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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No.

2171

02/09/2012 Authored by Hackbarth

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

03/07/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Government Operations and Elections

03/12/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Civil Law

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

1.32 Section 1. Minnesota Statutes 2010, section 3.736, subdivision 4, is amended to read:

1.33 Subd. 4. **Limits.** The total liability of the state and its employees acting within the
1.34 scope of their employment on any tort claim shall not exceed:

- 2.1 (a) \$300,000 when the claim is one for death by wrongful act or omission and
2.2 \$300,000 to any claimant in any other case, for claims arising before August 1, 2007;
2.3 (b) \$400,000 when the claim is one for death by wrongful act or omission and
2.4 \$400,000 to any claimant in any other case, for claims arising on or after August 1, 2007,
2.5 and before July 1, 2009;
2.6 (c) \$500,000 when the claim is one for death by wrongful act or omission and
2.7 \$500,000 to any claimant in any other case, for claims arising on or after July 1, 2009;
2.8 (d) \$750,000 for any number of claims arising out of a single occurrence, for claims
2.9 arising on or after January 1, 1998, and before January 1, 2000;
2.10 (e) \$1,000,000 for any number of claims arising out of a single occurrence, for
2.11 claims arising on or after January 1, 2000, and before January 1, 2008;
2.12 (f) \$1,200,000 for any number of claims arising out of a single occurrence, for
2.13 claims arising on or after January 1, 2008, and before July 1, 2009; ~~or~~
2.14 (g) \$1,500,000 for any number of claims arising out of a single occurrence, for
2.15 claims arising on or after July 1, 2009; or
2.16 (h) \$1,000,000 for any number of claims arising out of a single occurrence, if the
2.17 claim involves a nonprofit organization engaged in or administering outdoor recreational
2.18 activities funded in whole or in part by the state or operating under the authorization of
2.19 a permit issued by an agency or department of the state.

2.20 If the amount awarded to or settled upon multiple claimants exceeds the applicable
2.21 limit under clause (d), (e), (f), ~~or~~ (g), or (h), any party may apply to the district court to
2.22 apportion to each claimant a proper share of the amount available under the applicable
2.23 limit under clause (d), (e), (f), or (g). The share apportioned to each claimant shall be in
2.24 the proportion that the ratio of the award or settlement bears to the aggregate awards and
2.25 settlements for all claims arising out of the occurrence.

2.26 The limitation imposed by this subdivision on individual claimants includes damages
2.27 claimed for loss of services or loss of support arising out of the same tort.

2.28 **EFFECTIVE DATE.** This section is effective the day following final enactment,
2.29 and applies to claims arising from acts or omissions that occur on or after that date.

2.30 Sec. 2. Minnesota Statutes 2010, section 84.027, subdivision 14, is amended to read:

2.31 Subd. 14. **Mission; efficiency.** It is part of the department's mission that within the
2.32 department's resources the commissioner shall endeavor to:

- 2.33 (1) prevent the waste or unnecessary spending of public money;
2.34 (2) use innovative fiscal and human resource practices to manage the state's
2.35 resources and operate the department as efficiently as possible;

3.1 (3) coordinate the department's activities wherever appropriate with the activities
3.2 of other governmental agencies;

3.3 (4) use technology where appropriate to increase agency productivity, improve
3.4 customer service, increase public access to information about government, and increase
3.5 public participation in the business of government;

3.6 (5) utilize constructive and cooperative labor-management practices to the extent
3.7 otherwise required by chapters 43A and 179A;

3.8 (6) report to the legislature on the performance of agency operations and the
3.9 accomplishment of agency goals in the agency's biennial budget according to section
3.10 16A.10, subdivision 1; ~~and~~

3.11 (7) recommend to the legislature appropriate changes in law necessary to carry out
3.12 the mission and improve the performance of the department; and

3.13 (8) plan and implement activities designed to recruit new outdoor recreation
3.14 participants and retain existing participants. This includes but is not limited to anglers,
3.15 hunters, trappers, and campers.

3.16 Sec. 3. Minnesota Statutes 2010, section 84.027, subdivision 15, is amended to read:

3.17 Subd. 15. **Electronic transactions.** (a) The commissioner may receive an
3.18 application for, sell, and issue any license, stamp, permit, pass, sticker, gift card, safety
3.19 training certification, registration, or transfer under the jurisdiction of the commissioner
3.20 by electronic means, including by telephone. Notwithstanding section 97A.472, electronic
3.21 and telephone transactions may be made outside of the state. The commissioner may:

3.22 (1) provide for the electronic transfer of funds generated by electronic transactions,
3.23 including by telephone;

3.24 (2) assign an identification number to an applicant who purchases a hunting or
3.25 fishing license or recreational vehicle registration by electronic means, to serve as
3.26 temporary authorization to engage in the activity requiring a license or registration until
3.27 the license or registration is received or expires;

3.28 (3) charge and permit agents to charge a fee of individuals who make electronic
3.29 transactions and transactions by telephone or Internet, including issuing fees and an
3.30 additional transaction fee not to exceed \$3.50;

3.31 (4) charge and permit agents to charge a convenience fee not to exceed three percent
3.32 of the cost of the license to individuals who use electronic bank cards for payment. An
3.33 electronic licensing system agent charging a fee of individuals making an electronic
3.34 bank card transaction in person must post a sign informing individuals of the fee. The
3.35 sign must be near the point of payment, clearly visible, include the amount of the fee, and

4.1 state: "License agents are allowed by state law to charge a fee not to exceed three percent
4.2 of the cost of state licenses to persons who use electronic bank cards for payment. The
4.3 fee is not required by state law.";

4.4 (5) establish, by written order, an electronic licensing system commission to be
4.5 paid by revenues generated from all sales made through the electronic licensing system.
4.6 The commissioner shall establish the commission in a manner that neither significantly
4.7 overrecovers nor underrecovers costs involved in providing the electronic licensing
4.8 system; and

4.9 (6) adopt rules to administer the provisions of this subdivision.

4.10 (b) The fees established under paragraph (a), clauses (3) and (4), and the commission
4.11 established under paragraph (a), clause (5), are not subject to the rulemaking procedures
4.12 of chapter 14 and section 14.386 does not apply.

4.13 (c) Money received from fees and commissions collected under this subdivision,
4.14 including interest earned, is annually appropriated from the game and fish fund and the
4.15 natural resources fund to the commissioner for the cost of electronic licensing.

4.16 (d) Game and fish licenses under chapters 97A, 97B, and 97C shall be available by
4.17 electronic transaction, regardless of whether all or any part of the biennial appropriation
4.18 law for the department has been enacted. If, by July 1 of an odd-numbered year, legislation
4.19 has not been enacted to appropriate money to the commissioner of management and
4.20 budget for central accounting, procurement, payroll, and human resources functions,
4.21 amounts necessary to operate those functions for the purpose of this paragraph are
4.22 appropriated from the general fund to the commissioner of management and budget.
4.23 As necessary, the commissioner may transfer a portion of this appropriation to other
4.24 state agencies to support carrying out these functions. Any subsequent appropriation to
4.25 the commissioner of management and budget for a biennium in which this section is
4.26 applicable supersedes and replaces the funding authorized in this paragraph.

4.27 Sec. 4. Minnesota Statutes 2010, section 84.82, subdivision 2, is amended to read:

4.28 **Subd. 2. Application, issuance, reports, additional issuing fee.** (a) Application for
4.29 registration or reregistration shall be made to the commissioner or an authorized deputy
4.30 registrar of motor vehicles in a format prescribed by the commissioner and shall state the
4.31 legal name and address of every owner of the snowmobile.

4.32 (b) A person who purchases a snowmobile from a retail dealer shall make application
4.33 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
4.34 21-day registration permit to each purchaser who applies to the dealer for registration.
4.35 The temporary permit must contain the dealer's identification number and phone number.

5.1 Each retail dealer shall submit completed registration and fees to the deputy registrar at
5.2 least once a week. No fee may be charged by a dealer to a purchaser for providing the
5.3 temporary permit.

5.4 (c) Upon receipt of the application and the appropriate fee ~~as hereinafter provided~~,
5.5 the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer,
5.6 an assigned registration number or a commissioner or deputy registrar temporary 21-day
5.7 permit. Once issued, the registration ~~number~~ decal must be affixed to the snowmobile in
5.8 a clearly visible and permanent manner for enforcement purposes as the commissioner
5.9 of natural resources shall prescribe. A dealer subject to paragraph (b) shall provide the
5.10 registration materials or temporary permit to the purchaser within the temporary 21-day
5.11 permit period. The registration is not valid unless signed by at least one owner. ~~The~~
5.12 ~~temporary permit must indicate whether a snowmobile state trail sticker under section~~
5.13 ~~84.8205 was purchased.~~

5.14 (d) Each deputy registrar of motor vehicles acting pursuant to section 168.33, shall
5.15 also be a deputy registrar of snowmobiles. The commissioner of natural resources in
5.16 agreement with the commissioner of public safety may prescribe the accounting and
5.17 procedural requirements necessary to assure efficient handling of registrations and
5.18 registration fees. Deputy registrars shall strictly comply with these accounting and
5.19 procedural requirements.

5.20 (e) A fee of ~~\$2~~ \$3 in addition to that otherwise prescribed by law shall be charged for:

5.21 (1) each snowmobile registered by the registrar or a deputy registrar and the
5.22 additional fee shall be disposed of in the manner provided in section 168.33, subdivision
5.23 2; or

5.24 (2) each snowmobile registered by the commissioner and the additional fee shall
5.25 be deposited in the state treasury and credited to the snowmobile trails and enforcement
5.26 account in the natural resources fund.

5.27 Sec. 5. Minnesota Statutes 2010, section 84.82, subdivision 3, is amended to read:

5.28 **Subd. 3. Fees for registration.** (a) The fee for registration of each snowmobile,
5.29 other than those used for an agricultural purpose, as defined in section 84.92, subdivision
5.30 1c, or those registered by a dealer or manufacturer pursuant to paragraph (b) or (c) shall be
5.31 as follows: ~~\$45~~ \$75 for three years and ~~\$4~~ \$10 for a duplicate or transfer.

5.32 (b) The total registration fee for all snowmobiles owned by a dealer and operated for
5.33 demonstration or testing purposes shall be \$50 per year.

