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HOUSE FILE NO. 4021

FIRST COMMITTEE ENGROSSMENT

March 13, 2008

Authored by Hansen

The bill was read for the first time and referred to the Committee on Finance

Referred by Chair to Environment and Natural Resources Finance Division.

March 26, 2008

Returned to the Committee on Finance as Amended.

1.1 A bill for an act

1.2 relating to environment and natural resources; appropriating money for
1.3 environment and natural resources; modifying certain fees; providing a
1.4 uniform expiration date for snowmobile registrations and trail stickers;
1.5 extending effective period of temporary permits for snowmobiles, off-highway
1.6 motorcycles, all-terrain vehicles, and watercraft; modifying temporary permit
1.7 information requirements for snowmobiles; modifying monument designation
1.8 authority; modifying state park names; modifying state park permit requirements;
1.9 modifying requirements for youth operation of all-terrain vehicles; modifying
1.10 campfire provisions; modifying requirements for alternative recording for
1.11 state forest roads; modifying public water access site acquisition authority;
1.12 modifying certain report and assessment requirements; making technical
1.13 corrections; establishing a mining administration account; establishing mining
1.14 permit administration fees; requiring conservation rate structures; prohibiting
1.15 siting of solid waste disposal facilities in certain areas; requiring rulemaking;
1.16 amending Minnesota Statutes 2006, sections 17.4988, subdivisions 2, 3;
1.17 84.788, subdivision 3; 84.82, subdivision 2, by adding a subdivision; 84.922,
1.18 subdivision 2; 84.9256, subdivision 1; 85.011; 85.012, subdivisions 28, 49a;
1.19 85.013, subdivision 1; 85.054, subdivision 3, by adding a subdivision; 86B.401,
1.20 subdivision 2; 88.15, subdivision 2; 89.715; 93.481, by adding a subdivision;
1.21 97A.055, subdivision 4b; 97A.141, subdivision 1; 103A.204; 103A.43;
1.22 103B.151, subdivision 1; 103G.291, by adding a subdivision; 103G.615,
1.23 subdivision 2; 473.1565, subdivision 3; Minnesota Statutes 2007 Supplement,
1.24 sections 84.8205, subdivision 1; 103G.291, subdivision 3; Laws 2007, chapter
1.25 57, article 1, section 4, subdivisions 3, 4, 6; proposing coding for new law in
1.26 Minnesota Statutes, chapter 115A; repealing Minnesota Statutes 2006, sections
1.27 84.961, subdivision 4; 85.013, subdivision 21b; 97A.141, subdivision 2; Laws
1.28 1989, chapter 335, article 1, section 21, subdivision 8, as amended.

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

1.30 **ARTICLE 1**

1.31 **APPROPRIATIONS**

1.32 Section 1. **SUMMARY OF APPROPRIATIONS.**

2.1 The sums shown in the columns marked "Appropriations" are added to or, if shown
 2.2 in parentheses, subtracted from the appropriations in Laws 2007, chapter 57, article 1, to
 2.3 the agencies and for the purposes specified in this article. The appropriations are from the
 2.4 general fund, or another named fund, and are available for the fiscal years indicated for
 2.5 each purpose. The figures "2008" and "2009" used in this article mean that the addition
 2.6 to or subtraction from the appropriation listed under them is available for the fiscal year
 2.7 ending June 30, 2008, or June 30, 2009, respectively. Supplemental appropriations and
 2.8 reductions to appropriations for the fiscal year ending June 30, 2008, are effective the
 2.9 day following final enactment.

		<u>2008</u>		<u>2009</u>		<u>Total</u>
2.10						
2.11	<u>General</u>	\$	<u>-0-</u>	\$	<u>(3,348,000)</u>	\$ <u>(3,348,000)</u>
2.12	<u>Environmental</u>		<u>-0-</u>		<u>134,000</u>	<u>134,000</u>
2.13	<u>Natural Resources</u>		<u>-0-</u>		<u>882,000</u>	<u>882,000</u>
2.14	<u>Game and Fish</u>		<u>144,000</u>		<u>767,000</u>	<u>911,000</u>
2.15	<u>Total</u>	<u>\$</u>	<u>144,000</u>	<u>\$</u>	<u>(1,565,000)</u>	<u>(1,421,000)</u>

2.16 **APPROPRIATIONS**
 2.17 **Available for the Year**
 2.18 **Ending June 30**
 2.19 **2008** **2009**

2.20	Sec. 2. <u>POLLUTION CONTROL AGENCY</u>	<u>\$</u>		<u>-0-</u>	<u>(469,000)</u>
2.21	<u>Appropriations by Fund</u>				
2.22	<u>General</u>		<u>-0-</u>	<u>(603,000)</u>	
2.23	<u>Environmental Fund</u>		<u>-0-</u>	<u>134,000</u>	

2.24 \$623,000 is a reduction in fiscal year 2009.
 2.25 The commissioner shall make the reduction
 2.26 to administrative activities in such a way to
 2.27 minimize the effect to program operations.
 2.28 \$134,000 in fiscal year 2009 is appropriated
 2.29 from the environmental fund for the
 2.30 development and adoption of rules to
 2.31 regulate emission standards of motor
 2.32 vehicles sold in this state as authorized under
 2.33 the federal Clean Air Act, United States
 2.34 Code, title 42, section 7507. The base for
 2.35 fiscal year 2010 is \$114,000.

3.1 \$20,000 in fiscal year 2009 is appropriated
3.2 from the general fund for the following
3.3 purposes:
3.4 (1) the development of recommendations
3.5 for establishing a comprehensive product
3.6 stewardship approach to reducing
3.7 environmental and health risks posed by
3.8 the use or disposal of products. These
3.9 recommendations shall be submitted to
3.10 the chairs and ranking minority members
3.11 of the senate and house committees with
3.12 jurisdiction over environmental policy
3.13 and environmental finance by January
3.14 15, 2009. The recommendations shall
3.15 include, at a minimum: a set of criteria to
3.16 be used to evaluate products proposed for
3.17 product stewardship solutions; a process for
3.18 designating products for product stewardship
3.19 solutions and the role the legislature would
3.20 play in that process; typical components
3.21 of product stewardship plans; options to
3.22 facilitate the creation of industry-managed
3.23 stewardship management organizations;
3.24 methods to identify and monitor progress
3.25 toward stewardship performance goals for
3.26 specific products; and strategies to implement
3.27 the use of standards, certifications, and
3.28 eco-labels to promote environmentally
3.29 preferable products. To the extent possible,
3.30 the recommendations must be consistent
3.31 with existing product stewardship programs
3.32 in North America. In developing the
3.33 recommendations, the commissioner must
3.34 consult with manufacturers, retailers,
3.35 recyclers, environmental advocacy

4.1 organizations, local units of government, and
4.2 other interested parties;

4.3 (2) a report to be submitted by December
4.4 1, 2008, to the chairs and ranking minority
4.5 members of the senate and house committees
4.6 with primary jurisdiction over solid waste
4.7 policy, analyzing the availability of collection
4.8 and processing capacity in the seven-county
4.9 metropolitan area for the recycling of
4.10 construction and demolition waste. The
4.11 report must recommend a percentage of the
4.12 total weight of construction and demolition
4.13 waste generated in the seven-county
4.14 metropolitan area that represents an
4.15 achievable but aggressive recycling goal that
4.16 can be reached in 2012 and must include an
4.17 analysis of the economic and environmental
4.18 costs and benefits of reaching that goal; and

4.19 (3) a report to be submitted by January 1,
4.20 2009, to the chairs and ranking minority
4.21 members of the senate and house committees
4.22 with primary jurisdiction over solid waste
4.23 policy, that recommends options for
4.24 achieving the following goals by 2020: an
4.25 increase in county recycling rates to 60
4.26 percent of the weight of total solid waste
4.27 generation; and the diversion, prior to
4.28 delivery to landfills and waste-to-energy
4.29 plants, and recycling and reuse of an amount
4.30 of source-separated compostable materials
4.31 equal to 15 percent of total solid waste
4.32 generation. The commissioner must obtain
4.33 input from counties inside and outside the
4.34 seven-county metropolitan area, recycling
4.35 and composting facilities, waste haulers,
4.36 environmental organizations, and other

5.1 interested parties in preparing the report.
 5.2 The report must also contain estimates of
 5.3 the economic costs of implementing the
 5.4 strategies.
 5.5 \$750,000 of the appropriation under Laws
 5.6 2007, chapter 57, article 1, section 3, from
 5.7 the environmental fund in fiscal year 2009
 5.8 for regulatory services to the ethanol and
 5.9 mining industries is contingent upon the
 5.10 agency recovering in fees \$750,000 for these
 5.11 services by January 1, 2009.

5.12 **Sec. 3. NATURAL RESOURCES**

5.13	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>144,000</u>	<u>\$</u>	<u>(778,000)</u>
5.14	<u>Appropriations by Fund</u>				
5.15	<u>General</u>	<u>-0-</u>	<u>(2,265,000)</u>		
5.16	<u>Natural Resources</u>	<u>-0-</u>	<u>720,000</u>		
5.17	<u>Game and Fish</u>	<u>144,000</u>	<u>767,000</u>		

5.18 The amounts reduced from the appropriations
 5.19 in Laws 2007, chapter 57, article 1, section 4,
 5.20 are specified in the following subdivisions.

