

HOUSE RESEARCH

Bill Summary

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Authors: McNamara

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Analyst: Janelle Taylor

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Overview

This bill includes supplemental appropriations to the Department of Natural Resources (DNR) and other entities and related provisions.

Section

Article 1: Environment and Natural Resources Appropriations

- 1 **Appropriations.** Technical.
- 2 **Natural Resources.** Appropriates \$2,462,000 in fiscal year 2016 and \$6,183,000 in fiscal year 2017 to the DNR for various purposes.
- 3 **Legislature.** Appropriates \$25,000 in fiscal year 2016 to the Legislative Coordinating Commission for the Aggregate Resources Task Force established in the bill.
- 4 **Administration.** Appropriates \$250,000 in fiscal year 2016 to the commissioner of administration for the school trust lands director to initiate real estate development projects on school trust lands.
- 5 **Land and Mineral Resources management.** Amends a prior appropriation to remove match requirements for certain mineral research appropriations.

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Article 2: Environment and Natural Resources Statutory Changes

- 1 **License required.** Amends § 84.091, subd. 2. States that Minnesota tribal band members possessing a valid tribal identification card are deemed to have a permit from the DNR to harvest wild rice.
- 2 **Enclosed accommodation compartment.** Adds § 86B.005, subd. 4a. Defines “enclosed accommodation compartment” for purposes of the new carbon monoxide detector requirement for boats established in this bill to include a boat with a space that contains designated sleeping accommodations, a galley area with sink and a head compartment.
- 3 **Enclosed occupancy compartment.** Adds § 86B.005. Defines “enclosed occupancy compartment” for purposes of the new carbon monoxide detector requirement for boats established in this bill.
- 4 **Marine carbon monoxide detection system.** Adds § 86B.005, subd. 8a. Defines “marine carbon monoxide detection system” for purposes of the new carbon monoxide detector requirement for boats established in this bill.
- 5 **Carbon monoxide detection device requirements.** Adds § 86B.532.
 - Subd. 1. Requirements.** Prohibits, after May 1, 2017, a boat with an enclosed accommodation compartment from being operated on state waters or sold in the state unless the boat has a functioning marine carbon monoxide detection system installed
 - Subd. 2. Boating safety course.** Requires state sponsored or approved boating safety courses to incorporate information about the dangers of carbon monoxide poisoning while boating and how to prevent it.
 - Subd. 3. Carbon monoxide poisoning warning labels.** Requires boats with enclosed accommodation compartments to have carbon monoxide poisoning warning labels affixed to certain areas of the boat.
 - Subd. 4. License agents; distribution.** Requires all gasoline powered motorboats operated on state waters with an enclosed occupancy compartment to have warning labels affixed to them after May 1, 2017, and requires the DNR to send out informational brochures and warning labels to all motorboat owners with a boat 21 feet or greater, no later than May 1, 2017, and provide the same to licensing agents. License agents are required to make the brochures and labels available and make an effort to inform new owners of the requirements. Requires the DNR to highlight the new requirements in watercraft renewal notices and in the department’s Minnesota Boating Guide.
 - Subd. 5. Safety warning.** States that a first violation of the section results only in a safety warning and subsequent violations are petty misdemeanors.
- 6 **Prescribed burn.** Adds § 88.01, subd. 28. Provides a definition of “prescribed burn” for purposes of provisions dealing with fire permits.

