

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

03/20/2012 Adoption of Report: Pass as Amended and re-referred to Environment, Energy and Natural Resources Policy and Finance

03/26/2012 Adoption of Report: Pass as Amended and re-referred to the Committee on Ways and Means

03/29/2012 Adoption of Report: Pass and Read Second Time

A bill for an act

1.1 relating to natural resources; modifying game and fish license provisions;
 1.2 providing for taking wolf; modifying requirements to take and transport
 1.3 wild animals; modifying department authority and duties; creating walk-in
 1.4 access program; modifying predator control program; modifying deer baiting
 1.5 restrictions; modifying authority to remove beavers; providing for disposition of
 1.6 certain receipts; eliminating venison donation program; modifying snowmobile
 1.7 registration and trail sticker requirements; modifying snowmobile operation
 1.8 provisions; modifying watercraft license fees; modifying shooting range
 1.9 provisions; modifying temporary drawdown of public waters provisions;
 1.10 requiring rulemaking; providing civil penalties; appropriating money; amending
 1.11 Minnesota Statutes 2010, sections 84.027, subdivisions 14, 15; 84.82,
 1.12 subdivisions 2, 3; 84.8205, subdivision 1; 84.83, subdivisions 2, 3; 84.86,
 1.13 subdivision 1; 84.8712, subdivision 1; 86B.301, subdivision 2; 86B.415,
 1.14 subdivisions 1, 2, by adding a subdivision; 87A.01, subdivision 4; 87A.02,
 1.15 subdivision 2; 97A.015, subdivisions 3a, 53; 97A.065, subdivision 6; 97A.085,
 1.16 by adding a subdivision; 97A.095, subdivisions 1, 2; 97A.137, subdivision 5;
 1.17 97A.421, subdivision 3; 97A.441, subdivision 7; 97A.451, subdivisions 3, 4, by
 1.18 adding a subdivision; 97A.473, subdivisions 3, 5, 5a; 97A.475, subdivisions
 1.19 2, 3, 3a, 4, 20; 97A.482; 97B.001, subdivision 7; 97B.031, subdivisions 1,
 1.20 2; 97B.035, subdivision 1a; 97B.071; 97B.085, subdivision 3; 97B.328;
 1.21 97B.601, subdivisions 3a, 4; 97B.603; 97B.605; 97B.671, subdivisions 3, 4;
 1.22 97B.711, subdivision 1; 97B.805, subdivision 1; 97B.901; 97C.355, subdivision
 1.23 1, by adding a subdivision; 97C.395, subdivision 1; 97C.515, subdivisions
 1.24 2, 4, 5; 103G.005, by adding a subdivision; 103G.408; Minnesota Statutes
 1.25 2011 Supplement, sections 97A.075, subdivision 1, by adding a subdivision;
 1.26 97B.075; 97B.645, subdivision 9; 97B.667; proposing coding for new law
 1.27 in Minnesota Statutes, chapters 31; 87A; 97A; 97B; repealing Minnesota
 1.28 Statutes 2010, sections 17.035; 17.4993, subdivision 2; 87A.02, subdivision 1;
 1.29 97A.045, subdivisions 8, 13; 97A.065, subdivision 1; 97A.095, subdivision 3;
 1.30 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.303; 97B.645,
 1.31 subdivision 2; 97C.031; 97C.515, subdivision 5.

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

1.34 Section 1. **[31.64] DONATED VENISON.**

2.1 Notwithstanding any other law, the commissioner may not regulate venison donated
2.2 for charitable purposes.

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

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

2.6 (1) prevent the waste or unnecessary spending of public money;

2.7 (2) use innovative fiscal and human resource practices to manage the state's
2.8 resources and operate the department as efficiently as possible;

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

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

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

2.16 (6) report to the legislature on the performance of agency operations and the
2.17 accomplishment of agency goals in the agency's biennial budget according to section
2.18 16A.10, subdivision 1; ~~and~~

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

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

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

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

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

2.32 (2) assign an identification number to an applicant who purchases a hunting or
2.33 fishing license or recreational vehicle registration by electronic means, to serve as

3.1 temporary authorization to engage in the activity requiring a license or registration until
3.2 the license or registration is received or expires;

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

3.6 (4) charge and permit agents to charge a convenience fee not to exceed three percent
3.7 of the cost of the license to individuals who use electronic bank cards for payment. An
3.8 electronic licensing system agent charging a fee of individuals making an electronic
3.9 bank card transaction in person must post a sign informing individuals of the fee. The
3.10 sign must be near the point of payment, clearly visible, include the amount of the fee, and
3.11 state: "License agents are allowed by state law to charge a fee not to exceed three percent
3.12 of the cost of state licenses to persons who use electronic bank cards for payment. The
3.13 fee is not required by state law.";

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

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

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

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

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

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

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

4.6 (b) A person who purchases a snowmobile from a retail dealer shall make application
4.7 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
4.8 21-day registration permit to each purchaser who applies to the dealer for registration.
4.9 The temporary permit must contain the dealer's identification number and phone number.
4.10 Each retail dealer shall submit completed registration and fees to the deputy registrar at
4.11 least once a week. No fee may be charged by a dealer to a purchaser for providing the
4.12 temporary permit.

4.13 (c) Upon receipt of the application and the appropriate fee ~~as hereinafter provided~~,
4.14 the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer,
4.15 an assigned registration number or a commissioner or deputy registrar temporary 21-day
4.16 permit. Once issued, the registration ~~number~~ decal must be affixed to the snowmobile in
4.17 a clearly visible and permanent manner for enforcement purposes as the commissioner
4.18 of natural resources shall prescribe. A dealer subject to paragraph (b) shall provide the
4.19 registration materials or temporary permit to the purchaser within the temporary 21-day
4.20 permit period. The registration is not valid unless signed by at least one owner. ~~The~~
4.21 ~~temporary permit must indicate whether a snowmobile state trail sticker under section~~
4.22 ~~84.8205 was purchased.~~

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

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

4.30 (1) each snowmobile registered by the registrar or a deputy registrar and the
4.31 additional fee shall be disposed of in the manner provided in section 168.33, subdivision
4.32 2; or

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

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

5.2 Subd. 3. **Fees for registration.** (a) The fee for registration of each snowmobile,
5.3 other than those used for an agricultural purpose, as defined in section 84.92, subdivision
5.4 1c, or those registered by a dealer or manufacturer pursuant to paragraph (b) or (c) shall be
5.5 as follows: ~~\$45~~ \$75 for three years and ~~\$4~~ \$10 for a duplicate or transfer.

