

HOUSE RESEARCH

Bill Summary

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Overview

This bill contains various policy provisions affecting the Department of Natural Resources (DNR), including a number of provisions being recommended by the DNR.

Section

- 1 Nonindigenous species.** Amends § 17.4982, subd. 18a. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).
- 2 Game and fish rules.** Amends § 84.027, subd. 13. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).
- 3 Game and fish expedited permanent rules.** Amends § 84.027, subd. 13a. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).
- 4 Permitting efficiency.** Amends § 84.027, subd. 14a. Changes the permitting efficiency report requirement for the DNR from a semiannual report to an annual report.
- 5 Facilities management account.** Amends § 84.0857. Allows the DNR to bill organizational units within the DNR and other governmental units for the costs of operating facilities. Appropriates the funds received under this provision to the DNR to pay the associated costs.

Section

- 6 Off-highway motorcycle safety courses; reciprocity with other states; accepted equivalencies.** Amends § 84.791, subd. 4. States that completing the Motorcycle Safety Foundation Dirtbike School is adequate to meet the off-highway motorcycle safety certificate requirements.
- 7 Snowmobile.** Amends § 84.81, subd. 3. Modifies the definition of snowmobile for purposes of snowmobile registration and other Department of Natural Resources' (DNR) provisions to exclude all-terrain and other vehicles equipped with aftermarket ski and track configurations.
- 8 All-terrain vehicle or vehicle.** Amends § 84.92, subd. 8. Modifies the definition of an all-terrain vehicle (ATV) to mean a vehicle with low pressure or nonpneumatic tires (rather than flotation tires as provided under current law).
- 9 Class 1 all-terrain vehicle.** Amends § 84.92, subd. 9. Increases the maximum weight (from 1,000 to 1,200 pounds) for an ATV to be considered a "class 1" ATV.
- 10 Class 2 all-terrain vehicle.** Amends § 84.92, subd. 9. Increases the minimum weight (from 1,000 to 1,200 pounds) for an ATV to be considered a "class 2" ATV.
- 11 All-terrain vehicle safety courses; reciprocity with other states' accepted equivalencies.** Amends § 84.925, subd. 3. States that completing training offered by the All-Terrain Vehicle Safety Institute is adequate to meet the ATV safety certificate requirements.
- 12 Prohibitions on youthful operators.** Amends § 84.9256, subd. 1. Changes the age requirement for all-terrain vehicle (ATV) safety training back to 16 years of age (last session the age requirement was changed from 16 to 18 years of age).
- 13 Off-road and all-terrain vehicles; limited or managed forests; trails.** Amends § 84.926. Clarifies that certain vehicles, including class 2 ATVs, may be used on forest trails that are designated for off-road vehicles during certain times.
- 14 Infested waters.** Amends § 84D.01, subd. 8. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).
- 15 Inspect.** Amends § 84D.01, subd. 8b. Adds collection and sampling to the list of activities defining "inspect" for purposes of chapter 84D (Invasive Species).
- 16 Prohibited invasive species.** Amends § 84D.01, subd. 13. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).
- 17 Regulated invasive species.** Amends § 84D.01, subd. 15. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).
- 18 Unlisted nonnative species.** Amends § 84D.01, subd. 17. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).

Section

- 19 Unregulated nonnative species.** Amends § 84D.01, subd. 18. Technical (related to the change from a designation process to a listing process for invasive species contained later on in the bill).
- 20 Infested waters; restricted activities.** Amends § 84D.03. Changes the way the DNR identifies infested waters for purposes of the invasive species laws from a designation process to a requirement to maintain an accessible list of waters (the waters would no longer be designated by written order published in the State Register).
- 21 Unlisted nonnative species.** Amends § 84D.06. Changes the way the DNR identifies invasive species for purposes of the invasive species laws from a designation process to a listing process.
- 22 Removal and confinement.** Amends § 84D.10, subd. 3. Technical (related to the change from a designation process to a listing process for infested waters).
- 23 Persons transporting water-related equipment.** Amends § 84D.10, subd. 4. Technical (related to the change from a designation process to a listing process for infested waters).
- 24 Inspector authority.** Amends § 84D.105, subd. 2. Modifies the ability of the commissioner to enter into delegation agreements with local units of government and others for purpose of aquatic invasive species inspections to remove the requirement that the delegation agreements have the local government unit (or other entity) assume all legal, financial and administrative responsibilities.
- 25 Harvest of bait from infested waters.** Amends § 84D.11, subd. 2a. Technical (related to the change from a designation process to a listing process for infested waters).
- 26 Rules.** Amends § 84D.12. Changes the way the DNR identifies invasive species for purposes of the invasive species laws from a designation process to a listing process.
- 27 Civil penalties.** Amends § 84D.13, subd. 5. Technical (related to the change from a designation process to a listing process for infested waters).
- 28 Development and establishment of units.** Amends § 86A.09. Modifies master plan requirements for units of the outdoor recreation system (which includes state parks and trails, state recreation areas, scientific and natural areas (SNAs), state forests, wildlife management areas (WMAs), state historic sites, rest areas and other units) to require public meetings rather than public hearings. Removes a requirement that the DNR approve all master plans to eliminate the need for other agencies (such as the Minnesota Historical Society and the Department of Transportation) to seek DNR approval. Establishes a process for amending master plans.

