

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 3842

(SENATE AUTHORS: RUUD)

DATE	D-PG	OFFICIAL STATUS
03/02/2020	5119	Introduction and first reading
		Referred to Environment and Natural Resources Policy and Legacy Finance
03/12/2020		Comm report: To pass as amended and re-refer to State Government Finance and Policy and Elections

- 1.1 A bill for an act
- 1.2 relating to natural resources; modifying provisions related to certifiable fish diseases
- 1.3 and list of species susceptible to viral hemorrhagic septicemia; modifying review
- 1.4 and approval of local regulation in Mississippi River Corridor Critical Area;
- 1.5 modifying requirements for exchanging wild rice leases; modifying reporting
- 1.6 requirement on school trust lands; modifying provisions for certain invasive species
- 1.7 permits; modifying state park provisions; providing for special-use permits;
- 1.8 providing for regulation of possessing, propagating, and selling snakes, lizards,
- 1.9 and salamanders; modifying provisions for game and fish licenses after convictions;
- 1.10 modifying hunting and fishing provisions; modifying date of Lake Superior
- 1.11 Management Plan; amending Minnesota Statutes 2018, sections 17.4982,
- 1.12 subdivisions 6, 8, 9, 12, by adding subdivisions; 17.4985, subdivisions 2, 3, 5;
- 1.13 17.4986, subdivisions 2, 4; 17.4991, subdivision 3; 17.4992, subdivision 2; 84D.11,
- 1.14 subdivision 1a; 85.052, subdivisions 1, 2, 6, by adding a subdivision; 85.053,
- 1.15 subdivision 2; 97A.401, subdivision 1, by adding a subdivision; 97A.421,
- 1.16 subdivision 1, by adding a subdivision; 97B.036; 97C.005, subdivision 3; 97C.342,
- 1.17 subdivision 2; 97C.515, subdivision 2; 97C.805, subdivision 2; 97C.836; 116G.07,
- 1.18 by adding a subdivision; 116G.15, by adding a subdivision; Minnesota Statutes
- 1.19 2019 Supplement, sections 84.027, subdivision 18; 85.054, subdivision 1; 85.47;
- 1.20 97B.086; Laws 2016, chapter 154, section 16; repealing Minnesota Statutes 2018,
- 1.21 sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision 19.
- 1.22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
- 1.23 Section 1. Minnesota Statutes 2018, section 17.4982, subdivision 6, is amended to read:
- 1.24 Subd. 6. **Certifiable diseases.** "Certifiable diseases" includes any of the following
- 1.25 expressed as clinical symptoms or based on the presence of the pathogen: channel catfish
- 1.26 virus, *Renibacterium salmoninarum* (bacterial kidney disease), *Aeromonas salmonicida*
- 1.27 (bacterial furunculosis), *Yersinia ruckeri* (enteric redmouth disease), *Edwardsiella ictaluri*
- 1.28 (enteric septicemia of catfish), infectious hematopoietic necrosis virus, infectious pancreatic
- 1.29 necrosis virus, *Myxobolus cerebralis* (whirling disease), *Tetracapsuloides bryosalmonae*

2.1 (proliferative kidney disease), viral hemorrhagic septicemia virus, epizootic epitheliotropic
2.2 virus, Ceratomyxa shasta (ceratomyxosis), and any emergency fish disease.

2.3 Sec. 2. Minnesota Statutes 2018, section 17.4982, subdivision 8, is amended to read:

2.4 Subd. 8. **Containment facility.** "Containment facility" means a licensed facility for
2.5 salmonids, catfish, or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list~~
2.6 ~~published by the United States Department of Agriculture, Animal and Plant Health~~
2.7 ~~Inspection Services, VHS-susceptible-species list~~ that complies with clauses (1), (3), and
2.8 (4), or clauses (2), (3), and (4):

2.9 (1) disinfects its effluent to the standards in section 17.4991 before the effluent is
2.10 discharged to public waters;

2.11 (2) does not discharge to public waters or to waters of the state directly connected to
2.12 public waters;

2.13 (3) raises aquatic life that is prohibited from being released into the wild and must be
2.14 kept in a facility approved by the commissioner unless processed for food consumption;

2.15 (4) contains aquatic life requiring a fish health inspection prior to transportation.

2.16 Sec. 3. Minnesota Statutes 2018, section 17.4982, subdivision 9, is amended to read:

2.17 Subd. 9. **Emergency fish disease.** "Emergency fish disease" means designated fish
2.18 diseases or pathogens not already present in this state that could impact populations of
2.19 aquatic life if inadvertently released by infected aquatic life, including channel catfish virus,
2.20 viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious
2.21 pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, and
2.22 epizootic epitheliotropic virus disease.

2.23 Sec. 4. Minnesota Statutes 2018, section 17.4982, subdivision 12, is amended to read:

2.24 Subd. 12. **Fish health inspection.** (a) "Fish health inspection" means an on-site,
2.25 statistically based sampling, collection, and testing of fish in accordance with processes in
2.26 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published
2.27 by the International Office of Epizootics (OIE) to test for causative pathogens. The samples
2.28 for inspection must be collected by a fish health inspector or a fish collector in cooperation
2.29 with the producer. Testing of samples must be done by an approved laboratory.

2.30 (b) The inspection for viral hemorrhagic septicemia (VHS), infectious pancreatic necrosis
2.31 (IPN), and infectious hematopoietic necrosis (IHN) in salmonids and for VHS in

3.1 nonsalmonids must include at a minimum viral testing of ovarian fluids at the 95 percent
3.2 confidence level of detecting two percent incidence of disease.

