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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 595

02/14/2013 Authored by Poppe, Torkelson, Swedzinski, McNamar, Kahn and others

The bill was read for the first time and referred to the Committee on Agriculture Policy

03/18/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Environment, Natural Resources and Agriculture Finance

1.1 A bill for an act
1.2 relating to natural resources; establishing a honey bee habitat program; allowing
1.3 honey bee habitat projects on lands under certain conservation easements;
1.4 amending Minnesota Statutes 2012, section 103F.515, subdivision 4; proposing
1.5 coding for new law in Minnesota Statutes, chapter 84.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. [84.973] HONEY BEE HABITAT PROGRAM.

1.8 The commissioner of natural resources shall establish criteria for a honey bee habitat
1.9 program to provide enhanced honey bee and other pollinator habitat on state lands. The
1.10 criteria must include identification of state lands suitable for enhanced honey bee habitat
1.11 projects so that state lands throughout the state provide enhanced honey bee and other
1.12 pollinator habitat. Other required criteria include: a list of suitable plantings, whether to
1.13 exclude native prairies or scientific and natural areas, whether to incorporate nonnative
1.14 species, and other criteria necessary for a successful program.

1.15 Sec. 2. Minnesota Statutes 2012, section 103F.515, subdivision 4, is amended to read:

1.16 Subd. 4. **Nature of property rights acquired.** (a) A conservation easement must
1.17 prohibit:

1.18 (1) alteration of wildlife habitat and other natural features, unless specifically
1.19 approved by the board;

1.20 (2) agricultural crop production and livestock grazing, unless specifically approved
1.21 by the board for conservation management purposes or extreme drought; and

1.22 (3) spraying with chemicals or mowing, except:

1.23 (i) as necessary to comply with noxious weed control laws;

1.24 (ii) for emergency control of pests necessary to protect public health; or

2.1 (iii) as approved by the board for conservation management purposes.

2.2 (b) A conservation easement is subject to the terms of the agreement provided in
2.3 subdivision 5.

2.4 (c) A conservation easement must allow repairs, improvements, and inspections
2.5 necessary to maintain public drainage systems provided the easement area is restored to
2.6 the condition required by the terms of the conservation easement.

2.7 (d) Notwithstanding paragraph (a), the board must permit the harvest of native
2.8 grasses for use in seed production or bioenergy on wellhead protection lands eligible
2.9 under subdivision 2, paragraph (d).

2.10 (e) Notwithstanding paragraph (a), the board may permit the planting of native and
2.11 nonnative species beneficial to honey bees and other pollinators as part of a honey bee
2.12 habitat project, except on lands containing native prairie. The board shall develop a list of
2.13 suitable plantings, best management practices, and standards for honey bee habitat projects
2.14 allowable under this paragraph in consultation with the commissioner of natural resources.