

1.1 ..... moves to amend H.F. No. 3568 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2014, section 88.01, is amended by adding a subdivision  
1.4 to read:

1.5 Subd. 28. Prescribed burn. "Prescribed burn" means a fire that is intentionally  
1.6 ignited, managed, and controlled by an entity meeting certification requirements  
1.7 established by the commissioner for the purpose of managing vegetation. A prescribed  
1.8 burn that has exceeded its prescribed boundaries and requires suppression action shall  
1.9 be considered a wildfire.

1.10 EFFECTIVE DATE. This section is effective July 1, 2017.

1.11 Sec. 2. Minnesota Statutes 2014, section 88.16, subdivision 2, is amended to read:

1.12 Subd. 2. **Exceptions.** No permit is required for the following fires:

1.13 (a) (1) a fire started when the ground is snow-covered;

1.14 (b) (2) a campfire; and

1.15 (c) (3) a fire contained in a charcoal grill, camp stove, or other device designed for  
1.16 the purpose of cooking or heating.

1.17 ~~(d) a fire to burn dried vegetative materials and other materials allowed by Minnesota~~  
1.18 ~~statutes or official state rules and regulations in a burner of a design which has been~~  
1.19 ~~approved by the commissioner and with which there is no combustible material within~~  
1.20 ~~five feet of the base of the burner and is in use only between the hours of 6:00 p.m. and~~  
1.21 ~~8:00 a.m. of the following day, when the ground is not snow-covered.~~

1.22 EFFECTIVE DATE. This section is effective July 1, 2017.

1.23 Sec. 3. Minnesota Statutes 2014, section 88.22, subdivision 1, is amended to read:

2.1 Subdivision 1. **Imposition of restrictions. (a) Road closure.** When the  
2.2 commissioner of natural resources shall determine that conditions conducive to wildfire  
2.3 hazards exist in the wildfire areas of the state and that the presence of persons in the  
2.4 wildlife areas tends to aggravate wildfire hazards, render forest trails impassable by  
2.5 driving thereon during wet seasons and hampers the effective enforcement of state timber  
2.6 trespass and game laws, the commissioner may by written order, close any road or trail  
2.7 leading into any land used for any conservation purposes, to all modes of travel except  
2.8 that considered essential such as residents traveling to and from their homes or in other  
2.9 cases to be determined by the authorized forest officers assigned to guard the area.

2.10 (b) **Burning ban.** The commissioner may also, upon such determination, by written  
2.11 order, suspend the issuance of permits for open fires or prescribed burns, revoke or suspend  
2.12 the operation of a permit previously issued and, to the extent the commissioner deems  
2.13 necessary, prohibit the building of all or some kinds of open fires or prescribed burns in all  
2.14 or any part of a wildfire area regardless of whether a permit is otherwise required; and the  
2.15 commissioner also may, by written order, prohibit smoking except at places of habitation  
2.16 or automobiles or other enclosed vehicles properly equipped with an efficient ash tray.

2.17 Sec. 4. **PRESCRIBED BURN REQUIREMENTS; REPORT.**

2.18 The commissioner of natural resources, in cooperation with prescribed burning  
2.19 professionals, nongovernmental organizations, and local and federal governments, must  
2.20 develop criteria for certifying an entity to conduct a prescribed burn under a general  
2.21 permit. The certification requirements must include training and experience requirements  
2.22 and include an apprentice program to allow non-experienced entities to become certified.  
2.23 The commissioner must establish provisions for decertifying entities who fail to meet or  
2.24 maintain requirements, including provisions for decertifying entities who have prescribed  
2.25 burns that escape control. The commissioner must submit a report with recommendations  
2.26 and any legislative changes needed to the chairs and ranking minority members of the  
2.27 house of representatives and senate committees and divisions with jurisdiction over  
2.28 environment and natural resources by January 15, 2017."

2.29 Amend the title accordingly