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

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

5.11 (d) The onetime fee for registration of an exempt snowmobile under subdivision
5.12 6a is \$6.

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

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

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

5.22 (1) \$35 for a one-year snowmobile state trail sticker purchased by an individual; and

5.23 (2) \$15 for a one-year snowmobile state trail sticker purchased by a dealer or
5.24 manufacturer.

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

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

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

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

6.4 ~~(3)~~ (2) a collector snowmobile that is operated as provided in a special permit issued
6.5 for the collector snowmobile under section 84.82, subdivision 7a;

6.6 ~~(4)~~ (3) a person operating a snowmobile only on the portion of a trail that is owned
6.7 by the person or the person's spouse, child, or parent; or

6.8 ~~(5)~~ (4) a snowmobile while being used to groom a state or grant-in-aid trail.

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

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

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

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

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

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

6.26 (2) for acquisition, development, and maintenance of state recreational snowmobile
6.27 trails;

6.28 (3) for snowmobile safety programs; and

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

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

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

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

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

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

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

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

7.11 (5) Specifications relating to snowmobile mufflers.

7.12 (6) A comprehensive snowmobile information and safety education and training
7.13 program, including but not limited to the preparation and dissemination of snowmobile
7.14 information and safety advice to the public, the training of snowmobile operators, and
7.15 the issuance of snowmobile safety certificates to snowmobile operators who successfully
7.16 complete the snowmobile safety education and training course. For the purpose of
7.17 administering such program and to defray expenses of training and certifying snowmobile
7.18 operators, the commissioner shall collect a fee from each person who receives the
7.19 youth or adult training. The commissioner shall collect a fee, to include a \$1 issuing
7.20 fee for licensing agents, for issuing a duplicate snowmobile safety certificate. The
7.21 commissioner shall establish both fees in a manner that neither significantly overrecovers
7.22 nor underrecovers costs, including overhead costs, involved in providing the services.
7.23 The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386
7.24 does not apply. The fees may be established by the commissioner notwithstanding
7.25 section 16A.1283. The fees, except for the issuing fee for licensing agents under this
7.26 subdivision, shall be deposited in the snowmobile trails and enforcement account in the
7.27 natural resources fund and the amount thereof, except for the electronic licensing system
7.28 commission established by the commissioner under section 84.027, subdivision 15, and
7.29 issuing fees collected by the commissioner, is appropriated annually to the Enforcement
7.30 Division of the Department of Natural Resources for the administration of such programs.
7.31 In addition to the fee established by the commissioner, instructors may charge each person
7.32 up to the established fee amount for class materials and expenses. The commissioner shall
7.33 cooperate with private organizations and associations, private and public corporations,
7.34 and local governmental units in furtherance of the program established under this clause.
7.35 School districts may cooperate with the commissioner and volunteer instructors to
7.36 provide space for the classroom portion of the training. The commissioner shall consult

8.1 with the commissioner of public safety in regard to training program subject matter and
8.2 performance testing that leads to the certification of snowmobile operators.

8.3 (7) The operator of any snowmobile involved in an accident resulting in injury
8.4 requiring medical attention or hospitalization to or death of any person or total damage
8.5 to an extent of \$500 or more, shall forward a written report of the accident to the
8.6 commissioner on such form as the commissioner shall prescribe. If the operator is killed
8.7 or is unable to file a report due to incapacitation, any peace officer investigating the
8.8 accident shall file the accident report within ten business days.

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

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

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

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

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

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

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

8.27 (4) a ship's lifeboat;

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

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

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

8.32 (8) a seaplane; and

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

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

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

9.5 (b) The watercraft license fee:

9.6 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is
9.7 offered for rent or lease, the fee is \$9;

9.8 (2) for a ~~canoe, kayak, sailboat, sailboard, paddle boat, or rowing shell~~ 19 feet in
9.9 length or less, the fee is \$10.50;

9.10 (3) for a watercraft 19 feet in length or less used by a nonprofit corporation for
9.11 teaching boat and water safety, the fee is as provided in subdivision 4;

9.12 (4) for a watercraft owned by a dealer under a dealer's license, the fee is as provided
9.13 in subdivision 5;

9.14 (5) for a personal watercraft, the fee is \$37.50; and

9.15 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in
9.16 clauses (1) to (5), the fee is \$18.

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

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

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

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

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

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

9.27 (1) for a watercraft more than 19 feet but less than 26 feet in length is \$45;

9.28 (2) for a watercraft 26 feet but less than 40 feet in length is \$67.50; and

9.29 (3) for a watercraft 40 feet in length or longer is \$90.

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

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

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

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

10.6 Subd. 2. ~~**Interim standards** Best practices. Until the commissioner of natural~~
10.7 ~~resources adopts the shooting range performance standards under subdivision 1, paragraph~~
10.8 ~~(a) For purposes of this chapter, the November 1999 revised edition of the National Rifle~~
10.9 ~~Association's Range Source Book: A Guide to Planning and Construction shall serve~~
10.10 ~~as the interim best practices for shooting range performance standards, having the full~~
10.11 ~~effect of the shooting range performance standards for purposes of this chapter. The~~
10.12 ~~interim shooting range performance standards sunset and have no further effect under this~~
10.13 ~~chapter upon the effective date of the shooting range performance standards adopted~~
10.14 ~~under subdivision 1, paragraph (a).~~

10.15 Sec. 17. **[87A.09] PUBLIC SHOOTING RANGES; ACCESSIBILITY.**

10.16 A publicly owned or managed shooting range that is funded in whole or part with
10.17 public funds must be available for use by participants in a firearms safety instruction
10.18 course under section 97B.015. The shooting range must be available during hours
10.19 reasonable for youth participants. The range operator may charge a fee to cover any costs
10.20 directly incurred from use required under this section, but may not charge a fee to offset
10.21 costs for general maintenance and operation of the facility.

