

(SENATE AUTHORS: JUNGBAUER)

DATE	D-PG	OFFICIAL STATUS
02/09/2011	198	Introduction and first reading Referred to Environment and Natural Resources

1.1

A bill for an act

1.2

relating to natural resources; modifying environment and natural resources trust

1.3

fund provisions; amending Minnesota Statutes 2010, sections 116P.03; 116P.05,

1.4

subdivision 1; 116P.08, subdivisions 1, 2, by adding subdivisions.

1.5

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

1.6

Section 1. Minnesota Statutes 2010, section 116P.03, is amended to read:

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116P.03 TRUST FUND NOT TO SUPPLANT EXISTING FUNDING;

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APPROPRIATIONS.

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(a) The trust fund may not be used as a substitute for traditional sources of funding

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environmental and natural resources activities, but the trust fund shall supplement the

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traditional sources, including those sources used to support the criteria in section 116P.08,

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subdivision 1. ~~The trust fund must be used primarily to support activities whose benefits~~

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~~become available only over an extended period of time.~~

1.14

(b) The commission must determine the amount of the state budget spent from

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traditional sources to fund environmental and natural resources activities before and after

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the trust fund is established and include a comparison of the amount in the report under

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section 116P.09, subdivision 7.

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(c) For the fiscal year beginning July 1, 2007, and each year thereafter, the amount

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of the environment and natural resources trust fund that is available for appropriation

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under the terms of the Minnesota Constitution, article XI, section 14, shall be appropriated

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by law.

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(d) The amount appropriated from the environment and natural resources trust fund

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may be spent only for the public purpose of protection, conservation, preservation, and

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enhancement of the state's air, water, land, fish, wildlife, and other natural resources.

S.F. No. 281, as introduced - 87th Legislative Session (2011-2012) [11-1149]

Recommendations made by the commission under this chapter must be consistent with the Minnesota Constitution, article XI, section 14; this chapter; and the strategic plan adopted under section 116P.08, subdivision 3, and must demonstrate a direct benefit to the state's environment and natural resources.

Sec. 2. Minnesota Statutes 2010, section 116P.05, subdivision 1, is amended to read:

Subdivision 1. **Membership.** (a) A Legislative-Citizen Commission on Minnesota Resources of 17 members is created in the legislative branch, consisting of the chairs of the house of representatives and senate committees on environment and natural resources finance or designees appointed for the terms of the chairs, ~~four~~ three members of the senate appointed by the Subcommittee on Committees of the Committee on Rules and Administration, and ~~four~~ three members of the house of representatives appointed by the speaker.

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

~~Seven~~ (b) Nine citizens are members of the commission, ~~five of which two are~~ appointed by the governor, ~~one appointed by the Senate Subcommittee on Committees of the Committee on Rules and Administration, and one appointed by the speaker of the house according to subdivision 1a. Each of the boards of the seven counties comprising the seven-county metropolitan area, as defined under section 473.121, subdivision 2, shall appoint one citizen member.~~ The citizen members ~~are selected and recommended to the appointing authorities according to subdivision 1a and~~ must:

(1) have experience or expertise in (i) the science, policy, or practice of the protection, conservation, preservation, and or enhancement of the state's air, water, land, fish, wildlife, and other natural resources or (ii) economic development or job training related to the protection, conservation, preservation, or enhancement of the state's air, water, land, fish, wildlife, and other natural resources;

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

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

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

~~(c) Appointed legislative~~ (d) Members shall serve on the commission for two-year terms, beginning in January of each odd-numbered year and continuing through the end of

December of the next even-numbered year. Citizen and legislative Members continue to serve until their successors are appointed.

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

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

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

~~(2) one member appointed by the senate Subcommittee on Committees of the Committee on Rules and Administration for a term ending the first Monday in January 2010 and one member appointed by the speaker of the house for a term ending the first Monday in January 2010;~~

~~(3) two members appointed by the governor for a term ending the first Monday in January 2009; and~~

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

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

(g) The governor's appointments are subject to the advice and consent of the senate.

Sec. 3. Minnesota Statutes 2010, section 116P.08, subdivision 1, is amended to read:

Subdivision 1. **Expenditures.** (a) Money in the trust fund may be spent only for:

(1) the reinvest in Minnesota program as provided in section 84.95, subdivision 2;

(2) research that contributes to increasing the effectiveness of protecting or managing the state's environment or natural resources, subject to the limit in paragraph (b);

(3) collection and analysis of information that assists in developing the state's environmental and natural resources policies, subject to the limit in paragraph (b);

(4) ~~enhancement of public education, awareness, and understanding~~ workforce training necessary for the protection, conservation, restoration, and enhancement of air, land, water, forests, fish, wildlife, and other natural resources;

(5) capital projects for the ~~preservation and protection of unique natural resources,~~ conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife, and other natural resources, including renewable energy projects;

(6) activities that preserve or enhance fish, wildlife, land, air, water, and other natural resources that otherwise may be substantially impaired or destroyed in any area of the state;

(7) administrative and investment expenses incurred by the State Board of Investment in investing deposits to the trust fund; and

(8) administrative expenses subject to the limits in section 116P.09.

(b) No more than eight percent of the amount available for appropriation from the trust fund for the biennium may be spent on projects under paragraph (a), clauses (2) and (3), combined.

Sec. 4. Minnesota Statutes 2010, section 116P.08, subdivision 2, is amended to read:

Subd. 2. **Exceptions.** Money from the trust fund may not be spent for:

(1) purposes of environmental compensation and liability under chapter 115B and response actions under chapter 115C;

~~(2) purposes of municipal water pollution control under the authority of chapters 115 and 116;~~

~~(3)~~ costs associated with the decommissioning of nuclear power plants;

~~(4)~~ (3) hazardous waste disposal facilities;

~~(5)~~ (4) solid waste disposal facilities; or

~~(6)~~ (5) projects or purposes inconsistent with the strategic plan.

Sec. 5. Minnesota Statutes 2010, section 116P.08, is amended by adding a subdivision to read:

Subd. 2a. **Geographical distribution.** The geographical distribution of expenditures made under subdivision 1 must, as nearly as possible, proportionally match the geographical distribution of revenue to the trust fund from the state-operated lottery.

Sec. 6. Minnesota Statutes 2010, section 116P.08, is amended by adding a subdivision to read:

Subd. 2b. **State agencies ineligible.** No state agency may receive an appropriation from the trust fund, except to administer grants to or agreements with other recipients of funding.