6.1 (c) The total registration fee for all snowmobiles owned by a manufacturer and
6.2 operated for research, testing, experimentation, or demonstration purposes shall be \$150
6.3 per year. Dealer and manufacturer registrations are not transferable.

6.4 (d) The onetime fee for registration of an exempt snowmobile under subdivision
6.5 6a is \$6.

6.6 Sec. 6. Minnesota Statutes 2010, section 84.8205, subdivision 1, is amended to read:

6.7 Subdivision 1. **Sticker required; fee.** (a) ~~Except as provided in paragraph (b),~~
6.8 ~~a person~~ A snowmobile that is not registered in the state or that is registered by a
6.9 manufacturer or dealer under section 84.82, subdivision 3, paragraph (b) or (c), may not
6.10 ~~operate a snowmobile~~ be operated on a state or grant-in-aid snowmobile trail unless a
6.11 snowmobile state trail sticker is affixed to the snowmobile.

6.12 (b) The commissioner of natural resources shall issue a sticker upon application
6.13 and payment of a ~~\$15~~ fee. The fee ~~for a three-year snowmobile state trail sticker that is~~
6.14 ~~purchased at the time of snowmobile registration is \$30~~ is:

6.15 (1) \$35 for a one-year snowmobile state trail sticker purchased by an individual; and
6.16 (2) \$15 for a one-year snowmobile state trail sticker purchased by a dealer or
6.17 manufacturer.

6.18 (c) In addition to other penalties prescribed by law, ~~a person~~ an individual in
6.19 violation of this subdivision must purchase an annual state trail sticker for a fee of ~~\$30~~
6.20 \$70. The sticker is valid from November 1 through June 30. Fees collected under this
6.21 section, except for the issuing fee for licensing agents, shall be deposited in the state
6.22 treasury and credited to the snowmobile trails and enforcement account in the natural
6.23 resources fund and, except for the electronic licensing system commission established by
6.24 the commissioner under section 84.027, subdivision 15, must be used for grants-in-aid,
6.25 trail maintenance, grooming, and easement acquisition.

6.26 ~~(b)~~ (d) A state trail sticker is not required under this section for:

6.27 (1) ~~a snowmobile owned by the state or a political subdivision of the state that is~~
6.28 ~~registered under section 84.82, subdivision 5;~~

6.29 (2) a snowmobile that is owned and used by the United States, an Indian tribal
6.30 government, another state, or a political subdivision thereof that is exempt from
6.31 registration under section 84.82, subdivision 6;

6.32 ~~(3)~~ (2) a collector snowmobile that is operated as provided in a special permit issued
6.33 for the collector snowmobile under section 84.82, subdivision 7a;

6.34 ~~(4)~~ (3) a person operating a snowmobile only on the portion of a trail that is owned
6.35 by the person or the person's spouse, child, or parent; or

7.1 ~~(5)~~ (4) a snowmobile while being used to groom a state or grant-in-aid trail.

7.2 ~~(c) A temporary registration permit issued by a dealer under section 84.82,~~
7.3 ~~subdivision 2, may include a snowmobile state trail sticker if the trail sticker fee is~~
7.4 ~~included with the registration application fee.~~

7.5 Sec. 7. Minnesota Statutes 2010, section 84.83, subdivision 2, is amended to read:

7.6 **Subd. 2. Money deposited in the account.** Fees from the registration of
7.7 snowmobiles and from the issuance of snowmobile state trail stickers and the unrefunded
7.8 gasoline tax attributable to snowmobile use pursuant to section 296A.18 shall be deposited
7.9 in the state treasury and credited to the snowmobile trails and enforcement account.

7.10 Sec. 8. Minnesota Statutes 2010, section 84.83, subdivision 3, is amended to read:

7.11 **Subd. 3. Purposes for the account; allocation.** (a) The money deposited in the
7.12 account and interest earned on that money may be expended only as appropriated by
7.13 law for the following purposes:

7.14 (1) for a grant-in-aid program to counties and municipalities for construction and
7.15 maintenance of snowmobile trails, including maintenance of trails on lands and waters of
7.16 Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in
7.17 St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;
7.18 and on the following lakes in Cook County: Devil Track and Hungry Jack;

7.19 (2) for acquisition, development, and maintenance of state recreational snowmobile
7.20 trails;

7.21 (3) for snowmobile safety programs; and

7.22 (4) for the administration and enforcement of sections 84.81 to 84.91 and
7.23 appropriated grants to local law enforcement agencies.

7.24 (b) No less than 60 percent of revenue collected from snowmobile registration
7.25 and snowmobile state trail sticker fees must be expended for grants-in-aid to develop,
7.26 Maintain, and groom trails and acquire easements.

7.27 Sec. 9. Minnesota Statutes 2010, section 84.86, subdivision 1, is amended to read:

7.28 **Subdivision 1. Required rules.** With a view of achieving maximum use of
7.29 snowmobiles consistent with protection of the environment the commissioner of natural
7.30 resources shall adopt rules in the manner provided by chapter 14, for the following
7.31 purposes:

7.32 (1) Registration of snowmobiles and display of registration ~~numbers~~ decals.

7.33 (2) Use of snowmobiles insofar as game and fish resources are affected.

8.1 (3) Use of snowmobiles on public lands and waters, or on grant-in-aid trails.

8.2 (4) Uniform signs to be used by the state, counties, and cities, which are necessary
8.3 or desirable to control, direct, or regulate the operation and use of snowmobiles.

8.4 (5) Specifications relating to snowmobile mufflers.

8.5 (6) A comprehensive snowmobile information and safety education and training
8.6 program, including but not limited to the preparation and dissemination of snowmobile
8.7 information and safety advice to the public, the training of snowmobile operators, and
8.8 the issuance of snowmobile safety certificates to snowmobile operators who successfully
8.9 complete the snowmobile safety education and training course. For the purpose of
8.10 administering such program and to defray expenses of training and certifying snowmobile
8.11 operators, the commissioner shall collect a fee from each person who receives the
8.12 youth or adult training. The commissioner shall collect a fee, to include a \$1 issuing
8.13 fee for licensing agents, for issuing a duplicate snowmobile safety certificate. The
8.14 commissioner shall establish both fees in a manner that neither significantly overrecovers
8.15 nor underrecovers costs, including overhead costs, involved in providing the services.
8.16 The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386
8.17 does not apply. The fees may be established by the commissioner notwithstanding
8.18 section 16A.1283. The fees, except for the issuing fee for licensing agents under this
8.19 subdivision, shall be deposited in the snowmobile trails and enforcement account in the
8.20 natural resources fund and the amount thereof, except for the electronic licensing system
8.21 commission established by the commissioner under section 84.027, subdivision 15, and
8.22 issuing fees collected by the commissioner, is appropriated annually to the Enforcement
8.23 Division of the Department of Natural Resources for the administration of such programs.
8.24 In addition to the fee established by the commissioner, instructors may charge each person
8.25 up to the established fee amount for class materials and expenses. The commissioner shall
8.26 cooperate with private organizations and associations, private and public corporations,
8.27 and local governmental units in furtherance of the program established under this clause.
8.28 School districts may cooperate with the commissioner and volunteer instructors to
8.29 provide space for the classroom portion of the training. The commissioner shall consult
8.30 with the commissioner of public safety in regard to training program subject matter and
8.31 performance testing that leads to the certification of snowmobile operators.

8.32 (7) The operator of any snowmobile involved in an accident resulting in injury
8.33 requiring medical attention or hospitalization to or death of any person or total damage
8.34 to an extent of \$500 or more, shall forward a written report of the accident to the
8.35 commissioner on such form as the commissioner shall prescribe. If the operator is killed

9.1 or is unable to file a report due to incapacitation, any peace officer investigating the
9.2 accident shall file the accident report within ten business days.

9.3 Sec. 10. Minnesota Statutes 2010, section 84.8712, subdivision 1, is amended to read:

9.4 Subdivision 1. **Prohibition.** A person may not use a snowmobile with metal traction
9.5 devices on a paved public trail, ~~except as otherwise provided that is designated closed to~~
9.6 ~~such use by a local government with jurisdiction over a the trail or on a paved state trail or~~
9.7 any portion of a paved state trail ~~that is designated closed to such use~~ by the commissioner.

9.8 Sec. 11. Minnesota Statutes 2010, section 86B.301, subdivision 2, is amended to read:

9.9 Subd. 2. **Exemptions.** A watercraft license is not required for:

9.10 (1) a watercraft that is covered by a license or number in full force and effect under
9.11 federal law or a federally approved licensing or numbering system of another state, and
9.12 has not been within this state for more than 90 consecutive days, which does not include
9.13 days that a watercraft is laid up at dock over winter or for repairs at a Lake Superior
9.14 port or another port in the state;

9.15 (2) a watercraft from a country other than the United States that has not been
9.16 within this state for more than 90 consecutive days, which does not include days that a
9.17 watercraft is laid up at dock over winter or for repairs at a Lake Superior port or another
9.18 port in the state;

9.19 (3) a watercraft owned by the United States, an Indian tribal government, a state, or
9.20 a political subdivision of a state, except watercraft used for recreational purposes;

9.21 (4) a ship's lifeboat;

9.22 (5) a watercraft that has been issued a valid marine document by the United States
9.23 government;

9.24 (6) a duck boat during duck hunting season;

9.25 (7) a rice boat during the harvest season;

9.26 (8) a seaplane; and

9.27 (9) a nonmotorized watercraft ~~nine~~ ten feet in length or less.

9.28 Sec. 12. Minnesota Statutes 2010, section 86B.415, subdivision 1, is amended to read:

9.29 Subdivision 1. **Watercraft 19 feet or less.** (a) Except as provided in paragraph (b)
9.30 and subdivision 1a, the fee for a watercraft license for watercraft 19 feet or less in length
9.31 is \$27 ~~except:~~.

9.32 (b) The watercraft license fee:

- 10.1 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is
10.2 offered for rent or lease, the fee is \$9;
- 10.3 (2) for a ~~canoe, kayak~~, sailboat, ~~sailboard, paddle boat, or rowing shell~~ 19 feet in
10.4 length or less, the fee is \$10.50;
- 10.5 (3) for a watercraft 19 feet in length or less used by a nonprofit corporation for
10.6 teaching boat and water safety, the fee is as provided in subdivision 4;
- 10.7 (4) for a watercraft owned by a dealer under a dealer's license, the fee is as provided
10.8 in subdivision 5;
- 10.9 (5) for a personal watercraft, the fee is \$37.50; and
- 10.10 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in
10.11 clauses (1) to (5), the fee is \$18.