10.22 Sec. 18. Minnesota Statutes 2010, section 97A.015, subdivision 3a, is amended to read:

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

10.26 Sec. 19. Minnesota Statutes 2010, section 97A.015, subdivision 53, is amended to read:

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

10.30 Sec. 20. Minnesota Statutes 2010, section 97A.065, subdivision 6, is amended to read:

11.1 Subd. 6. **Deer License donations and surcharges.** ~~(a) The surcharges and~~
11.2 ~~donations collected under section 97A.475, subdivision 3, paragraph (b), and subdivision~~
11.3 ~~3a, subdivisions 3, paragraph (b); 3a; and 4, paragraph (b), shall be deposited in an~~
11.4 ~~account in the special revenue fund and are appropriated to the commissioner for deer~~
11.5 ~~management, including for grants or payments to agencies, organizations, or individuals~~
11.6 ~~for assisting with the cost of processing deer taken for population management purposes~~
11.7 ~~for venison donation programs. None of the additional license fees shall be transferred~~
11.8 ~~to any other agency for administration of programs other than venison donation. If any~~
11.9 ~~money transferred by the commissioner is not used for a venison donation program,~~
11.10 ~~it shall be returned to the commissioner administration of the walk-in access program~~
11.11 ~~under section 97A.126.~~

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

11.14 Sec. 21. Minnesota Statutes 2011 Supplement, section 97A.075, subdivision 1, is
11.15 amended to read:

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

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

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

11.30 (d) Fifty cents from each deer license is credited to the emergency deer feeding and
11.31 wild cervidae health management account and is appropriated for emergency deer feeding
11.32 and wild cervidae health management. Money appropriated for emergency deer feeding
11.33 and wild cervidae health management is available until expended. ~~The commissioner must~~
11.34 ~~inform the legislative chairs of the natural resources finance committees every two years~~

12.1 ~~on how the money for emergency deer feeding and wild cervidae health management~~
12.2 ~~has been spent.~~

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

12.7 Sec. 22. Minnesota Statutes 2011 Supplement, section 97A.075, is amended by adding
12.8 a subdivision to read:

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

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

12.16 Sec. 23. Minnesota Statutes 2010, section 97A.085, is amended by adding a
12.17 subdivision to read:

12.18 Subd. 9. **Vacating refuges open to hunting.** Notwithstanding subdivision 8, the
12.19 commissioner may vacate a state game refuge by publishing a notice in the State Register
12.20 if the refuge has been open to trapping and hunting small game including waterfowl, deer
12.21 or bear by archery, and deer or bear by firearms for at least five years.

12.22 Sec. 24. Minnesota Statutes 2010, section 97A.095, subdivision 1, is amended to read:

12.23 Subdivision 1. **Migratory waterfowl sanctuary.** The commissioner may designate
12.24 by rule any part of a state game refuge or any part of a public water that is designated for
12.25 management purposes under section 97A.101, subdivision 2, as a migratory waterfowl
12.26 sanctuary ~~if there is presented to the commissioner a petition signed by ten resident~~
12.27 ~~licensed hunters describing an area that is primarily a migratory waterfowl refuge. The~~
12.28 commissioner must consider an area for designation upon presentation of a petition
12.29 signed by at least ten residents demonstrating that the area is primarily a migratory
12.30 waterfowl refuge. The commissioner shall post the area as a migratory waterfowl
12.31 sanctuary. A person may not enter a posted migratory waterfowl sanctuary during the open
12.32 migratory waterfowl season or during other times prescribed by the commissioner unless
12.33 accompanied by or under a permit issued by a conservation officer or wildlife manager.

13.1 Upon a request from a private landowner within a migratory waterfowl sanctuary, an
13.2 annual permit must be issued to provide access to the property during the waterfowl
13.3 season. The permit shall include conditions that allow no activity which would disturb
13.4 waterfowl using the refuge during the waterfowl season.

13.5 Sec. 25. Minnesota Statutes 2010, section 97A.095, subdivision 2, is amended to read:

13.6 Subd. 2. **Waterfowl feeding and resting areas.** The commissioner may, by rule,
13.7 designate any part of a lake as a migratory feeding and resting area if there is adequate,
13.8 free public access to the area. Before designation, the commissioner must ~~receive a~~
13.9 ~~petition signed by at least ten local resident licensed hunters describing the area of a lake~~
13.10 ~~that is a substantial feeding or resting area for migratory waterfowl, and find that the~~
13.11 ~~statements in the petition are correct, and that adequate, free public access to the lake~~
13.12 ~~exists near the designated area~~ describe the area in a public notice and receive public
13.13 comments for 30 days. The commissioner must consider an area for designation upon
13.14 presentation of a petition signed by at least ten residents demonstrating that the area is a
13.15 substantial feeding or resting area for migratory waterfowl. The commissioner shall
13.16 post the area as a migratory waterfowl feeding and resting area. Except as authorized in
13.17 rules adopted by the commissioner, a person may not enter a posted migratory waterfowl
13.18 feeding and resting area, during a period when hunting of migratory waterfowl is allowed,
13.19 with watercraft or aircraft propelled by a motor, other than an electric motor with battery
13.20 power of 12 volts or less. The commissioner may, by rule, further restrict the use of
13.21 electric motors in migratory waterfowl feeding and resting areas.

13.22 Sec. 26. **97A.126] WALK-IN ACCESS PROGRAM.**

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

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

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

13.32 (c) Hunter access on private lands that are posted as enrolled in the walk-in access
13.33 program is restricted to nonmotorized use, except by hunters with disabilities operating

14.1 motor vehicles on established trails or field roads who possess a valid permit to shoot from
14.2 a stationary vehicle under section 97B.055, subdivision 3.

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

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

14.10 (1) harvesting bait, including minnows, leeches, and other live bait;

14.11 (2) training dogs or using dogs for activities other than hunting; and

14.12 (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting
14.13 blind, or other structure, unless constructed or maintained by the landowner.

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

14.15 Sec. 27. Minnesota Statutes 2010, section 97A.137, subdivision 5, is amended to read:

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

14.24 Sec. 28. Minnesota Statutes 2010, section 97A.421, subdivision 3, is amended to read:

14.25 Subd. 3. **Issuance of a big game license after conviction.** (a) A person may not
14.26 obtain any big game license or take big game under a lifetime license, issued under section
14.27 97A.473, for three years after the person is convicted of:

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

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

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

14.32 (b) A person may not obtain any deer license or take deer under a lifetime license
14.33 issued under section 97A.473 for one year after the person is convicted of hunting deer
14.34 with the aid or use of bait under section 97B.328.

15.1 (c) Notwithstanding paragraphs (a) and (b), a person may not obtain any big game
 15.2 license or take big game under a lifetime license issued under section 97A.473 for five
 15.3 years after the person is convicted of any violation involving taking a deer that is a trophy
 15.4 deer scoring higher than 170 using the scoring method established for wildlife restitution
 15.5 values adopted under section 97A.345.