Section

- 29 Registry of units.** Amends § 86A.11. Eliminates the requirement that the DNR compile and maintain a list of all units of the outdoor recreation system and instead requires DNR to compile one for the units it administers and the Minnesota Historical Society for the ones it administers (requirements for units administered by the Department of Transportation would be eliminated).
- 30 Possession, sale, and transportation of commercial fish.** Amends § 97C.821. Technical (related to the change from a designation process to a listing process for infested waters).
- 31 Supervisors elected by districts.** Amends § 103C.311, subd. 2. Requires soil and water conservation supervisors, in metro-area districts, to be elected by supervisor district. Under current law, soil and water conservation district boards are permitted to choose whether to elect supervisors by district, or at-large. However, even in districts where supervisors are currently elected at-large, supervisor districts exist for purposes of nominating candidates to be voted upon at the election. Nomination districts are not required to comply with equal population requirements. By mandating that supervisor districts be used for purposes of electing candidates in metro-area districts, the bill would subject these districts to the requirements in existing law related to establishing election districts, including that the districts be compact and contiguous geographic territory, and that they be “substantially equal in population.” Of the seven metro-area counties that would be subject to the changes, two (Washington and Hennepin) currently provide for elections by supervisor district. The bill would be effective for elections occurring on or after January 1, 2015.
- 32 Drainage inspectors.** Amends § 103E.065. Prohibits a county commissioner from serving as a drainage inspector.
- 33 Adoption procedure.** Amends § 103F.121, subd. 2. Removes a requirement that the DNR notify affected local governments when technical information related to the delineation of floodplains and floodways on a watercourse become available and removes the corresponding requirement that local governments prepare/amend their floodplain management ordinances within six months of receiving the notice.
- 34 Alterations and hazardous uses prohibited.** Amends § 103F.121, subd. 5. Modifies restrictions that apply to alterations to structures in floodplains and other floodplain uses to make them consistent with federal requirements.
- 35 Application for flood insurance.** Amends § 103F.165, subd. 3. Removes the requirement that local units of government apply for participation in the National Flood Insurance Program.
- 36 Exceptions.** Amends § 103G.245, subd. 2. Removes an exemption from public water work permit requirements for removal of debris (such as logs) provided it does not alter the original alignment, slope, or cross section of waters.
- 37 Relationship to surface water resources.** Amends § 103G.287, subd. 2. Clarifies that groundwater appropriations impacting surface waters are subject to additional requirements when the appropriation “will have negative impacts” to surface waters (current law states

Section

that the additional requirements apply when the appropriations “have potential impacts” to surface waters).

- 38 General 150-day limit.** Requires the commissioner to act on water use permits within 150 days (rather than 30 days as required under current law) and requires the commissioner to notify an applicant, within 30 days, whether an application is complete. General permitting efficiency laws establish a goal of acting on permits within 150 days and require notification of application completeness.
- 39 Invasive aquatic plant management permit.** Amends § 103G.615, subd. 3a. Expands the definition of invasive aquatic plant management permits to broaden the scope of what can be included.
- 40 Off-road recreational vehicle.** Adds § 325E.13, subd. 5. Provides a definition of “off-road recreational vehicle” for purposes of odometer tampering prohibitions that includes snowmobiles and off-road vehicles (ATVs, off-highway motorcycles, and off-road vehicles).
- 41 Tampering.** Amends § 325E.14, subd. 1. Prohibits a person from tampering with the odometer of an off-road recreational vehicle in order to reflect lower mileage than what has actually been driven.
- 42 Sales and use restrictions.** Amends § 325E.14, subd. 3. Prohibits a person from selling or installing any device on an off-road recreational vehicle that causes the odometer to register any mileage other than the true mileage.
- 43 Sales restriction.** Amends § 325E.14, subd. 4. Prohibits a person from knowingly selling an off-road recreational vehicle that has mileage registered on the odometer that reflects lower mileage than what has actually been driven without disclosing the fact to prospective purchasers.
- 44 Repair or replacement restriction.** Amends § 325E.14, subd. 6. States that nothing in the section prohibits a person from servicing, repairing, or replacing an odometer.
- 45 Revisor’s instruction.** Technical. Instructs the revisor to change “designate” to “list” (and similar terms) in Minnesota Rules to reflect the changes made in the bill requiring a listing process rather than a designation process for infested waters and invasive species.
- 46 Repealer.** Repeals: § 84.521 (obsolete language related to the temporary suspension of certain wilderness area requirements); § 89.01, subd. 7 (requirement of the DNR to establish forest road coordination committees); § 103F.121, subs. 3 and 4 (provisions related to the adoption of floodplain ordinances that correspond to ordinance adoption requirements eliminated earlier in the bill); and § 103F.165, subd. 2 (requirement of the DNR to prepare a list of local government units having areas subject to flooding and notify those affected).