5.21	<u>Subd. 2. Lands and Minerals</u>		<u>-0-</u>		<u>(225,000)</u>
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5.22 \$425,000 in fiscal year 2009 is a reduction in
 5.23 the lands and minerals budget. This is a base
 5.24 reduction.

5.25 \$124,000 of this reduction is from the
 5.26 appropriation for iron ore cooperative
 5.27 agreements.

5.28 \$200,000 in fiscal year 2009 is appropriated
 5.29 from the natural resources fund for the
 5.30 administration and monitoring of permits
 5.31 to mine ferrous metals under Minnesota
 5.32 Statutes, section 93.481. By January 15,
 5.33 2009, the commissioner shall report to the
 5.34 legislature and the chairs of the senate and

6.1	<u>house committees with jurisdiction over</u>		
6.2	<u>environment and natural resources finance</u>		
6.3	<u>on the establishment of a permit to mine</u>		
6.4	<u>application fee schedule that is based on</u>		
6.5	<u>the actual costs of issuing and monitoring</u>		
6.6	<u>individual permits and any necessary</u>		
6.7	<u>legislation needed to cover the costs of</u>		
6.8	<u>issuing and monitoring the permits for the</u>		
6.9	<u>next biennium.</u>		
6.10	<u>Subd. 3. Water Resource Management</u>	<u>-0-</u>	<u>(253,000)</u>
6.11	<u>\$38,000 is a reduction in fiscal year 2009</u>		
6.12	<u>attributable to the modification of reporting</u>		
6.13	<u>requirements under Minnesota Statutes,</u>		
6.14	<u>section 103A.43.</u>		
6.15	<u>Subd. 4. Forest Management</u>	<u>-0-</u>	<u>250,000</u>
6.16	<u>\$53,000 in fiscal year 2009 is for a grant to the</u>		
6.17	<u>Forest Resources Council to conduct a study</u>		
6.18	<u>of options and make recommendations to the</u>		
6.19	<u>legislature for addressing the fragmentation</u>		
6.20	<u>and parcelization of large blocks of private</u>		
6.21	<u>forest land in the state. This is a onetime</u>		
6.22	<u>appropriation.</u>		
6.23	<u>\$197,000 in fiscal year 2009 is for a grant</u>		
6.24	<u>to the University of Minnesota for the</u>		
6.25	<u>Interagency Information Cooperative to</u>		
6.26	<u>develop a common forest inventory format</u>		
6.27	<u>describing key attributes of Minnesota's</u>		
6.28	<u>public forest land base, growth models for</u>		
6.29	<u>managed forest stands, a forest wildlife</u>		
6.30	<u>habitat model format, and an information</u>		
6.31	<u>database on the state's family forest</u>		
6.32	<u>ownership.</u>		
6.33	<u>Subd. 5. Parks and Recreation Management</u>	<u>-0-</u>	<u>-0-</u>

7.1 \$220,000 is a reduction in fiscal year 2009 in
 7.2 the parks and recreation management budget.

7.3 Beginning in 2009, \$220,000 each year is
 7.4 from the state park account in the natural
 7.5 resources fund to fund state park operations,
 7.6 maintenance, resource management,
 7.7 educational services, and associated support
 7.8 costs.

7.9 **Subd. 6. Trails and Waterways Management** -0- 300,000

7.10 Beginning in 2009, \$300,000 each year is
 7.11 from the all-terrain vehicle account in the
 7.12 natural resources fund for monitoring and
 7.13 maintenance of newly designated trails.

7.14 **Subd. 7. Fish and Wildlife Management** 144,000 140,000

7.15 \$427,000 is a reduction in fiscal year 2009 in
 7.16 the fish and wildlife program. The base for
 7.17 this appropriation in fiscal years 2010 and
 7.18 2011 is reduced by \$539,000 each year.

7.19 \$200,000 is a reduction in fiscal year 2009
 7.20 from the appropriation for prairie wetland
 7.21 complexes. \$200,000 is appropriated from
 7.22 the game and fish fund in fiscal year 2009 for
 7.23 prairie wetland complexes.

7.24 \$123,000 in fiscal year 2008 and \$246,000
 7.25 each year thereafter is from the game and fish
 7.26 fund to implement fish virus surveillance,
 7.27 prepare infrastructure to handle possible
 7.28 outbreaks, and implement control procedures
 7.29 for highest risk waters and fish production
 7.30 operations.

7.31 \$21,000 in fiscal year 2009 is from the game
 7.32 and fish fund and is added to the base for the
 7.33 aquatic farm permitting program.

8.1 \$300,000 in fiscal year 2009 is from the
 8.2 game and fish fund to study, predesign,
 8.3 and design shooting sports facilities at the
 8.4 Vermillion Highlands Wildlife Management
 8.5 Area authorized by Laws 2007, chapter 57,
 8.6 article 1, section 168.

8.7 **Subd. 8. Ecological Services** -0- (230,000)

8.8 \$230,000 in fiscal year 2009 is a reduction
 8.9 from the appropriation for impaired waters.

8.10 The project wild program base is reduced for
 8.11 fiscal years 2010 and 2011 by \$20,000.

8.12 By June 30, 2008, \$594,000 shall be
 8.13 transferred from the water recreation account
 8.14 in the natural resources fund to the invasive
 8.15 species account in the natural resources fund
 8.16 for invasive species-related expenses.

8.17 **Subd. 9. Enforcement** -0- (160,000)

8.18 \$160,000 is a reduction in fiscal year 2009 in
 8.19 the enforcement budget.

8.20 **Subd. 10. Operations Support** -0- (600,000)

8.21 \$600,000 is a reduction to the department's
 8.22 administration costs in fiscal year 2009. The
 8.23 commissioner shall make these reductions
 8.24 throughout the agency through reduction
 8.25 in travel, administrative costs, and vacancy
 8.26 management.

8.27 **Sec. 4. BOARD OF WATER AND SOIL**
 8.28 **RESOURCES** \$ -0- \$ (318,000)

8.29 \$550,000 is a reduction in fiscal year 2009
 8.30 from the appropriation for cost-sharing
 8.31 contracts to establish native buffers.

10.1 fund under Minnesota Statutes, section
 10.2 297A.94, paragraph (e), clause (3).

10.3 Sec. 6. Laws 2007, chapter 57, article 1, section 4, subdivision 3, is amended to read:

10.4 **Subd. 3. Water Resources Management** 15,051,000 12,522,000

10.5	Appropriations by Fund		
10.6	General	14,771,000	12,242,000
10.7	Natural Resources	280,000	280,000

10.8 \$310,000 the first year and ~~\$310,000~~

10.9 \$280,000 the second year are for grants

10.10 associated with the implementation of the

10.11 Red River mediation agreement.

10.12 ~~\$65,000 the first year and \$65,000 the second~~

10.13 ~~year are~~ is for a grant to the Mississippi

10.14 Headwaters Board for up to 50 percent of

10.15 the cost of implementing the comprehensive

10.16 plan for the upper Mississippi within areas

10.17 under its jurisdiction. This is a onetime

10.18 appropriation.

10.19 \$5,000 the first year and \$5,000 the second

10.20 year are for payment to the Leech Lake Band

10.21 of Chippewa Indians to implement its portion

10.22 of the comprehensive plan for the upper

10.23 Mississippi.

10.24 \$200,000 the first year and ~~\$200,000~~

10.25 \$178,000 the second year are for the

10.26 construction of ring dikes under Minnesota

10.27 Statutes, section 103F.161. The ring dikes

10.28 may be publicly or privately owned. If the

10.29 appropriation in either year is insufficient, the

10.30 appropriation in the other year is available

10.31 for it. The base appropriation for fiscal year

10.32 2010 and later is ~~\$125,000~~ \$105,000.

10.33 ~~\$2,250,000~~ \$2,152,000 the first year is

10.34 to support the identification of impaired

11.1 waters and develop plans to address those
 11.2 impairments, as required by the federal Clean
 11.3 Water Act, in accordance with Minnesota
 11.4 Statutes, chapter 114D. This is a onetime
 11.5 appropriation.

11.6 By January 15, 2008, the commissioner shall
 11.7 commence rulemaking under Minnesota
 11.8 Statutes, chapter 14, to update the minimum
 11.9 shoreland standards in Minnesota Rules,
 11.10 chapter 6120.

11.11 \$60,000 the first year is a onetime
 11.12 appropriation to the commissioner of natural
 11.13 resources to conduct a feasibility study
 11.14 in conjunction with U.S. Army Corps of
 11.15 Engineers on the foundation and hydraulics
 11.16 of the Rapidan Dam in Blue Earth County.
 11.17 This appropriation must be equally matched
 11.18 by Blue Earth County, and is available until
 11.19 expended.

11.20 \$500,000 in fiscal year 2008 is for addressing
 11.21 surface and groundwater issues related to
 11.22 the development and expansion of ethanol
 11.23 production.

