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# Senate

State of Minnesota

## S.F. No. 1908 - Shooting Ranges

**Author:** Senator Satveer Chaudhary

**Prepared by:** Harry Walsh, Senate Counsel (651/296-6200)

**Date:** May 2, 2005



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**S.F. No. 1908** clarifies the legal status of shooting ranges and provides for their regulation.

**Section 1** defines terms. The definition of "shooting range" includes firearms and archery facilities and shooting preserves as described in section 97A.115.

**Section 2, subdivision 1, paragraph (a)**, requires the Commissioner of Natural Resources to provide performance standards for ranges by rule, under the expedited rulemaking process. The standards must govern noise and safe use. **Paragraph (b)** provides that, on shooting preserves, the discharge distance standards will supersede other hunting distance standards, if the preserve predates the rules and is otherwise in compliance with them. **Paragraph (c)** requires review of the standards at five-year intervals.

**Subdivision 2** makes a National Rifle Association publication the interim performance standard until the Commissioner has completed rulemaking.

**Section 3, subdivision 1**, describes the ordinary permitted activities for a shooting range. They include operation, membership promotion, repairs and improvements, increased activities, and land acquisition. **Clause (5)** allows a local government unit to permit longer hours.

**Subdivision 2** allows a preexisting nonconforming use on the entire property included in the range when it became nonconforming.

**Subdivision 3** makes new and remodeled buildings subject to the State Building Code.

**Section 4** prohibits noncomplying changes but allows them if mitigation is agreed to and provided. The burden of showing that no mitigation is necessary is on the applicant who seeks the change.

**Section 5** provides noise standards.

**Section 6** exempts ranges from nuisance complaints if they are operated in accordance with the standards.

**Section 7** allows a range that is in compliance with the standards to be closed if it is a clear and immediate safety hazard. A presumption is established that a range in compliance is not a hazard. Mitigation is permitted. Injunctive relief is to be adapted to the facts of each case.

**Section 8** preserves the application of other laws but requires that zoning be consistent with this act. Operators are allowed to bring ranges into compliance before being subject to permanent closure.

HW:cs

1                                   A bill for an act

2           relating to natural resources; establishing the

3           Shooting Range Protection Act; requiring expedited

4           rulemaking; proposing coding for new law as Minnesota

5           Statutes, chapter 87A.

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

7           Section 1. [87A.01] [DEFINITIONS.]

8           Subdivision 1. [APPLICABILITY.] The definitions in this

9           section apply to sections 87A.01 to 87A.08.

10          Subd. 2. [PERSON.] "Person" means an individual,

11          association, proprietorship, partnership, corporation, club,

12          political subdivision, or other legal entity.

13          Subd. 3. [SHOOTING RANGE OR RANGE.] "Shooting range" or

14          "range" means an area or facility designated or operated

15          primarily for the use of firearms, as defined in section

16          97A.015, subdivision 19, or archery, and includes shooting

17          preserves as described in section 97A.115 or any other Minnesota

18          law.

19          Subd. 4. [SHOOTING RANGE PERFORMANCE STANDARDS.] "Shooting

20          range performance standards" means those rules adopted by the

21          commissioner of natural resources under section 87A.02 for the

22          safe operation of shooting ranges.

23          Subd. 5. [LOCAL UNIT OF GOVERNMENT.] "Local unit of

24          government" means a home rule charter or statutory city, county,

25          town, or other political subdivision.

1 Sec. 2. [87A.02] [SHOOTING RANGE PERFORMANCE STANDARDS.]

2 Subdivision 1. [ADOPTION OF STANDARDS; REVIEW.] (a) The

3 commissioner of natural resources must develop and adopt  
4 shooting range performance standards, according to the expedited  
5 rulemaking process under section 14.389. The shooting range  
6 performance standards must provide for compliance with  
7 applicable noise standards under section 87A.05 and for the safe  
8 use of shooting ranges within their boundaries, including the  
9 containment of projectiles.

