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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FOURTH SESSION

H. F. No. 1595

02/26/2025

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

1.1A bill for an act

1.2relating to natural resources; requiring conservation officers to coordinate

1.3investigation and enforcement activity with sheriffs; amending Minnesota Statutes

1.42024, sections 84.028, subdivision 3, by adding a subdivision; 84.0835, subdivision

1.52; 84.0895, subdivision 6; 86B.801, by adding a subdivision; 97A.205; 97A.215,

1.6subdivision 1; 97A.221, subdivision 1; 97A.223, subdivision 1; 97A.225,

1.7subdivision 1; 97A.241, subdivision 1; 97B.002, subdivision 1; 97B.065,

1.8subdivision 2.

1.9BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10ARTICLE 1

1.11SUBSTANTIVE CHANGES

1.12Section 1. Minnesota Statutes 2024, section 84.028, is amended by adding a subdivision

1.13to read:

1.14Subd. 4. Duty to coordinate with sheriffs. (a) A conservation officer must conduct

1.15investigation and enforcement activities under the supervision of the sheriff's office for the

1.16county in which the investigation or enforcement activities will be undertaken.

1.17(b) Unless otherwise approved by labor contract, where a conservation officer's patrol

1.18area consists of land located within a single county, the applicable sheriff's office has full

1.19authority to assign shifts, hours of work, and days off; delegate overtime; and otherwise set

1.20the conservation officer's schedule as necessary to ensure adequate natural resource protection

1.21and public safety. Where a conservation officer's patrol area consists of land located in more

1.22than one county, the sheriff's offices of the affected counties may jointly do the same.

(c) Except where prohibited by federal law or where waived under a policy adopted by the applicable sheriff's office, a conservation officer must be accompanied by a sheriff or deputy sheriff from the appropriate county whenever:

(1) performing an investigation; or

(2) performing any law enforcement activities other than activities that are:

(i) described in section 84.0835, subdivisions 2 and 3;

(ii) performed in response to a violation of law that occurs in the conservation officer's presence that does not require further investigation;

(iii) necessary to prevent substantial harm to human life; or

(iv) in response to a request from another law enforcement agency or officer.

(d) Notwithstanding any other provision of law, any law that confers authority on conservation officers by providing authority to peace officers must be construed consistently with this section.

Sec. 2. Minnesota Statutes 2024, section 84.0835, subdivision 2, is amended to read:

Subd. 2. **Designated employee authorities; generally.** An employee designated under subdivision 1:

(1) has citizen arrest powers according to sections 629.37 to 629.39;

(2) may issue citations, on a form prescribed by the commissioner, in lieu of arrest for petty misdemeanor violations and misdemeanor violations that occur in the employee's presence, unless the violation occurs in the presence of a conservation officer or other peace officer, as defined under section 626.84, subdivision 1, paragraph (c); and

(3) may issue a report of violation to be turned over to a conservation officer or other peace officer for possible charges at the peace officer's discretion.

ARTICLE 2

CONFORMING CHANGES

Section 1. Minnesota Statutes 2024, section 84.028, subdivision 3, is amended to read:

Subd. 3. **Game warden duties; conservation officers.** The operation of the Game Warden Service in the Division of Game and Fish as constituted before July 1, 1967, is under the direct control and supervision of the commissioner. The name of the personnel in such Game Warden Service is changed to conservation officers. Subject to the requirements

of subdivision 4, conservation officers shall continue to have the powers and duties of game wardens as they existed before July 1, 1967, and may be assigned to public relations, conservation instructional activities, and the enforcement of laws relating to resources management which the commissioner shall direct. The commissioner shall create a separate division entitled the Division of Enforcement, to be composed of conservation officers and shall appoint a director of the division. The commissioner may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

Sec. 2. Minnesota Statutes 2024, section 84.0895, subdivision 6, is amended to read:

Subd. 6. **Enforcement.** Subject to the requirements of section 84.028, subdivision 4, a peace officer or conservation officer, pursuant to chapter 626, may execute a warrant to search for and seize goods, merchandise, plant or animal taken, sold or offered for sale in violation of this section, or items used in connection with a violation of this section. Seized property must be held pending judicial proceedings. Upon conviction, seized property is forfeited to the state and must be offered to a scientific or educational institution or destroyed.

Sec. 3. Minnesota Statutes 2024, section 86B.801, is amended by adding a subdivision to read:

Subd. 3. **Relation to other law.** This section is subject to the requirements of section 84.028, subdivision 4.

Sec. 4. Minnesota Statutes 2024, section 97A.205, is amended to read:

97A.205 ENFORCEMENT OFFICER; POWERS.

(a) Subject to the requirements of section 84.028, subdivision 4, an enforcement officer is authorized to:

(1) execute and serve court issued warrants and processes relating to wild animals, wild rice, public waters, water pollution, conservation, and use of water, in the same manner as a sheriff;

(2) enter any land to carry out the duties and functions of the division;

(3) make investigations of violations of the game and fish laws;

(4) take an affidavit, if it aids an investigation;

(5) arrest, without a warrant, a person who is detected in the actual violation of the game and fish laws, a provision of chapters 84, 84A, 84D, 85, 86A, 88 to 97C, 103E, 103F, 103G,

4.1 sections 86B.001 to 86B.815, 89.51 to 89.64; or 609.66, subdivision 1, clauses (1), (2), (5),
4.2 and (7); and 609.68; and

4.3 (6) take an arrested person before a court in the county where the offense was committed
4.4 and make a complaint.

4.5 (b) Nothing in this section grants an enforcement officer any greater powers than other
4.6 licensed peace officers.

4.7 Sec. 5. Minnesota Statutes 2024, section 97A.215, subdivision 1, is amended to read:

4.8 Subdivision 1. **Storing wild animals.** (a) Subject to the requirements of section 84.028,
4.9 subdivision 4, when an enforcement officer has probable cause to believe that wild animals
4.10 possessed or stored in violation of the game and fish laws are present, the enforcement
4.11 officer may enter and inspect any commercial cold storage warehouse, hotel, restaurant, ice
4.12 house, locker plant, butcher shop, and other building used to store dressed meat, game, or
4.13 fish, to determine whether wild animals are kept and stored in compliance with the game
4.14 and fish laws.

4.15 (b) When an enforcement officer has probable cause to believe that wild animals taken
4.16 or possessed in violation of the game and fish laws are present, the officer may:

4.17 (1) enter and inspect any place or vehicle; and

4.18 (2) open and inspect any package or container.

4.19 Sec. 6. Minnesota Statutes 2024, section 97A.221, subdivision 1, is amended to read:

4.20 Subdivision 1. **Property subject to seizure and confiscation.** (a) Subject to the
4.21 requirements of section 84.028, subdivision 4, an enforcement officer may seize:

4.22 (1) wild animals, wild rice, and other aquatic vegetation taken, bought, sold, transported,
4.23 or possessed in violation of the game and fish laws or chapter 84 or 84D; and

4.24 (2) firearms, bows and arrows, nets, boats, lines, poles, fishing rods and tackle, lights,
4.25 lanterns, snares, traps, spears, dark houses, fish houses, and wild rice harvesting equipment
4.26 that are used with the owner's knowledge to unlawfully take or transport wild animals, wild
4.27 rice, or other aquatic vegetation and that have a value under \$1,000 are subject to this section.

4.28 (b) An item described in paragraph (a), clause (2), that has a value of \$1,000 or more is
4.29 subject to the provisions of section 97A.225.

4.30 (c) An enforcement officer must seize nets and equipment unlawfully possessed within
4.31 ten miles of Lake of the Woods or Rainy Lake.

5.1 Sec. 7. Minnesota Statutes 2024, section 97A.223, subdivision 1, is amended to read:

5.2 Subdivision 1. **Property subject to seizure and forfeiture.** (a) Subject to the
5.3 requirements of section 84.028, subdivision 4, an enforcement officer must seize:

5.4 (1) firearms possessed in violation of state or federal law or court order; and

5.5 (2) property described in section 97A.221, subdivision 1, where no owner can be
5.6 determined.

5.7 (b) Property seized under this section is subject to administrative forfeiture.

5.8 Sec. 8. Minnesota Statutes 2024, section 97A.225, subdivision 1, is amended to read:

5.9 Subdivision 1. **Seizure.** (a) Subject to the requirements of section 84.028, subdivision
5.10 4, an enforcement officer must seize all motor vehicles used to:

5.11 (1) shine wild animals in violation of section 97B.081, subdivision 1;

5.12 (2) transport big game animals illegally taken or fur-bearing animals illegally purchased;
5.13 or

5.14 (3) transport minnows in violation of section 97C.501, 97C.515, or 97C.525.

5.15 (b) An enforcement officer must seize all boats and motors used in netting fish on Lake
5.16 of the Woods, Rainy Lake, Lake Superior, Namakan Lake, and Sand Point Lake in violation
5.17 of licensing or operating requirements of section 97A.475, subdivision 30, 97C.825, 97C.831,
5.18 or 97C.835, or a rule of the commissioner relating to these provisions.

5.19 (c) An enforcement officer may seize all boats and motors with their trailers that are
5.20 used to take, possess, or transport wild animals when the restitution value of the wild animals
5.21 exceeds \$500.

5.22 Sec. 9. Minnesota Statutes 2024, section 97A.241, subdivision 1, is amended to read:

5.23 Subdivision 1. **Officers of other jurisdictions as special conservation officers.** With
5.24 approval of the proper authority of another state or the United States, the commissioner
5.25 may appoint any salaried and bonded officer of that jurisdiction authorized to enforce its
5.26 wild animal laws a special conservation officer of this state. A special conservation officer
5.27 is subject to section 84.028, subdivision 4, and to the supervision and control of and serves
5.28 at the pleasure of the commissioner, but may not be compensated by this state. A special
5.29 conservation officer has powers of and is subject to the liabilities of conservation officers
5.30 of this state, except as otherwise directed by the commissioner.

6.1 Sec. 10. Minnesota Statutes 2024, section 97B.002, subdivision 1, is amended to read:

6.2 Subdivision 1. **Authority to issue.** Subject to the requirements of section 84.028,
6.3 subdivision 4, conservation officers, sheriffs, and deputies may issue citations to a person
6.4 who trespasses in violation of section 84.90 or 97B.001 or removes a sign posted to prevent
6.5 trespass without permission of the owner of the property.

6.6 Sec. 11. Minnesota Statutes 2024, section 97B.065, subdivision 2, is amended to read:

6.7 Subd. 2. **Arrest.** Subject to the requirements of section 84.028, subdivision 4, a peace
6.8 officer may arrest a person for a violation under subdivision 1 without a warrant upon
6.9 probable cause, without regard to whether the violation was committed in the officer's
6.10 presence.

APPENDIX
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