10.12 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2012.

- 10.13 Sec. 13. Minnesota Statutes 2010, section 86B.415, is amended by adding a
10.14 subdivision to read:

10.15 **Subd. 1a. Canoes, kayaks, sailboards, paddle boards, paddle boats, or rowing**
10.16 **shells.** The fee for a watercraft license for a canoe, kayak, sailboard, paddle board, paddle
10.17 boat, or rowing shell over ten feet in length is \$10.50.

10.18 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2012.

- 10.19 Sec. 14. Minnesota Statutes 2010, section 86B.415, subdivision 2, is amended to read:

10.20 **Subd. 2. Watercraft over 19 feet.** Except as provided in subdivisions 1a, 3, 4,
10.21 and 5, the watercraft license fee:

- 10.22 (1) for a watercraft more than 19 feet but less than 26 feet in length is \$45;
10.23 (2) for a watercraft 26 feet but less than 40 feet in length is \$67.50; and
10.24 (3) for a watercraft 40 feet in length or longer is \$90.

10.25 **EFFECTIVE DATE.** This section is effective retroactively from January 1, 2012.

- 10.26 Sec. 15. Minnesota Statutes 2010, section 87A.01, subdivision 4, is amended to read:

10.27 **Subd. 4. Shooting range performance standards.** "Shooting range performance
10.28 standards" means ~~those rules adopted by the commissioner of natural resources under the~~
10.29 ~~best practices for shooting range performance standards identified in section 87A.02~~
10.30 ~~for the safe operation of shooting ranges.~~

- 10.31 Sec. 16. Minnesota Statutes 2010, section 87A.02, subdivision 2, is amended to read:

11.1 Subd. 2. **Interim standards Best practices.** Until the commissioner of natural
11.2 resources adopts the shooting range performance standards under subdivision 1, paragraph
11.3 ~~(a)~~ For purposes of this chapter, the November 1999 revised edition of the National Rifle
11.4 Association's Range Source Book: A Guide to Planning and Construction shall serve
11.5 as ~~the interim best practices~~ for shooting range performance standards, ~~having the full~~
11.6 ~~effect of the shooting range performance standards for purposes of this chapter.~~ The
11.7 ~~interim shooting range performance standards sunset and have no further effect under this~~
11.8 ~~chapter upon the effective date of the shooting range performance standards adopted~~
11.9 ~~under subdivision 1, paragraph (a).~~

11.10 Sec. 17. Minnesota Statutes 2010, section 97A.015, subdivision 3a, is amended to read:

11.11 Subd. 3a. **Bonus permit.** "Bonus permit" means a license to take and tag deer by
11.12 archery or firearms, in addition to deer authorized to be taken under regular firearms or
11.13 archery licenses, or a license issued under section 97A.441, subdivision 7.

11.14 Sec. 18. Minnesota Statutes 2010, section 97A.015, subdivision 53, is amended to read:

11.15 Subd. 53. **Unprotected wild animals.** "Unprotected wild animals" means wild
11.16 animals that are not protected wild animals including weasel, coyote (~~brush wolf~~), gopher,
11.17 porcupine, striped skunk, and unprotected birds.

11.18 Sec. 19. Minnesota Statutes 2010, section 97A.065, subdivision 6, is amended to read:

11.19 Subd. 6. **Deer license donations and surcharges.** ~~(a)~~ The surcharges and donations
11.20 collected under section 97A.475, subdivision 3, paragraph (b), and subdivision 3a,
11.21 shall be deposited in an account in the special revenue fund and are appropriated to
11.22 the commissioner for deer management, including for grants or payments to agencies,
11.23 organizations, or individuals for assisting with the cost of processing deer taken for
11.24 population management purposes for venison donation programs. None of the additional
11.25 license fees shall be transferred to any other agency for administration of programs other
11.26 than venison donation. If any money transferred by the commissioner is not used for a
11.27 venison donation program, it shall be returned to the commissioner.

11.28 ~~(b) By February 10, 2010, the commissioner shall report to the legislature on the
11.29 participation in and the effectiveness of the venison donation program.~~

11.30 Sec. 20. Minnesota Statutes 2011 Supplement, section 97A.075, subdivision 1, is
11.31 amended to read:

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

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

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

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

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

12.26 Sec. 21. Minnesota Statutes 2011 Supplement, section 97A.075, is amended by adding
12.27 a subdivision to read:

12.28 Subd. 7. Wolf licenses; account established. (a) For purposes of this subdivision,
12.29 "wolf license" means a license or permit issued under section 97A.475, subdivision 2,
12.30 clause (16); 3, paragraph (a), clause (13); or 20, paragraph (b).

12.31 (b) A wolf management and monitoring account is created in the game and fish fund.
12.32 Revenue from wolf licenses must be credited to the wolf management and monitoring
12.33 account and is appropriated to the commissioner only for wolf management, research,
12.34 damage control, enforcement, and education.

13.1 Sec. 22. **[97A.126] WALK-IN ACCESS PROGRAM.**

13.2 Subdivision 1. Establishment. A walk-in access program is established to provide
13.3 public access to wildlife habitat on private land for hunting, excluding trapping, as
13.4 provided under this section. The commissioner may enter into agreements with other units
13.5 of government and landowners to provide private land hunting access.

13.6 Subd. 2. Use of enrolled lands. (a) From September 1 to May 31, a person must
13.7 have a walk-in access hunter validation in possession to hunt on private lands, including
13.8 agricultural lands, that are posted as being enrolled in the walk-in access program.

13.9 (b) Hunting on private lands that are posted as enrolled in the walk-in access
13.10 program is allowed from one-half hour before sunrise to one-half hour after sunset.

13.11 (c) Hunter access on private lands that are posted as enrolled in the walk-in access
13.12 program is restricted to nonmotorized use, except by hunters with disabilities operating
13.13 motor vehicles on established trails or field roads who possess a valid permit to shoot from
13.14 a stationary vehicle under section 97B.055, subdivision 3.

13.15 (d) The general provisions for use of wildlife management areas adopted under
13.16 sections 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of
13.17 motorboats, firearms and target shooting, hunting stands, abandonment of trash and
13.18 property, destruction or removal of property, introduction of plants or animals, and animal
13.19 trespass, apply to hunters on lands enrolled in the walk-in access program.

13.20 (e) Any use of enrolled lands other than hunting according to this section is
13.21 prohibited, including:

13.22 (1) harvesting bait, including minnows, leeches, and other live bait;
13.23 (2) training dogs or using dogs for activities other than hunting; and
13.24 (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting
13.25 blind, or other structure, unless constructed or maintained by the landowner.

13.26 Subd. 3. **Rulemaking.** The commissioner may adopt rules to implement this section.

13.27 Sec. 23. Minnesota Statutes 2010, section 97A.137, subdivision 5, is amended to read:

13.28 Subd. 5. **Portable stands.** Prior to the Saturday on or nearest September 16, a
13.29 portable stand may be left overnight in a wildlife management area by a person with a
13.30 valid bear license who is hunting within 100 yards of a bear bait site that is legally tagged
13.31 and registered as prescribed under section 97B.425. Any person leaving a portable stand
13.32 overnight under this subdivision must affix a tag with: (1) the person's name and address;
13.33 (2) the licensee's driver's license number; or (3) the "MDNR#" license identification
13.34 number issued to the licensee. The tag must be affixed to the stand in such a manner that
13.35 it can be read from the ground.

14.1 Sec. 24. Minnesota Statutes 2010, section 97A.421, subdivision 3, is amended to read:

14.2 Subd. 3. **Issuance of a big game license after conviction.** (a) A person may not

14.3 obtain any big game license or take big game under a lifetime license, issued under section
14.4 97A.473, for three years after the person is convicted of:

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

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

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

14.9 (b) A person may not obtain any deer license or take deer under a lifetime license

14.10 issued under section 97A.473 for one year after the person is convicted of hunting deer
14.11 with the aid or use of bait under section 97B.328.

14.12 (c) Notwithstanding paragraphs (a) and (b), a person may not obtain any big game

14.13 license or take big game under a lifetime license issued under section 97A.473 for five
14.14 years after the person is convicted of any violation involving taking a deer that is a trophy

14.15 deer scoring higher than 170 using the scoring method established for wildlife restitution
14.16 values adopted under section 97A.345.

14.17 Sec. 25. Minnesota Statutes 2010, section 97A.441, subdivision 7, is amended to read:

14.18 Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may

14.19 issue, without a fee, a license to take an antlerless deer to a resident who is an owner or
14.20 tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land, as

14.21 defined in section 97B.001, in deer permit areas that ~~have deer archery licenses to take~~
14.22 ~~additional deer under section 97B.301, subdivision 4 allow the taking of antlerless deer~~

14.23 without a lottery application. A person may receive only one license per year under this
14.24 subdivision. For properties with co-owners or cotenants, only one co-owner or cotenant

14.25 may receive a license under this subdivision per year. The license issued under this
14.26 subdivision is restricted to land leased for agricultural purposes or owned by the holder of

14.27 the license within the permit area where the qualifying land is located. The holder of the
14.28 license may transfer the license to the holder's spouse or dependent. Deer taken under this

14.29 subdivision do not count towards the total bag limit for the permit area. Notwithstanding
14.30 sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license

14.31 may purchase ~~an additional license~~ licenses or permits for taking deer and may take ~~an~~
14.32 ~~additional deer under that license~~ those licenses or permits, provided the holder adheres to

14.33 the bag limits established for that permit area.

14.34 (b) A person who obtains a license under paragraph (a) must allow public deer

14.35 hunting on their land during that deer hunting season, with the exception of the first

15.1 Saturday and Sunday during the deer hunting season applicable to the license issued under
15.2 section 97A.475, subdivision 2, clause (5).

15.3 Sec. 26. Minnesota Statutes 2010, section 97A.451, subdivision 3, is amended to read:

15.4 Subd. 3. **Residents under age 16; small game.** (a) A resident under age 16 must
15.5 obtain a small game license in order to take small game by firearms or bow and arrow
15.6 without paying the applicable fees under section 97A.475, subdivisions 2, 4, and 5, if
15.7 the resident is:

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

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

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

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

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

15.21 (c) A resident under age 12 may apply for a turkey license and may take a turkey
15.22 without a firearms safety certificate if the resident is accompanied by an adult parent or
15.23 guardian who has a firearms safety certificate.

