

1.1 moves to amend H.F. No. 1329 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2014, section 84.788, subdivision 5, is amended to read:

1.4 Subd. 5. **Report of ownership transfers; fee.** ~~A person who sells or transfers (a)~~
1.5 Application for transfer of ownership of an off-highway motorcycle registered under
1.6 this section shall report the sale or transfer must be made to the commissioner within
1.7 15 days of the date of transfer.

1.8 (b) An application for transfer must be executed by the registered owner and the
1.9 buyer on a form prescribed by the commissioner with the owner's registration certificate,
1.10 purchaser using a bill of sale, and a \$4 fee that includes the vehicle serial number.

1.11 (c) The purchaser is subject to the penalties imposed by section 84.774 if the
1.12 purchaser fails to apply for transfer of ownership as provided under this subdivision.

1.13 **EFFECTIVE DATE.** This section is effective January 1, 2016.

1.14 Sec. 2. Minnesota Statutes 2014, section 84.788, is amended by adding a subdivision
1.15 to read:

1.16 Subd. 5a. **Report of registration transfers.** (a) Application for transfer of
1.17 registration under this section must be made to the commissioner within 15 days of the
1.18 date of transfer.

1.19 (b) An application for transfer must be executed by the registered owner and the
1.20 purchaser using a bill of sale that includes the vehicle serial number.

1.21 (c) The purchaser is subject to the penalties imposed by section 84.774 if the
1.22 purchaser fails to apply for transfer of registration as provided under this subdivision.

1.23 **EFFECTIVE DATE.** This section is effective January 1, 2016.

1.24 Sec. 3. Minnesota Statutes 2014, section 84.84, is amended to read:

2.1 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

2.2 (a) Within 15 days after the transfer of ownership, or any part thereof, other than a
 2.3 security interest, or the destruction or abandonment of any snowmobile, written notice
 2.4 ~~thereof~~ of the transfer or destruction or abandonment shall be given to the commissioner
 2.5 in such form as the commissioner shall prescribe.

2.6 (b) An application for transfer must be executed by the registered owner and the
 2.7 purchaser using a bill of sale that includes the vehicle serial number.

2.8 (c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser
 2.9 fails to apply for transfer of ownership as provided under this subdivision. Every owner
 2.10 or part owner of a snowmobile shall, upon failure to give ~~such~~ notice of destruction or
 2.11 abandonment, be subject to the penalties imposed by ~~Laws 1967, chapter 876~~ section 84.88.

2.12 **EFFECTIVE DATE.** This section is effective July 1, 2016.

2.13 Sec. 4. Minnesota Statutes 2014, section 84.92, subdivision 8, is amended to read:

2.14 Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means
 2.15 a motorized vehicle ~~of~~ with: (1) not less than three, but not more than six low pressure
 2.16 or non-pneumatic tires, ~~that is limited in engine displacement of less than 1,000 cubic~~
 2.17 ~~centimeters and;~~ (2) a total dry weight of 2,000 pounds or less; and (3) a total width
 2.18 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle
 2.19 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle does
 2.20 not include a golf cart, mini-truck, dune buggy, or go cart or a vehicle designed and used
 2.21 specifically for lawn maintenance, agriculture, logging, or mining purposes.

2.22 Sec. 5. Minnesota Statutes 2014, section 84.92, subdivision 9, is amended to read:

2.23 Subd. 9. **Class 1 all-terrain vehicle.** "Class 1 all-terrain vehicle" means an
 2.24 all-terrain vehicle that has a total ~~dry weight of less than 1,200 pounds~~ width from outside
 2.25 of tire rim to outside of tire rim that is 50 inches or less.

2.26 Sec. 6. Minnesota Statutes 2014, section 84.92, subdivision 10, is amended to read:

2.27 Subd. 10. **Class 2 all-terrain vehicle.** "Class 2 all-terrain vehicle" means an
 2.28 all-terrain vehicle that has a total ~~dry weight of 1,200 to 1,800 pounds~~ width from outside
 2.29 of tire rim to outside of tire rim that is greater than 50 inches but not more than 65 inches.

2.30 Sec. 7. Minnesota Statutes 2014, section 84.922, subdivision 4, is amended to read:

3.1 Subd. 4. **Report of transfers.** ~~A person who sells or transfers ownership of a~~
3.2 ~~vehicle registered under this section shall report the sale or~~ (a) Application for transfer of
3.3 ownership must be made to the commissioner within 15 days of the date of transfer.

3.4 (b) An application for transfer must be executed by the registered owner and
3.5 the purchaser on a form prescribed by the commissioner with the owner's registration
3.6 certificate, using a bill of sale and a \$4 fee that includes the vehicle serial number.

3.7 (c) The purchaser is subject to the penalties imposed by section 84.774 if the
3.8 purchaser fails to apply for transfer of ownership as provided under this subdivision.

3.9 **EFFECTIVE DATE.** This section is effective January 1, 2016.

3.10 Sec. 8. Minnesota Statutes 2014, section 84.928, subdivision 1, is amended to read:

3.11 Subdivision 1. **Operation on roads and rights-of-way.** (a) Unless otherwise
3.12 allowed in sections 84.92 to 84.928, a person shall not operate an all-terrain vehicle in
3.13 this state along or on the roadway, shoulder, or inside bank or slope of a public road
3.14 right-of-way of a trunk, county state-aid, or county highway.

3.15 (b) A person may operate a class 1 all-terrain vehicle in the ditch or the outside
3.16 bank or slope of a trunk, county state-aid, or county highway unless prohibited under
3.17 paragraph (d) or (f).

3.18 (c) A person may operate a class 2 all-terrain vehicle or a class 1 all-terrain vehicle
3.19 designed by the manufacturer for off-road use to be driven by a steering wheel, and
3.20 equipped with operator and passenger seat belts and a roll-over protective structure:

3.21 (1) within the public road right-of-way of a county state-aid or county highway on the
3.22 extreme right-hand side of the road and left turns may be made from any part of the road if it
3.23 is safe to do so under the prevailing conditions, unless prohibited under paragraph (d) or (f);

3.24 (2) on the bank, slope, or ditch of a public road right-of-way of a trunk, county
3.25 state-aid, or county highway but only to access businesses or make trail connections, and
3.26 left turns may be made from any part of the road if it is safe to do so under the prevailing
3.27 conditions, unless prohibited under paragraph (d) or (f); and

3.28 (3) on the bank or ditch of a public road right-of-way on a designated class 2
3.29 all-terrain vehicle trail.

3.30 (d) A road authority as defined under section 160.02, subdivision 25, may after a
3.31 public hearing restrict the use of all-terrain vehicles in the public road right-of-way under
3.32 its jurisdiction.

3.33 (e) The restrictions in paragraphs (a), (d), (h), (i), and (j) do not apply to the
3.34 operation of an all-terrain vehicle on the shoulder, inside bank or slope, ditch, or outside
3.35 bank or slope of a trunk, interstate, county state-aid, or county highway:

4.1 (1) that is part of a funded grant-in-aid trail; or

4.2 (2) when the all-terrain vehicle is owned by or operated under contract with a publicly
4.3 or privately owned utility or pipeline company and used for work on utilities or pipelines.

4.4 (f) The commissioner may limit the use of a right-of-way for a period of time if the
4.5 commissioner determines that use of the right-of-way causes:

4.6 (1) degradation of vegetation on adjacent public property;

4.7 (2) siltation of waters of the state;

4.8 (3) impairment or enhancement to the act of taking game; or

4.9 (4) a threat to safety of the right-of-way users or to individuals on adjacent public
4.10 property.

4.11 The commissioner must notify the road authority as soon as it is known that a closure
4.12 will be ordered. The notice must state the reasons and duration of the closure.

4.13 (g) A person may operate an all-terrain vehicle registered for private use and used
4.14 for agricultural purposes on a public road right-of-way of a trunk, county state-aid, or
4.15 county highway in this state if the all-terrain vehicle is operated on the extreme right-hand
4.16 side of the road, and left turns may be made from any part of the road if it is safe to do so
4.17 under the prevailing conditions.

4.18 (h) A person shall not operate an all-terrain vehicle within the public road
4.19 right-of-way of a trunk, county state-aid, or county highway from April 1 to August 1 in
4.20 the agricultural zone unless the vehicle is being used exclusively as transportation to and
4.21 from work on agricultural lands. This paragraph does not apply to an agent or employee
4.22 of a road authority, as defined in section 160.02, subdivision 25, or the Department of
4.23 Natural Resources when performing or exercising official duties or powers.

4.24 (i) A person shall not operate an all-terrain vehicle within the public road right-of-way
4.25 of a trunk, county state-aid, or county highway between the hours of one-half hour after
4.26 sunset to one-half hour before sunrise, except on the right-hand side of the right-of-way
4.27 and in the same direction as the highway traffic on the nearest lane of the adjacent roadway.

