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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 3890

04/11/2016 Authored by McNamara

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

04/15/2016 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to state government; appropriating money for environment and natural
1.3 resources; modifying prior appropriations; modifying provisions to harvest wild
1.4 rice; establishing requirements for marine carbon monoxide detection devices;
1.5 modifying terms of certain committees, funds, and accounts; providing for
1.6 prescribed burns; modifying provisions for certain land sales and exchanges;
1.7 creating Aggregate Resources Task Force; providing appointments; providing
1.8 for certain water level control permit; requiring reports; amending Minnesota
1.9 Statutes 2014, sections 84.091, subdivision 2; 86B.005, by adding subdivisions;
1.10 88.01, by adding a subdivision; 88.22, subdivision 1; 93.0015, subdivision 3;
1.11 93.2236; 94.3495, subdivisions 2, 3, 7; Laws 2015, First Special Session chapter
1.12 4, article 3, section 3, subdivision 2; article 4, section 131; proposing coding
1.13 for new law in Minnesota Statutes, chapter 86B; repealing Minnesota Statutes
1.14 2014, section 116P.13.

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

1.16 **ARTICLE 1**

1.17 **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS**

1.18 Section 1. **APPROPRIATIONS.**

1.19 The sums shown in the columns marked "Appropriations" are added to the
1.20 appropriations in Laws 2015, First Special Session chapter 4, or appropriated to the
1.21 agencies and for the purposes specified in this article. The appropriations are from the
1.22 general fund, or another named fund, and are available for the fiscal year indicated for
1.23 each purpose. The figures "2016" and "2017" used in this article mean that the addition
1.24 to the appropriations listed under them are available for the fiscal year ending June 30,
1.25 2016, or June 30, 2017, respectively. "The first year" is fiscal year 2016. "The second
1.26 year" is fiscal year 2017. Appropriations for fiscal year 2016 are effective the day
1.27 following final enactment.

2.1		<u>APPROPRIATIONS</u>	
2.2		<u>Available for the Year</u>	
2.3		<u>Ending June 30</u>	
2.4		<u>2016</u>	<u>2017</u>
2.5	Sec. 2. <u>NATURAL RESOURCES</u>		
2.6	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>2,462,000</u> <u>\$</u> <u>6,183,000</u>
2.7	<u>Appropriations by Fund</u>		
2.8		<u>2016</u>	<u>2017</u>
2.9	<u>General</u>	<u>1,742,000</u>	<u>2,158,000</u>
2.10	<u>Natural Resources</u>	<u>50,000</u>	<u>4,025,000</u>
2.11	<u>Game and Fish</u>	<u>670,000</u>	<u>-0-</u>
2.12	<u>The amounts that may be spent for each</u>		
2.13	<u>purpose are specified in the following</u>		
2.14	<u>subdivisions.</u>		
2.15	<u>Subd. 2. Ecological and Water Resources</u>	<u>-0-</u>	<u>225,000</u>
2.16	<u>\$225,000 the second year is from the water</u>		
2.17	<u>management account in the natural resources</u>		
2.18	<u>fund for water appropriation monitoring,</u>		
2.19	<u>modeling, and reporting for the Cold Spring</u>		
2.20	<u>Creek area as required under this act. This</u>		
2.21	<u>is a onetime appropriation and is available</u>		
2.22	<u>until June 30, 2022.</u>		
2.23	<u>Subd. 3. Forest Management</u>	<u>-0-</u>	<u>-0-</u>
2.24	<u>Appropriations by Fund</u>		
2.25		<u>2016</u>	<u>2017</u>
2.26	<u>General</u>	<u>-0-</u>	<u>(1,500,000)</u>
2.27	<u>Natural Resources</u>	<u>-0-</u>	<u>1,500,000</u>
2.28	<u>\$1,500,000 the second year is a reduction</u>		
2.29	<u>from the general fund. This is a onetime</u>		
2.30	<u>reduction.</u>		
2.31	<u>\$1,500,000 the second year is from the</u>		
2.32	<u>forest management investment account in the</u>		
2.33	<u>natural resources fund. Of this amount, up to</u>		
2.34	<u>\$3,000 is for purposes of the report required</u>		
2.35	<u>on public engagement regarding Sand Dunes</u>		

3.1 State Forest required under this act, and
 3.2 up to \$3,000 is for the report required on
 3.3 prescribed burning required under this act.

