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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **2961**

03/12/2014 Authored by Dill

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

03/13/2014 By motion, recalled and re-referred to the Committee on Transportation Policy

03/21/2014 Adoption of Report: Amended and re-referred to the Committee on Environment, Natural Resources and Agriculture Finance

1.1 A bill for an act
1.2 relating to game and fish; modifying disability-related angling and hunting
1.3 licenses and special permit provisions; providing for designations on a driver's
1.4 license and Minnesota identification card; amending Minnesota Statutes
1.5 2012, sections 97A.441, subdivisions 1, 5; 97B.031, subdivision 5; 97B.055,
1.6 subdivision 3; 97B.106, subdivision 1; 97B.111, subdivision 1; 171.07,
1.7 subdivision 15, by adding a subdivision; Minnesota Statutes 2013 Supplement,
1.8 section 97A.441, subdivisions 6, 6a.

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

1.10 Section 1. Minnesota Statutes 2012, section 97A.441, subdivision 1, is amended to read:

1.11 Subdivision 1. **Angling and spearing; disabled residents.** (a) A person authorized
1.12 to issue licenses must issue, without a fee, licenses to take fish by angling or spearing shall
1.13 be issued without a fee to a resident who is:

1.14 (1) blind;

1.15 (2) a recipient of supplemental security income for the aged, blind, and disabled;

1.16 (3) a recipient of Social Security aid to the disabled under United States Code, title
1.17 42, section 416, paragraph (i)(l) or section 423(d);

1.18 (4) a recipient of workers' compensation based on a finding of total and permanent
1.19 disability; or

1.20 (5) 65 years of age or older and was qualified under clause (2) or (3) at the age of 64.

1.21 (b) A driver's license or Minnesota identification card bearing the applicable
1.22 designation under section 171.07, subdivision 17, serves as satisfactory evidence to obtain
1.23 a license under this subdivision at all agent locations.

1.24 Sec. 2. Minnesota Statutes 2012, section 97A.441, subdivision 5, is amended to read:

2.1 Subd. 5. **Angling; disabled veterans.** (a) A person authorized to issue licenses
2.2 must issue, without a fee, a permanent license to take fish by angling to a resident who
2.3 is a veteran, as defined in section 197.447, and that has a 100 percent service connected
2.4 disability as defined by the United States Veterans Administration upon being furnished
2.5 satisfactory evidence.

2.6 (b) A driver's license or Minnesota identification card bearing the designation under
2.7 section 171.07, subdivision 15, paragraph (a), clause (2), serves as satisfactory evidence to
2.8 obtain a license under this subdivision at all agent locations.

2.9 Sec. 3. Minnesota Statutes 2013 Supplement, section 97A.441, subdivision 6, is
2.10 amended to read:

2.11 Subd. 6. **Taking deer; disabled veterans.** (a) A person authorized to issue
2.12 licenses must issue, without a fee, a license to take deer with firearms or by archery to a
2.13 resident that is a veteran, as defined in section 197.447, and that has a 100 percent service
2.14 connected disability as defined by the United States Veterans Administration upon being
2.15 furnished satisfactory evidence.

2.16 (b) The commissioner, upon request, must issue a permanent card documenting
2.17 satisfactory evidence of 100 percent permanently disabled status.

2.18 (c) ~~The card serves following~~ serve as satisfactory evidence to obtain a license
2.19 under this subdivision at all agent locations:

2.20 (1) a card issued under paragraph (b); or

2.21 (2) a driver's license or Minnesota identification card bearing the designation under
2.22 section 171.07, subdivision 15, paragraph (a), clause (2).

2.23 Sec. 4. Minnesota Statutes 2013 Supplement, section 97A.441, subdivision 6a, is
2.24 amended to read:

2.25 Subd. 6a. **Taking small game; disabled veterans.** (a) A person authorized to
2.26 issue licenses must issue, without a fee, a license to take small game to a resident who is
2.27 a veteran, as defined in section 197.447, and who has a 100 percent service connected
2.28 disability as defined by the United States Veterans Administration upon being furnished
2.29 satisfactory evidence.

2.30 (b) The commissioner, upon request, must issue a permanent card documenting
2.31 satisfactory evidence of 100 percent permanently disabled status.

2.32 (c) ~~The card serves following~~ serve as satisfactory evidence to obtain a license
2.33 under this subdivision at all agent locations:

2.34 (1) a card issued under paragraph (b); or

3.1 (2) a driver's license or Minnesota identification card bearing the designation under
3.2 section 171.07, subdivision 15, paragraph (a), clause (2).

3.3 Sec. 5. Minnesota Statutes 2012, section 97B.031, subdivision 5, is amended to read:

3.4 Subd. 5. **Scopes; visually impaired hunters.** (a) Notwithstanding any other law
3.5 to the contrary, the commissioner may issue a special permit, without a fee, to use a
3.6 muzzleloader with a scope to take deer during the muzzleloader season to a person who
3.7 obtains the required licenses and who ~~has~~ provides satisfactory evidence of a visual
3.8 impairment. The scope may not have magnification capabilities.

