

2014 Natural Resources Legislation

A Summary of the Actions of the 2014 Regular Session of the Eighty-eighth Minnesota Legislature

**Minnesota Department of Natural Resources
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POLICY/TECHNICAL BILL, Ch. 289, HF2733

Summary of Legislative Path:

HF2733: House Environment and Natural Resources Policy Committee (3/17/14) to House Environment, Natural Resources and Agriculture Finance Committee (3/28/14) to House Floor (4/8/14) with minimal controversy. Passed House Floor on a vote of 129-0. Several amendments were added to the bill in committee and on the floor. DNR is supportive or neutral on the majority of amendments, including changes to motorized recreation training requirements, changes to aquatic invasive species delegation orders, and Minnesota Forest Resources Council technical changes.. Also, some minor DNR-proposed provisions were removed.

SF2191: Senate Environment and Energy (3/13/14) to Senate Floor with minimal controversy. Passed Senate Floor (4/28/14) on a vote of 55-5. DNR is supportive or neutral on the majority of amendments.. Also, some minor DNR-proposed provisions were removed.

Conference Committee (HF2733): House conferees (Dill, Fischer, Hackbarth); Senate conferees (Marty, Hawj, Weber). Conference report passed House on a vote of 106-24 and the Senate on a vote of 56-2.

Executive Summary:

- **Secs. 1, 3-4, 15-28, 49. Listing of aquatic invasive species.** Replaces the term "designated" with "listed" for aquatic invasive species provisions and change requirements relating to notification by written order published in the state register. It also clarifies language on delegation agreements with tribal and local governments to inspect water-related equipment.
- **Sec. 2. Gift limitations and tracking.** Amend requirements exclusive to DNR regarding items for public distribution. This change will ensure DNR will continue to follow existing fiscal and administrative policies that manage and control purchasing in state government while purchasing items in bulk that may be distributed by the department over several years.
- **Sec. 5. Permitting efficiency.** Eliminates the interim (February 1) permitting efficiency report, which is redundant to the annual August 1 report, which provides an annual assessment of the success in meeting the state's 150 day permitting goal.
- **Sec. 6. Facilities management account.** Amends language to clarify DNR authority to bill and carry forward revenue available to cover costs of both maintaining and operating facilities.
- **Secs. 7, 12. Motorized recreation safety training.** Amends language that provides for reciprocity agreements for safety education and training courses from other states by allowing proof of completion of training as adequate to meeting the safety certificate requirements for off-highway motorcycles and all-terrain vehicles.
- **Secs. 8-11, 61. Motorized recreation; definitions.** Amends definitions of snowmobiles, class 1 and class 2 all-terrain vehicles, and off-road vehicles.
- **Secs. 13. ATV training requirements.** This is a technical correction to a 2013 legislative change to ATV training language.
- **Sec. 14. Forest trail designation for ORV use.** Amends M.S. 84.926, subd. 4 to allow highway licensed vehicles (HLVs) and all-terrain vehicles (ATVs) on designated off-road vehicle trails for limited hunting-related activities without requiring the purchase of an off-road vehicle registration.
- **Sec. 29. Master plan requirements.** Updates recreation unit master planning requirements to allow plan amendments; replace required public hearing with public meeting, and eliminate obsolete review and

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approval processes and references. Current language reflects a time when the outdoor recreation system was being created and expanded. The process can be greatly simplified and should provide the authority to amend master plans as needed. It also removes an unnecessary requirement for other agencies to obtain DNR approval of their plans. DNR needs to update park and trail master plans when a change in operations is desired or new facilities added, but the statutes don't provide specific authority or procedures for amendments. The currently-required public hearing is not the best way for DNR to inform and engage the public. Public meetings are more appropriate.

- **Sec. 30. Registry of outdoor recreation units.** This change directs agencies with 86A units to maintain their own respective registries instead of DNR maintaining a comprehensive list for the state.
- **Secs. 31-47. Minnesota Forest Resources Council technical changes.** Updates the Sustainable Forest Resources Act (SFRA) and extends the act's sunset for an additional four years to 2021. The revisions to the SFRA delete obsolete deadlines and streamline language.
- **Secs. 48, 67. Invasive carp technical change.** Removes reference to Asian carp.
- **Sec. 50. Drainage inspectors.** Requires that a drainage inspector may not be a county commissioner.
- **Secs. 51-53. Floodplain management ordinances.** Amends language related to floodplain management ordinances to remove requirement that DNR notify local governmental units that technical information on the delineation of floodplains is available and the requirement that LGUs prepare an ordinance within 6 months of the notice. Amends language that relates to the alteration of structures to provide for consistency with existing federal regulations. Also amends language to encourage local governments to apply for participation in the National Flood Insurance Program (NFIP), which is a federal, voluntary program that makes flood insurance available to communities that adopt a local floodplain management ordinance and administer and enforce the ordinance.
- **Sec. 54. Public waters work permit exceptions.** DNR proposes to amend public waters work permit language by repealing a requirement redundant to Minnesota Rules 6115.0200, Sub. 4, which already allows removal of debris without a permit.
- **Sec. 55. Relationship to surface water resources.** Clarifies existing language that groundwater appropriations that have negative impacts to surface waters are subject to M.S. 103G.285.
- **Sec. 56. Groundwater management areas advisory teams.** Amends 2013 language to require that DNR consult with advisory teams at least 30 days prior to implementing or modifying a groundwater management area (GWMA) plan. Also establishes requirements related to advisory teams.
- **Sec. 57. General 150-day limit.** Amends existing language to provide consistency with permitting requirements established in M.S. 84.027.
- **Sec. 58. Invasive aquatic plant management permit.** Technical change related to aquatic invasive species, removing language limiting the scope of what can be included in an invasive aquatic plant management permit.
- **Sec. 59. Definitions.** Amends definition of "qualified facility" under the Landfill Cleanup Program to allow for an additional facility.
- **Sec. 60. When prepared.** Exempts facilities located outside the seven-county metro area that produces less than 400,000 gallons of biochemicals annually or a biorefinery using cellulosic feedstock from the requirement to complete a mandatory Environmental Impact Statement.
- **Secs. 62-65. Tampering; sales, use, and repair restrictions.** Amends existing language to prohibit the tampering of odometers on motor vehicles and on off-road vehicles and the sale or use of motor vehicles and off-road vehicles that have odometers that have been tampered.

