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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 3836

May 7, 2010

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

1.1 A bill for an act
1.2 relating to natural resources; establishing a Minnesota-Wisconsin Boundary Area
1.3 Invasive Species Commission; appropriating money; proposing coding for new
1.4 law in Minnesota Statutes, chapter 84D.

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

1.6 Section 1. **[84D.20] MINNESOTA-WISCONSIN BOUNDARY AREA INVASIVE**
1.7 **SPECIES COMMISSION; ESTABLISHMENT; AUTHORITY.**

1.8 Subdivision 1. **Establishment.** The Minnesota-Wisconsin Boundary Area Invasive
1.9 Species Commission is established.

1.10 Subd. 2. **General powers and duties.** (a) The Minnesota-Wisconsin Boundary
1.11 Area Invasive Species Commission shall make recommendations, review and correlate
1.12 studies of the federal government and other agencies, develop plans and evolve findings,
1.13 and do all things necessary and proper to carry out the powers conferred upon the
1.14 commission by law, provided that no recommendation, plan, or finding of the commission
1.15 shall have the force of law or be binding upon or limit the powers of either state or its
1.16 departments, agencies, or municipalities.

1.17 (b) The commission shall cooperate with the federal government of the United States
1.18 and with any public or private agencies having an interest in, or jurisdiction sufficient to
1.19 affect, the present and future protection of waters from invasive species.

1.20 (c) For the purpose of obtaining information relative to land and water use in the
1.21 area, the commission may hold public hearings.

1.22 (d) The commission may appoint subcommittees for the purpose of conducting
1.23 specific studies under paragraph (a).

2.1 Subd. 3. **Members; officers; meetings.** (a) The Minnesota representation on the
2.2 Minnesota-Wisconsin Boundary Area Invasive Species Commission shall consist of
2.3 five commissioners appointed by the governor, each for a four-year term. The terms of
2.4 the commissioners shall be staggered. Vacancies shall be filled by appointment by the
2.5 governor for the unexpired term.

2.6 (b) The commission shall annually elect from among its members a chair, a vice
2.7 chair who shall not be a citizen of the state represented by the chair, and other officers
2.8 deemed necessary by the commission.

2.9 (c) The commission shall meet at the call of the chair, or at the call of three of its
2.10 members, upon five days' notice, but at least twice in each calendar year.

2.11 Subd. 4. **Minnesota-Wisconsin Boundary Area Legislative Advisory Committee.**

2.12 To assist the Minnesota-Wisconsin Boundary Area Invasive Species Commission in the
2.13 performance of its duties, a Minnesota-Wisconsin Boundary Area Legislative Advisory
2.14 Committee is created, to be comprised of five members of the house of representatives
2.15 appointed by the speaker and five members of the senate appointed by the Rules and
2.16 Administration Subcommittee on Committees. The members of the advisory committee
2.17 shall be selected by January 31 of each odd-numbered year. Vacancies, when the
2.18 legislature is not in regular session, shall be filled by appointment of the last duly elected
2.19 speaker in the case of members of the house of representatives and the last duly elected
2.20 members of the Rules and Administration Subcommittee on Committees in the case of
2.21 members of the senate. The members of the advisory committee shall select a chair and
2.22 other officers as deemed necessary. The chair of the advisory committee shall rotate every
2.23 two years between the house of representatives and the senate.

2.24 Subd. 5. **Technical Advisory Task Force.** To assist the Minnesota-Wisconsin
2.25 Boundary Area Invasive Species Commission in the performance of its duties, a Technical
2.26 Advisory Task Force comprised of ten members is created, to be appointed, as found
2.27 necessary, by the commission and serve at the commission's pleasure. Each member of
2.28 the Technical Advisory Task Force shall have expertise in the subject matter of the duties
2.29 of the Minnesota-Wisconsin Boundary Area Invasive Species Commission and be an
2.30 officer or employee of the executive branch of the state government or of a governmental
2.31 subdivision or body politic and corporate of the state.

2.32 Subd. 6. **Compensation and reimbursement for expenses.** (a) Members of the
2.33 commission shall serve without compensation, but the actual and necessary expenses
2.34 incurred by any member in the performance of the commission's duties shall be reimbursed
2.35 from the appropriations made for the support of the commission.

3.1 (b) Members of the Minnesota-Wisconsin Boundary Area Legislative Advisory
3.2 Committee shall be compensated and reimbursed for expenses in the same manner that
3.3 members of legislative standing committees are compensated and reimbursed under
3.4 section 3.101.

3.5 Subd. 7. **Cooperation of state officers.** All departments and agencies of the state
3.6 shall cooperate with the commission and its advisory committees in the execution of their
3.7 functions and assist the commission to carry out its duties.

3.8 Subd. 8. **Gifts.** The Minnesota commissioners may accept on behalf of the state a
3.9 gift from any source, private or public, and use the gift for the purposes for which it is
3.10 tendered, consistent with the duties of the Minnesota-Wisconsin Boundary Area Invasive
3.11 Species Commission. Money so received shall be deposited in the state treasury and is
3.12 appropriated annually to the commission to carry out the terms of the gift.

3.13 Subd. 9. **Budget.** The Minnesota commissioners shall submit a budget of the
3.14 estimated expenditures of the commission from time to time to the commissioner of
3.15 management and budget for the period and in the form the commissioner of management
3.16 and budget requires.

3.17 Subd. 10. **Annual audit.** The commission shall keep accurate accounts of all
3.18 receipts and disbursements, which shall be audited as of December 31 of each year by a
3.19 qualified public accountant.

3.20 Subd. 11. **Reports.** By January 15 of each odd-numbered year, the commission
3.21 shall make a report to the governor and legislature of each state that shall include:

3.22 (1) the activities of the commission during the previous biennium and its intended
3.23 activities for the upcoming biennium; and

3.24 (2) the appropriations, gifts, and grants, if any, received by the commission and the
3.25 commission's expenditures of funds as verified by the audit under subdivision 10.

3.26 Subd. 12. **Enabling legislation.** The commission shall become operative
3.27 immediately after the passage of an act by both party states incorporating the provisions
3.28 of this commission into the laws of both states. The first meeting shall be called by the
3.29 members of the first state to enact the commission.

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