A bill for an act

relating to state government; appropriating money for environment, natural resources, and energy; modifying fees and surcharges; creating accounts; modifying disposition of certain receipts; modifying certain game and fish license requirements; modifying permit requirements for harvest and control of aquatic plants; extending petroleum tank release cleanup provisions; transferring staff and administrative support of Environmental Quality Board; amending Minnesota Statutes 2010, sections 85.052, subdivision 4; 85.055, subdivision 2; 86B.415, subdivision 7; 89.039; 89.21; 97A.055, by adding a subdivision; 97A.071, subdivision 2; 97A.075; 97A.411, subdivision 1; 97A.435, subdivision 2; 97A.451, subdivisions 2, 3, 4, 5, by adding a subdivision; 97A.473, subdivisions 2, 2b, 3, 4, 5, 5a; 97A.474, subdivision 2; 97A.475, subdivisions 2, 3, 4, 6, 7, 8, 11, 12, 20, 43, 44, 45; 97A.485, subdivision 7; 97B.020; 97B.715, subdivision 1; 97B.801; 97C.301, subdivision 3; 97C.305, subdivisions 1, 2; 103G.271, subdivision 6; 103G.301, subdivision 2; 103G.615, subdivisions 1, 2, by adding a subdivision; 115A.1314; 115A.1320, subdivision 1; 115C.13; 116.07, subdivision 4d; 116C.03, subdivisions 4, 5; 357.021, subdivision 7; Laws 2007, chapter 57, article 1, section 4, subdivision 2, as amended; proposing coding for new law in Minnesota Statutes, chapters 84; 89; 97A; 103G; 115A; repealing Minnesota Statutes 2010, sections 97A.451, subdivisions 3a, 7; 97C.303.

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

ARTICLE 1

ENVIRONMENT AND NATURAL RESOURCES FINANCE

Section 1. **SUMMARY OF APPROPRIATIONS.**

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

		2012		2013		Total
General	$	88,028,000	$	86,523,000	$	174,551,000
State Government Special Revenue		75,000		75,000		150,000
Environmental		62,689,000		62,858,000		125,547,000

Natural Resources		66,965,000		66,398,000		133,363,000
Game and Fish		95,049,000		98,368,000		193,417,000
Remediation		10,596,000		10,596,000		21,192,000
Permanent School		200,000		200,000		400,000
Total	**$**	**323,602,000**	**$**	**325,018,000**	**$**	**648,620,000**

Sec. 2. **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013. Appropriations for the fiscal year ending June 30, 2011, are effective the day following final enactment.

	APPROPRIATIONS Available for the Year Ending June 30			
		2012		**2013**
Sec. 3. **POLLUTION CONTROL AGENCY**				
Subdivision 1. **Total Appropriation**	**$**	**82,565,000**	**$**	**81,234,000**

Appropriations by Fund		
	2012	2013
General	9,305,000	7,805,000
State Government Special Revenue	75,000	75,000
Environmental	62,689,000	62,858,000
Remediation	10,496,000	10,496,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

A recipient of a grant funded by an appropriation under this section shall display on its Web site detailed information on the expenditure of the grant funds and measurable outcomes as a result of the expenditure of funds and shall submit this information to the agency by June 30 each year. A recipient without an active Web site shall report to the agency by June 30 each year detailed information on the expenditure of the grant funds and measurable outcomes as a result of the expenditure of funds. The commissioner shall display the information received by recipients under this paragraph on the agency's Web site.

Subd. 2. **Water**	28,855,000	24,355,000

Appropriations by Fund

	2012	2013
General	7,164,000	5,664,000
State Government Special Revenue	75,000	75,000
Environmental	18,616,000	18,616,000

$1,952,000 the first year and $1,952,000 the second year are for the clean water partnership program. Priority shall be given to watershed projects preventing impairments and degradation of lakes, rivers, streams, and groundwater according to Minnesota Statutes, section 114D.20, subdivision 2, clause (4), through the targeting of resources to areas of highest benefit. Any balance remaining in the first year does not cancel and is available for the second year.

$1,500,000 the first year is for a wild rice standards study. This appropriation is available until June 30, 2014.

$1,959,000 the first year and $1,959,000 the second year are for grants to counties to administer the county feedlot program under Minnesota Statutes, section 116.0711, subdivisions 2 and 3. Money remaining after the first year is available for the second year.

$1,250,000 the first year and $1,250,000 the second year are for assessment and monitoring of lakes, rivers, and streams.

$375,000 the first year and $375,000 the second year are for subsurface sewage treatment system (SSTS) administration and grants. Of this amount, $80,000 each year is for assistance to counties through grants for SSTS program administration. Any unexpended balance in the first year does not cancel but is available in the second year.

$740,000 the first year and $740,000 the second year are from the environmental fund to address the need for continued increased activity in the areas of new technology review, technical assistance for local governments, and enforcement under Minnesota Statutes, sections 115.55 to 115.58, and to complete the requirements of Laws 2003, chapter 128, article 1, section 165.

Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2013, as grants or contracts for clean water partnership, SSTS's, surface water and groundwater assessments, total maximum daily loads, storm water, and local basinwide water quality protection in this subdivision are available until June 30, 2016.

Subd. 3. **Air**	12,297,000	12,466,000

Appropriations by Fund

	2012	2013
Environmental	12,297,000	12,466,000

$200,000 the first year and $200,000 the second year are from the environmental fund for a monitoring program under Minnesota Statutes, section 116.454.

$125,000 the first year and $125,000 the second year are from the environmental fund for monitoring ambient air for hazardous pollutants in the metropolitan area.

Subd. 4. **Land**	17,847,000	17,847,000

Appropriations by Fund

	2012	2013
General	435,000	435,000
Environmental	6,916,000	6,916,000
Remediation	10,496,000	10,496,000

All money for environmental response, compensation, and compliance in the remediation fund not otherwise appropriated is appropriated to the commissioners of the Pollution Control Agency and agriculture for purposes of Minnesota Statutes, section 115B.20, subdivision 2, clauses (1), (2), (3), (6), and (7). At the beginning of each fiscal year, the two commissioners shall jointly submit an annual spending plan to the commissioner of management and budget that maximizes the utilization of resources and appropriately allocates the money between the two departments. This appropriation is available until June 20, 2013.

$3,616,000 the first year and $3,616,000 the second year are from the petroleum tank fund to be transferred to the remediation fund to administer the leaking underground storage tank program to protect the land.

$252,000 the first year and $252,000 the second year are from the remediation fund for transfer to the Department of Health for private water supply monitoring and health assessment costs in areas contaminated by unpermitted mixed municipal solid waste disposal facilities and drinking water advisories and public information activities for areas contaminated by hazardous releases.

$435,000 the first year and $435,000 the second year are for transfer to the Department of Health for environmental health tracking and biomonitoring of a representative sample of the population including indigenous people and people of color.

Subd. 5. **Environmental Assistance and Cross-Media**	25,350,000	25,350,000

Appropriations by Fund

	2012	2013
General	490,000	490,000
Environmental	24,860,000	24,860,000

$14,250,000 each year is from the environmental fund for SCORE block grants to counties.

$119,000 the first year and $119,000 the second year are from the environmental fund for environmental assistance grants or loans under Minnesota Statutes, section 115A.0716. Any unencumbered grant and loan balances in the first year do not cancel but are available for grants and loans in the second year.

$89,000 the first year and $89,000 the second year are from the environmental fund for duties related to harmful chemicals in products under Minnesota Statutes, sections 116.9401 to 116.9407. Of this amount,

$57,000 each year is transferred to the Department of Health.

$315,000 the first year and $315,000 the second year are from the environmental fund for the electronics waste program under Minnesota Statutes, sections 115A.1310 to 115A.1330.

$151,000 the first year and $151,000 the second year are from the general fund and $75,000 each year is from the environmental fund for the duties of the Environmental Quality Board under Minnesota Statutes, section 116C.03.

All money deposited in the environmental fund for the metropolitan solid waste landfill fee in accordance with Minnesota Statutes, section 473.843, and not otherwise appropriated, is appropriated for the purposes of Minnesota Statutes, section 473.844.

Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2013, as contracts or grants for surface water and groundwater assessments; environmental assistance awarded under Minnesota Statutes, section 115A.0716; technical and research assistance under Minnesota Statutes, section 115A.152; technical assistance under Minnesota Statutes, section 115A.52; and pollution prevention assistance under Minnesota Statutes, section 115D.04, are available until June 30, 2015.

Subd. 6. **Administrative Support**	1,216,000	1,216,000

The commissioner may transfer money from the environmental fund to the remediation fund as necessary for the purposes of the remediation fund under Minnesota Statutes, section 116.155, subdivision 2.

Sec. 4. **NATURAL RESOURCES**

Subdivision 1. **Total Appropriation**	**$**	**212,502,000**	**$**	**215,249,000**

Appropriations by Fund

	2012	2013
General	56,208,000	56,203,000
Natural Resources	60,945,000	60,378,000
Game and Fish	95,049,000	98,368,000
Remediation	100,000	100,000
Permanent School	200,000	200,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Land and Mineral Resources Management**	9,101,000	9,101,000

Appropriations by Fund

	2012	2013
General	2,982,000	2,982,000
Natural Resources	4,517,000	4,517,000
Game and Fish	1,402,000	1,402,000
Permanent School	200,000	200,000

$260,000 the first year and $260,000 the second year are for iron ore cooperative research. Of this amount, $200,000 each year is from the minerals management account in the natural resources fund. $60,000 the first year and $60,000 the second year are available only as matched by $1 of nonstate money for each $1 of state money. The match may be cash or in-kind. Any unencumbered balance from the first year does not cancel and is available in the second year.

$80,000 the first year and $80,000 the second year are for minerals cooperative environmental research, of which $40,000 the first year and $40,000 the second year are available only as matched by $1 of nonstate money for each $1 of state money. The match may be cash or in-kind.

$2,696,000 the first year and $2,696,000 the second year are from the minerals management account in the natural resources fund for use as provided in Minnesota Statutes, section 93.2236, paragraph (c), for mineral resource management, projects to enhance future mineral income, and projects to promote new mineral resource opportunities.

$200,000 the first year and $200,000 the second year are from the state forest suspense account in the permanent school fund to accelerate land exchanges, land sales, and commercial leasing of school trust lands and to identify, evaluate, and lease construction aggregate located on school trust lands. This appropriation is to be used for securing maximum long-term economic return from the school trust lands consistent with fiduciary responsibilities and sound natural resources conservation and management principles.

Subd. 3. **Ecological and Water Resources**	22,913,000	23,013,000

Appropriations by Fund

	2012	2013
General	10,478,000	10,478,000
Natural Resources	8,736,000	8,836,000
Game and Fish	3,699,000	3,699,000

$1,223,000 the first year and $1,223,000 the second year are from the nongame wildlife management account in the natural resources fund for the purpose of nongame wildlife management. Notwithstanding Minnesota Statutes, section 290.431, $100,000 the first year and $100,000 the second year may be used for nongame wildlife information, education, and promotion.

$1,636,000 the first year and $1,636,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1).

$6,042,000 the first year and $6,142,000 the second year are from the invasive species account in the natural resources fund and $1,674,000 the first year and $1,674,000 the second year are from the general fund for management, public awareness, assessment and monitoring research, law enforcement, and water access inspection to prevent the spread of invasive species; management of invasive plants in public waters; and management of terrestrial invasive species on state-administered lands.

$126,000 the first year and $126,000 the second year are for grants for up to 50 percent of the cost of implementation of the Red River mediation agreement. Any unencumbered balance at the end of the first year does not cancel and is available in the second year. The commissioner shall submit a report to the chairs of the legislative committees having primary jurisdiction over environment and natural resources policy and finance on the accomplishments achieved with the grants by January 15, 2012.

$50,000 the first year and $50,000 the second year are for the construction of ring dikes under Minnesota Statutes, section 103F.161. The ring dikes may be publicly or privately owned. If the appropriation in either year is insufficient, the appropriation in the other year is available for it.

Subd. 4. **Forest Management**		20,604,000	20,604,000

Appropriations by Fund

	2012	2013
General	19,140,000	19,140,000
Natural Resources	200,000	200,000
Game and Fish	1,264,000	1,264,000

$7,145,000 the first year and $7,145,000 the second year are for prevention, presuppression, and suppression costs of emergency firefighting and other costs incurred under Minnesota Statutes, section 88.12. The amount necessary to pay for these costs during the biennium is appropriated from the general fund.

By January 15 of each year, the commissioner of natural resources shall submit a report to the chairs and ranking minority members of the house and senate committees and divisions having jurisdiction over environment and natural resources finance, identifying all firefighting costs incurred and reimbursements received in the prior fiscal year. These appropriations may not be transferred. Any reimbursement of firefighting expenditures made to the commissioner from any source other than federal mobilizations shall be deposited into the general fund.