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- **Sec. 66. Minnesota River Valley master plan requirement.** This section requires DNR to create an outdoor recreation unit master plan in accordance with M.S. 86A.09 for the Upper Minnesota River Valley in Redwood and Renville counties.
- **Sec. 68. Rulemaking related to use of rabbits and hares to train dogs.** Requires DNR to amend rules to state that a person may use dogs to pursue rabbits/hares without killing/capturing them except between April 16 and July 14. Allows the commissioner to use the good cause exemption from rulemaking when making the change.

Repealers:

Repeals redundant or outdated provisions relating to forest road coordination committees, floodplain management ordinances, and flood insurance.

- M.S. 89.01, subd. 7. The commissioner is currently required to establish a forest road coordination committee in each forestry administrative area in which a state or county forest road is located. It lists who the commissioner shall appoint as members of these committees and that each committee must meet at least once annually. DNR will continue to interact and collaborate with stakeholders on forest road projects and issues.
- M.S. 89A.05, subd. 2a. Timber harvesting guideline review. This language was added to subdivision 1.
- M.S. 89A.05, subd. 4. Monitoring riparian forests. Repealed as Council decided it was not generating useful results and was very expensive to implement.
- M.S. 89A.06, subd. 2a. Regional forest committee reporting. Deadlines deleted from the subdivision were obsolete.
- M.S. 103F.121, subd. 3 and 4. Since these statutes were written, federal law has been updated to require flood insurance as mandatory for federally backed loans if the structure is located in the flood hazard area mapped by FEMA, and the National Flood Insurance Program (NFIP) flood insurance is only available in communities that participate in the NFIP and have an ordinance.
- M.S. 103F.165, subd. 2. DNR works cooperatively with FEMA to identify communities subject to recurrent flooding. The current process of identifying areas of recurring flooding has been updated and is now done cooperatively with FEMA and local governments.

Additional Relevant Information: This bill includes several of DNR's unsession proposals, including the listing of aquatic invasive species, the removal of restrictive gift limits used for public outreach, and the streamlining of the master planning process, permitting efficiency reporting, floodplain management, and the process for covering the operating costs of DNR's facilities.

The Minnesota Sustainable Forest Resources Act has not been thoroughly revised and updated since 1999. The proposed revisions were initiated by the Minnesota Forest Resources Council with support from the DNR in direct response to the unsession initiative.

Summary of Legislative Amendments:

- Motorized recreation safety training technical change – Dill
- Motorized recreation definitions; clarifications – Dill
- ATV training requirements changes – Dill
- Inspector authority; technical change to AIS delegation orders – Dill
- Amendment to 2013 language requiring supervisors be elected by supervisor districts for metro – Hansen

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- Drainage inspector may not be county commissioner – Hansen
- Clarification related to groundwater appropriations with negative impacts to surface waters – Torkelson
- Includes odometer tampering – Dill
- Minnesota Forest Resources Council technical bill – Dill
- Biorefinery addition to biofuels producer exemption to mandatory EIS – Anzelc
- Groundwater management consultation – Runbeck
- Removal of some minor DNR-proposed provisions

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UNSESSION BILL, CH. 248, SF 2454

Summary of Legislative Path:

SF2454: Senate Environment and Energy Committee to Senate State and Local Government Committee to Senate Rules and Administration Committee with amendments. Passed Senate Floor on a vote of 57-0.

HF2715: House Environment and Natural Resources Policy Committee to House Government Operations Committee to House Floor with amendments. SF2454 substituted for HF2715, passed House Floor on a vote of 123-0.

Executive Summary:

This bill includes unsession-related proposals from the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), and the Board of Water and Soil Resources (BWSR). A summary of the DNR-related sections is below:

- Sec. 2. M.S. 84.025, Subd. 10 - Recreational Vehicles and Boats Used for Public Purposes: Eliminates outdated language related to snowmobile and out-board motor purchasing.
- Sec. 3. M.S. 84.028, Subd. 3 - Game Warden Duties; Conservation Officers: Corrects outdated reference relating to Division of Enforcement and Field Service.
- Sec. 4. M.S. 84.081, Subd. 1 – Directors: Removes reference to former DNR division names.
- Sec. 5. M.S. 84.781 - Use of Department Resources: Removes reference to former DNR division.
- Sec. 6. M.S. 88.6435 - Permits (Bough Buyers): Eliminates old incentive for training no longer offered by the department.
- Sec. 10. M.S. 103F.135, Subd. 1 - Commissioner's Duties: Updates federal agency name to United States Department of Agriculture.
- Secs. 11-12. M.S. 103G.005, Subd. 9 and. Subd. 9a – Definitions: Updates Department of Natural Resources division name.

Repealers:

- M.S. 14.04 Agency Organization; Guidebook: Removes outdated 1981 requirement to prepare guidebook of state agencies.
- M.S. 84.083, Subd. 3 and 4 - Assignment and Delegation of Duties: Removes unneeded language relating to equipment purchasing and studies no longer being conducted by DNR.
- M.S. 84.163 - Battle Point; Conveyance to Todd County: Eliminates unnecessary language related to a completed project.
- M.S. 84.361 - Taxes Canceled in Certain Cases: Eliminates unnecessary language about taxes dating to the 1940s.
- M.S. 84.43 - 84.521 - Wilderness Area: Eliminates language that protected lands within the Boundary Waters Canoe Area, which are now protected federally.
- M.S. 84.53 and 84.55 - Topographic Survey and Cooperation of County or Municipality: Eliminates language relating to a topographic survey that has been completed and county or municipality assistance in accomplishing survey.
- M.S. 84.965, Subd. 1 and Subd. 2 - Approval of Project by Governor: Eliminates outdated language from when the Conservation Corps was administered by DNR.
- M.S. 85.015, Subd. 3 - State Trails: Eliminates outdated reference DNR trail system.

