

SENATE
STATE OF MINNESOTA
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 1021

(SENATE AUTHORS: TOMASSONI and Saxhaug)

DATE	D-PG	OFFICIAL STATUS
03/04/2013	480	Introduction and first reading Referred to Environment and Energy
03/20/2013	1296a	Comm report: To pass as amended and re-refer to State and Local Government
03/21/2013	1383a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act
 1.2 relating to natural resources; creating the Greater Minnesota Regional Parks
 1.3 and Trails Commission; appropriating money; proposing coding for new law in
 1.4 Minnesota Statutes, chapter 85.

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

1.6 Section 1. **[85.536] GREATER MINNESOTA REGIONAL PARKS AND TRAILS**
 1.7 **COMMISSION.**

1.8 Subdivision 1. **Establishment; purpose.** The Greater Minnesota Regional Parks and
 1.9 Trails Commission is created to undertake system planning and provide recommendations
 1.10 to the legislature for grants funded by the parks and trails fund to counties and cities
 1.11 outside of the seven-county metropolitan area for parks and trails of regional significance.

1.12 Subd. 2. **Commission.** The commission shall include 13 members appointed by the
 1.13 governor with two members from each of the regional parks and trails districts determined
 1.14 under subdivision 5, and one member at large. Membership terms, compensation, and
 1.15 removal of members and filling of vacancies are as provided in section 15.0575.

1.16 Subd. 3. **First appointments.** The governor shall make the first appointment by
 1.17 June 15, 2013. The governor shall designate six of the first appointees to terms ending on
 1.18 the first Monday in January 2015, and the remainder of the first appointees shall serve
 1.19 terms ending the first Monday in January 2016.

1.20 Subd. 4. **First meeting.** The governor or his designee shall convene the first
 1.21 meeting of the commission by July 15, 2013, and shall act as chair until the commission
 1.22 elects a chair. The commission shall elect a chair at its first meeting.

1.23 Subd. 5. **Districts; plans and hearings.** (a) The commissioner of natural resources,
 1.24 in consultation with the Greater Minnesota Regional Parks and Trails Coalition, shall

2.1 establish six regional parks and trails districts in the state encompassing the area outside
2.2 the seven-county metropolitan area. The commissioner shall establish districts by
2.3 combining counties and may not assign a county to more than one district.

2.4 (b) Counties within each district may jointly prepare, after consultation with all
2.5 affected municipalities, and submit to the commission, and from time to time revise and
2.6 resubmit to the commission, a master plan for the acquisition and development of parks
2.7 and trails of regional significance located within the district. District-wide plans and
2.8 master plans for individual parks and trails must meet the protocols and criteria as set
2.9 forth in the Greater Minnesota Regional Parks and Trails strategic plan. The counties,
2.10 after consultation with the commission, shall jointly hold a public hearing on the proposed
2.11 plan and budget at a time and place determined by the counties. Not less than 15 days
2.12 before the hearing, the counties shall provide notice of the hearing stating the date, time,
2.13 and place of the hearing, and the place where the proposed plan and budget may be
2.14 examined by any interested person. At any hearing interested persons shall be permitted to
2.15 present their views on the plan and budget.

2.16 (c) The commission shall review each master plan to determine whether it meets
2.17 the conditions of subdivision 6. If it does not, the commission shall return the plan with
2.18 its comments to the district for revision and resubmittal.

2.19 Subd. 6. **Regional or statewide significance.** For a park or trail to be considered
2.20 of regional or statewide significance under this section:

2.21 (1) the park or trail must be natural resource based;

2.22 (2) at least ... percent of the park or trail user visits in a calendar year must be from
2.23 users who do not reside within the area of jurisdiction of the governmental unit that has
2.24 the financial and legal responsibility to own, operate, and maintain the park or trail; and

2.25 (3) the total usage of the park or trail must exceed visitors in a one-year period.
2.26 Park or trail attendance may be demonstrated by validated survey methods, actual user data
2.27 statistics, or another objective and quantifiable measure that is accurate and reliable; and

2.28 (4) for parks, the park must be: at least 100 acres in size; contain unique or unusual
2.29 landscape features; or contain an historically or culturally significant site.

2.30 Subd. 7. **Recommendations.** (a) In recommending grants under this section, the
2.31 commission shall make recommendations consistent with master plans.

2.32 (b) The commission shall determine recommended grant amounts through an
2.33 adopted merit-based evaluation process that includes the level of local financial support.
2.34 The evaluation process is not subject to the rulemaking provisions of chapter 14 and
2.35 section 14.386 does not apply.

3.1 (c) When recommending grants, the commission shall consider balance of the grant
3.2 benefits across greater Minnesota.

3.3 (d) Grants may be recommended only for parks and trails included in a plan
3.4 approved by the commission under subdivision 5.

3.5 Subd. 8. **Chair.** The commission shall annually elect from among its members a
3.6 chair and other officers necessary for the performance of its duties.

3.7 Subd. 9. **Meetings.** The commission shall meet at least twice each year.
3.8 Commission meetings are subject to chapter 13D.

3.9 Subd. 10. **Report.** The commission shall submit a report by January 15 each
3.10 year listing its recommendations under subdivision 7 to the chairs and ranking minority
3.11 members of the committees of the senate and house of representatives with primary
3.12 jurisdiction over legacy appropriations.

3.13 Subd. 11. **Conflict of interest.** A member of the commission may not participate in
3.14 or vote on a decision of the commission relating to an organization in which the member
3.15 has either a direct or indirect financial interest.

3.16 Subd. 12. **Definitions.** For purposes of this section, "commission" means the
3.17 Greater Minnesota Regional Parks and Trails Commission established under this section.

3.18 Subd. 13. **Sunset.** The commission shall sunset January 1, 2020.

3.19 Sec. 2. **APPROPRIATION.**

3.20 \$..... in fiscal year 2014 and \$..... in fiscal year 2015 from the parks and trails fund
3.21 are appropriated to the commissioner of natural resources to contract with the Greater
3.22 Minnesota Regional Parks and Trails Commission for the purposes of Minnesota Statutes,
3.23 section 85.536, subdivision 3. Of this amount, not more than 2.5 percent each year may
3.24 be used to develop the park and trails plan under Minnesota Statutes, section 85.536,
3.25 subdivision 3, clause (1). The appropriation must be made directly to the commission
3.26 after fiscal year 2015.