3.3 (c) The inspection for certifiable diseases and pathogens for wild fish must follow the
3.4 guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
3.5 Diseases.

3.6 Sec. 5. Minnesota Statutes 2018, section 17.4982, is amended by adding a subdivision to
3.7 read:

3.8 Subd. 21a. **VHS-susceptible species.** "VHS-susceptible species" are aquatic species
3.9 that are natural hosts for viral hemorrhagic septicemia according to the Fish Health Blue
3.10 Book or the book's successor.

3.11 Sec. 6. Minnesota Statutes 2018, section 17.4982, is amended by adding a subdivision to
3.12 read:

3.13 Subd. 21b. **VHS-susceptible-species list.** "VHS-susceptible-species list" is the
3.14 VHS-susceptible species listed in the Fish Health Blue Book that are found in or that can
3.15 survive in the Great Lakes region.

3.16 Sec. 7. Minnesota Statutes 2018, section 17.4985, subdivision 2, is amended to read:

3.17 Subd. 2. **Bill of lading.** (a) A state-issued bill of lading is required for:

3.18 (1) intrastate transportation of aquatic life other than salmonids, catfish, or species on
3.19 ~~the official list of viral hemorrhagic septicemia susceptible species published by the United~~
3.20 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
3.21 VHS-susceptible-species list between licensed private fish hatcheries, aquatic farms, or
3.22 aquarium facilities licensed for the species being transported if the aquatic life is being
3.23 transported into a watershed where it is not currently present, if walleyes whose original
3.24 source is south of marked State Highway 210 are being transported to a facility north of
3.25 marked State Highway 210, or if the original source of the aquatic life is outside Minnesota
3.26 and contiguous states; and

3.27 (2) stocking ~~of~~ waters other than public waters with aquatic life other than salmonids,
3.28 catfish, or species on the ~~official list of viral hemorrhagic septicemia susceptible species~~
3.29 ~~published by the United States Department of Agriculture, Animal and Plant Health~~
3.30 ~~Inspection Services~~ VHS-susceptible-species list.

4.1 (b) When aquatic life is transported under paragraph (a), a copy of the bill of lading
4.2 must be submitted to the regional fisheries manager at least 72 hours before the transportation.

4.3 (c) For transportation and stocking of waters that are not public waters:

4.4 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before
4.5 transporting fish for stocking;

4.6 (2) a bill of lading must be submitted to the regional fisheries manager within five days
4.7 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to
4.8 stocking by the regional fisheries office not to be public waters; or

4.9 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy
4.10 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not
4.11 public waters may be made by returning the bill of lading by telecopy or in writing, in which
4.12 cases additional copies need not be submitted to the Department of Natural Resources.

4.13 (d) Bill of lading forms may only be issued by the Department of Natural Resources in
4.14 St. Paul, and new bill of lading forms may not be issued until all previously issued forms
4.15 have been returned.

4.16 Sec. 8. Minnesota Statutes 2018, section 17.4985, subdivision 3, is amended to read:

4.17 Subd. 3. **Exemptions for transportation permits and bills of lading.** (a) A state-issued
4.18 bill of lading or transportation permit is not required by an aquatic farm licensee for
4.19 ~~importation of importing~~ animals not on the ~~official list of viral hemorrhagic septicemia~~
4.20 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
4.21 ~~Plant Health Inspection Services; transportation of VHS-susceptible-species list, transporting~~
4.22 ~~animals not on the official list of viral hemorrhagic septicemia susceptible species published~~
4.23 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~
4.24 ~~or export for~~ VHS-susceptible-species list, or exporting the following:

4.25 (1) minnows taken under an aquatic farm license in this state and transported intrastate;

4.26 (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater
4.27 species that cannot survive in the waters of the state, which may be imported or transported
4.28 if accompanied by shipping documents;

4.29 (3) fish or fish eggs that have been processed for use as food, bait, or other purposes
4.30 unrelated to fish propagation;

4.31 (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet
4.32 for processing or for other food purposes if accompanied by shipping documents;

5.1 (5) fish being exported if accompanied by shipping documents;

5.2 (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation
 5.3 or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official~~
 5.4 ~~list of viral hemorrhagic septicemia susceptible species published by the United States~~
 5.5 ~~Department of Agriculture, Animal and Plant Health Inspection Services~~
 5.6 VHS-susceptible-species list, then a transportation permit is required;

5.7 (7) species of fish that are found within the state used in connection with public shows,
 5.8 exhibits, demonstrations, or fishing pools for periods not exceeding 14 days;

5.9 (8) fish being transported through the state if accompanied by shipping documents; or

5.10 (9) intrastate transportation of aquatic life between or within licensed private fish
 5.11 hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported,
 5.12 except where required in subdivision 2 and except that salmonids, catfish, or species on the
 5.13 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
 5.14 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
 5.15 VHS-susceptible-species list may only be transferred or transported intrastate without a
 5.16 transportation permit if they had no record of bacterial kidney disease or viral hemorrhagic
 5.17 septicemia at the time they were imported into the state and if they have had a fish health
 5.18 inspection within the preceding year that has shown no certifiable diseases to be present.