3.4 This is a onetime appropriation.

3.5 **Subd. 4. Parks and Trails Management** -0- 2,300,000

3.6 \$2,300,000 the second year is from the state
 3.7 parks account in the natural resources fund.

3.8 This is a onetime appropriation.

3.9 **Subd. 5. Enforcement** 720,000 -0-

3.10 \$670,000 the first year is from the game and
 3.11 fish fund for aviation services. This is a
 3.12 onetime appropriation.

3.13 \$50,000 the first year is from the water
 3.14 recreation account in the natural resources
 3.15 fund for implementation of Minnesota
 3.16 Statutes, section 86B.532 established in this
 3.17 act. This is a onetime appropriation.

3.18 **Subd. 6. Operations Support** 1,742,000 3,658,000

3.19 \$1,742,000 the first year and \$3,658,000
 3.20 the second year are for legal costs related
 3.21 to the NorthMet mining project. Of this
 3.22 amount, up to \$143,000 the first year and
 3.23 up to \$1,289,000 the second year may be
 3.24 transferred to other agencies for legal costs
 3.25 associated with the NorthMet mining project.
 3.26 This is a onetime appropriation and is
 3.27 available until June 30, 2019.

3.28 **Sec. 3. LEGISLATURE** \$ 25,000 \$ -0-

3.29 \$25,000 the first year is from the Minnesota
 3.30 future resources fund to the Legislative
 3.31 Coordinating Commission for the Aggregate
 3.32 Resources Task Force established in this

4.1 act. This is a onetime appropriation and is
 4.2 available until June 30, 2018.

4.3 Sec. 4. ADMINISTRATION \$ 250,000 \$ -0-

4.4 \$250,000 the first year is from the state forest
 4.5 suspense account in the permanent school
 4.6 fund for the school trust lands director to
 4.7 initiate real estate development projects
 4.8 on school trust lands as determined by the
 4.9 school trust lands director. This is a onetime
 4.10 appropriation.

4.11 Sec. 5. Laws 2015, First Special Session chapter 4, article 3, section 3, subdivision 2,
 4.12 is amended to read:

4.13 Subd. 2. **Land and Mineral Resources**
 4.14 **Management** 6,461,000 5,521,000

4.15	Appropriations by Fund		
4.16		2016	2017
4.17	General	1,585,000	1,585,000
4.18	Natural Resources	3,332,000	3,392,000
4.19	Game and Fish	344,000	344,000
4.20	Remediation	1,000,000	-0-
4.21	Permanent School	200,000	200,000

4.22 \$68,000 the first year and \$68,000 the
 4.23 second year are for minerals cooperative
 4.24 environmental research, ~~of which \$34,000~~
 4.25 ~~the first year and \$34,000 the second year are~~
 4.26 ~~available only as matched by \$1 of nonstate~~
 4.27 ~~money for each \$1 of state money. The~~
 4.28 ~~match may be cash or in-kind.~~

4.29 \$251,000 the first year and \$251,000 the
 4.30 second year are for iron ore cooperative
 4.31 research. Of this amount, \$200,000 each year
 4.32 is from the minerals management account
 4.33 in the natural resources fund. ~~\$175,000 the~~
 4.34 ~~first year and \$175,000 the second year are~~

5.1 ~~available only as matched by \$1 of nonstate~~
5.2 ~~money for each \$1 of state money. The match~~
5.3 ~~may be cash or in-kind.~~ Any unencumbered
5.4 balance from the first year does not cancel
5.5 and is available in the second year.