4.28 (j) A person shall not operate an all-terrain vehicle at any time within the
4.29 right-of-way of an interstate highway or freeway within this state.

4.30 Sec. 9. Minnesota Statutes 2014, section 84D.01, subdivision 13, is amended to read:

4.31 Subd. 13. **Prohibited invasive species.** "Prohibited invasive species" means a
4.32 nonnative species that has been ~~listed~~ designated as a prohibited invasive species in a rule
4.33 adopted by the commissioner under section 84D.12.

4.34 Sec. 10. Minnesota Statutes 2014, section 84D.01, subdivision 15, is amended to read:

5.1 Subd. 15. **Regulated invasive species.** "Regulated invasive species" means a
5.2 nonnative species that has been ~~listed~~ designated as a regulated invasive species in a rule
5.3 adopted by the commissioner under section 84D.12.

5.4 Sec. 11. Minnesota Statutes 2014, section 84D.01, subdivision 17, is amended to read:

5.5 Subd. 17. **Unlisted nonnative species.** "Unlisted nonnative species" means a
5.6 nonnative species that has not been ~~listed~~ designated as a prohibited invasive species, a
5.7 regulated invasive species, or an unregulated nonnative species in a rule adopted by the
5.8 commissioner under section 84D.12.

5.9 Sec. 12. Minnesota Statutes 2014, section 84D.01, subdivision 18, is amended to read:

5.10 Subd. 18. **Unregulated nonnative species.** "Unregulated nonnative species" means
5.11 a nonnative species that has been ~~listed~~ designated as an unregulated nonnative species in
5.12 a rule adopted by the commissioner under section 84D.12.

5.13 Sec. 13. Minnesota Statutes 2014, section 84D.03, subdivision 3, is amended to read:

5.14 Subd. 3. **Bait harvest from infested waters.** (a) Taking wild animals from infested
5.15 waters for bait or aquatic farm purposes is prohibited, except as provided in paragraph
5.16 (b) or (c) and section 97C.341.

5.17 (b) In waters that are listed as infested waters, except those listed ~~because they~~
5.18 ~~contain~~ as infested with prohibited invasive species of fish or certifiable diseases of fish, as
5.19 defined under section 17.4982, subdivision 6, taking wild animals may be permitted for:

5.20 (1) commercial taking of wild animals for bait and aquatic farm purposes according
5.21 to a permit issued under section 84D.11, subject to rules adopted by the commissioner; and

5.22 (2) bait purposes for noncommercial personal use in waters that contain Eurasian
5.23 water milfoil, when the infested waters are listed solely because they contain Eurasian
5.24 water milfoil and if the equipment for taking is limited to cylindrical minnow traps not
5.25 exceeding 16 inches in diameter and 32 inches in length; and

5.26 ~~(3) (c)~~ (c) In streams or rivers that are listed as infested waters, except those listed as
5.27 infested with certifiable diseases of fish, as defined under section 17.4982, subdivision 6,
5.28 the harvest of bullheads, goldeyes, mooneyes, sheepshead (freshwater drum), and suckers
5.29 for bait from streams or rivers listed as infested waters, by hook and line for noncommercial
5.30 personal use. Other provisions that apply to this clause are is allowed as follows:

5.31 ~~(i)~~ (1) fish taken under this clause paragraph must be used on the same body of water
5.32 where caught and while still on that water body. Where the river or stream is divided by

6.1 barriers such as dams, the fish must be caught and used on the same section of the river
6.2 or stream;

6.3 ~~(ii)~~ (2) fish taken under this ~~clause~~ paragraph may not be transported live from or
6.4 off the water body;

6.5 ~~(iii)~~ (3) fish harvested under this ~~clause~~ paragraph may only be used in accordance
6.6 with this section;

6.7 ~~(iv)~~ (4) any other use of wild animals used for bait from infested waters is prohibited;

6.8 ~~(v)~~ (5) fish taken under this ~~clause~~ paragraph must meet all other size restrictions
6.9 and requirements as established in rules; and

6.10 ~~(vi)~~ (6) all species listed under this ~~clause~~ paragraph shall be included in the person's
6.11 daily limit as established in rules, if applicable.

6.12 ~~(e)~~ (d) Equipment authorized for minnow harvest in a listed infested water by permit
6.13 issued under paragraph (b) may not be transported to, or used in, any waters other than
6.14 waters specified in the permit.

6.15 Sec. 14. Minnesota Statutes 2014, section 84D.06, is amended to read:

6.16 **84D.06 UNLISTED NONNATIVE SPECIES.**

6.17 Subdivision 1. **Process.** A person may not introduce an unlisted nonnative aquatic
6.18 plant or wild animal species unless:

6.19 (1) the person has notified the commissioner in a manner and form prescribed by
6.20 the commissioner;

6.21 (2) the commissioner has made the classification determination required in
6.22 subdivision 2 and ~~listed~~ designated the species as appropriate; and

6.23 (3) the introduction is allowed under the applicable provisions of this chapter.

6.24 Subd. 2. **Classification.** (a) If the commissioner determines that a species for which
6.25 a notification is received under subdivision 1 should be classified as a prohibited invasive
6.26 species, the commissioner shall:

6.27 (1) adopt a rule under section 84D.12, subdivision 3, ~~listing~~ designating the species
6.28 as a prohibited invasive species; and

6.29 (2) notify the person from which the notification was received that the species is
6.30 subject to section 84D.04.

6.31 (b) If the commissioner determines that a species for which a notification is
6.32 received under subdivision 1 should be classified as an unregulated nonnative species,
6.33 the commissioner shall:

6.34 (1) adopt a rule under section 84D.12, subdivision 3, ~~listing~~ designating the species
6.35 as an unregulated nonnative species; and

7.1 (2) notify the person from which the notification was received that the species is not
7.2 subject to regulation under this chapter.

7.3 (c) If the commissioner determines that a species for which a notification is received
7.4 under subdivision 1 should be classified as a regulated invasive species, the commissioner
7.5 shall notify the applicant that the species is subject to the requirements in section 84D.07.

7.6 Sec. 15. Minnesota Statutes 2014, section 84D.10, subdivision 3, is amended to read:

7.7 Subd. 3. **Removal and confinement.** (a) A conservation officer or other licensed
7.8 peace officer may order:

7.9 (1) the removal of aquatic macrophytes or prohibited invasive species from
7.10 water-related equipment, including decontamination using hot water or high pressure
7.11 equipment when available on site, before it the water-related equipment is transported or
7.12 before it is placed into waters of the state;

7.13 (2) confinement of the water-related equipment at a mooring, dock, or other location
7.14 until the water-related equipment is removed from the water;

7.15 (3) removal of water-related equipment from waters of the state to remove prohibited
7.16 invasive species if the water has not been listed by the commissioner as being infested
7.17 with that species; ~~and~~

7.18 (4) a prohibition on placing water-related equipment into waters of the state when
7.19 the water-related equipment has aquatic macrophytes or prohibited invasive species
7.20 attached in violation of subdivision 1 or when water has not been drained or the drain plug
7.21 has not been removed in violation of subdivision 4-; and

7.22 (5) decontamination of water-related equipment when available on site.

7.23 (b) An order for removal of prohibited invasive species under paragraph (a), clause
7.24 (1), or decontamination of water-related equipment under paragraph (a), clause (5),
7.25 may include tagging the water-related equipment and issuing a notice that specifies
7.26 a time frame for completing the removal or decontamination and reinspection of the
7.27 water-related equipment.

7.28 ~~(b)~~ (c) An inspector who is not a licensed peace officer may issue orders under
7.29 paragraph (a), clauses (1), (3), ~~and~~ (4), and (5).

7.30 Sec. 16. Minnesota Statutes 2014, section 84D.11, subdivision 1, is amended to read:

7.31 Subdivision 1. **Prohibited invasive species.** The commissioner may issue a permit
7.32 for the propagation, possession, importation, purchase, or transport of a prohibited invasive
7.33 species for the purposes of disposal, decontamination, control, research, or education.

8.1 Sec. 17. Minnesota Statutes 2014, section 84D.12, subdivision 1, is amended to read:

8.2 Subdivision 1. **Required rules.** The commissioner shall adopt rules:

8.3 (1) ~~listing~~ designating prohibited invasive species, regulated invasive species, and
8.4 unregulated nonnative species of aquatic plants and wild animals;

8.5 (2) governing the application for and issuance of permits under this chapter, which
8.6 rules may include a fee schedule; and

8.7 (3) governing notification under section 84D.08.

