

Sec. 7. S. F. No. 1908, article 9, section 24, if enacted, is amended to read:

Sec. 24. EFFECTIVE DATE.

Section Sections 14 and 16, amending Minnesota Statutes 1996, section 518.17, subdivision 1, is are effective the day following final enactment.

Sec. 8. EFFECTIVE DATE.

Section 7 is effective the day following final enactment.

Presented to the governor May 29, 1997

Signed by the governor June 2, 1997, 2:14 p.m.

CHAPTER 226—S.F.No. 254

An act relating to natural resources; modifying fish habitat, harvest, and propagation provisions; authorizing the commissioner to establish special hunts for youth; permitting youth residents to hunt deer without a license tag; authorizing the commissioner to sell merchandise; modifying watercraft provisions; modifying trapping provisions; modifying stamp provisions; modifying the procedure for vacating or modifying a state game refuge; defining terms; modifying hunting provisions; modifying license provisions; modifying recreational motor vehicle provisions; modifying special license plate provisions; modifying provisions relating to personal flotation devices; establishing firearms safety pilot program; requiring reports; providing civil penalties; appropriating money; amending Minnesota Statutes 1996, sections 17.4982, by adding subdivisions; 17.4983, by adding a subdivision; 17.4998; 84.0855; 84.82, subdivision 2; 84.87, subdivision 2; 84.872, by adding a subdivision; 84.873; 86B.201, by adding a subdivision; 97A.015, subdivisions 49, 53, and by adding a subdivision; 97A.045, subdivision 7; 97A.075, subdivision 3; 97A.085, subdivision 8; 97A.101, by adding a subdivision; 97A.411, subdivisions 1 and 3; 97A.421, subdivision 1; 97A.465, subdivision 4; 97A.475, subdivisions 2 and 3; 97A.485, subdivisions 6, 9, and by adding a subdivision; 97B.055, subdivision 2; 97B.075; 97B.211, subdivision 1; 97B.301, subdivision 6; 97B.655, subdivision 1; 97C.035, subdivision 1; 97C.211, subdivision 1, and by adding a subdivision; 97C.321, subdivision 1; 97C.505, by adding a subdivision; 97C.801, subdivision 2; 168.1291; 168.1296, subdivision 1; and 609.487, by adding a subdivision; Laws 1993, chapter 273, as amended; Laws 1996, chapter 410, section 56; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 1996, sections 97A.111; and 97C.801, subdivision 1.

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

Section 1. Minnesota Statutes 1996, section 17.4982, is amended by adding a subdivision to read:

Subd. 18a. **NONINDIGENOUS SPECIES.** “Nonindigenous species” means a species of fish or other aquatic life that is:

- (1) not known to have been historically present in the state;
- (2) not known to be naturally occurring in a particular part of the state; or
- (3) designated by rule as a prohibited or restricted exotic species.

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

Sec. 2. Minnesota Statutes 1996, section 17.4982, is amended by adding a subdivision to read:

Subd. 18b. **NONINDIGENOUS STRAIN.** "Nonindigenous strain" means a species of fish or other aquatic life that:

- (1) has an original source outside of this state and contiguous states;
- (2) is an unnaturally occurring hybrid or genetically engineered species; or
- (3) in areas north of marked state highway 210, is a walleye, the original source of which is from south of marked state highway 210 or from outside the state.

Sec. 3. Minnesota Statutes 1996, section 17.4982, is amended by adding a subdivision to read:

Subd. 18c. **PROCESSING.** "Processing" means rendering a species of aquatic life for food, bait, or other purposes so that it is no longer alive.

Sec. 4. Minnesota Statutes 1996, section 17.4983, is amended by adding a subdivision to read:

Subd. 8. **INTERFERENCE PROHIBITED.** A person may not knowingly damage, disturb, or interfere with legal aquatic farm operations.