15.6 Sec. 29. Minnesota Statutes 2010, section 97A.441, subdivision 7, is amended to read:

15.7 Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may
 15.8 issue, without a fee, a license to take an antlerless deer to a resident who is an owner or
 15.9 tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land, as
 15.10 defined in section 97B.001, in deer permit areas that ~~have deer archery licenses to take~~
 15.11 ~~additional deer under section 97B.301, subdivision 4~~ allow the taking of antlerless deer
 15.12 without a lottery application. A person may receive only one license per year under this
 15.13 subdivision. For properties with co-owners or cotenants, only one co-owner or cotenant
 15.14 may receive a license under this subdivision per year. The license issued under this
 15.15 subdivision is restricted to land leased for agricultural purposes or owned by the holder of
 15.16 the license within the permit area where the qualifying land is located. The holder of the
 15.17 license may transfer the license to the holder's spouse or dependent. Deer taken under this
 15.18 subdivision do not count towards the total bag limit for the permit area. Notwithstanding
 15.19 sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license
 15.20 may purchase ~~an~~ additional license licenses or permits for taking deer and may take ~~an~~
 15.21 additional deer under that license those licenses or permits, provided the holder adheres to
 15.22 the bag limits established for that permit area.

15.23 (b) A person who obtains a license under paragraph (a) must allow public deer
 15.24 hunting on their land during that deer hunting season, with the exception of the first
 15.25 Saturday and Sunday during the deer hunting season applicable to the license issued under
 15.26 section 97A.475, subdivision 2, clause (5).

15.27 Sec. 30. Minnesota Statutes 2010, section 97A.451, subdivision 3, is amended to read:

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

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

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

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

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

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

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

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

16.17 Sec. 31. Minnesota Statutes 2010, section 97A.451, subdivision 4, is amended to read:

16.18 Subd. 4. **Persons Residents under age 16; big game.** (a) A person resident age
16.19 12, 13, 14, or 15 may not obtain a license to take big game unless the person possesses
16.20 a firearms safety certificate. A person resident age 12 or 13 must be accompanied by a
16.21 parent or guardian to hunt big game.

16.22 (b) A person resident age 10 or 11 may take big game provided the person is under
16.23 the direct supervision of a parent or guardian where the parent or guardian is within
16.24 immediate reach. ~~Until March 1, 2009, a person age 10 or 11 may take big game under a~~
16.25 ~~parent or guardian's license. Beginning March 1, 2009, A person resident age 10 or 11~~
16.26 ~~must obtain a license in order to take big game and may obtain the license without paying~~
16.27 ~~the fee required under section 97A.475, subdivision 2.~~

16.28 Sec. 32. Minnesota Statutes 2010, section 97A.451, is amended by adding a
16.29 subdivision to read:

16.30 Subd. 4a. Nonresidents under age 16; big game. (a) A nonresident age 12,
16.31 13, 14, or 15 may not obtain a license to take big game unless the person possesses a
16.32 firearms safety certificate. A nonresident age 12 or 13 must be accompanied by a parent or
16.33 guardian to hunt big game.

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

17.5 Sec. 33. Minnesota Statutes 2010, section 97A.473, subdivision 3, is amended to read:

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

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

- 17.13 (1) age 3 and under, \$217;
17.14 (2) age 4 to age 15, \$290;
17.15 (3) age 16 to age 50, \$363; and
17.16 (4) age 51 and over, \$213.

17.17 Sec. 34. Minnesota Statutes 2010, section 97A.473, subdivision 5, is amended to read:

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

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

- 17.26 (1) age 3 and under, \$357;
17.27 (2) age 4 to age 15, \$480;
17.28 (3) age 16 to age 50, \$613; and
17.29 (4) age 51 and over, \$413.

17.30 Sec. 35. Minnesota Statutes 2010, section 97A.473, subdivision 5a, is amended to read:

17.31 Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident
17.32 lifetime sporting with spearing option license authorizes a person to take fish by angling
17.33 or spearing and hunt and trap small game, other than wolves, in the state. The license

18.1 authorizes those activities authorized by the annual resident angling, spearing, and resident
18.2 small game hunting, ~~and resident trapping~~ licenses and the resident trapping license for
18.3 fur-bearing animals other than wolves. The license does not include a trout and salmon
18.4 stamp validation, a turkey stamp validation, a walleye stamp validation, or any other
18.5 hunting stamps required by law.

18.6 (b) The fees for a resident lifetime sporting with spearing option license are:

- 18.7 (1) age 3 and under, \$615;
18.8 (2) age 4 to age 15, \$800;
18.9 (3) age 16 to age 50, \$985; and
18.10 (4) age 51 and over, \$586.

18.11 Sec. 36. Minnesota Statutes 2010, section 97A.475, subdivision 2, is amended to read:

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

- 18.14 (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
18.15 (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
18.16 (3) for persons age 18 or over to take turkey, \$23;
18.17 (4) for persons under age 18 to take turkey, \$12;
18.18 (5) for persons age 18 or over to take deer with firearms during the regular firearms
18.19 season, \$26;
18.20 (6) for persons age 18 or over to take deer by archery, \$26;
18.21 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
18.22 season, \$26;
18.23 (8) to take moose, for a party of not more than six persons, \$310;
18.24 (9) to take bear, \$38;
18.25 (10) to take elk, for a party of not more than two persons, \$250;
18.26 (11) to take Canada geese during a special season, \$4;
18.27 (12) to take prairie chickens, \$20;
18.28 (13) for persons under age 18 to take deer with firearms during the regular firearms
18.29 season, \$13;
18.30 (14) for persons under age 18 to take deer by archery, \$13; ~~and~~
18.31 (15) for persons under age 18 to take deer by muzzleloader during the muzzleloader
18.32 season, \$13; and
18.33 (16) to take wolf, \$26.

18.34 Sec. 37. Minnesota Statutes 2010, section 97A.475, subdivision 3, is amended to read:

19.1 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued
19.2 to nonresidents, are:

19.3 (1) for persons age 18 or over to take small game, \$73;

19.4 (2) for persons age 18 or over to take deer with firearms during the regular firearms
19.5 season, \$135;

19.6 (3) for persons age 18 or over to take deer by archery, \$135;

19.7 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
19.8 season, \$135;

19.9 (5) to take bear, \$195;

19.10 (6) for persons age 18 and older to take turkey, \$78;

19.11 (7) for persons under age 18 to take turkey, \$12;

19.12 (8) to take raccoon or bobcat, \$155;

19.13 (9) to take Canada geese during a special season, \$4;

19.14 (10) for persons under age 18 to take deer with firearms during the regular firearms
19.15 season in any open season option or time period, \$13;

19.16 (11) for persons under age 18 to take deer by archery, \$13; ~~and~~

19.17 (12) for persons under age 18 to take deer during the muzzleloader season, \$13; and

19.18 (13) to take wolf, \$250.

