18H.18 CONSERVATION OF CERTAIN WILDFLOWERS.

Subdivision 1. **Restrictions on collecting.** No entity shall distribute any species of orchids (*Orchidaceae*), any gentian (*Gentiana*), arbutus (*Epigaea repens*), lilies (*Lilium* species), coneflowers (*Echinacea* species), bloodroot (*Sanguinaria canadensis*), mayapple (*Podophyllum peltatutum*), any species of trillium (*Trillium* species), or lotus (*Nelumbo lutea*), that have been collected in any manner from any public or private property without the written permission of the property owner. Plants listed in this subdivision that are intended to be offered for sale must have written authorization from the commissioner.

Subd. 2. **Collection without sale.** Wildflower collection from public or private land for the purpose of transplanting the plants to an entity's private property and not offering for immediate sale, requires the written permission from the property owner of the land on which the wildflowers are growing.

Subd. 3. **Collection with intent to sell or distribute wildflowers.** (a) The wildflowers listed in this section may be offered for immediate sale only if the plants are to be used for scientific or herbarium purposes.

(b) The wildflowers listed in this section must not be collected and sold commercially unless the plants are:

(1) growing naturally, collected, and cultivated on the collector's property; or

(2) collected through the process described in subdivision 2 and transplanted and cultivated on the collector's property for at least one growing season before the sale.

(c) The collector must obtain a written permit from the commissioner before the plants may be offered for commercial sale.

(d) A wildflower listed under this section that is sold commercially must be individually labeled with a department permit number.

History: *2003 c 128 art 5 s 17; 1Sp2005 c 1 art 1 s 55; 2023 c 43 art 2 s 109*