8.8 Sec. 18. Minnesota Statutes 2014, section 84D.12, subdivision 3, is amended to read:

8.9 Subd. 3. **Expedited rules.** The commissioner may adopt rules under section 84.027,
8.10 subdivision 13, that ~~list~~ designate:

8.11 (1) prohibited invasive species of aquatic plants and wild animals;

8.12 (2) regulated invasive species of aquatic plants and wild animals; and

8.13 (3) unregulated nonnative species of aquatic plants and wild animals.

8.14 Sec. 19. Minnesota Statutes 2014, section 84D.15, subdivision 3, is amended to read:

8.15 Subd. 3. **Use of money in account.** Money credited to the invasive species account
8.16 in subdivision 2 shall be used for management of invasive species and implementation of
8.17 this chapter as it pertains to invasive species, including control, public awareness, law
8.18 enforcement, assessment and monitoring, management planning, habitat improvements,
8.19 and research.

8.20 Sec. 20. Minnesota Statutes 2014, section 85.015, is amended by adding a subdivision
8.21 to read:

8.22 Subd. 1e. **Connection to state parks and recreation areas.** Trails designated under
8.23 this section may include connections to state parks or recreation areas that generally lie in
8.24 between or within the vicinity of the waymarks specifically named in the designation.

8.25 Sec. 21. Minnesota Statutes 2014, section 85.015, subdivision 28, is amended to read:

8.26 Subd. 28. **Camp Ripley/Veterans State Trail, Crow Wing, Cass, and Morrison**

8.27 **Counties.** The trail shall originate at Crow Wing State Park in Crow Wing County at

8.28 the southern end of the Paul Bunyan Trail and shall extend from Crow Wing State Park

8.29 westerly to the city of Pillager, then southerly along the west side of Camp Ripley, then

8.30 easterly along the south side of Camp Ripley across to the east side of the Mississippi

8.31 River, and then northerly through Fort Ripley to Crow Wing State Park. A second segment

8.32 of the trail shall be established that shall extend in a southerly direction and in close

9.1 proximity to the Mississippi River from the southeasterly portion of the first segment of
9.2 the trail to the city of Little Falls, and then terminate at the Soo Line Trail in Morrison
9.3 County. Separation of motorized and nonmotorized corridors is acceptable as needed.

9.4 Sec. 22. Minnesota Statutes 2014, section 85.054, subdivision 12, is amended to read:

9.5 Subd. 12. **Lake Vermilion-Soudan Underground Mine State Park.** A state park
9.6 permit is not required and a fee may not be charged for motor vehicle entry or parking
9.7 at the visitor parking area of Soudan Underground Mine State Park and the Stuntz Bay
9.8 boat house area.

9.9 Sec. 23. Minnesota Statutes 2014, section 86B.201, is amended by adding a
9.10 subdivision to read:

9.11 Subd. 4. **Construction area restrictions.** The commissioner may adopt, by written
9.12 order, temporary water surface use controls at public construction and maintenance sites
9.13 that cross or are adjacent to waters of the state for a period of time not to exceed the
9.14 duration of the construction or maintenance project. Temporary controls adopted under
9.15 this subdivision are exempt from the rulemaking requirements of chapter 14 and section
9.16 14.386 does not apply.

9.17 Sec. 24. Minnesota Statutes 2014, section 88.17, subdivision 3, is amended to read:

9.18 Subd. 3. **Special permits.** The following special permits are required at all times,
9.19 including when the ground is snow-covered:

9.20 (a) **Fire training.** A permit to start a fire for the instruction and training of
9.21 firefighters, including liquid fuels training, may be given by the commissioner or agent of
9.22 the commissioner. Except for owners or operators conducting fire training in specialized
9.23 industrial settings pursuant to applicable federal, state, or local standards, owners
9.24 or operators conducting open burning for the purpose of instruction and training of
9.25 firefighters with regard to structures ~~must follow the techniques described in a document~~
9.26 ~~entitled: Structural Burn Training Procedures for the Minnesota Technical College System~~
9.27 use only fuel materials as outlined in the current edition of National Fire Protection
9.28 Association 1403, Standard on Live Fire Training Evolutions, and obtain the applicable
9.29 live burn documents in accordance with the current edition of the Board of Firefighter
9.30 Training and Education's live burn plan established according to section 299N.02,
9.31 subdivision 3, clause (2).

9.32 (b) **Permanent tree and brush open burning sites.** A permit for the operation of
9.33 a permanent tree and brush burning site may be given by the commissioner or agent of

10.1 the commissioner. Applicants for a permanent open burning site permit shall submit a
10.2 complete application on a form provided by the commissioner. Existing permanent tree
10.3 and brush open burning sites must submit for a permit within 90 days of the passage of
10.4 this statute for a burning permit. New site applications must be submitted at least 90
10.5 days before the date of the proposed operation of the permanent open burning site. The
10.6 application must be submitted to the commissioner and must contain:

10.7 (1) the name, address, and telephone number of all owners of the site proposed for
10.8 use as the permanent open burning site;

10.9 (2) if the operator for the proposed permanent open burning site is different from the
10.10 owner, the name, address, and telephone number of the operator;

10.11 (3) a general description of the materials to be burned, including the source and
10.12 estimated quantity, dimensions of the site and burn pile areas, hours and dates of operation,
10.13 and provisions for smoke management; and

10.14 (4) a topographic or similarly detailed map of the site and surrounding area within
10.15 a one-mile circumference showing all structures that might be affected by the operation
10.16 of the site.

10.17 Only trees, tree trimmings, or brush that cannot be disposed of by an alternative
10.18 method such as chipping, composting, or other method shall be permitted to be burned
10.19 at a permanent open burning site. A permanent tree and brush open burning site must
10.20 be located and operated so as not to create a nuisance or endanger water quality. The
10.21 commissioner shall revoke the permit or order actions to mitigate threats to public health,
10.22 safety, and the environment in the event that permit conditions are violated.

10.23 Sec. 25. Minnesota Statutes 2014, section 88.49, subdivision 3, is amended to read:

10.24 Subd. 3. **Recording Provisions of auxiliary forest contract to run with the land.**

10.25 ~~The commissioner shall submit such contract in recordable form to the owner of the land~~
10.26 ~~covered thereby. If the owner shall indicate to the commissioner an unwillingness to~~
10.27 ~~execute the same, or if the owner or any of the persons having an interest therein or lien~~
10.28 ~~thereon fail to execute it within 60 days from the time of its submission to the owner, all~~
10.29 ~~proceedings relating to the making of this land into an auxiliary forest shall be at an end.~~

10.30 ~~When the contract shall have been executed it shall forthwith be recorded in the~~
10.31 ~~office of the county recorder at the expense of the owner or, if the title to the land be~~
10.32 ~~registered, with the registrar of titles. At the time the contract is recorded with the county~~
10.33 ~~recorder for record the owner, at the owner's expense, shall record with the county recorder~~
10.34 ~~a certificate from the county attorney to the effect that no change in record title thereof has~~
10.35 ~~occurred, that no liens or other encumbrances have been placed thereon, and that no taxes~~

11.1 ~~have accrued thereon since the making of the previous certificate. It shall be the duty of~~
 11.2 ~~the county attorney to furnish this certificate without further compensation.~~

11.3 All the provisions of the a recorded contract shall be for an auxiliary forest are deemed
 11.4 covenants running with the land from the date of the filing of the contract for record.

11.5 Sec. 26. Minnesota Statutes 2014, section 88.49, subdivision 4, is amended to read:

11.6 Subd. 4. **Effect.** Upon the filing of the contract for record, the land ~~therein~~ described
 11.7 in the contract shall become, and, during the life of the contract, remain ~~and be~~, an
 11.8 auxiliary forest entitled to all the benefits and subject to all the restrictions of sections
 11.9 ~~88.47~~ 88.49 to 88.53, ~~all of which shall be deemed a.~~ These sections are part of the
 11.10 obligation of the contract and shall be ~~are~~ inviolate, subject only to the police power of the
 11.11 state, to the power of eminent domain, and to ~~the right of the parties thereto by mutual~~
 11.12 ~~agreement to make applicable to the contract any laws of the state enacted subsequent to its~~
 11.13 ~~the execution and filing. This provision shall not be so construed as to prevent amendatory~~
 11.14 ~~or supplementary legislation which does~~ of the contract. Laws enacted subsequent to
 11.15 the date of execution of the contract are applicable to the contract, so long as the laws
 11.16 do not impair these the contract rights of the parties thereto, or as to prevent amendatory
 11.17 ~~or supplementary legislation in respect of the culture, care, or management of the lands~~
 11.18 ~~included in any such contract~~ signatories of the contract or their successors or assigns.