5.19 Aquatic life being transferred between licensed private fish hatcheries, aquatic farms,
 5.20 or aquarium facilities must be accompanied by shipping documents and salmonids, catfish,
 5.21 or species on the ~~official list of viral hemorrhagic septicemia susceptible species published~~
 5.22 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
 5.23 VHS-susceptible-species list being transferred or transported intrastate without a
 5.24 transportation permit must be accompanied by a copy of their most recent fish health
 5.25 inspection.

5.26 (b) Shipping documents required under paragraph (a) must show the place of origin,
 5.27 owner or consignee, destination, number, and species.

5.28 Sec. 9. Minnesota Statutes 2018, section 17.4985, subdivision 5, is amended to read:

5.29 Subd. 5. **Permit application.** An application for a transportation permit must be made
 5.30 on forms provided by the commissioner. An incomplete application must be rejected. An
 5.31 application for a transportation permit for salmonids, catfish, or species on the ~~official list~~
 5.32 ~~of viral hemorrhagic septicemia susceptible species published by the United States~~
 5.33 ~~Department of Agriculture, Animal and Plant Health Inspection Services,~~

6.1 VHS-susceptible-species list; their eggs; or their sperm must be accompanied by certification
6.2 that the source of the eggs or sperm are free of certifiable diseases, except that eggs with
6.3 enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked
6.4 following treatment approved by the commissioner, and fish with bacterial kidney disease
6.5 or viral hemorrhagic septicemia may be imported, transported, or stocked into areas where
6.6 the disease has been identified as being present. A copy of the transportation permit showing
6.7 the date of certification inspection must accompany the shipment of fish while in transit
6.8 and must be available for inspection by the commissioner. By 14 days after a completed
6.9 application is received, the commissioner must approve or deny the importation permits as
6.10 provided in this section.

6.11 Sec. 10. Minnesota Statutes 2018, section 17.4986, subdivision 2, is amended to read:

6.12 Subd. 2. **Licensed facilities.** (a) The commissioner shall issue transportation permits to
6.13 import:

6.14 (1) indigenous and naturalized species except trout, salmon, catfish, or species on the
6.15 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
6.16 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
6.17 VHS-susceptible-species list and sperm from any source to a standard facility;

6.18 (2) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
6.19 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
6.20 ~~Plant Health Inspection Services,~~ VHS-susceptible-species list from a nonemergency enzootic
6.21 disease area to a containment facility if the fish are certified within the previous year to be
6.22 free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or
6.23 furunculosis may be imported following treatment approved by the commissioner, and fish
6.24 with bacterial kidney disease or viral hemorrhagic septicemia may be imported into areas
6.25 where the disease has been identified as being present; and

6.26 (3) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
6.27 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
6.28 ~~Plant Health Inspection Services,~~ VHS-susceptible-species list from a facility in a
6.29 nonemergency enzootic disease area with a disease-free history of three years or more to a
6.30 standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis
6.31 may be imported following treatment approved by the commissioner, and fish with bacterial
6.32 kidney disease or viral hemorrhagic septicemia may be imported into areas where the disease
6.33 has been identified as being present.

7.1 (b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a
7.2 history free from disease, aquatic life may only be imported into a quarantine facility.

7.3 Sec. 11. Minnesota Statutes 2018, section 17.4986, subdivision 4, is amended to read:

7.4 Subd. 4. **Disease-free history.** Disease-free histories required under this section must
7.5 include the results of a fish health inspection. When disease-free histories of more than one
7.6 year are required for importing salmonids, catfish, or species on the ~~official list of viral~~
7.7 ~~hemorrhagic septicemia susceptible species published by the United States Department of~~
7.8 ~~Agriculture, Animal and Plant Health Inspection Services~~ VHS-susceptible-species list, the
7.9 disease history must be of consecutive years that include the year previous to, or the year
7.10 of, the transportation request.

7.11 Sec. 12. Minnesota Statutes 2018, section 17.4991, subdivision 3, is amended to read:

7.12 Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating salmonids, catfish,
7.13 or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list published by the~~
7.14 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
7.15 VHS-susceptible-species list and having an effluent discharge from the aquatic farm into
7.16 public waters must have a fish health inspection conducted at least once every 12 months
7.17 by a certified fish health inspector. Testing must be conducted according to laboratory
7.18 methods of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
7.19 Diseases, published by the International Office of Epizootics (OIE).

7.20 (b) An aquatic farm propagating any species on the VHS susceptible list and having an
7.21 effluent discharge from the aquatic farm into public waters must test for VHS virus using
7.22 the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
7.23 Diseases. The commissioner may, by written order published in the State Register, prescribe
7.24 alternative testing time periods and methods from those prescribed in the Fish Health Blue
7.25 Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures
7.26 will not be compromised. These alternatives are not subject to the rulemaking provisions
7.27 of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable
7.28 notice to affected parties of any changes in testing requirements.

7.29 (c) Results of fish health inspections must be provided to the commissioner for all fish
7.30 that remain in the state. All data used to prepare and issue a fish health certificate must be
7.31 maintained for three years by the issuing fish health inspector, approved laboratory, or
7.32 accredited veterinarian.

8.1 (d) A health inspection fee must be charged based on each lot of fish sampled. The fee
8.2 by check or money order payable to the Department of Natural Resources must be prepaid
8.3 or paid at the time a bill or notice is received from the commissioner that the inspection and
8.4 processing of samples is completed.

8.5 (e) Upon receipt of payment and completion of inspection, the commissioner shall notify
8.6 the operator and issue a fish health certificate. The certification must be made according to
8.7 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases by a
8.8 person certified as a fish health inspector.

