

1.1 A bill for an act

1.2 relating to natural resources; eliminating Department of Natural Resources
1.3 programs that duplicate private market activities.

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

1.5 Section 1. **ENCOURAGE PRIVATE SECTOR COMPETITION AND**
1.6 **AVAILABILITY AND DEVELOPMENT OF LOCAL ECOTYPES.**

1.7 **Subdivision 1. State tree planting stock nurseries.** (a) The commissioner of
1.8 natural resources shall cease plantings at one of the two state tree planting stock nurseries
1.9 and, within two years of the effective date of this section, dispose of the state nursery
1.10 according to subdivision 4.

1.11 (b) At the remaining state nursery, the commissioner shall decrease production
1.12 of tree planting stock by 20 percent of the 2008 production level for each of the years
1.13 2009, 2010, 2011, and 2012. Within five years of the effective date of this section, the
1.14 commissioner shall dispose of the remaining state nursery according to subdivision 4.

1.15 **Subd. 2. State fish hatcheries.** The commissioner of natural resources shall
1.16 decrease production at state fish hatcheries by 20 percent of the 2008 production level
1.17 for each of the years 2009, 2010, 2011, and 2012. The commissioner shall close offices
1.18 and hatcheries and sell hatchery assets, according to subdivision 4, as they are no
1.19 longer needed due to decreased production under this subdivision. Within five years of
1.20 the effective date of this section, the commissioner shall cease operation of state fish
1.21 hatcheries and dispose of the remaining assets according to subdivision 4.

1.22 **Subd. 3. Production reduction schedule.** The commissioner of natural resources
1.23 shall make a schedule available on the department's Web site that shows the annual
1.24 production reductions for each year, including the availability of specific species.

2.1 Subd. 4. Sale of state nurseries and hatcheries. (a) Notwithstanding Minnesota
2.2 Statutes, sections 94.09 and 94.10, the commissioner may sell by public or private sale the
2.3 real property, improvements, and all other business assets of state nurseries and hatcheries
2.4 as authorized under this section. The nurseries and hatcheries shall be appraised according
2.5 to Minnesota Statutes, section 94.10, subdivision 1, paragraph (b). A sale under this
2.6 section must be in a form approved by the attorney general. If a nursery or hatchery is sold
2.7 as a going concern, the terms of sale must require the buyer to assume any contractual
2.8 obligations of the state related to the operation of the nursery or hatchery and must specify
2.9 any conditions the commissioner requires to minimize disruption to ongoing plantings
2.10 or sales.

2.11 (b) Unless otherwise specified by law, proceeds from the sale of state nurseries and
2.12 hatcheries under this section shall be deposited in the state treasury and credited to the
2.13 general fund.

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