

1.1 A bill for an act

1.2 relating to natural resources; establishing Environment and Natural Resources
1.3 Organization Advisory Committee to advise legislature and governor on new
1.4 structure for administration of environment and natural resource policies;
1.5 requiring an advisory committee to consider all powers and duties of
1.6 Pollution Control Agency, Department of Natural Resources, Environmental
1.7 Quality Board, Board of Water and Soil Resources, Petroleum Tank Release
1.8 Compensation Board, Harmful Substances Compensation Board, and
1.9 Agricultural Chemical Response Compensation Board and certain powers and
1.10 duties of Departments of Agriculture, Health, Transportation, and Commerce.

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

1.12 Section 1. **ENVIRONMENT AND NATURAL RESOURCES ORGANIZATION**
1.13 **ADVISORY COMMITTEE.**

1.14 Subdivision 1. **Membership.** (a) The Environment and Natural Resources
1.15 Organization Advisory Committee of 30 members is created to advise the legislature
1.16 and governor on an organization for state agencies and local governments to administer
1.17 environment and natural resource policies. The advisory committee shall consist of:

1.18 (1) two public members appointed by the senate Subcommittee on Committees of
1.19 the Committee on Rules and Administration;

1.20 (2) two members of the senate, including one member appointed by the majority
1.21 leader and one member appointed by the minority leader;

1.22 (3) two public members appointed by the speaker of the house;

1.23 (4) two members of the house of representatives, including one member appointed
1.24 by the speaker of the house and one member appointed by the house minority leader;

1.25 (5) three public members appointed by the governor; and

1.26 (6) one member representing each of the following organizations selected by the
1.27 organization:

- 2.1 (i) Minnesota Farmers Union;
- 2.2 (ii) Minnesota Farm Bureau Federation;
- 2.3 (iii) Minnesota Agri-Growth Council;
- 2.4 (iv) Minnesota Milk Producers Association;
- 2.5 (v) Minnesota Corn Growers Association;
- 2.6 (vi) Minnesota Soybean Growers Association;
- 2.7 (vii) Minnesota Cattlemen's Association;
- 2.8 (viii) Minnesota Pork Producers;
- 2.9 (ix) Minnesota Center for Environmental Advocacy;
- 2.10 (x) Minnesota Environmental Partnership;
- 2.11 (xi) Minnesota Waters;
- 2.12 (xii) The Nature Conservancy;
- 2.13 (xiii) Minnesota Forest Industries;
- 2.14 (xiv) Trust for Public Land;
- 2.15 (xv) Healthy Legacy Coalition;
- 2.16 (xvi) Clean Water Action;
- 2.17 (xvii) American Federation of State, County and Municipal Employees;
- 2.18 (xviii) Minnesota Chamber of Commerce; and
- 2.19 (xix) Minnesota Association of Professional Employees.

2.20 The appointing authorities shall consider geographic balance in making the
2.21 appointments. The senate appointments must include a representative of city government.
2.22 The house of representatives appointments must include a representative from county
2.23 government. The governor's appointments must include one representing soil and water
2.24 conservation districts, one representing watershed districts, and one representing tribal
2.25 governments. All appointments and selections to the advisory committee shall have
2.26 experience or expertise in the science, policy, or practice of the protection, conservation,
2.27 preservation, and enhancement of the state's environment and natural resources and have
2.28 strong knowledge in the state's environment and natural resource issues around the state.
2.29 All appointments shall be made by August 15, 2010.

2.30 (b) Public members of the advisory committee and task forces of the advisory
2.31 committee are entitled to reimbursement for per diem expenses, plus travel expenses
2.32 incurred in the services of the advisory committee, as provided in Minnesota Statutes,
2.33 section 15.059.

2.34 (c) Members shall elect a chair. The chair shall preside and convene meetings as
2.35 often as necessary to conduct duties prescribed by this section. Meetings of the advisory
2.36 committee shall be held in all regions of the state.

3.1 (d) The Department of Management and Budget shall provide for administrative
3.2 services to the advisory committee. The commissioner of management and budget shall
3.3 convene the first organizational meeting of the advisory committee by September 1, 2010.

3.4 Subd. 2. **Duties.** The advisory committee shall recommend a structure to provide an
3.5 efficient and effective organization for state agencies and local governments to administer
3.6 environment and natural resource policies. In making its recommendations, the advisory
3.7 committee shall consider structures of organization that will provide for the protection,
3.8 conservation, preservation, and enhancement of the state's environment and natural
3.9 resources and will accomplish:

- 3.10 (1) a reduction in redundant management personnel;
- 3.11 (2) accountability to the public;
- 3.12 (3) consolidation of project-permitting functions;
- 3.13 (4) professionalism in the provision of services;
- 3.14 (5) reduced political influence in the process;
- 3.15 (6) enhancing public participation and interaction with the public;
- 3.16 (7) alignment of services to meet current and expected future needs;
- 3.17 (8) utilization of new technology;
- 3.18 (9) providing assistance to businesses that will create and maintain jobs for the
3.19 green economy; and
- 3.20 (10) a reduction in overall personnel needed that will be accomplished through
3.21 attrition.

3.22 Subd. 3. **Public meetings.** Meetings of the advisory committee and task forces of
3.23 the advisory committee must be open to the public. For purposes of this subdivision, a
3.24 meeting occurs when a quorum is present and action is taken regarding a matter within
3.25 the jurisdiction of the advisory committee and task forces of the advisory committee.
3.26 Enforcement of this subdivision is governed by Minnesota Statutes, section 13D.06,
3.27 subdivisions 1 and 2.