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- M.S. 103F.131 - Amusement Park Exemption: Eliminates unnecessary exemption for Valleyfair Amusement Park, now protected by a levee and not in the portion of the floodplain with mandatory regulations.
- M.S. 103F.155 - Flood Protection Plans: Eliminates outdated language that is now covered by Hazard Mitigation Plans as overseen by Homeland Security.
- M.S. 103F.381 - 103F.391 - Project Riverbend: Removes outdated language related to Project Riverbend, which was established in the 1970s.

Additional Relevant Information: N/A.

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LANDS BILL, CH. 217, HF2301

Summary of Legislative Path

- Senate Environment and Energy – Subcommittee on Lands – passed
- Senate Environment and Energy – passed
- Senate floor, passed
- House Ways and Means, passed, amended to also include provisions in HF2301, companion to SF2449.

Executive Summary:

- Section 1 amends Minn. Stat. sec 85.012, subd. 38a, to change the name of Lake Vermilion State Park to Lake Vermilion-Soudan Underground Mine State Park, reflecting the merger of Lake Vermilion State Park with Soudan Underground Mine State Park provided for in Section 31 of the bill.
- Section 2 amends Minn. Stat. sec. 89.022 to modify the exemption from the requirement to sell tillable land acquired in the Richard J. Dorer Memorial Hardwood State Forest. The county board would be authorized to approve the exemption where it can be demonstrated that the parcel was acquired for natural resource and public access purposes.
- Section 3 amends Minn. Stat. sec. 459.06 to remove DNR from approval of a local unit of government's selection of land and plan of management for municipal and local unit of government memorial forests.
- Section 4 amends Minn. Stat. sec. 477A.17 to make technical changes to reflect the merger of Lake Vermilion State Park and Soudan Underground Mine State Park provided for in this bill. Section 4 also applies a 2013 amendment to PILT laws to Lake Vermilion-Soudan Underground Mine State Park.
- Section 5 deletes areas from Greenleaf Lake State Recreation Area, Meeker County.
- Section 6 adds to the area of Snake River State Forest, Kanabec County.
- Section 7 authorizes the DNR to sell surplus land bordering public water in Becker County.
- Sections 8-23, 26-30, and 32-35 authorize the sale of certain tax-forfeited lands in Beltrami, Carver, Chisago, Crow Wing, Dakota, Hennepin, Isanti, Itasca, Lake, Lake of the Woods, Martin, St. Louis and Wadena Counties.
- Section 24 authorizes the DNR to exchange certain riparian land in Kanabec notwithstanding the riparian restrictions in Minn. Stat. sec. 94.342, subd. 3, with approval of the Land Exchange Board.
- Section 25 authorizes the DNR to sell by public sale surplus state land within Lake Bronson State Park in Kittson County.
- Section 31 provides for the merger of Soudan Underground Mine State Park and Lake Vermilion State Park, St. Louis County.
- Section 36 authorizes the sale of the Brainerd dam to the City of Brainerd.
- Section 37 contains Revisor's instructions.
- Section 38 repeals Minn. Stats. Sec. 85.012, subd. 53a, the Soudan Underground Mine State Park.
- Section 39 provides that sections 1 to 38 are effective the day following final enactment.

Repealers: The establishment of the Soudan Underground Mine State Park is repealed as it is being merged with Lake Vermilion State Park and being named Lake Vermilion-Soudan Underground Mine State Park.

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GAME & FISH BILL, CH. 290, HF 2852

Summary of Legislative Path:

HF2852 was heard and passed by the Committee on Environment and Natural Resource Policy, Committee on Government Operations, Committee on Taxes, and Committee on Ways and Means.

SF2227 was heard and passed by the Environment and Energy Committee, State and Local Government Committee, Judiciary Committee, and Finance Committee.

A conference committee (comprised of Representatives Dill, Isaacson, McNamara; Senators Schmit Hoffman, and Ruud) reached agreement on the bill on 5/12/14.

Executive Summary:

- **Secs. 1 – 3, 70. Lac qui Parle Lake obsolete language.** This technical change amends or repeals obsolete language (M.S. 84.154, subd. 5) related to the original transfer of authority from the federal government to the state for managing the Lac qui Parle water control project in the 1930s. It also removes references to an appropriation and a special water control project fund pursuant to Laws of 1941 and 1943.
- **Secs. 4 – 5, 63, 70. Use of OHVs and snowmobiles for deer hunting.** These provisions eliminate inconsistency between statute and rule on ATV and snowmobile use hours during the deer hunting season, increases opportunities for snowmobile use, and simplifies relevant statutes and rules.
- **Sec. 6 - 8. All-terrain vehicle or vehicles.** Updates definition to include low pressure or non-pneumatic tires and adjusts weights of Class1 and 2 all-terrain vehicles.
- **Sec. 12. Inspections and aquatic invasive species.** Expands definition of inspect to include collection and sampling of water.
- **Sec. 13. Trap shooting sports facility grants.** Provides that the commissioner shall administer a cost-sharing grants program for developing or rehabilitating trap shooting facilities open to the general public at reasonable times and for reasonable fees prioritizing youth opportunities.
- **Secs. 9, 70. Repeal obsolete muskellunge lake designation language.** For the past decade, special and experimental regulations (M.S. 97C.001, 97C.005) are used to designate muskie waters, making M.S. 97C.011 obsolete. This provision repeals M.S. 97C.011 and eliminates cross references no longer pertinent.
- **Secs. 10, 11, 70. Red Lake WMA obsolete language.** This technical change repeals (M.S. 84A.04, 84A.08, 84A.11) and amends outdated language related to the Red Lake Game Preserve which was created in 1929. The lands contained within the Red Lake Game Preserve are no longer classified as a game preserve but rather as a wildlife management area. Since no new con-con lands are being created and all bonds are paid off, requirements related to reporting or certifying reports are no longer needed.
- **Sec. 14. Ownership of wild animals.** This is a technical change removing an incorrect reference to wild rice statutes (M.S. 84A.091 - 84.15).
- **Sec. 15. Game and fish fund oversight committee.** This provision clarifies that the game and fish fund citizen oversight committee (M.S. 97A.055) is not an advisory council or committee as defined in M.S. 15.059 and that appointees are eligible for mileage reimbursement but not per diem or other compensation.
- **Sec. 16. State owned game farms and hatcheries.** This change removes commissioner authority to acquire property for use as a game farm. DNR does not envision the need for state operated game farms in the future.