10 (b) The shooting range performance standards must provide  
11 for the operation of shooting preserves within the boundaries of  
12 the preserve, including an exemption from any discharge distance  
13 limitations generally applicable to hunting on other land, when  
14 the shooting preserve is in compliance with all other applicable  
15 laws and is in operation on or before the effective date of the  
16 performance standards adopted under this section or prior to the  
17 development of any structure that would cause the preserve to be  
18 out of compliance with the discharge distance.

19 (c) The commissioner must review the shooting range  
20 performance standards at least once every five years and revise  
21 them if necessary for the safe operation of shooting ranges.

22 (d) In the adoption of any amendments to the shooting range  
23 performance standards adopted under paragraph (a), the  
24 commissioner shall follow all notice and public hearing  
25 requirements for the regular rule adoption process under  
26 sections 14.001 to 14.28.

27 Subd. 2. [INTERIM STANDARDS.] Until the commissioner of  
28 natural resources adopts the shooting range performance  
29 standards under subdivision 1, paragraph (a), the November 1999  
30 revised edition of the National Rifle Association's Range Source  
31 Book: A Guide to Planning and Construction shall serve as the  
32 interim shooting range performance standards, having the full  
33 effect of the shooting range performance standards for purposes  
34 of this chapter. The interim shooting range performance  
35 standards sunset and have no further effect under this chapter  
36 upon the effective date of the shooting range performance

1 standards adopted under subdivision 1, paragraph (a).

2 Sec. 3. [87A.03] [COMPLIANT RANGES; AUTHORIZED  
3 ACTIVITIES.]

4 Subdivision 1. [AUTHORIZED ACTIVITIES.] A shooting range  
5 that operates in compliance with the shooting range performance  
6 standards must be permitted to do all of the following within  
7 its geographic boundaries, under the same or different ownership  
8 or occupancy, if done in accordance with shooting range  
9 performance standards:

10 (1) operate the range and conduct activities involving the  
11 discharge of firearms;

12 (2) expand or increase its membership or opportunities for  
13 public participation related to the primary activity as a  
14 shooting range;

15 (3) make those repairs or improvements desirable to meet or  
16 exceed requirements of shooting range performance standards;

17 (4) increase events and activities related to the primary  
18 activity as a shooting range;

19 (5) conduct shooting activities and discharge firearms  
20 daily between 7:00 a.m. and 10:00 p.m. A local unit of  
21 government with zoning jurisdiction over a shooting range may  
22 extend the hours of operation by the issuance of a special or  
23 conditional use permit; and

24 (6) acquire additional lands to be used for buffer zones or  
25 noise mitigation efforts or to otherwise comply with this  
26 chapter.

27 Subd. 2. [NONCONFORMING USE.] A shooting range that is a  
28 nonconforming use shall be allowed to conduct additional  
29 shooting activities within the range's lawful property  
30 boundaries as of the date the range became a nonconforming use,  
31 provided the shooting range remains in compliance with noise and  
32 shooting range performance standards under this chapter.

33 Subd. 3. [COMPLIANCE WITH OTHER LAW.] Nothing in this  
34 section exempts any newly constructed or remodeled building on a  
35 shooting range from compliance with fire safety, handicapped  
36 accessibility, elevator safety, bleacher safety, or other

1 provisions of the State Building Code that have mandatory  
2 statewide application.

3 Sec. 4. [87A.04] [MITIGATION AREA.]

4 (a) Except for those uses, developments, and structures in  
5 existence or for which approval has been granted by October 1,  
6 2005, no change in use, new development, or construction of a  
7 structure shall be approved for any portion of property within  
8 750 feet of the perimeter property line of an outdoor shooting  
9 range if the change in use, development, or construction would  
10 cause a preexisting outdoor shooting range in compliance with  
11 this chapter to become out of compliance.

12 (b) A change in use, new development, or construction of a  
13 structure may be approved under this section if the person  
14 seeking approval agrees to provide any mitigation required to  
15 keep the range in compliance with this chapter. The approving  
16 authority, instead of the person requesting the change in use,  
17 new development, or construction of a structure may provide any  
18 mitigation required under this section. The person requesting  
19 approval under this section is responsible for providing  
20 documentation if no mitigation is required under this section.  
21 Failure to provide the documentation or any mitigation required  
22 under this section exempts the range from being out of  
23 compliance with the shooting range performance and noise  
24 standards of this chapter with regard to the property  
25 responsible for the mitigation. Any action brought by the owner  
26 of the property against the range is subject to section 87A.06.  
27 With the permission of the range operator, any mitigation  
28 required under this section may be provided on the range  
29 property.

