

A bill for an act
relating to natural resources; creating the outdoor heritage fund; providing for
disposition of certain receipts; creating the Sportsman's Stakeholders Council;
proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Section 1. **[97A.056] OUTDOOR HERITAGE FUND.**

(a) The outdoor heritage fund is established in the Minnesota Constitution, article XI, section 15. All money earned by the outdoor heritage fund must be credited to the fund. At least 97 percent of the money appropriated from the fund must be spent on specific fish, wildlife, habitat, and land conservation projects. Receipts in the fund must be spent only for grants to be allocated by the Sportsman's Stakeholders Council under section 97A.0561.

(b) A forest consolidation account is created within the outdoor heritage fund. From the receipts deposited in the fund under the Minnesota Constitution, article XI, section 15, 25 percent each fiscal year must be credited to the forest consolidation account. Money in the account may be spent only for the acquisition of permanent easements on private forest land or for the acquisition of land for forest consolidation. The conservation easements must guarantee public access including, but not limited to, hunting and fishing access.

Sec. 2. **[97A.0561] SPORTSMAN'S STAKEHOLDERS COUNCIL.**

Subdivision 1. **Membership.** (a) The Sportsman's Stakeholders Council shall consist of 11 members to be appointed by the governor with the advice and consent of the senate. One member shall be appointed from each of the congressional districts, and the remaining members shall be appointed at large. Persons appointed to the council must:

(1) have experience or expertise in the science, policy, or practice of the preservation, enhancement, and protection of the state's fish, game, and wildlife habitat conservation;

(2) have strong knowledge in the state's fish, game, and wildlife habitat conservation issues around the state;

(3) represent fishing and wildlife habitat stakeholders; and

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

(b) No member shall, within two years prior to appointment, have received or applied for, in the member's name, a grant, loan, or other form of assistance from the council. No more than four of the members shall, during their terms of office, be officers, directors, or employees of recipient sponsoring organizations. The council members shall annually select from their membership a chair and other officers as they deem necessary.

Subd. 2. **Terms of office.** Three of the initial members, including one at-large member, shall be appointed to terms ending the first Monday in January in each of the years 2010, 2012, and 2013. The remaining two members shall be appointed to terms ending the first Monday in January 2011. Thereafter, the terms of all members of the council shall be four years. Members may serve until their successors are appointed and qualify. If the governor fails to appoint a successor by July 1 of the year in which the term expires, the term of the member for whom a successor has not been appointed shall extend, subject to the advice and consent of the senate, until the first Monday in January, four years after the scheduled end of the original term.

Subd. 3. **Compensation.** Members shall be compensated as provided in section 15.0575, subdivision 3.

Subd. 4. **Removal of members; filling vacancies.** A member may be removed by the governor at any time:

(1) for cause after notice and hearing;

(2) for failing to submit any report required in subdivision 5; or

(3) for missing three consecutive scheduled meetings of the council.

The chair shall inform the governor of a member missing the three meetings. The secretary of the council shall inform, in writing, a member after two consecutive missed meetings and before the next meeting, that the member is subject to removal by missing the next meeting. Vacancies on the council shall be filled by the governor, with the advice and consent of the senate, for the remainder of the unexpired term.

Subd. 5. **Reports.** By November 15 of each year, the council shall prepare and deliver to the legislature and the governor a report, which shall include the following:

(1) a financial statement showing receipts and disbursements for the year ending the preceding June 30, including a listing of the donors and amount of gifts to the council or its advisory committees valued in excess of \$1,000;

(2) a brief description of the activities of the council for the preceding year;

(3) the number of meetings and approximate hours spent by council members in meetings and on other council activities;

(4) the names of council members and their addresses, occupations, and dates of appointment and reappointment to the council;

(5) the names and job classifications of council employees;

(6) a brief summary of council procedures proposed or adopted during the period;

(7) the number of requests for assistance received by the council and the number of written and oral complaints received from residents of the state relating to the activities of the council or the performance of the duties of the council as provided in this chapter;

(8) a summary by category of the substance of the complaints and requests referred to in clause (7) above and the responses of the council to them;

(9) a listing of all grants, loans, or other forms of assistance given by the council, including:

(i) the recipients of council assistance who are members of the council or its advisory committees; and

(ii) each recipient sponsoring organization having a member of the council or its advisory committees as a director, officer, or employee.