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- **Sec. 17. Use of motorized vehicles by disabled hunters.** This change expands allowances of permitted motor vehicles on WMAs by disabled hunters from snowmobiles and ATVs to also include motor boats and highway licensed vehicles with a disability permit.
- **Sec. 18. Authority to cross WMAs.** This provision clarifies the authority of the commissioner to issue special permits to cross WMAs where there is no other reasonable option.
- **Secs. 19 - 20. Electronic license system corrections.** This provision is a customer service provision that allows license agents to correct and refund mistakes by angling and hunting license purchasers.
- **Sec. 21 Replacement turkey licenses.** This allows licensed turkey hunters to change permit areas, licenses or time periods.
- **Secs. 22, 42, 43, 47, 53, 62, 70. Small game seasons.** These provisions consolidate and simplify language for small game (as defined in M.S. 97A.015) seasons by repealing language (M.S. 97B.711, 97B.611, 97B.615, 97B.625, 97B.631, 97B.635, 97B.803, 97B.911, 97B.915, 97B.921, 97B.925 and cross references) and amending language (M.S. 97B.100, 97B.621, 97B.095, 97B.731, 97B.951) so that it is consistent with other game species (e.g., deer). It recodifies two provisions related to prohibited hunting methods (M.S. 97B.099), and also requires rulemaking to establish gray partridge bag limits.
- **Sec. 23 - 26, 44, 56, 57: Licenses for residents or veterans with disabilities:** These provisions create a driver's license or identification card designations of SSI or USVA disabilities qualifying for certain free angling, small game or deer hunting licenses (author amendment). Review of official documentation will be conducted by DVMA before designations are placed on identification cards. DNR will use electronic data on the cards to interface with the Electronic Licensing System. This applies for applications submitted on/after 1/1/16 or the date the new technology is implemented whichever is later.
- **Secs. 27 - 30, 60. Lifetime licenses.** This technical change corrects a mistake in the amounts of the 2012 fee increases including several spearing license types and will adjust the overall costs of these lifetime licenses to be less than or equal to the costs of the individual lifetimes licenses. Refunds for the decreased pricing may be issued for lifetime licenses purchased between March 1, 2013 until the effective dates for these changes.
- **Secs. 31 - 32. Bear hunting youth fees.** This change corrects a mistake in the 2013 game and fish bill which simplified youth hunting requirements and fees for resident and nonresident youth and that unintentionally set the license fee for bear hunting at the adult rate. Effective date is 7/1/14.
- **Sec. 33. Issuing fees for certain free licenses.** This provision eliminates the license issuing fees for the following license types: angling/spearing - disabled residents; angling - foreign exchange students, residents of state institutions, developmentally disabled residents, and veterans with 100% service disability; deer and small game hunting - veterans with 100% service disability; angling and hunting – resident military personnel on leave; and angling and small game hunting - resident discharged military personnel. Effective date is 7/1/14.
- **Sec. 34. Deer killed by motor vehicles.** This change eliminates the reference to a DNR form for tracking car kill deer that had been provided to road authorities to document unsalvaged car kill deer. Permit forms are still being provided to law enforcement for deer salvaged by individuals.
- **Secs. 35 – 37. Trespass on private land.** This change stipulates that a person may not return to private property for one year after being personally notified not to do so and provides a clear misdemeanor violation for entering posted property.
- **Sec. 37. Use of firearms and taking in certain areas.** This change provides that a person may not discharge a firearm on private property or a public road right-of-way within 500 feet of human or livestock occupied buildings or a stockade or corral confining livestock for purposes or holding or

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sorting except for state or local government owned lands being used for hunting. Under the language, federal lands and private lands are not being afforded the same protections as state and local government lands.

- **Sec 38. Use of electronic range finders and hunting.** This change clarifies that hand held electronic range finders are allowed for archery and firearms hunting (M.S. 97B.081, 97B.031).
- **Sec. 39. Crossbow hunting.** This allows licensed hunters 60 years and older to use crossbows to take deer, bear, turkey, or rough fish.
- **Sec. 40. Electronic range finders.** This provision clarifies that electronic range finders can be used while lawfully hunting one half hour before sunrise until one half hour after sunset.
- **Sec. 41. Thermal imaging equipment.** This change restricts the use of thermal imaging scopes/vision devices in the same manner as night vision equipment. The equipment is used generally for the same purpose of locating and taking wild animals in cover of night or hiding, using similar but differing technology.
- **Sec. 45. Wolves.** This new provision provides that a person who has more than one prior conviction for unlawfully taking transporting, or possessing a wolf in violation of state law is liable for a civil penalty equal to the restitution value. This section may require additional clarification in future legislative sessions relative to payment and fund deposit of receipts, whether this new civil penalty is in addition to criminal charges and wildlife restitution, or if the new civil penalty replaces current criminal and wildlife restitution options.
- **Sec. 46. Elk management plan.** The DNR goal is to avoid or minimize conflict between elk and agricultural operations. This change eliminates the reference that the plan restricts elk to nonagricultural land which is not achievable.
- **Sec. 48. Wolf management.** This provides that DNR shall compile and post in the internet a list of known wolf deaths including date and locations effective the day following enactment. DNR intends to post information from conservation officer reports quarterly and depredation information annually. Information on hunting harvest will also be updated annually.
- **Secs. 49 - 51. DNR division name change.** This technical change replaces the reference to "Wildlife Division" with "Fish and Wildlife Division".
- **Sec. 52. Canada geese causing damage.** This provision allows landowners experiencing property damage (including agricultural damage) to non-lethally haze, scare, chase, and harass Canada geese damaging property from March 11 – August 31. A permit would be needed for activity on public waters and for geese on nests.
- **Secs. 54 - 55. Invasive species training for minnow dealers; taking and selling leeches, and commercial fishing licensees.** This change requires minnow dealers (and employees), residents under age 18 taking and selling leeches, and commercial fishing license holders (and their apprentices) to successfully complete aquatic invasive species training each year. This also requires commercial fishing licensees to verify that they have exclusive control of their holding facilities or ponds. This initiative will reduce the potential that aquatic invasive species are unintentionally transported or sold and is effective 3/1/15.
- **Secs. 58 and 70. Conduct of raffles.** This provides that raffles may be conducted in conjunction with wild game or fish taking events. A combined ticket may be sold and must specify the amount of each separate event (admission, raffle) on the ticket. This new language is in the Gambling Control Board statutes and would be regulated by that agency. Wild animals would still need to be lawfully taken under the game and fish laws. Repeals the ice fishing contest raffle language in current law in favor of this new language.