5.6 \$2,755,000 the first year and \$2,815,000
5.7 the second year are from the minerals
5.8 management account in the natural resources
5.9 fund for use as provided in Minnesota
5.10 Statutes, section 93.2236, paragraph (c),
5.11 for mineral resource management, projects
5.12 to enhance future mineral income, and
5.13 projects to promote new mineral resource
5.14 opportunities.

5.15 \$200,000 the first year and \$200,000 the
5.16 second year are from the state forest suspense
5.17 account in the permanent school fund to
5.18 accelerate land exchanges, land sales, and
5.19 commercial leasing of school trust lands and
5.20 to identify, evaluate, and lease construction
5.21 aggregate located on school trust lands. This
5.22 appropriation is to be used for securing
5.23 long-term economic return from the
5.24 school trust lands consistent with fiduciary
5.25 responsibilities and sound natural resources
5.26 conservation and management principles.

5.27 Notwithstanding Minnesota Statutes, section
5.28 115B.20, \$1,000,000 the first year is from
5.29 the dedicated account within the remediation
5.30 fund for the purposes of Minnesota Statutes,
5.31 section 115B.20, subdivision 2, clause (4),
5.32 to acquire salt lands as described under
5.33 Minnesota Statutes, section 92.05, within
5.34 Bear Head Lake State Park. This is a onetime

6.1 appropriation and is available until June 30,
6.2 2018.

6.3 ARTICLE 2

6.4 ENVIRONMENT AND NATURAL RESOURCES STATUTORY CHANGES

6.5 Section 1. Minnesota Statutes 2014, section 84.091, subdivision 2, is amended to read:

6.6 Subd. 2. **License required; ~~exception~~ exemptions.** (a) Except as provided in
6.7 ~~paragraph (b)~~ this subdivision, a person may not harvest, buy, sell, transport, or possess
6.8 aquatic plants without a license required under this chapter. A license shall be issued in
6.9 the same manner as provided under the game and fish laws.

6.10 (b) A resident under the age of 18 years may harvest wild rice without a license, if
6.11 accompanied by a person with a wild rice license.

6.12 (c) Tribal band members who possess a valid tribal identification card from a
6.13 federally recognized tribe located in Minnesota are deemed to have a license to harvest
6.14 wild rice under this section.

6.15 Sec. 2. Minnesota Statutes 2014, section 86B.005, is amended by adding a subdivision
6.16 to read:

6.17 Subd. 4a. **Enclosed accommodation compartment.** "Enclosed accommodation
6.18 compartment" means one contiguous space, surrounded by boat structure, that contains
6.19 all of the following:

6.20 (1) designated sleeping accommodations;

6.21 (2) a galley area with sink; and

6.22 (3) a head compartment.

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

6.24 Sec. 3. Minnesota Statutes 2014, section 86B.005, is amended by adding a subdivision
6.25 to read:

6.26 Subd. 4b. **Enclosed occupancy compartment.** "Enclosed occupancy compartment"
6.27 means one contiguous enclosed space surrounded by boat structure that may be occupied
6.28 by a person.

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

6.30 Sec. 4. Minnesota Statutes 2014, section 86B.005, is amended by adding a subdivision
6.31 to read:

7.1 Subd. 8a. **Marine carbon monoxide detection system.** "Marine carbon monoxide
7.2 detection system" means a device or system that meets the requirements of the American
7.3 Boat and Yacht Council Standard A-24, July 2015, for carbon monoxide detection systems.

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

7.5 Sec. 5. **[86B.532] CARBON MONOXIDE DETECTION DEVICE**
7.6 **REQUIREMENTS.**

7.7 Subdivision 1. **Requirements.** (a) After May 1, 2017, no motorboat that has an
7.8 enclosed accommodation compartment may be operated on any waters of the state unless
7.9 the motorboat is equipped with a functioning marine carbon monoxide detection system
7.10 installed according to the manufacturer's instructions.