11.24 Sec. 7. Laws 2007, chapter 57, article 1, section 4, subdivision 4, is amended to read:

11.25 Subd. 4. **Forest Management** 44,495,000 43,393,000

11.26	Appropriations by Fund		
11.27	General	24,755,000	24,836,000
11.28	Natural Resources	19,483,000	18,293,000
11.29	Game and Fish	257,000	264,000

11.30 \$7,217,000 the first year and \$7,217,000
 11.31 the second year are for prevention,
 11.32 presuppression, and suppression costs of
 11.33 emergency firefighting and other costs
 11.34 incurred under Minnesota Statutes, section

12.1 88.12. If the appropriation for either
12.2 year is insufficient to cover all costs of
12.3 presuppression and suppression, the amount
12.4 necessary to pay for these costs during the
12.5 biennium is appropriated from the general
12.6 fund.

12.7 By November 15 of each year, the
12.8 commissioner of natural resources shall
12.9 submit a report to the chairs of the house
12.10 and senate committees and divisions having
12.11 jurisdiction over environment and natural
12.12 resources finance, identifying all firefighting
12.13 costs incurred and reimbursements received
12.14 in the prior fiscal year. These appropriations
12.15 may not be transferred. Any reimbursement
12.16 of firefighting expenditures made to the
12.17 commissioner from any source other than
12.18 federal mobilizations shall be deposited into
12.19 the general fund.

12.20 \$17,983,000 the first year and \$18,293,000
12.21 the second year are from the forest
12.22 management investment account in the
12.23 natural resources fund for only the purposes
12.24 specified in Minnesota Statutes, section
12.25 89.039, subdivision 2.

12.26 Of this amount:

12.27 (1) \$750,000 each year is for additional staff
12.28 to enhance timber sales;

12.29 (2) \$1,000,000 each year is for forest
12.30 improvements;

12.31 (3) \$1,100,000 each year is for forest road
12.32 maintenance;

12.33 (4) \$600,000 each year is for the ecological
12.34 classification system on state forest lands;

- 13.1 (5) \$350,000 each year is for the prevention
13.2 of invasive species on state forest lands; and
- 13.3 (6) \$400,000 each year is for the re-inventory
13.4 of state forest lands.
- 13.5 Money for forest road maintenance is
13.6 onetime.
- 13.7 \$780,000 the first year and \$780,000 the
13.8 second year are for the Forest Resources
13.9 Council for implementation of the
13.10 Sustainable Forest Resources Act.
- 13.11 \$40,000 the first year is for the Forest
13.12 Resources Council to provide a grant to
13.13 the University of Minnesota to prepare a
13.14 statewide plan to address the fragmentation
13.15 and parcelization of large blocks of forest
13.16 land in the state.
- 13.17 \$200,000 in fiscal year 2008 is for a grant
13.18 to the Forest Resources Research Advisory
13.19 Committee to provide direction on research
13.20 topics recommended by the governor's task
13.21 force on the competitiveness of Minnesota's
13.22 primary forest products industry.
- 13.23 \$350,000 the first year and \$350,000 the
13.24 second year are for the FORIST timber
13.25 management information system, other
13.26 information systems, and for increased
13.27 forestry management. The amount in the
13.28 second year is also available in the first year.
- 13.29 \$257,000 the first year and \$264,000 the
13.30 second year are from the game and fish
13.31 fund to implement ecological classification
13.32 systems (ECS) standards on forested
13.33 landscapes. This appropriation is from
13.34 revenue deposited in the game and fish fund

14.1 under Minnesota Statutes, section 297A.94,
14.2 paragraph (e), clause (1).
14.3 \$110,000 the first year is to develop and
14.4 implement a statewide information and
14.5 education campaign regarding the statewide
14.6 ban on the transport, storage, or use of
14.7 nonapproved firewood on state-administered
14.8 lands.
14.9 \$1,500,000 the first year is from the forest
14.10 management investment account in the
14.11 natural resources fund for the purposes of
14.12 section 158. This is a onetime appropriation.
14.13 \$75,000 the first year is to the Forest
14.14 Resources Council for a task force on
14.15 forest protection and \$75,000 the second
14.16 year is appropriated to the commissioner
14.17 for grants to cities, counties, townships,
14.18 special recreation areas, and park and
14.19 recreation boards in cities of the first class
14.20 for the identification, removal, disposal, and
14.21 replacement of dead or dying shade trees
14.22 lost to forest pests or disease. For purposes
14.23 of this section, "shade tree" means a woody
14.24 perennial grown primarily for aesthetic or
14.25 environmental purposes with minimal to
14.26 residual timber value. The commissioner
14.27 shall consult with municipalities; park and
14.28 recreation boards in cities of the first class;
14.29 nonprofit organizations; and other interested
14.30 parties in developing eligibility criteria. *
14.31 (The preceding text beginning "\$75,000 the
14.32 first year" was indicated as vetoed by the
14.33 governor.)
14.34 \$200,000 in fiscal year 2008 is for a grant
14.35 to the Natural Resources Research Institute

15.1 for silvicultural research to improve the
 15.2 quality and quantity of timber fiber. The
 15.3 appropriation must be matched in the amount
 15.4 of \$200,000 in cash or in-kind contributions
 15.5 from the forest products industry members of
 15.6 the Minnesota Forest Productivity Research
 15.7 Cooperative.

15.8 \$1,000,000 the first year and \$1,000,000
 15.9 the second year are to support additional
 15.10 ~~technical and cost-share assistance to~~
 15.11 ~~nonindustrial private forest (NIPF)~~
 15.12 ~~landowners~~ forest management activities.

15.13 The base appropriation in fiscal year 2010
 15.14 and later is \$500,000.

15.15 \$200,000 the first year and \$200,000 the
 15.16 second year are to ~~address escalating~~
 15.17 ~~land asset management demands, such as~~
 15.18 ~~boundary disputes, access easements, and~~
 15.19 ~~sale, exchange, and acquisition of forest~~
 15.20 ~~lands~~ support additional forest management
 15.21 activities.

15.22 Sec. 8. Laws 2007, chapter 57, article 1, section 4, subdivision 6, is amended to read:

15.23 Subd. 6. **Trails and Waterways Management** 30,257,000 30,492,000

15.24 Appropriations by Fund

15.25 General	2,538,000	2,568,000
15.26 Natural Resources	25,600,000	25,730,000
15.27 Game and Fish	2,119,000	2,194,000

15.28 \$8,424,000 the first year and \$8,424,000
 15.29 the second year are from the snowmobile
 15.30 trails and enforcement account in the natural
 15.31 resources fund for snowmobile grants-in-aid.
 15.32 The additional money under this item may
 15.33 be used for new grant-in-aid trails. Any
 15.34 unencumbered balance does not cancel at the

16.1 end of the first year and is available for the
16.2 second year.

16.3 \$1,175,000 the first year and \$1,325,000 the
16.4 second year are from the natural resources
16.5 fund for off-highway vehicle grants-in-aid.
16.6 Of this amount, \$825,000 the first year and
16.7 \$1,075,000 the second year are from the
16.8 all-terrain vehicle account; \$150,000 each
16.9 year is from the off-highway motorcycle
16.10 account; and \$200,000 the first year and
16.11 \$100,000 the second year are from the
16.12 off-road vehicle account. Any unencumbered
16.13 balance does not cancel at the end of the first
16.14 year and is available for the second year.

16.15 \$261,000 the first year and \$261,000 the
16.16 second year are from the water recreation
16.17 account in the natural resources fund for a
16.18 safe harbor program on Lake Superior.

16.19 \$742,000 the first year and \$760,000
16.20 the second year are from the natural
16.21 resources fund for state trail operations
16.22 and maintenance. The money may be used
16.23 for trail maintenance, signage, mapping,
16.24 interpretation, native prairie restoration
16.25 using best management practices, and
16.26 maintenance of nonmotorized forest trails.
16.27 This appropriation is from the revenue
16.28 deposited in the natural resources fund
16.29 under Minnesota Statutes, section 297A.94,
16.30 paragraph (e), clause (2).

16.31 \$655,000 the first year and \$655,000 the
16.32 second year are from the natural resources
16.33 fund for trail grants to local units of
16.34 government on land to be maintained for
16.35 at least 20 years for the purposes of the

17.1 grant. This appropriation is from the revenue
17.2 deposited in the natural resources fund
17.3 under Minnesota Statutes, section 297A.94,
17.4 paragraph (e), clause (4). Any unencumbered
17.5 balance does not cancel at the end of the
17.6 first year and is available for the second
17.7 year. In addition, if a project financed under
17.8 this program receives a federal grant award,
17.9 the availability of the financing from this
17.10 paragraph for that project is extended to
17.11 equal the period of the federal grant.

17.12 \$150,000 the first year and \$150,000 the
17.13 second year are from the all-terrain vehicle
17.14 account for two all-terrain vehicle trail
17.15 specialists to assist and consult with on
17.16 all-terrain vehicle grant-in-aid education and
17.17 training for sustainable trail development and
17.18 maintenance, as well as providing training
17.19 for public and private sector trail monitoring.
17.20 The specialists may assist in the evaluation
17.21 of grant-in-aid trail proposals, but not in the
17.22 promotion of new trails.