The indication required in clause (9), item (ii), shall also specify the name of the member who is the officer, director, or employee.

Subd. 6. Duties. (a) The council shall adopt a strategic plan for making expenditures from the outdoor heritage fund, including identifying the priority areas for funding for the next six years. The strategic plan must be reviewed every two years. The strategic plan must have clearly stated short- and long-term goals and strategies for outdoor heritage fund expenditures, must provide measurable outcomes for expenditures, and must determine areas of emphasis for funding. The council shall consider the long-term strategic plans of agencies with environment and natural resource programs and responsibilities and plans of fish, game, and wildlife conservation organizations during the development and review of the strategic plan.

(b) The council shall, through the following activities, stimulate the conservation of the fish, game, and wildlife habitat in the state:

(1) receive and consider any requests for grants, loans, or other forms of assistance;

4.1 (2) advise and serve as a technical resource at the request of sponsoring organizations
4.2 and political subdivisions in the state on programs relating to fish, game, and wildlife
4.3 habitat conservation;

4.4 (3) advise and recommend on existing or proposed activities of the departments of
4.5 the state relating to fish, game, and wildlife habitat conservation;

4.6 (4) accept gifts and grants to the council and distribute the same in accordance with
4.7 the instructions of the donor insofar as the instructions are consistent with the law;

4.8 (5) adopt procedures to be followed by the council in receiving and reviewing
4.9 requests for grants, loans, or other forms of assistance;

4.10 (6) adopt standards consistent with this section to be followed by the council in the
4.11 distribution of grants, loans, and other forms of assistance;

4.12 (7) distribute, according to the above procedures and standards, grants, loans, and
4.13 other forms of assistance for fish, game, and wildlife habitat conservation activities to
4.14 departments and agencies of the state, political subdivisions, sponsoring organizations,
4.15 and, in appropriate cases, to individuals engaged in fish, game, and wildlife habitat
4.16 conservation, provided that a member of the council shall not participate in deliberations
4.17 or voting on assistance to groups or persons in which that member has an interest as
4.18 officer, director, employee, or recipient;

4.19 (8) provide at least 20 percent in each fiscal year for a conservation partners program
4.20 to provide matching grants of up to \$400,000 to local sporting and conservation clubs for
4.21 the improvement, enhancement, fish, game, and wildlife habitat conservation; and

4.22 (9) appoint advisory committees, which the council determines are essential to the
4.23 performance of its powers and duties under this section, provided that no member of an
4.24 advisory committee shall serve on a committee to which the member has an application
4.25 pending for a grant, loan, or other form of assistance from the council or its predecessor,
4.26 the state.

4.27 Subd. 7. **Executive director; staff.** The director shall be selected by a majority
4.28 of the council and shall serve at the pleasure of the council. The director shall be
4.29 knowledgable in fish, game, and wildlife habitat conservation, and shall have demonstrated
4.30 proficiency in the administration of programs related to fish, game, and wildlife habitat
4.31 conservation. The director is the chief administrative officer of the council and is
4.32 responsible for performing the executive duties of the council as provided in this chapter.
4.33 The director shall not be a member of the council. All other employees of the council
4.34 shall be in the classified civil service of the state. No employee of the council or its
4.35 advisory committees may be an applicant for or recipient of council assistance, nor may
4.36 an employee be an officer, director, or employee of a recipient sponsoring organization.

H.F. No. 4026, as introduced - 2007-2008th Legislative Session (2007-2008)

5.1 Subd. 8. **Statewide information and publicity.** The council shall develop and
5.2 implement a comprehensive statewide information and publicity system. In its report
5.3 required under subdivision 5, the council shall summarize its activities pursuant to this
5.4 subdivision.

5.5 Subd. 9. **Contracting.** The council may contract as necessary in the performance of
5.6 its duties.

5.7 Subd. 10. **Public meetings.** Meetings of the council and other groups the council
5.8 may establish must be conducted according to chapter 13D.

5.9 Subd. 11. **Appropriation.** The council's receipts from the sale of publications,
5.10 mailing lists, recordings or media projects, and fees from seminars or workshops are
5.11 annually appropriated to the council for the purposes of this section.

5.12 Sec. 3. **EFFECTIVE DATE.**

5.13 Sections 1 and 2 are effective upon approval by the voters of the constitutional
5.14 amendment proposed in Laws 2008, chapter 151.