$582,000 the first year and $582,000 the second year are for the Forest Resources Council for implementation of the Sustainable Forest Resources Act.

$200,000 the first year and $200,000 the second year are from the all-terrain vehicle account in the natural resources fund to maintain minimum-maintenance forest roads.

$1,000,000 the first year and $1,000,000 the second year are from the heritage enhancement account in the game and fish fund to maintain and expand the ecological classification system program. This is a onetime appropriation.

Subd. 5. **Parks and Trails Management**			57,261,000	56,046,000

Appropriations by Fund

	2012	2013
General	19,327,000	19,322,000
Natural Resources	35,740,000	34,530,000
Game and Fish	2,194,000	2,194,000

$1,000,000 the first year and $1,000,000 the second year are from the water recreation account in the natural resources fund to enable the department to develop and implement best management practices for public water access facilities to implement aquatic invasive species prevention strategies.

The appropriation in Laws 2003, chapter 128, article 1, section 5, subdivision 6, from the water recreation account in the natural resources fund for a cooperative project with the United States Army Corps of Engineers to develop the Mississippi Whitewater Park is available until June 30, 2012. The project must be designed to prevent the spread of aquatic invasive species.

$5,731,000 the first year and $5,731,000 the second year are from the natural resources fund for state trail, park, and recreation area operations. Of this amount, $375,000 each year is for coordinated activities with Explore Minnesota Tourism. This appropriation is from the revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (2).

$8,424,000 the first year and $8,424,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for the snowmobile grants-in-aid program. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

$1,360,000 the first year and $1,360,000 the second year are from the natural resources fund for the off-highway vehicle grants-in-aid program. Of this amount, $1,110,000 each year is from the all-terrain vehicle account; $150,000 each year is from the off-highway motorcycle account; and $100,000 each year is from the off-road vehicle account. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

$805,000 the first year and $805,000 the second year are from the natural resources fund for trail grants to local units of government on land to be maintained for at least 20 years for the purposes of the grants.

This appropriation is from the revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (4).

Subd. 6. **Fish and Wildlife Management** 66,647,000 67,294,000

Appropriations by Fund

	2012	2013
General	1,177,000	1,177,000
Natural Resources	1,899,000	1,899,000
Game and Fish	63,571,000	64,218,000

$100,000 the first year and $100,000 the second year are from the nongame wildlife account in the natural resources fund for gray wolf research.

$120,000 the first year and $120,000 the second year are from the game and fish fund for gray wolf management.

$975,000 the first year and $975,000 the second year are to accelerate wildlife health programs. This is a onetime appropriation.

$8,167,000 the first year and $8,167,000 the second year are from the heritage enhancement account in the game and fish fund only for activities specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1). Notwithstanding Minnesota Statutes, section 297A.94, five percent of this appropriation may be used for expanding hunter and angler recruitment and retention.

Notwithstanding Minnesota Statutes, section 84.943, $13,000 the first year and $13,000 the second year from the critical habitat private sector matching account may be used to publicize the critical habitat license plate match program.

$202,000 the first year and $202,000 the second year are for preserving, restoring, and enhancing grassland and wetland complexes on public or private lands.

Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2013, for aquatic restoration grants and wildlife habitat grants are available until June 30, 2014.

Subd. 7. **Enforcement**	33,342,000	36,557,000

Appropriations by Fund

	2012	2013
General	2,216,000	2,216,000
Natural Resources	9,048,000	9,591,000
Game and Fish	21,978,000	24,650,000
Remediation	100,000	100,000

$1,204,000 the first year and $1,307,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1). The base appropriation in 2014 is $1,297,000.

Notwithstanding Minnesota Statutes, section 84.780, $200,000 the first year is from the off-highway vehicle damage account in the natural resources fund to fund a conservation officer academy in 2011. This is a onetime appropriation.

$1,082,000 the first year and $1,082,000 the second year are from the water recreation account in the natural resources fund for grants to counties for boat and water safety.

Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

$315,000 the first year and $315,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for grants to local law enforcement agencies for snowmobile enforcement activities. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

$250,000 the first year and $250,000 the second year are from the all-terrain vehicle account for grants to qualifying organizations to assist in safety and environmental education and monitoring trails on public lands under Minnesota Statutes, section 84.9011. Grants issued under this paragraph: (1) must be issued through a formal agreement with the organization; and (2) must not be used as a substitute for traditional spending by the organization. By December 15 each year, an organization receiving a grant under this paragraph shall report to the commissioner with details on expenditures and outcomes from the grant. By January 15, 2013, the commissioner shall report on the expenditures and outcomes of the grants to the chairs and ranking minority members of the legislative committees and divisions having jurisdiction over natural resources policy and finance. Of this appropriation, $25,000 each year is for administration of these grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

$510,000 the first year and $510,000 the second year are from the natural resources fund for grants to county law enforcement agencies for off-highway vehicle enforcement and public education activities based on off-highway vehicle use in the county. Of this amount, $498,000 each year is from the all-terrain vehicle account; $11,000 each year is from the off-highway motorcycle account; and $1,000 each year is from the off-road vehicle account. The county enforcement agencies may use money received under this appropriation to make grants to other local enforcement agencies within the county that have a high concentration of off-highway vehicle use. Of this appropriation, $25,000 each year is for administration of these grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

Subd. 8. **Operations Support** 2,634,000 2,634,000

Appropriations by Fund

	2012	2013
General	888,000	888,000
Natural Resources	805,000	805,000
Game and Fish	941,000	941,000

$320,000 the first year and $320,000 the second year are from the natural resources fund for grants to be divided equally between the city of St. Paul for the Como Park Zoo and Conservatory and the city of Duluth for the Duluth Zoo. This appropriation is from the revenue deposited to the fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (5).

$484,000 the first year and $484,000 the second year are from the natural resources fund. Of this amount, $160,000 each year is from the forest management investment account; $58,000 each year is from the water recreation account; $176,000 each year is from the snowmobile account; and $90,000 each year is from the all-terrain vehicle account.

Sec. 5. **BOARD OF WATER AND SOIL RESOURCES**	**$**	**12,842,000**	**$**	**12,842,000**

$3,526,000 the first year and $3,526,000 the second year are for natural resources block grants to local governments. The board may reduce the amount of the natural resources block grant to a county by an amount equal to any reduction in the county's general services allocation to a soil and water conservation district from the county's previous year allocation when the board determines that the reduction was disproportionate. Grants must be matched with a combination of local cash or in-kind contributions.

$3,185,000 the first year and $3,185,000 the second year are for grants requested by soil and water conservation districts for general purposes, nonpoint engineering, and implementation of the reinvest in Minnesota reserve program. Upon approval of the board, expenditures may be made from these appropriations for supplies and services benefiting soil and water conservation districts.

$1,718,000 the first year and $1,718,000 the second year are for grants to soil and water conservation districts for cost-sharing contracts for sediment and erosion control, water quality management, feedlot water quality projects, establishing and maintaining riparian vegetation buffers of restored native prairie, and county cooperative weed management programs.

Notwithstanding Minnesota Statutes, section 103C.501, the board may shift cost-share funds in this section and may adjust the technical and administrative assistance portion of the grant funds to leverage federal or other nonstate funds or to address high-priority needs identified in local water management plans.

$454,000 the first year and $454,000 the second year are for implementation and enforcement of the Wetland Conservation Act.

$60,000 each year is for staff to monitor and enforce wetland replacement, wetland bank sites, and the Wetland Conservation Act.

$60,000 each year is to provide assistance to local drainage management officials and for the costs of the Drainage Work Group.

$100,000 the first year and $100,000 the second year are for a grant to the Red River Basin Commission for water quality and floodplain management, including administration of programs. If the appropriation in either year is insufficient, the appropriation in the other year is available for it.

The appropriations for grants in this section are available until expended. If an appropriation for grants in either year is insufficient, the appropriation in the other year is available for it.

Sec. 6. **METROPOLITAN COUNCIL**	$	7,512,000	$ 7,512,000

Appropriations by Fund

	2012	2013
General	2,142,000	2,142,000
Natural Resources	5,370,000	5,370,000

$2,142,000 the first year and $2,142,000 the second year are for metropolitan area regional parks operation and maintenance according to Minnesota Statutes, section 473.351.

$5,370,000 the first year and $5,370,000 the second year are from the natural resources fund for metropolitan area regional parks and trails maintenance and operations. This appropriation is from the revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (e), clause (3).

Sec. 7. **CONSERVATION CORPS MINNESOTA**	$	945,000	$ 945,000

Appropriations by Fund

	2012	2013
General	455,000	455,000
Natural Resources	490,000	490,000

Conservation Corps Minnesota may receive money appropriated from the natural resources fund under this section only as provided in an agreement with the commissioner of natural resources.

Sec. 8. **ZOOLOGICAL BOARD**	$	6,079,000	$ 6,079,000

Appropriations by Fund	2012	2013
General	5,919,000	5,919,000
Natural Resources	160,000	160,000

$160,000 the first year and $160,000 the second year are from the natural resources fund from the revenue deposited under Minnesota Statutes, section 297A.94, paragraph (e), clause (5).

Sec. 9. **SCIENCE MUSEUM OF MINNESOTA**	**$**	**1,157,000**	**$**	**1,157,000**

ARTICLE 2

ENERGY FINANCE

Section 1. **SUMMARY OF APPROPRIATIONS.**

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

		2012		**2013**		**Total**
General	$	27,257,000	$	27,265,000	$	54,522,000
Petroleum Tank Cleanup		1,052,000		1,052,000		2,104,000
Workers' Compensation		751,000		751,000		1,502,000
Total	**$**	**29,060,000**	**$**	**29,068,000**	**$**	**58,128,000**

Sec. 2. **ENERGY FINANCE APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013. Appropriations for the fiscal year ending June 30, 2011, are effective the day following final enactment.

	APPROPRIATIONS Available for the Year Ending June 30	
	2012	**2013**

Sec. 3. **DEPARTMENT OF COMMERCE**

Subdivision 1. **Total Appropriation**	**$**	**22,878,000**	**$**	**22,886,000**

Appropriations by Fund		
	2012	2013
General	21,075,000	21,083,000
Petroleum Cleanup	1,052,000	1,052,000
Workers' Compensation	751,000	751,000

The amounts that may be spent for each purpose are specified in the following subdivisions.

Subd. 2. **Financial Institutions**	6,774,000	6,778,000

$138,000 the first year and $142,000 the second year are for the regulation of mortgage originators and servicers under Minnesota Statutes, chapters 58 and 58A.

Subd. 3. **Petroleum Tank Release Cleanup Board**	1,052,000	1,052,000

This appropriation is from the petroleum tank release cleanup fund.

Subd. 4. **Administrative Services**	3,872,000	3,872,000
Subd. 5. **Telecommunications**	1,010,000	1,010,000
Subd. 6. **Market Assurance**	6,915,000	6,919,000

Appropriations by Fund		
	2012	2013
General	6,164,000	6,168,000
Workers' Compensation	751,000	751,000

Subd. 7. **Office of Energy Security**	3,255,000	3,255,000

Subd. 8. **Transfer**

$300,000 the first year and $300,000 the second year and each year thereafter are for transfer to the commissioner of human services to supplement the ongoing operational expenses of the Minnesota Commission Serving Deaf and Hard-of-Hearing People. This transfer is from the telecommunication access Minnesota account.

Sec. 4. **PUBLIC UTILITIES COMMISSION**	**$**	**6,182,000**	**$**	**6,182,000**

ARTICLE 3

CLEAN WATER FUND

Section 1. **CLEAN WATER FUND APPROPRIATION.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the clean water fund and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013. The appropriations in this article are onetime.

		APPROPRIATIONS Available for the Year Ending June 30		
		2012		**2013**
Sec. 2. **DEPARTMENT OF AGRICULTURE**	**$**	**6,575,000**	**$**	**8,575,000**

(a) $350,000 the first year and $350,000 the second year are for monitoring for pesticides and pesticide degradates in surface water and groundwater and to use data collected to assess pesticide use practices.

(b) $850,000 the first year and $850,000 the second year are to increase groundwater and drinking water protection from agricultural chemicals, primarily nutrients. Funding for research, evaluation, and implementation projects under this appropriation is available until spent.

(c) $1,050,000 the first year and $1,050,000 the second year are for research and evaluation, to determine the effectiveness of agricultural practices related to the way agricultural practices contribute to impaired waters, and to assist with the development and implementation of impaired waters plans and water protection activities. This appropriation is available until spent.

(d) $700,000 the first year and $700,000 the second year are for technical assistance and technology transfer of data and information, including demonstration sites, for precision conservation, recommended agricultural practices, and the environmental impacts of agricultural practices, to assist with the development and implementation total maximum daily load (TMDL) plans, and for surface water protection.