11.19 Sec. 27. Minnesota Statutes 2014, section 88.49, subdivision 5, is amended to read:

11.20 Subd. 5. **Cancellation.** ~~Upon the failure of (a) If the owner fails to faithfully to~~
 11.21 ~~fulfill and perform such the contract or, any provision thereof of the contract, or any~~
 11.22 ~~requirement of sections 88.47~~ 88.49 to 88.53, or any rule ~~adopted by the commissioner~~
 11.23 ~~thereunder~~ adopts under those sections, the commissioner may cancel the contract ~~in~~
 11.24 ~~the manner herein provided. The commissioner shall give to the owner, in the manner~~
 11.25 ~~prescribed in section 88.48, subdivision 4, 60 days' notice of a hearing thereon at which~~
 11.26 ~~the owner may appear and show cause, if any, why the contract should not be canceled.~~
 11.27 ~~The commissioner shall thereupon then determine whether the contract should be canceled~~
 11.28 ~~and make an order to that effect. Notice of the commissioner's determination and the~~
 11.29 ~~making of the order shall be given to~~ The commissioner shall give the owner in the manner
 11.30 provided in section 88.48, subdivision 4 notice of the commissioner's determination and
 11.31 order. On determining If the commissioner determines that the contract should be canceled
 11.32 and no appeal therefrom be taken the owner does not appeal the determination as provided
 11.33 in subdivision 7, the commissioner shall send notice thereof of the cancellation to the
 11.34 auditor of the county and to the town clerk of the town affected and file with the recorder a

12.1 certified copy of the order, ~~who~~. The recorder shall forthwith note the cancellation upon
 12.2 the record thereof, and ~~thereupon~~ the land ~~therein~~ described in the contract shall cease to
 12.3 be an auxiliary forest and, together with the timber ~~thereon~~ on the land, become liable
 12.4 to for all taxes and assessments that ~~otherwise~~ would have been levied against ~~it had it~~
 12.5 ~~never been an auxiliary forest~~ the land from the time of the making of the contract, ~~any~~
 12.6 notwithstanding provisions of the statutes of limitation to the contrary ~~notwithstanding~~,
 12.7 ~~less~~. The amount of taxes paid under ~~the provisions of~~ section 88.51, subdivision 1,
 12.8 together with interest on such taxes and assessments at six percent per annum, but without
 12.9 penalties, must be subtracted from the tax owed by the owner.

12.10 (b) The commissioner may ~~in like manner and with like effect~~ cancel the contract
 12.11 upon written application of the owner.

12.12 (c) The commissioner shall cancel ~~any~~ the contract if the owner has ~~made successful~~
 12.13 ~~application~~ successfully applied under ~~sections 290C.01 to 290C.11~~, the Sustainable Forest
 12.14 Incentive Act, sections 290C.01 to 290C.11, and has paid to the county treasurer the tax
 12.15 difference between the amount ~~which that~~ would have been paid had the land under contract
 12.16 been subject to the Minnesota Tree Growth Tax Law and the Sustainable Forest Incentive
 12.17 Act from the date of the recording of the contract and the amount actually paid under
 12.18 section 88.51, ~~subdivisions~~ subdivision 1, and Minnesota Statutes 2014, section 88.51,
 12.19 subdivision 2. ~~This tax difference must be calculated based on the years the lands would~~
 12.20 ~~have been taxed under the Tree Growth Tax Law and the Sustainable Forest Incentive Act.~~
 12.21 The sustainable forest tax difference is net of the incentive payment of section 290C.07.
 12.22 If the amount ~~which that~~ would have been paid, ~~had~~ if the land under contract had been
 12.23 under the Minnesota Tree Growth Tax Law and the Sustainable Forest Incentive Act from
 12.24 the date ~~of the filing of~~ the contract, was filed is less than the amount actually paid under
 12.25 the contract, the cancellation shall be made without further payment by the owner.

12.26 ~~When~~ (d) If the execution of ~~any~~ the contract creating an auxiliary forest ~~shall have~~
 12.27 ~~been~~ is procured through fraud or deception ~~practiced upon~~ on the county board ~~or~~,
 12.28 the commissioner, or any other person or body representing the state, it may ~~be canceled~~
 12.29 cancel it upon suit brought by the attorney general at the direction of the commissioner.
 12.30 This cancellation ~~shall have~~ has the same effect as the cancellation of a contract by the
 12.31 commissioner.

12.32 Sec. 28. Minnesota Statutes 2014, section 88.49, subdivision 6, is amended to read:

12.33 Subd. 6. **Assessment after cancellation.** (a) For the purpose of levying such taxes,
 12.34 the county auditor shall, immediately upon ~~receipt of~~ receiving notice of the cancellation
 12.35 of ~~any~~ a contract creating an auxiliary forest, direct the local assessor to assess the lands

13.1 within the forest, excluding the value of merchantable timber and minerals and other
 13.2 things of value taxed under the provisions of Minnesota Statutes 2014, section 88.51,
 13.3 subdivision 2, ~~as of~~ for each of the years ~~during which~~ the lands ~~have been~~ were included
 13.4 within the auxiliary forest. The local assessor shall ~~forthwith~~ make the assessment and
 13.5 certify the same to the county auditor. The county auditor shall ~~thereupon~~ levy a tax on the
 13.6 assessable value of the land ~~as~~, fixed by section 273.13, for each of the years ~~during which~~
 13.7 the land ~~has been~~ was within an auxiliary forest, at the rate at which other real estate
 13.8 within the taxing district was taxed in those years. The tax ~~so assessed and levied against~~
 13.9 ~~any land shall be~~ is a first and prior lien upon the land and upon all timber and forest
 13.10 products growing, grown, or cut ~~thereon~~ on the land and removed ~~therefrom~~ from the land.
 13.11 These taxes ~~shall~~ must be enforced in the same manner as other taxes on real estate are
 13.12 enforced and, ~~in addition thereto~~, the lien of the tax on forest products cut or removed
 13.13 from this land ~~shall~~ must be enforced by the seizure and sale of the forest products.

13.14 (b) No person shall, after the mailing by the commissioner, as provided in subdivision
 13.15 5, of notice of hearing on the cancellation of a the contract making ~~any~~ lands an auxiliary
 13.16 forest, cut or remove from these lands any timber or forest products growing, grown, or
 13.17 cut thereon until all taxes levied under this subdivision ~~shall have been~~ are paid, or, ~~in the~~
 13.18 ~~event such~~ if the levy ~~shall~~ is not ~~have been~~ completed, until the owner ~~shall have~~ has given
 13.19 a bond payable to the county, with sureties approved by the county auditor, in ~~such~~ the
 13.20 amount ~~as~~ the county auditor ~~shall deem~~ deems ample for the payment of all taxes that may
 13.21 be levied ~~thereon~~ under this subdivision, conditioned for the payment of ~~such~~ the taxes.

13.22 (c) Any person who ~~shall violate any of the provisions of~~ violates this subdivision
 13.23 ~~shall be~~ is guilty of a felony.

13.24 Sec. 29. Minnesota Statutes 2014, section 88.49, subdivision 7, is amended to read:

13.25 Subd. 7. **Appeal.** (a) The owner may appeal from any cancellation order of the
 13.26 commissioner to the district court of the county ~~wherein~~ where the land is ~~situate~~, located
 13.27 by serving notice of appeal on the commissioner and filing the same with the court
 13.28 administrator of the district court within 30 days after the date of mailing ~~of~~ notice
 13.29 of such order.

13.30 (b) The appeal ~~shall~~ must be tried between the state of Minnesota and the owner by
 13.31 the court as a suit for the rescission of a contract is tried, and the judgment of the court
 13.32 ~~shall be~~ is substituted for the cancellation order of the commissioner, and ~~shall be~~ is final.

13.33 Sec. 30. Minnesota Statutes 2014, section 88.49, subdivision 8, is amended to read:

14.1 Subd. 8. **Proceedings in lieu of cancellation.** If cause for the cancellation of ~~any a~~
 14.2 contract ~~shall exist~~ exists, the commissioner may, in lieu of canceling ~~such~~ the contract,
 14.3 perform the terms and conditions, ~~other than the payment of~~ that the owner was required
 14.4 to perform, except that the commissioner may not pay any taxes; that the owner was
 14.5 ~~required, by the contract or by law or by the rules of the commissioner, to be performed by~~
 14.6 ~~the owner, and may for that purpose~~ to have paid by law. The commissioner may use any
 14.7 available moneys appropriated for the maintenance of the commissioner's division and
 14.8 any other lawful means to perform all other terms and conditions required to maintain the
 14.9 auxiliary forest status. The commissioner shall, on December 1 each year, certify to the
 14.10 auditor of each county the amount of moneys ~~thus~~ expended on and the value of services
 14.11 ~~thus rendered in respect of any lands therein~~ for land in the county since December 1 of
 14.12 the preceding year. The county auditor shall ~~forthwith~~ assess and levy the amount shown
 14.13 by this certificate against the lands described ~~therein~~. This amount ~~shall bear~~ bears interest
 14.14 at the rate of six percent per annum and ~~shall be~~ is a lien upon the lands described ~~therein~~,
 14.15 ~~and.~~ The collection thereof of the tax must be enforced in the same manner as taxes
 14.16 levied under section 88.52, subdivision 1 $\frac{1}{2}$ and; if ~~such~~ the tax be is not sooner paid, it
 14.17 ~~shall~~ must be added to, and the payment ~~thereof~~ enforced with, the yield tax imposed
 14.18 under section 88.52, subdivision 2.

