

1.1 moves to amend H.F. No. 2164, the delete everything amendment
1.2 (H2164DE1), as follows:

1.3 Page 28, after line 30, insert:

1.4 "Sec. 48. Minnesota Statutes 2010, section 103G.005, subdivision 15, is amended to
1.5 read:

1.6 Subd. 15. **Public waters.** (a) "Public waters" means:

1.7 (1) water basins assigned a shoreland management classification by the
1.8 commissioner under sections 103F.201 to 103F.221;

1.9 (2) waters of the state that have been finally determined to be public waters or
1.10 navigable waters by a court of competent jurisdiction;

1.11 (3) meandered lakes, excluding lakes that have been legally drained;

1.12 (4) water basins previously designated by the commissioner for management for a
1.13 specific purpose such as trout lakes and game lakes pursuant to applicable laws;

1.14 (5) water basins designated as scientific and natural areas under section 84.033;

1.15 (6) water basins located within and totally surrounded by publicly owned lands;

1.16 (7) water basins where the state of Minnesota or the federal government holds title
1.17 to any of the beds or shores, unless the owner declares that the water is not necessary
1.18 for the purposes of the public ownership;

1.19 (8) water basins where there is a publicly owned and controlled access that is
1.20 intended to provide for public access to the water basin;

1.21 (9) natural and altered watercourses with a total drainage area greater than two
1.22 square miles;

1.23 (10) natural and altered watercourses designated by the commissioner as trout
1.24 streams; and

1.25 (11) public waters wetlands, unless the statute expressly states otherwise.

1.26 (b) Public waters are not determined exclusively by the proprietorship of the
1.27 underlying, overlying, or surrounding land or by whether it is a body or stream of water

2.1 that was navigable in fact or susceptible of being used as a highway for commerce at the
2.2 time this state was admitted to the union.

2.3 (c) Public waters shall not mean unmeandered lakes of 40 acres or less that are
2.4 completely surrounded by private land."

2.5 Renumber the sections in sequence and correct the internal references

2.6 Amend the title accordingly