8.9 (f) All aquatic life in transit or held at transfer stations within the state may be inspected
8.10 by the commissioner. This inspection may include the collection of stock for purposes of
8.11 pathological analysis. Sample size necessary for analysis will follow guidelines listed in
8.12 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

8.13 (g) Salmonids, catfish, or species on the VHS susceptible list must have a fish health
8.14 inspection before being transported from a containment facility, unless the fish are being
8.15 transported directly to an outlet for processing or other food purposes or unless the
8.16 commissioner determines that an inspection is not needed. A fish health inspection conducted
8.17 for this purpose need only be done on the lot or lots of fish that will be transported. The
8.18 commissioner must conduct a fish health inspection requested for this purpose within five
8.19 working days of receiving written notice. Salmonids and catfish may be immediately
8.20 transported from a containment facility to another containment facility once a sample has
8.21 been obtained for a health inspection or once the five-day notice period has expired.

8.22 Sec. 13. Minnesota Statutes 2018, section 17.4992, subdivision 2, is amended to read:

8.23 Subd. 2. **Restriction on the sale of fish.** (a) Except as provided in paragraph (b), species
8.24 on the ~~official list of viral hemorrhagic septicemia susceptible species published by the~~
8.25 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
8.26 VHS-susceptible-species list must be free of viral hemorrhagic septicemia and species of
8.27 the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases
8.28 if sold for stocking or transfer to another aquatic farm.

8.29 (b) The following exceptions apply to paragraph (a):

8.30 (1) eggs with enteric redmouth, whirling disease, or furunculosis may be transferred
8.31 between licensed facilities or stocked following treatment approved by the commissioner;

9.1 (2) fish with bacterial kidney disease or viral hemorrhagic septicemia may be transferred
9.2 between licensed facilities or stocked in areas where the disease has been identified as being
9.3 present; and

9.4 (3) the commissioner may allow transfer between licensed facilities or stocking of fish
9.5 with enteric redmouth or furunculosis when the commissioner determines that doing so
9.6 would pose no threat to the state's aquatic resources.

9.7 Sec. 14. Minnesota Statutes 2019 Supplement, section 84.027, subdivision 18, is amended
9.8 to read:

9.9 Subd. 18. **Permanent school fund authority; reporting.** (a) The commissioner of
9.10 natural resources has the authority and responsibility to administer school trust lands under
9.11 sections 92.122 and 127A.31. The commissioner shall ~~biannually~~ biennially report to the
9.12 Legislative Permanent School Fund Commission and the legislature on the management of
9.13 the school trust lands that shows how the commissioner has and will continue to achieve
9.14 the following goals:

9.15 (1) manage the school trust lands efficiently and in a manner that reflects the undivided
9.16 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;

9.17 (2) reduce the management expenditures of school trust lands and maximize the revenues
9.18 deposited in the permanent school trust fund;

9.19 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring
9.20 returns of not less than fair market value, to maximize the revenues deposited in the
9.21 permanent school trust fund and retain the value from the long-term appreciation of the
9.22 school trust lands;

9.23 (4) manage the school trust lands to maximize the long-term economic return for the
9.24 permanent school trust fund while maintaining sound natural resource conservation and
9.25 management principles;

9.26 (5) optimize school trust land revenues and maximize the value of the trust consistent
9.27 with balancing short-term and long-term interests, so that long-term benefits are not lost in
9.28 an effort to maximize short-term gains; and

9.29 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its
9.30 revenues.

9.31 (b) When the commissioner finds an irresolvable conflict between maximizing the
9.32 long-term economic return and protecting natural resources and recreational values on

10.1 school trust lands, the commissioner shall give precedence to the long-term economic return
10.2 in managing school trust lands. By July 1, 2018, the permanent school fund must be
10.3 compensated for all school trust lands included under a designation or policy provision that
10.4 prohibits long-term economic return. The commissioner shall submit recommendations to
10.5 the appropriate legislative committees and divisions on methods of funding for the
10.6 compensation required under this paragraph, including recommendations for appropriations
10.7 from the general fund, nongeneral funds, and the state bond fund. Any uncompensated
10.8 designation or policy provision restrictions on the long-term economic return on school
10.9 trust lands remaining after July 1, 2018, must be compiled and submitted to the Legislative
10.10 Permanent School Fund Commission for review.

10.11 (c) By December 31, 2013, the report required under paragraph (a) must provide an
10.12 inventory and identification of all school trust lands that are included under a designation
10.13 or policy provision that prohibits long-term economic return. The report must include a plan
10.14 to compensate the permanent school fund through the purchase or exchange of the lands or
10.15 a plan to manage the school trust land to generate long-term economic return to the permanent
10.16 school fund. Subsequent reports under paragraph (a) must include a status report of the
10.17 commissioner's progress in maximizing the long-term economic return on lands identified
10.18 in the 2013 report.

10.19 (d) When management practices, policies, or designations by the commissioner diminish
10.20 or prohibit the long-term economic return on school trust land, the conflict must be resolved
10.21 as provided in section 92.122.