Sec. 5. Minnesota Statutes 1996, section 17.4998, is amended to read:

17.4998 VIOLATIONS; PENALTY.

Subdivision 1. **MISDEMEANOR.** Unless a different penalty is prescribed, a violation of a provision of sections 17.4981 to 17.4997 or a rule of the commissioner governing the operation of an aquatic farm, private fish hatchery, or quarantine facility is a misdemeanor.

Subd. 2. **PETTY MISDEMEANOR.** A first and second violation, within a three-year period, of sections 17.4981 to 17.4997 or a rule of the commissioner governing the operation of an aquatic farm, private fish hatchery, or quarantine facility is a petty misdemeanor if it does not involve intentionally falsifying records and does not put public waters or other fish hatchery facilities at risk from harmful nonindigenous species, nonindigenous strains, or emergency fish diseases.

Subd. 3. **LICENSE VOID.** The license of a person convicted of a violation of sections 17.4981 to 17.4997 or a rule of the commissioner governing the operation of an aquatic farm, private fish hatchery, or quarantine facility is void for a period of one year after the conviction if the person is convicted of two or more misdemeanors within a three-year period. If the commissioner determines that the public welfare will not be injured, the commissioner may reinstate a license voided under this subdivision.

Sec. 6. Minnesota Statutes 1996, section 84.0855, is amended to read:

84.0855 SPECIAL SALES; RECEIPTS; APPROPRIATION.

Subdivision 1. **SALES AUTHORIZED; GIFT CERTIFICATES.** The commissioner may sell natural resources-related publications and maps; federal migratory waterfowl, junior duck, and other federal stamps; and other nature-related merchandise, and may rent or sell items for the convenience of persons using department of natural

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

resources facilities or services. The commissioner may sell gift certificates for any items rented or sold. Notwithstanding section 16A.1285, a fee charged by the commissioner under this section may include a reasonable amount in excess of the actual cost to support department of natural resources programs. The commissioner may advertise the availability of a program or item offered under this section.

Subd. 2. RECEIPTS; APPROPRIATION. Money received by the commissioner of natural resources as fees for seminars or workshops, from the sale of publications and maps, from the sale of other natural resource related merchandise, under this section or to buy supplies for the use of volunteers, may be credited to one or more special accounts in the state treasury and is appropriated to the commissioner for the purposes for which the money was received. Money received from sales at the state fair shall be available for state fair related costs.

Sec. 7. Minnesota Statutes 1996, section 84.82, subdivision 2, is amended to read:

Subd. 2. APPLICATION, ISSUANCE, REPORTS, ADDITIONAL FEE. (a) Application for registration or reregistration shall be made to the commissioner of natural resources, or the commissioner of public safety or an authorized deputy registrar of motor vehicles in such form as the commissioner of public safety shall prescribe, and shall state the legal name and address of every owner of the snowmobile and be signed by at least one owner.

(b) A person who purchases a snowmobile from a retail dealer shall make application for registration to the dealer at the point of sale. The dealer shall issue a temporary registration permit to each purchaser who applies to the dealer for registration. The temporary registration is valid for 60 days from the date of issue. Each retail dealer shall submit completed registration and fees to the deputy registrar at least once a week. Upon receipt of the application and the appropriate fee as hereinafter provided, such snowmobile shall be registered and a registration number assigned which shall be affixed to the snowmobile in such a clearly visible and permanent manner for enforcement purposes as the commissioner of natural resources shall prescribe.

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

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

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

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

Sec. 8. Minnesota Statutes 1996, section 84.87, subdivision 2, is amended to read:

Subd. 2. OPERATION GENERALLY. It shall be unlawful for any person to drive or operate any snowmobile in the following unsafe or harassing ways:

New language is indicated by underline, deletions by strikeout.

(a) (1) at a rate of speed greater than reasonable or proper under all the surrounding circumstances;

(b) (2) in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;

(e) (3) without a lighted head and taillight when required for safety; or

(d) (4) in any tree nursery or planting in a manner which damages or destroys growing stock.

Sec. 9. Minnesota Statutes 1996, section 84.872, is amended by adding a subdivision to read:

Subd. 1a. **HELMET REQUIRED.** (a) No person under the age of 18 shall operate or ride a snowmobile in this state without wearing protective headgear that complies with standards established by the commissioner of public safety.