7.11 (b) After May 1, 2017, no new motorboat that has an enclosed accommodation
7.12 compartment may be sold or offered for sale in Minnesota unless the motorboat is
7.13 equipped with a new functioning marine carbon monoxide detection system installed
7.14 according to the manufacturer's instructions.

7.15 Subd. 2. **Boating safety courses.** All state-sponsored boating safety courses and all
7.16 boating safety courses that require state approval by the commissioner must incorporate
7.17 information about the dangers of being overcome by carbon monoxide poisoning while on
7.18 or behind a motorboat and how to prevent that poisoning.

7.19 Subd. 3. **Carbon monoxide poisoning warning labels.** (a) After May 1, 2017,
7.20 no gasoline-powered motorboat that has an enclosed occupancy compartment may be
7.21 operated on any waters of the state unless labels warning of carbon monoxide dangers are
7.22 affixed in the vicinity of the aft reboarding/stern area and the steering station and in or
7.23 at the entrance to any enclosed occupancy compartment.

7.24 (b) For a motorboat sold by a dealer, the dealer must ensure that specified warning
7.25 labels have been affixed before completion of the transaction.

7.26 (c) Warning labels approved by the American Boat and Yacht Council, National
7.27 Marine Manufacturers Association, or the commissioner satisfy the requirements of this
7.28 section when installed as specified.

7.29 Subd. 4. **License agents; distribution.** The commissioner shall mail the information
7.30 and labels to all motorboat owners of watercraft that are 21 feet and greater in length no later
7.31 than May 1, 2017. The commissioner must also provide license agents with informational
7.32 brochures and warning labels about the dangers of carbon monoxide poisoning while
7.33 boating. A license agent must make the brochure and labels available to motorboat owners
7.34 and make efforts to inform new owners of the requirement. The commissioner shall
7.35 highlight the new requirements on the watercraft renewal reminder postcard for three

8.1 consecutive three-year license cycles and in the Minnesota Boating Guide. The brochure
8.2 must instruct motorboat owners to place the labels according to subdivision 3 and inform
8.3 motorboat owners of carbon monoxide dangers of gasoline-powered generators.

8.4 Subd. 5. **Safety warning.** A first violation of this section does not result in a
8.5 penalty, but is punishable only by a safety warning. A second or subsequent violation
8.6 is a petty misdemeanor.

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

8.8 Sec. 6. Minnesota Statutes 2014, section 88.01, is amended by adding a subdivision to
8.9 read:

8.10 Subd. 28. **Prescribed burn.** "Prescribed burn" means a fire that is intentionally
8.11 ignited, managed, and controlled by an entity meeting certification requirements established
8.12 by the commissioner for the purpose of managing vegetation. A prescribed burn that has
8.13 exceeded its prescribed boundaries and requires suppression action is considered a wildfire.

8.14 Sec. 7. Minnesota Statutes 2014, section 88.22, subdivision 1, is amended to read:

8.15 Subdivision 1. **Imposition of restrictions.** (a) **Road closure.** When the
8.16 commissioner of natural resources shall determine that conditions conducive to wildfire
8.17 hazards exist in the wildfire areas of the state and that the presence of persons in the
8.18 wildlife areas tends to aggravate wildfire hazards, render forest trails impassable by
8.19 driving thereon during wet seasons and hampers the effective enforcement of state timber
8.20 trespass and game laws, the commissioner may by written order, close any road or trail
8.21 leading into any land used for any conservation purposes, to all modes of travel except
8.22 that considered essential such as residents traveling to and from their homes or in other
8.23 cases to be determined by the authorized forest officers assigned to guard the area.

