

the federal government under the MR/RC waiver. The commissioner may begin the process of seeking federal approval to fund current group residential housing services under the MR/RC waiver;

(5) an assessment of the utilization of the food stamp program and other federal benefit programs by GRH residents;

(6) an analysis of the methods other states utilize to reimburse comparable room and board costs and service costs; and

(7) a compilation of current MR/RC waiver caps in Minnesota counties, compared with actual MR/RC spending.

Sec. 19. **ALTERNATIVE CARE PILOT PROJECTS.**

(a) Expenditures for housing with services and adult foster care shall be excluded when determining average monthly expenditures per client for alternative care pilot projects authorized in Laws 1993, First Special Session chapter 1, article 5, section 133.

(b) Alternative care pilot projects shall not expire on June 30, 2001, but shall continue until June 30, 2005.

Sec. 20. **REPEALER.**

Laws 1998, chapter 407, article 5, section 44, is repealed.

Sec. 21. **EFFECTIVE DATE.**

Sections 1, 15, and 17 are effective the day following final enactment.

Presented to the governor April 3, 2000

Signed by the governor April 6, 2000, 3:55 p.m.

CHAPTER 341—H.F.No. 3510

An act relating to game and fish; providing for certain lifetime game and fish licenses; making the experimental two-deer license in certain counties permanent; appropriating money; amending Minnesota Statutes 1998, sections 97A.071, subdivision 2; 97A.411, subdivision 1; 97A.421; 97A.475, subdivision 4; and 97B.301, subdivision 4; Minnesota Statutes 1999 Supplement, sections 97A.075, subdivision 1; and 97B.020; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Section 1. Minnesota Statutes 1998, section 97A.071, subdivision 2, is amended to read:

Subd. 2. **REVENUE FROM THE SMALL GAME LICENSE SURCHARGE.** Revenue from the small game surcharge and \$4 annually from the lifetime fish and

New language is indicated by underline, deletions by ~~strikeout~~.

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 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. 2. Minnesota Statutes 1999 Supplement, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. **DEER AND BEAR LICENSES.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (4), (5), and (9), and 3, clauses (2), (3), and (7), and licenses issued under section 97B.301, subdivision 4.

(b) At least \$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 used for deer habitat improvement or deer management programs.

(c) At least \$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 used for deer and bear management programs, including a computerized licensing system. Fifty cents from each deer license is appropriated for emergency deer feeding. Money appropriated for emergency deer feeding is available until expended. When the unencumbered balance in the appropriation for emergency deer feeding at the end of a fiscal year exceeds \$1,500,000 for the first time, \$750,000 is canceled to the unappropriated balance of the game and fish fund.

Thereafter, when the unencumbered balance in the appropriation for emergency deer feeding exceeds \$1,500,000 at the end of a fiscal year, the unencumbered balance in excess of \$1,500,000 is canceled and available for deer and bear management programs and computerized licensing.

Sec. 3. Minnesota Statutes 1998, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. **LICENSE PERIOD.** (a) Except as provided in paragraphs (b) and, (c), and (d), a license is valid during the lawful time within the license year that the licensed activity may be performed. 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 6, clause (5), 97A.475, subdivision 7, clause (2), (3), (5), or (6), or 97A.475, subdivision 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) When the last day of February falls on a Saturday, an annual resident or nonresident fish house or dark house license, including a rental fish house or dark

New language is indicated by underline, deletions by ~~strikeout~~.

house license, obtained for the license year covering the last day of February, is valid through Sunday, March 1 and the angling license of the fish house licensee is extended through March 1.

(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.

Sec. 4. Minnesota Statutes 1998, section 97A.421, is amended to read:

97A.421 VALIDITY AND ISSUANCE OF LICENSES AFTER CONVICTION.

Subdivision 1. **GENERAL.** (a) The annual license of a person convicted of a violation of the game and fish laws relating to the license or wild animals covered by the license is void when:

(1) a second conviction occurs within three years under a license to take small game or to take fish by angling or spearing;

(2) a third conviction occurs within one year under a minnow dealer's license;

(3) a second conviction occurs within three years for violations of section 97A.425 that do not involve falsifications or intentional omissions of information required to be recorded, or attempts to conceal unlawful acts within the records;

(4) two or more misdemeanor convictions occur within a three-year period under a private fish hatchery license; or

(5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for a violation of section 97A.425 not described in clause (3).

(b) Except for big game licenses and as otherwise provided in this section, for one year after the conviction the person may not obtain the kind of license or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish law violation.

Subd. 2. **ISSUANCE OF LICENSE AFTER CONVICTION FOR BUYING AND SELLING WILD ANIMALS.** A person may not obtain a license to take any wild animal or take wild animals under a lifetime license, issued under section 97A.473 or 97A.474, for a period of three years after being convicted of buying or selling game fish, big game, or small game, and the total amount of the sale is \$300 or more.