(b) The provisions of this subdivision shall not apply to persons during their participation in a parade that has been granted a permit or other official authorization by a local unit of government or to a person operating a snowmobile on land that is owned by the person or the person's parents, grandparents, siblings, uncles, or aunts.

Sec. 10. Minnesota Statutes 1996, section 84.873, is amended to read:

84.873 SIGNAL FROM OFFICER TO STOP.

It is unlawful for a snowmobile operator, after having received a visual or audible signal from any law enforcement officer to come to a stop, to (a) (1) operate a snowmobile in willful or wanton disregard of such signal, or (b) (2) interfere with or endanger the law enforcement officer or any other person or vehicle, or (e) increase speed or attempt to flee or elude the officer.

Sec. 11. Minnesota Statutes 1996, section 86B.201, is amended by adding a subdivision to read:

Subd. 3. **NONMOTORIZED CARRY-ON ACCESS.** A person may access any public waters through public land with a hand-carried nonmotorized watercraft.

Sec. 12. Minnesota Statutes 1996, section 97A.015, is amended by adding a subdivision to read:

Subd. 37a. **PROCESSING.** "Processing" means rendering a species of aquatic life for food, bait, or other purposes so that it is no longer alive.

Sec. 13. Minnesota Statutes 1996, section 97A.015, subdivision 49, is amended to read:

Subd. 49. **UNDRESSED BIRD.** "Undressed bird" means:

(1) a bird, excluding migratory waterfowl, pheasant, Hungarian partridge, or grouse, with feet and feathered head intact;

(2) a migratory waterfowl, excluding geese, with a fully feathered wing and head attached; or

New language is indicated by underline, deletions by strikethrough.

(3) a pheasant, Hungarian partridge, or grouse with one leg and foot or the fully feathered head or wing intact; or

(4) a goose with a fully feathered wing attached.

Sec. 14. Minnesota Statutes 1996, section 97A.015, subdivision 53, is amended to read:

Subd. 53. **UNPROTECTED WILD ANIMALS.** "Unprotected wild animals" means wild animals that are not protected wild animals including weasel, coyote (brush wolf), gopher, porcupine, striped skunk, civet cat, and unprotected birds.

Sec. 15. Minnesota Statutes 1996, section 97A.045, subdivision 7, is amended to read:

Subd. 7. **DUTY TO ENCOURAGE STAMP DESIGN AND PURCHASES.** (a) The commissioner shall encourage the purchase of:

(1) Minnesota migratory waterfowl stamps by nonhunters interested in the migratory waterfowl preservation and habitat development;

(2) pheasant stamps by persons interested in pheasant habitat improvement; and

(3) trout and salmon stamps by persons interested in trout and salmon stream and lake improvement; and

(4) turkey stamps by persons interested in wild turkey management and habitat improvement.

(b) The commissioner shall make rules governing contests for selecting a design for each stamp.

Sec. 16. Minnesota Statutes 1996, section 97A.075, subdivision 3, is amended to read:

Subd. 3. **TROUT AND SALMON STAMP.** (a) Ninety percent of the revenue from trout and salmon stamps must be credited to the trout and salmon management account. Money in the account may be used only for:

(1) the development, restoration, maintenance, and preservation of trout streams and lakes; and

(2) rearing and stocking of trout and salmon and stocking of trout and salmon in trout streams and lakes and Lake Superior;

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

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

(5) research and special management projects on Lake Superior and the anadromous portions of its tributaries.

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

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

Sec. 17. Minnesota Statutes 1996, section 97A.085, subdivision 8, is amended to read:

Subd. 8. **MODIFICATION OR ABANDONMENT.** A state game refuge may be vacated or modified by the commissioner under the same procedures required for establishment of the refuge, except that a refuge established or modified under subdivision 2 or 3 may be vacated or modified following a public hearing as specified in subdivision 4a.