(e) $3,625,000 the first year and $5,625,000 the second year are for the agriculture best management practices loan program. At least $3,225,000 the first year and at least $5,225,000 the second year are for transfer to the clean water agricultural best management practices loan account and are available for pass-through to local governments and lenders for low-interest loans. Any unencumbered balance that is not transferred to the loan account is available until June 30, 2014.

Sec. 3. **PUBLIC FACILITIES AUTHORITY** **$** **$16,200,000** **$** **$16,200,000**

(a) $11,200,000 the first year and $11,200,000 the second year are for the total maximum daily load grant program under

Minnesota Statutes, section 446A.073. This appropriation is available until spent.

(b) $4,000,000 the first year and $4,000,000 the second year are for the clean water legacy phosphorus reduction grant program under Minnesota Statutes, section 446A.074. This appropriation is available until spent.

(c) $1,000,000 the first year and $1,000,000 the second year are for small community wastewater treatment grants and loans under Minnesota Statutes, section 446A.075. This appropriation is available until spent.

(d) If there are any uncommitted funds at the end of each fiscal year under paragraph (a), (b), or (c), the Public Facilities Authority may transfer the remaining funds to eligible projects under any of the programs listed in this section, based on their priority rank on the Pollution Control Agency's project priority list.

Sec. 4. **POLLUTION CONTROL AGENCY**	**$**	**$28,040,000**	**$**	**$24,625,000**

(a) $9,500,000 the first year and $9,600,000 the second year are to develop watershed protection and restoration plans, including total maximum daily load (TMDL) studies and TMDL implementation plans for waters listed on the United States Environmental Protection Agency approved impaired waters list according to Minnesota Statutes, chapter 114D. The agency shall complete an average of ten percent of the TMDL's each year over the biennium.

(b) $1,000,000 the first year and $1,000,000 the second year are for development of an enhanced watershed and TMDL database to manage and track progress.

(c) $1,125,000 the first year and $1,125,000 the second year are for groundwater assessment and drinking water protection to include:

(1) at least ten percent of the groundwater wells each year;

(2) the analysis of samples from at least 40 shallow monitoring wells each year for endocrine disrupting compounds and other new chemicals of concern; and

(3) the completion of at least four groundwater models for watershed plans.

(d) $2,500,000 the first year is for the clean water partnership program. Priority shall be given to watershed projects preventing impairments and degradation of lakes, rivers, streams, and groundwater according to Minnesota Statutes, section 114D.20, subdivision 2, clause (4), through the targeting of resources to areas of highest benefit. Any balance remaining in the first year does not cancel and is available until June 30, 2016.

(e) $750,000 the first year and $750,000 the second year are for water quality restoration projects in the lower St. Louis River and Duluth harbor. This appropriation must be matched by nonstate money at a rate of 65 percent nonstate to 35 percent state money.

(f) $7,500,000 the first year and $7,500,000 the second year are for completion of 20 percent of the needed statewide assessments of surface water quality and trends, including the monitoring and analysis of endocrine disruptors and other new chemicals of concern, and for use in watershed planning and progress.

(g) $150,000 the first year and $150,000 the second year are available for civic engagement in TMDL development. Any balance remaining in the first year does not cancel and is available until June 30, 2016.

(h) $3,750,000 the first year and $3,750,000 the second year are for groundwater protection or prevention of groundwater degradation activities through enhancing the county-level delivery system for subsurface sewage treatment systems (SSTS). Of this amount, at least $2,345,000 each year is for an increase to county base grants and $2,000,000 for the biennium is available for challenge grants to implement SSTS programs. The commissioner shall consult with the SSTS Compliance Task Force in developing a distribution allocation for the county base grants

(i) $825,000 the first year is for storm water research and guidance development. Any balance remaining in the first year does not cancel and is available until June 30, 2016.

(j) $940,000 the first year and $750,000 the second year are for national pollution discharge elimination system storm water and wastewater watershed and TMDL implementation activities.

Sec. 5. **DEPARTMENT OF NATURAL RESOURCES**	**$**	**12,522,000**	**$**	**9,092,000**

(a) $3,417,000 the first year and $3,687,000 the second year are for water quality assessments and monitoring to support the identification of impaired waters.

(b) $1,720,000 each year is for total maximum daily load (TMDL) development and TMDL implementation plans for waters listed on the United States Environmental Protection Agency approved impaired waters list according to Minnesota Statutes, chapter 114D.

(c) $1,650,000 each year is for nonpoint source restoration and protection activities.

(d) $2,035,000 each year is for drinking water planning and protection activities.

(e) $2,700,000 the first year is to acquire and distribute high-resolution digital elevation data using light detection and ranging to aid with impaired waters modeling and TMDL implementation under Minnesota Statutes, chapter 114D.

Sec. 6. **BOARD OF WATER AND SOIL RESOURCES**	**$**	**23,484,000**	**$**	**25,484,000**

(a) $11,500,000 the first year and $13,500,000 the second year are for grants to local governments and joint powers organizations of local governments for projects and practices to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. Projects and practices shall be prioritized based on the benefits to protect and restore surface waters; to protect, enhance, and restore water quality in lakes, rivers, wetlands, and streams; and to protect groundwater and drinking water. Projects and practices may include feedlot water quality, erosion control, and stream bank, stream channel, and shoreline restoration projects and must be of long-lasting public benefit, include a match, and be consistent with total maximum daily load (TMDL) implementation plans or local water management plans.

(b) $2,250,000 the first year and $2,250,000 the second year are for targeted local resource protection and enhancement grants. The board shall give priority consideration to projects and practices that complement, supplement, or exceed current state standards for protection, enhancement, and restoration of water quality in lakes, rivers, and streams or that protect groundwater from degradation.

(c) $900,000 the first year and $900,000 the second year are to provide state oversight and accountability, evaluate results, and measure the value of conservation program implementation by local governments, including submitting to the legislature by March 1 each year an annual report prepared by the board, in consultation with the commissioners of natural resources, health, agriculture, and the Pollution Control Agency, detailing the recipients and projects funded under this section. The board shall require grantees to specify the outcomes that will be achieved by the grants prior to any grant awards.

(d) $1,000,000 the first year and $1,000,000 the second year are for technical assistance and grants for the conservation drainage program in consultation with the Drainage Work Group that consists of projects to retrofit existing drainage systems with water quality improvement practices, evaluate outcomes, and provide outreach to landowners, public drainage authorities, drainage engineers and contractors, and others.

(e) $6,500,000 the first year and $6,500,000 the second year are to purchase and restore permanent conservation easements on riparian buffers adjacent to public waters, excluding wetlands, to keep water on the land in order to decrease sediment, pollutant, and nutrient transport; reduce hydrologic impacts to surface waters; and increase infiltration for groundwater recharge. The riparian buffers must be at least 50 feet unless there is a natural impediment, a road, or other impediment beyond the control of the landowner. This appropriation may be used for restoration of riparian buffers protected by easements purchased with this appropriation and for stream bank restorations when the riparian buffers have been restored.

(f) $1,000,000 the first year and $1,000,000 the second year are for permanent conservation easements on wellhead protection areas under Minnesota Statutes, section 103F.515, subdivision 2, paragraph (d). Priority must be placed on land that is located where the vulnerability of the drinking water is designated as high or very high by the commissioner of health.

(g) $1,250,000 the first year and $1,250,000 the second year are for community partners grants to local governments for: (i) structural or vegetative management practices that reduce storm water runoff from developed or disturbed lands to reduce the movement of sediment, nutrients, and pollutants for restoration, protection, or enhancement of water quality in lakes, rivers, and streams and to protect groundwater and drinking water; and (ii) installation of proven and effective water retention practices including, but not limited to, rain gardens and other vegetated infiltration basins and sediment control basins to keep water on the land. The projects must be of long-lasting public benefit, include a local match, and be consistent with TMDL implementation plans or local water management plans. Local government staff and administration costs may be used as a match.

(h) $42,000 the first year and $42,000 the second year are for a technical assistance panel to conduct up to ten restoration audits under Minnesota Statutes, section 114D.50, subdivision 6.

(i) The board shall contract for services with Conservation Corps Minnesota for restoration, maintenance, and other activities under this section for $500,000 the first year and $500,000 the second year.

(j) The board shall incorporate efforts to enhance local capacity to engage the public during restoration, protection, and implementation projects and activities through the board's programs and projects funded under this section.

(k) The board may shift grant or cost-share funds in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address oversight responsibilities or high-priority needs identified in local water management plans.

(l) The board shall develop and utilize performance-based criteria for local water resources restoration, protection, and management program and project grants. The criteria may include, but are not limited to, science-based assessments, organizational capacity, priority resource issues, community outreach and support, partnership potential, and program and project delivery efficiency and effectiveness. The board shall, to the extent practical, utilize a watershed approach when developing criteria for project proposals.

(m) The appropriations in this section are available until June 30, 2014, and, unless otherwise specified, the board may utilize up to five percent for administration of grant and easement programs and up to five percent for technical design, construction, and project oversight.

Sec. 7. **DEPARTMENT OF HEALTH** **$ 3,564,000 $ 3,616,000**

(a) $1,020,000 each year is for addressing public health concerns for drinking water contaminants for which health-based drinking water standards are needed. The commissioner shall characterize and issue health-based guidance for contaminants of emerging concern in drinking water.

(b) $1,415,000 each year is for protection of drinking water sources, including assisting communities with the development and implementation of source water protection plans for public water supplies and awarding public water suppliers with source water protection grants.

(c) $302,000 the first year and $367,000 the second year are for expanding the capabilities of the county well index database. $165,000 the first year and $252,000 the second year are for developing and testing a methodology for designating public health risks related to human and naturally occurring contaminant impacts to private and public drinking water sources.

(d) $347,000 each year is for grants for public and private well sealing. Grant awards under this paragraph are limited to 50 percent of the well sealing costs. Funding for sealing private wells shall be administered through the Board of Water and Soil Resources to local agencies.

(e) $315,000 the first year and $215,000 the second year are to provide global positioning system equipment, maintenance, and training for well contractors to report locations of wells and to implement a study on arsenic levels in newly constructed wells.

Sec. 8. **METROPOLITAN COUNCIL**	**$**	**2,500,000**	**$**	**1,500,000**

(a) $500,000 the first year and $500,000 the second year are for Metropolitan Council water supply planning activities under Minnesota Statutes, section 473.1565.

(b) $2,000,000 the first year and $1,000,000 the second year are for matching grants to cities to provide matching grants to private parties to mitigate inflow and infiltration of clean water into sanitary sewer systems. This appropriation is onetime.

ARTICLE 4

PARKS AND TRAILS FUND

Section 1. **PARKS AND TRAILS FUND APPROPRIATIONS.**

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the parks and trails fund and are available for the fiscal years indicated for each purpose. The figures "2012" and "2013" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2012, or June 30, 2013, respectively. "The first year" is fiscal year 2012. "The second year" is fiscal year 2013. "The biennium" is fiscal years 2012 and 2013. The appropriations in this article are onetime.

		APPROPRIATIONS Available for the Year Ending June 30		
		2012		**2013**
Sec. 2. **DEPARTMENT OF NATURAL RESOURCES**	**$**	**22,366,000**	**$**	**22,366,000**

(a) $16,201,000 the first year and $16,201,000 the second year are for state parks, recreation areas, and trails to:

(1) connect people to the outdoors;

(2) acquire land and create opportunities for accessibility;

(3) maintain existing holdings; and

(4) develop a comprehensive, integrated, and accessible database and Web site and coordinate the implementation of the 25-year long-range parks and trails legacy plan.

(b) $6,165,000 the first year and $6,165,000 the second year are for grants under Minnesota Statutes, section 85.535. Up to 2.5 percent of this appropriation may be used for administering the grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

Sec. 3. **METROPOLITAN COUNCIL**	**$**	**16,163,000**	**$**	**16,163,000**

(a) $16,163,000 the first year and $16,163,000 the second year are to be distributed as required under Minnesota Statutes, section 85.53, subdivision 3.

(b) The Metropolitan Council shall submit a report on the expenditure and use of money appropriated under this section to the legislature as provided in Minnesota Statutes, section 3.195, by March 1 of each year. The report must detail the outcomes in terms of additional use of parks and trails resources, user satisfaction surveys, and other appropriate outcomes.

ARTICLE 5

STATUTORY CHANGES

Section 1. **[84.68] FORESTS FOR THE FUTURE CONSERVATION EASEMENT ACCOUNT.**

Subdivision 1. **Account established; sources.** The forests for the future conservation easement account is created in the natural resources fund in the state treasury. The following revenue shall be deposited in the account:

(1) contributions to the account or specified for any purposes of the account;

(2) financial contributions required under section 84.66, subdivision 11, or other applicable law; and

(3) money appropriated or transferred for the purposes described in subdivision 2.

Interest earned on money in the account accrues to the account.