17.23 \$1,965,000 the first year and \$2,040,000
17.24 the second year are from the game and fish
17.25 fund for expenditures on water access sites
17.26 according to the requirements of the federal
17.27 sport and fish restoration program.

17.28 Money appropriated under Laws 2005, First
17.29 Special Session chapter 1, article 2, section
17.30 11, subdivision 6, paragraph (h), for the Paul
17.31 Bunyan State Trail connection is available
17.32 until June 30, 2008.

17.33 \$400,000 each year is for operation and
17.34 maintenance of nonmotorized trails within
17.35 state forests. This is a onetime appropriation.

18.1 \$75,000 each year is for additional wild and
18.2 scenic rivers program activities.

18.3 \$120,000 the first year is from the
18.4 water recreation account in the natural
18.5 resources fund to cooperate with local
18.6 units of government in marking routes and
18.7 designating river accesses and campsites
18.8 under Minnesota Statutes, section 85.32.

18.9 This is a onetime appropriation and available
18.10 until spent.

18.11 The appropriation in Laws 2005, First
18.12 Special Session chapter 1, article 2, section
18.13 3, subdivision 6, from the lottery in lieu
18.14 account in the natural resources fund for
18.15 trail grants to local units of government, is
18.16 available until June 30, 2009.

18.17 ARTICLE 2

18.18 ENVIRONMENT AND NATURAL RESOURCES POLICY

18.19 Section 1. Minnesota Statutes 2006, section 17.4988, subdivision 2, is amended to read:

18.20 Subd. 2. **Aquatic farming license.** (a) The annual fee for an aquatic farming license
18.21 is \$210 for the base license. The commissioner must establish an additional fee based
18.22 on the acreage of the operation.

18.23 (b) The aquatic farming license may contain endorsements for the rights and
18.24 privileges of the following licenses under the game and fish laws. The endorsement must
18.25 be made upon payment of the license fee prescribed in section 97A.475 for the following
18.26 licenses:

18.27 (1) minnow dealer license;

18.28 (2) minnow retailer license for sale of minnows as bait;

18.29 (3) minnow exporting license;

18.30 (4) aquatic farm vehicle endorsement, which includes a minnow dealer vehicle
18.31 license, a minnow retailer vehicle license, an exporting minnow vehicle license, and a
18.32 fish vendor license;

18.33 (5) sucker egg taking license; and

18.34 (6) game fish packers license.

19.1 Sec. 2. Minnesota Statutes 2006, section 17.4988, subdivision 3, is amended to read:

19.2 Subd. 3. **Inspection fees.** ~~The fees for the following inspections are:~~ The
19.3 commissioner may, by written order published in the State Register, establish fees for
19.4 the services listed in clauses (1) to (3). The fees must be set in an amount that does not
19.5 recover significantly more or less than the cost of providing the service. The fees are not
19.6 subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The
19.7 services covered under this provision include:

19.8 (1) initial inspection of each water to be licensed, ~~\$50~~;

19.9 (2) fish health inspection and certification, ~~\$60 plus \$150 per lot thereafter~~ including
19.10 initial tissue sample collection, basic fish health assessment, viral pathogen testing, and
19.11 bacteriological testing; and

19.12 (3) initial inspection for containment and quarantine facility inspections, ~~\$100~~.

19.13 Sec. 3. Minnesota Statutes 2006, section 84.788, subdivision 3, is amended to read:

19.14 Subd. 3. **Application; issuance; reports.** (a) Application for registration or
19.15 continued registration must be made to the commissioner or an authorized deputy registrar
19.16 of motor vehicles in a form prescribed by the commissioner. The form must state the name
19.17 and address of every owner of the off-highway motorcycle.

19.18 (b) A person who purchases from a retail dealer an off-highway motorcycle shall
19.19 make application for registration to the dealer at the point of sale. The dealer shall issue a
19.20 dealer temporary ~~ten-day~~ 21-day registration permit to each purchaser who applies to the
19.21 dealer for registration. The dealer shall submit the completed registration applications and
19.22 fees to the deputy registrar at least once each week. No fee may be charged by a dealer to
19.23 a purchaser for providing the temporary permit.

19.24 (c) Upon receipt of the application and the appropriate fee, the commissioner
19.25 or deputy registrar shall issue to the applicant, or provide to the dealer, an assigned
19.26 registration number or a commissioner or deputy registrar temporary ~~ten-day~~ 21-day
19.27 permit. Once issued, the registration number must be affixed to the motorcycle according
19.28 to paragraph (f). A dealer subject to paragraph (b) shall provide the registration materials
19.29 or temporary permit to the purchaser within the ~~ten-day~~ 21-day temporary permit period.

19.30 (d) The commissioner shall develop a registration system to register vehicles under
19.31 this section. A deputy registrar of motor vehicles acting under section 168.33, is also a
19.32 deputy registrar of off-highway motorcycles. The commissioner of natural resources
19.33 in agreement with the commissioner of public safety may prescribe the accounting
19.34 and procedural requirements necessary to ensure efficient handling of registrations

20.1 and registration fees. Deputy registrars shall strictly comply with the accounting and
20.2 procedural requirements.

20.3 (e) In addition to other fees prescribed by law, a filing fee of \$4.50 is charged for
20.4 each off-highway motorcycle registration renewal, duplicate or replacement registration
20.5 card, and replacement decal and a filing fee of \$7 is charged for each off-highway
20.6 motorcycle registration and registration transfer issued by:

20.7 (1) a deputy registrar and must be deposited in the treasury of the jurisdiction where
20.8 the deputy is appointed, or kept if the deputy is not a public official; or

20.9 (2) the commissioner and must be deposited in the state treasury and credited to the
20.10 off-highway motorcycle account.

20.11 (f) Unless exempted in paragraph (g), the owner of an off-highway motorcycle must
20.12 display a registration decal issued by the commissioner. If the motorcycle is licensed as
20.13 a motor vehicle, a registration decal must be affixed on the upper left corner of the rear
20.14 license plate. If the motorcycle is not licensed as a motor vehicle, the decal must be
20.15 attached on the side of the motorcycle and may be attached to the fork tube. The decal
20.16 must be attached in a manner so that it is visible while a rider is on the motorcycle. The
20.17 issued decals must be of a size to work within the constraints of the electronic licensing
20.18 system, not to exceed three inches high and three inches wide.

20.19 (g) Display of a registration decal is not required for an off-highway motorcycle:

20.20 (1) while being operated on private property; or

20.21 (2) while competing in a closed-course competition event.

20.22 Sec. 4. Minnesota Statutes 2006, section 84.82, subdivision 2, is amended to read:

20.23 Subd. 2. **Application, issuance, reports, additional fee.** (a) Application for
20.24 registration or reregistration shall be made to the commissioner or an authorized deputy
20.25 registrar of motor vehicles in a format prescribed by the commissioner and shall state the
20.26 legal name and address of every owner of the snowmobile.

20.27 (b) A person who purchases a snowmobile from a retail dealer shall make
20.28 application for registration to the dealer at the point of sale. The dealer shall issue a dealer
20.29 temporary ~~ten-day~~ 21-day registration permit to each purchaser who applies to the dealer
20.30 for registration. The temporary permit must contain the dealer's identification number and
20.31 phone number. Each retail dealer shall submit completed registration and fees to the
20.32 deputy registrar at least once a week. No fee may be charged by a dealer to a purchaser for
20.33 providing the temporary permit.

20.34 (c) Upon receipt of the application and the appropriate fee as hereinafter provided,
20.35 the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer,

21.1 an assigned registration number or a commissioner or deputy registrar temporary ~~ten-day~~
21.2 21-day permit. Once issued, the registration number must be affixed to the snowmobile in
21.3 a clearly visible and permanent manner for enforcement purposes as the commissioner
21.4 of natural resources shall prescribe. A dealer subject to paragraph (b) shall provide the
21.5 registration materials or temporary permit to the purchaser within the temporary ~~ten-day~~
21.6 21-day permit period. The registration is not valid unless signed by at least one owner.
21.7 The temporary permit must indicate whether a snowmobile state trail sticker under section
21.8 84.8205 was purchased.

21.9 (d) Each deputy registrar of motor vehicles acting pursuant to section 168.33, shall
21.10 also be a deputy registrar of snowmobiles. The commissioner of natural resources in
21.11 agreement with the commissioner of public safety may prescribe the accounting and
21.12 procedural requirements necessary to assure efficient handling of registrations and
21.13 registration fees. Deputy registrars shall strictly comply with these accounting and
21.14 procedural requirements.

21.15 (e) A fee of \$2 in addition to that otherwise prescribed by law shall be charged for:

21.16 (1) each snowmobile registered by the registrar or a deputy registrar and the
21.17 additional fee shall be disposed of in the manner provided in section 168.33, subdivision
21.18 2; or

21.19 (2) each snowmobile registered by the commissioner and the additional fee shall
21.20 be deposited in the state treasury and credited to the snowmobile trails and enforcement
21.21 account in the natural resources fund.

21.22 Sec. 5. Minnesota Statutes 2006, section 84.82, is amended by adding a subdivision to
21.23 read:

21.24 Subd. 3a. **Expiration.** All snowmobile registrations, excluding temporary
21.25 registration permits, required under this section expire June 30 of the year of expiration.

