

SENATE  
STATE OF MINNESOTA  
EIGHTY-EIGHTH LEGISLATURE

S.F. No. 1410

(SENATE AUTHORS: LOUREY)

DATE	D-PG	OFFICIAL STATUS
03/14/2013	1027	Introduction and first reading Referred to Environment and Energy

1.1 A bill for an act  
1.2 relating to natural resources; clarifying responsibilities for state tree nurseries;  
1.3 requiring a report; amending Minnesota Statutes 2012, sections 89.36,  
1.4 subdivision 1; 89.37, subdivision 3; repealing Laws 2011, First Special Session  
1.5 chapter 2, article 4, section 30.

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

1.7 Section 1. Minnesota Statutes 2012, section 89.36, subdivision 1, is amended to read:

1.8 Subdivision 1. **Production at state nurseries.** The commissioner of natural  
1.9 resources may produce tree planting stock for the purposes of sections 89.35 to 89.39 upon  
1.10 any lands under control of the commissioner which may be deemed suitable and available  
1.11 therefor so far as not inconsistent with other uses to which such lands may be dedicated by  
1.12 law. The legislature recognizes the importance of the state nursery program in collecting,  
1.13 tracking by seed source, processing, storing, and distributing planting stock for forest  
1.14 tree improvement, forest management needs, and research to provide seed and plant  
1.15 materials for Minnesota's diverse and changing forest conditions. The commissioner may  
1.16 not produce more than 10,000,000 units of planting stock annually, after January 1, 2003.

1.17 Sec. 2. Minnesota Statutes 2012, section 89.37, subdivision 3, is amended to read:

1.18 Subd. 3. **Private lands.** The commissioner may supply only bare root seedlings,  
1.19 woody cuttings, and transplant material for use on private land, provided that ~~such~~  
1.20 the material must be sold ~~in lots of not less than 500~~ for a sum determined by the  
1.21 commissioner to be equivalent to the cost of the materials and the expenses of their  
1.22 distribution. The commissioner may not directly or indirectly supply any other planting  
1.23 stock for use on private lands.

2.1       Sec. 3. **REPORT; STATE TREE NURSERIES.**

2.2             By January 15, 2014, the commissioner of natural resources shall report to the chairs  
2.3 and ranking minority members of the senate and house of representatives committees and  
2.4 divisions with jurisdiction over natural resources with a plan to upgrade and improve  
2.5 state tree nurseries. The plan shall include recommendations on allowing the nursery  
2.6 program to obtain sufficient funds to make improvements in capability, including, but not  
2.7 limited to, equipment, processes, staffing, and improving cost-effectiveness in the long  
2.8 run. The plan shall address short-term and long-term capital improvements necessary for  
2.9 the continued efficient operation of state tree nurseries.

2.10       Sec. 4. **REPEALER.**

2.11             Laws 2011, First Special Session chapter 2, article 4, section 30, is repealed.

***Laws 2011, First Special Session chapter 2, article 4, section 30***

**Sec. 30. STATE TREE NURSERY PROGRAM RESTRUCTURING; REPORT REQUIRED.**

(a) Beginning July 1, 2011, the commissioner of natural resources shall limit all new plantings at the Badoura State Nursery to the planting of stock for research or use on public lands or private conservation lands with permanent protection. Excess plant material may be sold or traded to private wholesale nurseries.

(b) By January 15, 2012, the commissioner of natural resources shall submit a budget and financial plan for the state nurseries to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources policy and finance. The plan shall include a long-term business plan to operate the Badoura State Nursery in a manner that is self-sufficient. The plan shall also include options for the General C.C. Andrews State Nursery.