Subd. 2. **Appropriation; purposes of account.** Money in the forests for the future conservation easement account is appropriated annually to the commissioner of natural resources and may be spent only to cover the costs of managing forests for the future conservation easements held by the Department of Natural Resources, including costs incurred from monitoring, landowner contracts, record keeping, processing landowner notices, requests for approval or amendments, and enforcement.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 2. Minnesota Statutes 2010, section 85.052, subdivision 4, is amended to read:

Subd. 4. **Deposit of fees.** (a) Fees paid for providing contracted products and services within a state park, state recreation area, or wayside, and for special state park uses under this section shall be deposited in the natural resources fund and credited to a state parks account.

(b) Gross receipts derived from sales, rentals, or leases of natural resources within state parks, recreation areas, and waysides, other than those on trust fund lands, must be deposited in the state treasury and credited to the state parks working capital account. ~~The appropriation under section 85.22 for revenue deposited in this section is limited to $25,000 per fiscal year.~~

(c) Notwithstanding paragraph (b), the gross receipts from the sale of stockpile materials, aggregate, or other earth materials from the Iron Range Off-Highway Vehicle Recreation Area shall be deposited in the dedicated accounts in the natural resources fund from which the purchase of the stockpile material was made.

Sec. 3. Minnesota Statutes 2010, section 85.055, subdivision 2, is amended to read:

Subd. 2. **Fee deposit and appropriation.** The fees collected under this section shall be deposited in the natural resources fund and credited to the state parks account. Money in the account, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, is ~~available for appropriation~~ appropriated to the commissioner to operate and maintain the state park system.

Sec. 4. Minnesota Statutes 2010, section 86B.415, subdivision 7, is amended to read:

Subd. 7. **Watercraft surcharge.** A ~~$5~~ surcharge is placed on each watercraft licensed under subdivisions 1 to 5 for control, public awareness, law enforcement, monitoring, and research of aquatic invasive species such as zebra mussel, purple loosestrife, and Eurasian water milfoil in public waters and public wetlands. The surcharge is:

(1) $10 for watercraft licensed under subdivision 1, clause (2);

(2) $20 for watercraft licensed under subdivision 1, clause (6); and

(3) $25 for all other watercraft.

Sec. 5. **[89.0385] FOREST MANAGEMENT INVESTMENT ACCOUNT; COST CERTIFICATION.**

(a) After each fiscal year, the commissioner shall certify the total costs incurred for forest management, forest improvement, and road improvement on state-managed lands during that year. The commissioner shall distribute forest management receipts credited to various accounts according to this section.

(b) The amount of the certified costs incurred for forest management activities on state lands shall be transferred from the account where receipts are deposited to the forest management investment account in the natural resources fund, except for those costs certified under section 16A.125. Transfers in a fiscal year cannot exceed receipts credited to the account.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 6. Minnesota Statutes 2010, section 89.039, is amended to read:

89.039 FOREST MANAGEMENT INVESTMENT ACCOUNT.

Subdivision 1. **Account established; sources.** The forest management investment account is created in the natural resources fund in the state treasury and money in the account ~~may be spent~~ is appropriated to the commissioner only for the purposes provided in subdivision 2. The following revenue shall be deposited in the forest management investment account:

(1) timber sales receipts transferred from the consolidated conservation areas account as provided in section 84A.51, subdivision 2;

(2) timber sales receipts from forest lands as provided in section 89.035;

(3) money transferred from the forest suspense account according to section 16A.125, subdivision 5; ~~and~~

(4) interest accruing from investment of the account~~.~~; and

(5) money transferred from other accounts according to section 89.0385.

Subd. 2. **Purposes of account.** ~~Subject to appropriation by the legislature,~~ Money in the forest management investment account may be spent by the Department of Natural Resources in accordance with the forest resource management policy and plan for any of the following purposes:

(1) reforestation and timber stand improvement, including forest pest management;

(2) timber sales administration, contract marking of commercial thinning sales, cultural resource reviews, and other timber sales costs; and

(3) state forest road maintenance costs that exceed appropriations under section 89.70.

Sec. 7. Minnesota Statutes 2010, section 89.21, is amended to read:

89.21 CAMPGROUNDS, ESTABLISHMENT AND FEES.

(a) The commissioner is authorized to establish and develop state forest campgrounds and may establish minimum standards not inconsistent with the laws of the state for the care and use of such campgrounds and charge fees for such uses as specified by the commissioner of natural resources.

(b) Notwithstanding section 16A.1283, the commissioner shall, by written order, establish fees providing for the use of state forest campgrounds. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(c) All fees shall be deposited in ~~the general fund~~ an account in the natural resources fund and are appropriated annually to the commissioner.

Sec. 8. **[97A.052] PEACE OFFICER TRAINING ACCOUNT.**

Subdivision 1. **Account established; sources.** The peace officer training account is created in the game and fish fund in the state treasury. Revenue from the portion of the surcharges assessed to criminal and traffic offenders in section 357.021, subdivision 7, clause (1) shall be deposited in the account and is appropriated to the commissioner. Money in the account may be spent only for the purposes provided in subdivision 2.

Subd. 2. **Purposes of account.** Money in the peace officer training account may only be spent by the commissioner for peace officer training for employees of the

Department of Natural Resources who are licensed under sections 626.84 to 626.863 to enforce game and fish laws.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 9. Minnesota Statutes 2010, section 97A.055, is amended by adding a subdivision to read:

Subd. 2b. **Certified costs.** Money for the certified costs under section 89.0385 is appropriated annually to the commissioner for reimbursement of certified costs on state lands acquired by purchase or gift for game and fish purposes.

Sec. 10. Minnesota Statutes 2010, section 97A.071, subdivision 2, is amended to read:

Subd. 2. **Revenue from small game license surcharge and lifetime licenses.** Revenue from the small game surcharge and $6.50 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under sections 97A.473, subdivisions 3 and 5, and 97A.474, subdivision 3, shall be credited to the wildlife acquisition account and appropriated to the commissioner. The money in the account shall be used by the commissioner only for the purposes of this section, and acquisition and development of wildlife lands under section 97A.145 and maintenance of the lands, in accordance with appropriations made by the legislature.

Sec. 11. Minnesota Statutes 2010, section 97A.075, is amended to read:

97A.075 USE OF LICENSE REVENUES.

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5), (6), (7), (13), (14), and (15)~~, and~~; 3, clauses (2), (3), (4), (10), (11), and (12)~~,~~; and 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.

(b) $2 from each annual deer license and $2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and ~~shall be used~~ is appropriated to the commissioner for deer habitat improvement or deer management programs.

(c) $1 from each annual deer license and each bear license and $1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear management account and ~~shall be used~~ is appropriated to the commissioner for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent.

When the unencumbered balance in the appropriation for emergency deer feeding and wild cervidae health management exceeds $2,500,000 at the end of a fiscal year, the unencumbered balance in excess of $2,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Subd. 2. **Minnesota migratory waterfowl stamp.** (a) Ninety percent of the revenue from the Minnesota migratory waterfowl stamps must be credited to the waterfowl habitat improvement account~~. Money in the account may be used~~ and is appropriated to the commissioner only for:

(1) development of wetlands and lakes in the state and designated waterfowl management lakes for maximum migratory waterfowl production including habitat evaluation, the construction of dikes, water control structures and impoundments, nest cover, rough fish barriers, acquisition of sites and facilities necessary for development and management of existing migratory waterfowl habitat and the designation of waters under section 97A.101;

(2) management of migratory waterfowl;

(3) development, restoration, maintenance, or preservation of migratory waterfowl habitat;

(4) acquisition of and access to structure sites; and

(5) the promotion of waterfowl habitat development and maintenance, including promotion and evaluation of government farm program benefits for waterfowl habitat.

(b) Money in the account may not be used for costs unless they are directly related to a specific parcel of land or body of water under paragraph (a), clause (1), (3), (4), or (5), or to specific management activities under paragraph (a), clause (2).

Subd. 3. **Trout and salmon stamp.** (a) Ninety percent of the revenue from trout and salmon stamps must be credited to the trout and salmon management account~~. Money in the account may be used~~ and is appropriated to the commissioner only for:

(1) the development, restoration, maintenance, improvement, protection, and preservation of habitat for trout and salmon in trout streams and lakes, including, but not limited to, evaluating habitat; stabilizing eroding stream banks; adding fish cover; modifying stream channels; managing vegetation to protect, shade, or reduce runoff on stream banks; and purchasing equipment to accomplish these tasks;

(2) rearing trout and salmon, including utility and service costs associated with coldwater hatchery buildings and systems; stocking trout and salmon in streams and lakes and Lake Superior; and monitoring and evaluating stocked trout and salmon;

(3) acquisition of easements and fee title along trout waters;

(4) identifying easement and fee title areas along trout waters; and

(5) research and special management projects on trout streams, trout lakes, and Lake Superior and portions of its tributaries.

(b) Money in the account may not be used for costs unless they are directly related to a specific parcel of land or body of water under paragraph (a), to specific fish rearing activities under paragraph (a), clause (2), or for costs associated with supplies and equipment to implement trout and salmon management activities under paragraph (a).

Subd. 4. **Pheasant stamp.** (a) Ninety percent of the revenue from pheasant stamps must be credited to the pheasant habitat improvement account~~. Money in the account may be used~~ and is appropriated to the commissioner only for:

(1) the development, restoration, and maintenance of suitable habitat for ringnecked pheasants on public and private land including the establishment of nesting cover, winter cover, and reliable food sources;

(2) reimbursement of landowners for setting aside lands for pheasant habitat;

(3) reimbursement of expenditures to provide pheasant habitat on public and private land;

(4) the promotion of pheasant habitat development and maintenance, including promotion and evaluation of government farm program benefits for pheasant habitat; and

(5) the acquisition of lands suitable for pheasant habitat management and public hunting.

(b) Money in the account may not be used for:

(1) costs unless they are directly related to a specific parcel of land under paragraph (a), clause (1), (3), or (5), or to specific promotional or evaluative activities under paragraph (a), clause (4); or

(2) any personnel costs, except that prior to July 1, 2019, personnel may be hired to provide technical and promotional assistance for private landowners to implement conservation provisions of state and federal programs.

Subd. 5. **Turkey account.** (a) $4.50 from each turkey license sold, except youth licenses under section 97A.475, subdivision 2, clause (4), and subdivision 3, clause (7), must be credited to the wild turkey management account~~. Money in the account may be used~~ and is appropriated to the commissioner only for:

(1) the development, restoration, and maintenance of suitable habitat for wild turkeys on public and private land including forest stand improvement and establishment of nesting cover, winter roost area, and reliable food sources;

(2) acquisitions of, or easements on, critical wild turkey habitat;

(3) reimbursement of expenditures to provide wild turkey habitat on public and private land;

(4) trapping and transplantation of wild turkeys; and

(5) the promotion of turkey habitat development and maintenance, population surveys and monitoring, and research.

(b) Money in the account may not be used for:

(1) costs unless they are directly related to a specific parcel of land under paragraph (a), clauses (1) to (3), a specific trap and transplant project under paragraph (a), clause (4), or to specific promotional or evaluative activities under paragraph (a), clause (5); or

(2) any permanent personnel costs.

Subd. 6. **Walleye stamp.** (a) Revenue from walleye stamps must be credited to the walleye stamp account~~. Money in the account must be used~~ and is appropriated to the commissioner only for stocking walleye in waters of the state and related activities.

(b) Money in the account may not be used for costs unless they are directly related to a specific body of water under paragraph (a), or for costs associated with supplies and equipment to implement walleye stocking activities under paragraph (a).

Sec. 12. Minnesota Statutes 2010, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. **License period.** (a) Except as provided in paragraphs (b), (d), ~~and~~ (e), and (f), a license is valid during the lawful time within the license year that the licensed activity may be performed. Except as provided in ~~paragraph~~ paragraphs (c) and (f), a license year begins on the first day of March and ends on the last day of February.

(b) A license issued under section 97A.475, subdivision 2, clause (4), (13), (14), (15), or (17); 3, clause (7), (10), (11), or (13); 6, clause (4), (5), ~~97A.475, subdivision~~ (6), (7), or (8); 7, clause (2), (3), (5), ~~or~~ (6), or ~~97A.475, subdivision 12~~ (9); 10; or 12, clause (2), is valid for the full license period even if this period extends into the next license year, provided that the license period selected by the licensee begins at the time of issuance.

(c) The license year for ~~resident fishing, the angling portion of a sporting license, nonresident fishing,~~ resident fish house, resident dark house, and nonresident fish house begins on March 1 and ends on April 30 of the following year.

(d) A lifetime license issued under section 97A.473 or 97A.474 is valid during the lawful time within the license year that the licensed activity may be performed for the lifetime of the licensee.

(e) A three-year fish house or dark house license is valid during the license year that it is purchased and the two succeeding license years.