14.19 Sec. 31. Minnesota Statutes 2014, section 88.49, subdivision 9, is amended to read:

14.20 Subd. 9. **Auxiliary forests; withdrawal of land from.** (a) Land needed for other
 14.21 purposes may be withdrawn from an auxiliary forest as herein provided. The owner may
 14.22 submit a verified application therefor in a form prescribed by the commissioner of natural
 14.23 resources may be made by the owner to the county board of the county in which the land is
 14.24 situated, describing the land and stating the purpose of withdrawal. Like proceedings shall
 14.25 be had upon the application as upon an application for the establishment of an auxiliary
 14.26 forest, except that consideration need be given only to the questions to be determined as
 14.27 provided in this subdivision. The county board shall consider the application and hear any
 14.28 matter offered in support of or in opposition to the application. The county board shall
 14.29 make proper record of its action upon the application. If the application is rejected, the
 14.30 county board shall prepare a written statement stating the reasons for the rejection within
 14.31 30 days of the date of rejection. If the application is rejected, the county auditor shall,
 14.32 within 30 days of the rejection, endorse the rejection on the application and return it,
 14.33 together with a copy of the written statement prepared by the county board stating the
 14.34 reasons for rejection to the applicant. The rejected application and written statement must
 14.35 be sent to the owner by certified mail at the address given in the application.

15.1 (b) If the application is disapproved as to only a part of the lands described, the
15.2 county auditor shall notify the applicant in the same manner as if the application were
15.3 rejected. The applicant may amend the application within 60 days after the notice is
15.4 mailed. If it is not amended, the application is deemed rejected.

15.5 (c) If the county board ~~shall determine~~ determines that the land proposed to be
15.6 withdrawn is needed and is suitable for the purposes set forth in the application, and
15.7 that the remaining land in the auxiliary forest is suitable and sufficient for the purposes
15.8 ~~thereof~~ of the auxiliary forest as provided by law, the board may, in its discretion, grant
15.9 the application, subject to the approval of the commissioner. Upon such approval a
15.10 ~~supplemental contract evidencing the withdrawal shall be executed, filed, and recorded~~
15.11 ~~or registered as the case may require, in like manner as an original auxiliary forest~~
15.12 ~~contract. Thereupon~~ by both the county board and the commissioner, the county auditor
15.13 shall notify the applicant and the commissioner. Upon notice from the county auditor,
15.14 the commissioner shall cause to be prepared a supplemental contract executed by the
15.15 commissioner on behalf of the state and by the owner of the fee title or the holder of
15.16 a state deed and by all other persons having any liens on the land and witnessed and
15.17 acknowledged as provided by law for the execution of recordable deeds of conveyance.
15.18 Notices sent by certified mail to the owner in fee at the address given in the application
15.19 is deemed notice to all persons executing the supplemental contract. The supplemental
15.20 contract must be prepared by the director of the Division of Forestry on a recordable
15.21 form approved by an attorney appointed by the commissioner. Every supplemental
15.22 contract must be approved by the Executive Council. The commissioner shall submit the
15.23 supplemental contract to the owner of the land. If the owner indicates to the commissioner
15.24 an unwillingness to execute the supplemental contract, or if the owner or any of the
15.25 persons with an interest in the land or a lien upon the land fail to execute the contract
15.26 within 60 days from the time of submission of the contract to the owner for execution, all
15.27 proceedings relating back to the withdrawal of the land from an auxiliary forest shall be at
15.28 an end. When the supplemental contract is executed, it must be recorded in the office of
15.29 the county recorder at the expense of the owner or, if the title to the land is registered, the
15.30 supplemental contract must be recorded with the registrar of titles. At the time the contract
15.31 is recorded with the county recorder, the owner, at the owner's expense, shall record with
15.32 the county recorder a certificate from the county attorney to the effect that no change in
15.33 record title to the land has occurred, that no liens or other encumbrances have been placed
15.34 on the land, and that no taxes have accrued on the land since the making of the previous
15.35 certificate. The county attorney must furnish this certificate without further compensation.
15.36 Upon execution and recording of the supplemental contract, the land described in the

16.1 supplemental contract ~~shall cease~~ that is to be withdrawn from the auxiliary forest ceases
16.2 to be part of the auxiliary forest, and, ~~together with the timber thereon, shall be the owner~~
16.3 is liable to taxes and assessments of the withdrawn portion together with the timber on the
16.4 withdrawn portion in like manner as upon cancellation of an auxiliary forest contract.

16.5 Sec. 32. Minnesota Statutes 2014, section 88.49, subdivision 11, is amended to read:

16.6 Subd. 11. **Auxiliary forests; transfer of title; procedure on division.** The title to
16.7 the land in an auxiliary forest or any part thereof of an auxiliary forest is subject to transfer
16.8 in the same manner as the title to other real estate, subject to the auxiliary forest contract
16.9 ~~therefor~~ and to applicable provisions of law. ~~In case~~ If the ownership of ~~such a~~ an auxiliary
16.10 forest is divided into two or more parts by any transfer or transfers of title and the owners
16.11 of all ~~such~~ the parts desire to have the ~~same~~ parts made separate auxiliary forests, ~~they~~ the
16.12 owners may join in a verified application ~~therefor~~ to the county board of the county in
16.13 which the forest is situated in a form prescribed by the commissioner of natural resources.
16.14 If the county board determines that each of the parts into which the forest has been divided
16.15 is suitable and sufficient for a separate auxiliary forest as provided by law, it may, ~~in~~
16.16 ~~its discretion~~, grant the application, subject to the approval of the commissioner. Upon
16.17 ~~such~~ approval, the commissioner shall prepare a new auxiliary forest contract for each
16.18 part transferred, with like provisions and for the remainder of the same term as the prior
16.19 contract in force for the entire forest at the time of the transfer, and shall also prepare a
16.20 modification of ~~such~~ the prior contract, eliminating ~~therefrom~~ the part or parts of the land
16.21 transferred but otherwise leaving the remaining land subject to all the provisions of ~~such~~
16.22 the contract. The new contract or contracts and modification of the prior contract ~~shall~~
16.23 must be executed and otherwise dealt with in like manner as provided for ~~an original a~~
16.24 supplemental auxiliary forest contract in subdivision 9, but no such instrument ~~shall~~ must
16.25 take effect until all of them, ~~covering together all parts of the forest existing before the~~
16.26 ~~transfer~~, have been executed, filed, and recorded or registered, ~~as the case may require.~~
16.27 ~~Upon the taking effect of~~ When all ~~such~~ the instruments take effect, the owner of the
16.28 forest prior to the transfer ~~shall be~~ is divested of all rights and relieved from all liabilities
16.29 under the contract then in force with respect to the parts transferred except ~~such~~ those as
16.30 may have existed or accrued at the time of the taking effect of such instruments, and
16.31 thereafter the several tracts into which the forest has been divided and the respective
16.32 owners thereof ~~shall be~~ are subject to the new contract or contracts or the modified prior
16.33 contract relating thereto, as the case may be, as provided for an original auxiliary forest
16.34 contract. The provisions of this subdivision shall not supersede or affect the application

17.1 of any other provision of law to any auxiliary forest which is divided by transfer of title
 17.2 unless the procedure herein authorized is fully consummated.

17.3 Sec. 33. Minnesota Statutes 2014, section 88.491, subdivision 2, is amended to read:

17.4 Subd. 2. **Effect of expired contract.** When auxiliary forest contracts expire,
 17.5 or prior to expiration by mutual agreement between the ~~land owner~~ landowner and the
 17.6 appropriate county office, the lands previously covered by an auxiliary forest contract
 17.7 automatically qualify for inclusion under the provisions of the Sustainable Forest Incentive
 17.8 Act; provided that when such lands are included in the Sustainable Forest Incentive Act
 17.9 prior to expiration of the auxiliary forest contract, they will be transferred and a tax paid as
 17.10 provided in section 88.49, subdivision 5, upon application and inclusion in the sustainable
 17.11 forest incentive program. The ~~land owner~~ landowner shall pay taxes in an amount equal to
 17.12 the difference between:

17.13 (1) the sum of:

17.14 (i) the amount which would have been paid from the date of the recording of the
 17.15 contract had the land under contract been subject to the Minnesota Tree Growth Tax
 17.16 Law; plus

17.17 (ii) beginning with taxes payable in 2003, the taxes that would have been paid if the
 17.18 land had been enrolled in the sustainable forest incentive program; and

17.19 (2) the amount actually paid under section 88.51, ~~subdivisions~~ subdivision 1, and
 17.20 Minnesota Statutes 2014, section 88.51, subdivision 2.

