

A bill for an act
relating to natural resources; providing for voluntary termination of certain
timber permits.

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

Section 1. **VOLUNTARY TERMINATION OF TIMBER SALE PERMITS.**

(a) Notwithstanding Minnesota Statutes, sections 90.161, 90.173, and 90.211, or other law to the contrary, the commissioner of natural resources shall, in the case of nontrust land, terminate the permit for an eligible sale of timber without penalty according to this section and upon request of the permit holder. In the case of a permit relating to trust land, the commissioner shall terminate the permit for an eligible sale of timber according to this section only if termination of the permit would secure the maximum long-term economic return from the land consistent with the fiduciary responsibilities imposed by law in regard to the trust lands.

(b) An "eligible sale" means a sale for timber:

(1) the permit for which was issued on or after July 1, 2004, but before January 1, 2007;

(2) that contains aspen as the predominant timber species; and

(3) for which the aspen was sold for \$40 per cord or more.

(c) The maximum amount available for voluntary turn back under this section is 10,000 cords of all species for each permittee.

(d) Upon termination of a permit under this section, the commissioner shall retain the 15 percent down payment made by the permittee under Minnesota Statutes, section 90.14, and shall credit the amount to the permittee. In the case of a bonded sale, the permittee is released from the bond obligation, except that the permittee must pay 15 percent of the

H.F. No. 299, 1st Engrossment - 85th Legislative Session (2007-2008)

2.1 turn back amount, in cash, to the commissioner. The commissioner shall credit the amount
2.2 paid to the permittee. Amounts credited to permittees under this paragraph may be used
2.3 toward future timber purchases. A credit under this paragraph expires two years after the
2.4 effective date of the permit termination.

2.5 (e) All permit terminations under this section must be completed by December 31,
2.6 2007. The commissioner of natural resources must proceed expeditiously to reoffer for
2.7 sale any timber subject of a turn back under this section.

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