(f) A three-year individual angling license is valid during the license year in which it is purchased and the two succeeding license years.

Sec. 13. Minnesota Statutes 2010, section 97A.435, subdivision 2, is amended to read:

Subd. 2. **Eligibility.** Persons eligible for a turkey license shall be determined by this section and commissioner's rule. ~~A person is eligible for a turkey license only if the person is at least age 16 before the season opens, possesses a firearms safety certificate, or, if under age 12, is accompanied by a parent or guardian.~~

Sec. 14. Minnesota Statutes 2010, section 97A.451, subdivision 2, is amended to read:

Subd. 2. **Residents under age 16; fishing.** (a) A resident under the age of 16 years may take fish without a license.

(b) A resident under the age of 16 may net ciscoes and whitefish for personal consumption without the license required under section 97A.475, subdivision 13. A resident netting ciscoes and whitefish under this paragraph must follow all other applicable requirements for netting ciscoes and whitefish for personal consumption.

(c) A person's age at the time of purchase determines the type of license required under section 97A.475.

Sec. 15. Minnesota Statutes 2010, section 97A.451, subdivision 3, is amended to read:

Subd. 3. **Residents under age 16; small game.** (a) A resident under age 16 ~~must~~ may not obtain a small game license ~~in order to~~ but may take small game by firearms or bow and arrow without ~~paying the applicable fees under section 97A.475, subdivisions 2, 4, and 5,~~ a license if the resident is:

(1) age 14 or 15 and possesses a firearms safety certificate;

(2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or guardian;

(3) age 13, 14, or 15, possesses an apprentice hunter validation, and is accompanied by a parent or guardian who possesses a small game license that was not obtained using an apprentice hunter validation; or

(4) age 12 or under and is accompanied by a parent or guardian.

(b) A resident under age 16 may take small game by trapping without a small game license, but a resident 13 years of age or older must have a trapping license. A resident under age 13 may trap without a trapping license, but may not register fisher, otter, bobcat, or pine marten unless the resident is at least age five. Any fisher, otter, bobcat, or pine marten taken by a resident under age five must be included in the limit of the accompanying parent or guardian.

(c) A resident under age ~~12 may apply for a turkey license~~ <u>13 must obtain a free turkey license to take turkey</u> and may take a turkey without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.

(d) A resident under age ~~12~~ <u>13</u> may apply for a prairie chicken license and may take a prairie chicken without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.

Sec. 16. Minnesota Statutes 2010, section 97A.451, is amended by adding a subdivision to read:

<u>Subd. 3b.</u> <u>**Nonresidents under age 18; small game.**</u> <u>(a) A nonresident age 16 or over and under age 18 may take small game by firearms or archery and may obtain a small game license at the resident youth fee under section 97A.475, subdivision 2, clause (2), if the nonresident possesses a firearms safety certificate.</u>

<u>(b) A nonresident under age 16 may take small game by firearms or archery without paying the applicable fees under section 97A.475, subdivisions 2, 4, and 5, if the nonresident is:</u>

<u>(1) age 14 or 15 and possesses a firearms safety certificate;</u>

<u>(2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or guardian; or</u>

<u>(3) age 12 or under and is accompanied by a parent or guardian.</u>

Sec. 17. Minnesota Statutes 2010, section 97A.451, subdivision 4, is amended to read:

Subd. 4. **Persons under age ~~16~~ <u>13</u>; big game.** ~~(a) A person age 12, 13, 14, or 15 may not obtain a license to take big game unless the person possesses a firearms safety~~

~~certificate. A person age 12 or 13 must be accompanied by a parent or guardian to hunt big game.~~

~~(b)~~ A person age ~~10 or 11~~ ten or over and under age 13 may take big game, provided the person is under the direct supervision of a parent or guardian where the parent or guardian is within immediate reach. ~~Until March 1, 2009, a person age 10 or 11 may take big game under a parent or guardian's license. Beginning March 1, 2009,~~ A person age ~~10 or 11~~ ten or over and under age 13 must obtain a license in order to take big game and may obtain the license without paying the fee required under section 97A.475, subdivision 2.

Sec. 18. Minnesota Statutes 2010, section 97A.451, subdivision 5, is amended to read:

Subd. 5. **Nonresidents under age ~~16~~ 18.** (a) A nonresident under ~~the~~ age ~~of~~ 16 may ~~take fish by angling~~ angle without a license ~~if a parent or guardian has a fishing license,~~, but fish must be immediately released or immediately returned to the water. A nonresident under age 16 may not harvest or possess fish unless the nonresident purchases a youth fishing license under section 97A.475, subdivision 7, clause (8), or is accompanied by a parent or guardian with a fishing license. Fish taken by a nonresident under ~~the~~ age ~~of~~ 16 without a license must be included in the limit of the parent or guardian.

(b) A nonresident under age ~~16~~ 18 may purchase a youth fishing license ~~at the resident fee or be included under a nonresident family license,~~ under section 97A.475, subdivision 7, clause (8), to take fish by angling~~,~~ and possess a limit of fish.

Sec. 19. Minnesota Statutes 2010, section 97A.473, subdivision 2, is amended to read:

Subd. 2. **Lifetime angling license; fee.** (a) A resident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual resident angling license. The license does not include a trout and salmon stamp validation, a walleye stamp validation, or other stamps required by law.

(b) The fees for a resident lifetime angling license are:

(1) age 3 and under, ~~$227~~ $343;

(2) age 4 to age 15, ~~$300~~ $473;

(3) age 16 to age 50, ~~$383~~ $571; and

(4) age 51 and over, ~~$203~~ $401.

Sec. 20. Minnesota Statutes 2010, section 97A.473, subdivision 2b, is amended to read:

Subd. 2b. **Lifetime angling and spearing license; fee.** (a) A resident lifetime angling and spearing license authorizes a person to take fish by angling or spearing in the state. The license authorizes those activities authorized by the annual resident angling and spearing licenses.

(b) The fees for a resident lifetime angling and spearing license are:

(1) age 3 and under, ~~$485~~ $601;

(2) age 4 to age 15, ~~$620~~ $793;

(3) age 16 to age 50, ~~$755~~ $943; and

(4) age 51 and over, ~~$376~~ $574.

Sec. 21. Minnesota Statutes 2010, section 97A.473, subdivision 3, is amended to read:

Subd. 3. **Lifetime small game hunting license; fee.** (a) A resident lifetime small game hunting license authorizes a person to hunt and trap small game in the state. The license authorizes those hunting and trapping activities authorized by the annual resident small game hunting and trapping licenses. The license does not include a turkey stamp validation or any other hunting stamps required by law.

(b) The fees for a resident lifetime small game hunting license are:

(1) age 3 and under, ~~$217~~ $223;

(2) age 4 to age 15, ~~$290~~ $301;

(3) age 16 to age 50, ~~$363~~ $430; and

(4) age 51 and over, ~~$213~~ $274.

Sec. 22. Minnesota Statutes 2010, section 97A.473, subdivision 4, is amended to read:

Subd. 4. **Lifetime deer hunting license; fee.** (a) A resident lifetime deer hunting license authorizes a person to take deer with firearms or by archery in the state. The license authorizes those activities authorized by the annual resident firearm deer hunting license or the annual resident archery deer hunting license. The licensee must register and receive tags each year that the license is used. The tags shall be issued at no charge to the licensee.

(b) The fees for a resident lifetime firearm or archery deer hunting license are:

(1) age 3 and under, ~~$337~~ $406;

(2) age 4 to age 15, ~~$450~~ $538;

(3) age 16 to age 50, ~~$573~~ $656; and

(4) age 51 and over, ~~$383~~ $468.

Sec. 23. Minnesota Statutes 2010, section 97A.473, subdivision 5, is amended to read:

Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt and trap small game in the state. The license authorizes those activities authorized by the annual resident angling, resident small game hunting, and resident trapping licenses. The license does not include a trout and salmon stamp validation, a turkey stamp validation, a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting license are:

(1) age 3 and under, ~~$357~~ $567;

(2) age 4 to age 15, ~~$480~~ $786;

(3) age 16 to age 50, ~~$613~~ $924; and

(4) age 51 and over, ~~$413~~ $668.

Sec. 24. Minnesota Statutes 2010, section 97A.473, subdivision 5a, is amended to read:

Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident lifetime sporting with spearing option license authorizes a person to take fish by angling or spearing and hunt and trap small game in the state. The license authorizes those activities authorized by the annual resident angling, spearing, resident small game hunting, and resident trapping licenses. The license does not include a trout and salmon stamp validation, a turkey stamp validation, a walleye stamp validation, or any other hunting stamps required by law.

(b) The fees for a resident lifetime sporting with spearing option license are:

(1) age 3 and under, ~~$615~~ $815;

(2) age 4 to age 15, ~~$800~~ $906;

(3) age 16 to age 50, ~~$985~~ $1,296; and

(4) age 51 and over, ~~$586~~ $841.

Sec. 25. Minnesota Statutes 2010, section 97A.474, subdivision 2, is amended to read:

Subd. 2. **Nonresident lifetime angling license; fee.** (a) A nonresident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual nonresident angling license. The license does not include a trout and salmon stamp validation, a walleye stamp validation, or other stamps required by law.

(b) The fees for a nonresident lifetime angling license are:

(1) age 3 and under, ~~$447~~ $726;

(2) age 4 to age 15, ~~$600~~ $925;

(3) age 16 to age 50, ~~$773~~ $1,054; and

(4) age 51 and over, ~~$513~~ $702.

Sec. 26. Minnesota Statutes 2010, section 97A.475, subdivision 2, is amended to read:

Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents only, are:

(1) for persons age 18 or over and under age 65 to take small game, ~~$12.50~~ $15.50;

(2) for persons ~~ages 16 and 17 and~~ age 65 or over, $6 to take small game;

(3) for persons age 18 or over to take turkey, ~~$23~~ $26;

(4) for persons ~~under~~ age 13 or over and under age 18 to take turkey, ~~$12~~ $13;

(5) for persons age 18 or over to take deer with firearms during the regular firearms season, ~~$26~~ $30;

(6) for persons age 18 or over to take deer by archery, ~~$26~~ $30;

(7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, ~~$26~~ $30;

(8) to take moose, for a party of not more than six persons, ~~$310~~ $356;

(9) to take bear, ~~$38~~ $44;

(10) to take elk, for a party of not more than two persons, ~~$250~~ $287;

(11) to take Canada geese during a special season, $4;

(12) to take prairie chickens, ~~$20~~ $23;

(13) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season, ~~$13~~ $15;

(14) for persons age 13 or over and under age 18 to take deer by archery, ~~$13~~ $15; ~~and~~

(15) for persons age 13 or over and under age 18 to take deer by muzzleloader during the muzzleloader season, ~~$13.~~ $15;

(16) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, $19, of which an amount equal to one-half of the fee for the migratory waterfowl stamp under section 97A.475, subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under section 97A.475, subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under section 97A.475, subdivision 4, shall be deposited in the wildlife acquisition account; and

(17) for persons age 16 or over and under age 18 to take small game, $4.50.

Sec. 27. Minnesota Statutes 2010, section 97A.475, subdivision 3, is amended to read:

Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to nonresidents, are:

(1) for persons age 18 or over to take small game, ~~$73~~ $90.50;

(2) for persons age 18 or over to take deer with firearms during the regular firearms season, ~~$135~~ $160;

(3) for persons age 18 or over to take deer by archery, ~~$135~~ $160;

(4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, ~~$135~~ $160;

(5) to take bear, ~~$195~~ $225;

(6) for persons age 18 ~~and older~~ or over to take turkey, ~~$78~~ $91;

(7) for persons age 13 or over and under age 18 to take turkey, ~~$12~~ $13;

(8) to take raccoon or bobcat, ~~$155~~ $178;

(9) to take Canada geese during a special season, $4;

(10) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season in any open season option or time period, ~~$13~~ $15;

(11) for persons age 13 or over and under age 18 to take deer by archery, ~~$13~~ $15; ~~and~~

(12) for persons age 13 or over and under age 18 to take deer during the muzzleloader season, ~~$13.~~ $15; and

(13) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, $75, of which an amount equal to one-half of the fee for the migratory waterfowl stamp under section 97A.475, subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under section 97A.475, subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under section 97A.475, subdivision 4, shall be deposited into the wildlife acquisition account.

(b) A $5 surcharge shall be added to nonresident hunting licenses issued under paragraph (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this surcharge.