Sec. 18. Minnesota Statutes 1996, section 97A.101, is amended by adding a subdivision to read:

Subd. 4. **RESTRICTIONS ON AIRBOATS, WATERCRAFT, AND RECREATIONAL VEHICLES.** (a) The use of airboats is prohibited at all times on lakes designated for wildlife management purposes under this section unless otherwise authorized by the commissioner.

(b) The commissioner may restrict the use of motorized watercraft and recreational vehicles on lakes designated for wildlife management purposes by posting all public access points on the designated lake.

Sec. 19. Minnesota Statutes 1996, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. **LICENSE PERIOD.** (a) Except as provided in paragraph (b), a license is valid during the lawful time within the license year that the licensed activity may be performed. A license year begins on the first day of March and ends on the last day of February.

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

Sec. 20. Minnesota Statutes 1996, section 97A.411, subdivision 3, is amended to read:

Subd. 3. **ARCHERY DEER LICENSE.** (a) Except as provided in ~~paragraph~~ paragraphs (b) and c, a license to take deer by archery, firearms, or muzzleloader issued after the opening of the related archery, firearms, or muzzleloader deer season, respectively, is not valid until the ~~first~~ second day after it is issued.

(b) The commissioner may issue a license to take a ~~second~~ second additional deer by archery under section 97B.301, subdivision 4, that is valid immediately upon issuance.

(c) Paragraph (a) does not apply to deer licenses for discharged military personnel under section 97A.465, subdivision 4.

Sec. 21. Minnesota Statutes 1996, section 97A.421, subdivision 1, is amended to read:

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

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

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

- (2) a third conviction occurs within one year under a minnow dealer's license;
- (3) a second conviction occurs within three years for violations of section 97A.425 that do not involve falsifications or intentional omissions of information required to be recorded, or attempts to conceal unlawful acts within the records; or
- (4) two or more misdemeanor convictions occur within a three-year period under a private fish hatchery license; or
- (5) the conviction occurs under a license not described in clause (1) or (2), or (4) or is for a violation of section 97A.425 not described in clause (3).

(b) Except for big game licenses and as otherwise provided in this section, for one year after the conviction the person may not obtain the kind of license relating to the game and fish law violation.

Sec. 22. Minnesota Statutes 1996, section 97A.465, subdivision 4, is amended to read:

Subd. 4. **DISCHARGED RESIDENT; OBTAINING DEER LICENSE DURING SEASON.** ~~Notwithstanding section 97A.485, subdivision 9, A resident who is discharged from the United States armed forces during, or within ten days before, the fire-arms deer season may, upon showing the official discharge paper, obtain a firearm deer license during the season that is valid immediately upon issuance.~~

Sec. 23. Minnesota Statutes 1996, section 97A.475, subdivision 2, is amended to read:

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

- (1) for persons under age 65 to take small game, \$10;
- (2) for persons age 65 or over, \$5;
- (3) to take turkey, \$16;
- (4) to take deer with firearms, \$22;
- (5) to take deer by archery, \$22;
- (6) to take moose, for a party of not more than six persons, \$275;
- (7) to take bear, \$33;
- (8) to take elk, for a party of not more than two persons, \$220; ~~and~~
- (9) to take antlered deer in more than one zone, \$44; ~~and~~
- (10) to take Canada geese during a special season, \$3.

Sec. 24. Minnesota Statutes 1996, section 97A.475, subdivision 3, is amended to read:

Subd. 3. **NONRESIDENT HUNTING.** Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take small game, \$56;

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

- (2) to take deer with firearms, \$110;
- (3) to take deer by archery, \$110;
- (4) to take bear, \$165;
- (5) to take turkey, \$56;
- (6) to take raccoon, bobcat, fox, coyote, or lynx, \$137.50; and
- (7) to take antlered deer in more than one zone, \$220; and
- (8) to take Canada geese during a special season, \$3.