19.19 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under
19.20 paragraph (a), clauses (1) to (8). An additional commission may not be assessed on this
19.21 surcharge.

19.22 Sec. 38. Minnesota Statutes 2010, section 97A.475, subdivision 3a, is amended to read:

19.23 Subd. 3a. **Deer license surcharge.** A person may agree to add a donation of \$1,
19.24 \$3, or \$5 to the fees for annual resident and nonresident licenses to take deer by firearms
19.25 or archery established under subdivisions 2, clauses (5), (6), (7), (11), and (13), and 3,
19.26 paragraph (a), clauses (2), (3), (4), and (9). Beginning March 1, 2008, fees for bonus
19.27 licenses to take deer by firearms or archery established under section 97B.301, subdivision
19.28 4, must be increased by a surcharge of \$1. An additional commission may not be assessed
19.29 on the donation or surcharge ~~and the following statement must be included in the annual~~
19.30 ~~deer hunting regulations: "The deer license donations and surcharges are being paid~~
19.31 ~~by hunters for deer management, including assisting with the costs of processing deer~~
19.32 ~~donated for charitable purposes."~~.

19.33 Sec. 39. Minnesota Statutes 2010, section 97A.475, subdivision 4, is amended to read:

20.1 Subd. 4. **Small game surcharge and donation.** (a) Fees for annual licenses to take
20.2 small game must be increased by a surcharge of \$6.50. An additional commission may not
20.3 be assessed on the surcharge and the following statement must be included in the annual
20.4 small game hunting regulations: "This \$6.50 surcharge is being paid by hunters for the
20.5 acquisition and development of wildlife lands."

20.6 (b) A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual
20.7 resident and nonresident licenses to take small game. An additional commission may not
20.8 be assessed on the donation. The following statement must be included in the annual
20.9 small game hunting regulations: "The small game license donations are being paid by
20.10 hunters for administration of the walk-in access program."

20.11 Sec. 40. Minnesota Statutes 2010, section 97A.475, subdivision 20, is amended to read:

20.12 Subd. 20. **Trapping license licenses.** (a) The fee for a license to trap fur-bearing
20.13 animals, other than wolves, is:

20.14 (1) for residents over age 13 and under age 18, \$6;

20.15 (2) for residents age 18 or over and under age 65, \$20;

20.16 (3) for residents age 65 or over, \$10; and

20.17 (4) for nonresidents, \$73.

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

20.19 Sec. 41. Minnesota Statutes 2010, section 97A.482, is amended to read:

20.20 **97A.482 LICENSE APPLICATIONS; COLLECTION OF SOCIAL**
20.21 **SECURITY NUMBERS.**

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

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

20.32 ~~(c) The commissioners of human services and natural resources shall request a~~
20.33 ~~waiver from the secretary of health and human services to exclude any applicant under the~~
20.34 ~~age of 16 from the requirement under this section and under cross-country ski licensing~~

21.1 ~~sections to provide the applicant's Social Security number. If a waiver is granted, this~~
21.2 ~~section will be so amended effective January 1, 2006, or upon the effective date of the~~
21.3 ~~waiver, whichever is later.~~

21.4 Sec. 42. Minnesota Statutes 2010, section 97B.001, subdivision 7, is amended to read:

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

21.8 (1) on another person's private land, if the land is not a licensed shooting preserve; or

21.9 (2) on a public right-of-way.

21.10 (b) ~~A~~ No person may not take a wild animal with shoot a firearm without the
21.11 permission of the owner, occupant, or lessee, within 500 feet of a stockade or corral
21.12 containing livestock. For the purposes of this paragraph, a "stockade or corral" means
21.13 a fenced enclosure for containing livestock that does not enclose an area greater than
21.14 one acre.

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

21.17 Sec. 43. Minnesota Statutes 2010, section 97B.031, subdivision 1, is amended to read:

21.18 Subdivision 1. **Firearms and ammunition that may be used to take big game**
21.19 **and wolves.** A person may take big game and wolves with a firearm only if:

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

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

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

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

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

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

21.28 Sec. 44. Minnesota Statutes 2010, section 97B.031, subdivision 2, is amended to read:

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

21.32 Sec. 45. Minnesota Statutes 2010, section 97B.035, subdivision 1a, is amended to read:

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

22.3 Sec. 46. **[97B.063] HUNTER SATISFACTION SURVEY.**

22.4 The commissioner shall administer a hunter satisfaction survey through the
22.5 department's Web site, to be completed online by licensed hunters at the end of each
22.6 season. The commissioner shall provide the survey Web address on each hunting license.

22.7 Sec. 47. Minnesota Statutes 2010, section 97B.071, is amended to read:

22.8 **97B.071 BLAZE ORANGE REQUIREMENTS.**

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

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

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

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

22.27 Sec. 48. Minnesota Statutes 2011 Supplement, section 97B.075, is amended to read:

22.28 **97B.075 HUNTING RESTRICTED BETWEEN EVENING AND MORNING.**

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

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

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

23.4 Sec. 49. Minnesota Statutes 2010, section 97B.085, subdivision 3, is amended to read:

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

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

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

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

23.11 Sec. 50. **[97B.1115] USE OF MECHANICAL OR ELECTRONIC ASSISTANCE**
 23.12 **TO HOLD AND DISCHARGE FIREARMS OR BOWS BY PHYSICALLY**
 23.13 **DISABLED.**

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

23.20 Sec. 51. Minnesota Statutes 2010, section 97B.328, is amended to read:

23.21 **97B.328 BAITING PROHIBITED.**

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

23.24 (1) ~~with the aid or use of bait or feed; or,~~

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

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

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

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

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

24.8 Subd. 4. **Exception for bait or feed on adjacent land.** A person otherwise in
 24.9 compliance with this section who is hunting on private or public property that is adjacent
 24.10 to property where bait or ~~feed~~ food is present is not in violation of this section if the
 24.11 person has not participated in, been involved with, or agreed to baiting or feeding wildlife
 24.12 on the adjacent property.