21.26 Sec. 6. Minnesota Statutes 2007 Supplement, section 84.8205, subdivision 1, is
21.27 amended to read:

21.28 Subdivision 1. **Sticker required; fee.** (a) Except as provided in paragraph (b), a
21.29 person may not operate a snowmobile on a state or grant-in-aid snowmobile trail unless a
21.30 snowmobile state trail sticker is affixed to the snowmobile. The commissioner of natural
21.31 resources shall issue a sticker upon application and payment of a \$15 fee. The fee for a
21.32 three-year snowmobile state trail sticker that is purchased at the time of snowmobile
21.33 registration is \$30. In addition to other penalties prescribed by law, a person in violation
21.34 of this subdivision must purchase an annual state trail sticker for a fee of \$30. The sticker

22.1 is valid from November 1 through ~~April~~ June 30. Fees collected under this section, except
22.2 for the issuing fee for licensing agents, shall be deposited in the state treasury and credited
22.3 to the snowmobile trails and enforcement account in the natural resources fund and,
22.4 except for the electronic licensing system commission established by the commissioner
22.5 under section 84.027, subdivision 15, must be used for grants-in-aid, trail maintenance,
22.6 grooming, and easement acquisition.

22.7 (b) A state trail sticker is not required under this section for:

22.8 (1) a snowmobile owned by the state or a political subdivision of the state that is
22.9 registered under section 84.82, subdivision 5;

22.10 (2) a snowmobile that is owned and used by the United States, another state, or
22.11 a political subdivision thereof that is exempt from registration under section 84.82,
22.12 subdivision 6;

22.13 (3) a collector snowmobile that is operated as provided in a special permit issued for
22.14 the collector snowmobile under section 84.82, subdivision 7a;

22.15 (4) a person operating a snowmobile only on the portion of a trail that is owned by
22.16 the person or the person's spouse, child, or parent; or

22.17 (5) a snowmobile while being used to groom a state or grant-in-aid trail.

22.18 (c) A temporary registration permit issued by a dealer under section 84.82,
22.19 subdivision 2, may include a snowmobile state trail sticker if the trail sticker fee is
22.20 included with the registration application fee.

22.21 Sec. 7. Minnesota Statutes 2006, section 84.922, subdivision 2, is amended to read:

22.22 Subd. 2. **Application, issuance, reports.** (a) Application for registration or
22.23 continued registration shall be made to the commissioner or an authorized deputy registrar
22.24 of motor vehicles in a form prescribed by the commissioner. The form must state the name
22.25 and address of every owner of the vehicle.

22.26 (b) A person who purchases an all-terrain vehicle from a retail dealer shall make
22.27 application for registration to the dealer at the point of sale. The dealer shall issue a dealer
22.28 temporary ~~ten-day~~ 21-day registration permit to each purchaser who applies to the dealer
22.29 for registration. The dealer shall submit the completed registration application and fees
22.30 to the deputy registrar at least once each week. No fee may be charged by a dealer to a
22.31 purchaser for providing the temporary permit.

22.32 (c) Upon receipt of the application and the appropriate fee, the commissioner
22.33 or deputy registrar shall issue to the applicant, or provide to the dealer, an assigned
22.34 registration number or a commissioner or deputy registrar temporary ~~ten-day~~ 21-day
22.35 permit. Once issued, the registration number must be affixed to the vehicle in a manner

23.1 prescribed by the commissioner. A dealer subject to paragraph (b) shall provide the
23.2 registration materials or temporary permit to the purchaser within the ~~ten-day~~ 21-day
23.3 temporary permit period. The commissioner shall use the snowmobile registration system
23.4 to register vehicles under this section.

23.5 (d) Each deputy registrar of motor vehicles acting under section 168.33, is also
23.6 a deputy registrar of all-terrain vehicles. The commissioner of natural resources in
23.7 agreement with the commissioner of public safety may prescribe the accounting and
23.8 procedural requirements necessary to assure efficient handling of registrations and
23.9 registration fees. Deputy registrars shall strictly comply with the accounting and
23.10 procedural requirements.

23.11 (e) In addition to other fees prescribed by law, a filing fee of \$4.50 is charged
23.12 for each all-terrain vehicle registration renewal, duplicate or replacement registration
23.13 card, and replacement decal and a filing fee of \$7 is charged for each all-terrain vehicle
23.14 registration and registration transfer issued by:

23.15 (1) a deputy registrar and shall be deposited in the treasury of the jurisdiction where
23.16 the deputy is appointed, or retained if the deputy is not a public official; or

23.17 (2) the commissioner and shall be deposited to the state treasury and credited to the
23.18 all-terrain vehicle account in the natural resources fund.

23.19 Sec. 8. Minnesota Statutes 2006, section 84.9256, subdivision 1, is amended to read:

23.20 Subdivision 1. **Prohibitions on youthful operators.** (a) Except for operation on
23.21 public road rights-of-way that is permitted under section 84.928, a driver's license issued
23.22 by the state or another state is required to operate an all-terrain vehicle along or on a
23.23 public road right-of-way.

23.24 (b) A person under 12 years of age shall not:

23.25 (1) make a direct crossing of a public road right-of-way;

23.26 (2) operate an all-terrain vehicle on a public road right-of-way in the state; or

23.27 (3) operate an all-terrain vehicle on public lands or waters, except as provided in
23.28 paragraph (f).

23.29 (c) Except for public road rights-of-way of interstate highways, a person 12 years
23.30 of age but less than 16 years may make a direct crossing of a public road right-of-way
23.31 of a trunk, county state-aid, or county highway or operate on public lands and waters or
23.32 state or grant-in-aid trails, only if that person possesses a valid all-terrain vehicle safety
23.33 certificate issued by the commissioner and is accompanied on another all-terrain vehicle
23.34 by a person 18 years of age or older who holds a valid driver's license.

24.1 (d) To be issued an all-terrain vehicle safety certificate, a person at least 12 years
24.2 old, but less than 16 years old, must:

24.3 (1) successfully complete the safety education and training program under section
24.4 84.925, subdivision 1, including a riding component; and

24.5 (2) be able to properly reach and control the handle bars and reach the foot pegs
24.6 while sitting upright on the seat of the all-terrain vehicle.

24.7 (e) A person at least 11 years of age may take the safety education and training
24.8 program and may receive an all-terrain vehicle safety certificate under paragraph (d), but
24.9 the certificate is not valid until the person reaches age 12.

24.10 (f) A person at least ten years of age but under 12 years of age may operate an
24.11 all-terrain vehicle with an engine capacity up to 90cc on public lands or waters if
24.12 accompanied by a parent or legal guardian.

24.13 (g) A person under 15 years of age shall not operate a class 2 all-terrain vehicle.

24.14 (h) A person under the age of 16 may not operate an all-terrain vehicle on public
24.15 lands or waters or on state or grant-in-aid trails if the person cannot properly reach and
24.16 control the handle bars and reach the foot pegs while sitting upright on the seat of the
24.17 all-terrain vehicle.

24.18 Sec. 9. Minnesota Statutes 2006, section 85.011, is amended to read:

24.19 **85.011 CONFIRMATION OF CREATION AND ESTABLISHMENT OF**
24.20 **STATE PARKS, ~~MONUMENTS~~, STATE RECREATION RESERVES AREAS,**
24.21 **AND WAYSIDES.**

24.22 The legislature of this state has provided for the creation and establishment of
24.23 state parks, designated ~~monuments~~, state recreation reserves areas, and waysides for the
24.24 purpose of conserving the scenery, natural and historic objects and wildlife and to provide
24.25 for the enjoyment of the same in such manner and by such means as will leave them
24.26 unimpaired for the enjoyment of future generations.

24.27 The establishment of such state parks, designated ~~monuments~~, state recreation
24.28 reserves areas, and waysides is hereby confirmed as provided in this section and sections
24.29 85.012 and 85.013 and they shall remain perpetually dedicated for the use of the people of
24.30 the state for park purposes.

24.31 The enumerated state parks, ~~state monuments~~, state recreation areas, and state
24.32 waysides shall consist of the lands and other property authorized therefor before January
24.33 1, 1969, together with such other lands and properties as may be authorized therefor on
24.34 or after January 1, 1969.

25.1 Sec. 10. Minnesota Statutes 2006, section 85.012, subdivision 28, is amended to read:

25.2 Subd. 28. Interstate State Park, Chisago County, which is hereby renamed from
25.3 Dalles of Saint Croix State Park.

25.4 Sec. 11. Minnesota Statutes 2006, section 85.012, subdivision 49a, is amended to read:

25.5 Subd. 49a. ~~St. Croix~~ Wild River State Park, Chisago County.

25.6 Sec. 12. Minnesota Statutes 2006, section 85.013, subdivision 1, is amended to read:

25.7 Subdivision 1. **Names, acquisition; administration.** (a) Designated ~~monuments,~~
25.8 recreation reserves; and waysides heretofore established and hereby confirmed as ~~state~~
25.9 ~~monuments,~~ state recreation areas and state waysides together with the counties in which
25.10 they are situated are listed in this section and shall hereafter be named as indicated
25.11 in this section.