15.24 (d) A resident under age 12 may apply for a prairie chicken license and may take a
15.25 prairie chicken without a firearms safety certificate if the resident is accompanied by an
15.26 adult parent or guardian who has a firearms safety certificate.

15.27 Sec. 27. Minnesota Statutes 2010, section 97A.451, subdivision 4, is amended to read:

15.28 Subd. 4. **Persons Residents under age 16; big game.** (a) A person resident age
15.29 12, 13, 14, or 15 may not obtain a license to take big game unless the person possesses
15.30 a firearms safety certificate. A person resident age 12 or 13 must be accompanied by a
15.31 parent or guardian to hunt big game.

15.32 (b) A person resident age 10 or 11 may take big game provided the person is under
15.33 the direct supervision of a parent or guardian where the parent or guardian is within
15.34 immediate reach. ~~Until March 1, 2009, a person age 10 or 11 may take big game under a~~

16.1 ~~parent or guardian's license. Beginning March 1, 2009, A person resident age 10 or 11~~
16.2 must obtain a license ~~in order~~ to take big game and may obtain the license without paying
16.3 the fee required under section 97A.475, subdivision 2.

16.4 Sec. 28. Minnesota Statutes 2010, section 97A.451, is amended by adding a
16.5 subdivision to read:

16.6 **Subd. 4a. Nonresidents under age 16; big game.** (a) A nonresident age 12,
16.7 13, 14, or 15 may not obtain a license to take big game unless the person possesses a
16.8 firearms safety certificate. A nonresident age 12 or 13 must be accompanied by a parent or
16.9 guardian to hunt big game.

16.10 (b) A nonresident age 10 or 11 may take big game provided the person is under the
16.11 direct supervision of a parent or guardian where the parent or guardian is within immediate
16.12 reach. A nonresident age 10 or 11 must obtain a license to take big game and must pay the
16.13 fee required under section 97A.475, subdivision 3.

16.14 Sec. 29. Minnesota Statutes 2010, section 97A.473, subdivision 3, is amended to read:

16.15 **Subd. 3. Lifetime small game hunting license; fee.** (a) A resident lifetime small
16.16 game hunting license authorizes a person to hunt and trap small game, other than wolves,
16.17 in the state. The license authorizes those hunting and trapping activities authorized by the
16.18 annual resident small game hunting and trapping licenses license and the trapping license
16.19 for fur-bearing animals other than wolves. The license does not include a turkey stamp
16.20 validation or any other hunting stamps required by law.

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

16.26 Sec. 30. Minnesota Statutes 2010, section 97A.473, subdivision 5, is amended to read:

16.27 **Subd. 5. Lifetime sporting license; fee.** (a) A resident lifetime sporting license
16.28 authorizes a person to take fish by angling and hunt and trap small game, other than
16.29 wolves, in the state. The license authorizes those activities authorized by the annual
16.30 resident angling, and resident small game hunting, licenses and the resident trapping
16.31 licenses license for fur-bearing animals other than wolves. The license does not include a
16.32 trout and salmon stamp validation, a turkey stamp validation, a walleye stamp validation,
16.33 or any other hunting stamps required by law.

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

17.6 Sec. 31. Minnesota Statutes 2010, section 97A.473, subdivision 5a, is amended to read:

17.7 **Subd. 5a. Lifetime sporting with spearing option license; fee.** (a) A resident
17.8 lifetime sporting with spearing option license authorizes a person to take fish by angling
17.9 or spearing and hunt and trap small game, other than wolves, in the state. The license
17.10 authorizes those activities authorized by the annual resident angling, spearing, and resident
17.11 small game hunting, and resident trapping licenses and the resident trapping license for
17.12 fur-bearing animals other than wolves. The license does not include a trout and salmon
17.13 stamp validation, a turkey stamp validation, a walleye stamp validation, or any other
17.14 hunting stamps required by law.

- 17.15 (b) The fees for a resident lifetime sporting with spearing option license are:
- 17.16 (1) age 3 and under, \$615;
- 17.17 (2) age 4 to age 15, \$800;
- 17.18 (3) age 16 to age 50, \$985; and
- 17.19 (4) age 51 and over, \$586.

17.20 Sec. 32. Minnesota Statutes 2010, section 97A.475, subdivision 2, is amended to read:

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

- 17.23 (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
- 17.24 (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- 17.25 (3) for persons age 18 or over to take turkey, \$23;
- 17.26 (4) for persons under age 18 to take turkey, \$12;
- 17.27 (5) for persons age 18 or over to take deer with firearms during the regular firearms
17.28 season, \$26;
- 17.29 (6) for persons age 18 or over to take deer by archery, \$26;
- 17.30 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
17.31 season, \$26;
- 17.32 (8) to take moose, for a party of not more than six persons, \$310;
- 17.33 (9) to take bear, \$38;
- 17.34 (10) to take elk, for a party of not more than two persons, \$250;

18.1 (11) to take Canada geese during a special season, \$4;
18.2 (12) to take prairie chickens, \$20;
18.3 (13) for persons under age 18 to take deer with firearms during the regular firearms
18.4 season, \$13;
18.5 (14) for persons under age 18 to take deer by archery, \$13; ~~and~~
18.6 (15) for persons under age 18 to take deer by muzzleloader during the muzzleloader
18.7 season, \$13; and
18.8 (16) to take wolf, \$26.

18.9 Sec. 33. Minnesota Statutes 2010, section 97A.475, subdivision 3, is amended to read:
18.10 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued
18.11 to nonresidents, are:

18.12 (1) for persons age 18 or over to take small game, \$73;
18.13 (2) for persons age 18 or over to take deer with firearms during the regular firearms
18.14 season, \$135;
18.15 (3) for persons age 18 or over to take deer by archery, \$135;
18.16 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
18.17 season, \$135;
18.18 (5) to take bear, \$195;
18.19 (6) for persons age 18 and older to take turkey, \$78;
18.20 (7) for persons under age 18 to take turkey, \$12;
18.21 (8) to take raccoon or bobcat, \$155;
18.22 (9) to take Canada geese during a special season, \$4;
18.23 (10) for persons under age 18 to take deer with firearms during the regular firearms
18.24 season in any open season option or time period, \$13;
18.25 (11) for persons under age 18 to take deer by archery, \$13; ~~and~~
18.26 (12) for persons under age 18 to take deer during the muzzleloader season, \$13; and
18.27 (13) to take wolf, \$250.
18.28 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under
18.29 paragraph (a), clauses (1) to (8). An additional commission may not be assessed on this
18.30 surcharge.

18.31 Sec. 34. Minnesota Statutes 2010, section 97A.475, subdivision 20, is amended to read:
18.32 Subd. 20. **Trapping license licenses.** (a) The fee for a license to trap fur-bearing
18.33 animals, other than wolves, is:
18.34 (1) for residents over age 13 and under age 18, \$6;

19.1 (2) for residents age 18 or over and under age 65, \$20;
19.2 (3) for residents age 65 or over, \$10; and
19.3 (4) for nonresidents, \$73.

19.4 (b) The fee for a license to trap wolves is \$26, to be issued to residents only.

19.5 Sec. 35. Minnesota Statutes 2010, section 97A.482, is amended to read:

97A.482 LICENSE APPLICATIONS; COLLECTION OF SOCIAL SECURITY NUMBERS.

19.8 (a) All applicants for individual noncommercial game and fish licenses under this chapter and chapters 97B and 97C must include the applicant's Social Security number on the license application. If an applicant does not have a Social Security number, the applicant must certify that the applicant does not have a Social Security number.

19.12 (b) The Social Security numbers collected by the commissioner on game and fish license applications are private data under section 13.355, subdivision 1, and must be provided by the commissioner to the commissioner of human services for child support enforcement purposes. Title IV-D of the Social Security Act, United States Code, title 42, section 666(a)(13), requires the collection of Social Security numbers on game and fish license applications for child support enforcement purposes.

19.18 ~~(c) The commissioners of human services and natural resources shall request a waiver from the secretary of health and human services to exclude any applicant under the age of 16 from the requirement under this section and under cross-country ski licensing sections to provide the applicant's Social Security number. If a waiver is granted, this section will be so amended effective January 1, 2006, or upon the effective date of the waiver, whichever is later.~~

19.24 Sec. 36. Minnesota Statutes 2010, section 97B.001, subdivision 7, is amended to read:

19.25 Subd. 7. **Taking with firearms in certain areas.** (a) A person may not take a wild animal with a firearm within 500 feet of a building occupied by a human or livestock without the written permission of the owner, occupant, or lessee:

19.28 (1) on another person's private land, if the land is not a licensed shooting preserve; or
19.29 (2) on a public right-of-way.

19.30 (b) A person may not take a wild animal with a firearm without the permission of the owner, occupant, or lessee, within 500 feet of a stockade or corral containing livestock.

19.32 (c) A person may not take a wild animal on any land where the person is prohibited from entering by this section.

20.1 Sec. 37. Minnesota Statutes 2010, section 97B.031, subdivision 1, is amended to read:

20.2 **Subdivision 1. Firearms and ammunition that may be used to take big game**

20.3 **and wolves.** A person may take big game and wolves with a firearm only if:

20.4 (1) the rifle, shotgun, and handgun used is a caliber of at least .22 inches and with
20.5 centerfire ignition;

20.6 (2) the firearm is loaded only with single projectile ammunition;

20.7 (3) a projectile used is a caliber of at least .22 inches and has a soft point or is
20.8 an expanding bullet type;

20.9 (4) the muzzleloader used is incapable of being loaded at the breech;

20.10 (5) the smooth-bore muzzleloader used is a caliber of at least .45 inches; and

20.11 (6) the rifled muzzleloader used is a caliber of at least .40 inches.

20.12 Sec. 38. Minnesota Statutes 2010, section 97B.031, subdivision 2, is amended to read:

20.13 **Subd. 2. Handguns for small game.** A person may take small game with a handgun
20.14 of any caliber in a manner prescribed by the commissioner, except that wolves may only
20.15 be taken by hunting with the calibers specified in subdivision 1.