30 Sec. 5. [87A.05] [NOISE STANDARDS.]

31 Allowable noise levels for the operation of a shooting  
32 range are the levels determined by replacing the steady state  
33 noise L10 and L50 state standards for each period of time within  
34 each noise area's classification with a single Leq(h) standard  
35 for impulsive noise that is two dBA lower than that of the L10  
36 level for steady state noise. The noise level shall be measured

1 outside of the range property at the location of the receiver's  
2 activity according to Minnesota Rules, parts 7030.0010 to  
3 7030.0080. For purposes of this section, "Leq(h)" means the  
4 energy level that is equivalent to a steady state level that  
5 contains the same amount of sound energy as the time varying  
6 sound level for a 60-minute time period.

7       Sec. 6. [87A.06] [NUISANCE ACTIONS; COMPLIANCE WITH  
8 SHOOTING RANGE PERFORMANCE STANDARDS.]

9       A person who owns, operates, or uses a shooting range in  
10 this state that is in compliance with shooting range performance  
11 standards is not subject to any nuisance action based on noise  
12 or other matters regulated by the shooting range performance  
13 standards. This section does not prohibit an action that seeks  
14 damages for personal physical injury or tangible damage to  
15 property caused by acts or omissions involving the operation of  
16 the range or by a person using the range.

17       Sec. 7. [87A.07] [CLOSURE OF SHOOTING RANGES.]

18       Subdivision 1. [CLOSURE.] Except as otherwise provided in  
19 sections 87A.01 to 87A.08, a shooting range that is in  
20 compliance with shooting range performance standards and the  
21 requirements of sections 87A.01 to 87A.08 shall not be forced to  
22 permanently close or permanently cease any activity related to  
23 the primary use of the shooting range unless the range or  
24 activity is found to be a clear and immediate safety hazard. In  
25 any action brought to compel the permanent closure of any range  
26 in compliance with shooting range performance standards and this  
27 chapter, or to permanently cease any activity related to the  
28 primary use of the shooting range, there is a rebuttable  
29 presumption that the range or activity is not a clear and  
30 immediate safety hazard. If the shooting range provides  
31 evidence that the cause of a proven safety hazard can be  
32 mitigated so as to eliminate the safety hazard, the court shall  
33 not order the permanent closure of the range, or permanent  
34 ceasing of the activity found to be a clear and immediate safety  
35 hazard, unless the range operator fails to implement the  
36 necessary mitigation to remove the safety hazard by the date

1 that is determined reasonable by the court.

2 Subd. 2. [PRELIMINARY INJUNCTIONS.] Nothing in this  
3 section prohibits a court from granting a preliminary injunction  
4 against any activity determined to be a probable clear and  
5 immediate safety hazard, or against any individual determined to  
6 be the probable cause of an alleged clear and immediate safety  
7 hazard, pending the final determination of the existence of the  
8 safety hazard.

9 Subd. 3. [PERMANENT INJUNCTIONS.] A court may grant a  
10 permanent injunction only against a particular activity or  
11 person instead of permanently closing the range unless the court  
12 finds that the remaining operations also pose a safety hazard  
13 under this section.

14 Sec. 8. [87A.08] [APPLICABILITY OF OTHER LAWS.]

15 Subdivision 1. [PUBLIC SAFETY LAWS; ZONING.] (a) Nothing  
16 in this chapter prohibits enforcement of any federal law. To  
17 the extent consistent with this chapter, other state laws  
18 regarding the health, safety, and welfare of the public may be  
19 enforced. To the extent consistent with this chapter, a local  
20 unit of government with zoning authority jurisdiction over a  
21 shooting range may enforce its applicable ordinances and permits.