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- 7** **Imposition of restrictions.** Amends § 88.22, subd. 1. Clarifies that prescribed burns are also subject to suspension of permits when the DNR determines, by written order, that fire restrictions are necessary.
- 8** **Expirations.** Amends § 93.5536, subd. 3. Extends the expiration date of the Mineral Coordinating Committee by ten years (to June 30, 2026). The Mineral Coordinating Committee is a committee made up of the following members: commissioner of natural resources; commissioner of the Pollution Control Agency; commissioner of Iron Range Resources and Rehabilitation board; director of the Minnesota Geological Survey; dean of the University of Minnesota Institute of Technology; director of the Natural Resources Research Institute; and four members appointed by the governor. The committee’s purpose is to “plan for diversified mineral development.”
- 9** **Minerals management account.** Amends § 93.2236. Requires the balance in the minerals management account above \$3,000,000 to be transferred to the permanent school fund quarterly rather than annually. The minerals management account receives revenues from state mineral leases and the amount above \$3,000,000 is distributed to the permanent school fund (for school trust lands), the permanent university fund (for university lands), and to other taxing districts in proportion to the revenues raised by the respective lands in the last biennium.
- 10** **Classes of land; definitions.** Amends § 94.3495, subd. 2. Modifies the definition of “class 1 land” and defines “school trust land” and “university land” in order to remove the prohibition on exchanging school trust lands and university lands using the expedited land exchange process.
- 11** **Valuation of land.** Amends § 94.3495. Requires the county to approve the value determined by the DNR for purposes of exchanging DNR lands for tax-forfeited lands, and the “governmental subdivision” to approve the value when exchanging DNR lands for lands administered by other government subdivisions of the state (ex. other state agencies) for purposes of the expedited exchange process. Modifies the methods that can be used for valuing lands. Requires school trust lands and university lands exchanged under the expedited exchange process to be exchanged only for lands of equal or greater value unlike lands currently eligible for the expedited exchange process that must be exchanged for “substantially equal value” (the lands do not differ in value by more than 10 percent when the lands are both over 100 acres and 20 percent in other circumstances).
- 12** **Mineral and water power rights and other reservations.** Amends § 94.3495, subd. 7. Removes a requirement that deeds conveying land under the expedited land exchange process include a reverter that would require the land to revert back to the conveying government unit if the receiving government unit sells, exchanges, or otherwise transfers title of the land within 40 years without prior written approval from the conveying government unit.
- 13** **Surplus state land sales.** Amends Laws 2015, first special session, ch. 4, art. 4, sec. 131. Modifies a law passed last year requiring the school trust lands director and DNR to identify and sell at least \$3,000,000 of state lands by expanding the provision to include lands that are suitable to exchange with school trust lands for purposes of compensating the permanent school fund. Allows the DNR to sell lands bordering public water for the purposes of this

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section and allows 10 percent of the proceeds from the sale of lands to be used for work associated with the Boundary Waters Canoe Area Wilderness land exchange and sale projects.

- 14** **Aggregate Resources Task Force.** Establishes an Aggregate Resources Task Force consisting of eight legislative members. Specifies the appointment process, structure, and duties of the task force. Requires the task force to submit a report to the legislature by January 15, 2018 and sunsets the task force 45 days after the report is submitted or June 30, 2018, whichever is earlier.
- 15** **Marie carbon monoxide detectors; report.** Requires the DNR to submit a report to the legislature by November 1, 2018 regarding issues encountered with implementation of the new carbon monoxide detector requirements for boats established in this bill, changes to industry standards, and best practices for preventing carbon monoxide poisoning.
- 16** **Prescribed burn requirements.** Requires the DNR, in cooperation with prescribed burning professionals and others, to develop criteria for certifying entities to conduct a prescribed burn under a general permit. Requires the DNR to submit a report back to the legislature with recommendations on any legislative changes necessary by January 15, 2017.
- 17** **Sand Dunes State Forest; report.** Prohibits the DNR from logging or otherwise removing trees for the purposes of creating oak savanna in the Sand Dunes State Forest until July 1, 2017 and requires the commissioner to submit a report to the legislature on the progress made on collaborating with local citizens and other stakeholders over the past year when making certain decisions.
- 18** **Cold Spring water appropriation permits; report.** Requires the DNR to modify the permit for the city of Cold Spring to allow the city to take an additional 100 million gallons of water from certain wells provided the city and the Cold Spring Brewing Company reduce other water appropriations by 10 million gallons. The changes would be on an interim basis not to exceed five years. Requires the city and company to comply with all existing reporting requirements and demonstrate that the increased pumping does not cause violations of the Safe Drinking Water Act. Requires the DNR to conduct necessary monitoring, submit annual reports, and submit a final report by January 15, 2022.
- 19** **Water level control permit for Big Lake; Grant County.** Requires the DNR to issue a permit to the Bois De Sioux Watershed District to allow Big Lake in Grant County to be maintained at an elevation of 1,073 feet from May 1 to October 1 and drawn down to 1,072 feet prior to the lake freezing.
- 20** **Citation.** States that sections 2, 3, 4, 5 and 15 (sections establishing the new carbon monoxide requirements for boats) may be known as “Sophia’s Law.”
- 21** **Repealer.** Repeals § 116P.13 (the Minnesota future resources fund) on July 1, 2018 and cancels money remaining in the account to the general fund.