8.24 (b) **Burning ban.** The commissioner may also, upon such determination, by written
8.25 order, suspend the issuance of permits for open fires or prescribed burns, revoke or suspend
8.26 the operation of a permit previously issued and, to the extent the commissioner deems
8.27 necessary, prohibit the building of all or some kinds of open fires or prescribed burns in all
8.28 or any part of a wildfire area regardless of whether a permit is otherwise required; and the
8.29 commissioner also may, by written order, prohibit smoking except at places of habitation
8.30 or automobiles or other enclosed vehicles properly equipped with an efficient ash tray.

8.31 Sec. 8. Minnesota Statutes 2014, section 93.0015, subdivision 3, is amended to read:

8.32 Subd. 3. **Expiration.** The committee expires June 30, ~~2016~~ 2026.

9.1 Sec. 9. Minnesota Statutes 2014, section 93.2236, is amended to read:

9.2 **93.2236 MINERALS MANAGEMENT ACCOUNT.**

9.3 (a) The minerals management account is created as an account in the natural
9.4 resources fund. Interest earned on money in the account accrues to the account. Money in
9.5 the account may be spent or distributed only as provided in paragraphs (b) and (c).

9.6 (b) If the balance in the minerals management account exceeds \$3,000,000 on March
9.7 31, June 30, September 30, or December 31, the amount exceeding \$3,000,000 must
9.8 be distributed to the permanent school fund, the permanent university fund, and taxing
9.9 districts as provided in section 93.22, subdivision 1, paragraph (c). The amount distributed
9.10 to each fund must be in the same proportion as the total mineral lease revenue received
9.11 in the previous biennium from school trust lands, university lands, and lands held by the
9.12 state in trust for taxing districts.

9.13 (c) Subject to appropriation by the legislature, money in the minerals management
9.14 account may be spent by the commissioner of natural resources for mineral resource
9.15 management and projects to enhance future mineral income and promote new mineral
9.16 resource opportunities.

9.17 Sec. 10. Minnesota Statutes 2014, section 94.3495, subdivision 2, is amended to read:

9.18 Subd. 2. **Classes of land; definitions.** (a) The classes of public land that may be
9.19 involved in an expedited exchange under this section are:

9.20 (1) Class 1 land, which for the purpose of this section is Class A land as defined in
9.21 section 94.342, subdivision 1, ~~except for:~~

9.22 ~~(i) school trust land as defined in section 92.025; and~~

9.23 ~~(ii) university land granted to the state by acts of Congress;~~

9.24 (2) Class 2 land, which for the purpose of this section is Class B land as defined in
9.25 section 94.342, subdivision 2; and

9.26 (3) Class 3 land, which for the purpose of this section is all land owned in fee by
9.27 a governmental subdivision of the state.

9.28 (b) "School trust land" has the meaning given in section 92.025.

9.29 (c) "University land" means land granted to the state by acts of Congress for
9.30 university purposes.

9.31 Sec. 11. Minnesota Statutes 2014, section 94.3495, subdivision 3, is amended to read:

9.32 Subd. 3. **Valuation of land.** (a) In an exchange of Class 1 land for Class 2 or 3 land,
9.33 the value of all the land shall be determined by the commissioner of natural resources,
9.34 but the county board must approve the value determined for the Class 2 land, and the

10.1 governmental subdivision of the state must approve the value determined for the Class 3
 10.2 land. In an exchange of Class 2 land for Class 3 land, the value of all the land shall be
 10.3 determined by the county board of the county in which the land lies, but the governmental
 10.4 subdivision of the state must approve the value determined for the Class 3 land.

10.5 (b) To determine the value of the land, the parties to the exchange may either (1)
 10.6 cause the land to be appraised, ~~utilize the valuation process provided under section~~
 10.7 ~~84.0272, subdivision 3, or obtain a market analysis from a qualified real estate broker or~~
 10.8 (2) determine the value for each 40-acre tract or lot, or a portion thereof, using the most
 10.9 current township or county assessment schedules for similar land types from the county
 10.10 assessor of the county in which the lands are located. Merchantable timber value ~~must~~
 10.11 should be determined and considered in finalizing valuation of the lands.