20.16 Sec. 39. Minnesota Statutes 2010, section 97B.035, subdivision 1a, is amended to read:

20.17 **Subd. 1a. Minimum draw weight.** A bow used to take big game or, turkey, or
20.18 wolves must have a pull that meets or exceeds 30 pounds at or before full draw.

20.19 Sec. 40. Minnesota Statutes 2010, section 97B.055, subdivision 1, is amended to read:

20.20 **Subdivision 1. Restrictions related to highways.** (a) A person may not discharge a
20.21 firearm or an arrow from a bow containing No. 4 buckshot or larger diameter shot or single
20.22 projectile ammunition on, over, or across, or within the right-of-way of an improved public
20.23 highway at a big game wild animal. A person may not discharge a firearm or an arrow
20.24 from a bow and arrow on, over, across, or within the right-of-way of an improved public
20.25 highway at a big game wild animal. The commissioner may by rule extend the application
20.26 of this subdivision to the taking of migratory waterfowl in designated locations.

20.27 (b) A person may not discharge a firearm or an arrow from a bow on, over, across, or
20.28 within the right-of-way of an improved public highway at a decoy of a big game animal
20.29 that has been set out by a licensed peace officer.

20.30 Sec. 41. Minnesota Statutes 2010, section 97B.071, is amended to read:

20.31 **97B.071 BLAZE ORANGE REQUIREMENTS.**

21.1 (a) Except as provided in rules adopted under paragraph (c), a person may not hunt
21.2 or trap during the open season where deer may be taken by firearms under applicable laws
21.3 and ordinances, unless the visible portion of the person's cap and outer clothing above the
21.4 waist, excluding sleeves and gloves, is blaze orange. Blaze orange includes a camouflage
21.5 pattern of at least 50 percent blaze orange within each foot square. This section does not
21.6 apply to migratory waterfowl hunters on waters of this state or in a stationary shooting
21.7 location or to trappers on waters of this state.

21.8 (b) Except as provided in rules adopted under paragraph (c), and in addition to
21.9 the requirement in paragraph (a), a person may not take small game other than turkey,
21.10 migratory birds, raccoons, and predators, except while trapping, unless a visible portion of
21.11 at least one article of the person's clothing above the waist is blaze orange. This paragraph
21.12 does not apply to a person when in a stationary location while hunting deer by archery
21.13 or when hunting small game by falconry.

21.14 (c) The commissioner may, by rule, prescribe an alternative color in cases where
21.15 paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public
21.16 Law 103-141.

21.17 (d) A violation of paragraph (b) shall not result in a penalty, but is punishable only
21.18 by a safety warning.

21.19 Sec. 42. Minnesota Statutes 2011 Supplement, section 97B.075, is amended to read:

97B.075 HUNTING RESTRICTED BETWEEN EVENING AND MORNING.

21.21 (a) A person may not take protected wild animals, except raccoon and fox, with
21.22 a firearm between the evening and morning times established by commissioner's rule,
21.23 except as provided in this section.

21.24 (b) Big game and wolves may be taken from one-half hour before sunrise until
21.25 one-half hour after sunset.

21.26 (c) Except as otherwise prescribed by the commissioner on or before the Saturday
21.27 nearest October 8, waterfowl may be taken from one-half hour before sunrise until sunset
21.28 during the entire season prescribed by the commissioner.

21.29 Sec. 43. Minnesota Statutes 2010, section 97B.085, subdivision 3, is amended to read:

21.30 Subd. 3. **Communication excepted.** This section does not prohibit the use of:

21.31 (1) ~~one-way~~ radio communication between a handler and a dog; ~~or~~

21.32 (2) a remote-controlled animal noise caller for taking crows, fur-bearing animals,
21.33 and unprotected animals; or

22.1 (3) a remote-controlled motorized decoy used for taking migratory waterfowl under
22.2 section 97B.811, subdivision 4a, or for taking mourning doves.

22.3 Sec. 44. **[97B.1115] USE OF MECHANICAL OR ELECTRONIC ASSISTANCE**
22.4 **TO HOLD AND DISCHARGE FIREARMS OR BOWS BY PHYSICALLY**
22.5 **DISABLED.**

22.6 Notwithstanding sections 97B.035, subdivision 1, 97B.321, and 97B.701,
22.7 subdivision 2, the commissioner may authorize a physically disabled hunter who has a
22.8 verified statement of the disability from a licensed physician or a certified nurse practitioner
22.9 or certified physician assistant acting under the direction of a licensed physician to use
22.10 a swivel or otherwise mounted gun or bow or any electronic or mechanical device to
22.11 discharge a firearm or bow as long as the participant is physically present at the site.

22.12 Sec. 45. Minnesota Statutes 2010, section 97B.328, is amended to read:

22.13 **97B.328 BAITING PROHIBITED.**

22.14 Subdivision 1. **Hunting with aid of bait or feed prohibited.** A person may not
22.15 hunt take deer:

22.16 (1) with the aid or use of bait or feed, or

22.17 (2) in the vicinity of bait or feed if the person knows or has reason to know that bait
22.18 or feed is present.

22.19 Subd. 2. **Removal of bait.** An area is considered baited for ten days after the
22.20 complete removal of all bait or feed.

22.21 Subd. 3. **Definition.** (a) For purposes of this section, "bait or feed" includes grains,
22.22 fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer
22.23 and that has been placed by a person. "Baiting" means placing, exposing, depositing,
22.24 distributing, or scattering bait that is capable of attracting or enticing deer.

22.25 (b) Liquid scents, salt, and minerals are not bait or feed if they do not contain liquid
22.26 or solid food ingredients.

22.27 Food that has not been placed by a person and resulting (c) Agricultural crops
22.28 from normal or accepted farming, forest management, wildlife food plantings, orchard
22.29 management, or other similar land management activities is are not bait or feed.
22.30 This exclusion does not apply to agricultural crops that have been re-introduced and
22.31 concentrated where a person is hunting.

22.32 Subd. 4. **Exception for bait or feed on adjacent land.** A person otherwise in
22.33 compliance with this section who is hunting on private or public property that is adjacent
22.34 to property where bait or feed food is present is not in violation of this section if the

23.1 person has not participated in, been involved with, or agreed to baiting or feeding wildlife
23.2 on the adjacent property.

23.3 Sec. 46. Minnesota Statutes 2010, section 97B.601, subdivision 3a, is amended to read:

23.4 Subd. 3a. **Nonresidents; trapping small game.** A nonresident may take small
23.5 game, except wolves, by trapping only on land owned by the nonresident, if the
23.6 nonresident possesses a trapping license for fur-bearing animals other than wolves and a
23.7 small game license.

23.8 Sec. 47. Minnesota Statutes 2010, section 97B.601, subdivision 4, is amended to read:

23.9 Subd. 4. **Exception to license requirements.** (a) A resident under age 16 may take
23.10 small game, other than wolves, without a small game license, and a resident under age
23.11 13 may trap small game and fur-bearing animals, other than wolves, without a trapping
23.12 license, as provided in section 97A.451, subdivision 3.

23.13 (b) A person may take small game, other than wolves, without a small game license
23.14 on land occupied by the person as a principal residence.

23.15 (c) An owner or occupant may take certain small game causing damage without a
23.16 small game or trapping license as provided in section 97B.655.

23.17 (d) A person may use dogs to pursue and tree raccoons under section 97B.621,
23.18 subdivision 2, during the closed season without a license.

23.19 (e) A person may take a wolf, turkey, or a prairie chicken without a small game
23.20 license.

23.21 Sec. 48. Minnesota Statutes 2010, section 97B.603, is amended to read:

23.22 **97B.603 TAKING SMALL GAME AS A PARTY.**

23.23 (a) While two or more persons are taking small game as a party and maintaining
23.24 unaided visual and vocal contact, a member of the party may take and possess more than
23.25 one limit of small game, but the total number of small game taken and possessed by
23.26 the party may not exceed the limit of the number of persons in the party that may take
23.27 and possess small game.

23.28 (b) This section does not apply to the hunting of wolves, migratory game birds, or
23.29 turkeys, except that a licensed turkey hunter may assist another licensed turkey hunter and
23.30 a licensed wolf hunter may assist another licensed wolf hunter for the same zone and time
23.31 period as long as the hunter does not shoot or tag a turkey or wolf for the other hunter.

24.1 Sec. 49. Minnesota Statutes 2010, section 97B.605, is amended to read:

24.2 **97B.605 COMMISSIONER MAY RESTRICT TAKING OF CERTAIN
24.3 SMALL GAME ANIMALS.**

24.4 The commissioner may prescribe restrictions on and designate areas where gray and
24.5 fox squirrels, cottontail and jack rabbits, snowshoe hare, raccoon, bobcat, red fox and gray
24.6 fox, fisher, pine marten, opossum, wolves, and badger may be taken and possessed.

24.7 Sec. 50. Minnesota Statutes 2011 Supplement, section 97B.645, subdivision 9, is
24.8 amended to read:

24.9 Subd. 9. **Open season.** There shall be no open season for ~~gray~~ wolves until after the
24.10 ~~gray~~ wolf is delisted under the federal Endangered Species Act of 1973. After that time,
24.11 the commissioner may prescribe open seasons and restrictions for taking ~~gray~~ wolves but
24.12 must provide opportunity for public comment.

24.13 Sec. 51. **[97B.647] TAKING WOLVES.**

24.14 Subdivision 1. License required. Except as provided under section 97B.645 or
24.15 97B.671, a person may not take a wolf without a wolf hunting or wolf trapping license.

24.16 Subd. 2. Open seasons. Wolves may be taken with legal firearms, with bow and
24.17 arrow, and by trapping. The open season to take wolves with firearms begins each year on
24.18 the same day as the opening of the firearms deer hunting season. The commissioner may
24.19 by rule prescribe the open seasons for wolves according to this subdivision.

24.20 Subd. 3. Open areas. The commissioner may by rule designate areas where wolves
24.21 may be taken.

24.22 Subd. 4. Bag limit. The commissioner may establish by rule the bag limit for
24.23 wolves.

24.24 Subd. 5. Limit on number of hunters and trappers. The commissioner may by
24.25 rule limit the number of persons that may hunt or trap wolves in an area, if it is necessary
24.26 to prevent an overharvest or improve the distribution of hunters and trappers. The
24.27 commissioner shall establish a method, including a drawing, to impartially select the
24.28 hunters and trappers for an area.