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- **Sec. 59. Laws of 2008 Heritage Enhancement appropriation for shooting sports facilities and ranges.** This provision expands the use of the 2009 Heritage Enhancement appropriation (in lieu of lottery taxes) for an Itasca County Gun Club grant (\$100,000) and the remaining balance for trap shooting facility grants.
- **Sec. 60. Loring Park Lake cattail control.** This confirms that Minneapolis Park and Recreation Board is authorized to remove hybrid and narrow-leaved cattails on Loring Lake as provide in DNR permits issued in 1997 and 2014.
- **Sec. 64. Use of rabbits and hares to train dogs rulemaking.** This directs that Minnesota Rules should be amended to allow the use of dogs to pursue rabbits and hares except from April 16 to July 14 or by permit using the good cause exemption.
- **Sec. 65. Minnesota River Valley master plan.** This directs the agency to develop a master plan for areas in the Minnesota River Valley in Redwood and Renville Counties considering broad recreational activities and a connection to the Minnesota River State Trail. Impacts to natural and cultural resources, interpretive services, recreational opportunities, and administrative activities need to be considered. Recommendations are to be provided for a unit designation under the Outdoor Recreation Act.
- **Sec. 66. Muskellunge minimum size limits rulemaking.** This provision mandates the amendment of Minnesota Rules by 3/1/15 to increase the minimum size limit for muskies to 54 inches except for Twin Cities metropolitan lakes containing hybrid muskies and individual lakes with a size limit of 48 inches. The good cause exemption may be used and public meetings do not need to be conducted.
- **Sec 67. Quail recovery plan/report.** This provision stipulates that the agency prepare a feasibility study on the restoration of wild quail in consultation with interested parties and report on progress by 1/15/15.
- **Sec. 68. Fishing pier on Long Lake, Stearns County.** This provision mandates the agency to work with a non-state entity to develop a fishing pier.
- **Sec. 69. Revisor’s instructions.** This provision is a technical change which corrects inaccurate statute references for 84A.01 to 84A.101.
- **Sec 70. Repealer.** The following obsolete statutes are repealed.

Repealers:

1. M.S. 84.154 LAC QUI PARLE WATER CONTROL PROJECT: See Sections 1 – 3, 47. Lac qui Parle Lake obsolete language.
2. M.S. 84A.04 COUNTY AUDITOR TO MAKE LIST OF LANDS.; 84A.08 PRESERVE LANDS CLASSIFIED; and 84A.011 WHEN BONDS PAID IN PART BY COUNTIES: See Sections 7, 8, 47. Red Lake WMA obsolete language.
3. M.S. 97A.081 POSTING LAND: State will continue to post wildlife lands without this statute.
4. M.S. 97A.083 HUNTING AND FISHING ON STATE LAND: Authority to hunt and fish on state land is provided elsewhere (86A, 97A.141, etc.).
5. M.S. 97A.445 EXEMPTIONS FROM LICENSE REQUIREMENTS: Eliminate exemption from license requirements to take fish by angling and spearing for disabled railroad and postal retirees since this creates inequities for other constituents.
6. M.S. 97A.4742 LIFETIME FISH AND WILDLIFE TRUST FUND. Subd. 3: The “Lifetime Fish and Wildlife Trust Fund Report” should be repealed because it is duplicative of department reporting on the financial status of this fund through the Budget Oversight Committee and the November and February forecasts.

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7. M.S. 97B.061 REPORTS AND RECORDS: There are other authorities for requiring harvest information to comply with State and Federal wildlife management needs.
8. M.S. 97B.611 SQUIRRELS; 97B.615 RABBIT AND HARE SEASON; 97B.621 RACCOONS, Subd. 1 and 4; 97B.625 BOBCAT; 97B.631 FOX; 97B.635 FISHER; BADGER; OPOSSUM; AND PINE MARTEN; 97B.711 GAME BIRDS; 97B.803 MIGRATORY WATERFOWL SEASONS AND LIMITS; 97B.911 MUSKRAT SEASONS; 97B.915 MINK SEASONS; 97B.921 OTTER SEASONS; and 97B.925 BEAVER SEASONS: Rules are used to set these seasons. Repeal of these sections, changes to 97B.605, 97B.095, 97B.731, and the establishment of 97B.100 are a package that would simplify small game laws.
9. M.S. 97B.715 PHEASANTS Subd. 2: This eliminates the daily and possession limits for hen pheasants as it will likely never be needed.
10. M.S. 97C.011 MUSKELLUNGE LAKES: After an analysis of muskie lakes 10 years ago, special and experimental regulations (97C.001, 97C.005) are now used to designate muskie waters making this section obsolete.
11. M.S. 97C.081, Subd. 5: ICE FISHING CONTEST IN CONJUNCTION WITH RAFFLES: This statute is obsolete with Section 58 provision.
12. M.S. 97C.827 LAKE OF THE WOODS; COMMERCIAL FISHING OF ROUGH FISH.: The state bought out commercial anglers in U.S. and Canada in the 1980s making 97C.827 obsolete.
13. M.R. 6100.5100: See Sections 4 – 5, 45, 47. Use of OHVs and snowmobiles for deer hunting.

Additional Relevant Information: Not applicable.