24.13 Sec. 52. Minnesota Statutes 2010, section 97B.601, subdivision 3a, is amended to read:

24.14 Subd. 3a. **Nonresidents; trapping small game.** A nonresident may take small
 24.15 game, ~~except wolves,~~ by trapping only on land owned by the nonresident, if the
 24.16 nonresident possesses a trapping license for fur-bearing animals other than wolves and a
 24.17 small game license.

24.18 Sec. 53. Minnesota Statutes 2010, section 97B.601, subdivision 4, is amended to read:

24.19 Subd. 4. **Exception to license requirements.** (a) A resident under age 16 may take
 24.20 small game, ~~other than wolves,~~ without a small game license, and a resident under age
 24.21 13 may trap small game and fur-bearing animals, other than wolves, without a trapping
 24.22 license, as provided in section 97A.451, subdivision 3.

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

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

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

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

24.31 Sec. 54. Minnesota Statutes 2010, section 97B.603, is amended to read:

24.32 **97B.603 TAKING SMALL GAME AS A PARTY.**

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

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

25.10 Sec. 55. Minnesota Statutes 2010, section 97B.605, is amended to read:

25.11 **97B.605 COMMISSIONER MAY RESTRICT TAKING OF CERTAIN**
25.12 **SMALL GAME ANIMALS.**

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

25.16 Sec. 56. Minnesota Statutes 2011 Supplement, section 97B.645, subdivision 9, is
25.17 amended to read:

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

25.22 Sec. 57. **97B.647] TAKING WOLVES.**

25.23 Subdivision 1. **License required.** Except as provided under section 97B.645 or
25.24 97B.671, a person may not take a wolf without a wolf hunting or wolf trapping license.

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

25.29 Subd. 3. **Open areas.** The commissioner may by rule designate areas where wolves
25.30 may be taken.

25.31 Subd. 4. **Bag limit.** The commissioner may establish by rule the bag limit for
25.32 wolves.

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

26.6 Subd. 6. **Application for license.** An application for a wolf hunting or wolf trapping
 26.7 license must be made in a manner provided by the commissioner and accompanied by a
 26.8 \$4 application fee and proof that the applicant holds a current Minnesota hunting license.
 26.9 The \$4 application fee shall be credited to the wolf management and monitoring account
 26.10 and appropriated to the commissioner to pay for costs associated with conducting the wolf
 26.11 license drawing and wolf management. A person may not make more than one application
 26.12 for each season as prescribed by the commissioner. If a person makes more than one
 26.13 application, the person is ineligible for a license for that season after determination by the
 26.14 commissioner, without a hearing.

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

26.18 Sec. 58. Minnesota Statutes 2011 Supplement, section 97B.667, is amended to read:

26.19 **97B.667 REMOVAL OF BEAVERS, BEAVER DAMS, AND LODGES BY**
 26.20 **ROAD AUTHORITIES.**

26.21 When a drainage watercourse is impaired by a beaver dam and the water damages
 26.22 or threatens to damage a public road, the road authority, as defined in section 160.02,
 26.23 subdivision 25, may remove the impairment and any associated beaver lodge within 300
 26.24 feet of the road. Notwithstanding any law to the contrary, the road authority may kill or
 26.25 arrange to have killed by any lawful means a beaver associated with the lodge. ~~Before~~
 26.26 ~~killing or arranging to kill a beaver under this section, the road authority must contact a~~
 26.27 ~~conservation officer for a special beaver permit. The conservation officer must issue the~~
 26.28 ~~permit for any beaver subject to this section.~~ A road authority that kills or arranges to
 26.29 have killed a beaver under this section must notify a conservation officer or ~~the officer's~~
 26.30 ~~designee as specified in the permit~~ employee of the Wildlife Division within ten days after
 26.31 the animal is killed. A road authority may, after consultation with the Wildlife Division
 26.32 ~~and the Board of Water and Soil Resources,~~ implement a local beaver control program
 26.33 designed to reduce the number of incidents of beaver interfering with or damaging a
 26.34 public road. The local control program may include the offering of a bounty for the
 26.35 lawful taking of beaver.

27.1 Sec. 59. Minnesota Statutes 2010, section 97B.671, subdivision 3, is amended to read:

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

27.9 Sec. 60. Minnesota Statutes 2010, section 97B.671, subdivision 4, is amended to read:

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

27.12 (b) After the gray wolf is delisted under the federal Endangered Species Act of
27.13 1973, in zone B, as defined under section 97B.645, subdivision 12, if the commissioner,
27.14 after considering recommendations from an extension agent or conservation officer, has
27.15 verified that livestock, domestic animals, or pets were destroyed by a gray wolf within the
27.16 previous five years, and if the livestock, domestic animal, or pet owner requests gray wolf
27.17 control, the commissioner shall open a predator control area for gray wolves.

27.18 (c) After the gray wolf is delisted under the federal Endangered Species Act of
27.19 1973, in zone A, as defined under paragraph (g), if the commissioner, after considering
27.20 recommendations from an extension agent or conservation officer, verifies that livestock,
27.21 domestic animals, or pets were destroyed by a gray wolf, and if the livestock, domestic
27.22 animal, or pet owner requests gray wolf control, the commissioner shall open a predator
27.23 control area for gray wolves for up to 60 days.

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

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

27.32 (f) The commissioner may, in consultation with the commissioner of agriculture,
27.33 develop a cooperative agreement for gray wolf control activities with the United States
27.34 Department of Agriculture. The cooperative agreement activities may include, but not be

28.1 limited to, ~~gray~~ wolf control, training for state predator controllers, and control monitoring
28.2 and record keeping.

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

28.5 Sec. 61. Minnesota Statutes 2010, section 97B.711, subdivision 1, is amended to read:

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

28.9 (1) pheasant;

28.10 (2) ruffed grouse;

28.11 (3) sharp tailed grouse;

28.12 (4) Canada spruce grouse;

28.13 (5) prairie chicken;

28.14 (6) gray partridge;

28.15 (7) bobwhite quail; and

28.16 (8) turkey.

28.17 (b) The commissioner may by rule prescribe an open season for turkey in the spring.