Subd. 3. **ISSUANCE OF A BIG GAME LICENSE AFTER CONVICTION.** A person may not obtain any big game license or take big game under a lifetime license, issued under section 97A.473, for three years after the person is convicted of:

(1) a gross misdemeanor violation under the game and fish laws relating to big game;

(2) doing an act without a required big game license; or

New language is indicated by underline, deletions by ~~strikeout~~.

(3) the second violation within three years under the game and fish laws relating to big game.

Subd. 4. ISSUANCE AFTER INTOXICATION OR NARCOTICS CONVICTION. A person convicted of a violation under section 97B.065, relating to hunting while intoxicated or using narcotics, may not obtain a license to hunt with a firearm or by archery or hunt with a firearm under a lifetime license, issued under section 97A.473 or 97A.474, for five years after conviction.

Subd. 5. COMMISSIONER MAY REINSTATE CERTAIN LICENSES AFTER CONVICTION. If the commissioner determines that the public welfare will not be injured, the commissioner may reinstate licenses voided under subdivision 1 and issue licenses to persons ineligible under subdivision 2. The commissioner's authority applies only to licenses to:

- (1) maintain and operate fur or game farms or private fish hatcheries;
- (2) take fish commercially in Lake of the Woods, Rainy Lake, Namakan Lake, or Lake Superior;
- (3) buy fish from Lake of the Woods, Rainy Lake, Namakan Lake, or Lake Superior commercial fishing licensees; and
- (4) sell live minnows.

Subd. 6. APPLICABILITY TO MOOSE OR ELK LICENSES. In this section the term "license" includes an application for a license to take either moose or elk.

Sec. 5. [97A.473] RESIDENT LIFETIME LICENSES.

Subdivision 1. RESIDENT LIFETIME LICENSES AUTHORIZED. (a) The commissioner may issue a lifetime angling license, a lifetime small game hunting license, a lifetime firearms deer license, or a lifetime sporting license to a person who is a resident of the state for at least one year or who is under age 21 and the child of a person who is a resident of the state for at least one year. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

- (1) telephone or Internet notification, as specified by the commissioner;
- (2) the purchase of stamps for the license; or
- (3) registration and tag issuance, in the case of the resident lifetime deer license.

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 or other stamps required by law.

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

- (1) age 3 and under, \$227;

New language is indicated by underline, deletions by ~~strikeout~~.

- (2) age 4 to age 15, \$300;
- (3) age 16 to age 50, \$383; and
- (4) age 51 and over, \$203.

Subd. 3. LIFETIME SMALL GAME HUNTING LICENSE; FEE. (a) A resident lifetime small game hunting license authorizes a person to hunt small game in the state. The license authorizes those hunting activities authorized by the annual resident small game hunting license. The license does not include any of the hunting stamps required by law.

- (b) The fees for a resident lifetime small game hunting license are:
- (1) age 3 and under, \$217;
 - (2) age 4 to age 15, \$290;
 - (3) age 16 to age 50, \$363; and
 - (4) age 51 and over, \$213.

Subd. 4. LIFETIME FIREARM DEER HUNTING LICENSE; FEE. (a) A resident lifetime firearm deer hunting license authorizes a person to take deer with firearms in the state. The license authorizes those activities authorized by the annual resident firearm 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 deer hunting license are:
- (1) age 3 and under, \$337;
 - (2) age 4 to age 15, \$450;
 - (3) age^o 16 to age 50, \$573; and
 - (4) age 51 and over, \$383.

Subd. 5. LIFETIME SPORTING LICENSE; FEE. (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt small game in the state. The license authorizes those activities authorized by the annual resident angling and resident small game hunting licenses. The license does not include a trout and salmon stamp or any of the hunting stamps required by law.

- (b) The fees for a resident lifetime sporting license are:
- (1) age 3 and under, \$357;
 - (2) age 4 to age 15, \$480;
 - (3) age 16 to age 50, \$613; and
 - (4) age 51 and over, \$413.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 6. [97A.474] NONRESIDENT LIFETIME LICENSES.

Subdivision 1. NONRESIDENT LIFETIME LICENSES AUTHORIZED. (a) The commissioner may issue a lifetime angling license or a lifetime small game hunting license to a nonresident. The license fees paid for a lifetime license are nonrefundable.

(b) The commissioner may require the holder of a lifetime license issued under this section to notify the department each year that the license is used, by:

- (1) telephone or Internet notification, as specified by the commissioner; or
- (2) the purchase of stamps for the license.

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 or other stamps required by law.

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

- (1) age 3 and under, \$447;
- (2) age 4 to age 15, \$600;
- (3) age 16 to age 50, \$773; and
- (4) age 51 and over, \$513.