10.12 ~~(b) All~~ (c) Except for school trust lands and university lands, the lands exchanged
 10.13 under this section shall be exchanged only for lands of at least substantially equal value.
 10.14 For the purposes of this subdivision, "substantially equal value" has the meaning given
 10.15 under section 94.343, subdivision 3, paragraph (b). No payment is due either party if the
 10.16 lands, other than school trust lands or university lands, are of substantially equal value but
 10.17 are not of the same value.

10.18 (d) School trust lands and university lands exchanged under this section must be
 10.19 exchanged only for lands of equal or greater value.

10.20 Sec. 12. Minnesota Statutes 2014, section 94.3495, subdivision 7, is amended to read:

10.21 Subd. 7. **Reversionary interest; Mineral and water power rights and other**
 10.22 **reservations.** ~~(a) All deeds conveying land given in an expedited land exchange under~~
 10.23 ~~this section shall include a reverter that provides that title to the land automatically reverts~~
 10.24 ~~to the conveying governmental unit if:~~

10.25 (1) ~~the receiving governmental unit sells, exchanges, or otherwise transfers title of~~
 10.26 ~~the land within 40 years of the date of the deed conveying ownership; and~~

10.27 (2) ~~there is no prior written approval for the transfer from the conveying~~
 10.28 ~~governmental unit. The authority for granting approval is the commissioner of natural~~
 10.29 ~~resources for former Class 1 land, the county board for former Class 2 land, and the~~
 10.30 ~~governing body for former Class 3 land.~~

10.31 (b) Class 1 land given in exchange is subject to the reservation provisions of section
 10.32 94.343, subdivision 4. Class 2 land given in exchange is subject to the reservation
 10.33 provisions of section 94.344, subdivision 4. County fee land given in exchange is subject
 10.34 to the reservation provisions of section 373.01, subdivision 1, paragraph (g).

11.1 Sec. 13. Laws 2015, First Special Session chapter 4, article 4, section 131, is amended
11.2 to read:

11.3 Sec. 131. **SURPLUS STATE LAND SALES.**

11.4 The school trust lands director shall identify, in consultation with the commissioner
11.5 of natural resources, at least \$5,000,000 in state-owned lands suitable for sale or exchange
11.6 with school trust lands. The lands identified shall not be within a unit of the outdoor
11.7 recreation system under Minnesota Statutes, section 86A.05, an administrative site, or
11.8 trust land. The commissioner shall sell or exchange at least \$3,000,000 worth of lands
11.9 identified under this section by June 30, 2017. Land exchanged under this section may
11.10 be exchanged in accordance with Minnesota Statutes, section 94.3495. The value of
11.11 the surplus land exchanged shall serve as compensation to the permanent school fund
11.12 as provided under Minnesota Statutes, section 84.027, subdivision 18, paragraph (b).
11.13 Notwithstanding the restrictions on sale of riparian land and the public sale provisions
11.14 under Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner may
11.15 offer the surplus land, including land bordering public water, for public or private sale.
11.16 Notwithstanding Minnesota Statutes, section 94.16, subdivision 3, or any other law to the
11.17 contrary, ~~the amount~~ an amount equal to 90 percent of the proceeds from the sale of lands
11.18 that exceeds the actual expenses of selling the lands must be deposited in the school trust
11.19 lands account and used to extinguish the school trust interest as provided under Minnesota
11.20 Statutes, section 92.83, on school trust lands that have public water access sites or old
11.21 growth forests located on them. Notwithstanding Minnesota Statutes, section 92.83, the
11.22 remaining ten percent of the proceeds must be used to fund transactional and legal work
11.23 associated with the Boundary Waters Canoe Area Wilderness land exchange and sale
11.24 projects under Minnesota Statutes, sections 92.80 and 92.82.