22 (b) If the operator of the shooting range shows evidence  
23 that the range can be brought into compliance with the  
24 applicable state law, local ordinance, or permit, the range may  
25 not be permanently closed unless the range operator fails to  
26 bring the range into compliance with the applicable law,  
27 ordinance, or permit under this section by the date that the  
28 court determines reasonable. Nothing in this section prohibits  
29 a court from granting a preliminary injunction against any  
30 activity determined to be a violation of a law, ordinance, or  
31 permit under this section or against any individual determined  
32 to be causing an alleged violation, pending the final  
33 determination of the existence of the violation.

34 Subd. 2. [PERMANENT INJUNCTIONS.] A court may grant a  
35 permanent injunction only against a particular activity or  
36 person instead of permanently closing the range unless the court

*nothing in this  
chapt. shall  
affect permit  
in effect at  
the time of  
enactment*

1 finds that the remaining operations also create a violation  
2 under this section.

3       Sec. 9. [EFFECTIVE DATE.]

4       Sections 1 to 8 are effective the day following final  
5 enactment.

March 23, 2005

To: Rep. Tom Hackbarth  
Senator Satveer Chaudhary

From: Supporters of Shooting Range Protection Act

Re: HF 2006 / SF 1908 – Shooting Range Protection Act

Dear Rep. Hackbarth and Senator Chaudhary:

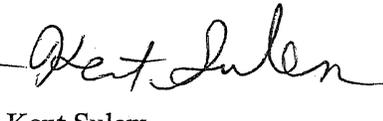
On behalf of our respective organizations, the undersigned persons would like to thank you for authoring the 2005 Shooting Range Protection Act as found in HF 2006 and SF 1908. This legislation reflects several years of work and is the result of significant negotiations between shooting range operators and their patrons on one side, and local units of government on the other, to resolve the points of contention that prevented this legislation from being adopted in prior legislative sessions. The result of these negotiations is a bill that both sides believe provides necessary protection for shooting ranges against the ever increasing risk of encroaching development while not imposing undue hardships and liability exposures for counties, cities, and townships. By virtue of this letter, the undersigned represent that they and their respective organizations support HF 2006 / SF 1908 as introduced and encourage the adoption of this legislation. All parties hereby agree that any attempt to amend this legislation without prior agreement of the interested parties may result in any or all of the individuals or groups withdrawing their support for the bill and in fact may result in those individuals and organizations having to actively oppose the legislation. In the sincere hope that this legislation can pass both chambers and be enacted as law, none of the undersigned or their respective organizations intend to offer any unilaterally supported amendments to HF 2006 / SF 1908.

In addition to the undersigned, Professor Joseph Olson has previously submitted a letter documenting both his personal support for this legislation, and that of the Gun Owners' Civil Rights Alliance. Further, a number of individual shooting range operators testified in support of this legislation at the March 22, 2005 hearing in the House Environment and Natural Resources Committee. Unfortunately, it was not possible to secure the signatures of each individual for this letter.

Sincerely,



Les Bensch  
Viking Valley Hunt Club  
MSC + MG B SPA



Craig Johnson  
League of Minnesota Cities

Kent Sulem  
Minnesota Association of  
Townships

Annalee Garletz  
Association of  
Minnesota Counties



Lance Ness  
Fish and Wildlife  
Legislative Alliance



Gordie Meyer  
Minnesota Conservation  
Federation

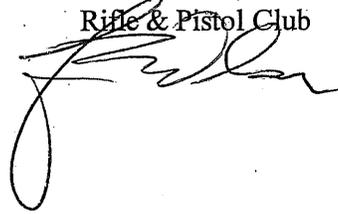


Thomas Keliher  
Deer Hunters' Association

John Schroers  
MOHA



David M. Gross  
Gun Owners' Civil Rights  
Alliance; Gopher Rifle &  
Revolver Club; Faribault  
Rifle & Pistol Club





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551 Snelling Avenue South • Suite B • Saint Paul, Minnesota 55116-1525  
Phone (651)690-3077 • Fax (651)690-2208 • www.mncf.org

May 4, 2005

Honorable Don Betzold  
Chairman  
Senate Judiciary Committee  
111 Capitol  
St. Paul, MN 55155

Dear Senator Betzold:

The Minnesota Conservation Federation would like to thank you for holding a full hearing on SF 1908, Senator Chaudhary's bill that would strengthen the working relationship between local government and shooting ranges and shooting preserves.

