

allowed to do.

4 Closing or relocating shooting ranges; payment of certain costs.

Subd. 1. When can close or relocate. Permits a shooting range to be closed or relocated only if, because of a new permitted development of adjacent land, the range becomes a clear, immediate, and proven safety hazard to the adjacent population and it cannot be made safe.

Subd. 2. Procedure. Requires a contested case hearing to prove a clear and immediate safety hazard. Specifies notice and other procedures. Provides that if a range is found to be a hazard but can be made safe with range improvements, the state agency or unit of government that permitted the new development must pay for the range improvements.

Subd. 3. Closure. Permits closure of a hazardous range if the government pays the fair market value of the range operation as a going concern as well as the fair market value of the land and improvements.

Subd. 4. Relocation. Requires the government to relocate the shooting range if requested by the operator and a location is available. Permits the government to use eminent domain to acquire land to relocate a shooting range that is found to be a hazard.

Subd. 5. Transfer of title. Requires the range owner to transfer title to the property to the government after payment for closure or after relocation is complete.

5 Irrebuttable presumption; nuisance liability. Establishes an irrebuttable presumption that a shooting range operated in compliance with generally accepted operation practices is not a public or private nuisance.

6 Shooting ranges; noise standards. Provides that an owner or operator of a shooting range is subject only to specified state noise standards that are in effect on March 1, 1999.

7 Nuisance actions; substantial compliance with generally accepted operation practices. Provides that owners, operators, and users of shooting ranges that are in compliance with generally accepted operation practices are not subject to any action for nuisance, and a court cannot enjoin or restrain operation or use of the range. Permits actions for personal injury resulting from recklessness or negligence.

8 Effective date. Day after final enactment.