24.29 Subd. 6. Application for license. An application for a wolf hunting or wolf trapping
24.30 license must be made in a manner provided by the commissioner and accompanied by a
24.31 \$4 application fee and proof that the applicant holds a current Minnesota hunting license.
24.32 The \$4 application fee shall be credited to the wolf management and monitoring account
24.33 and appropriated to the commissioner to pay for costs associated with conducting the wolf
24.34 license drawing and wolf management. A person may not make more than one application

25.1 for each season as prescribed by the commissioner. If a person makes more than one
25.2 application, the person is ineligible for a license for that season after determination by the
25.3 commissioner, without a hearing.

25.4 **Subd. 7. Quotas.** The commissioner may by rule set an annual quota for the number
25.5 of wolves that can be taken by hunting and trapping. The commissioner may establish a
25.6 method to monitor harvest and close the season when the quota is reached.

25.7 Sec. 52. Minnesota Statutes 2011 Supplement, section 97B.667, is amended to read:

25.8 **97B.667 REMOVAL OF BEAVERS, BEAVER DAMS, AND LODGES BY
25.9 ROAD AUTHORITIES.**

25.10 When a drainage watercourse is impaired by a beaver dam and the water damages
25.11 or threatens to damage a public road, the road authority, as defined in section 160.02,
25.12 subdivision 25, may remove the impairment and any associated beaver lodge within 300
25.13 feet of the road. Notwithstanding any law to the contrary, the road authority may kill or
25.14 arrange to have killed by any lawful means a beaver associated with the lodge. ~~Before
25.15 killing or arranging to kill a beaver under this section, the road authority must contact a
25.16 conservation officer for a special beaver permit. The conservation officer must issue the
25.17 permit for any beaver subject to this section.~~ A road authority that kills or arranges to
25.18 have killed a beaver under this section must notify a conservation officer or ~~the officer's
25.19 designee as specified in the permit employee of the Wildlife Division~~ within ten days after
25.20 the animal is killed. A road authority may, after consultation with the Wildlife Division
25.21 and the Board of Water and Soil Resources, implement a local beaver control program
25.22 designed to reduce the number of incidents of beaver interfering with or damaging a
25.23 public road. The local control program may include the offering of a bounty for the
25.24 lawful taking of beaver.

25.25 Sec. 53. Minnesota Statutes 2010, section 97B.671, subdivision 3, is amended to read:

25.26 **Subd. 3. Predator control payments.** The commissioner shall pay a predator
25.27 controller the amount the commissioner prescribes determines by written order published
25.28 in the State Register for each ~~predator~~ coyote and fox taken. ~~The commissioner shall pay
25.29 at least \$25 but not more than \$60 for each coyote taken.~~ The commissioner may require
25.30 the predator controller to submit proof of the taking and a signed statement concerning
25.31 the predators taken. The fees are not subject to the rulemaking provisions of chapter 14,
25.32 and section 14.386 does not apply.

25.33 Sec. 54. Minnesota Statutes 2010, section 97B.671, subdivision 4, is amended to read:

26.1 Subd. 4. **Gray Wolf control.** (a) The commissioner shall provide a gray wolf control
26.2 training program for certified predator controllers participating in gray wolf control.

26.3 (b) After the gray wolf is delisted under the federal Endangered Species Act of
26.4 1973, in zone B, as defined under section 97B.645, subdivision 12, if the commissioner,
26.5 after considering recommendations from an extension agent or conservation officer, has
26.6 verified that livestock, domestic animals, or pets were destroyed by a gray wolf within the
26.7 previous five years, and if the livestock, domestic animal, or pet owner requests gray wolf
26.8 control, the commissioner shall open a predator control area for gray wolves.

26.9 (c) After the gray wolf is delisted under the federal Endangered Species Act of
26.10 1973, in zone A, as defined under paragraph (g), if the commissioner, after considering
26.11 recommendations from an extension agent or conservation officer, verifies that livestock,
26.12 domestic animals, or pets were destroyed by a gray wolf, and if the livestock, domestic
26.13 animal, or pet owner requests gray wolf control, the commissioner shall open a predator
26.14 control area for gray wolves for up to 60 days.

26.15 (d) A predator control area opened for gray wolves may not exceed a one-mile
26.16 radius surrounding the damage site.

26.17 (e) The commissioner shall pay a certified gray wolf predator controller \$150 the
26.18 amount the commissioner determines by written order published in the State Register for
26.19 each wolf taken. The certified gray wolf predator controller must dispose of unsalvageable
26.20 remains as directed by the commissioner. All salvageable gray wolf remains must be
26.21 surrendered to the commissioner. The fees are not subject to the rulemaking provisions of
26.22 chapter 14, and section 14.386 does not apply.

26.23 (f) The commissioner may, in consultation with the commissioner of agriculture,
26.24 develop a cooperative agreement for gray wolf control activities with the United States
26.25 Department of Agriculture. The cooperative agreement activities may include, but not be
26.26 limited to, gray wolf control, training for state predator controllers, and control monitoring
26.27 and record keeping.

26.28 (g) For the purposes of this subdivision, "zone A" means that portion of the state
26.29 lying outside of zone B, as defined under section 97B.645, subdivision 12.

26.30 Sec. 55. Minnesota Statutes 2010, section 97B.711, subdivision 1, is amended to read:

26.31 Subdivision 1. **Seasons for certain upland game birds.** (a) The commissioner
26.32 may, by rule, prescribe an open season in designated areas between September 16 and
26.33 January 3 for:

- 26.34 (1) pheasant;
26.35 (2) ruffed grouse;

27.1 (3) sharp tailed grouse;
27.2 (4) Canada spruce grouse;
27.3 (5) prairie chicken;
27.4 (6) gray partridge;
27.5 (7) bobwhite quail; and
27.6 (8) turkey.
27.7 (b) The commissioner may by rule prescribe an open season for turkey in the spring.
27.8 ~~(c) The commissioner shall allow a four-week fall season for turkey in the area
27.9 designated as turkey permit area 601 as of the 2008 season. All applicable local and state
27.10 regulations apply.~~

27.11 Sec. 56. Minnesota Statutes 2010, section 97B.805, subdivision 1, is amended to read:
27.12 Subdivision 1. **Hunter must be concealed.** (a) A person may not take migratory
27.13 waterfowl, coots, or rails in open water unless the person is:
27.14 (1) within a natural growth of vegetation sufficient to partially conceal the person or
27.15 boat;
27.16 (2) on a river or stream that is not more than 100 yards in width; ~~or~~
27.17 (3) pursuing or shooting wounded birds; ~~or~~
27.18 (4) in areas specifically designated for such taking by the commissioner by rule.
27.19 (b) A person may not take migratory waterfowl, coots, or rails in public waters from
27.20 a permanent artificial blind or sink box.

27.21 Sec. 57. Minnesota Statutes 2010, section 97B.901, is amended to read:
27.22 **97B.901 REGISTRATION AND TAGGING OF FUR-BEARING ANIMALS.**
27.23 (a) The commissioner may, by rule, require persons taking, possessing, and
27.24 transporting fur-bearing animals to tag the animals. The commissioner shall prescribe
27.25 the manner of issuance and the type of tag, which must show the year of issuance. The
27.26 commissioner shall issue the tag, without a fee, upon request.
27.27 (b) The pelt of each bobcat, fisher, pine marten, ~~and otter, and wolf~~ must be
27.28 presented, by the person taking it, to a state wildlife manager designee for registration
27.29 before the pelt is sold and before the pelt is transported out of the state, but in no event
27.30 more than 48 hours after the season closes for the species.
27.31 ~~(c) The whole carcass of each wolf, with the pelt removed, must be presented by the
27.32 person taking it to a state wildlife manager designee for registration before the pelt is sold
27.33 and before the pelt is transported out of the state, but in no event more than 48 hours after~~

28.1 the season closes. The commissioner may require that the entire carcass or samples from
28.2 the carcass be surrendered to the state wildlife manager designee.

28.3 **Sec. 58. [97B.903] USE OF BODY-GRIPPING TRAPS.**

28.4 A person may not set, place, or operate, except as a waverset, a body-gripping or
28.5 conibear-type trap on public lands and waters that has a maximum jaw opening when set
28.6 greater than six and one-half inches measured from the inside edges of the body-gripping
28.7 portions of the jaws, unless:

- 28.8 (1) the trap is in a baited or unbaited enclosure with the opening no greater than 81
28.9 square inches and the trap trigger is recessed seven inches or more from the top of the
28.10 opening;
- 28.11 (2) no bait, lure, or other attractant is placed within 20 feet of the trap; or
- 28.12 (3) the trap is elevated at least three feet above the surface of the ground.

28.13 **Sec. 59. Minnesota Statutes 2010, section 97C.395, subdivision 1, is amended to read:**

28.14 **Subdivision 1. Dates for certain species.** (a) The open seasons to take fish by
28.15 angling are as follows:

28.16 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and
28.17 smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend
28.18 to the last Sunday in February;

28.19 (2) for lake trout, from January 1 to October 31;

28.20 (3) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and
28.21 splake on all lakes located outside or partially within the Boundary Waters Canoe Area,
28.22 from January 15 to March 31;

28.23 (4) for the winter season for lake trout, brown trout, brook trout, rainbow trout,
28.24 and splake on all lakes located entirely within the Boundary Waters Canoe Area, from
28.25 January 1 to March 31;

28.26 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 to
28.27 October 31 as prescribed by the commissioner by rule except as provided in section
28.28 97C.415, subdivision 2; and

28.29 (6) ~~for the winter season for brown trout, brook trout, rainbow trout, and splake on~~
28.30 ~~all lakes, from January 15 to March 31; and~~

28.31 (7) (6) for salmon, as prescribed by the commissioner by rule.

28.32 (b) The commissioner shall close the season in areas of the state where fish are
28.33 spawning and closing the season will protect the resource.

29.1 Sec. 60. Minnesota Statutes 2010, section 97C.515, subdivision 2, is amended to read:

29.2 **Subd. 2. Permit for transportation.** (a) A person may transport live minnows
29.3 through the state with a permit from the commissioner. The permit must state the name
29.4 and address of the person, the number and species of minnows, the point of entry into the
29.5 state, the destination, and the route through the state. The permit is not valid for more
29.6 than 12 hours after it is issued.