17.21 Sec. 34. Minnesota Statutes 2014, section 88.50, is amended to read:

17.22 **88.50 TAXATION.**

17.23 Every auxiliary forest in this state ~~shall~~ must be taxed ~~in the manner and to the extent~~
 17.24 ~~hereinafter provided~~ according to sections 88.49 to 88.53 and not otherwise. Except as
 17.25 expressly permitted by sections ~~88.47~~ 88.49 to 88.53, no auxiliary forest shall be taxed
 17.26 for, or ~~in any manner~~, directly or indirectly made to contribute to, or become liable for
 17.27 the payment of, any tax or assessment, general or special, or any bond, certificate of
 17.28 indebtedness, or other public obligation of any name or kind, made, issued, or created
 17.29 subsequent to the filing of the contract creating the auxiliary forest, provided that
 17.30 temporary buildings, structures, or other fixtures ~~of whatsoever kind~~ located upon land
 17.31 within an auxiliary forest shall be valued and assessed as personal property and classified
 17.32 as class 3 under the general system of ad valorem taxation. In any proceeding for the
 17.33 making of a special improvement under the laws of this state by which any auxiliary forest
 17.34 will be benefited, the owner ~~thereof~~ may subject the lands ~~therein~~ to assessment ~~therefor~~ in

18.1 the manner provided by law, by filing the owner's written consent ~~in writing~~ to the making
 18.2 ~~of the~~ assessment in the tribunal in which the proceeding is pending, ~~whereupon~~. The lands
 18.3 shall for the purposes of the improvement and assessment not be treated as lands ~~not~~ in an
 18.4 auxiliary forest; but the lien of any assessment ~~so~~ levied on lands in any auxiliary forest ~~shall~~
 18.5 ~~be~~ is subject to the provisions of the contract creating the auxiliary forest and subordinate
 18.6 to the lien of any tax imposed under the provisions of sections ~~88.47~~ 88.49 to 88.53.

18.7 Sec. 35. Minnesota Statutes 2014, section 88.51, subdivision 1, is amended to read:

18.8 Subdivision 1. **Annual tax, ten cents per acre.** (a) From and after the filing of the
 18.9 contract creating any tract of land an auxiliary forest under sections ~~88.47~~ 88.49 to 88.53
 18.10 and hereafter upon any tract heretofore created as an auxiliary forest, the surface of the
 18.11 land ~~therein~~, exclusive of mineral or anything of value thereunder, ~~shall~~ must be taxed
 18.12 annually at the rate of 10 cents per acre. This tax ~~shall~~ must be levied and collected, and
 18.13 the payment ~~thereof~~ of the tax, with penalties and interest, enforced in the same manner as
 18.14 other taxes on real estate, and ~~shall~~ must be credited to the funds of the taxing districts
 18.15 affected in the proportion of their interest in the taxes on this land if it had not been so
 18.16 made an auxiliary forest; provided, that such tax ~~shall be~~ is due in full on or before May
 18.17 31, after the levy thereof. Failure to pay when due any tax so levied ~~shall be~~ is cause
 18.18 for cancellation of the contract.

18.19 (b) The levy upon the land of the taxes provided for by section 88.49, subdivision 5,
 18.20 upon the cancellation of a contract, ~~shall discharge and annul~~ discharges and annuls all
 18.21 unpaid taxes levied or assessed ~~thereon~~ on the land.

18.22 Sec. 36. Minnesota Statutes 2014, section 88.51, subdivision 3, is amended to read:

18.23 Subd. 3. **Determination of estimated market value.** In determining the net tax
 18.24 capacity of property within any taxing district, the value of the surface of lands within any
 18.25 auxiliary forest ~~therein~~ in the taxing district, as determined by the county board ~~under the~~
 18.26 ~~provisions of section 88.48, subdivision 3~~, shall, for all purposes except the levying of
 18.27 taxes on lands within any such forest, be deemed the estimated market value ~~thereof~~ of
 18.28 those surface lands.

18.29 Sec. 37. Minnesota Statutes 2014, section 88.52, subdivision 2, is amended to read:

18.30 Subd. 2. **Examination, report.** When any timber growing or standing in any
 18.31 auxiliary forest ~~shall have become~~ is suitable for merchantable forest products, the
 18.32 commissioner shall, at the written request of the owner, a copy of which shall at the time be
 18.33 filed in the office of the county auditor, make an examination of the timber and designate

19.1 for the owner the kind and number of trees most suitable to be cut ~~if~~ in the judgment of
19.2 the commissioner ~~there be any, and~~. The cutting and removal of these designated trees so
19.3 ~~designated shall~~ must be in accordance with the instructions of the commissioner. The
19.4 commissioner shall inspect the cutting or removal and determine whether it or the manner
19.5 of its performance constitute a violation of the terms of the contract creating the auxiliary
19.6 forest or of the ~~laws applicable thereto~~ laws, or of the instructions of the commissioner
19.7 relative to the cutting and removal. Any such violation ~~shall be~~ is ground for cancellation
19.8 of the contract by the commissioner; otherwise the contract ~~shall continue~~ continues in
19.9 force for the remainder of the period ~~therein stated in the contract~~, regardless of the cutting
19.10 and removal. Within 90 days after the completion of any cutting or removal operation,
19.11 the commissioner shall make a report of findings ~~thereon~~ and transmit copies of ~~such~~ the
19.12 report to the county auditor and the surveyor general.

19.13 Sec. 38. Minnesota Statutes 2014, section 88.52, subdivision 3, is amended to read:

19.14 Subd. 3. **Kinds, permit, scale report, assessment and payment of tax.** (a) Upon
19.15 ~~the filing of the owner's written request of the owner as provided in subdivision 2~~, the
19.16 director of ~~lands and~~ forestry, with the county board or the county land commissioner,
19.17 shall determine within 30 days the kinds, quantities, and value on the stump of the timber
19.18 proposed to be cut.

19.19 Before the cutting is to begin, the director of ~~lands and~~ forestry shall file with the
19.20 county auditor a report showing the kinds, quantities, and value of the timber proposed to
19.21 be cut or removed and approved by the director of ~~lands and~~ forestry for cutting within
19.22 two years after the date of approval of the report by the director of ~~lands and~~ forestry. The
19.23 county auditor shall assess and levy the estimated yield tax thereon, make proper record
19.24 of this assessment and levy in the auditor's office, and notify the owner of the auxiliary
19.25 forest of the tax amount ~~thereof~~. The owner shall, before any timber in the forest is cut or
19.26 removed, give a bond payable to the state of Minnesota, or ~~in lieu thereof~~, a deposit in
19.27 cash with the county treasurer, in the amount required by the report, ~~which shall be~~ and not
19.28 less than 150 percent of the amount of the levy, conditioned for the payment of all taxes on
19.29 the timber to be cut or removed. Upon receipt of notification from the county auditor that
19.30 the bond or cash requirement has been deposited, the director of ~~lands and~~ forestry will
19.31 issue a cutting permit in accordance with the report. The owner shall keep an accurate
19.32 count or scale of all timber cut. On or before ~~the fifteenth day of April 15~~ following
19.33 issuance of ~~such~~ the cutting permit, and on or before ~~the fifteenth day of April 15~~ of each
19.34 succeeding year in which any merchantable wood products were cut on auxiliary forest
19.35 lands prior to the termination of ~~such~~ the permit, the owner of the timber covered by the