The MCF is a conservation organization comprised of sportsmen's clubs and shooting ranges throughout Minnesota. The MCF has work on public policy issues surrounding hunting and fishing issues in Minnesota since 1936.

The MCF has been actively involved in the agreed upon language contained in SF 1908. We, too, have been frustrated in the inability to secure passage of legislation that protects the remaining 300+ shooting range/hunting preserves remaining in the state and at the same time protects the role of local government in safeguarding the health and safety of its citizens.

With the hard work of a number of organizations representing shooting ranges, conservation groups and local governments, we believe that this compromise proposal addresses the issues of most concern in terms of a working relationship between a range and local government. The MCF believes that the language contained in SF 1908 is fair, reasonable, and will provide a strong base for the preservation and enhancement of shooting ranges and hunting preserves across Minnesota. We urge the Committee to act favorably on this bill.

Thank you for your time and energy over the years on this issue.

Sincerely,

Barbara A. Prindle  
President



# OAKDALE GUN CLUB

10386 10<sup>TH</sup> St. N. Lake Elmo, MN 55042

[www. OakdaleGunClub.org](http://www.OakdaleGunClub.org)

1964 ~ 40<sup>th</sup> Anniversary ~ 2004

Richard Eue - President - [reue@comcast.net](mailto:reue@comcast.net) - 651-260-2131

Oakdale Gun Club is a member owned non-profit organization dedicated to providing a safe and controlled place for firearm practice and training for members and the public at large. We have an ongoing program of facility development including noise abatement, safety, and lead recovery. Our training facility is used by youth groups such as the DNR firearms safety program and the Boy Scouts of America. In addition to youth we provide training facilities for police, county sheriffs and the state BCA.

- No member or general public firearms related accidents in 40 years of operation.
- Served over 8000 members of the public in 2004.
- Trained 750 youth in firearms safety in 2004.
- Provided a training facility for 10 local police departments in 2004. (13 planned in 2005)
- Provides a training facility for Minnesota biathlon team.
- Host for numerous Local, State, Regional, National and International competitions. International events included the World Airgun competition with participants from 18 countries and the Olympic Festival competition.
- Provides a controlled, safe place for the public to shoot.
- Caretaker on premises 24/7.

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Prepared by: Michael B Gerster, 651-426-3416, Cell 612-804-7915, [mbgerster@earthlink.net](mailto:mbgerster@earthlink.net)

For a range tour call Michael Gerster at 651-426-3416 or Richard Eue at 651-260-2131



**Minnesota Conservation Federation**  
551 Snelling Ave South St. Paul, Mn. 55116  
(651) 690-3077 [www.mncf.org](http://www.mncf.org)

May 4, 2005

Honorable Don Betzold  
Chairman  
Senate Judiciary Committee  
111 Capitol  
St. Paul, MN 55155

Dear Senator Betzold:

The Minnesota Conservation Federation would like to thank you for holding a full hearing on SF 1908, Senator Chaudhary's bill that would strengthen the working relationship between local government and shooting ranges and shooting preserves.

We are a non-partisan, common sense conservation organization comprised of individual members and affiliated sportsmen's groups throughout Minnesota who believe in education, enjoyment and wise use of our natural resources. The MCF has worked on public policy issues surrounding hunting and fishing since 1936.

The MCF has been actively involved in the agreed upon language contained in SF 1908. We, too, have been frustrated in the inability to secure passage of legislation that protects the remaining shooting range/hunting preserves in Minnesota and at the same time protects the role of local government in safeguarding the health and safety of its citizens.

There are many private ranges/preserves that would benefit from this legislation. Well over half of our member groups who have shooting ranges would benefit as well. These ranges are not only used for recreational shooting, but also serve the needs of city and county law enforcement teams----and in one case, the border patrol. Most of our member groups, totally on a volunteer basis host two or more youth firearms safety training sessions each year.

We believe that this compromise proposal addresses the issues of most concern in terms of a working relationship between a range and local government. And, we firmly believe that the language contained in SF 1908 is fair, reasonable, and will provide a strong base for the preservation and enhancement of shooting ranges and hunting preserves across Minnesota. We urge the Committee to act favorably on this bill.