3.28 Subd. 4. **Intergovernmental task force.** By October 15, 2010, the advisory
3.29 committee shall establish a task force to assist in coordinating state and local
3.30 environmental and natural resource programs and requirements. The membership of the
3.31 task force must include equal and broad representation of state and local government
3.32 units. By June 15, 2011, the task force shall provide a report to the advisory committee
3.33 on recommendations for coordinating, streamlining, and consolidating state and local
3.34 programs, requirements, and functions relating to natural resources and the environment.

3.35 Subd. 5. **Employee participation task force.** By October 15, 2010, the advisory
3.36 committee shall establish a task force to identify employer and employee issues that will

4.1 need to be considered in a reorganization of state agencies responsible for administering
4.2 environment and natural resource policies. The task force must include representatives
4.3 from both management and nonmanagement personnel from each agency affected under
4.4 sections 2 to 4. By June 15, 2011, the task force shall provide a report to the advisory
4.5 committee on employee issues to consider in reorganizing state environment and natural
4.6 resource agencies.

4.7 Subd. 6. **Advisory committee report.** The advisory committee shall prepare
4.8 a report on its recommendations for an efficient and effective organization for state
4.9 agencies and local governments to administer environment and natural resource policies.
4.10 By August 15, 2011, the report must be submitted to the governor and to the house of
4.11 representatives and senate environment, natural resources, and agricultural policy and
4.12 finance committees and divisions.

4.13 Subd. 7. **Sunset.** The advisory committee and all task forces authorized by this
4.14 section expire on September 1, 2011.

4.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.16 Sec. 2. **CONSIDERATION OF AGENCIES.**

4.17 The Department of Natural Resources, the Board of Water and Soil Resources, and
4.18 the Pollution Control Agency shall be considered by the advisory committee established
4.19 under section 1.

4.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

4.21 Sec. 3. **POWERS AND DUTIES FROM OTHER AGENCIES.**

4.22 Subdivision 1. **Department of Agriculture.** The following powers and duties of
4.23 the Department of Agriculture shall be considered by the advisory committee established
4.24 under section 1:

4.25 (1) regulation of fertilizers, soil amendments, agricultural liming, and plant
4.26 amendments under Minnesota Statutes, chapter 18C;

4.27 (2) pesticide control under Minnesota Statutes, chapter 18B;

4.28 (3) agriculture chemical incident response and cleanup under Minnesota Statutes,
4.29 chapter 18D;

4.30 (4) chemical incident reimbursement under Minnesota Statutes, chapter 18E;

4.31 (5) genetically engineered organisms under Minnesota Statutes, chapter 18F;

4.32 (6) urban forest promotion under Minnesota Statutes, section 17.86;

4.33 (7) groundwater protection under Minnesota Statutes, chapter 103H; and

5.1 (8) oil and hazardous substance discharge preparedness under Minnesota Statutes,
5.2 chapter 115E.

5.3 Subd. 2. **Department of Health.** The following powers and duties of the
5.4 Department of Health shall be considered by the advisory committee established under
5.5 section 1:

5.6 (1) water well program under Minnesota Statutes, chapter 103I;

5.7 (2) safe drinking water program under Minnesota Statutes, sections 144.381 to
5.8 144.387;

5.9 (3) health risk assessment under Minnesota Statutes, section 115B.17, subdivision
5.10 10;

5.11 (4) domestic water supply protection under Minnesota Statutes, sections 144.35
5.12 to 144.37;

5.13 (5) asbestos contractor licensing under Minnesota Statutes, sections 326.70 to
5.14 326.81;

5.15 (6) public health laboratory regulation under Minnesota Statutes, sections 144.97
5.16 to 144.98;

5.17 (7) lead poisoning prevention under Minnesota Statutes, sections 144.9501 to
5.18 144.9512;

5.19 (8) hazardous substance exposure under Minnesota Statutes, section 145.94;

5.20 (9) mosquito research under Minnesota Statutes, section 144.95;

5.21 (10) environmental health tracking under Minnesota Statutes, sections 144.995 to
5.22 144.998;

5.23 (11) water supply monitoring and health assessments under Minnesota Statutes,
5.24 section 116.155; and

5.25 (12) health risk limits under Minnesota Statutes, section 103H.201.

5.26 Subd. 3. **Department of Commerce.** The following powers and duties of the
5.27 Department of Commerce shall be considered by the advisory committee established under
5.28 section 1: energy planning and conservation under Minnesota Statutes, chapter 216C.

5.29 Subd. 4. **Department of Transportation.** The following powers and duties of the
5.30 Department of Transportation shall be considered by the advisory committee established
5.31 under section 1: oil and hazardous substance discharge preparedness under Minnesota
5.32 Statutes, chapter 115E.

5.33 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.34 Sec. 4. **CONSIDERATION OF BOARDS.**

S.F. No. 1657, 3rd Engrossment - 86th Legislative Session (2009-2010) [s1657-3]

6.1 The Environmental Quality Board, the Harmful Substances Compensation Board,
6.2 the Petroleum Tank Release Compensation Board, and the Agricultural Chemical
6.3 Response Compensation Board shall be considered by the advisory committee established
6.4 under section 1.

6.5 **EFFECTIVE DATE.** This section is effective the day following final enactment.