Sec. 28. Minnesota Statutes 2010, section 97A.475, subdivision 4, is amended to read:

Subd. 4. **Small game surcharge.** Fees for annual licenses to take small game must be increased by a surcharge of $6.50, except licenses under section 97A.475, subdivisions 2, clause (16); and 3, clause (13). An additional commission may not be assessed on the surcharge and the following statement must be included in the annual small game hunting regulations: "This $6.50 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

Sec. 29. Minnesota Statutes 2010, section 97A.475, subdivision 6, is amended to read:

Subd. 6. **Resident fishing.** Fees for the following licenses, to be issued to residents only, are:

(1) for persons age 18 or over to take fish by angling, ~~$17~~ $24;

(2) for persons age 18 or over to take fish by angling, for a combined license for a married couple, ~~$25~~ $40;

(3) for persons age 18 or over to take fish by spearing from a dark house, ~~$17~~ $18; ~~and~~

(4) for persons age 18 or over to take fish by angling for a 24-hour period selected by the licensee, ~~$8.50.~~ $10;

(5) for persons age 18 or over to take fish by angling for a consecutive 72-hour period selected by the licensee, $12;

(6) for persons age 18 or over to take fish by angling limited to 90 consecutive days selected by the licensee, $18;

(7) for persons age 18 or over to take fish by angling for a period of three consecutive years, $69;

(8) for persons age 16 or over and under age 18 to take fish by angling, $12;

(9) for persons age 16 or over and under age 18 to take fish by spearing, $9; and

(10) for persons age 18 or over to take fish by angling and spearing, $36.

Sec. 30. Minnesota Statutes 2010, section 97A.475, subdivision 7, is amended to read:

Subd. 7. **Nonresident fishing.** (a) Fees for the following licenses, to be issued to nonresidents, are:

(1) for persons age 18 or over to take fish by angling, ~~$37.50~~ $39;

(2) for persons age 18 or over to take fish by angling for a combined license for a married couple, limited to seven consecutive days selected by the licensee, ~~$26.50~~ $33;

(3) for persons age 18 or over to take fish by angling for a consecutive 72-hour period selected by the licensee, ~~$22~~ $27;

(4) for persons age 18 or over to take fish by angling for a combined license for a family for one or both parents and dependent children under the age of 16, ~~$50.50~~ $53;

(5) for persons age 18 or over to take fish by angling for a 24-hour period selected by the licensee, ~~$8.50~~ $12;

(6) for persons age 18 or over to take fish by angling for a combined license for a married couple, limited to 14 consecutive days selected by one of the licensees, ~~$38.50~~ $43; ~~and~~

(7) for persons age 18 or over to take fish by spearing from a dark house, $37.50~~.~~;

(8) for persons age 16 or over and under age 18 to take fish by angling, $12;

(9) for persons age 16 or over and under age 18 to take fish by spearing from a dark house, $9; and

(10) for persons age 18 or over to take fish by angling, limited to seven consecutive days selected by the licensee, $29.

(b) A ~~$2~~ $5 surcharge shall be added to all nonresident fishing licenses, except licenses issued under paragraph (a), ~~clause~~ clauses (5), (8), and (9). An additional commission may not be assessed on this surcharge.

Sec. 31. Minnesota Statutes 2010, section 97A.475, subdivision 8, is amended to read:

Subd. 8. **Minnesota sporting; super sports.** (a) The commissioner shall issue Minnesota sporting licenses to residents only. The licensee may take fish by angling and small game. The fee for the license is:

(1) for an individual, ~~$23~~ $36.50; and

(2) for a combined license for a married couple to take fish and for one spouse to take small game, ~~$32~~ $52.50.

(b) The commissioner shall issue Minnesota super sports licenses to residents only. The licensee may take fish by angling, including trout; small game, including pheasant and waterfowl; and deer. The fee for the super sports license, including all required stamp validations, is:

(1) for an individual age 18 or over, $92.50; and

(2) for a combined license for a married couple as defined in section 517.01 to take fish, including the trout and salmon stamp validation, and for one spouse to take small game, including pheasant and waterfowl, and deer, $118.50.

(c) Revenue for the stamp endorsements under paragraph (b) shall be deposited according to section 97A.075, subdivisions 2, 3, and 4.

(d) Revenue for the deer dedicated accounts from the deer license endorsement under paragraph (b) shall be deposited according to section 97A.075, subdivision 1.

Sec. 32. Minnesota Statutes 2010, section 97A.475, subdivision 11, is amended to read:

Subd. 11. **Fish houses, dark houses, and shelters; residents.** Fees for the following licenses are:

(1) annual for a fish house, dark house, or shelter that is not rented, ~~$11.50~~ $15;

(2) annual for a fish house, dark house, or shelter that is rented, ~~$26~~ $30;

(3) three-year for a fish house, dark house, or shelter that is not rented, ~~$34.50~~ $42; and

(4) three-year for a fish house, dark house, or shelter that is rented, ~~$78~~ $87.

Sec. 33. Minnesota Statutes 2010, section 97A.475, subdivision 12, is amended to read:

Subd. 12. **Fish houses, dark houses, and shelters; nonresident.** Fees for fish house, dark house, and shelter licenses for a nonresident are:

(1) annual, ~~$33~~ $37;

(2) seven consecutive days, ~~$19~~ selected by the licensee, $21; and

(3) three-year, ~~$99~~ $111.

Sec. 34. Minnesota Statutes 2010, section 97A.475, subdivision 20, is amended to read:

Subd. 20. **Trapping license.** The fee for a license to trap fur-bearing animals is:

(1) for residents over age 13 and under age 18, ~~$6~~ $7;

(2) for residents age 18 or over and under age 65, ~~$20~~ $23;

(3) for residents age 65 or over, ~~$10~~ $11.50; and

(4) for nonresidents, ~~$73~~ $84.

Sec. 35. Minnesota Statutes 2010, section 97A.475, subdivision 43, is amended to read:

Subd. 43. **Duplicate licenses.** The fees for duplicate licenses are:

(1) for licenses to take big game, $5, except licenses issued under section 97A.475, subdivision 8, paragraph (b); and

(2) for other licenses, $2.

Sec. 36. Minnesota Statutes 2010, section 97A.475, subdivision 44, is amended to read:

Subd. 44. **Replacement licenses.** The fee for a replacement firearms deer license is $5, except there is no fee for replacing a deer license issued under section 97A.475, subdivision 8, paragraph (b).

Sec. 37. Minnesota Statutes 2010, section 97A.475, subdivision 45, is amended to read:

Subd. 45. **Camp Ripley archery deer hunt.** The application fee for the Camp Ripley archery deer hunt is ~~$8~~ $12.

Sec. 38. Minnesota Statutes 2010, section 97A.485, subdivision 7, is amended to read:

Subd. 7. **Electronic licensing system commission.** The commissioner shall retain for the operation of the electronic licensing system the commission established under section 84.027, subdivision 15, and issuing fees collected by the commissioner on all license fees ~~collected, excluding:~~.

~~(1) the small game surcharge;~~

~~(2) the deer license surcharges or donations under section 97A.475, subdivisions 3, paragraph (b), and 3a; and~~

~~(3) $2.50 of the license fee for the licenses in section 97A.475, subdivisions 6, clauses (1), (2), and (4), 7, 8, 12, and 13.~~

Sec. 39. Minnesota Statutes 2010, section 97B.020, is amended to read:

97B.020 FIREARMS SAFETY CERTIFICATE REQUIRED.

(a) Except as provided in this section ~~and section 97A.451, subdivision 3a~~, a person born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has:

(1) a firearms safety certificate or equivalent certificate;

(2) a driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13;

(3) a previous hunting license with a valid firearms safety qualification indicator;

(4) an apprentice hunter validation issued under section 97B.022; or

(5) other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement or certified by the department as substantially similar.

(b) A person who is on active duty and has successfully completed basic training in the United States armed forces, reserve component, or National Guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a firearms safety certificate.

(c) A person born after December 31, 1979, may not use a lifetime license to take wild animals by firearms, unless the person meets the requirements for obtaining an annual license under paragraph (a) or (b).

Sec. 40. Minnesota Statutes 2010, section 97B.715, subdivision 1, is amended to read:

Subdivision 1. **Stamp required.** (a) Except as provided in paragraph (b) or section 97A.405, subdivision 2, a person required to possess a small game license may not hunt pheasants without a pheasant stamp validation.

(b) The following persons are exempt from this subdivision:

(1) residents or nonresidents under age 18 ~~or~~ and residents over age 65;

(2) persons hunting on licensed commercial shooting preserves; ~~and~~

(3) resident disabled veterans with a license issued under section 97A.441, subdivision 6a~~.~~; and

(4) residents or nonresidents hunting on a license issued under section 97A.475, subdivision 2, clause (16), or 3, clause (13).

Sec. 41. Minnesota Statutes 2010, section 97B.801, is amended to read:

97B.801 MINNESOTA MIGRATORY WATERFOWL STAMP REQUIRED.

(a) Except as provided in this section or section 97A.405, subdivision 2, a person required to possess a small game license may not take migratory waterfowl without a migratory waterfowl stamp validation.

(b) Residents under age 18 or over age 65; resident disabled veterans with a license issued under section 97A.441, subdivision 6a; and persons hunting on their own property are not required to possess a stamp validation under this section.

(c) Residents or nonresidents with a license issued under section 97A.475, subdivision 2, clause (16), or 3, clause (13), are not required to possess a stamp validation under this section.

Sec. 42. Minnesota Statutes 2010, section 97C.301, subdivision 3, is amended to read:

Subd. 3. **Spearing.** A person may not take fish by spearing from a dark house without a dark house spearing license ~~and an angling license~~.

Sec. 43. Minnesota Statutes 2010, section 97C.305, subdivision 1, is amended to read:

Subdivision 1. **Requirement.** Except as provided in subdivision 2 or section 97A.405, subdivision 2, a person over age ~~16~~ 18 and under age 65 required to possess an angling license must have a trout and salmon stamp validation to:

(1) take fish by angling in:

(i) a stream designated by the commissioner as a trout stream;

(ii) a lake designated by the commissioner as a trout lake; or

(iii) Lake Superior; or

(2) possess trout or salmon taken in the state by angling.

Sec. 44. Minnesota Statutes 2010, section 97C.305, subdivision 2, is amended to read:

Subd. 2. **Exception.** A trout and salmon stamp validation is not required to take fish by angling or to possess trout and salmon if:

(1) the person:

(i) possesses a license to take fish by angling for a period of 24 hours or 72 hours from the time of issuance under section 97A.475, subdivision 6, clause (4) or (5)~~,~~; or ~~subdivision~~ 7, clause (3) or (5), and

(ii) is taking fish by angling, or the trout or salmon were taken by the person, during the period the license is valid;

(2) the person is taking fish, or the trout or salmon were taken by the person, as authorized under section 97C.035; or

(3) the person has a valid license issued under section 97A.441, subdivision 1, 2, 3, 4, or 5.

Sec. 45. **[103G.27] WATER MANAGEMENT ACCOUNT.**

Subdivision 1. **Account established; sources.** The water management account is created in the natural resources fund in the state treasury. Revenues collected from water use permits, penalties, and other receipts according to section 103G.271, shall be deposited in the account and are appropriated to the commissioner for the purposes described in subdivision 2. Interest earned on money in the account accrues to the account.

Subd. 2. **Purposes of account.** Money in the water management account may only be spent by the commissioner for the costs associated with permit applications, inspections, and other expenditures under sections 103G.271 and 103G.301.

Sec. 46. Minnesota Statutes 2010, section 103G.271, subdivision 6, is amended to read:

Subd. 6. **Water use permit processing fee.** (a) Except as described in paragraphs (b) to (f), a water use permit processing fee must be prescribed by the commissioner in accordance with the schedule of fees in this subdivision for each water use permit in force at any time during the year. Fees collected under this paragraph are credited to the water management account in the natural resources fund and appropriated to the commissioner. The schedule is as follows, with the stated fee in each clause applied to the total amount appropriated:

(1) $140 for amounts not exceeding 50,000,000 gallons per year;

(2) $3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less than 100,000,000 gallons per year;

(3) $4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less than 150,000,000 gallons per year;

(4) $4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but less than 200,000,000 gallons per year;

(5) $5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less than 250,000,000 gallons per year;

(6) $5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but less than 300,000,000 gallons per year;

(7) $6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less than 350,000,000 gallons per year;

(8) $6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but less than 400,000,000 gallons per year;

(9) $7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less than 450,000,000 gallons per year;

(10) $7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but less than 500,000,000 gallons per year; and

(11) $8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

(b) For once-through cooling systems, a water use processing fee must be prescribed by the commissioner in accordance with the following schedule of fees for each water use permit in force at any time during the year:

(1) for nonprofit corporations and school districts, $200 per 1,000,000 gallons; and

(2) for all other users, $420 per 1,000,000 gallons.

(c) The fee is payable based on the amount of water appropriated during the year and, except as provided in paragraph (f), the minimum fee is $100.

