

**Conflict of Interest Excerpts from
Procedures of the Legislative-Citizen Commission on
Minnesota Resources (LCCMR)
Adopted September 23, 2008**

**Revised: June 8, 2023
Effective July 1, 2023**

I. LCCMR

C. Operations

5. Conflicts of interest prohibitions and procedures:

- a. The conflict of interest statute for the Trust Fund was first adopted in 1988 and amended in 2006 and 2023:

MS 116P.09 Subd 6 Conflict of interest. (a) *A commission member, technical advisory committee member, a peer review panelist, or an employee of the commission may not participate in or vote on a decision of the commission, technical advisory committee, or peer review panel relating to an organization in which the member, panelist, or employee has either a direct or indirect personal financial interest. While serving on the commission, technical advisory committee, or peer review panel, or being an employee of the commission, a person must avoid any potential conflict of interest.*

(b) *A commission member may not vote on a motion regarding the final recommendations of the commission required under section 116P.05, subdivision 2, paragraph (a), if the motion relates to an organization in which the member has a direct personal financial interest. If a commission member is prohibited from voting under this paragraph, the number of affirmative votes required under section 116P.05, subdivision 2, paragraph (a), is reduced by the number of members ineligible to vote under this paragraph.*

- b. The LCCMR has strict rules governing conflict of interest to ensure fairness in the proposal review and recommendations process. These restrictions include:

Conflict of Interest Prohibitions

- A person may not serve as a project manager for a proposal pending before the LCCMR if the person is a member or serves on a relevant technical advisory or peer review panel.
- A LCCMR member, technical advisory, or peer review panel member may not receive direct personal financial benefit from a proposal being reviewed or funded.

Conflict of Interest to be Managed through Procedures

Legislative and non-legislative citizen members of the LCCMR have been appointed because of their interest and expertise in various aspects of Minnesota's natural resources. In addition, peer review and technical review panel members have been appointed by the LCCMR because of their expertise. Nevertheless, certain affiliations may constitute a conflict of interest that must be managed by the LCCMR. They include:

- Receipt of direct personal financial benefit from a proposing organization.
- Receipt of indirect personal financial benefit from a proposing organization or proposal being reviewed.

- Serving as an employee or governing board member of a proposing organization whose proposal is being reviewed.
- Serving with or without payment as a consultant to a proposer on the proposal being reviewed by LCCMR.
- Having a family relationship with a proposer or a staff or board member of a proposing organization.

A conflict of interest must be identified before or during the initial proposal review process. The member must send a letter to the chair of the LCCMR addressed to the LCCMR office declaring the conflict of interest and stating if the conflict is due to a direct personal financial interest in an organization. Declaring a conflict of interest means that member may not advocate for or against the proposal or vote on the proposal. In addition, the member may not vote on a motion for a final recommendation if that motion relates to the organization in which the member has a direct personal financial interest.

Existing law and institutional policies on conflict of interest also cover the LCCMR members and staff and other legislative staff.