water conservation fund moneys received over and above the normal state apportionment from that fund are appropriated for the purposes of the reimbursement account. This appropriation is in addition to any amounts appropriated from the account as direct appropriations.

DISTRIBUTION OF FUNDS TO LOCAL UNITS

86.75 REVIEWAL BY LOCAL UNITS; USE OF FUNDS. An appropriation heretofore or hereafter made from the natural resources account in the state treasury for local units of government shall first be reviewed by the county board, and any county or regional planning commission before funds are distributed by the state. State grants in aid from such account may be expended for land acquisitions and development for recreational purposes including, but not limited to, historic sites, archaeology, public access, parks, scenic easements, camp grounds, wildlife areas, county and school forests, water impoundment, and natural areas and trails.

(1967 c 867 s 8)

LEGISLATIVE COMMISSION ON MINNESOTA RESOURCES
SUBCOMMITTEE APPOINTMENTS
AS OF SEPTEMBER, 1980

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Rep. Rod Searle, Vice Chairman
Senator Roger Moe, Secretary

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Rep. Doug Carlson
Senator William Luther
Rep. Willard Munger
Senator Earl Renneke

LAND & RECREATION COMMITTEE

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