2014 Legislative Summary
Minnesota Department of Natural Resources

OMNIBUS SUPPLEMENTAL, CH. 312, HF3172

Executive Summary:

Article 11: Transportation Finance Provisions

Sec. 21. Watercraft decontamination sites; rest areas. Directs the departments of Natural Resources and Transportation to cooperatively undertake using rest areas as sites for watercraft decontamination, where feasible with current funding.

Article 12: Agriculture, Environment, and Natural Resources Appropriations

Sec. 6. Natural Resources. Appropriates \$530,000 in FY14 and \$5.862 million in FY15 for the following activities:

Subd. 2. Lands and Minerals

- A one-time General Fund appropriation of \$1.0 million in FY15 for meeting the state's fiduciary duty to Minnesota children with regard to school trust land. Requires a report to the legislature on the intended use of these funds by January 15, 2015. Expenditure of these funds must be approved by the legislature.

Subd. 3. Ecological and Water Resources

- A one-time General Fund appropriation of \$50,000 in FY15 for the Lake Emily dam study.

Subd. 4. Parks and Trails Management

- A one-time General Fund appropriation of \$1.6 million in FY15 for state parks improvement, maintenance, and general use.
- A one-time Natural Resources Fund (LIL) appropriation of \$450,000 in FY15 for state trail, park, and recreation area operations.
- A one-time Parks and Trails Fund appropriation of \$200,000 in FY14 to the Greater Minnesota Regional Parks and Trails Commission for development of a statewide system plan for regional parks and trails. This appropriation is available through a cancellation of \$530,000 for the Superior Hiking Trail (M.L. 2013, Ch. 137, Art. 3, Sec. 3).
- (Subd. 6) A one-time Parks and Trails Fund appropriation of \$330,000 in FY14 to the St. Louis and Lake Counties Regional Railroad Authority for the Mesabi Trail. This appropriation is available through a cancellation of \$530,000 for the Superior Hiking Trail (M.L. 2013, Ch. 137, Art. 3, Sec. 3).
- A one-time General Fund appropriation of \$350,000 in FY15 for development of the Oberstar Trail segment of the Willard Munger Trail.

Subd. 5. Fish and Wildlife Management

- A one-time appropriation from the Heritage Enhancement Account in the Game and Fish Fund of \$3,000 in FY15 for a report on cattail management and DNR's aquatic plant management permitting policies and procedures. The report must be submitted to the legislature by December 15, 2014.
- A one-time Game and Fish Fund appropriation of \$9,000 in FY15 for development of a quail restoration plan. An update must be provided to the legislature on the plan's progress by January 15, 2015.
- A one-time Game and Fish Fund appropriation of \$2.0 million in FY15 for shooting sports facility grants.
- A one-time appropriation from the Heritage Enhancement Account in the Game and Fish Fund of \$400,000 in FY15 for Let's Go Fishing local chapter grants.

Sec. 9. Department of Administration. Appropriates \$185,000 in General Fund annually for a school trust lands director and additional staff in the Department of Administration as provided for in M.S. 127A.353. This is an on-going appropriation.

2014 Legislative Summary
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Sec. 10. Legislative Coordinating Commission. Appropriates \$15,000 in General Fund annually for administrative expenses of the Permanent School Fund Commission as provided for in M.S. 127A.30. This is an on-going appropriation.

Sec. 12. Amends M.L. 2013, Ch. 114, Art. 3, Sec. 4, Ecological and Water Resources. Appropriates an additional \$21,000 in General Fund in FY15 to Ecological and Water Resources for an increase to the grant to the Mississippi Headwaters Board. This is a one-time appropriation increase.

Article 13: Agriculture, Environment, and Natural Resources Fiscal Implementation Provisions

Sec. 2. Forest trust lands. Amends M.S. 16A.125, subd. 5 to allow the costs of the Legislative Permanent School Fund Commission and the school trust lands director be transferred to the General Fund.

Sec. 12. Exemptions; Off-highway motorcycle (OHM) registration. Exempts registration of OHMs used exclusively in track racing, by nonresidents with nonresident OHM state trail pass, and special use permits.

Sec. 13. Nonresident off-highway motorcycle state trail pass. Creates a nonresident OHM state trail pass.

Sec. 14. State parks and trails plate; requirement. Allows for a motor vehicle to enter a state park, recreation area, or wayside with either a state park permit or a state parks and trails plate.

Sec. 15. State parks and trails donation account. Creates a State Parks and Trails Donation Account within the Natural Resources Fund, with funds appropriated to DNR for operating and maintaining the state parks and trails system.

Sec. 16. Fort Snelling upper bluff. Creates an annual appropriation for the Ft. Snelling upper bluff revenues.

Sec. 18. Trap shooting sports facility grants. Establishes a 50 percent match grant program for developing or rehabilitating trap shooting sports facilities for public use.

Sec. 19. Investigation of activities affecting waters of the state. This is a technical correction to water investigation authorities.

Sec. 20. Prohibition on once-through water use permits. Provides for a once-through cooling prohibition starting January 1, 2015.

Sec. 21. Water use permit processing fee. Provides a waiver for water use permit fees for projects that reuse stormwater or divert water to treat a water quality issue.

Sec. 22. Penalty for noncompliant reporting. Raises the penalty to 10 percent of the annual water use permit processing fee.

Sec. 23. Administrative penalties. DNR APO provisions as initially proposed by the department.

Sec. 31. State parks and trails plates. Establishes a state park and trail plate with a minimum annual \$50 contribution.

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Sec. 40. Fish and wildlife management appropriations. Re-appropriates \$100,000 for a grant to the Itasca County Gun Club and transfers the remaining balance (\$163,000) to the trap shooting facility grants program.

Sec. 44. Invasive terrestrial plants and pests center. Establishes this center at the University of Minnesota.

Article 14: Clean Water Fund

Sec. 4-6. Board of Water and Soil Resources, Metropolitan Council, and Department of Health. Provides appropriations to these agencies for various work, including work related to groundwater management areas.

Sec. 7. Stream flow and groundwater monitoring; repurpose of 2011 appropriation. Allows DNR to use the remaining balance of the 2011 appropriation for shoreland stewardship and TMDL coordination to be directed to stream flow and groundwater monitoring work.