10.22 Sec. 15. Minnesota Statutes 2018, section 84D.11, subdivision 1a, is amended to read:

10.23 Subd. 1a. **Permit for invasive carp.** The commissioner may issue a permit to
10.24 departmental divisions for tagging bighead, black, grass, or silver carp for research or
10.25 control. Under the permit, the carp may be released into the water body from which the carp
10.26 was captured. ~~This subdivision expires December 31, 2021.~~

10.27 Sec. 16. Minnesota Statutes 2018, section 85.052, subdivision 1, is amended to read:

10.28 Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written
10.29 order, provisions for the use of state parks for the following:

10.30 (1) special parking space for automobiles or other motor-driven vehicles in a state park
10.31 or state recreation area;

11.1 (2) special parking spurs, campgrounds for automobiles, sites for tent camping, other
 11.2 types of lodging, camping, or day use facilities, and special auto trailer coach parking spaces,
 11.3 for the use of the individual charged for the space or facility; and

11.4 ~~(3) improvement and maintenance of golf courses already established in state parks, and~~
 11.5 ~~charging reasonable use fees; and~~

11.6 ~~(4)~~ (3) providing water, sewer, and electric service to trailer or tent campsites and charging
 11.7 a reasonable use fee.

11.8 (b) Provisions established under paragraph (a) are exempt from section 16A.1283 and
 11.9 the rulemaking provisions of chapter 14. Section 14.386 does not apply.

11.10 (c) For the purposes of this subdivision, "lodging" means an enclosed shelter, room, or
 11.11 building with furnishings for overnight use.

11.12 Sec. 17. Minnesota Statutes 2018, section 85.052, subdivision 2, is amended to read:

11.13 Subd. 2. **State park ~~pageants~~ special events.** (a) The commissioner may stage state
 11.14 park ~~pageants~~ special events in a state park, municipal park, or on other land near or adjoining
 11.15 a state park and charge an entrance or use fee for the ~~pageant~~ special event. All receipts
 11.16 from the ~~pageants~~ special events must be used in the same manner as though the ~~pageants~~
 11.17 special events were conducted in a state park.

11.18 (b) The commissioner may establish, by written order, state park ~~pageant~~ special event
 11.19 areas to hold historical or other ~~pageants~~ special events conducted by the commissioner of
 11.20 a state agency or other public agency. Establishment of the areas is exempt from the
 11.21 rulemaking provisions of chapter 14, and section 14.386 does not apply.

11.22 Sec. 18. Minnesota Statutes 2018, section 85.052, subdivision 6, is amended to read:

11.23 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,
 11.24 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,
 11.25 and day-use facilities and for tours, educational programs, seminars, events, and rentals.
 11.26 These policies are exempt from rulemaking provisions under chapter 14, and section 14.386
 11.27 does not apply.

11.28 (b) The revenue collected from the state park reservation fee established under subdivision
 11.29 5, including interest earned, shall be deposited in the state park account in the natural
 11.30 resources fund and is annually appropriated to the commissioner for the cost of the state
 11.31 park reservation system.

12.1 Sec. 19. Minnesota Statutes 2018, section 85.052, is amended by adding a subdivision to
12.2 read:

12.3 Subd. 7. **Special-use permits.** The commissioner may, by written order, develop
12.4 reasonable policies for special-use permits to use state parks, state recreation areas, and
12.5 state waysides. These policies are exempt from rulemaking provisions under chapter 14,
12.6 and section 14.386 does not apply.

12.7 Sec. 20. Minnesota Statutes 2018, section 85.053, subdivision 2, is amended to read:

12.8 Subd. 2. **Requirement.** Except as provided in section 85.054, a motor vehicle may not
12.9 enter a state park, state recreation area, or state wayside over 50 acres in area, without a
12.10 state park permit issued under this section or a state parks and trails plate issued under
12.11 section 168.1295. Except for vehicles permitted under subdivisions 7, paragraph (a), clause
12.12 (2), and 8, the state park permit must be affixed to the lower right corner windshield of the
12.13 motor vehicle and must be completely affixed by its own adhesive to the windshield, or the
12.14 commissioner may, by written order, provide an alternative means to display and validate
12.15 state park permits. A motor vehicle owner or lessee is responsible for ensuring the owner's
12.16 or lessee's vehicle has a state park permit, and the commissioner may issue warnings and
12.17 citations under section 84.0835 to the owner or lessee of a vehicle not in compliance.

12.18 Sec. 21. Minnesota Statutes 2019 Supplement, section 85.054, subdivision 1, is amended
12.19 to read:

12.20 Subdivision 1. **State Park Open House Days.** (a) A state park permit is not required
12.21 for a motor vehicle to enter a state park, state monument, state recreation area, or state
12.22 wayside, on four days each calendar year at each park, which the commissioner shall
12.23 designate as State Park Open House Days. The commissioner may designate two consecutive
12.24 days as State Park Open House Days, if the open house is held in conjunction with a special
12.25 ~~pageant~~ event described in section 85.052, subdivision 2.

12.26 (b) The commissioner shall announce the date of each State Park Open House Day at
12.27 least 30 days in advance of the date it occurs.

12.28 (c) The purpose of State Park Open House Days is to acquaint the public with state
12.29 parks, recreation areas, and waysides.

13.1 Sec. 22. Minnesota Statutes 2019 Supplement, section 85.47, is amended to read:

13.2 **85.47 ~~SPECIAL-USE~~ SPECIAL-USE PERMITS; FEES.**

13.3 Subdivision 1. **Special-use permits.** The commissioner may, by written order, develop
 13.4 reasonable policies for special-use permits to use state trails and state water access sites.