29.7 (b) Minnows transported under this subdivision must be in a tagged container. The
29.8 tag number must correspond with tag numbers listed on the minnow transportation permit.

29.9 (b) (c) The commissioner may require the person transporting minnow species found
29.10 on the official list of viral hemorrhagic septicemia susceptible species published by the
29.11 United States Department of Agriculture, Animal and Plant Health Inspection Services, to
29.12 provide health certification for viral hemorrhagic septicemia ~~or other certifiable diseases.~~
29.13 ~~For certifiable diseases not currently documented in Minnesota, The certification must~~
29.14 ~~disclose any incidentally isolated replicating viruses, and must be dated within the 12~~
29.15 months preceding transport.

29.16 Sec. 61. Minnesota Statutes 2010, section 97C.515, subdivision 4, is amended to read:

29.17 **Subd. 4. Private fish hatchery or aquatic farm.** (a) ~~A person with a private fish~~
29.18 ~~hatchery or aquatic farm license may transport minnows with a transportation permit from~~
29.19 ~~contiguous states to the private fish hatchery or aquatic farm, provided the minnows are~~
29.20 ~~used for processing or feeding hatchery fish.~~

29.21 (b) ~~The commissioner may require inspection of minnows and disease certification~~
29.22 ~~for species on the official list of viral hemorrhagic septicemia susceptible species~~
29.23 ~~published by the United States Department of Agriculture, Animal and Plant Health~~
29.24 ~~Inspection Services, that are being transported from outside the state.~~

29.25 (c) ~~The commissioner may approve the import of minnows into areas or waters~~
29.26 ~~where certifiable diseases have been identified as being present.~~

29.27 Live minnows used for feeding fish at a licensed private fish hatchery or aquatic
29.28 farm must be obtained within the state. Dead minnows may be imported for feeding
29.29 hatchery or aquatic farm fish according to section 97C.341, paragraph (d).

29.30 Sec. 62. Minnesota Statutes 2010, section 97C.515, subdivision 5, is amended to read:

29.31 **Subd. 5. Special permits.** (a) The commissioner may issue a special permit, without
29.32 a fee, to allow a person with a private fish hatchery license, which private fish hatchery
29.33 has been designated as a containment facility under section 17.4982, subdivision 8, to
29.34 import live minnows from other states for export. A permit under this subdivision is not

30.1 required for importation authorized under subdivision 4. A containment facility for the
30.2 purposes of this section applies to live minnows imported for later export and does not
30.3 need to comply with section 17.4982, subdivision 8, clause (4). The permit shall include
30.4 conditions necessary to avoid spreading aquatic invasive species and fish pathogens.
30.5 Permits shall not be issued to containment facilities located within a 25-year floodplain.

30.6 (b) Transport under this subdivision must occur in a container that has been tagged
30.7 upon entering the state and upon leaving the approved facility. Tag numbers must be listed
30.8 on both the bill of lading used for transport and on the records required in paragraph
30.9 (e). Water used for transport must be groundwater or well water, not surface water. The
30.10 permittee must notify Department of Natural Resources enforcement at least 12 hours
30.11 prior to exercising an import for later export permit. The following paperwork must
30.12 accompany the shipment:

30.13 (1) a valid import for later export permit; and
30.14 (2) a valid fish health certification from the source waterbody showing no record of
30.15 viral hemorrhagic septicemia, or any other isolated replicating virus, for species on the
30.16 official list of viral hemorrhagic septicemia susceptible species published by the United
30.17 States Department of Agriculture, Animal and Plant Health Inspection Services.

30.18 (c) Live minnows imported under this subdivision may only be approved for holding
30.19 in indoor tanks, raceways, or rearing troughs listed on a private fish hatchery license under
30.20 section 17.4984, subdivision 2, which do not discharge directly into waters of the state,
30.21 and may not be sold live within Minnesota. Imported minnows must be kept separate
30.22 from minnows originating in Minnesota.

30.23 (d) An applicant for a permit under this subdivision shall submit to the
30.24 commissioner sufficient information to identify potential threats to native plant and animal
30.25 species and an evaluation of the feasibility of the proposal. The permit may include
30.26 reasonable restrictions on importation, transportation, possession, containment, disease
30.27 certification, and disposal of minnows to ensure that native species are protected. The
30.28 permit may have a term of up to two years and may be modified, suspended, or revoked by
30.29 the commissioner for cause, including violation of a condition of the permit.

30.30 (e) A commercial licensee importing live minnows under this subdivision must
30.31 maintain records on forms provided by the commissioner for each load of minnows
30.32 imported and later exported. The records must include the number and species of minnows
30.33 imported and subsequently exported, the dates of import and export, and other information
30.34 as specified on the reporting form. The commercial licensee must enter required records
30.35 onto forms within 24 hours of import and export, and must retain records for three years
30.36 following the year of creation. All records required to be retained must be open to

31.1 inspection by the commissioner at any reasonable time. Copies of the records shall be
31.2 submitted to the commissioner each month even if no live minnow import or export
31.3 activity took place.

31.4 (f) The premises, property, vehicles, private aquatic life, and equipment that are part
31.5 of a containment facility permitted under this subdivision are subject to reasonable and
31.6 necessary inspections at reasonable times by a person delegated by the commissioner. The
31.7 owner, operator, or designee may be present when inspections are conducted. During the
31.8 inspection, a representative sample of imported minnows may be collected for the purpose
31.9 of fish pathogen or invasive species screening.

31.10 (g) The commissioner may require the applicant to furnish evidence of financial
31.11 responsibility in the form of a surety bond or other financial assurance payable to
31.12 the commissioner in the amount of \$1,000,000 should the permittee be convicted of
31.13 introducing an invasive species or pathogen into waters of the state.

31.14 Sec. 63. Minnesota Statutes 2010, section 466.04, subdivision 1, is amended to read:

31.15 Subdivision 1. **Limits; punitive damages.** (a) Liability of any municipality on any
31.16 claim within the scope of sections 466.01 to 466.15 shall not exceed:

31.17 (1) \$300,000 when the claim is one for death by wrongful act or omission and
31.18 \$300,000 to any claimant in any other case, for claims arising before January 1, 2008;

31.19 (2) \$400,000 when the claim is one for death by wrongful act or omission and
31.20 \$400,000 to any claimant in any other case, for claims arising on or after January 1,
31.21 2008, and before July 1, 2009;

31.22 (3) \$500,000 when the claim is one for death by wrongful act or omission and
31.23 \$500,000 to any claimant in any other case, for claims arising on or after July 1, 2009;

31.24 (4) \$750,000 for any number of claims arising out of a single occurrence, for claims
31.25 arising on or after January 1, 1998, and before January 1, 2000;

31.26 (5) \$1,000,000 for any number of claims arising out of a single occurrence, for
31.27 claims arising on or after January 1, 2000, and before January 1, 2008;

31.28 (6) \$1,200,000 for any number of claims arising out of a single occurrence, for
31.29 claims arising on or after January 1, 2008, and before July 1, 2009;

31.30 (7) \$1,500,000 for any number of claims arising out of a single occurrence, for
31.31 claims arising on or after July 1, 2009; **or**

31.32 (8) twice the limits provided in clauses (1) to (7) when the claim arises out of the
31.33 release or threatened release of a hazardous substance, whether the claim is brought under
31.34 sections 115B.01 to 115B.15 or under any other law; **or**

32.1 (9) \$1,000,000 for any number of claims arising out of a single occurrence, if the
32.2 claim involves a nonprofit organization engaged in or administering outdoor recreational
32.3 activities funded in whole or in part by a municipality or operating under the authorization
32.4 of a permit issued by a municipality.

32.5 (b) No award for damages on any such claim shall include punitive damages.

32.6 **EFFECTIVE DATE.** This section is effective the day following final enactment,
32.7 and applies to claims arising from acts or omissions that occur on or after that date.

32.8 Sec. 64. Minnesota Statutes 2010, section 466.04, subdivision 3, is amended to read:

32.9 Subd. 3. **Disposition of multiple claims.** Where the amount awarded to or settled
32.10 upon multiple claimants exceeds the applicable limit under subdivision 1, paragraph
32.11 (a), clauses (2) to (4) to (9), any party may apply to any district court to apportion to
32.12 each claimant a proper share of the total amount limited by subdivision 1. The share
32.13 apportioned each claimant shall be in the proportion that the ratio of the award or
32.14 settlement made to each bears to the aggregate awards and settlements for all claims
32.15 arising out of the occurrence.

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

32.17 Sec. 65. **RULEMAKING; RESTITUTION VALUE FOR WOLVES.**

32.18 (a) The commissioner of natural resources shall amend the restitution value for
32.19 gray wolves in Minnesota Rules, part 6133.0075, to be \$500 and shall change the term
32.20 "gray wolves" to "wolves."

32.21 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
32.22 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
32.23 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes,
32.24 section 14.388.

32.25 Sec. 66. **RULEMAKING; TAKING TROUT AND SPLAKE.**

32.26 The commissioner of natural resources shall amend Minnesota Rules, part
32.27 6262.0200, to conform with section 59. The commissioner may use the good cause
32.28 exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt
32.29 rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as
32.30 provided under Minnesota Statutes, section 14.388.

32.31 Sec. 67. **RULEMAKING; USE OF SNARES.**

33.1 (a) The commissioner of natural resources shall add a definition of a wolf snare to
33.2 Minnesota Rules, part 6234.0900, to read: "'Wolf snare' means any snare set that:

33.3 A. has a maximum loop diameter greater than ten inches, but less than or equal
33.4 to 18 inches;

33.5 B. has a cable diameter of at least 7/64 inches;

33.6 C. includes stops affixed to the cable to ensure that the portion of the snare that
33.7 makes up the noose loop may not be less than three inches in diameter when fully closed;

33.8 D. includes a breakaway device that would cause the snare loop to break when
33.9 pulled by a moose; and

33.10 E. includes a diverter wire that extends 27 inches in both directions, measured
33.11 perpendicular to and from the top of the snare loop. The diverter wires must be positioned
33.12 at an angle no more than 20 degrees from the horizontal plane of the top of the snare, and
33.13 the snare must be set within 20 yards of bait."

33.14 (b) The commissioner of natural resources shall amend Minnesota Rules, part
33.15 6234.2300, to include a subpart to read: "Wolves may be taken with snares or wolf snares
33.16 as defined in part 6234.0900."