Sec. 9. Stream gauge data. Requires DNR to provide an easily accessible link on DNR's website to cooperative stream gauging data, including lake level information on White Bear Lake and Turtle Lake.

2014 Legislative Summary
Minnesota Department of Natural Resources

BONDING BILL, CH. 294, HF 2490

Summary of Legislative Path: Capital Investment Committees in both bodies. Then House Ways and Means and Senate Finance. This bill was pre-negotiated so there were no conference committee meetings to address issues.

Executive Summary: Provides for capital expenditures for DNR and pass through grants to other entities.

Project Title	2014 Agency Priority	Agency Requests	Governor Recs.	Final Bonding Bill HF2490 Ch. 290 5-16-14	Final GF HF1068 Ch. 295 5-16-14
	Ranking	2014			
Asset Preservation	1	\$50,000	\$23,000	10,000	
Buildings and Facilities Development	2	5,000	2,000	2,000	
Flood Hazard Mitigation	3	25,000		4,500	7,500
Dam Repair/Reconstruction/Removal	4	5,000	4,000	6,500	
State land Reforestation and Stand Improvement	5	6,000	5,000	2,963	
Native Prairie Bank Acquisition and Development	6	8,000	6,000		
Vermillion State Park Development	7	25,000		14,000	
RIM Critical Habitat Match	8	3,000	3,000	2,000	
School Trust Fund Land Acquisition	9	20,000			
Fish Hatchery Improvements	10	4,000	3,561	2,000	
Parks and Trail Acquisition and New Development	11	18,700	5,000	17,667	
Scientific and Natural Areas Acquisition and Development	12	5,800			
Ground Water Monitoring	13	5,000			
Land Exchanges	14	500			
Native Seed Processing Complex	15	2,800			
State Forest Acquisition	16	2,000			
WMA/AMA Acquisition and Development	17	5,000			
Stream Restoration	18	9,750			
Fish Habitat Improvements and Local Grants	19	800			
Minnesota Forest of the Future	20	5,000	3,000		
Shade Tree Program Grants	21	500			
Parks and Trails Local and Regional Grant Program	22	3,000			
Sartell Park				500	
Fountain Lake Dredging-Albert Lea					7,500
East Grand Forks Rec Area utilities				250	
Lake Zumbro				500	
Ft. Snelling Upper Post Trails				500	
Grant County- Elbow Lake trail				100	
Total Project Requests		\$209,850	\$54,561	63,480	15,000

Agency Impact: Provides for some but not all of the basic capital needs of the DNR. Asset preservation was underfunded—DNR has over \$2 billion in assets and we have over \$50 million in immediate needs, trails were funded at \$17,667,000 but no funding for park improvements (other than Vermilion), native prairie bank and scientific and natural area programs were not funded and the statutory match for dam safety grants was waived—this sets a bad precedent.

2014 Legislative Summary
Minnesota Department of Natural Resources

BONDING BILL, CH. 295, HF 1068

Summary of Legislative Path: Capital Investment Committees in both bodies and then to House Ways and Means and Senate Finance. Pre-negotiated bill so there were no conference committee meetings to address issues.

Executive Summary: Provides \$7,500,000 general fund for Flood Hazard Mitigation (plus \$4,500,000 is included in bonding) and \$7,500,000 for a grant to dredge Fountain Lake in Albert Lea.

Repealers: None

2014 Legislative Summary
Minnesota Department of Natural Resources

OUTDOOR HERITAGE FUND (LEGACY BILL), CH. 290, HF1926

Summary of Legislative Path:

The House bill: House Environment Finance to House Legacy Committee to Ways and Means Committee to the House floor without significant controversy. It did reflect the Lessard-Sams Outdoor Heritage Council's (L-SOHC) appropriations recommendations.

The Senate bill: Environment Finance to Finance Committee to the Senate floor without controversy.

Final conference committee report largely reflects the Senate-Executive Branch positions.

Executive Summary:

Article 1: Outdoor Heritage Fund

This bill funds activities that protect, enhance, or restore fish, game, and wildlife habitat across Minnesota. Appropriation amounts to DNR programs (totaling \$29.4M) are generally the same as the Lessard-Sams Outdoor Heritage Council (LSOHC) recommended.

Outcomes: \$109M for programs to restore, protect, and enhance forests, prairies, wetlands, and habitat for fish, game and wildlife. This total includes \$37.4M for prairies, \$16.1M for forests, \$24M for wetlands, \$30.9M for habitats, and \$0.9M for administration.

Of these amounts, DNR is appropriated:

- \$8.145M for WMA and SNA Acquisition, including Vermillion WMA Cemstone acquisition – Phase VI
- \$3M for Native Prairie Bank Easements
- \$1.53M for Accelerated Prairie Restoration and Enhancement – Phase VI
- \$1.05M for Protecting Pinelands Sands Aquifer Forest Lands
- \$950,000 for State Forest Acquisitions in the RJ Dorer Forest – Phase II
- \$1.05M for Accelerated Shallow Lakes and Wetlands Enhancement – Phase VI
- \$2.56M for Aquatic Habitat – Phase VI
- \$2.29M for St. Louis River Restoration Initiative – Phase II
- \$4.55M for Conservation Partners Legacy Grant Program – Phase VI
- \$4.00M for Conservation Partners Legacy Metro Grant Program
- \$150,000 for Contract Management
- \$100,000 for Technical Evaluation Panel
- \$50,000 for High-Priority Pre-Transaction Service Acceleration for Lessard-Sams Outdoor Heritage Council
- \$62.690M of pass-through grants for other OHF recipients

Article 2: Parks and Trails Fund

Changes last year's appropriation to the Metropolitan Council for Carver County to allow for an alternate project.

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Environmental organizations such as Minnesota Center for Environmental Advocacy, Conservation Minnesota, Minnesota Environmental Partnership and other stakeholder groups, support most and for some all of the provisions within this bill.

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Minnesota Department of Natural Resources

ENVIRONMENTAL AND NATURAL RESOURCES TRUST FUND, CH. 226, HF 1874

Summary of Legislative Path:

The House bill moved through the House Environment, Natural Resources and Agriculture Finance and the Ways and Means Committees and the House floor. The Senate bill was heard in Environment and Energy and Finance Committees without controversy. Both bills represented the recommendations made by the Legislative-Citizens Commission on Minnesota Resources (LCCMR). The final bill represents the Senate's position.