Thank you for your time and energy over the years on this issue.

Sincerely,  
Minnesota Conservation Federation



Barbara A. Prindle  
President

Representing

American Fisheries Society	Prior Lake Sportsmens Club
Ann Lake Sportsmens Club	Red Wing Wildlife Protection League
Belle Plaine Sportsmens Club	Rice Area Sportsmen
Big Boss Woods Gobblers	Sauk Centre Conservation Club
Bradford Sportsmens Club	Scott County Pheasants Forever
Byron Conservation Club	Snake River Valley Conservation
Cannon Falls Sportsmens Club	St. Joseph Rod and Gun Club
Cottonwood Sportsmens Club	SW Metro National Wild Turkey Federation
Deer River Sportsmens Club	Tri Lakes Sportsmens Club
Delano Sportsmens Club	United Northern Duluth Sportsmens Club
Fergus Falls Fish & Game Club	Wheatland Twin Lakes Sportsmens Club
Fertile Conservation Club	Wildlife Society-Minnesota
Flensburg Sportsmens Club	Willmar Sportsmens Club
Fox Lake Conservation Club	Wright County Federation of Sportsmens Club
Frontenac Sportsmens Club	Bow Hunters-International Safari Club
Gopher State Sportsmens Club	DNR Employees Association
Holloway Rod & Gun Club	Bear Hunters
Jackson County Conservation Club	
Kenyon Sportsmens Club	
Lake City Sportsmens Club	
Lewiston Sportsmens Club	
Martin County Conservation	
Montgomery Sportsmens Club	
New Brighton Sportsmens Club	
New Market Sportsmens Club	
New Prague Sportsmens Club	
Osseo Conservation Club	

# Mogren Landscaping, LLP

P.O. Box 17830  
SAINT PAUL, MN 55117-7830  
(651) 484-0070

3 May 2005

Hon. Members:

**MINNESOTA STATE SENATE/MINNESOTA HOUSE OF REPRESENTATIVES**

State Capitol Building

Saint Paul, MN

**RE: Proposed Legislation – SF 1908**

Dear Senators and Representatives:

As owners of land directly abutting a gun club shooting range, we are alarmed at the prospect of living under the proposed standards sought to be established by the referenced bill, which we urge to you, and the other members of the Legislature, is ill-advised.

Specifically, we cannot accept “standards” of operation that include unreasonably extended hours of activity, virtually unenforceable noise guidelines, unregulated membership (user) growth and protectionist buffer zones for such facilities, all of which we understand would be the case if the current bill passes.

We, in conjunction with other landowners, have been working with local government and the gun club to arrive at a reasonable compromise of our respective interests. We believe, as do many others, that this localized approach is the only viable solution, and that centralized, state regulation of individual installations is naïve at best, and untenable at worst. This is essentially a “neighborhood” issue and, as such, not a defensible exercise of state power.

The proposed law will have a substantial and adverse effect on our interests and, we believe, most other landowners similarly situated. Please vote against this measure. There are better places to spend legislative resources. Thank you.

Very truly yours, for

**MOGREN LANDSCAPING, LLP**

/s/ Thomas M. Schuette

Thomas M. Schuette

May 2, 2005

**URGENT TO WHOM IT MAY CONCERN:**

We live within one mile of a shooting range, and are strongly opposed to the Shooting Range Protection Act (SF1908).

We understand the proposed Act will allow our local gun club to:

- Operate between the hours of 7:00 a.m. to 10:00 p.m.
- Increase its membership as much as it desires
- Comply with a noise standard that is averaged over an hour period and is therefore incapable of providing any meaningful standard for noise pollution
- Operate without fear of public nuisance law suits
- Prohibit or discourage property development within 750 feet of its borders.

The sponsors of this bill obviously do not live near a gun club. We fail to understand why a gun club located in a residential neighborhood should receive more legal protection than our family and neighbors. If we create a nuisance in our neighborhood, we would be held accountable. We're tired of listening to the steady sound of gun shots now, and cannot imagine what the proposed extended hours or increased membership will bring.

