

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 669

(SENATE AUTHORS: SAXHAUG, Tomassoni and Metzen)

DATE	D-PG	OFFICIAL STATUS
02/09/2015	241	Introduction and first reading Referred to Environment and Energy
02/19/2015	333a	Comm report: To pass as amended and re-refer to Finance

A bill for an act  
relating to natural resources; modifying requirements for aquatic invasives  
species trailer decal; amending Minnesota Statutes 2014, sections 84D.13,  
subdivisions 5, 9; 86B.13, subdivisions 1, 1a, 2, 4, by adding a subdivision.  
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2014, section 84D.13, subdivision 5, is amended to read:

Subd. 5. **Civil penalties.** (a) A civil citation issued under this section must impose the following penalty amounts:

(1) for transporting aquatic macrophytes in violation of section 84D.09, \$100;

(2) for placing or attempting to place into waters of the state water-related equipment that has aquatic macrophytes attached, \$200;

(3) for unlawfully possessing or transporting a prohibited invasive species other than an aquatic macrophyte, \$500;

(4) for placing or attempting to place into waters of the state water-related equipment that has prohibited invasive species attached when the waters are not listed by the commissioner as being infested with that invasive species, \$500;

(5) for intentionally damaging, moving, removing, or sinking a buoy marking, as prescribed by rule, Eurasian water milfoil, \$100;

(6) for failing to have drain plugs or similar devices removed or opened while transporting water-related equipment or for failing to remove plugs, open valves, and drain water from water-related equipment, other than marine sanitary systems, before leaving waters of the state, \$100; ~~and~~

(7) for transporting infested water off riparian property without a permit as required by rule, \$200; and

(8) for launching water-related equipment into waters of the state in violation of section 86B.13, subdivision 4, \$25.

(b) A civil citation that is issued to a person who has one or more prior convictions or final orders for violations of this chapter is subject to twice the penalty amounts listed in paragraph (a).

**EFFECTIVE DATE.** This section is effective January 1, 2017, and applies to violations that occur on or after that date.

Sec. 2. Minnesota Statutes 2014, section 84D.13, subdivision 9, is amended to read:

Subd. 9. **Training for offenders.** For violations that occur on or after January 1, 2016, a person who is convicted of or subject to a final order for a violation of this chapter involving water-related equipment must successfully complete a training course as provided in section 86B.13.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 3. Minnesota Statutes 2014, section 86B.13, subdivision 1, is amended to read:

Subdivision 1. **Establishment.** By January 1, 2016, the commissioner shall establish a statewide course in preventing the spread of aquatic invasive species. The commissioner must develop an educational course and testing program that address identification of aquatic invasive species and best practices to prevent the spread of aquatic invasive species when moving water-related equipment, as defined under section 84D.01, subdivision 18a. The commissioner shall not charge a fee to a person taking the course.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 4. Minnesota Statutes 2014, section 86B.13, subdivision 1a, is amended to read:

Subd. 1a. **Training for offenders.** For violations that occur on or after January 1, 2016, a person who is convicted of or subject to a final order for a violation of chapter 84D involving water-related equipment must successfully complete the training course in subdivision 1 before continuing operation or use of water-related equipment.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 5. Minnesota Statutes 2014, section 86B.13, subdivision 2, is amended to read:

Subd. 2. **Aquatic invasive species trailer decal.** The commissioner shall issue, at no cost to the person, an aquatic invasive species trailer decal for each trailer owned by a person that satisfactorily completes the required course of instruction.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 6. Minnesota Statutes 2014, section 86B.13, subdivision 4, is amended to read:

Subd. 4. **Aquatic invasive species trailer decal display required.** (a) Beginning January 1, 2016, a person may not ~~transport~~ launch watercraft or water-related equipment, as defined under section 84D.01, subdivision 18a, into waters of the state, as defined in section 84D.01, subdivision 20, with a trailer unless the person has an aquatic invasive species trailer decal or training validation issued under this section. Temporary authorizations valid for ~~seven~~ 14 days can be requested by persons that have not completed the required course of instruction.

(b) Aquatic invasive species trailer decals are valid for three years.

(c) The aquatic invasive species trailer decal must be adhered to the side of the trailer frame tongue near the hitch in a manner that it is readily visible and does not interfere with the display of any registration requirements under section 169.79.

(d) Aquatic invasive species trailer decals are not transferable.

(e) ~~Violation of this section shall not result in a penalty, but is punishable only by a warning.~~ Unless otherwise provided by law, a person is exempt from the training and decal requirements under this section if the person:

(1) holds a valid service provider permit under section 84D.108; or

(2) is using a trailer to launch water-related equipment that has been seasonally stored on riparian property owned by the person and that is being directly returned to the same water body from which the water-related equipment was removed.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Sec. 7. Minnesota Statutes 2014, section 86B.13, is amended by adding a subdivision to read:

Subd. 5. **Penalty.** A person launching water-related equipment into waters of the state who fails to display an aquatic invasive species trailer decal or training validation in violation of this section is subject to the penalty under section 84D.13, subdivision 5, paragraph (a), clause (8), except for any violations prior to January 1, 2017, which are punishable only by a warning.

**EFFECTIVE DATE.** This section is effective the day following final enactment.