Executive Summary:

This bill funds activities that protect, enhance, or restore air, water, land, fish, wildlife and other natural resources across Minnesota for the benefit of current citizens and future generations.

Appropriation amounts to DNR programs (totaling \$4.76M) are the same as the Legislative-Citizens Commission on Minnesota Resources (LCCMR) recommended.

Outcomes: \$28.97M for programs to protect, enhance, or restore air, water, land, fish, wildlife and other natural resources across Minnesota for the benefit of current citizens and future generations. This total includes \$4.6M for water resources, \$2.3M for aquatic and terrestrial invasive species, \$4.2M for foundational natural resource data and information, \$3.7M for methods to protect, restore, and enhance land, water, and habitat, \$6.9M for land acquisition for habitat and recreation, \$3.4M for air quality, climate change, and renewable energy, \$3.7M for environmental education, and \$0.2M for administration and contract agreement reimbursement.

Of these amounts, DNR is appropriated:

- \$200,000 for State Spring Inventory for Resource Management and Protection
- \$260,000 for Assessing Contaminants in Minnesota's Loons and Pelicans – Phase 2
- \$370,000 for Wild Bee Pollinator Surveys in Prairie-Grassland Habitats
- \$245,000 for Imperiled Prairie Butterfly Conservation, Research, and Breeding Program
- \$600,000 for Moose Decline and Air Temperatures in Northeastern Minnesota
- \$2.54M for Scientific and Natural Area Acquisition, Restoration, Improvement and Citizen Engagement
- \$416,000 for Diversifying Involvement in the Natural Resources Community
- \$135,000 for Contract Agreement Reimbursement

Repealers:

M.S. 116P.05, subd. 3, (Sunset), which set the LCCMR to expire on June 20, 2016, is repealed.

2014 Legislative Summary
Minnesota Department of Natural Resources

TAX BILL, CH. 308, HF3167

Summary of Legislative Path:

House Taxes to Ways and Means to Senate Finance to Taxes to Conference Committee (House conferees: Lenczewski, Davnie, Davids, Torkelson, Slocum; Senate conferees: Skoe; Rest; Dziejdzic; Koenen; Gazelka).

Executive Summary:

- **Article 1, Sec. 11**
 - Amends Minn. Stat. sec 477A.0124, to include subd. 1 the definitions, when used in this section, of (b) “Aquatic invasive species”, (c) “Watercraft trailer launch” and (d) “Watercraft trailer parking space”.
 - Subd. 2. Includes the formula for how the money appropriated to aquatic invasive species (AIS) prevention in section 11 will be distributed among the counties in Minnesota.
 - Subd. 3. Includes guidelines for how a county that receives a distribution from this section must use the proceeds. These guidelines include the requirement to adopt a plan and guidelines for the use of the proceeds and the ability to develop joint powers agreements with another political subdivision located in the county. In this subd. The counties are required to submit a copy of the guidelines to the Department of Natural Resources by December 31 of the year the payments are received.
 - Subd. 4 include guidelines for when the payment amount will be certified and how often the payment will occur in 2014 and in subsequent years.
 - Subd. 5 include the amount appropriated from the general fund to the commissioner of revenue with 4.5M appropriated in 2014 and 10M each year thereafter.
- **Article 1, Sec. 19**
 - Contains a technical change that restores a whichever is greater payment formula for wildlife management land. The payment option of \$5.133 per acre was inadvertently omitted in the 2013 amendments.
 - Adds a distribution formula for the \$300,000 appropriated for local drainage ditch assessments for state-owned land within a consolidated conservation area. The \$300,000 will be divided and distributed among the counties containing state-owned lands within a consolidated conservation area in proportion to each county’s percentage of the total ditch assessments. The 2013 amendment provided for the \$300,000 appropriation but did not include a distribution formula.
 - Requires the commissioner of natural resources to certify the acres and appraised values for calendar year 2013 wildlife management lands to the commissioner of revenue by June 15, 2014 and requires the commissioner of revenue to make any payment due by June 30, 2014
- **Article 1, Sec. 19**
 - Clarifies the information the counties must submit and how the state will receive the information needed to determine the distribution of the \$300,000 for local assessments for drainage ditches.
 - Requires the commissioner of natural resources to certify the ditch assessments for payment year 2013 by June 15, 2014 and requires the commissioner of revenue to make the payment by June 30, 2015.
 - Adds a July 15 deadline for determination of the distribution of the ditch assessments.

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- Strengthens distribution language so that townships containing land qualifying for PILT payments receive 10% of the amount received by the county for such lands. (This distribution language does not apply to wildlife management lands PILT, as those payments are distributed like a tax on the land.)
- Article 8, Sec. 6
 - Amends Minn. Stat. sec 116B.03, to include \$400,000 in fiscal year 2015 appropriated from the general fund to the commissioner of natural resources for the purpose of assisting counties in developing plans and providing training for watercraft inspectors to facilitate the implementation of article 1 section 11. This is a one-time appropriation.

Agency Impact:

- A \$71,000 corrective payment will be made in FY2014 from the general fund open appropriation for PILT.
- We estimate that the number of watercraft inspection trainings and enforcement trainings would double due to the increased efforts by LGUs.
- An increase in the number of watercraft inspectors at access sites will result in an increased need for Conservation Officers to respond to calls.
- The need for this technical assistance will increase substantially as more counties develop plans.

To provide the necessary assistance to counties to effectively implement Article 1 Section 11 AIS Prevention County Aid Program, the DNR will need additional resources. These additional resources are assumed to be less in the first fiscal year since half the proceeds will be provided in 2015. The bill appropriates additional money to the commissioner of natural resources in 2015 to account for this impact. However this is a one-time appropriation and sustainable funding will need to be developed to meet the ongoing needs of LGUs.

- The DNR currently has 37 delegation agreements with LGU's and other interested parties. The counties currently involved in the AIS prevention effort and those looking at potential development of an AIS