11.25 Sec. 14. **AGGREGATE RESOURCES TASK FORCE.**

11.26 Subdivision 1. **Creation; membership.** (a) The Aggregate Resources Task Force
11.27 consists of eight members appointed as follows:

11.28 (1) the speaker of the house shall appoint four members of the house of representatives
11.29 to include two members of the majority party and two members of the minority party, with
11.30 one member being the chair of the committee with jurisdiction over aggregate mining; and

11.31 (2) the senate Subcommittee on Committees of the Committee on Rules and
11.32 Administration shall appoint four members of the senate to include two members of the
11.33 majority party and two members of the minority party, with one member being the chair
11.34 of the committee with jurisdiction over aggregate mining.

12.1 (b) The appointing authorities must make their respective appointments no later
12.2 than July 15, 2016.

12.3 (c) The first meeting of the task force must be convened by the chairs of the house of
12.4 representatives and senate committees with jurisdiction over aggregate mining who will
12.5 serve as cochairs of the task force.

12.6 Subd. 2. **Duties.** The task force must study and provide recommendations on:

12.7 (1) the Department of Natural Resources' and Metropolitan Council's aggregate
12.8 mapping progress and needs;

12.9 (2) the effectiveness of recent aggregate tax legislation and the use of the revenues
12.10 collected by counties;

12.11 (3) the use of state funds to preserve aggregate reserves; and

12.12 (4) local land use and permitting issues, environmental review requirements, and the
12.13 impacts of other state regulations on aggregate reserves.

12.14 Subd. 3. **Report.** No later than January 15, 2018, the task force shall submit a
12.15 report to the chairs of the house of representatives and senate committees and divisions
12.16 with jurisdiction over aggregate mining and environment and natural resources finance
12.17 containing the findings of the study.

12.18 Subd. 4. **Expiration.** The Aggregate Resources Task Force expires 45 days after
12.19 the report and recommendations are delivered to the legislature or on June 30, 2018,
12.20 whichever date is earlier.

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

12.22 Sec. 15. **MARINE CARBON MONOXIDE DETECTORS; REPORT.**

12.23 The commissioner of natural resources shall submit a report to the legislature
12.24 by November 1, 2018. The report must outline any issues encountered relating
12.25 to implementation of Minnesota Statutes, section 86B.532, any changes to marine
12.26 manufacturing industry standards relating to carbon monoxide, the availability of plug-in
12.27 or battery-powered marine certified carbon monoxide detectors, and best practices in
12.28 preventing carbon monoxide poisoning relating to motorboat operation, including the
12.29 feasibility of requiring carbon monoxide detectors that are more sensitive in measuring
12.30 carbon monoxide than required in this act.

12.31 Sec. 16. **PRESCRIBED BURN REQUIREMENTS; REPORT.**

12.32 The commissioner of natural resources, in cooperation with prescribed burning
12.33 professionals, nongovernmental organizations, and local and federal governments, must
12.34 develop criteria for certifying an entity to conduct a prescribed burn under a general

13.1 permit. The certification requirements must include training, equipment, and experience
13.2 requirements and include an apprentice program to allow entities without experience to
13.3 become certified. The commissioner must establish provisions for decertifying entities.
13.4 The commissioner must not require additional certification or requirements for burns
13.5 conducted as part of normal agricultural practices not currently subject to prescribed burn
13.6 specifications. The commissioner must submit a report with recommendations and any
13.7 legislative changes needed to the chairs and ranking minority members of the house of
13.8 representatives and senate committees and divisions with jurisdiction over environment
13.9 and natural resources by January 15, 2017.

13.10 **Sec. 17. SAND DUNES STATE FOREST; REPORT.**

13.11 (a) Until July 1, 2017, the commissioner of natural resources shall not log, enter into
13.12 a logging contract, or otherwise remove trees for purposes of creating oak savanna in the
13.13 Sand Dunes State Forest. This paragraph does not prohibit work done under contracts
13.14 entered into before the effective date of this section or work on school trust lands.