(d) For water use processing fees other than once-through cooling systems:

(1) the fee for a city of the first class may not exceed $250,000 per year;

(2) the fee for other entities for any permitted use may not exceed:

(i) $60,000 per year for an entity holding three or fewer permits;

(ii) $90,000 per year for an entity holding four or five permits; or

(iii) $300,000 per year for an entity holding more than five permits;

(3) the fee for agricultural irrigation may not exceed $750 per year;

(4) the fee for a municipality that furnishes electric service and cogenerates steam for home heating may not exceed $10,000 for its permit for water use related to the cogeneration of electricity and steam; and

(5) no fee is required for a project involving the appropriation of surface water to prevent flood damage or to remove flood waters during a period of flooding, as determined by the commissioner.

(e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of two percent per month calculated from the original due date must be imposed on the unpaid balance of fees remaining 30 days after the sending of a second notice of fees due. A fee may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal governmental agency holding a water appropriation permit.

(f) The minimum water use processing fee for a permit issued for irrigation of agricultural land is $20 for years in which:

(1) there is no appropriation of water under the permit; or

(2) the permit is suspended for more than seven consecutive days between May 1 and October 1.

(g) A surcharge of $30 per million gallons in addition to the fee prescribed in paragraph (a) shall be applied to the volume of water used in each of the months of June, July, and August that exceeds the volume of water used in January for municipal water use, irrigation of golf courses, and landscape irrigation. The surcharge for municipalities with more than one permit shall be determined based on the total appropriations from all permits that supply a common distribution system.

Sec. 47. Minnesota Statutes 2010, section 103G.301, subdivision 2, is amended to read:

Subd. 2. **Permit application fees.** (a) A permit application fee to defray the costs of receiving, recording, and processing the application must be paid for a permit authorized under this chapter and for each request to amend or transfer an existing permit. Fees established under this subdivision, unless specified in paragraph (c), shall be compliant with section 16A.1285.

(b) Proposed projects that require water in excess of 100 million gallons per year must be assessed fees to recover the costs incurred to evaluate the project and the costs incurred for environmental review. ~~Fees collected under this paragraph must be credited to an account in the natural resources fund and are appropriated to the commissioner.~~

(c) The fee to apply for a permit to appropriate water, in addition to any fee under paragraph (b); a permit to construct or repair a dam that is subject to dam safety inspection; or a state general permit is $150. The application fee for a permit to work in public waters or to divert waters for mining must be at least $150, but not more than $1,000.

<u>(d) Fees collected under this subdivision must be credited to the water management account in the natural resources fund and are appropriated to the commissioner.</u>

Sec. 48. Minnesota Statutes 2010, section 103G.615, subdivision 1, is amended to read:

Subdivision 1. ~~**Authorization**~~ <u>**Issuance; validity**</u>**.** (a) The commissioner may issue permits, with or without a fee, to:

(1) gather or harvest aquatic plants, or plant parts, other than wild rice from public waters;

(2) transplant aquatic plants into public waters;

(3) destroy harmful or undesirable aquatic vegetation or organisms in public waters under prescribed conditions to protect the waters, desirable species of fish, vegetation, other forms of aquatic life, and the public.

(b) Application for a permit must be accompanied by a permit fee, if required.

(c) An aquatic plant management permit is valid for one growing season and expires on December 31 of the year it is issued unless the commissioner stipulates a different expiration date in rule or in the permit.

(d) A commercial mechanical control permit is valid for the calendar year in which it is issued and expires on December 31. A commercial mechanical control permit may not be transferred.

Sec. 49. Minnesota Statutes 2010, section 103G.615, subdivision 2, is amended to read:

Subd. 2. **Fees.** (a) ~~The commissioner shall establish a fee schedule for permits to control or harvest aquatic plants other than wild rice. The fees must be set by rule, and section 16A.1283 does not apply, but the rule must not take effect until 45 legislative days after it has been reported to the legislature. The fees shall be based upon the cost of receiving, processing, analyzing, and issuing the permit, and additional costs incurred after the application to inspect and monitor the activities authorized by the permit, and enforce aquatic plant management rules and permit requirements.~~ The fees shall be based upon the cost of receiving, processing, analyzing, and issuing the permit and additional costs incurred after the application to inspect and monitor the activities authorized by the permit and enforce aquatic plant management rules and permit requirements.

(b) When application is made to control two or more shoreline nuisance conditions, only the larger fee applies. A permit application fee, in the form of a check or money order payable to the Minnesota Department of Natural Resources, must accompany each permit application when required by the following fee schedule:

~~(b) A fee for a permit for the~~ (1) to control ~~of rooted~~ aquatic ~~vegetation~~ plants by pesticide or mechanical means, $90 for each contiguous parcel of shoreline owned by an owner ~~may be charged~~, including a permit valid for three years. This fee may not be charged for ~~permits issued in connection with~~ purple loosestrife control or lakewide ~~Eurasian water milfoil control programs.~~ or baywide invasive aquatic plant management permits;

(2) to control filamentous algae, snails that carry swimmer's itch, or leeches, singly or in combination, $40 for each contiguous parcel of shoreline with a distinct owner;

(3) for offshore control of submersed aquatic plants by pesticide or mechanical means, $90;

(4) to control plankton algae or free-floating aquatic plants by lakewide or baywide application of approved pesticides, $90;

(5) for the control of rooted aquatic vegetation in a public water basin that is 20 acres or less in size, one-half of the fee established under clause (1);

(6) for a commercial mechanical control permit, $100 annually; and

(7) for a commercial harvest permit, $100 plus $300 for each public water listed on the application that requires an inspection. An inspection is required for waters with no previous permit history and may be required at other times to monitor the status of the aquatic plant population.

(c) There is no permit fee for:

(1) permits to transplant aquatic plants in public waters;

(2) permits to move or remove a floating bog in public waters if the floating bog is lodged against the permittee's property and has not taken root;

(3) permits to control purple loosestrife (*Lythrum salicaria*);

(4) invasive aquatic plant management permits; or

~~(c) A fee may not be charged to~~ (5) permits applied for by the state or a federal governmental agency ~~applying for a permit~~.

~~(d) A fee for a permit for the control of rooted aquatic vegetation in a public water basin that is 20 acres or less in size shall be one-half of the fee established under paragraph (a).~~

(d) If the fee does not accompany the application, the applicant will be notified and no action will be taken on the application until the fee is received.

(e) The fee is refundable only when the application is withdrawn prior to field inspection or issuance or denial of the permit or when the commissioner determines that the activity does not require a permit.

~~(e)~~ (f) The money received for the permits under this subdivision shall be deposited in the ~~treasury and credited to the~~ water recreation account in the natural resources fund.

Sec. 50. Minnesota Statutes 2010, section 103G.615, is amended by adding a subdivision to read:

Subd. 3a. **Invasive aquatic plant management permit.** (a) "Invasive aquatic plant management permit" means an aquatic plant management permit as defined in Minnesota Rules, part 6280.0100, subpart 2b, that authorizes the selective control of invasive aquatic plants at a scale to cause a significant lakewide or baywide reduction in the abundance of the invasive aquatic plant.

(b) The commissioner may waive the dated signature of approval requirement in Minnesota Rules, part 6280.0450, subpart 1a, for invasive aquatic plant management permits if obtaining signatures would create an undue burden on the permittee or if the commissioner determines that invasive aquatic plant control is necessary to protect natural resources.

(c) If the signature requirement is waived under paragraph (b) because obtaining signatures would create an undue burden on the permittee, the commissioner shall require an alternate form of landowner notification, including news releases or public notices in a local newspaper, a public meeting, or a mailing to the most recent permanent address of affected landowners. The notification must be given annually and must include: the proposed date of treatment, the target species, the method of control or product being used, and instructions on how the landowner may request that control not occur adjacent to the landowner's property.

(d) For an invasive aquatic plant management permit, the commissioner may allow dated signatures of approval obtained to satisfy Minnesota Rules, part 6280.0450, subpart 1a, to remain valid for three years if property ownership remains unchanged.

Sec. 51. Minnesota Statutes 2010, section 115A.1314, is amended to read:

115A.1314 MANUFACTURER'S REGISTRATION FEE~~; CREATION OF ACCOUNT~~.

Subdivision 1. **Registration fee.** (a) Each manufacturer who registers under section 115A.1312 must, by September 1, 2007, and each year thereafter, pay to the commissioner of revenue an annual registration fee. The commissioner of revenue must deposit the fee in the ~~account established in subdivision 2~~ state treasury and credit the fee to the environmental fund.

(b) ~~The registration fee for the initial program year during which a manufacturer's video display devices are sold to households is $5,000. Each year thereafter,~~ The registration fee is equal to a base fee of $2,500, plus a variable recycling fee calculated according to the formula:

((A x B) - (C + D)) x E, where:

(1) A = the number of pounds of a manufacturer's video display devices sold to households during the previous program year, as reported to the department under section 115A.1316, subdivision 1;

(2) B = the proportion of sales of video display devices required to be recycled, set at 0.6 for the first program year and 0.8 for the second program year and every year thereafter;

(3) C = the number of pounds of covered electronic devices recycled by a manufacturer from households during the previous program year, as reported to the department under section 115A.1316, subdivision 1;

(4) D = the number of recycling credits a manufacturer elects to use to calculate the variable recycling fee, as reported to the department under section 115A.1316, subdivision 1; and

(5) E = the estimated per-pound cost of recycling, initially set at $0.50 per pound for manufacturers who recycle less than 50 percent of the product (A x B); $0.40 per pound for manufacturers who recycle at least 50 percent but less than 90 percent of the product (A x B); and $0.30 per pound for manufacturers who recycle at least 90 percent but less than 100 percent of the product (A x B).

(c) If, as specified in paragraph (b), the term C - (A x B) equals a positive number of pounds, that amount is defined as the manufacturer's recycling credits. A manufacturer may retain recycling credits to be added, in whole or in part, to the actual value of C, as reported under section 115A.1316, subdivision 2, during any succeeding program year, provided that no more than 25 percent of a manufacturer's obligation (A x B) for any program year may be met with recycling credits generated in a prior program year. A manufacturer may sell any portion or all of its recycling credits to another manufacturer, at a price negotiated by the parties, who may use the credits in the same manner.

(d) For the purpose of calculating a manufacturer's variable recycling fee under paragraph (b), the weight of covered electronic devices collected from households located outside the 11-county metropolitan area, as defined in subdivision 2, paragraph (c), is calculated at 1.5 times their actual weight.

(e) The registration fee for the initial program year and the base registration fee thereafter for a manufacturer who produces fewer than 100 video display devices for sale annually to households is $1,250.

Subd. 2. ~~**Creation of account; appropriations**~~ **Use of registration fees.** ~~(a) The electronic waste account is established in the environmental fund. The commissioner of revenue must deposit receipts from the fee established in subdivision 1 in the account. Any interest earned on the account must be credited to the account. Money from other sources may be credited to the account. Beginning in the second program year and continuing each program year thereafter, as of the last day of each program year, the commissioner shall determine the total amount of the variable fees that were collected. To the extent that the total fees collected by the commissioner in connection with this section exceed the amount the commissioner determines necessary to operate the program for the new program year, the commissioner shall refund on a pro rata basis, to all manufacturers who paid any fees for the previous program year, the amount of fees collected by the commissioner in excess of the amount necessary to operate the program for the new program year. No individual refund is required of amounts of $100 or less for a fiscal~~

~~year. Manufacturers who report collections less than 50 percent of their obligation for the previous program year are not eligible for a refund.~~

~~(b) Until June 30, 2011, money in the account is annually appropriated to the Pollution Control Agency:~~ (a) Registration fees may be used by the commissioner for:

(1) ~~for the purpose of~~ implementing sections 115A.1312 to 115A.1330, including transfer to the commissioner of revenue to carry out the department's duties under section 115A.1320, subdivision 2, and transfer to the commissioner of administration for responsibilities under section 115A.1324; and

(2) ~~to the commissioner of the Pollution Control Agency to be distributed on a competitive basis through contracts with~~ grants to counties outside the 11-county metropolitan area, as defined in paragraph ~~(c)~~ (b), and ~~with~~ to private entities that collect for recycling covered electronic devices in counties outside the 11-county metropolitan area, where the collection and recycling is consistent with the respective county's solid waste plan, for the purpose of carrying out the activities under sections 115A.1312 to 115A.1330. In awarding competitive grants under this clause, the commissioner must give preference to counties and private entities that are working cooperatively with manufacturers to help them meet their recycling obligations under section 115A.1318, subdivision 1.

~~(c)~~ (b) The 11-county metropolitan area consists of the counties of Anoka, Carver, Chisago, Dakota, Hennepin, Isanti, Ramsey, Scott, Sherburne, Washington, and Wright.

Sec. 52. Minnesota Statutes 2010, section 115A.1320, subdivision 1, is amended to read:

Subdivision 1. **Duties of the agency.** (a) The agency shall administer sections 115A.1310 to 115A.1330.

