

HOUSE RESEARCH

Bill Summary

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Article 1: Natural Resource Policy

This article contains a number of provisions affecting Department of Natural Resources (DNR) policies being recommended by the department.

- 1 Prepay software, subscriptions, United States documents.** Amends § 16A.065. Allows an agency to make advance deposits or payments for short-term cash flow advances under executed grants or contracts associated with land acquisitions.
- 2 Forests for the future revolving account.** Amends § 84.67. Removes a requirement of the commissioner of natural resources to submit a report to the legislature on the use of the forests for the future revolving account.
- 3 Apprentice rider validation.** Adds § 84.76. Allows a person 12 years of age or older who does not have the required safety certificate to ride a snowmobile/ATV/off highway motorcycle in up to two trail-riding events sponsored by the DNR that are designed for apprentice riders. Requires the person to be accompanied by an adult in a manner that allows for uninterrupted visual contact and verbal communication.
- 4 Acts prohibited.** Amends § 84.91, subd. 1. Prohibits a person who has been convicted under § 169A.20 for driving a snowmobile or ATV while impaired or who refuses to comply with the testing requirements under § 169A.50 to § 169A.53 from operating any snowmobile or ATV for one year (current law prohibits operation of "the" snowmobile or ATV rather than "a" snowmobile or ATV).
- 5 Persons transporting water-related equipment.** Amends § 84D.10, subd. 4. Exempts portable bait containers used while ice fishing from the water draining requirements unless fishing on waters designated as infested with viral hemorrhagic septicemia (VHS).
- 6 Inspection authority.** Amends § 84D.105, subd. 2. Allows the commissioner of natural resources to delegate inspection authority for watercraft and related equipment to tribal and local governments that assume all responsibility for inspection programs on public waters within their jurisdiction and requires a plan, reporting and certain standards to be met. Allows conservation officers and other peace officers to require water-related equipment be removed from a water body if necessary to implement aquatic invasive species control measures. Allows the commissioner to require mandatory

inspections before a person places water-related equipment into a water body. Allows inspection stations to be established and establishes location, staffing, and other requirements for the stations.

- 7** **Civil penalties.** Amends § 84D.13, subd. 5. Increases civil penalties for various violations by: doubling the penalties for transporting aquatic plants (to \$100), for placing water-related equipment with aquatic plants attached into waters of the state (to \$200), for possessing or transporting prohibited invasive species (to \$500), and for failing to remove drain plugs or drain water for water-related equipment or for failing to leave plugs or similar devices open while transporting them (to \$100); and doubling the penalty for a person who violates any provision of the invasive species laws (chapter 84D) more than once.
- 8** **Authority of local government.** Amends § 85.018, subd. 2. Allows a local government unit to designate a grant-in-aid trail for concurrent motorized and nonmotorized.
- 9** **Violation of rules.** Amends § 85.20, subd. 1. Reduces a misdemeanor penalty to a petty misdemeanor penalty for a person at a state park, state monument, state recreation area, or state wayside who willfully destroys certain living natural resources or property, or violates other rules of the unit. The penalty applies unless another penalty is imposed by statute.
- 10** **Pass in possession.** Amends § 85.46, subd. 1. Establishes a petty misdemeanor penalty for a person who fails to comply with the existing horse pass requirements.
- 11** **Aquatic invasive species prevention program.** Adds § 86B.13. Requires the commissioner of natural resources to establish a statewide course for preventing the spread of aquatic invasive species and to issue an aquatic invasive species trailer decal to those who complete the course. Allows the commissioner to contract with others to provide the training and testing.
- 12** **Aquatic invasive species trailer decal required.** Adds § 86B.135. Requires a person to have an aquatic invasive species trailer decal (received upon completion of the course to be established in the previous section) in order to transport water related equipment beginning July 1, 2015. States that the decal is valid for three years.
- 13** **Acts prohibited.** Amends § 86B.331, subd. 1. Prohibits a person who has been convicted under § 169A.20 for operating a motorboat while impaired or who refuses to comply with the testing requirements under § 169A.50 to § 169A.53 from operating any motorboat for 90 days between May 1 and October 31 (current law prohibits operation of "the" motorboat rather than "a" motorboat).
- 14** **Suspension for failure to appear in court or pay a fine or surcharge.** Amends § 97A.421, subd. 4a. Clarifies that the commissioner shall suspend game and fish license and permit privileges of a person who fails to appear in court or fails to comply with other court orders regarding a violation of the game and fish laws until the court has notified the commissioner that the person has appeared in court or paid any fine/surcharge due.
- 15** **Certain aquatic life prohibited for bait.** Amends § 97C.341. Allows the importation or possession of live, frozen, or processed bait from waters known to have VHS if the bait has been processed to inactivate VHS in a manner prescribed by rules of the commissioner.
- 16** **Land and Mineral Resources Management.** Amends Laws 2007, ch. 57, art. 1, § 4, subd. 2. Eliminates a requirement that the commissioner report to the legislature on the outcomes of the land records management system.
- 17** **Renewable energy.** Amends Laws 2010, ch. 362, § 2, subd. 7. Amends a 2010 law appropriating funds to the DNR from the environment and natural resources trust fund by modifying the purpose to expanding the market opportunities for the use of "woody by-product material" for bioenergy, providing additional authority to transfer funds to other entities to complete the work, and allowing