Subd. 3. NONRESIDENT LIFETIME SMALL GAME HUNTING LICENSE; FEE. (a) A nonresident lifetime small game hunting license authorizes a person to hunt small game in the state. The license authorizes those hunting activities authorized by the annual nonresident small game hunting license. The license does not include any of the hunting stamps required by law.

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

- (1) age 3 and under, \$947;
- (2) age 4 to age 15, \$1,280;
- (3) age 16 to age 50, \$1,633; and
- (4) age 51 and over, \$1,083.

Sec. 7. [97A.4742] LIFETIME FISH AND WILDLIFE TRUST FUND.

Subdivision 1. ESTABLISHMENT; PURPOSE. The lifetime fish and wildlife trust fund is established as a fund in the state treasury. All money received from the issuance of lifetime angling, small game hunting, firearm deer hunting, and sporting licenses and earnings on the fund shall be credited to the lifetime fish and wildlife trust fund.

Subd. 2. INVESTMENT OF FUND; USE OF INCOME FROM FUND. Money in the lifetime fish and wildlife trust fund shall be invested by the state investment board to secure the maximum return consistent with the maintenance of the

New language is indicated by underline, deletions by ~~strikeout~~.

perpetuity of the fund. The income received and accruing from investments of the fund shall be deposited in the lifetime fish and wildlife trust fund. Each year the commissioner of finance shall transfer from the lifetime fish and wildlife trust fund to the game and fish fund an amount equal to the amount that would otherwise have been collected from annual license fees for each lifetime license. Surcharge amounts shall be transferred based on sections 97A.071, subdivision 2, and 97A.075, subdivision 1.

Subd. 3. LIFETIME LICENSE FEES. By October 15 of each even-numbered year, the commissioner shall report on the adequacy of lifetime license fees and make specific requests for fee adjustments for the lifetime licenses to the legislative committees with jurisdiction over environment and natural resources finance and the commissioner of finance. The commissioner of finance shall review the fee report and make recommendations to the governor and legislature for each fee category under sections 97A.473 and 97A.474, as part of the biennial budget, under sections 16A.10 and 16A.11.

Subd. 4. ANNUAL REPORT. By November 15 each year, the commissioner shall submit a report to the legislative committees having jurisdiction over environment and natural resources appropriations and environment and natural resources policy. The report shall state the amount of revenue received in and expenditures made from revenue transferred from the lifetime fish and wildlife trust fund to the game and fish fund and shall describe projects funded, locations of the projects, and results and benefits from the projects. The report may be included in the game and fish fund report required by section 97A.055, subdivision 4. The commissioner shall make the annual report available to the public.

Sec. 8. Minnesota Statutes 1998, 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 \$4. An additional commission may not be assessed on the surcharge and this must be stated on the back of the license with the following statement: "This \$4 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

Sec. 9. Minnesota Statutes 1999 Supplement, section 97B.020, is amended to read:

97B.020 FIREARMS SAFETY CERTIFICATE REQUIRED.

(a) Except as provided in this section, a person born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has a firearms safety certificate or equivalent certificate, driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13, previous hunting license, or 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. 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

New language is indicated by underline, deletions by ~~strikeout~~.

hunting regardless of whether the person is issued a firearms safety certificate.

(b) 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).

Sec. 10, Minnesota Statutes 1998, section 97B.301, subdivision 4, is amended to read:

Subd. 4. **TAKING MORE THAN ONE DEER.** (a) The commissioner may, by rule, allow a person to take more than one deer. The commissioner shall prescribe the conditions for taking the additional deer including:

- (1) taking by firearm or archery;
- (2) obtaining additional licenses; and
- (3) payment of a fee not more than the fee for a firearms deer license; and
- (4) the total number of deer that an individual may take.

(b) In Kittson, Lake of the Woods, Marshall, Pennington, and Roseau counties, a person may obtain one firearms deer license and one archery deer license in the same license year, and may take one deer under each license. The commissioner may limit the use of this provision in certain years to protect the deer population in the area.

Sec. 11. APPROPRIATION.

\$60,000 is appropriated in fiscal year 2001 from the game and fish fund to the commissioner of natural resources to administer and market lifetime licenses.

Sec. 12. EFFECTIVE DATE.

Sections 1 to 11 are effective the day following final enactment. The resident licenses under section 5 shall be made available by March 1, 2001, and apply to taking game and fish for the 2001 license year. The nonresident licenses under section 6 shall be made available by March 1, 2002, and apply to taking game and fish for the 2002 license year.

Presented to the governor April 3, 2000

Signed by the governor April 6, 2000, 3:56 p.m.

CHAPTER 342—H.F.No. 2656

An act relating to consumer protection; regulating auto glass repair and replacement; restricting certain rebates and incentives; establishing an auto glass survey revolving account; appropriating money; amending Minnesota Statutes 1998, section 72A.201, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 72A; and 325F.

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

New language is indicated by underline, deletions by ~~strikeout~~.