13.5 The policies are exempt from rulemaking provisions under chapter 14, and section 14.386
 13.6 does not apply.

13.7 Subd. 2. **Disposition of fees.** Fees collected for ~~special-use~~ special-use permits to use
 13.8 state trails and state water access sites not on state forest, state park, or state recreation area
 13.9 lands and for use of state water access sites must be deposited in the natural resources fund
 13.10 and are appropriated to the commissioner of natural resources for operating and maintaining
 13.11 state trails and water access sites.

13.12 Sec. 23. Minnesota Statutes 2018, section 97A.401, subdivision 1, is amended to read:

13.13 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
 13.14 for the activities in this section. A special permit may be issued in the form of a general
 13.15 permit to a governmental subdivision or to the general public to conduct one or more
 13.16 activities under subdivisions 2 to ~~7~~ 8.

13.17 Sec. 24. Minnesota Statutes 2018, section 97A.401, is amended by adding a subdivision
 13.18 to read:

13.19 Subd. 8. **Snakes, lizards, and salamanders.** The commissioner must prescribe conditions
 13.20 and may issue permits to breed, propagate, and sell snakes, lizards, and salamanders. A
 13.21 snake, lizard, or salamander that is obtained from a permitted breeder or that was possessed
 13.22 before August 1, 2020, may be possessed as a pet.

13.23 Sec. 25. Minnesota Statutes 2018, section 97A.421, subdivision 1, is amended to read:

13.24 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of
 13.25 the game and fish laws relating to the license or wild animals covered by the license is void
 13.26 when:

13.27 (1) a second conviction occurs within three years under a license to trap fur-bearing
 13.28 animals, take small game, or to take fish by angling or spearing;

13.29 (2) a ~~third~~ second conviction occurs within ~~one year~~ three years under a minnow dealer's
 13.30 license;

14.1 (3) a second conviction occurs within three years for violations of section 97A.425 that
 14.2 do not involve falsifications or intentional omissions of information required to be recorded,
 14.3 or attempts to conceal unlawful acts within the records;

14.4 (4) two or more misdemeanor convictions occur within a three-year period under a
 14.5 private fish hatchery license;

14.6 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for
 14.7 a violation of section 97A.425 not described in clause (3); or

14.8 (6) the conviction is related to assisting a person in the illegal taking, transportation, or
 14.9 possession of wild animals, when acting as a hunting or angling guide.

14.10 (b) Except for big-game licenses and as otherwise provided in this section, for one year
 14.11 after the conviction the person may not obtain the kind of license or take wild animals under
 14.12 a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish
 14.13 law violation.

14.14 Sec. 26. Minnesota Statutes 2018, section 97A.421, is amended by adding a subdivision
 14.15 to read:

14.16 Subd. 3b. **Issuance after conviction; night vision or thermal imaging equipment.** (a)
 14.17 A person who is convicted of a violation under paragraph (b) and who possessed night
 14.18 vision or thermal imaging equipment during the violation may not obtain a hunting license
 14.19 or hunt wild animals for five years from the date of conviction.

14.20 (b) The revocation under this subdivision applies to convictions for:

14.21 (1) trespassing;

14.22 (2) hunting game in closed season;

14.23 (3) hunting game in closed hours;

14.24 (4) possessing night vision or thermal imaging equipment while taking wild animals in
 14.25 violation of section 97B.086; or

14.26 (5) possessing unlawful firearms in deer zones in violation of section 97B.041.

14.27 Sec. 27. Minnesota Statutes 2018, section 97B.036, is amended to read:

14.28 **97B.036 CROSSBOW HUNTING DURING FIREARMS SEASON.**

14.29 Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer, bear,
 14.30 or turkey by crossbow during the respective ~~regular~~ firearms seasons. The transportation

15.1 requirements of section 97B.051 apply to crossbows during the ~~regular~~ firearms deer, bear,
 15.2 or turkey season. Crossbows must meet the requirements of section 97B.106, subdivision
 15.3 2. A person taking deer, bear, or turkey by crossbow under this section must have a valid
 15.4 ~~firearms~~ license to take the respective game by firearm. This section does not allow the use
 15.5 of a crossbow by licensed muzzleloader hunters during the muzzleloader firearms deer
 15.6 season under section 97B.311.

15.7 Sec. 28. Minnesota Statutes 2019 Supplement, section 97B.086, is amended to read:

15.8 **97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.**

15.9 (a) A person may not possess night vision or thermal imaging equipment while taking
 15.10 wild animals or while having in possession, either individually or as one of a group of
 15.11 persons, a firearm, bow, or other implement that could be used to take wild animals.

15.12 (b) This section does not apply to a firearm that is:

15.13 (1) unloaded;

15.14 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm by
 15.15 being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the
 15.16 firearm exposed; and

15.17 (3) in the closed trunk of a motor vehicle.

15.18 (c) This section does not apply to a bow that is:

15.19 (1) completely encased or unstrung; and

15.20 (2) in the closed trunk of a motor vehicle.

15.21 (d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or
 15.22 bow must be placed in the rearmost location of the vehicle.

15.23 (e) This section does not apply to night vision, night vision enhanced with an infrared
 15.24 illuminator, or thermal imaging equipment possessed by:

15.25 (1) peace officers or military personnel while exercising their duties; or

15.26 (2) a person taking coyote or fox as provided under section 97B.075 and rules adopted
 15.27 under section 97B.605, but the equipment must not be possessed during the regular firearms
 15.28 deer season.