the DNR to sell the material provided the funds are reinvested into the purposes of the appropriation.

- 18 Enforcement.** Amends Laws 2011, First Special Session, ch. 2, art. 1, § 4, subd. 7. Eliminates a requirement that the commissioner report to the legislature on the outcomes of an appropriation from last session for grants to organizations for ATV safety and environmental education, and trail monitoring on public lands.
- 19 Administration.** Amends Laws 2011, First Special Session, ch. 6, art. 3, § 8, subd. 3. Allows hunting, fishing, and trapping of protected species during the designated season, and the use of dogs for hunting at the La Salle Lake State Recreation Area.
- 20 Repealer.** Repeals the following: § 84.946, subd. 3 (requiring reporting on natural resource asset preservation and replacement appropriations); § 86A.12, subd. 5 (requiring reporting on the natural resources capital improvement program); § 89.03 (1983 report on making the nursery and tree improvement program self-supporting); § 90.042 (report and public meeting requirements regarding timber harvest plans); § 97A.4742, subd. 4 (requiring a report on the lifetime fish and wildlife trust fund); and § 103G.705 (stream protection and improvement loan program).

Article 2: State Lands

Overview

This article contains provisions authorizing the sale and conveyance of certain lands administered by the Department of Natural Resources (DNR) and other provisions related to the administration of state land.

- 1 Road easements across state lands.** Amends § 84.631. Allows the commissioner of natural resources to convey a road easement across school trust lands to private individuals and limits these easements to 50-year terms.
- 2 State land on public waters.** Amends § 92.4. Eliminates the prohibition on selling state lands bordering on or adjacent to meandered lakes and other public waters and watercourses.
- 3 Lease terms.** Amends § 92.50, subd. 1. Increases the maximum length that the commissioner of natural resources may lease certain state lands for from ten years to 21 years.
- 4 Deletion from state parks.** Removes land from Interstate State Park and McCarthy Beach State Park.
- 5 Additions to state recreation areas.** Expands the boundaries of Greenleaf Lake State Recreation Area and the Iron Range Off-Highway Vehicle Recreation Area.
- 6 Deletion from state recreation area.** Removes land from the Iron Range Off-Highway Vehicle Recreation Area.
- 7 Deletion from state forest.** Removes land from Fond du Lac State Forest (which are added to Nemadji State Forest in the next section).
- 8 Addition to state forest.** Adds land removed from the Fond du Lac State Forest in the previous section to Nemadji State Forest.
- 9 Private sale of surplus state land; Dakota County.** Authorizes the sale of state land at less than full market value to the federal government to be added to the Minnesota Valley National Wildlife Refuge.
- 10 Private sale of surplus state land bordering public water; St. Louis County.** Authorizes the sale

of state land in St. Louis County to resolve an inadvertent trespass issue.

- 11** **Private sale of tax-forfeited land; St. Louis County.** Authorizes the sale of tax forfeited land in St. Louis County to the local school district for less than full market value.