25.12 (b) Any land that now is or hereafter becomes tax-forfeited land and is located
25.13 within the described boundaries of a state recreation area as defined by session laws is
25.14 hereby withdrawn from sale and is transferred from the custody, control, and supervision
25.15 of the county board of the county to the commissioner of natural resources, free from
25.16 any trust in favor of the interested taxing districts. The commissioner shall execute a
25.17 certificate of acceptance of the lands on behalf of the state for such purposes and transmit
25.18 the same to the county auditor of the county for record as provided by law in the case
25.19 of tax-forfeited land transferred to the commissioner by resolution of the county board
25.20 for conservation purposes.

25.21 Sec. 13. Minnesota Statutes 2006, section 85.054, subdivision 3, is amended to read:

25.22 Subd. 3. **Interstate State Park.** A Minnesota state park permit is not required at
25.23 Interstate State Park if a valid, current, Wisconsin state park permit or sticker authorizing
25.24 entry of a motor vehicle into Wisconsin state parks is appropriately displayed on the
25.25 vehicle and the commissioner has entered into an agreement with appropriate officials
25.26 of the state of Wisconsin that authorizes motor vehicles displaying Minnesota state park
25.27 permits free entry into Interstate State Park of Wisconsin on a reciprocal basis.

25.28 Sec. 14. Minnesota Statutes 2006, section 85.054, is amended by adding a subdivision
25.29 to read:

25.30 Subd. 14. **Grand Portage State Park.** A state park permit is not required and a fee
25.31 may not be charged for motor vehicle entry or parking at the Class 1 highway rest area

26.1 parking lot located adjacent to marked Trunk Highway 61 and Pigeon River at Grand
26.2 Portage State Park.

26.3 Sec. 15. Minnesota Statutes 2006, section 86B.401, subdivision 2, is amended to read:

26.4 Subd. 2. **Temporary certificate.** A person who applies for a watercraft license may
26.5 be issued a temporary license certificate to operate the watercraft. The temporary license
26.6 certificate is valid for ~~the period of time specified by the commissioner~~ 21 days.

26.7 Sec. 16. Minnesota Statutes 2006, section 88.15, subdivision 2, is amended to read:

26.8 Subd. 2. **Not to be left burning.** Every person who starts or maintains a campfire
26.9 shall:

26.10 (1) exercise every reasonable precaution to prevent the campfire from spreading
26.11 ~~and shall;~~

26.12 (2) before lighting the campfire, clear the ground of all combustible material ~~within~~
26.13 ~~a radius of five feet from the base of the campfire. The person lighting the campfire shall;~~

26.14 (3) remain with the campfire at all times; and ~~shall~~

26.15 (4) before leaving the site, completely extinguish the campfire.

26.16 Sec. 17. Minnesota Statutes 2006, section 89.715, is amended to read:

26.17 **89.715 ALTERNATIVE RECORDING FOR STATE FOREST ROAD.**

26.18 Subdivision 1. **Authorization.** The commissioner may adopt a ~~recorded~~ state forest
26.19 road map under this section to record the department's state forest road prescriptive
26.20 easements. For purposes of this section, "~~recorded~~ state forest road map" means the
26.21 official map of state forest roads adopted by the commissioner.

26.22 Subd. 2. **Map requirements.** The ~~recorded~~ state forest road map must:

26.23 (1) show state forest roads at the time the map is adopted;

26.24 (2) be prepared at a scale ~~of at least four inches equals one mile~~ compliant with
26.25 county recorder standards;

26.26 (3) include section numbers;

26.27 (4) include a north point arrow;

26.28 (5) include the name of the county and state;

26.29 (6) include a blank and a description under the blank for the date of public hearing
26.30 and date of adoption;

26.31 (7) include blanks for signatures and dates of signatures for the commissioner; and

26.32 (8) include a list of legal descriptions of all parcels crossed by state forest road
26.33 prescriptive easements.

27.1 Subd. 3. **Procedure to adopt map.** (a) The commissioner must prepare an official
27.2 map for each county or smaller geographic area as determined by the commissioner as
27.3 provided in subdivision 2, and set a time, place, and date for a public hearing on adopting
27.4 a ~~recorded~~ state forest road map to record roads.

27.5 (b) The hearing notice must state that the roads to be recorded will be to the width of
27.6 the actual use including ditches, backslopes, fills, and maintained rights-of-way, unless
27.7 otherwise specified in a prior easement of record. The hearing notice must be published
27.8 once a week for two successive weeks in a qualified newspaper of general circulation that
27.9 serves the county or smaller geographic areas as determined by the commissioner, the last
27.10 publication to be made at least ten days before the date of the public hearing. At least 30
27.11 days before the hearing, the hearing notice must be sent by certified mail to the property
27.12 owners directly affected in the county or smaller geographic areas as determined by the
27.13 commissioner at the addresses listed on the tax assessment notices at least seven days
27.14 before appearing in the qualified newspaper. The hearing notice may be sent with the tax
27.15 assessment, but all additional costs incurred shall be billed to the department.

27.16 (c) After the public hearing is held, the commissioner may amend and adopt the
27.17 ~~recorded~~ state forest road map. The ~~recorded~~ adopted state forest road map must be dated
27.18 and signed by the commissioner and must be ~~recorded~~ filed for recording with the county
27.19 recorder within 90 days after the map is adopted. The map is effective when filed with
27.20 the county recorder.

27.21 (d) The ~~recorded~~ state forest road map that is recorded with the county recorder must
27.22 comply with the standards of the county recorder where the state forest roads are located.

27.23 (e) A ~~recorded~~ state forest road map that was prepared by using aerial photographs
27.24 to establish road centerlines and that has been duly recorded with the county recorder is an
27.25 adequate description for purposes of recording road easements and the map is the legally
27.26 constituted description and prevails when a deed for a parcel abutting a road contains
27.27 no reference to a road easement. Nothing prevents the commissioner from accepting a
27.28 more definitive metes and bounds or survey description of a road easement for a road of
27.29 record if the description of the easement is referenced to equal distance on both sides
27.30 of the existing road centerline.

27.31 (f) The commissioner shall consult with representatives of county land
27.32 commissioners, county auditors, county recorders, and Torrens examiners in implementing
27.33 this subdivision.

27.34 Subd. 4. **Appeal.** (a) ~~Before filing an appeal under paragraph (b), a person may~~
27.35 ~~seek resolution of concerns regarding a decision to record a road under this section by~~
27.36 ~~contacting the commissioner in writing.~~

28.1 ~~(b) A person may appeal a decision to record or exclude recording a road under this~~
28.2 ~~section to the district court within 120 days after the date the commissioner adopts the~~
28.3 ~~state forest road map. Appeals may be filed only by property owners who are directly~~
28.4 ~~affected by a proposed map designation and only for those portions of the map designation~~
28.5 ~~that directly affect them.~~

28.6 (b) A property owner may appeal the map designation to the commissioner within 60
28.7 days of the map being recorded by filing a written request for review. The commissioner
28.8 shall review the request and any supporting evidence and render a decision within 45
28.9 days of receipt of the request for review.

28.10 (c) If a property owner wishes to appeal a decision of the commissioner after review
28.11 under paragraph (b), the property owner must file an appeal with the district court within
28.12 60 days of the commissioner's decision.

28.13 (d) If any portion of a map appealed under paragraph (b) is modified or found to be
28.14 invalid by a court of competent jurisdiction under paragraph (c), the remainder of the map
28.15 shall not be affected and its recording with the county recorder shall stand.

28.16 Subd. 5. **Unrecorded road or trail not affected.** This section does not affect or
28.17 diminish the legal status or state obligations of roads and trails not shown on the ~~recorded~~
28.18 state forest road map.

28.19 Subd. 6. **Exemption.** Adoption of a ~~recorded~~ state forest road map under this
28.20 section is exempt from the rulemaking requirements of chapter 14 and section 14.386
28.21 does not apply.

28.22 Sec. 18. Minnesota Statutes 2006, section 93.481, is amended by adding a subdivision
28.23 to read:

28.24 Subd. 7. **Mining administration account.** The mining administration account is
28.25 established as an account in the natural resources fund. Ferrous mining administrative fees
28.26 charged to owners, operators, or managers of mines shall be credited to the account and
28.27 may be appropriated to the commissioner to cover the costs of providing and monitoring
28.28 permits to mine ferrous metals under this section.

28.29 Sec. 19. Minnesota Statutes 2006, section 97A.055, subdivision 4b, is amended to read:

28.30 Subd. 4b. **Citizen oversight subcommittees.** (a) The commissioner shall appoint
28.31 subcommittees of affected persons to review the reports prepared under subdivision 4;
28.32 review the proposed work plans and budgets for the coming year; propose changes
28.33 in policies, activities, and revenue enhancements or reductions; review other relevant

29.1 information; and make recommendations to the legislature and the commissioner for
29.2 improvements in the management and use of money in the game and fish fund.