33.17 (c) The commissioner of natural resources shall amend Minnesota Rules, part
33.18 6234.2400, subpart 7, to read: "A snare may not be set so that the top of the loop is more
33.19 than 20 inches above the first surface beneath the bottom of the set snare loop. During
33.20 the wolf season, licensed wolf trappers may use wolf snares but a wolf snare may not be
33.21 set so that the bottom of the loop is more than 18 inches above the first surface beneath
33.22 the bottom of the set snare loop."

33.23 (d) The commissioner of natural resources shall amend Minnesota Rules, part
33.24 6234.2400, subpart 5, to read: "Snares, including wolf snares, may not be set in deer,
33.25 elk, or moose trails."

33.26 (e) The commissioner of natural resources shall amend Minnesota Rules, part
33.27 6234.2400, to include a subpart to read: "Licensed wolf trappers shall set wolf snares for
33.28 wolves no closer than 500 feet to another wolf snare set by the same licensed wolf trapper."

33.29 (f) The commissioner may use the good cause exemption under Minnesota Statutes,
33.30 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
33.31 Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes,
33.32 section 14.388.

33.33 Sec. 68. **TRANSITION; SNOWMOBILE REGISTRATION.**

33.34 An individual who, on the effective date of sections 4 to 9, possesses an unexpired
33.35 snowmobile registration that was issued before the effective date of sections 4 to 9 and

34.1 who was required to display a valid snowmobile state trail sticker before the effective
34.2 date of sections 4 to 9 must continue to display a valid snowmobile state trail sticker
34.3 according to Minnesota Statutes 2010, section 84.8205, until such time as the snowmobile
34.4 registration is renewed under the terms of sections 4 to 9.

34.5 **Sec. 69. CONFORMING RULEMAKING; SNOWMOBILE REGISTRATION.**

34.6 The commissioner of natural resources may use the good cause exemption under
34.7 Minnesota Statutes, section 14.388, subdivision 1, clause (3), to amend Minnesota Rules,
34.8 chapter 6100, to conform to sections 4 to 9. Minnesota Statutes, section 14.386, does
34.9 not apply to rulemaking under this section, except as provided in Minnesota Statutes,
34.10 section 14.388.

34.11 **Sec. 70. REVISOR'S INSTRUCTION.**

34.12 (a) The revisor of statutes shall change the term "gray wolf" or "gray wolves"
34.13 wherever the term appears in Minnesota Statutes and Minnesota Rules to "wolf" or
34.14 "wolves."

34.15 (b) The revisor of statutes shall change the range reference "parts 6234.0900 to
34.16 6234.2300" to "parts 6234.0900 to 6234.2400" in Minnesota Rules, part 6234.0900.

34.17 **Sec. 71. REPEALER.**

34.18 Minnesota Statutes 2010, sections 17.035; 17.4993, subdivision 2; 87A.02,
34.19 subdivision 1; 97A.045, subdivisions 8 and 13; 97A.065, subdivision 1; 97A.095,
34.20 subdivision 3; 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.303;
34.21 97B.645, subdivision 2; 97C.031; and 97C.515, subdivision 5, are repealed.

17.035 VENISON DISTRIBUTION AND REIMBURSEMENT.

Subdivision 1. **Reimbursement.** A meat processor holding a license under chapter 28A may apply to the commissioner of agriculture for reimbursement of \$70 towards the cost of processing donated deer. The meat processor shall deliver the deer, processed into cuts or ground meat, to a charitable organization that is registered under chapter 309 and with the commissioner of agriculture and that operates a food assistance program. To request reimbursement, the processor shall submit an application, on a form prescribed by the commissioner of agriculture, the tag number under which the deer was taken, and a receipt for the deer from the charitable organization.

Subd. 2. **Distribution.** (a) The commissioner of agriculture shall ensure the equitable statewide distribution of processed deer by requiring the charitable organization to allocate and distribute processed deer according to the allocation formula used in the distribution of United States Department of Agriculture commodities under the federal emergency food assistance program. The charitable organization must submit quarterly reports to the commissioner on forms prescribed by the commissioner. The reports must include, but are not limited to, information on the amount of processed deer received and the organizations to which the meat was distributed.

(b) The commissioner of agriculture may adopt rules to implement this section.

17.4993 MINNOWS.

Subd. 2. **Importation of live minnows.** Minnows from outside the state may not be imported live by a licensee for purposes other than processing or feeding aquatic farm fish. A transportation permit as prescribed under sections 17.4985, 17.4986, and 97C.515, subdivision 4, is required for importation.

87A.02 SHOOTING RANGE PERFORMANCE STANDARDS.

Subdivision 1. **Adoption of standards; review.** (a) The commissioner of natural resources must develop and adopt shooting range performance standards, according to the expedited rulemaking process under section 14.389. The shooting range performance standards must provide for compliance with applicable noise standards under section 87A.05 and for the safe use of shooting ranges within their boundaries, including the containment of projectiles.

(b) The shooting range performance standards must provide for the operation of shooting preserves within the boundaries of the preserve, including an exemption from any discharge distance limitations generally applicable to hunting on other land, when the shooting preserve is in compliance with all other applicable laws and is in operation on or before the effective date of the performance standards adopted under this section or prior to the development of any structure that would cause the preserve to be out of compliance with the discharge distance.

(c) The commissioner must review the shooting range performance standards at least once every five years and revise them if necessary for the safe operation of shooting ranges.

(d) In the adoption of any amendments to the shooting range performance standards adopted under paragraph (a), the commissioner shall follow all notice and public hearing requirements for the regular rule adoption process under sections 14.001 to 14.28.

97A.045 COMMISSIONER, GENERAL POWERS AND DUTIES.

Subd. 8. **Hunting and fishing license reciprocity with Wisconsin.** The commissioner may enter into an agreement with game and fish licensing authorities in the state of Wisconsin under which Wisconsin residents owning real property in Minnesota are allowed to purchase annual nonresident game and fish licenses at fees required of Minnesota residents, provided Minnesota residents owning real property in Wisconsin are allowed to purchase identical nonresident licenses in Wisconsin upon payment of the Wisconsin resident license fee. The commissioners of natural resources in Minnesota and Wisconsin must agree on joint standards for defining real property ownership. The commissioner shall present the joint standards to the senate and house of representatives committees having jurisdiction over environment and natural resources matters.

Subd. 13. **Collection of deer and elk in bovine tuberculosis zone.** The commissioner of natural resources, in consultation with the Board of Animal Health, shall remove, upon request, deceased deer and elk within the modified accredited bovine tuberculosis zone proposed by the Board of Animal Health. The commissioner shall make a good faith effort to inform the state's residents of this requirement and how a person may make a deer or elk removal request. The

APPENDIX
Repealed Minnesota Statutes: H2171-2

commissioner is not required to continue these collections once the split state zone is upgraded by the United States Department of Agriculture to a bovine tuberculosis status of modified accredited advanced or better.

97A.065 DEDICATION OF CERTAIN RECEIPTS.

Subdivision 1. **Fish and turtles from rough fish removal.** Money received from the sale of fish and turtles taken under rough fish removal operations is continuously available for rough fish removal.

97A.095 WATERFOWL PROTECTED AREAS.

Subd. 3. **Hunting on Muskrat Lake.** The commissioner may prohibit migratory waterfowl hunting on Muskrat Lake in Beltrami County by posting accordingly.

97A.331 PENALTIES RELATED TO HUNTING.

Subd. 7. **Gray wolf.** A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a gray wolf in violation of the game and fish laws is guilty of a gross misdemeanor.

97A.485 ISSUANCE OF LICENSES.

Subd. 12. **Youth deer license.** The commissioner may, for a fee of \$5.50, issue to a resident under the age of 16 a license, without a tag, to take deer with firearms. A youth holding a license issued under this subdivision may hunt under the license only if accompanied by a licensed hunter who is at least 18 years of age and possesses a valid tag. A deer taken by a youth holding a license issued under this subdivision must be promptly tagged by the licensed hunter accompanying the youth. Section 97B.301, subdivision 6, does not apply to a youth holding a license issued under this subdivision.

97A.552 FISHING REGULATIONS; EXECUTIVE ORDER.

Subdivision 1. **Order authorized.** (a) The governor may by executive order:

(1) require that fish that are lawfully taken by angling and possessed in Canada be brought into the state in-the-round;

(2) authorize fish lawfully taken by angling in Canada to be transported within the state or out of the state by a nonresident;

(3) require that a Minnesota resident transporting in Minnesota fish that have been taken by angling in Canada possess a Minnesota angling license; and

(4) require that any advertisement of fishing resorts or facilities in Canada in printed or broadcast form originating or distributed within the state must contain a summary of the requirement of clause (1) and penalty for noncompliance.

(b) An executive order issued under paragraph (a) is effective the day following the filing of a certified copy thereof in the Office of the Secretary of State, and remains in effect until rescinded by order of the governor.

Subd. 2. **Penalty for noncompliance.** A violation of an executive order imposing the requirement in subdivision 1, paragraph (a), clause (1), is a misdemeanor, and in addition to any criminal penalty imposed, fish brought into or transported within the state contrary to that executive order must be confiscated, and a penalty of \$10 for each fish must be imposed.

97B.303 VENISON DONATIONS.

An individual who legally takes a deer may donate the deer, for distribution to charitable food assistance programs, to a meat processor that is licensed under chapter 28A. An individual donating a deer must supply the processor with the tag number under which the deer was taken.

97B.645 GRAY WOLVES.

Subd. 2. **Permit required to snare.** A person may not use a snare to take a wolf except under a permit from the commissioner.

97C.031 LAKES WITH UNBALANCED FISH POPULATIONS.

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The commissioner may establish and amend a list of lakes and rivers that have been found by the fisheries director to contain an unbalanced fish population, or to contain species of fish that have become stunted from overpopulation. The list may not include more than 100 lakes and rivers, or more than six in a county. The commissioner may, by rule, establish open seasons, limits, and methods of taking fish from lakes and rivers on the list. The rule must be published in each county containing the lake or river.

97C.515 IMPORTED MINNOWS.

Subd. 5. Special permits. (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license to import minnows from other states for export. A permit under this subdivision is not required for importation authorized under subdivision 4.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, disease certification, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit.