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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 1168

02/23/2015 Authored by Hackbarth
The bill was read for the first time and referred to the Committee on Mining and Outdoor Recreation Policy
03/18/2015 Adoption of Report: Amended and re-referred to the Committee on Government Operations and Elections Policy
03/23/2015 Adoption of Report: Placed on the General Register
Read Second Time
05/18/2015 Pursuant to Rule 4.20, returned to the Committee on Government Operations and Elections Policy

1.1 A bill for an act
1.2 relating to natural resources; establishing requirements for a trail; modifying
1.3 requirements governing hunting deer; authorizing a beaver season; modifying
1.4 restrictions on using artificial lights to take fish; authorizing rulemaking
1.5 relating to spearing and northern pike; authorizing distribution of certain survey
1.6 information; amending Minnesota Statutes 2014, sections 85.015, subdivision
1.7 6; 97A.465, by adding a subdivision; 97B.041; 97B.063; 97B.301, by adding
1.8 a subdivision; 97C.335; proposing coding for new law in Minnesota Statutes,
1.9 chapter 97B; repealing Minnesota Rules, part 6264.0400, subparts 27, 28.

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

1.11 Section 1. Minnesota Statutes 2014, section 85.015, subdivision 6, is amended to read:

1.12 Subd. 6. **Minnesota Valley Trail, Hennepin, Dakota, Scott, Carver, Sibley and**
1.13 **Le Sueur Counties.** (a) The trail shall originate at Fort Snelling State Park and thence
1.14 extend generally southwesterly along the Minnesota River Valley through Hennepin,
1.15 Dakota, Scott, Carver, Sibley, and Le Sueur Counties to the city of Le Sueur, and there
1.16 terminate. The trail shall include the following state waysides: (a) Rice Lake Wayside,
1.17 in Scott County; (b) Carver Rapids Wayside, in Scott County; (c) Lawrence wayside, in
1.18 Scott county; (d) Belle Plaine Wayside, in Carver, Scott, and Sibley Counties; (e) Blakeley
1.19 Wayside, in Scott County; and (f) Rush River Wayside, in Sibley County.

1.20 (b) The trail shall be developed primarily for riding and hiking. Motorized vehicles
1.21 are prohibited from that portion of the trail on the north side of the Minnesota River, lying
1.22 between Fort Snelling State Park and Rice Lake Wayside. That portion of the trail on the
1.23 north side of the Minnesota River, lying between the Bloomington Ferry Bridge pedestrian
1.24 crossing and the Cedar Avenue Bridge, shall be an unpaved natural surface single track
1.25 trail and shall be developed primarily for hiking and off-road bicycling.

2.1 (c) In establishing, developing, maintaining, and operating the trail the commissioner
2.2 shall cooperate with local units of government and private individuals and groups
2.3 whenever feasible.

2.4 Sec. 2. Minnesota Statutes 2014, section 97A.465, is amended by adding a subdivision
2.5 to read:

2.6 Subd. 7. Residents of veterans homes. (a) A resident from a Minnesota veterans
2.7 home may obtain a firearm or muzzleloader deer license during the season and take
2.8 antlerless deer without a permit in all areas of the state open during the respective regular
2.9 firearms or muzzleloader deer seasons in any permit area. This subdivision does not
2.10 authorize the taking of an antlerless deer by another member of a party under section
2.11 97B.301, subdivision 3, in an area closed to taking antlerless deer or where the number of
2.12 antlerless deer that may be taken is limited by a quota on the number of permits.

2.13 (b) A person may assist a Minnesota veterans home resident during the firearms or
2.14 muzzleloader deer season without having a deer hunting license, but the person may
2.15 not shoot a deer.

2.16 Sec. 3. Minnesota Statutes 2014, section 97B.041, is amended to read:

2.17 **97B.041 POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED**
2.18 **IN DEER ZONES.**

2.19 (a) A person may not possess a firearm or ammunition outdoors during the period
2.20 beginning the fifth day before the open firearms season and ending the second day after
2.21 the close of the season within an area where deer may be taken by a firearm, except:

2.22 (1) during the open season and in an area where big game may be taken, a firearm
2.23 and ammunition authorized for taking big game in that area may be used to take big game
2.24 in that area if the person has a valid big game license in possession;

2.25 (2) an unloaded firearm that is in a case or in a closed trunk of a motor vehicle;

2.26 (3) a shotgun and shells containing No. 4 buckshot or smaller diameter lead shot
2.27 or steel shot;

2.28 (4) a handgun or rifle capable of firing only rimfire cartridges of .17 and .22 caliber,
2.29 including .22 magnum caliber cartridges;

2.30 (5) handguns possessed by a person authorized to carry a handgun under sections
2.31 624.714 and 624.715 for the purpose authorized; and

2.32 (6) on a target range operated under a permit from the commissioner.