29.3 (b) The commissioner shall appoint the following subcommittees, each comprised
29.4 of at least three affected persons:

29.5 (1) a Fisheries Operations Subcommittee to review fisheries funding, excluding
29.6 activities related to trout and salmon stamp funding;

29.7 (2) a Wildlife Operations Subcommittee to review wildlife funding, excluding
29.8 activities related to migratory waterfowl, pheasant, and turkey stamp funding and
29.9 excluding review of the amounts available under section 97A.075, subdivision 1,
29.10 paragraphs (b) and (c);

29.11 (3) a Big Game Subcommittee to review the report required in subdivision 4,
29.12 paragraph (a), clause (2);

29.13 (4) an Ecological ~~Services Operations~~ Resources Subcommittee to review ecological
29.14 services funding;

29.15 (5) a subcommittee to review game and fish fund funding of enforcement, ~~support~~
29.16 ~~services, and Department of Natural Resources administration and operations support~~;

29.17 (6) a subcommittee to review the trout and salmon stamp report and address funding
29.18 issues related to trout and salmon;

29.19 (7) a subcommittee to review the report on the migratory waterfowl stamp and
29.20 address funding issues related to migratory waterfowl;

29.21 (8) a subcommittee to review the report on the pheasant stamp and address funding
29.22 issues related to pheasants; and

29.23 (9) a subcommittee to review the report on the turkey stamp and address funding
29.24 issues related to wild turkeys.

29.25 (c) The chairs of each of the subcommittees shall form a Budgetary Oversight
29.26 Committee to coordinate the integration of the subcommittee reports into an annual
29.27 report to the legislature; recommend changes on a broad level in policies, activities, and
29.28 revenue enhancements or reductions; provide a forum to address issues that transcend the
29.29 subcommittees; and submit a report for any subcommittee that fails to submit its report
29.30 in a timely manner.

29.31 (d) The Budgetary Oversight Committee shall develop recommendations for a
29.32 biennial budget plan and report for expenditures on game and fish activities. By August 15
29.33 of each even-numbered year, the committee shall submit the budget plan recommendations
29.34 to the commissioner and to the senate and house committees with jurisdiction over natural
29.35 resources finance.

30.1 (e) Each subcommittee shall choose its own chair, except that the chair of the
30.2 Budgetary Oversight Committee shall be appointed by the commissioner and may not
30.3 be the chair of any of the subcommittees.

30.4 (f) The Budgetary Oversight Committee must make recommendations to the
30.5 commissioner and to the senate and house committees with jurisdiction over natural
30.6 resources finance for outcome goals from expenditures.

30.7 (g) Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the
30.8 Budgetary Oversight Committee and subcommittees do not expire until June 30, 2010.

30.9 Sec. 20. Minnesota Statutes 2006, section 97A.141, subdivision 1, is amended to read:

30.10 Subdivision 1. **Acquisition; generally.** The commissioner shall acquire access sites
30.11 adjacent to public waters and easements and rights-of-way necessary to connect the access
30.12 sites with public highways. The land may be acquired by gift, lease, or purchase, or by
30.13 condemnation with approval of the Executive Council. ~~An access site may not exceed~~
30.14 ~~seven acres and may only be acquired where access is inadequate.~~

30.15 Sec. 21. Minnesota Statutes 2006, section 103A.204, is amended to read:

30.16 **103A.204 GROUNDWATER POLICY.**

30.17 (a) The responsibility for the protection of groundwater in Minnesota is vested
30.18 in a multiagency approach to management. The following is a list of agencies and the
30.19 groundwater protection areas for which the agencies are primarily responsible; the list is
30.20 not intended to restrict the areas of responsibility to only those specified:

30.21 (1) Environmental Quality Board: ~~creation of a water resources committee to~~
30.22 ~~coordinate~~ coordination of state groundwater protection programs ~~and a biennial~~
30.23 ~~groundwater policy report beginning in 1994 that includes, for the 1994 report, the~~
30.24 ~~findings in the groundwater protection report coordinated by the Pollution Control Agency~~
30.25 ~~for the Environmental Protection Agency;~~

30.26 (2) Pollution Control Agency: water quality monitoring and reporting and the
30.27 development of best management practices and regulatory mechanisms for protection of
30.28 groundwater from nonagricultural chemical contaminants;

30.29 (3) Department of Agriculture: sustainable agriculture, integrated pest management,
30.30 water quality monitoring, and the development of best management practices and
30.31 regulatory mechanisms for protection of groundwater from agricultural chemical
30.32 contaminants;

31.1 (4) Board of Water and Soil Resources: reporting on groundwater education and
31.2 outreach with local government officials, local water planning and management, and
31.3 local cost share programs;

31.4 (5) Department of Natural Resources: water quantity monitoring and regulation,
31.5 sensitivity mapping, and development of a plan for the use of integrated pest management
31.6 and sustainable agriculture on state-owned lands; and

31.7 (6) Department of Health: regulation of wells and borings, and the development of
31.8 health risk limits under section 103H.201.

31.9 (b) The Environmental Quality Board shall ~~through its Water Resources Committee~~
31.10 ~~coordinate with representatives of all agencies~~ prepare a report on policy issues related to
31.11 its responsibilities listed in paragraph (a), ~~citizens, and other interested groups to prepare~~
31.12 ~~a biennial report every even-numbered year as part of its duties described in sections~~
31.13 ~~103A.43 and 103B.151~~ and include these reports with the assessments in section 103A.43
31.14 and the "Minnesota Water Plan" in section 103B.151.

31.15 Sec. 22. Minnesota Statutes 2006, section 103A.43, is amended to read:

31.16 **103A.43 WATER ASSESSMENTS AND REPORTS.**

31.17 (a) The Environmental Quality Board shall ~~evaluate and~~ consolidate the assessments
31.18 required in paragraphs (b) and (c) with the policy report in section 103A.204 and submit a
31.19 single report to the house of representatives and senate committees with jurisdiction
31.20 over the environment, natural resources, and agriculture and the Legislative-Citizen
31.21 Commission on Minnesota Resources ~~on statewide water research needs and~~
31.22 ~~recommended priorities for addressing these needs. Local water research needs may also~~
31.23 ~~be included~~ by September 15, 2010, and every five years thereafter.

31.24 (b) The ~~Environmental Quality Board shall work with the~~ Pollution Control Agency
31.25 and the Department of Agriculture ~~to coordinate~~ shall provide a biennial assessment and
31.26 analysis of water quality, groundwater degradation trends, and efforts to reduce, prevent,
31.27 minimize, and eliminate degradation of water. The assessment and analysis must include
31.28 an analysis of relevant monitoring data.

31.29 (c) The ~~Environmental Quality Board shall work with the~~ Department of Natural
31.30 Resources ~~to coordinate~~ shall provide an assessment and analysis of the quantity of surface
31.31 and ground water in the state and the availability of water to meet the state's needs.

31.32 (d) The ~~Environmental Quality Board shall coordinate and submit a report on water~~
31.33 ~~policy including the analyses in paragraphs (a) to (c) to the house of representatives~~
31.34 ~~and senate committees with jurisdiction over the environment, natural resources,~~
31.35 ~~and agriculture and the Legislative-Citizen Commission on Minnesota Resources by~~

32.1 ~~September 15 of each even-numbered year. The report may include the groundwater~~
32.2 ~~policy report in section 103A.204.~~

32.3 Sec. 23. Minnesota Statutes 2006, section 103B.151, subdivision 1, is amended to read:

32.4 Subdivision 1. **Water planning.** The Environmental Quality Board shall:

32.5 (1) coordinate public water resource management and regulation activities among
32.6 the state agencies having jurisdiction in the area;

32.7 (2) ~~initiate, coordinate, and continue to develop~~ comprehensive long-range water
32.8 resources planning in furtherance of ~~the plan prepared by~~ the Environmental Quality
32.9 Board's ~~Water Resources Committee~~ entitled "Minnesota Water Plan," published in
32.10 January 1991, by September 15, 2000, and each ten-year interval afterwards;

32.11 (3) coordinate water planning activities of local, regional, and federal bodies with
32.12 state water planning and integrate these plans with state strategies;

32.13 (4) coordinate development of state water policy recommendations and priorities,
32.14 and a recommended program for funding identified needs, including priorities for
32.15 implementing the state water resources monitoring plan;

32.16 (5) administer federal water resources planning with multiagency interests;

32.17 (6) ensure that groundwater quality monitoring and related data is provided and
32.18 integrated into the Minnesota land management information system according to
32.19 published data compatibility guidelines. Costs of integrating the data in accordance with
32.20 data compatibility standards must be borne by the agency generating the data;

32.21 (7) coordinate the development and evaluation of water information and education
32.22 materials and resources; and

32.23 (8) coordinate the dissemination of water information and education through
32.24 existing delivery systems.

32.25 Sec. 24. Minnesota Statutes 2007 Supplement, section 103G.291, subdivision 3,
32.26 is amended to read:

32.27 Subd. 3. **Water supply plans; demand reduction.** (a) Every public water supplier
32.28 serving more than 1,000 people must submit a water supply plan to the commissioner
32.29 for approval by January 1, 1996. In accordance with guidelines developed by the
32.30 commissioner, the plan must address projected demands, adequacy of the water supply
32.31 system and planned improvements, existing and future water sources, natural resource
32.32 impacts or limitations, emergency preparedness, water conservation, supply and demand
32.33 reduction measures, and allocation priorities that are consistent with section 103G.261.