28.18 ~~(c) The commissioner shall allow a four-week fall season for turkey in the area~~
28.19 ~~designated as turkey permit area 601 as of the 2008 season. All applicable local and state~~
28.20 ~~regulations apply.~~

28.21 Sec. 62. Minnesota Statutes 2010, section 97B.805, subdivision 1, is amended to read:

28.22 Subdivision 1. **Hunter must be concealed.** (a) A person may not take migratory
28.23 waterfowl, coots, or rails in open water unless the person is:

28.24 (1) within a natural growth of vegetation sufficient to partially conceal the person or
28.25 boat;

28.26 (2) on a river or stream that is not more than 100 yards in width; ~~or~~

28.27 (3) pursuing or shooting wounded birds; or

28.28 (4) in areas specifically designated for such taking by the commissioner by rule.

28.29 (b) A person may not take migratory waterfowl, coots, or rails in public waters from
28.30 a permanent artificial blind or sink box.

28.31 Sec. 63. Minnesota Statutes 2010, section 97B.901, is amended to read:

28.32 **97B.901 REGISTRATION AND TAGGING OF FUR-BEARING ANIMALS.**

29.1 (a) The commissioner may, by rule, require persons taking, possessing, and
29.2 transporting fur-bearing animals to tag the animals. The commissioner shall prescribe
29.3 the manner of issuance and the type of tag, which must show the year of issuance. The
29.4 commissioner shall issue the tag, without a fee, upon request.

29.5 (b) The pelt of each bobcat, fisher, pine marten, ~~and~~ otter, and wolf must be
29.6 presented, by the person taking it, to a state wildlife manager designee for registration
29.7 before the pelt is sold and before the pelt is transported out of the state, but in no event
29.8 more than 48 hours after the season closes for the species.

29.9 (c) The whole carcass of each wolf, with the pelt removed, must be presented by the
29.10 person taking it to a state wildlife manager designee for registration before the pelt is sold
29.11 and before the pelt is transported out of the state, but in no event more than 48 hours after
29.12 the season closes. The commissioner may require that the entire carcass or samples from
29.13 the carcass be surrendered to the state wildlife manager designee.

29.14 Sec. 64. **[97B.903] USE OF BODY-GRIPPING TRAPS.**

29.15 A person may not set, place, or operate, except as a waterset, a body-gripping or
29.16 conibear-type trap on public lands and waters that has a maximum jaw opening when set
29.17 greater than six and one-half inches and less than 7-1/2 inches measured from the inside
29.18 edges of the body-gripping portions of the jaws, unless:

29.19 (1) the trap is in a baited or unbaited enclosure and the trap trigger is recessed seven
29.20 inches or more from the top and frontmost portion of the open end of the enclosure;

29.21 (2) no bait, lure, or other attractant is placed within 20 feet of the trap; or

29.22 (3) the trap is elevated at least three feet above the surface of the ground.

29.23 Sec. 65. Minnesota Statutes 2010, section 97C.355, subdivision 1, is amended to read:

29.24 Subdivision 1. **Identification required.** All shelters on the ice of state waters,
29.25 except portable shelters under subdivision 2a but including dark houses and fish houses,
29.26 must have: (1) the owner's name and address, (2) the owner's driver's license number, or
29.27 (3) the "MDNR#" license identification number issued to the owner legibly displayed on
29.28 the exterior with characters at least two inches high.

29.29 Sec. 66. Minnesota Statutes 2010, section 97C.355, is amended by adding a
29.30 subdivision to read:

29.31 Subd. 2a. **Portable shelters.** A person using a portable shelter that is not licensed
29.32 under subdivision 2 must remain within 200 feet of the shelter while the shelter is on the
29.33 ice of state waters.

30.1 Sec. 67. Minnesota Statutes 2010, section 97C.395, subdivision 1, is amended to read:

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

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

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

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

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

30.14 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 to
30.15 October 31 as prescribed by the commissioner by rule except as provided in section
30.16 97C.415, subdivision 2; and

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

30.19 ~~(7)~~ (6) for salmon, as prescribed by the commissioner by rule.

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

30.22 Sec. 68. Minnesota Statutes 2010, section 97C.515, subdivision 2, is amended to read:

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

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

30.30 ~~(b)~~ (c) The commissioner may require the person transporting minnow species found
30.31 on the official list of viral hemorrhagic septicemia susceptible species published by the
30.32 United States Department of Agriculture, Animal and Plant Health Inspection Services, to
30.33 provide health certification for viral hemorrhagic septicemia ~~or other certifiable diseases.~~

30.34 ~~For certifiable diseases not currently documented in Minnesota,~~ The certification must

31.1 disclose any incidentally isolated replicating viruses, and must be dated within the 12
31.2 months preceding transport.

31.3 Sec. 69. Minnesota Statutes 2010, section 97C.515, subdivision 4, is amended to read:

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

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

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

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

31.17 Sec. 70. Minnesota Statutes 2010, section 97C.515, subdivision 5, is amended to read:

31.18 Subd. 5. **Special permits.** (a) The commissioner may issue a special permit, without
31.19 a fee, to allow a person with a private fish hatchery license, which private fish hatchery
31.20 has been designated as a containment facility under section 17.4982, subdivision 8, to
31.21 import live minnows from other states for export. A permit under this subdivision is not
31.22 required for importation authorized under subdivision 4. A containment facility for the
31.23 purposes of this section applies to live minnows imported for later export and does not
31.24 need to comply with section 17.4982, subdivision 8, clause (4). The permit shall include
31.25 conditions necessary to avoid spreading aquatic invasive species and fish pathogens.
31.26 Permits shall not be issued to containment facilities located within a 25-year floodplain.

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

31.34 (1) a valid import for later export permit; and

32.1 (2) a valid fish health certification from the source waterbody showing no record of
32.2 viral hemorrhagic septicemia, or any other isolated replicating virus, for species on the
32.3 official list of viral hemorrhagic septicemia susceptible species published by the United
32.4 States Department of Agriculture, Animal and Plant Health Inspection Services.

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

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

32.17 (e) A commercial licensee importing live minnows under this subdivision must
32.18 maintain records on forms provided by the commissioner for each load of minnows
32.19 imported and later exported. The records must include the number and species of minnows
32.20 imported and subsequently exported, the dates of import and export, and other information
32.21 as specified on the reporting form. The commercial licensee must enter required records
32.22 onto forms within 24 hours of import and export, and must retain records for three years
32.23 following the year of creation. All records required to be retained must be open to
32.24 inspection by the commissioner at any reasonable time. Copies of the records shall be
32.25 submitted to the commissioner each month even if no live minnow import or export
32.26 activity took place.