2.33 (b) This section does not apply during an open firearms season in an area where deer
2.34 may be taken only by muzzleloader, except that muzzle-loading firearms lawful for the

3.1 taking of deer may be possessed only by persons with a valid license to take deer by
 3.2 muzzleloader during the muzzleloader season. While muzzleloader hunting, a person with
 3.3 a valid license to take deer by muzzleloader may not possess a firearm other than:

3.4 (1) a muzzleloader that is legal for taking deer under section 97B.031, subdivision
 3.5 1; and

3.6 (2) a firearm as described in paragraph (a), clauses (2) to (5).

3.7 (c) A first violation of paragraph (a) is punishable by a warning.

3.8 Sec. 4. Minnesota Statutes 2014, section 97B.063, is amended to read:

3.9 **97B.063 HUNTER SATISFACTION SURVEY.**

3.10 The commissioner shall annually administer the collection of hunter information
 3.11 related to participation and satisfaction. This may include information on preferences,
 3.12 values, interests, participation rates and patterns, barriers to participation, or other factors.
 3.13 The data shall be collected using established social science methods. The commissioner
 3.14 shall annually submit a summary of the information gathered under this section to
 3.15 the chairs and ranking minority members of the house of representatives and senate
 3.16 committees and divisions with jurisdiction over environment and natural resources no
 3.17 later than January 1 for the preceding fiscal year. The commissioner shall also make the
 3.18 summary information available on the department's Web site.

3.19 Sec. 5. Minnesota Statutes 2014, section 97B.301, is amended by adding a subdivision
 3.20 to read:

3.21 Subd. 9. **Residents age 84 or over may take deer of either sex.** A resident age 84
 3.22 or over may take a deer of either sex. This subdivision does not authorize the taking of an
 3.23 antlerless deer by another member of a party under subdivision 3.

3.24 Sec. 6. **97B.9251] BEAVER SEASON.**

3.25 The commissioner may establish open seasons and restrictions for taking beaver from
 3.26 9:00 a.m. on the Saturday nearest October 26 in the North Zone and from 9:00 a.m. on the
 3.27 Saturday nearest October 30 in the South Zone. The seasons shall be open until May 15.

3.28 Sec. 7. Minnesota Statutes 2014, section 97C.335, is amended to read:

3.29 **97C.335 USE OF ARTIFICIAL LIGHTS TO TAKE FISH PROHIBITED.**

3.30 (a) A person may not use artificial lights to lure or attract fish or to see fish in the
 3.31 water while spearing, except that while angling or spearing, a person may:

3.32 (1) affix a lighted artificial bait with hooks attached to the end of a fishing line; or

4.1 (2) use a lighted decoy for spearing.

4.2 (b) A battery that is used in lighted fishing lures must not contain mercury.

4.3 (c) The restrictions in paragraph (a) do not apply to:

4.4 (1) a person bow fishing; or

4.5 (2) a person owning land adjacent to Rainy Lake, Rainy River, or Lake of the Woods
4.6 when taking minnows in accordance with section 97C.505.

4.7 Sec. 8. **RULEMAKING; LIFTING SPEARING BANS AND NORTHERN PIKE**
4.8 **REGULATIONS.**

4.9 (a) The commissioner of natural resources shall amend Minnesota Rules, parts
4.10 6262.0575, subpart 9; and 6264.0400, subparts 70 and 72, to delete the language
4.11 prohibiting spearing.

4.12 (b) Notwithstanding Minnesota Statutes, section 97C.007, the commissioner of
4.13 natural resources shall amend Minnesota Rules, part 6264.0400, subpart 71, to delete the
4.14 language prohibiting spearing and modify the northern pike protected slot to 26 to 40 inches.

4.15 (c) The commissioner may use the good cause exemption under Minnesota Statutes,
4.16 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
4.17 Statutes, section 14.386, does not apply.

4.18 **EFFECTIVE DATE.** This section is effective July 1, 2015.

4.19 Sec. 9. **REPEALER.**

4.20 Minnesota Rules, part 6264.0400, subparts 27 and 28, are repealed.

4.21 **EFFECTIVE DATE.** This section is effective July 1, 2015.

APPENDIX
Repealed Minnesota Rule: H1168-1

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

Subp. 27. [Repealed, L 2015 1Sp4 art 5 s 34]

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS.

Subp. 28. [Repealed, L 2015 1Sp4 art 5 s 34]