16.1 Sec. 29. Minnesota Statutes 2018, section 97C.005, subdivision 3, is amended to read:

16.2 Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with
16.3 the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish
16.4 open seasons, limits, methods, and other requirements for taking fish on special management
16.5 waters. The commissioner may, by written order published in the State Register, amend
16.6 daily, possession, or size limits to make midseason adjustments based on available harvest,
16.7 angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory
16.8 in compliance with the court orders in *Mille Lacs Band of Chippewa v. Minnesota*, 119 S.
16.9 Ct. 1187 (1999) and in the state waters of Upper Red Lake. The midseason adjustments in
16.10 daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14
16.11 and section 14.386 does not apply. Before the written order is effective, the commissioner
16.12 shall attempt to notify persons or groups of persons affected by the written order by public
16.13 announcement, posting, and other appropriate means as determined by the commissioner.

16.14 Sec. 30. Minnesota Statutes 2018, section 97C.342, subdivision 2, is amended to read:

16.15 Subd. 2. **Bait restrictions.** Frozen or dead fish on the ~~official list of viral hemorrhagic~~
16.16 ~~septicemia-susceptible species published by the United States Department of Agriculture,~~
16.17 ~~Animal and Plant Health Inspection Services~~ VHS-susceptible-species list under section
16.18 17.4982, subdivision 21b; cisco (all *Coregonus*, including lake herring and tullibee); and
16.19 smelt (all *Osmerus*, *Spirincus*, *Hypomesus*, and *Allosmerus*) being used as bait in waters of
16.20 the state must originate from water bodies certified disease-free. Certification for these
16.21 water bodies is valid for one year from the date of test results.

16.22 Sec. 31. Minnesota Statutes 2018, section 97C.515, subdivision 2, is amended to read:

16.23 Subd. 2. **Permit for transportation.** (a) A person may transport live minnows through
16.24 the state with a permit from the commissioner. The permit must state the name and address
16.25 of the person, the number and species of minnows, the point of entry into the state, the
16.26 destination, and the route through the state. The permit is not valid for more than 12 hours
16.27 after it is issued.

16.28 (b) Minnows transported under this subdivision must be in a tagged container. The tag
16.29 number must correspond with tag numbers listed on the minnow transportation permit.

16.30 (c) The commissioner may require the person transporting minnow species found on
16.31 the ~~official list of viral hemorrhagic septicemia-susceptible species published by the United~~
16.32 ~~States Department of Agriculture, Animal and Plant Health Inspection Services~~
16.33 VHS-susceptible-species list under section 17.4982, subdivision 21b, to provide health

17.1 certification for viral hemorrhagic septicemia. The certification must disclose any incidentally
17.2 isolated replicating viruses, and must be dated within the 12 months preceding transport.

17.3 Sec. 32. Minnesota Statutes 2018, section 97C.805, subdivision 2, is amended to read:

17.4 Subd. 2. **Restrictions.** (a) ~~The~~ Netting of lake whitefish and ciscoes is subject to the
17.5 restrictions in this subdivision.

17.6 (b) A person may not use:

17.7 (1) more than ~~two nets~~ one net;

17.8 (2) a net more than 100 feet long; or

17.9 (3) a net more than three feet wide.

17.10 (c) The mesh size of the ~~nets~~ net may not be less than:

17.11 (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and

17.12 (2) 3-1/2 inches, stretch measure, for all other nets.

17.13 (d) A net may not be set in water, including ice thickness, deeper than six feet.

17.14 (e) The commissioner may designate waters where nets may be set so that portions of
17.15 the net extend into water deeper than six feet under conditions prescribed by the
17.16 commissioner to protect game fish. A pole or stake must project at least two feet above the
17.17 surface of the water or ice at one end of ~~each~~ the net.

17.18 (f) A net may not be set within 50 feet of another net.

17.19 (g) A person may not have angling equipment in possession while netting lake whitefish
17.20 or ciscoes.

17.21 Sec. 33. Minnesota Statutes 2018, section 97C.836, is amended to read:

17.22 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**
17.23 **HARVEST.**

17.24 The commissioner shall provide for taking of lake trout by licensed commercial operators
17.25 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.
17.26 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake
17.27 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning
17.28 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone
17.29 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect
17.30 the lake trout population or to manage the effects of invasive species or fish disease. Taking

18.1 lake trout for expanded assessment and sale shall be allowed from June 1 to September 30,
18.2 but may end earlier in the respective zones if the quotas are reached. The quotas must be
18.3 reassessed at the expiration of the current ten-year Fisheries Management Plan for the
18.4 Minnesota Waters of Lake Superior ~~dated September 2006~~.

18.5 Sec. 34. Minnesota Statutes 2018, section 116G.07, is amended by adding a subdivision
18.6 to read:

18.7 Subd. 4. **Exemption; Mississippi River Corridor Critical Area.** Plans and regulations
18.8 of local units of government within the Mississippi River Corridor Critical Area are exempt
18.9 from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

18.11 Sec. 35. Minnesota Statutes 2018, section 116G.15, is amended by adding a subdivision
18.12 to read:

18.13 Subd. 8. **Reviewing and approving local plans and regulations.** (a) In the Mississippi
18.14 River Corridor Critical Area, the commissioner of natural resources is responsible for
18.15 carrying out the duties of the board and the Metropolitan Council is responsible for carrying
18.16 out the duties of the regional development commission under sections 116G.07 to 116G.10.
18.17 Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the
18.18 responsibilities and procedures for reviewing and approving local plans and regulations in
18.19 the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this
18.20 subdivision.

