

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 3796

02/15/2024 Authored by Davis, Heintzeman, Engen, Igo, Witte and others
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Finance and Policy

1.1 A bill for an act
1.2 relating to natural resources; establishing liability for costs incurred for search and
1.3 rescue operations on unsafe ice; requiring county sheriff reimbursement;
1.4 appropriating money; amending Minnesota Statutes 2022, section 86B.106;
1.5 proposing coding for new law in Minnesota Statutes, chapter 86B.

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

1.7 Section 1. Minnesota Statutes 2022, section 86B.106, is amended to read:

1.8 86B.106 BARRING VEHICLES FROM UNSAFE ICE.

1.9 (a) Whenever ice conditions on a body of water deteriorate to such an extent that there
1.10 is substantial danger to persons using motorized vehicles, including snowmobiles and
1.11 all-terrain vehicles, the sheriff of the county where the body of water is located may prohibit
1.12 or restrict the use of motorized vehicles on all or a portion of the body of water. If the body
1.13 of water is located in more than one county, all counties involved must coordinate any
1.14 prohibitions or restrictions that are imposed. A county sheriff acting under this section shall,
1.15 as soon as practicable, post all common access sites and publicize the prohibitions or
1.16 restrictions. The commissioner must be notified immediately and may review and suspend
1.17 any restrictions imposed. Restrictions may be lifted as soon as conditions warrant.

1.18 (b) A person may not operate a motorized vehicle in violation of a prohibition or
1.19 restriction imposed under this section.

1.20 (c) This section does not apply to a person who:

1.21 (1) is a member of a sanctioned circuit watercross association and can provide proof of
1.22 membership;

2.1 (2) operates a snowmobile with a silenced exhaust and is practicing for a sanctioned  
 2.2 event; and

2.3 (3) receives written permission from a conservation officer who must set the date, time,  
 2.4 and location of the practice.

2.5 (c) A person who operates a motorized vehicle in violation of a prohibition or restriction  
 2.6 imposed under this section is liable for the costs incurred by local law enforcement agencies  
 2.7 for search and rescue operations resulting from the violation. Where two or more persons  
 2.8 violate this section, resulting in a search and rescue operation, each person is jointly and  
 2.9 severally liable for costs incurred by local law enforcement agencies.

2.10 **Sec. 2. [86B.1065] COUNTY SHERIFF COSTS FOR UNSAFE ICE SEARCH AND**  
 2.11 **RESCUE.**

2.12 (a) A county sheriff must be reimbursed for all costs that are over and above the county  
 2.13 sheriff's regular operating budget and that are incurred from search and rescue operations  
 2.14 due to recreational activities on unsafe ice. Reimbursement may include reimbursements  
 2.15 made by the commissioner of natural resources with available appropriations, reimbursements  
 2.16 under section 86B.106, or other available federal, state, and local funds.

2.17 (b) Nothing in this section is to be construed to make the state or a political subdivision  
 2.18 liable in a contribution claim by a person liable for reimbursement under section 86B.106.

2.19 **Sec. 3. UNSAFE ICE SEARCH AND RESCUE REIMBURSEMENT;**  
 2.20 **APPROPRIATION.**

2.21 \$..... in fiscal year 2025 is appropriated from the general fund to the commissioner of  
 2.22 natural resources to reimburse county sheriffs and other local law enforcement agencies for  
 2.23 search and rescue operations related to recreational activities on unsafe ice. Activities eligible  
 2.24 for reimbursement under this appropriation must be of an unusual and nonrecurring nature  
 2.25 that are over and above the county sheriff or other agency's regular operating budget and  
 2.26 include but are not limited to rental of private equipment and employment of personnel  
 2.27 hired expressly for the search and rescue operation. Reimbursement under this appropriation  
 2.28 is limited to 50 percent of the reimbursable costs subject to a maximum state payment of  
 2.29 \$5,000 per agency for each search and rescue operation.