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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 3602

03/12/2018 Authored by Heintzeman The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to waters; allowing use of aquatic current devices to remove aquatic plants;
1.3 requiring rulemaking; amending Minnesota Statutes 2016, section 103G.615, by
1.4 adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 103G.615, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 3b. Aquatic current devices. (a) In this subdivision, "aquatic current device"
1.9 means a dock-mounted device with a motor of no more than one horsepower that creates a
1.10 current in the water with an attached, submerged propeller that is:

- 1.11 (1) no more than eight inches in diameter;
1.12 (2) directed upward at an angle of five degrees or more; and
1.13 (3) at least 12 inches above the lake bed or stream bed.

1.14 (b) An aquatic plant management permit is not required for a person to use an aquatic
1.15 current device to control surface and submersed aquatic plants to maintain a site for
1.16 swimming or boat docking if the site does not:

- 1.17 (1) extend more than 50 feet or one-half the length of the owner's total shoreline,
1.18 whichever is less, which measurement must include any channel created under clause (2);
1.19 and

- 1.20 (2) exceed 2,500 square feet plus the area needed to extend a channel no wider than 15
1.21 feet to open water.

2.1 Sec. 2. **AQUATIC PLANT MANAGEMENT; RULEMAKING.**

2.2 The commissioner of natural resources shall amend Minnesota Rules, chapter 6280, to
2.3 conform with Minnesota Statutes, section 103G.615, subdivision 3b. The commissioner
2.4 may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision
2.5 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does
2.6 not apply, except as provided under Minnesota Statutes, section 14.388.