18.21 (b) Within 60 days of receiving a draft plan from a local unit of government, the
18.22 commissioner, in coordination with the Metropolitan Council, must review the plan to
18.23 determine the plan's consistency with:

18.24 (1) this section;

18.25 (2) Minnesota Rules, chapter 6106; and

18.26 (3) the local unit of government's comprehensive plan.

18.27 (c) Within 60 days of receiving draft regulations from a local unit of government, the
18.28 commissioner must review the regulations to determine the regulations' consistency with:

18.29 (1) Minnesota Rules, chapter 6106; and

18.30 (2) the commissioner-approved plan adopted by the local unit of government under
18.31 paragraph (b).

19.1 (d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the
 19.2 commissioner must:

19.3 (1) conditionally approve the draft plan and regulations by written decision; or

19.4 (2) return the draft plan and regulations to the local unit of government for modification,
 19.5 along with a written explanation of the need for modification.

19.6 (i) When the commissioner returns a draft plan and regulations to the local unit of
 19.7 government for modification, the local unit of government must revise the draft plan and
 19.8 regulations within 60 days after receiving the commissioner's written explanation and must
 19.9 resubmit the revised draft plan and regulations to the commissioner.

19.10 (ii) The Metropolitan Council and the commissioner must review the revised draft plan
 19.11 and regulations upon receipt from the local unit of government as provided under paragraphs
 19.12 (b) and (c).

19.13 (iii) If the local unit of government or the Metropolitan Council requests a meeting, a
 19.14 final revision need not be made until a meeting is held with the commissioner on the draft
 19.15 plan and regulations. The request extends the 60-day time limit specified in item (i) until
 19.16 after the meeting is held.

19.17 (e) Only plans and regulations receiving final approval from the commissioner have the
 19.18 force and effect of law. The commissioner must grant final approval under this section only
 19.19 if:

19.20 (1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan
 19.21 Council according to sections 473.175 and 473.858; and

19.22 (2) the local unit of government adopts a plan and regulations that are consistent with
 19.23 the draft plan and regulations conditionally approved under paragraph (d).

19.24 (f) The local unit of government must implement and enforce the commissioner-approved
 19.25 plan and regulations after the plan and regulations take effect.

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

19.27 Sec. 36. Laws 2016, chapter 154, section 16, is amended to read:

19.28 **Sec. 16. EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND**
 19.29 **KOOCHICHING COUNTIES.**

19.30 (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342,
 19.31 subdivision 3, and subject to the valuation restrictions described in paragraph (c), the

20.1 commissioner of natural resources may, with the approval of the Land Exchange Board as
20.2 required under the Minnesota Constitution, article XI, section 10, and according to the
20.3 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the
20.4 state-owned land leased for farming wild rice described in paragraph (b).

20.5 (b) The state land that may be exchanged is held under the following state leases for
20.6 farming of wild rice:

20.7 (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;

20.8 (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;

20.9 (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and

20.10 (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

20.11 (c) For the appraisal of the land, no improvements paid for by the lessee shall be included
20.12 in the estimate of market value.

20.13 (d) Additional adjoining state lands may be added to the exchanges if mutually agreed
20.14 upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels
20.15 of land in state ownership after an exchange or to meet county zoning standards or other
20.16 regulatory needs for the wild rice farming operations.

20.17 (e) The state land administered by the commissioner of natural resources in Koochiching
20.18 County borders the Lost River. The lands to be exchanged are not required to provide at
20.19 least equal opportunity for access to waters by the public, but the lands must be at least
20.20 equal in value and have the potential to generate revenue for the school trust lands.

20.21 (f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must
20.22 pay to the commissioner all costs, as determined by the commissioner, that are associated
20.23 with each exchange transaction, including valuation expenses; legal fees; survey expenses;
20.24 costs of title work, advertising, and public hearings; transactional staff costs; and closing
20.25 costs.

20.26 Sec. 37. **REPEALER.**

20.27 Minnesota Statutes 2018, sections 85.0505, subdivision 3; 85.0507; and 85.054,
20.28 subdivision 19, are repealed.

85.0505 FOOD AND BEVERAGE SERVICE IN STATE PARKS.

Subd. 3. **Fort Ridgely State Park.** The commissioner of public safety, with the approval of the commissioner of natural resources, may issue to a concessionaire, lessee, or person holding a contract with the Department of Natural Resources an on-sale license for the sale of intoxicating liquor at the Fort Ridgely State Park golf course. The annual fee for the license issued pursuant to this subdivision shall be set by the commissioner of public safety at an amount comparable to the fee charged by the surrounding counties for a similar license. All provisions of chapter 340A not inconsistent with this subdivision shall apply to the sale of intoxicating liquor at the Fort Ridgely State Park golf course.

85.0507 FORT RIDGELY GOLF COURSE; GOLF CARTS.

The commissioner may by contract, concession agreement, or lease authorize the use of golf carts on the golf course at Fort Ridgely State Park.

85.054 STATE PARK PERMIT EXEMPTIONS.

Subd. 19. **Fort Ridgely golf course.** The commissioner may by contract, concession agreement, or lease waive a state park permit and associated fee for motor vehicle entry or parking for persons playing golf at the Fort Ridgely State Park golf course provided that the contract, concession agreement, or lease payment to the state is set, in part, to compensate the state park system for the loss of the state park fees.