Sec. 25. Minnesota Statutes 1996, section 97A.485, subdivision 6, is amended to read:

Subd. 6. **LICENSES TO BE SOLD AND ISSUING FEES.** (a) Persons authorized to sell licenses under this section must sell the following licenses for the license fee and the following issuing fees:

- (1) to take deer or bear with firearms and by archery, the issuing fee is \$1;
 - (2) Minnesota sporting, the issuing fee is \$1; and
 - (3) to take small game, for a person under age 65 to take fish by angling or for a person of any age to take fish by spearing, and to trap fur-bearing animals, the issuing fee is \$1;
 - (4) for a trout and salmon stamp that is not issued simultaneously with an angling or sporting license, an issuing fee of 50 cents may be charged at the discretion of the authorized seller; and
 - (5) for stamps other than a trout and salmon stamp, and for a special season Canada goose license, there is no fee.
- (b) An issuing fee may not be collected for issuance of a trout and salmon stamp if a stamp is issued simultaneously with the related angling or sporting license. Only one issuing fee may be collected when selling more than one trout and salmon stamp in the same transaction after the end of the season for which the stamp was issued.
- (c) The auditor or subagent shall keep the issuing fee as a commission for selling the licenses.
- (d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.
- (e) A license, except stamps, must state the amount of the issuing fee and that the issuing fee is kept by the seller as a commission for selling the licenses.

(f) For duplicate licenses, the issuing fees are:

- (1) for licenses to take big game, 75 cents; and
- (2) for other licenses, 50 cents.

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

Sec. 26. Minnesota Statutes 1996, section 97A.485, subdivision 9, is amended to read:

Subd. 9. **CERTAIN LICENSES NOT TO BE ISSUED AFTER SEASON OPENS.** ~~(a)~~ The following licenses may not be issued after the day before the opening of the related firearms season:

(1) to take deer with firearms, except a license to take more than one deer under section 97B.301, subdivision 4;

~~(2)~~ to guide bear hunters; and

~~(3)~~ ~~(2)~~ to guide turkey hunters.

~~(b)~~ Paragraph ~~(a)~~ does not apply to deer licenses for discharged military personnel under section 97A.465, subdivision 4.

~~(c)~~ A nonresident license or tag to take and possess raccoon, bobcat, Canada lynx, or fox may not be issued after the fifth day of the open season.

Sec. 27. Minnesota Statutes 1996, section 97A.485, is amended by adding a subdivision to read:

Subd. 12. **YOUTH DEER LICENSE.** The commissioner may, for a fee of \$5, 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.

Sec. 28. Minnesota Statutes 1996, section 97B.055, subdivision 2, is amended to read:

Subd. 2. **RESTRICTIONS RELATED TO MOTOR VEHICLE.** A person may not take a wild animal with a firearm or by archery from a motor vehicle except as permitted in this section. An archer in a permitted bow fishing tournament may transport the bow uncased while in an electric motor-powered boat.

Sec. 29. Minnesota Statutes 1996, section 97B.075, is amended to read:

97B.075 **HUNTING RESTRICTED BETWEEN EVENING AND MORNING.**

A person may not take protected wild animals, except raccoon and fox, with a firearm between the evening and morning times established by commissioner's rule, except big game may be taken from one-half hour before sunrise until one-half hour after sunset, and, except as otherwise prescribed by the commissioner during the first eight days of the season, until January 1, 2001, waterfowl may be taken from one-half hour before sunrise until sunset during the entire season prescribed by the commissioner.

Sec. 30. [97B.112] **SPECIAL HUNTS FOR YOUTH.**

The commissioner may by rule establish criteria, special seasons, and limits for youth hunters to take big game and small game by firearms or archery in designated areas

New language is indicated by underline, deletions by strikeout.

or times. The criteria may also include provisions for an unlicensed adult to assist a youth hunter during a special season or special hunt established under this section.

Sec. 31. Minnesota Statutes 1996, section 97B.211, subdivision 1, is amended to read:

Subdivision 1. **POSSESSION OF FIREARMS PROHIBITED.** ~~(a)~~ Except as provided in paragraph (b) when hunting bear, a person may not take big game by archery while in possession of a firearm.