20.1 permit shall file with the director of ~~lands and~~ forestry a sworn statement, submitted in
20.2 duplicate, on a form prepared by the director of ~~lands and~~ forestry, one copy of which
20.3 ~~shall~~ must be transmitted to the county auditor, specifying the quantity and value of each
20.4 variety of timber and kind of product cut during the preceding year ending on March 31,
20.5 as shown by the scale or measurement ~~thereof~~ made on the ground as cut, skidded, or
20.6 loaded as the case may be. If no such scale or measurement ~~shall have been~~ was made on
20.7 the ground, an estimate ~~thereof shall~~ must be made and ~~such estimate~~ corrected by the first
20.8 scale or measurement, made in the due course of business, ~~and such~~. The correction must
20.9 at once be filed with the director of ~~lands and~~ forestry who shall immediately transmit it to
20.10 the county auditor. On or before ~~the fifteenth day of~~ May 15 following the filing of the
20.11 sworn statement covering the quantity and value of timber cut under an authorized permit,
20.12 the auditor shall assess and levy a yield (severance) tax, according to Minnesota Statutes
20.13 2014, section 88.51, subdivision 2, of the timber cut during the year ending on ~~the~~ March
20.14 ~~31st~~ 31 preceding the date of assessing and levying this tax. This tax is payable and must
20.15 be paid to the county treasurer on or before the following May 31 ~~next following~~. Copies
20.16 of the yield (severance) tax assessment and of the yield (severance) tax payment ~~shall~~ must
20.17 be filed with the director of ~~lands and~~ forestry and the county auditor. Except as otherwise
20.18 provided, all yield (severance) taxes herein provided for ~~shall~~ must be levied and collected,
20.19 and payment ~~thereof~~, with penalties and interest, enforced in the same manner as taxes
20.20 imposed under ~~the provisions of~~ section 88.51, subdivision 1, and ~~shall~~ must be credited to
20.21 the funds of the taxing districts affected in the proportion of their interests in the taxes on
20.22 the land producing the yield (severance) tax. ~~At any time~~ On deeming it necessary, the
20.23 director of ~~lands and~~ forestry may order an inspection of any or all cutting areas within
20.24 an auxiliary forest and ~~also~~ may require the owner of the auxiliary forest to produce for
20.25 inspection by the director of ~~lands and~~ forestry of any or all cutting records pertaining to
20.26 timber cutting operations within an auxiliary forest for the purpose of determining the
20.27 accuracy of scale or measurement reports, and if intentional error in scale or measurement
20.28 reports is found to exist, shall levy and assess a tax triple the yield (severance) tax on the
20.29 stumpage value of the timber cut in excess of the quantity and value reported.

20.30 (b) The following alternative method of assessing and paying annually the yield tax
20.31 on an auxiliary forest is to be available to an auxiliary forest owner upon application and
20.32 upon approval of the county board of the county within which the auxiliary forest is located.

20.33 For auxiliary forests entered under this subdivision paragraph, the county auditor
20.34 shall assess and levy the yield tax by multiplying the acreage of each legal description
20.35 included within the auxiliary forest by the acre quantity of the annual growth by species,
20.36 calculated in cords, or in thousands of feet board measure Minnesota standard log scale

21.1 rule, whichever is more reasonably usable, for the major species found in each type by
 21.2 the from year-to-year appraised stumpage prices for each of these species, used by the
 21.3 Division of ~~Lands and~~ Forestry, Department of Natural Resources, in selling trust fund
 21.4 timber located within the district in which the auxiliary forest is located. The assessed
 21.5 value of the annual growth of the auxiliary forest, thus determined, ~~shall be~~ is subject to
 21.6 a ten percent of stumpage value yield tax, payable annually on or before May 31. In all
 21.7 other respects the assessment, levying and collection of the yield tax, as provided for in
 21.8 this subdivision ~~shall~~ must follow the procedures specified in ~~elause~~ paragraph (a).

21.9 Forest owners operating under this ~~subdivision shall be~~ paragraph are subject to all
 21.10 other provisions of the auxiliary forest law except ~~such~~ the provisions of ~~elause~~ paragraph
 21.11 (a) ~~as that~~ are in conflict with this ~~subdivision~~ paragraph. Penalties for intentional failure
 21.12 by the owner to report properly the quantity and value of the annual growth upon an
 21.13 auxiliary forest entered under this ~~subdivision~~ paragraph and for failure to pay the yield
 21.14 tax when due ~~shall be~~ are the same as the penalties specified in other subdivisions of this
 21.15 law for like failure to abide by its provisions.

21.16 To qualify for the assessment and levying of the yield tax by this method, the
 21.17 owner of the forest requesting this method of taxation must submit a map or maps
 21.18 and a tabulation in acres and in quantity of growth by legal descriptions showing the
 21.19 division of the area covered by the auxiliary forest for which this method of taxation is
 21.20 requested into the following forest types, namely: white and ~~Norway~~ red pine; jack pine;
 21.21 aspen-birch; spruce-balsam fir; ~~swamp~~ black spruce; tamarack; cedar; upland hardwoods;
 21.22 lowland hardwoods; upland brush and grass (temporarily nonproductive); lowland brush
 21.23 (temporarily nonproductive); and permanently nonproductive (open bogs, stagnant
 21.24 swamps, rock outcrops, flowage, etc.). Definition of these types and determination of the
 21.25 average rate or rates of growth (in cords or thousand feet, board measure, Minnesota
 21.26 standard log scale rule, ~~which ever~~ whichever is more logically applicable for each of
 21.27 them) ~~shall~~ must be made by the director of the Division of ~~Lands and~~ Forestry, Minnesota
 21.28 Department of Natural Resources, with the advice and assistance of the land commissioner
 21.29 of the county in which the auxiliary forest is located; the director of the United States
 21.30 Forest Service's North Central Forest Experiment Station; and the director of the School of
 21.31 Forestry, University of Minnesota. Before the approval of the application of the owner of
 21.32 an auxiliary forest to have the auxiliary ~~or proposed auxiliary~~ forest taxed under provisions
 21.33 of this ~~subdivision~~ paragraph is submitted to the county board, the distribution between
 21.34 types of the area as shown on the maps and in the tabulations submitted by the owner of the
 21.35 auxiliary ~~or proposed auxiliary~~ forest ~~shall~~ must be examined and their accuracy determined

22.1 by the director of the Division of ~~Lands and~~ Forestry, Department of Natural Resources,
 22.2 with the assistance of the county board of the county in which the auxiliary forest is located.

22.3 During the life of the auxiliary forest, contract timber cutting operations within the
 22.4 various types shown upon the type map accepted as a part of the approved auxiliary forest
 22.5 application ~~shall~~ do not bring about a reclassification of the forest types shown upon that
 22.6 map or those maps until after the passage of ten years following the termination of ~~said~~ the
 22.7 timber cutting operations and then only upon proof of a change in type.

22.8 Sec. 39. Minnesota Statutes 2014, section 88.52, subdivision 4, is amended to read:

22.9 Subd. 4. **Hearing, procedure.** The owner of any land or timber upon which a yield
 22.10 tax is assessed and levied as provided in this section may, within 15 days after mailing
 22.11 of notice of the amount of the tax, file with the county auditor a demand for hearing
 22.12 ~~thereon on the tax~~ before the county board. The county auditor shall thereupon fix a date
 22.13 of hearing, which ~~shall~~ must be held within 30 days after the filing of the demand, and
 22.14 mail to the owner notice of the time and place of the hearing. The owner may appear at
 22.15 the meeting and present evidence and argument as to the amount of the tax and as to any
 22.16 related matter relating thereto. The county board shall ~~thereupon~~ determine whether the
 22.17 tax as levied is proper in amount and make its order ~~thereon~~. The county auditor shall
 22.18 ~~forthwith~~ mail to the owner a notice of the order. If the amount of the tax is increased or
 22.19 reduced by the order, the county auditor shall make a supplemental assessment and levy
 22.20 ~~thereof~~, as in this subdivision provided.

22.21 Sec. 40. Minnesota Statutes 2014, section 88.52, subdivision 5, is amended to read:

22.22 Subd. 5. **Yield tax, a prior lien.** Throughout the life of any ~~such~~ auxiliary forest,
 22.23 ~~the yield tax accruing thereon shall constitute and be~~ yield tax constitutes and is a first and
 22.24 prior lien upon all the merchantable timber and forest products growing or grown thereon;
 22.25 and, if not paid when due, this yield tax, together with penalties and interest ~~thereon~~ as
 22.26 otherwise provided by law and all expenses of collecting same, ~~shall continue~~ continues to
 22.27 be a lien upon the timber and forest products ~~and every part and parcel thereof wherever~~
 22.28 ~~the same may be or~~ however much changed in form or otherwise improved until the yield
 22.29 tax is fully paid. ~~Such~~ The lien may be foreclosed and the property subject ~~thereto~~ to
 22.30 the lien dealt with by action in the name of the state, brought by the county attorney at
 22.31 the request of the county auditor.

22.32 Sec. 41. Minnesota Statutes 2014, section 88.52, subdivision 6, is amended to read:

23.1 Subd. 6. **Timber held exempt from yield tax.** Timber cut from an auxiliary forest
 23.2 by an owner and used by the owner for fuel, fencing, or building on land occupied by the
 23.3 owner which is within or contiguous to the auxiliary forest where cut ~~shall be~~ is exempt
 23.4 from the yield tax, and, as to timber so cut and used, the requirements of subdivisions
 23.5 1 and 2 ~~shall do not be applicable and in lieu thereof apply.~~ The owner shall, prior to
 23.6 cutting, file with the county auditor, on a form prepared by the commissioner, a statement
 23.7 showing the quantity of each kind of forest products proposed to be cut and the purposes
 23.8 for which the ~~same~~ the products will be used.

23.9 Sec. 42. Minnesota Statutes 2014, section 88.523, is amended to read:

23.10 **88.523 AUXILIARY FOREST CONTRACTS; SUPPLEMENTAL**
 23.11 **AGREEMENTS.**

23.12 Upon application of the owner, any auxiliary forest contract ~~heretofore or hereafter~~
 23.13 ~~executed~~ may be made subject to any provisions of law enacted subsequent to the execution
 23.14 of the contract and in force at the time of application, so far as not already applicable, with
 23.15 the approval of the county board and the commissioner of natural resources. ~~As evidence~~
 23.16 ~~thereof~~ A supplemental agreement in a form prescribed by the commissioner and approved
 23.17 by the attorney general ~~shall~~ must be executed by the commissioner in behalf of the state
 23.18 and by the owner. ~~Such~~ The supplemental agreement ~~shall~~ must be filed and recorded in
 23.19 like manner as the ~~original~~ supplemental contract under section 88.49, subdivision 9, and
 23.20 ~~shall thereupon take~~ takes effect upon filing and recording.

23.21 Sec. 43. Minnesota Statutes 2014, section 88.53, subdivision 1, is amended to read:

23.22 Subdivision 1. **Time for disposal.** ~~Any corporation, association, or organization~~
 23.23 ~~may acquire and hold any amount of land without restriction and without limit as to~~
 23.24 ~~acreage or quantity for the purpose of including same within and holding same as an~~
 23.25 ~~auxiliary forest under the provisions of sections 88.47 to 88.53.~~ When ~~the same shall~~
 23.26 ~~cease~~ land ceases to be an auxiliary forest, the owners ~~shall~~ have five years within which
 23.27 to dispose of the land, any provisions of general law to the contrary notwithstanding.

23.28 Sec. 44. Minnesota Statutes 2014, section 88.53, subdivision 2, is amended to read:

23.29 Subd. 2. **Rules.** The director shall make rules and adopt and prescribe such forms
 23.30 and procedure as ~~shall be~~ is necessary in carrying out the provisions of sections ~~88.47,~~
 23.31 88.49 to 88.53; and the director and every county board, county recorder, registrar of titles,
 23.32 assessor, tax collector, and every other person in official authority having any duties to
 23.33 perform under or growing out of sections ~~88.47~~ 88.49 to 88.53 are hereby severally vested

24.1 with full power and authority to enforce such rules, employ help and assistance, acquire
24.2 and use equipment and supplies, or do any other act or thing reasonably necessary to the
24.3 proper performance of duties under or arising from the administration and enforcement of
24.4 sections ~~88.47~~ 88.49 to 88.53. ~~It shall be the duty of~~ The director ~~to~~ must cause periodic
24.5 inspections to be made of all auxiliary forests for the purpose of determining whether
24.6 relative contract and statutory provisions ~~relative thereto~~ are being complied with.

24.7 Sec. 45. Minnesota Statutes 2014, section 88.6435, subdivision 4, is amended to read:

24.8 Subd. 4. **Forest bough account; disposition of fees.** (a) The forest bough account
24.9 is established in the state treasury within the natural resources fund.

24.10 (b) Fees for permits issued under this section ~~shall~~ must be deposited in the state
24.11 treasury and credited to the forest bough account and, except for the electronic licensing
24.12 system commission established by the commissioner under section 84.027, subdivision
24.13 15, are annually appropriated to the commissioner of natural resources for costs associated
24.14 with ~~balsam bough educational~~ special forest product information and education programs
24.15 for harvesters and buyers.

24.16 Sec. 46. Minnesota Statutes 2014, section 103G.271, subdivision 5, is amended to read:

24.17 Subd. 5. **Prohibition on once-through water use permits.** (a) Except as provided
24.18 in paragraph (c), the commissioner may not issue a water use permit to increase the
24.19 volume of appropriation from a groundwater source for a once-through cooling system.

24.20 (b) Except as provided in paragraph (c), once-through system water use permits
24.21 using in excess of 5,000,000 gallons annually must be terminated by the commissioner,
24.22 unless the discharge is into a public water basin within a nature preserve approved by the
24.23 commissioner and established prior to January 1, 2001. The commissioner may issue a
24.24 permit for a system in existence prior to January 1, 2015, for up to 5,000,000 gallons
24.25 annually. Existing once-through systems must not be expanded and are required to convert
24.26 to water efficient alternatives within the design life of existing equipment.

24.27 (c) Notwithstanding paragraphs (a) and (b), the commissioner, with the approval of
24.28 the commissioners of health and the Pollution Control Agency, may issue once-through
24.29 system water use permits on an annual basis for groundwater thermal exchange devices
24.30 or aquifer storage and recovery systems that return all once-through system water to the
24.31 source aquifer. Water use permit processing fees in subdivision 6, paragraph (a), apply
24.32 to all water withdrawals under this paragraph, including any reuse of water returned to
24.33 the source aquifer.

25.1 Sec. 47. Minnesota Statutes 2014, section 103G.271, subdivision 6a, is amended to read:

25.2 Subd. 6a. **Payment of fees for past unpermitted appropriations.** An entity that
25.3 appropriates water without a required permit under subdivision 1 must pay the applicable
25.4 water use permit processing fee specified in subdivision 6 for the period during which the
25.5 unpermitted appropriation occurred. The fees for unpermitted appropriations are required
25.6 for the previous seven calendar years after being notified of the need for a permit. This
25.7 fee is in addition to any other fee or penalty assessed. The commissioner may waive
25.8 payment of fees for past unpermitted appropriations for a residential system permitted
25.9 under subdivision 5, paragraph (b).

25.10 Sec. 48. Minnesota Statutes 2014, section 282.011, subdivision 3, is amended to read:

25.11 Subd. 3. **Title examination.** The commissioner of revenue shall, if requested by the
25.12 purchaser or the county attorney of the county where all or a portion of the land is situated,
25.13 deliver the deed to the county attorney for use under Minnesota Statutes 2014, section
25.14 88.48, subdivision 5, but such delivery shall not be considered delivery to the purchaser.
25.15 The county attorney shall be instructed when taking the transferral of the deed that said
25.16 deed shall not be delivered to the purchaser unless the land involved is accepted as and
25.17 placed into an auxiliary forest.

25.18 Sec. 49. **LAKE VERMILION-SOUDAN UNDERGROUND MINE STATE PARK.**

25.19 **[85.012] [Subd. 38a.] Lake Vermilion-Soudan Underground Mine State Park,**
25.20 **St. Louis County.**

25.21 The Lake Vermilion-Soudan Underground Mine State Park mine tour operation is
25.22 exempt from Minnesota Statutes, sections 326B.163 to 326B.191. The federal mine
25.23 code for hoists that lift people under Code of Federal Regulations, title 30, part 57,
25.24 subpart R, applies to the Lake Vermilion-Soudan Underground Mine State Park hoist. The
25.25 commissioner shall employ a hoist safety expert to conduct an annual inspection of the
25.26 hoist system at the Lake Vermilion-Soudan Underground Mine State Park.

25.27 Sec. 50. **ALL-TERRAIN VEHICLE REGISTRATION TRANSITION.**

25.28 (a) A person must have an unexpired class 1 or class 2 all-terrain vehicle or off-road
25.29 vehicle registration and may continue to display the unexpired class 1 or class 2 all-terrain
25.30 vehicle or off-road vehicle registration until the electronic licensing system has been
25.31 upgraded to the Minnesota Statutes, section 84.92, changes made in this bill.

25.32 (b) When the electronic licensing system has been upgraded, a person who possesses
25.33 an unexpired class 1 or class 2 all-terrain vehicle or off-road vehicle registration may

26.1 continue to display that unexpired class 1 or class 2 all-terrain vehicle or off-road vehicle
26.2 registration until the class 1 or class 2 all-terrain vehicle or off-road vehicle registration is
26.3 renewed, transferred, or replacement registration is applied for.

26.4 Sec. 51. **REVISOR'S INSTRUCTION.**

26.5 The revisor of statutes shall delete the range reference "88.47 to 88.53" wherever it
26.6 appears in Minnesota Statutes and Minnesota Rules and insert "88.49 to 88.53."

26.7 Sec. 52. **REPEALER.**

26.8 Minnesota Statutes 2014, sections 88.47; 88.48; 88.49, subdivisions 1, 2, and 10;
26.9 88.491, subdivision 1; 88.51, subdivision 2; and 282.013, are repealed."

26.10 Amend the title accordingly