

## **Legislative Update, Spring 2016**

By Jeff Forester, Minnesota Lakes and Rivers Advocates (876 words)

This Legislative Session is short, just 10 weeks and it is an election year, which further complicates the process. Still, there are some important bills moving and Minnesota Lakes and Rivers has been very, very busy. Here is where we stand as of April 14th. The session ends on May 23rd.

### **DNR Policy Bill: HF 2866/SF 2793:**

- Creates a two year Lake Minnetonka Pilot Study, allowing the commissioner to issue an additional permit to service providers to remove and then return to Lake Minnetonka water-related equipment with zebra mussels attached after the equipment has been seasonally stored, serviced, or repaired. This should create efficiencies for marina owners, and savings for boat owners without increasing the risk of AIS spread.
- Clarifies that boats transported on a conveyance between adjacent water bodies must meet the same "Clean, drain, and dispose" standards that apply to watercraft transported on a trailer.
- The bill establishes civil penalties for those who refuse to comply with a decontamination order.
- The bill adds "micro algae," to the list of designated aquatic invasive species - an important change given the discovery of the first infestation of starry stonewort in Lake Koronis in the summer of 2015.

### **Sales Tax Exemption for Lake Associations on herbicide to treat lakes for AIS**

HF 1322/SF 1083 would remove the sales taxes lake associations must now pay for herbicides authorized for use pursuant to an invasive aquatic plant management permit.

MLR Executive Director Jeff Forester received good questions and positive comments during his testimony in both House and Senate Committees. Hundreds of people have written in support of the measure.

### **State General Tax On Cabins Reform**

Language is alive in both the House and Senate that would reform the state business tax on cabins. This is a state property tax levied on cabins (\$43 annually) that returns no revenue to local communities.

In addition, this session Senator Rod Skoe has introduced SF 3492 which would eliminate the non-commercial seasonal residential property tax classification (cabins), thereby removing them from the state general tax. MLR applauds this philosophically, having long advocated that a

“home is a home,” but much will depend on the tax ramifications. We are working with research at the legislature to learn the full impacts.

### **Sales Tax on Vacation Home Rental**

The internet is driving a growing market in vacation home rentals. Some are businesses and others are families who occasionally rent out a cabin in an effort to help pay property tax bills and other expenses. Some resort owners have complained of an uneven playing field since sales taxes and health requirements for the lodging industry do not apply to these types of transactions.

Rep. Steve Drazkowski has introduced HF 3660 which allows a property owner to rent out a second home or cabin for fourteen days without having to pay sales and lodging taxes on the transactions. MLR, working with the Congress of Minnesota Resorts, has advocated that the legitimate property owners who rents out their property occasionally should have that right protected, but when the property is being run as a business, the taxes and regulations that apply to other lodging industry sectors should apply.

And while it seems unlikely that action will be taken on HF 3660 this session, the discussion will continue. MLR Executive Director Jeff Forester welcomes your views on this emerging issue.

### **Muskies**

On Thursday, October 29th, 2015, a public meeting was held in Fergus Falls to discuss the DNR’s plan to plant muskies in Otter Tail County lakes. This plan has been in the proposal stage for more than two years. A number Lake associations and municipalities in Otter Tail County have passed resolutions against the DNR muskie stocking plan citing impacts to fisheries, waterfowl and recreational use as well as fears of increased risk of aquatic invasive species spread.

Supporters of muskie stocking point out that muskie fishing is a growing sport, and extends the fishing season into late Fall, and so extends the resort season as well, adding revenue. Muskies are stocked at very low density, a cornerstone of the claim that they have no significant impacts on other fish populations.

In response to the organized opposition, the MN DNR made the decision to delay stocking until after the Legislative Session.

Senator Ingebritsen (SF 3059) and Rep. Anderson (HF 3207) have introduced legislation that would either block muskie stocking into the proposed lakes (HF 3207), or would end the expansion of muskie into any additional lakes or rivers (SF 3059). The House has included their muskie language in its Game and Fish bill, HF 2844 (Hackbarth). Both bills have generated significant controversy and it is unclear if either of these proposals will make it through the

legislative process and arrive on Governor Dayton's desk. The version passed off the Senate floor calls for a four year moratorium on muskie stocking.

What is clear is that no matter the outcome from this session, the controversy will continue. Otter Tail County lake associations are working to expand an advocacy base to oppose muskie stocking in Minnesota, and Muskie's Inc. a national proponent of muskie fishing, is ramping up its advocacy efforts as well. But most importantly, it is clear that a large segment of the population, including Legislators, has lost confidence in both MN DNR science and the public input process.

There is a need to do conclusive science on the impacts of muskie stocking. Without conclusive science that is above accusations of bias, there can be no resolution. Additionally, without a civic governance process that builds trust between all stakeholders, the legislative push and pull surrounding muskies will continue.

**Visit the MLR Citizen's Action Network (CAN)** <http://www.congressweb.com/mlra/takeaction> to see up-to-date bill introductions that could impact lakes and rivers in Minnesota. At the CAN site you can easily take action on these and other bills as they continue to move through the legislative session.

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