~~(b)~~ A person may take bear by archery while in possession of a handgun specified in section 97B.031, subdivision 1.

Sec. 32. Minnesota Statutes 1996, section 97B.301, subdivision 6, is amended to read:

Subd. 6. **RESIDENTS UNDER AGE 16 MAY TAKE DEER OF EITHER SEX.** A resident under the age of 16 may take a deer of either sex except in those antlerless permit areas and seasons where no antlerless permits are offered. In antlerless permit areas where no antlerless permits are offered, the commissioner may provide a limited number of youth either sex permits to residents under age 16, under the procedures provided in section 97B.305, and may give preference to residents under the age of 16 that have not previously been selected. This subdivision does not authorize the taking of an antlerless deer by another member of a party under subdivision 3.

Sec. 33. Minnesota Statutes 1996, section 97B.655, subdivision 1, is amended to read:

Subdivision 1. **OWNERS AND OCCUPANTS MAY TAKE CERTAIN ANIMALS.** A person may take mink, squirrel, rabbit, hare, raccoon, lynx, bobcat, fox, opossum, muskrat, or beaver on land owned or occupied by the person where the animal is causing damage. The person may take the animal without a license and in any manner except by poison, or artificial lights in the closed season. Raccoons may be taken under this subdivision with artificial lights during open season. A person that kills mink, raccoon, lynx, bobcat, fox, opossum, muskrat, or beaver under this subdivision must ~~bring~~ bring the entire animal to notify a conservation officer or employee of the division within 24 hours after the animal is killed.

Sec. 34. **[97B.802] SPECIAL CANADA GOOSE SEASON LICENSE REQUIRED.**

Except as provided in this section, a person required to possess a small game license may not take Canada geese during a special season without a valid special season Canada goose license in possession. Residents under age 18 or over age 65 and persons hunting on their own property are not required to possess the license.

Sec. 35. **[97B.926] PINE MARTEN AND FISHER ZONE.**

Where a combined pine marten and fisher trapping zone exists, the commissioner must provide an option of a combined limit of fisher and marten.

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

Sec. 36. Minnesota Statutes 1996, section 97C.035, subdivision 1, is amended to read:

Subdivision 1. **CONDITIONS.** If the commissioner determines that fish in shallow waters are endangered by lack of oxygen in the winter in danger of dying, or if waters will be restored with the use of piscicides, the commissioner shall may rescue the fish under subdivision 2 or allow taking of the fish under subdivision 3.

Sec. 37. Minnesota Statutes 1996, section 97C.211, subdivision 1, is amended to read:

Subdivision 1. **LICENSE REQUIRED.** A person may not operate a private fish hatchery without a private fish hatchery license. A private fish hatchery is a facility for raising fish, including minnows, for sale, stocking waters, angling, or processing. A private fish hatchery license is valid for five years but must be renewed annually.

Sec. 38. Minnesota Statutes 1996, section 97C.211, is amended by adding a subdivision to read:

Subd. 6. **NONPUBLIC RECORDS.** Information on production, harvest, and sales of aquatic life by a private fish hatchery is nonpublic information.

Sec. 39. Minnesota Statutes 1996, section 97C.321, subdivision 1, is amended to read:

Subdivision 1. **GENERAL PROHIBITION.** A person may not take fish by angling with a set line or an unattended line except as provided in this section and section 97C.801 rules adopted under the game and fish laws.

Sec. 40. Minnesota Statutes 1996, section 97C.505, is amended by adding a subdivision to read:

Subd. 7. **INTERFERENCE PROHIBITED.** A person may not knowingly damage, disturb, or interfere with legal commercial minnow harvest operations.

Sec. 41. Minnesota Statutes 1996, section 97C.801, subdivision 2, is amended to read:

Subd. 2. **COMMERCIAL FISH NETTING AND SET LINES ON MISSISSIPPI RIVER.** (a) A license is required to commercially take rough fish with seines and set lines in the Mississippi river from the St. Croix river junction to St. Anthony Falls.

