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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 1729

02/25/2019 Authored by Hertaus The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

1.1 A bill for an act
1.2 relating to waters; modifying authority of Lake Minnetonka Conservation District;
1.3 amending Minnesota Statutes 2018, section 103B.611, subdivision 3.

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

1.5 Section 1. Minnesota Statutes 2018, section 103B.611, subdivision 3, is amended to read:

1.6 Subd. 3. Powers. Subject to the provisions of chapters 97A, 103D, 103E, 103G, and
1.7 115, and the rules and regulations of the respective agencies and governing bodies vested
1.8 with jurisdiction and authority under those chapters, the district has the following powers
1.9 on Lake Minnetonka, excluding the area of public drainage ditches or watercourses connected
1.10 to the lake:

1.11 (1) to regulate the types of boats permitted to use the lake and set service fees;

1.12 (2) to regulate, maintain, and police public beaches, public docks, and other public
1.13 facilities for access to the lake within the territory of the municipalities, provided that a
1.14 municipality may supersede the district's action under this clause by adopting an ordinance
1.15 specifically referring to the district's action by one year after the district's action;

1.16 (3) to limit by rule the use of the lake at various times and the use of various parts of
1.17 the lake;

1.18 (4) to regulate the speed of boats on the lake and the conduct of other activities on the
1.19 lake to secure the safety of the public and the most general public use;

1.20 (5) to contract with other law enforcement agencies to police the lake and its shore;

2.1 (6) to regulate the construction, installation, and maintenance of permanent and temporary
2.2 docks and moorings consistent with federal and state law;

2.3 (7) to regulate the construction and use of mechanical and chemical means of deicing
2.4 the lake and to regulate mechanical and chemical means of removal of weeds and algae
2.5 from the lake;

2.6 (8) to regulate the construction, configuration, size, location, and maintenance of
2.7 commercial marinas and their related facilities ~~including parking areas and sanitary facilities~~
2.8 that affect activity below the ordinary high-water mark. The regulation shall authority under
2.9 this clause does not apply to land-based marina activities, including storage facilities, and
2.10 must be consistent with the applicable state statutes, municipal building codes, and zoning
2.11 ordinances where the marinas are located;

2.12 (9) to contract with other governmental bodies to perform any of the functions of the
2.13 district;

2.14 (10) to undertake research to determine the condition and development of the lake and
2.15 the water entering it and to transmit their studies to the Pollution Control Agency and other
2.16 interested authorities, and to develop a comprehensive program to eliminate pollution;

2.17 (11) to receive financial assistance from and join in projects or enter into contracts with
2.18 federal and state agencies for the study and treatment of pollution problems and
2.19 demonstration programs related to them; and

2.20 (12) to petition the board of managers of a watershed district in which the lake
2.21 conservation district is located for improvements under section 103D.705; a bond is not
2.22 required of the lake conservation district.

2.23 For purposes of this subdivision "watercourses connected to the lake" does not include
2.24 channels connecting portions of the lake to one another.