

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE **S.F. No. 1415**

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DATE	D-PG	OFFICIAL STATUS
05/10/2011	1920	Introduction and first reading Referred to Environment and Natural Resources

1.1 A bill for an act
1.2 relating to natural resources; modifying watercraft surcharge; modifying aquatic
1.3 plant management fees; amending Minnesota Statutes 2010, sections 86B.415,
1.4 subdivision 7; 103G.615, subdivision 2.

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

1.6 Section 1. Minnesota Statutes 2010, section 86B.415, subdivision 7, is amended to read:

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

1.12 (1) \$10 for watercraft licensed under subdivision 1, clause (2);

1.13 (2) \$20 for watercraft licensed under subdivision 1, clause (6); and

1.14 (3) \$25 for all other watercraft.

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

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

2.1 costs incurred after the application to inspect and monitor the activities authorized by the
2.2 permit and enforce aquatic plant management rules and permit requirements.

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

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

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

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

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

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

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

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

2.26 (c) There is no permit fee for:

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

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

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

2.31 (4) invasive aquatic plant management permits; or

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

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

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

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

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