(b) A person may take rough fish in the Mississippi river, from the St. Croix river junction to St. Anthony Falls, only with the following equipment and methods:

(1) operations shall be conducted only in the flowing waters of the river and in tributary backwaters prescribed by the commissioner;

(2) only one set line may be used that has an identification tag and not more than 100 hooks;

(3) seines may be used only as prescribed by this section and rules adopted by the commissioner;

(4) (3) seines must be hauled to a landing immediately after being placed;

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

- (5) (4) two seines may not be joined together in the water; and
- (6) (5) a net seine may not be raised, laid out, or landed, between sunset and sunrise; and
- (7) the location of a net or seine may not be changed from the place specified in the license application without notifying the commissioner of the proposed change.

Sec. 42. Minnesota Statutes 1996, section 168.1291, is amended to read:

168.1291 SPECIAL LICENSE PLATES; DESIGN.

Subdivision 1. **DEFINITION.** For purposes of this section "special license plates" means license plates issued under sections 168.12, subdivisions 2b to 2e; 168.123; 168.129; and 168.1292; and ~~168.1296~~.

Subd. 2. **DESIGN OF SPECIAL LICENSE PLATES.** The commissioner shall design a single special license plate that will contain a unique number and a space for a unique symbol. The commissioner shall design a unique symbol related to the purpose of each special license plate. Any provision of sections 168.12, subdivisions 2b to 2e; 168.123; 168.129; and 168.1292; and ~~168.1296~~ that requires the placement of a specified letter or letters on a special license plate applies to those license plates only to the extent that the commissioner includes the letter or letters in the design. Where a law authorizing a special license plate contains a specific requirement for graphic design of that license plate, that requirement applies to the appropriate unique symbol the commissioner designs.

Subd. 3. **ISSUANCE OF SPECIAL LICENSE PLATES WITH UNIQUE SYMBOLS.** Notwithstanding section 168.12, subdivisions 2b to 2e; 168.123; 168.129; or 168.1292; or ~~168.1296~~, beginning with special license plates issued in calendar year 1996 the commissioner shall issue each class of special license plates permanently marked with specific designs under those laws only until the commissioner's supply of those license plates is exhausted. Thereafter the commissioner shall issue under those laws only the license plate authorized under subdivision 2, with the appropriate unique symbol attached.

Subd. 4. **FEES.** Notwithstanding section 168.12, subdivisions 2b to 2e; 168.123; 168.129; or 168.1292; or ~~168.1296~~, the commissioner shall charge a fee of \$10 for each set of license plates issued under this section.

Subd. 5. **APPLICATION.** This section does not apply to a special motorcycle license plate designed by the registrar under section 168.123, subdivision 1, clause (2).

Sec. 43. Minnesota Statutes 1996, section 168.1296, subdivision 1, is amended to read:

Subdivision 1. **GENERAL REQUIREMENTS AND PROCEDURES.** (a) The registrar shall issue special critical habitat license plates to an applicant who:

- (1) is an owner or joint owner of a passenger automobile, pickup truck, or van;
- (2) pays a fee of \$10 to cover the costs of handling and manufacturing the plates;
- (3) pays the registration tax required under section 168.013;

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

(4) pays the fees required under this chapter;

(5) contributes at least a minimum of \$30 annually to the Minnesota critical habitat private sector matching account established in section 84.943; and

(6) complies with laws and rules governing registration and licensing of vehicles and drivers.

(b) The critical habitat license application form must clearly indicate that the annual contribution specified under paragraph (a), clause (5), is a minimum contribution to receive the license plate and that the applicant may make an additional contribution to the account.

Sec. 44. Minnesota Statutes 1996, section 609.487, is amended by adding a subdivision to read:

Subd. 2a. **MOTOR VEHICLE; DEFINITION.** For the purposes of this section, "motor vehicle" has the meaning given it in section 169.01, subdivision 3, and includes a snowmobile, as defined in section 84.81.