Our neighborhood has been working closely and diligently with our local city government and the gun club to devise noise and lead standards. This can and should only be done with those who are familiar with local history, local land development, and local issues. The state should not step in and tell the gun club that resides in my neighborhood that it no longer has to worry about being a diligent and considerate neighbor.

This legislation will negatively impact quality of life and our property value. ***We urge you vote against SF 1908.*** Please contact us and let us know how and why you voted.

Sincerely,

Linda and Gary Schildgen  
7 Bayhill Road  
Dellwood, MN 55110

651-733-7305  
651-426-8020



1 Senator ..... moves to amend S.F. No. 1908 as follows:

2 Page 4, line 6, after the first comma, insert "or as  
3 provided in paragraph (b),"

4 Page 4, line 13, after "structure" insert "subject to this  
5 section" and delete "under this section"

6 Page 4, line 14, after "seeking" insert "the" and after  
7 "approval" insert "or, at the discretion of the governing body,  
8 the approving authority"

9 Page 4, line 15, delete everything after the period

10 Page 4, delete lines 16 and 17

11 Page 4, line 18, delete everything before "The" and after  
12 "requesting" insert "an"

13 Page 4, line 19, delete "under" and insert "subject to"

14 Page 4, line 22, after "being" insert "found"

15 Page 4, line 25, before the period, insert "if the failure  
16 to provide the documentation or required mitigation is the sole  
17 basis for the range being out of compliance with the shooting  
18 range performance standards"

19 Page 5, line 24, before the period, insert "by a court of  
20 competent jurisdiction"

*Mentz*

1 Senator ..... moves to amend S.F. No. 1908 as follows:

2 Page 6, line 21, after the period, insert "Nothing in this  
3 chapter shall supersede more restrictive conditions imposed by  
4 ordinances and permits that are in effect on the effective date  
5 of this section."

1 Senator Betzold from the Committee on Judiciary, to which  
2 was re-referred

3 S.F. No. 1908: A bill for an act relating to natural  
4 resources; establishing the Shooting Range Protection Act;  
5 requiring expedited rulemaking; proposing coding for new law as  
6 Minnesota Statutes, chapter 87A.

7 Reports the same back with the recommendation that the bill  
8 be amended as follows:

9 Page 4, line 6, after the first comma, insert "or as  
10 provided in paragraph (b),"

11 Page 4, line 13, after "structure" insert "subject to this  
12 section" and delete "under this section"

13 Page 4, line 14, after "seeking" insert "the" and after  
14 "approval" insert "or, at the discretion of the governing body,  
15 the approving authority"

16 Page 4, line 15, delete everything after the period

17 Page 4, delete lines 16 and 17

18 Page 4, line 18, delete everything before "The" and after  
19 "requesting" insert "an"

20 Page 4, line 19, delete "under" and insert "subject to"

21 Page 4, line 22, after "being" insert "found"

22 Page 4, line 25, before the period, insert "if the failure  
23 to provide the documentation or required mitigation is the sole  
24 basis for the range being out of compliance with the shooting  
25 range performance standards"

26 Page 5, line 3, before the period, insert ", as in effect  
27 on the effective date of this act"

28 Page 5, line 11, after "action" insert "for damages or  
29 equitable relief"

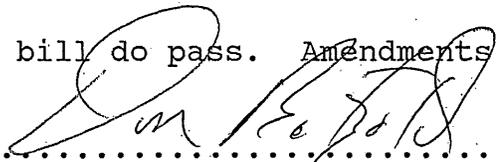
30 Page 5, line 13, delete everything after "prohibit" and  
31 insert "other actions."

32 Page 5, delete lines 14 to 16

33 Page 5, line 24, before the period, insert "by a court of  
34 competent jurisdiction"

35 Page 6, line 21, after the period, insert "Nothing in this  
36 chapter shall supersede more restrictive conditions imposed by  
37 ordinances and permits that are in effect on the effective date  
38 of this section."

1 And when so amended the bill do pass. Amendments adopted.  
2 Report adopted.

  
.....  
(Committee Chair)

3  
4  
5  
6 May 4, 2005.....  
7 (Date of Committee recommendation)