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

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

33.1 Sec. 71. Minnesota Statutes 2010, section 103G.005, is amended by adding a
33.2 subdivision to read:

33.3 Subd. 11a. **Shallow lake.** "Shallow lake" means a body of water, excluding a
33.4 stream, that is greater than or equal to 50 acres in size and less than or equal to 15 feet
33.5 in maximum depth.

33.6 Sec. 72. Minnesota Statutes 2010, section 103G.408, is amended to read:

33.7 **103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.**

33.8 (a) The commissioner, upon consideration of recommendations and objections as
33.9 provided in clause ~~(4)~~ (2), item (iii), and paragraph (c), may issue a public waters work
33.10 permit for the temporary drawdown of a public water when:

33.11 (1) the public water is a shallow lake to be managed for fish, wildlife, or ecological
33.12 purposes by the commissioner and the commissioner has conducted a public hearing
33.13 presenting a comprehensive management plan outlining how and when temporary
33.14 drawdowns under this section will be conducted; or

33.15 ~~(1)~~ (2) the permit applicant is a public entity; and:

33.16 ~~(2)~~ (i) the commissioner deems the project to be beneficial and makes findings of
33.17 fact that the drawdown is in the public interest;

33.18 ~~(3)~~ (ii) the permit applicant has obtained permission from at least 75 percent of the
33.19 riparian landowners; and

33.20 ~~(4)~~ (iii) the permit applicant has conducted a public hearing according to paragraph
33.21 (d).

33.22 (b) In addition to the requirements in section 103G.301, subdivision 6, the permit
33.23 applicant shall serve a copy of the application on each county, municipality, and watershed
33.24 management organization, if one exists, within which any portion of the public water is
33.25 located and on the lake improvement district, if one exists.

33.26 (c) A county, municipality, watershed district, watershed management organization,
33.27 or lake improvement district required to be served under paragraph (b) or section
33.28 103G.301, subdivision 6, may file a written recommendation for the issuance of a permit
33.29 or an objection to the issuance of a permit with the commissioner within 30 days after
33.30 receiving a copy of the application.

33.31 (d) The hearing notice for a public hearing under paragraph (a), clause ~~(4)~~ (2),
33.32 item (iii), must:

33.33 (1) include the date, place, and time for the hearing;

33.34 (2) include the waters affected and a description of the proposed project;

34.1 (3) be mailed to the director, the county auditor, the clerk or mayor of a municipality,
 34.2 the lake improvement district if one exists, the watershed district or water management
 34.3 organization, the soil and water conservation district, and all riparian owners of record
 34.4 affected by the application; and

34.5 (4) be published in a newspaper of general circulation in the affected area.

34.6 (e) Periodic temporary drawdowns conducted under paragraph (a) shall not be
 34.7 considered takings from riparian landowners.

34.8 ~~(e)~~ (f) This section does not apply to public waters that have been designated for
 34.9 wildlife management under section 97A.101.

34.10 Sec. 73. **RULEMAKING; RESTITUTION VALUE FOR WOLVES.**

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

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

34.18 Sec. 74. **RULEMAKING; TAKING TROUT AND SPLAKE.**

34.19 The commissioner of natural resources shall amend Minnesota Rules, part
 34.20 6262.0200, to conform with section 67. The commissioner may use the good cause
 34.21 exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt
 34.22 rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as
 34.23 provided under Minnesota Statutes, section 14.388.

34.24 Sec. 75. **RULEMAKING; USE OF SNARES.**

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

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

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

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

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

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

35.5 (b) The commissioner of natural resources shall amend Minnesota Rules, part
35.6 6234.2300, to include a subpart to read: "Wolves may be taken with snares or wolf snares
35.7 as defined in part 6234.0900."

35.8 (c) The commissioner of natural resources shall amend Minnesota Rules, part
35.9 6234.2400, subpart 7, to read: "A snare may not be set so that the top of the loop is more
35.10 than 20 inches above the first surface beneath the bottom of the set snare loop. During
35.11 the wolf season, licensed wolf trappers may use wolf snares but a wolf snare may not be
35.12 set so that the bottom of the loop is more than 18 inches above the first surface beneath
35.13 the bottom of the set snare loop."

35.14 (d) The commissioner of natural resources shall amend Minnesota Rules, part
35.15 6234.2400, subpart 5, to read: "Snares, including wolf snares, may not be set in deer,
35.16 elk, or moose trails."

35.17 (e) The commissioner of natural resources shall amend Minnesota Rules, part
35.18 6234.2400, to include a subpart to read: "Licensed wolf trappers shall set wolf snares for
35.19 wolves no closer than 500 feet to another wolf snare set by the same licensed wolf trapper."

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

35.24 **Sec. 76. TRANSITION; SNOWMOBILE REGISTRATION.**

35.25 An individual who, on the effective date of sections 4 to 9, possesses an unexpired
35.26 snowmobile registration that was issued before the effective date of sections 4 to 9 and
35.27 who was required to display a valid snowmobile state trail sticker before the effective
35.28 date of sections 4 to 9 must continue to display a valid snowmobile state trail sticker
35.29 according to Minnesota Statutes 2010, section 84.8205, until such time as the snowmobile
35.30 registration is renewed under the terms of sections 4 to 9.

35.31 **Sec. 77. CONFORMING RULEMAKING; SNOWMOBILE REGISTRATION.**

35.32 The commissioner of natural resources may use the good cause exemption under
35.33 Minnesota Statutes, section 14.388, subdivision 1, clause (3), to amend Minnesota Rules,
35.34 chapter 6100, to conform to sections 4 to 9. Minnesota Statutes, section 14.386, does

36.1 not apply to rulemaking under this section, except as provided in Minnesota Statutes,
36.2 section 14.388.

36.3 Sec. 78. **REVISOR'S INSTRUCTION.**

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

36.7 (b) The revisor of statutes shall change the range reference "parts 6234.0900 to
36.8 6234.2300" to "parts 6234.0900 to 6234.2400" in Minnesota Rules, part 6234.0900.

36.9 Sec. 79. **REPEALER.**

36.10 Minnesota Statutes 2010, sections 17.035; 17.4993, subdivision 2; 87A.02,
36.11 subdivision 1; 97A.045, subdivisions 8 and 13; 97A.065, subdivision 1; 97A.095,
36.12 subdivision 3; 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.303;
36.13 97B.645, subdivision 2; 97C.031; and 97C.515, subdivision 5, are repealed.