13.15 (b) By January 15, 2017, the commissioner must submit a report, prepared by
13.16 the Division of Forestry, to the chairs and ranking minority members of the house of
13.17 representatives and senate committees and divisions with jurisdiction over environment
13.18 and natural resources with the Division of Forestry's progress on collaborating with local
13.19 citizens and other stakeholders over the past year when making decisions that impact
13.20 the landscape, including forest conversions and other clear-cutting activities, and the
13.21 division's progress on other citizen engagement activities.

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

13.23 **Sec. 18. COLD SPRING WATER APPROPRIATION PERMITS; REPORT.**

13.24 (a) The commissioner of natural resources shall amend the city of Cold Spring's
13.25 water appropriation permit number 1976-3179 to allow an increase in the city's water
13.26 withdrawal of 100 million gallons per year from city wells 4, 5, and 6, provided a
13.27 combined reduction of ten million gallons per year is made from city well 3 or water
13.28 appropriations under the Cold Spring Brewing Company's permit number 1984-3211.
13.29 The city and Cold Spring Brewing Company must comply with all existing reporting
13.30 requirements and demonstrate that increased pumping does not result in violations of the
13.31 Safe Drinking Water Act. The increases under this section are available on an interim
13.32 basis, not to exceed five years, to allow the city to establish a new well field and long-term
13.33 water supply solution for the city and company.

14.1 (b) The commissioner must conduct necessary monitoring of stream flow and water
14.2 levels and develop a groundwater model to determine the amount of water that can be
14.3 sustainably pumped in the area of Cold Spring Creek for area businesses, agriculture, and
14.4 city needs. Beginning July 1, 2017, the commissioner must submit an annual progress
14.5 report to the chairs and ranking minority members of the house of representatives and
14.6 senate committees and divisions with jurisdiction over environment and natural resources.
14.7 The commissioner must submit a final report by January 15, 2022.

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

14.9 Sec. 19. **WATER LEVEL CONTROL PERMIT FOR BIG LAKE; GRANT**
14.10 **COUNTY.**

14.11 Notwithstanding Minnesota Statutes, sections 103G.407 and 103G.408, the
14.12 commissioner of natural resources must issue a permit to the Bois de Sioux Watershed
14.13 District to allow Big Lake in Grant County to be maintained at an elevation of 1,073
14.14 feet from May 1 to October 1, and to be drawn down to an elevation of 1,072 feet prior
14.15 to the lake freezing.

14.16 Sec. 20. **CITATION.**

14.17 Sections 2, 3, 4, 5, and 15 may be known and cited as "Sophia's Law."

14.18 Sec. 21. **REPEALER.**

14.19 Minnesota Statutes 2014, section 116P.13, is repealed.

14.20 **EFFECTIVE DATE.** This section is effective July 1, 2018, and any funds remaining
14.21 in the Minnesota future resources fund on July 1, 2018, are transferred to the general fund.

APPENDIX
Article locations in H3890-1

	ENVIRONMENT AND NATURAL RESOURCES	
ARTICLE 1	APPROPRIATIONS	Page.Ln 1.16
	ENVIRONMENT AND NATURAL RESOURCES STATUTORY	
ARTICLE 2	CHANGES	Page.Ln 6.3

APPENDIX
Repealed Minnesota Statutes: H3890-1

116P.13 MINNESOTA FUTURE RESOURCES FUND.

Subdivision 1. **Revenue sources.** The money in the Minnesota future resources fund consists of revenue credited under section 297F.10, subdivision 1, paragraph (b), clause (1).

Subd. 2. **Interest.** The interest attributable to the investment of the Minnesota future resources fund must be credited to the fund.

Subd. 3. **Revenue purposes.** Revenue in the Minnesota future resources fund may be spent for purposes of natural resources acceleration and outdoor recreation, including but not limited to the development, maintenance, and operation of the state outdoor recreation system under chapter 86A and regional recreation open space systems as defined under section 473.351, subdivision 1.