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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

**EIGHTY-EIGHTH SESSION**

**H. F. No. 1065**

02/28/2013 Authored by Metsa, Urdahl, Radinovich, Fabian, Dorholt and others

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

03/06/2013 Adoption of Report: Pass and re-referred to the Committee on Government Operations

03/20/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Environment, Natural Resources and Agriculture 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; amending Minnesota Statutes 2012, section 10A.01,  
1.4 subdivision 35; proposing coding for new law in Minnesota Statutes, chapter 85.

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

1.6 Section 1. Minnesota Statutes 2012, section 10A.01, subdivision 35, is amended to read:

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

1.8 (1) member of the legislature;

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

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

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

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

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

1.22 (7) individual employed in the executive branch who is authorized to adopt, amend,  
1.23 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

1.24 (8) executive director of the State Board of Investment;

- 2.1 (9) deputy of any official listed in clauses (7) and (8);
- 2.2 (10) judge of the Workers' Compensation Court of Appeals;
- 2.3 (11) administrative law judge or compensation judge in the State Office of
- 2.4 Administrative Hearings or unemployment law judge in the Department of Employment
- 2.5 and Economic Development;
- 2.6 (12) member, regional administrator, division director, general counsel, or operations
- 2.7 manager of the Metropolitan Council;
- 2.8 (13) member or chief administrator of a metropolitan agency;
- 2.9 (14) director of the Division of Alcohol and Gambling Enforcement in the
- 2.10 Department of Public Safety;
- 2.11 (15) member or executive director of the Higher Education Facilities Authority;
- 2.12 (16) member of the board of directors or president of Enterprise Minnesota, Inc.;
- 2.13 (17) member of the board of directors or executive director of the Minnesota State
- 2.14 High School League;
- 2.15 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 2.16 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 2.17 (20) manager of a watershed district, or member of a watershed management
- 2.18 organization as defined under section 103B.205, subdivision 13;
- 2.19 (21) supervisor of a soil and water conservation district;
- 2.20 (22) director of Explore Minnesota Tourism;
- 2.21 (23) citizen member of the Lessard-Sams Outdoor Heritage Council established
- 2.22 in section 97A.056;
- 2.23 (24) citizen member of the Clean Water Council established in section 114D.30; ~~or~~
- 2.24 (25) member or chief executive of the Minnesota Sports Facilities Authority
- 2.25 established in section 473J.07; or
- 2.26 (26) member of the Greater Minnesota Regional Parks and Trails Commission.

2.27 Sec. 2. **[85.536] GREATER MINNESOTA REGIONAL PARKS AND TRAILS**

2.28 **COMMISSION.**

2.29 Subdivision 1. **Establishment; purpose.** The Greater Minnesota Regional Parks and

2.30 Trails Commission is created to undertake system planning and provide recommendations

2.31 to the legislature for grants funded by the parks and trails fund to counties and cities

2.32 outside of the seven-county metropolitan area for parks and trails of regional significance.

2.33 Subd. 2. **Commission.** The commission shall include 12 members appointed by

2.34 the governor representing each of the regional parks and trails districts determined under

3.1 subdivision 3. Membership terms, compensation and removal of members, and filling of  
3.2 vacancies are as provided in section 15.0575.

3.3 Subd. 3. **Districts; plans and hearings.** (a) The commissioner of natural resources,  
3.4 in consultation with the Greater Minnesota Regional Parks and Trails Commission,  
3.5 shall establish 12 regional parks and trails districts in the state encompassing the area  
3.6 outside the seven-county metropolitan area. The commissioner shall establish districts by  
3.7 combining counties and may not assign a county to more than one district.

3.8 (b) Counties within each district may jointly prepare, after consultation with all  
3.9 affected municipalities, and submit to the commission, and from time to time revise  
3.10 and resubmit to the commission, a master plan for the acquisition and development of  
3.11 parks and trails of regional significance located within the district. The counties, after  
3.12 consultation with the commission, shall jointly hold a public hearing on the proposed plan  
3.13 and budget at a time and place determined by the counties. Not less than 15 days before  
3.14 the hearing, the counties shall provide notice of the hearing stating the date, time, and  
3.15 place of the hearing, and the place where the proposed plan and budget may be examined  
3.16 by any interested person. At any hearing, interested persons shall be permitted to present  
3.17 their views on the plan and budget.

3.18 (c) The commission shall review each master plan to determine whether it meets  
3.19 the conditions of subdivision 4. If it does not, the commission shall return the plan with  
3.20 its comments to the district for revision and resubmittal.

3.21 Subd. 4. **Regional significance.** For a park or trail to be considered of regional  
3.22 significance under this section:

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

3.24 (2) at least 30 percent of the park or trail user visits in a calendar year must be from  
3.25 users who do not reside within the area of jurisdiction of the governmental unit that has  
3.26 the financial and legal responsibility to own, operate, and maintain the park or trail;

3.27 (3) the total usage of the park or trail must exceed 20,000 visitors in a one-year period.  
3.28 Park or trail attendance may be demonstrated by validated survey methods, actual user  
3.29 data statistics, or another objective and quantifiable measure that is accurate and reliable;

3.30 (4) for parks, the park must be at least 100 acres in size; and

3.31 (5) for trails, the trail connects or will connect to existing state or regional trails as  
3.32 demonstrated by the applicant.

3.33 Subd. 5. **Recommendations.** (a) In recommending grants under this section, the  
3.34 commission shall make recommendations consistent with master plans.

3.35 (b) The commission shall determine recommended grant amounts through an  
3.36 adopted merit-based evaluation process that includes the level of local financial support.

4.1 The evaluation process is not subject to the rulemaking provisions of chapter 14 and  
4.2 section 14.386 does not apply.

4.3 (c) When recommending grants, the commission shall consider balance of the grant  
4.4 benefits across greater Minnesota. Grant requests offering a nonstate match of at least 25  
4.5 percent of the total eligible project costs shall be preferred.

4.6 (d) Grants may be recommended only for:

4.7 (1) parks and trails included in a plan approved by the commission under subdivision  
4.8 3; and

4.9 (2) trails that connect or will connect to existing state or regional trails as  
4.10 demonstrated by the applicant.

4.11 Subd. 6. **Administration.** The Department of Natural Resources shall provide  
4.12 administrative support for the commission.

4.13 Subd. 7. **Chair.** The commission shall annually elect from among its members a  
4.14 chair and other officers necessary for the performance of its duties.

4.15 Subd. 8. **Meetings.** The commission shall meet at least twice each year.  
4.16 Commission meetings are subject to chapter 13D.

4.17 Subd. 9. **Conflict of interest.** A member of the commission may not participate in  
4.18 or vote on a decision of the commission relating to an organization in which the member  
4.19 has either a direct or indirect financial interest.

4.20 Subd. 10. **Definitions.** For purposes of this section, "commission" means the  
4.21 Greater Minnesota Regional Parks and Trails Commission established under this section.