(b) The agency shall establish procedures for:

(1) receipt and maintenance of the registration statements and certifications filed with the agency under section 115A.1312; and

(2) making the statements and certifications easily available to manufacturers, retailers, and members of the public.

(c) The agency shall annually review the value of the following variables that are part of the formula used to calculate a manufacturer's annual registration fee under section 115A.1314, subdivision 1:

(1) the proportion of sales of video display devices sold to households that manufacturers are required to recycle;

(2) the estimated per-pound price of recycling covered electronic devices sold to households;

(3) the base registration fee; and

(4) the multiplier established for the weight of covered electronic devices collected in section 115A.1314, subdivision 1, paragraph (d). If the agency determines that any of these values must be changed in order to improve the efficiency or effectiveness of the activities regulated under sections 115A.1312 to 115A.1330 ~~or if the revenues in the account exceed the amount that the agency determines is necessary~~, the agency shall submit recommended changes and the reasons for them to the chairs of the senate and house of representatives committees with jurisdiction over solid waste policy.

(d) By January 15 each year, beginning in 2008, the agency shall calculate estimated sales of video display devices sold to households by each manufacturer during the preceding program year, based on national sales data, and forward the estimates to the department.

~~(e) The agency shall manage the account established in section 115A.1314, subdivision 2. If the revenues in the account exceed the amount that the agency determines is necessary for efficient and effective administration of the program, including any amount for contingencies, the agency must recommend to the legislature that the base registration fee, the proportion of sales of video display devices required to be recycled, or the estimated per pound cost of recycling established under section 115A.1314, subdivision 1, paragraph (b), or any combination thereof, be lowered in order to reduce revenues collected in the subsequent program year by the estimated amount of the excess.~~

~~(f)~~ (e) On or before December 1, 2010, and each year thereafter, the agency shall provide a report to the governor and the legislature on the implementation of sections 115A.1310 to 115A.1330. For each program year, the report must discuss the total weight of covered electronic devices recycled and a summary of information in the reports submitted by manufacturers and recyclers under section 115A.1316. The report must also discuss the various collection programs used by manufacturers to collect covered electronic devices; information regarding covered electronic devices that are being collected by persons other than registered manufacturers, collectors, and recyclers; and information about covered electronic devices, if any, being disposed of in landfills in this state. The report must include a description of enforcement actions under sections 115A.1310 to 115A.1330. The agency may include in its report other information received by the agency regarding the implementation of sections 115A.1312 to 115A.1330.

~~(g)~~ (f) The agency shall promote public participation in the activities regulated under sections 115A.1312 to 115A.1330 through public education and outreach efforts.

~~(h)~~ (g) The agency shall enforce sections 115A.1310 to 115A.1330 in the manner provided by sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072, except for those provisions enforced by the department, as provided in subdivision 2. The agency may revoke a registration of a collector or recycler found to have violated sections 115A.1310 to 115A.1330.

~~(i)~~ (h) The agency shall facilitate communication between counties, collection and recycling centers, and manufacturers to ensure that manufacturers are aware of video display devices available for recycling.

(j) (i) The agency shall develop a form retailers must use to report information to manufacturers under section 115A.1318 and post it on the agency's Web site.

~~(k)~~ (j) The agency shall post on its Web site the contact information provided by each manufacturer under section 115A.1318, paragraph (e).

Sec. 53. **[115A.9295] METROPOLITAN SOLID WASTE LANDFILL FEE.**

The operator of a mixed municipal solid waste disposal facility outside of the metropolitan area, as defined under section 473.121, subdivision 2, shall pay a fee on solid waste collected in the metropolitan area and accepted and disposed of at the facility. All provisions pertaining to the fee imposed under section 473.843 apply to this fee.

Sec. 54. Minnesota Statutes 2010, section 115C.13, is amended to read:

115C.13 REPEALER.

Sections 115C.01, 115C.02, 115C.021, 115C.03, 115C.04, 115C.045, 115C.05, 115C.06, 115C.065, 115C.07, 115C.08, 115C.09, 115C.093, 115C.094, 115C.10, 115C.11, 115C.111, 115C.112, 115C.113, 115C.12, and 115C.13, are repealed effective June 30, ~~2012~~ 2017.

Sec. 55. Minnesota Statutes 2010, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater than those necessary to cover the reasonable costs of developing, reviewing, and acting upon applications for agency permits and implementing and enforcing the conditions of the permits pursuant to agency rules. Permit fees shall not include the costs of litigation. The fee schedule must reflect reasonable and routine direct and indirect costs associated with permitting, implementation, and enforcement. The agency may impose an additional enforcement fee to be collected for a period of up to two years to cover the reasonable costs of implementing and enforcing the conditions of a permit under the rules of the agency. Any money collected under this paragraph shall be deposited in the environmental fund.

(b) Notwithstanding paragraph (a), the agency shall collect an annual fee from the owner or operator of all stationary sources, emission facilities, emissions units, air contaminant treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage facilities subject to the requirement to obtain a permit under subchapter V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or section 116.081. The annual fee shall be used to pay for all direct and indirect reasonable costs, including attorney general costs, required to develop and administer the permit program requirements of subchapter V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., and sections of this chapter and the rules adopted under this chapter related to air contamination and noise. Those costs include the reasonable costs of reviewing and acting upon an application for a permit; implementing and enforcing statutes, rules, and the terms and conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally applicable regulations; responding to federal guidance; modeling, analyses, and demonstrations; preparing inventories and tracking emissions; and providing information to the public about these activities.

(c) The agency shall set fees that:

(1) will result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than $25 per ton of each volatile organic compound; pollutant regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national primary ambient air quality standard has been promulgated;

(2) may result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than $25 per ton of each pollutant not listed in clause (1) that is regulated under this chapter or air quality rules adopted under this chapter; and

(3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount needed to match grant funds received by the state under United States Code, title 42, section 7405 (section 105 of the federal Clean Air Act).

The agency must not include in the calculation of the aggregate amount to be collected under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant from a source. The increase in air permit fees to match federal grant funds shall be a surcharge on existing fees. The commissioner may not collect the surcharge after the grant funds become unavailable. In addition, the commissioner shall use nonfee funds to the extent practical to match the grant funds so that the fee surcharge is minimized.

(d) To cover the reasonable costs described in paragraph (b), the agency shall provide in the rules promulgated under paragraph (c) for an increase in the fee collected in each year by the percentage, if any, by which the Consumer Price Index for the most recent calendar year ending before the beginning of the year the fee is collected exceeds the Consumer Price Index for the calendar year 1989. For purposes of this paragraph the Consumer Price Index for any calendar year is the average of the Consumer Price Index for all-urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of each calendar year. The revision of the Consumer Price Index that is most consistent with the Consumer Price Index for calendar year 1989 shall be used.

(e) Any money collected under paragraphs (b) to (d) must be deposited in the environmental fund and must be used solely for the activities listed in paragraph (b).

(f) Persons who wish to construct or expand a facility may offer to reimburse the agency for the costs of staff overtime or consultant services needed to expedite permit review. The reimbursement shall be in addition to fees imposed by law. When the agency determines that it needs additional resources to review the permit application in an expedited manner, and that expediting the review would not disrupt permitting program priorities, the agency may accept the reimbursement. Reimbursements accepted by the agency are appropriated to the agency for the purpose of reviewing the permit application. Reimbursement by a permit applicant shall precede and not be contingent upon issuance of a permit and shall not affect the agency's decision on whether to issue or deny a permit, what conditions are included in a permit, or the application of state and federal statutes and rules governing permit determinations.

<u>(g) Persons who wish the agency to consider unique financial assurance mechanisms to meet their obligations under subdivisions 4f, 4g, and 4h must reimburse the agency for the costs of consultant services needed to complete a review to determine the appropriateness of the proposed mechanism. The reimbursement shall be in addition to any other fees imposed by law. Reimbursements accepted by the agency are deposited in the miscellaneous special revenue fund and appropriated to the agency for the cost to review the financial assurance mechanism.</u>

~~(g)~~ <u>(h)</u> The fees under this subdivision are exempt from section 16A.1285.

Sec. 56. Minnesota Statutes 2010, section 116C.03, subdivision 4, is amended to read:

Subd. 4. **Support.** Staff ~~and consultant~~ support for board activities shall be provided by the ~~Office of Strategic and Long-Range Planning~~ <u>Minnesota Pollution Control Agency</u>. ~~This support shall be provided based upon an annual budget and work program developed~~

~~by the board and certified to the commissioner by the chair of the board.~~ The board shall have the authority to request and require staff support from all other agencies of state government as needed for the execution of the responsibilities of the board.

Sec. 57. Minnesota Statutes 2010, section 116C.03, subdivision 5, is amended to read:

Subd. 5. **Administration.** The board shall ~~contract with the Office of Strategic and Long-Range Planning for~~ receive administrative services necessary ~~to~~ for completion of the board's activities from the Minnesota Pollution Control Agency. The services shall include personnel, budget, payroll, and contract administration.

Sec. 58. Minnesota Statutes 2010, section 357.021, subdivision 7, is amended to read:

Subd. 7. **Disbursement of surcharges by commissioner of management and budget.** (a) Except as provided in paragraphs (b), (c), and (d), the commissioner of management and budget shall disburse surcharges received under subdivision 6 and section 97A.065, subdivision 2, as follows:

(1) one percent shall be credited to the peace officer training account in the game and fish fund ~~to provide~~ and is annually appropriated to the commissioner of natural resources for peace officer training for employees of the Department of Natural Resources who are licensed under sections 626.84 to 626.863, and who possess peace officer authority for the purpose of enforcing game and fish laws;

(2) 39 percent shall be credited to the peace officers training account in the special revenue fund; and

(3) 60 percent shall be credited to the general fund.

(b) The commissioner of management and budget shall credit $3 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, to the general fund.

(c) In addition to any amounts credited under paragraph (a), the commissioner of management and budget shall credit $47 of each surcharge received under subdivision 6 and section 97A.065, subdivision 2, and the $12 parking surcharge, to the general fund.

(d) If the Ramsey County Board of Commissioners authorizes imposition of the additional $1 surcharge provided for in subdivision 6, paragraph (a), the court administrator in the Second Judicial District shall transmit the surcharge to the commissioner of management and budget. The $1 special surcharge is deposited in a Ramsey County surcharge account in the special revenue fund and amounts in the account are appropriated to the trial courts for the administration of the petty misdemeanor diversion program operated by the Second Judicial District Ramsey County Violations Bureau.

Sec. 59. Laws 2007, chapter 57, article 1, section 4, subdivision 2, as amended by Laws 2009, chapter 37, article 1, section 60, is amended to read:

Subd. 2. **Land and Mineral Resources Management**			11,747,000	11,272,000

Appropriations by Fund		
General	6,633,000	6,230,000
Natural Resources	3,551,000	3,447,000
Game and Fish	1,363,000	1,395,000
Permanent School	200,000	200,000

$475,000 the first year and $475,000 the second year are for iron ore cooperative research. Of this amount, $200,000 each year is from the minerals management account in the natural resources fund and $275,000 each year is from the general fund. $237,500 the first year and $237,500 the second year are available only as matched by $1 of nonstate money for each $1 of state money. The match may be cash or in-kind.

$86,000 the first year and $86,000 the second year are for minerals cooperative environmental research, of which $43,000 the first year and $43,000 the second year are available only as matched by $1 of nonstate money for each $1 of state money. The match may be cash or in-kind.

$2,800,000 the first year and $2,696,000 the second year are from the minerals management account in the natural resources fund for use as provided in Minnesota Statutes, section 93.2236, paragraph (c).

$200,000 the first year and $200,000 the second year are from the state forest suspense account in the permanent school fund to accelerate land exchanges, land sales, and commercial leasing of school trust lands and to identify, evaluate, and lease construction aggregate located on school trust lands. This appropriation is to be used for securing maximum long-term economic return from the school trust lands consistent with fiduciary responsibilities and sound natural resources conservation and management principles.

$15,000 the first year is for a report by February 1, 2008, to the house and senate committees with jurisdiction over environment and natural resources on proposed minimum legal and conservation standards that could be applied to conservation easements acquired with public money.

$1,201,000 the first year and $701,000 the second year are to support the land records management system. Of this amount, $326,000 the first year and $326,000 the second year are from the game and fish fund and $375,000 the first year and $375,000 the second year are from the natural resources fund. The unexpended balances are available until June 30, ~~2011~~ <u>2013</u>. The commissioner must report to the legislative chairs on environmental finance on the outcomes of the land records management support.

$500,000 the first year and $500,000 the second year are for land asset management. This is a onetime appropriation.

Sec. 60. **<u>REPEALER.</u>**

<u>Minnesota Statutes 2010, sections 97A.451, subdivisions 3a and 7; and 97C.303, are repealed.</u>

EFFECTIVE DATE. This section is effective the day following final enactment.