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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1065

02/19/2015 Authored by Uglem, Hansen, McNamara, Fischer, Ward and others

The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy

03/02/2015 By motion, recalled and re-referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; modifying requirements for aquatic invasives
1.3 species trailer decal; amending Minnesota Statutes 2014, sections 84D.13,
1.4 subdivision 5; 86B.13, subdivision 4, by adding subdivisions.

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

1.6 Section 1. Minnesota Statutes 2014, section 84D.13, subdivision 5, is amended to read:

1.7 Subd. 5. **Civil penalties.** (a) A civil citation issued under this section must impose
1.8 the following penalty amounts:

1.9 (1) for transporting aquatic macrophytes in violation of section 84D.09, \$100;

1.10 (2) for placing or attempting to place into waters of the state water-related equipment
1.11 that has aquatic macrophytes attached, \$200;

1.12 (3) for unlawfully possessing or transporting a prohibited invasive species other
1.13 than an aquatic macrophyte, \$500;

1.14 (4) for placing or attempting to place into waters of the state water-related equipment
1.15 that has prohibited invasive species attached when the waters are not listed by the
1.16 commissioner as being infested with that invasive species, \$500;

1.17 (5) for intentionally damaging, moving, removing, or sinking a buoy marking, as
1.18 prescribed by rule, Eurasian water milfoil, \$100;

1.19 (6) for failing to have drain plugs or similar devices removed or opened while
1.20 transporting water-related equipment or for failing to remove plugs, open valves, and
1.21 drain water from water-related equipment, other than marine sanitary systems, before
1.22 leaving waters of the state, \$100; ~~and~~

1.23 (7) for transporting infested water off riparian property without a permit as required
1.24 by rule, \$200; and

2.1 (8) for launching water-related equipment into waters of the state in violation of
 2.2 section 86B.13, subdivision 4, \$25.

2.3 (b) A civil citation that is issued to a person who has one or more prior convictions
 2.4 or final orders for violations of this chapter is subject to twice the penalty amounts listed
 2.5 in paragraph (a).

2.6 Sec. 2. Minnesota Statutes 2014, section 86B.13, subdivision 4, is amended to read:

2.7 Subd. 4. **Aquatic invasive species trailer decal display required.** (a) A person
 2.8 may not ~~transport~~ launch watercraft or water-related equipment, as defined under section
 2.9 84D.01, subdivision 18a, into waters of the state, as defined in section 84D.01, subdivision
 2.10 20, with a trailer unless the person has an aquatic invasive species trailer decal issued
 2.11 under this section. Temporary authorizations valid for seven days can be requested by
 2.12 persons that have not completed the required course of instruction.

2.13 (b) Aquatic invasive species trailer decals are valid for three years.

2.14 (c) The aquatic invasive species trailer decal must be adhered to the side of the trailer
 2.15 frame tongue near the hitch in a manner that it is readily visible and does not interfere with
 2.16 the display of any registration requirements under section 169.79.

2.17 (d) Aquatic invasive species trailer decals are not transferable.

2.18 (e) ~~Violation of this section shall not result in a penalty, but is punishable only by~~
 2.19 ~~a warning.~~ Unless otherwise provided by law, a person is exempt from the training and
 2.20 decal requirements under this section if the person:

2.21 (1) holds a valid service provider permit under section 84D.108; or

2.22 (2) is using a trailer to launch water-related equipment that has been seasonally
 2.23 stored on riparian property owned by the person and that is being directly returned to the
 2.24 same water body from which the water-related equipment was removed.

2.25 Sec. 3. Minnesota Statutes 2014, section 86B.13, is amended by adding a subdivision
 2.26 to read:

2.27 Subd. 5. **Fees.** The commissioner shall, by written order, establish fees for providing
 2.28 education and training programs to individuals under this section, including decal issuance
 2.29 and duplicate fees. The fees are not subject to the rulemaking provisions of chapter 14,
 2.30 and section 14.386 does not apply. The fees may be established by the commissioner
 2.31 notwithstanding section 16A.1283. The fees must be consistent with section 16A.1285,
 2.32 subdivision 2. The commissioner may authorize fees to be collected by the vendor under
 2.33 subdivision 3 to offset costs of the program.

3.1 Sec. 4. Minnesota Statutes 2014, section 86B.13, is amended by adding a subdivision
3.2 to read:

3.3 Subd. 6. **Penalty.** A person launching water-related equipment into waters of the
3.4 state who fails to display an aquatic invasive species trailer decal in violation of this section
3.5 is subject to the penalty under section 84D.13, subdivision 5, paragraph (a), clause (8),
3.6 except for any violations prior to January 1, 2017, which are punishable only by a warning.

3.7 Sec. 5. **EFFECTIVE DATE.**

3.8 Sections 1 to 4 are effective July 1, 2015.