

# HOUSE RESEARCH

## Bill Summary

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### Overview

This bill makes a number of changes to provisions governing the state's natural resources, including many provisions recommended by the Department of Natural Resources (DNR).

#### Section

- 1 Report of ownership transfers; fee.** Amends § 84.788, subd. 5. Clarifies the process used to report the transfer of ownership of an off-highway motorcycle registered with the DNR and states that the purchaser is subject to the misdemeanor penalty imposed on violations of off-highway vehicle provisions if the purchaser fails to transfer ownership as required.
- 2 Report of registration transfers.** Adds § 84.788, subd. 5a. Requires a person to apply for the transfer of an off-highway motorcycle registration within 15 days and states that the purchaser is subject to the misdemeanor penalty imposed on violations of off-highway vehicle provisions if the purchaser fails to transfer the registrations as required.
- 3 Grant-in-aid applications; review period.** Adds § 84.8031. Requires the commissioner of natural resources to review an off-road vehicle grant-in-aid application, and if approved, begin a public review within 60 days. States that if the commissioner fails to approve or deny the application within 60 days, the application is approved and requires the commissioner to provide a 30-day public review period.
- 4 Transfer or termination of snowmobile ownership.** Amends § 84.84. Clarifies the process used to report the transfer of ownership of a snowmobile registered with the DNR and states that the purchaser is subject to the misdemeanor penalty imposed on violations of snowmobile provisions if the purchaser fails to transfer ownership as required.

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- 5 **All-terrain vehicle or vehicle.** Amends § 84.92, subd. 8. Modifies the definition of “all-terrain vehicle” (ATV) to mean vehicles that have a dry weight of 2,000 pounds or less and a total width of 65 inches or less, excluding certain vehicles.
- 6 **Class 1 all-terrain vehicle.** Amends § 84.92, subd. 9. Modifies the definition of class 1 ATV’s to mean ATV’s with a width of 50 inches or less.
- 7 **Class 2 all-terrain vehicle.** Amends § 84.92, subd. 10. Modifies the definition of class 2 ATV’s to mean ATV’s with a width greater than 50 inches but not more than 65 inches.
- 8 **Report of transfers.** Amends § 84.922, subd. 4. Clarifies the process used to report the transfer of ownership of an ATV registered with the DNR and states that the purchaser is subject to the misdemeanor penalty imposed on violations of off-highway vehicle provisions if the purchaser fails to transfer ownership as required.
- 9 **Prohibitions on youthful operators.** Amends § 84.9256, subd. 1. Allows a person age 12 but less than 16 to operate an ATV on the roadway, as allowed for others under current law, provided they have a valid ATV safety certificate and are accompanied by a parent or guardian on a separate ATV.
- 10 **Operation on roads and rights-of-way.** Amends § 84.928, subd. 1. Allows class 1 ATVs to be operated on certain areas, such as the extreme right-hand side of certain roads and on certain ditches, if the class 1 ATV is designed for off-road use to be driven by a steering wheel and equipped with seatbelts and a roll-over protection structure (class 2 ATVs are currently allowed the same privileges). Allows a county, city, or town to allow a person to operate an ATV on a public road or street under its jurisdiction to access businesses/residences and to make trail connections.
- 11 **Prohibited invasive species.** Amends § 84D.01, subd. 13. Technical (related to the change later on in the bill that changes the listing of invasive species to a designation process).
- 12 **Regulated invasive species.** Amends § 84D.01, subd. 15. Technical (related to the change later on in the bill that changes the listing of invasive species to a designation process).
- 13 **Unlisted nonnative species.** Amends § 84D.01, subd. 17. Technical (related to the change later on in the bill that changes the listing of invasive species to a designation process).
- 14 **Unregulated nonnative species.** Amends § 84D.01, subd. 18. Technical (related to the change later on in the bill that changes the listing of invasive species to a designation process).
- 15 **Bait harvest from infested waters.** Amends § 84D.03, subd. 3. Modifies provisions on the harvest of bait from waters infested with invasive species to require bait captured from rivers or streams separated by a dam or other barrier to be caught and used in the same section of the river or stream.
- 16 **Unlisted nonnative species.** Amends § 84D.06. Technical (related to the change later on in the bill that changes the listing of invasive species to a designation process).
- 17 **Removal and confinement.** Amends § 84D.10, subd. 3. Expands the authority of conservation officers or other licensed peace officers to order the decontamination of water-related equipment, including the use of hot water or high pressure equipment and allows

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tagging the equipment and issuing a notice specifying a time frame to complete the decontamination and reinspection of the equipment.