Sec. 45. Laws 1993, chapter 273, section 1, as amended by Laws 1994, chapter 623, article 1, section 41, and Laws 1995, chapter 186, section 110, is amended to read:

Section 1. AUTHORIZATION TO TAKE TWO DEER IN CERTAIN COUNTIES.

Notwithstanding Minnesota Statutes, section 97B.301, subdivision 2, during the 1994, 1995, and 1996 1997 and 1998 hunting seasons in Kittson, Lake of the Woods, Marshall, Pennington, and Roseau counties a person may obtain one firearms deer license and one archery deer license in the same license year and may take one deer under each license.

Sec. 46. Laws 1996, chapter 410, section 56, is amended to read:

Sec. 56. PERSONAL FLOTATION DEVICE RULES; VIOLATIONS.

A violation prior to May 1, 1997 1999, of requirements added in the proposed rule published in the State Register, Volume 19, Number 45, pages 2207 to 2210, May 8, 1995, and subsequently adopted on October 2, 1995, shall not result in a penalty, but is punishable only by a safety warning.

Sec. 47. **STUDY.**

The commissioner of natural resources must survey and identify, with the cooperation of local grant-in-aid trail groups, possible one-way circular trail systems for snowmobile use. A recommendation must be made to the 1998 legislature.

Sec. 48. GAME AND FISH FUND REPORT; 1997.

(a) In the 1997 report required under Minnesota Statutes, section 97A.055, subdivision 4, paragraph (a), clause (3), the commissioner must include:

(1) an analysis and discussion of the appropriate level of expenditure from the game and fish fund for field operations support, administrative management, statewide indirect costs, fleet management, ecological services, office rent, statewide communications, unemployment compensation, regional indirect costs, and workers' compensation;

New language is indicated by underline, deletions by strikeout.

(2) a comparison of expenditures for each of the purposes listed in clause (1) from all funds and accounts used by the department; and

(3) recommendations for changes in the allocation of funding from the game and fish fund for the purposes listed in clause (1).

(b) The commissioner must establish a citizens advisory committee of 20 members to recommend to the commissioner and the house and senate natural resources policy committees actions that are necessary to promote Minnesota's hunting, trapping, and fishing heritage and to ensure the continuation of the heritage. Upon request, the commissioner may provide information and staff support to the committee. The committee members may not be compensated for their expenses in serving on the committee.

The committee also must evaluate the 1984 report entitled, the Governor's Citizen Commission to Promote Hunting and Fishing in Minnesota, and make any recommendations to complete the eleven-point reinvestment program mentioned in the report and to achieve the goals of the reinvest in Minnesota resources program.

Sec. 49. FIREARMS SAFETY PILOT PROGRAM.

The commissioner of natural resources is authorized to establish a two-year firearms safety pilot demonstration program promoting awareness and understanding of the safe use and storage of firearms that is value-neutral concerning firearms ownership. The demonstration program shall be conducted in two school districts, one of which shall be located in the metropolitan area and one of which shall be conducted in outstate Minnesota. The commissioner shall submit a report to the legislature by January 15, 1999, regarding the efficacy of the program and recommending whether the commissioner should continue and expand the program.

Sec. 50. APPROPRIATION.

Notwithstanding Minnesota Statutes, section 84.943, subdivision 3, \$65,000 is appropriated from the Minnesota critical habitat private sector matching account to the commissioner of public safety for costs of handling and manufacturing 10,000 special critical habitat license plates. Notwithstanding Minnesota Statutes, section 168.1296, subdivision 5, \$65,000 of the fees collected from applicants for the license plates must be deposited in the state treasury and credited to the Minnesota critical habitat private sector matching account. Fees collected in excess of \$65,000 must be deposited in the highway user tax distribution fund. This appropriation is available until expended.

Sec. 51. REPEALER.

Minnesota Statutes 1996, sections 97A.111; and 97C.801, subdivision 1, are repealed.

Sec. 52. EFFECTIVE DATE.

Sections 6, 28, and 46 are effective the day following final enactment.

Presented to the governor May 27, 1997

Signed by the governor May 30, 1997, 1:20 p.m.

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