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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1649

03/09/2015 Authored by Dill

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

03/18/2015 Adoption of Report: Re-referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to natural resources; allowing early withdrawal from Sustainable Forest
1.3 Incentive Act under certain conditions; amending Minnesota Statutes 2014,
1.4 section 290C.10.

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

1.6 Section 1. Minnesota Statutes 2014, section 290C.10, is amended to read:

1.7 **290C.10 WITHDRAWAL PROCEDURES.**

1.8 An approved claimant under the sustainable forest incentive program for a minimum
1.9 of four years may notify the commissioner of the intent to terminate enrollment. Within
1.10 90 days of receipt of notice to terminate enrollment, the commissioner shall inform the
1.11 claimant in writing, acknowledging receipt of this notice and indicating the effective date
1.12 of termination from the sustainable forest incentive program. Termination of enrollment in
1.13 the sustainable forest incentive program occurs on January 1 of the fifth calendar year that
1.14 begins after receipt by the commissioner of the termination notice. After the commissioner
1.15 issues an effective date of termination, a claimant wishing to continue the land's
1.16 enrollment in the sustainable forest incentive program beyond the termination date must
1.17 apply for enrollment as prescribed in section 290C.04. A claimant who withdraws a parcel
1.18 of land from this program may not reenroll the parcel for a period of three years. Within
1.19 90 days after the termination date, the commissioner shall execute and acknowledge a
1.20 document releasing the land from the covenant required under this chapter. The document
1.21 must be mailed to the claimant and is entitled to be recorded. The commissioner may
1.22 allow early withdrawal from the Sustainable Forest Incentive Act without penalty when
1.23 the state of Minnesota, any local government unit, or any other entity which has the
1.24 power of eminent domain acquires title or possession to the land for a public purpose

2.1 notwithstanding the provisions of this section. In the case of ~~such~~ an eligible acquisition,
2.2 the commissioner shall execute and acknowledge a document releasing the land acquired
2.3 by the state, local government unit, or other entity from the covenant. Notwithstanding
2.4 this section, the commissioner shall allow early withdrawal from the Sustainable Forest
2.5 Incentive Act without penalty when the state acquires a permanent conservation easement
2.6 on the enrolled property and the conservation easement is at least as restrictive as the
2.7 covenant required under section 290C.04. In the case of an eligible easement acquisition,
2.8 the commissioner shall execute and acknowledge a document releasing the land subject to
2.9 the easement from the covenant. All other enrolled land must remain in the program.