33.1 Public water suppliers must update their plan and, upon notification, submit it to the
33.2 commissioner for approval every ten years.

33.3 (b) The water supply plan in paragraph (a) is required for all communities in the
33.4 metropolitan area, as defined in section 473.121, with a municipal water supply system
33.5 and is a required element of the local comprehensive plan required under section 473.859.
33.6 Water supply plans or updates submitted after December 31, 2008, must be consistent
33.7 with the metropolitan area master water supply plan required under section 473.1565,
33.8 subdivision 1, paragraph (a), clause (2).

33.9 (c) Public water suppliers serving more than 1,000 people must employ water
33.10 use demand reduction measures, including a conservation rate structure, as defined in
33.11 subdivision 4, paragraph (a), unless exempted under subdivision 4, paragraph (c), before
33.12 requesting approval from the commissioner of health under section 144.383, paragraph
33.13 (a), to construct a public water supply well or requesting an increase in the authorized
33.14 volume of appropriation. Demand reduction measures must include evaluation of
33.15 conservation rate structures and a public education program that may include a toilet
33.16 and showerhead retrofit program.

33.17 (d) Public water suppliers serving more than 1,000 people must submit records
33.18 that indicate the number of connections and amount of use by customer category and
33.19 volume of water unaccounted for with the annual report of water use required under
33.20 section 103G.281, subdivision 3.

33.21 (e) For the purposes of this ~~subdivision~~ section, "public water supplier" means
33.22 an entity that owns, manages, or operates a public water supply, as defined in section
33.23 144.382, subdivision 4.

33.24 Sec. 25. Minnesota Statutes 2006, section 103G.291, is amended by adding a
33.25 subdivision to read:

33.26 **Subd. 4. Conservation rate structure required.** (a) For the purposes of this
33.27 section, "conservation rate structure" means a rate structure that encourages conservation
33.28 and may include increasing block rates, seasonal rates, time of use rates, individualized
33.29 goal rates, or excess use rates. The rate structure must consider each residential unit as an
33.30 individual user in multiple-family dwellings.

33.31 (b) To encourage conservation, a public water supplier serving more than 1,000
33.32 people in the metropolitan area, as defined in section 473.121, subdivision 2, shall use
33.33 a conservation rate structure by January 1, 2010. All remaining public water suppliers
33.34 serving more than 1,000 people shall use a conservation rate structure by January 1, 2013.

34.1 (c) A public water supplier without the proper measuring equipment to track the
34.2 amount of water used by its users, as of the effective date of this act, is exempt from
34.3 this subdivision and the conservation rate structure requirement under subdivision 3,
34.4 paragraph (c).

34.5 Sec. 26. Minnesota Statutes 2006, section 103G.615, subdivision 2, is amended to read:

34.6 Subd. 2. **Fees.** (a) The commissioner shall establish a fee schedule for permits to
34.7 control or harvest aquatic plants other than wild rice. The fees must be set by rule, and
34.8 section 16A.1283 does not apply. The fees ~~may not exceed \$750 per permit~~ shall be based
34.9 upon the cost of receiving, processing, analyzing, and issuing the permit, and additional
34.10 costs incurred after the application to inspect and monitor the activities authorized by the
34.11 permit, and enforce aquatic plant management rules and permit requirements.

34.12 (b) The fee for a permit for the control of rooted aquatic vegetation is \$35 for each
34.13 contiguous parcel of shoreline owned by an owner. This fee may not be charged for
34.14 permits issued in connection with purple loosestrife control or lakewide Eurasian water
34.15 milfoil control programs.

34.16 (c) A fee may not be charged to the state or a federal governmental agency applying
34.17 for a permit.

34.18 (d) The money received for the permits under this subdivision shall be deposited in
34.19 the treasury and credited to the water recreation account.

34.20 Sec. 27. **[115A.9175] LANDFILL; SITING.**

34.21 (a) To reduce potential future remediation costs and to protect groundwater, an
34.22 applicant for a permit for a disposal facility that was not in operation prior to March 1,
34.23 2008, and that accepts mixed municipal solid waste, ash, industrial waste, or construction
34.24 and demolition waste for disposal must submit as part of the application the results
34.25 of an independent laboratory analysis for major cations and anions and for enriched
34.26 tritium in water samples taken from an upgradient and downgradient well finished in the
34.27 uppermost unconsolidated aquifer encountered and an upgradient and downgradient well
34.28 finished in the uppermost bedrock aquifer at the site. If 150 feet of continuous nonaquifer
34.29 material is encountered above the bedrock, testing of bedrock wells is not required. If
34.30 no unconsolidated or bedrock aquifers are found within the first 150 feet at the site, no
34.31 cation, anion, or tritium testing is required.

34.32 (b) The commissioner may not issue a disposal facility permit to an applicant whose
34.33 test results for tritium required in paragraph (a) report concentrations of five tritium units
34.34 or greater in any well tested, except as provided in paragraph (c).

35.1 (c) If test results report concentrations of five enriched tritium units or greater for any
35.2 well, an applicant may present to the commissioner reasons and supporting documentation
35.3 why the tritium test results may not indicate that the site is highly sensitive to groundwater
35.4 contamination at the site. If the commissioner determines that the applicant's reasons
35.5 and supporting documentation are scientifically valid, the commissioner shall specify
35.6 additional testing of groundwater samples from the site that will allow a better estimate to
35.7 be made of the sensitivity of groundwater contamination at the site. If, after reviewing
35.8 the tritium test results, the additional testing data, and any other data pertaining to the
35.9 site's susceptibility to groundwater contamination, the commissioner determines that the
35.10 conclusion that the site is not highly sensitive to groundwater contamination is supported
35.11 by a preponderance of the scientifically valid evidence available, the commissioner may
35.12 issue the permit. For the purposes of this section, "highly sensitive to groundwater
35.13 contamination" means that the travel time of water from the land surface to the water table
35.14 or bedrock is less than 20 years.

35.15 (d) Beginning July 1, 2010, and every two years thereafter, the commissioner must
35.16 review air sampling of the atmospheric concentration of tritium and adjust the tritium
35.17 concentration threshold in paragraph (b) to a level no greater than one-half the average
35.18 concentration of tritium in the atmosphere in this state.

35.19 (e) Paragraphs (a) to (f) do not apply to an application for a permit to expand,
35.20 including a noncontiguous expansion of a facility, or modify the type of waste accepted at
35.21 a disposal facility operating as of March 1, 2008.

35.22 (f) Minnesota Rules, part 7035.2815, applies to a disposal facility accepting
35.23 industrial waste.

35.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.25 Sec. 28. Minnesota Statutes 2006, section 473.1565, subdivision 3, is amended to read:

35.26 Subd. 3. **Reports to legislature.** The council must submit reports to the legislature
35.27 regarding its findings, recommendations, and continuing planning activities under
35.28 subdivision 1. ~~The first report must be submitted to the legislature by the date the~~
35.29 ~~legislature convenes in 2007 and subsequent reports must be submitted by such date~~
35.30 ~~every five years thereafter.~~ These reports shall be included in the "Minnesota Water Plan"
35.31 required in section 103B.151, and five-year interim reports may be provided as necessary.

35.32 Sec. 29. **FERROUS METALS MINING ADMINISTRATIVE FEE.**

35.33 (a) Until a new application fee schedule is adopted for permits to mine ferrous metals
35.34 according to the report submitted by the commissioner of natural resources under article

36.1 1, section 3, subdivision 2, the commissioner shall charge the following administrative
36.2 fees, payable to the commissioner by June 30 of each year, beginning in 2008 until a
36.3 new application fee schedule is adopted.

36.4 (b) The owner, operator, or manager of the following mines shall pay \$90,000:

36.5 (1) Minntac and Keetac; and

36.6 (2) North Shore, Hibbing Taconite, and United Taconite.

36.7 (c) The owner, operator, or manager of the Minorca mine shall pay \$10,000.

36.8 (d) The owner, operator, or manager of the following mines shall pay \$3,333:

36.9 (1) Minnesota Steel;

36.10 (2) Mesaba Nugget; and

36.11 (3) Cliffs Erie, formerly LTV.

36.12 **EFFECTIVE DATE.** This section is effective the day following final enactment
36.13 and applies to owners, operators, and managers holding or applying for a permit to mine
36.14 under Minnesota Statutes, section 93.481, during the 2007 calendar year.

36.15 Sec. 30. **RULES.**

36.16 The commissioner of natural resources shall adopt rules to implement the changes in
36.17 law made in sections 3 to 7 and 15. The initial rules required by this section are exempt
36.18 from the rulemaking provisions of Minnesota Statutes, chapter 14. The rules are subject
36.19 to Minnesota Statutes, section 14.386, except that notwithstanding Minnesota Statutes,
36.20 section 14.386, paragraph (b), the rules continue in effect until repealed or superseded
36.21 by other law or rule.

36.22 Sec. 31. **REPEALER.**

36.23 Minnesota Statutes 2006, sections 84.961, subdivision 4; 85.013, subdivision 21b;
36.24 and 97A.141, subdivision 2, and Laws 1989, chapter 335, article 1, section 21, subdivision
36.25 8, as amended by Laws 2002, chapter 323, section 19, are repealed.