

Aquatic Invasive Species Prevention Legislation Summary

Laws of Minnesota 2012, Chapter 272

Prepared by: Minnesota Department of Natural Resources
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Effective 7-1-2012, unless otherwise noted

This is a summary of new laws related to prevention and management of aquatic invasive species (AIS) that will apply to boaters, property owners, service providers, bait dealers and others involved with the transportation of water-related equipment.

Penalties

- Civil penalties/amounts are generally doubled from previous amounts
- Penalty amounts are doubled the base amount if one or more prior convictions or civil citations
- Failing to leave drain plug opened while transporting technical correction to civil citation penalty provision

Inspections

- DNR can require mandatory inspections of water-related equipment before a person places or removed equipment into/out of a water body
- Inspection stations can be located at or near public water access sites or in locations that allow for servicing multiple water bodies
- Commissioner shall ensure inspection stations: 1) have adequate staffing, 2) allow for reasonable travel time between accesses and inspection stations, 3) are located so as not to create traffic delays or public safety issues, 4) have decontamination equipment available, and 5) do not reduce capacity or hours of operation of public accesses.
- Commissioner may enter into delegation agreements with local or tribal government if local or tribal government assume all legal, financial, and administrative responsibility in their jurisdiction, and must:
 - 1) employ inspectors that have been trained/authorized by DNR, 2) conduct inspections and decontamination measures as approved by DNR, 3) have decontamination equipment available at inspection stations or within reasonable distance of inspection stations, 4) provide inspection stations that do not create traffic delays or public safety issues, 5) submit a plan approved by DNR with no reduction in capacity or hours of operation of public accesses, adequate staffing and enforcement capacity, 6) must submit an annual report to DNR, and 7) other requirements per section
- Allows conservation officers and other peace officers to require water-related equipment be removed from a water body if necessary to implement aquatic invasive species control measures.

Boating/Fishing

- Clarifying that a person may not launch any water-related equipment (was watercraft/trailer) into waters of the state with prohibited species attached
- Portable bait containers do not need to be drained when fishing through the ice, except when in VHS designated waters
- Requirement to attach AIS rules decal to boats is repealed (2011 legislation)
- Require anyone who transports watercraft or water-related equipment with a trailer to complete an online education course. After completing the course, the person will receive a decal that must be placed on their trailer, certifying they have taken the course. People taking the course can receive extra stickers if they own or use multiple trailers for watercraft or water-related equipment.
 - 7-day temporary can be requested by persons that have not completed the training
 - Decal must be adhered to side of the trailer frame tongue near the hitch
 - Decals are not transferable
 - Goes into effect 7/01/2015
 - Warnings only, no criminal penalty even after effective

Property Owners

- Boat lift, dock, swim raft, etc. removed from any water body may not be placed in another water body for at least 21 days

Service Providers

- Service providers definition includes service provided as a benefit of a yacht club, boat club, marina, or similar organization
- Service provider decals to be displayed on inside lower driver's side windshield

Bait Harvesting/ possession of bait

- Harvest of bait by hook and line from infested waters is allowed for bullheads, goldeyes, mooneyes, sheepshead (freshwater drum) and suckers with following conditions: 1) to be used for personal use ONLY; 2) used on the same body of water where caught and while still on that water body; 3) the bait/fish may not be transported live from or off that water body; 4) bait/fish meet all other size restrictions and requirements; and 5) bait/fish are included in any daily limits
- Possession/importation of dead bait from VHS waters must be preserved in a manner prescribed by the commissioner. Shipments need to have documentation showing water body source, lot number, company contact information (name, phone, address), date of packaging and labeling, and valid negative fish health certification for the water body/

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