- 18 Prohibited invasive species.** Amends § 84D.11, subd. 1. Adds “decontamination” to the list of purposes the commissioner may issue prohibited invasive species related permits for.
- 19 Required rules.** Amends § 84D.12, subd. 1. Requires the commissioner of natural resources to designate prohibited invasive species, rather than “list” as required under current law.
- 20 Expedited rules.** Amends § 84D.12, subd. 3. Allows the commissioner of natural resources to designate various invasive species, rather than “list” as stated under current law.
- 21 Use of money in account.** Amends § 84D.15, subd. 3. Adds habitat improvements to the list of allowable uses of funds in the invasive species account.
- 22 Connection to state parks and recreation areas.** Adds § 85.015, subd. 1e. Allows designated state trails to include connections to state parks or recreation areas that generally lie between or in the vicinity of the locations designated in statute.
- 23 Camp Ripley/Veterans State Trail, Crow Wing, Cass, and Morrison Counties.** Allows the Camp Ripley/Veterans State Trail to be separated to allow separate corridors for motorized and nonmotorized use.
- 24 Lake Vermilion-Soudan Underground Mine State Park.** Adds § 85.0506. Exempts the mine tour operation at Lake Vermilion-Soudan Underground Mine State Park from certain state elevator requirements and states that the federal mine code applies to the hoists that lift people at the mine. Requires the DNR to employ a hoist safety expert to conduct an annual inspection of the hoist.
- 25 Lake Vermilion-Soudan Underground Mine State Park.** Adds the Stuntz Bay boat house area to the list of places that do not require a state park permit.
- 26 Connection to state parks and recreation areas.** Adds § 86B.20. Allows the commissioner of natural resources to adopt temporary water surface use controls at public construction and maintenance sites and exempts the controls from rulemaking requirements.
- 27 Special permits.** Amends § 88.17, subd. 3. Updates a provision regarding special permits for firefighter training to conform with federal standards.
- 28 to 47 Auxiliary forests.** Updates a number of provisions related to auxiliary forests.
- 48 Forest bough account; disposition of fees.** Amends § 88.6435, subd. 4. Allows the forest bough account (which contains permit fees from bough buyer permits) to be used to cover costs associated with forest product information and education programs (currently the funds may be used for balsam bough educational programs).
- 49 Prohibition on once-through water use permits.** Amends § 103G.271, subd. 5. Allows the commissioner to issue a water use permit for a once-through cooling system that existed prior to January 1, 2015, for up to 5,000,000 gallons per year. Also allows the commissioner to issue permits for once-through water system permits, if approved by the commissioner of health and the Pollution Control Agency, for groundwater thermal exchange devices.

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- 50**      **Payment of fees for past unpermitted appropriations.** Amends § 103G.271, subd. 6a. Allows the commissioner to waive payment of fees for unpermitted appropriations for certain residential once-through cooling systems.
- 51**      **Title examination.** Amends § 282.011. Technical.
- 52**      **All-terrain vehicle registration transition.** Establishes temporary ATV registration requirements applicable until the electronic licensing system is updated to accommodate the change in ATV classifications contained in this bill.
- 53**      **Base funding reallocation.** Reallocates \$225,000 of the base funding from the off-road vehicle account for fiscal year 2016 for various purposes.
- 54**      **Revisor's instruction.** Technical.
- 55**      **Repealer.** Repeals sections 88.47; 88.48; 88.49, subdivisions 1, 2, and 10; 88.491, subdivision 1; 88.51, subdivision 2; and 282.013 (obsolete provisions pertaining to auxiliary forests).