3.9 (b) The visual impairment must be to the extent that the applicant is unable to
3.10 identify targets and the rifle sights at the same time without a scope.

3.11 (c) The following serve as satisfactory evidence to obtain a special permit under
3.12 this subdivision:

3.13 (1) a driver's license or Minnesota identification card bearing the applicable
3.14 designation under section 171.07, subdivision 17; or

3.15 ~~The visual impairment and specific conditions must be established by (2) medical~~
3.16 ~~evidence that establishes the visual impairment and specific conditions, indicates whether~~
3.17 ~~the visual impairment is permanent, and is verified in writing by (1) (i) a licensed~~
3.18 ~~physician or a certified nurse practitioner or certified physician assistant acting under the~~
3.19 ~~direction of a licensed physician; (2) (ii) a licensed ophthalmologist; or (3) (iii) a licensed~~
3.20 ~~optometrist. The commissioner may request additional information from the physician if~~
3.21 ~~needed to verify the applicant's eligibility for the permit.~~

3.22 ~~(e) (d)~~ (d) A permit issued under this subdivision may be valid for up to five years, based
3.23 on the permanence of the visual impairment as determined by the licensed physician,
3.24 ophthalmologist, or optometrist.

3.25 ~~(d) (e)~~ (e) The permit must be in the immediate possession of the permittee when
3.26 hunting under the special permit.

3.27 ~~(e) (f)~~ (f) The commissioner may deny, modify, suspend, or revoke a permit issued
3.28 under this subdivision for cause, including a violation of the game and fish laws or rules.

3.29 ~~(f) (g)~~ (g) A person who knowingly makes a false application or assists another in
3.30 making a false application for a permit under this subdivision is guilty of a misdemeanor.
3.31 A physician, certified nurse practitioner, certified physician assistant, ophthalmologist,
3.32 or optometrist who fraudulently certifies to the commissioner that a person is visually
3.33 impaired as described in this subdivision is guilty of a misdemeanor.

3.34 Sec. 6. Minnesota Statutes 2012, section 97B.055, subdivision 3, is amended to read:

4.1 Subd. 3. **Hunting from vehicle by disabled hunters.** (a) The commissioner may
4.2 issue a special permit, without a fee, to discharge a firearm or bow and arrow from a
4.3 stationary motor vehicle to a person who obtains the required licenses and who ~~has~~
4.4 provides satisfactory evidence of a permanent physical disability that is more substantial
4.5 than discomfort from walking. The permit recipient must be:

4.6 (1) unable to step from a vehicle without aid of a wheelchair, crutches, braces, or
4.7 other mechanical support or prosthetic device; or

4.8 (2) unable to walk any distance because of a permanent lung, heart, or other internal
4.9 disease that requires the person to use supplemental oxygen to assist breathing.

4.10 (b) The following serve as satisfactory evidence to obtain a special permit under
4.11 this subdivision:

4.12 (1) a driver's license or Minnesota identification card bearing the applicable
4.13 designation under section 171.07, subdivision 17; or

4.14 ~~(b) The permanent physical disability must be established by~~ (2) medical evidence
4.15 that establishes the permanent physical disability, and is verified in writing by a licensed
4.16 physician, chiropractor, or certified nurse practitioner or certified physician assistant acting
4.17 under the direction of a licensed physician. The commissioner may request additional
4.18 information from the physician or chiropractor if needed to verify the applicant's eligibility
4.19 for the permit. Notwithstanding section 97A.418, the commissioner may, in consultation
4.20 with appropriate advocacy groups, establish reasonable minimum standards for permits
4.21 to be issued under this section.

4.22 (c) In addition to providing the medical evidence of a permanent disability under
4.23 paragraph (b), the applicant must possess a valid disability parking certificate authorized
4.24 by section 169.345 or license plates issued under section 168.021.

4.25 ~~(e)~~ (d) A person issued a special permit under this subdivision and hunting deer may
4.26 take a deer of either sex, except in those antlerless permit areas and seasons where no
4.27 antlerless permits are offered. This subdivision does not authorize another member of a
4.28 party to take an antlerless deer under section 97B.301, subdivision 3.

4.29 ~~(d)~~ (e) A permit issued under this subdivision is valid for five years.

4.30 ~~(e)~~ (f) The commissioner may deny, modify, suspend, or revoke a permit issued
4.31 under this section for cause, including a violation of the game and fish laws or rules.

4.32 ~~(f)~~ (g) A person who knowingly makes a false application or assists another in
4.33 making a false application for a permit under this section is guilty of a misdemeanor.
4.34 A physician, certified nurse practitioner, certified physician assistant, or chiropractor
4.35 who fraudulently certifies to the commissioner that a person is permanently disabled as
4.36 described in this section is guilty of a misdemeanor.

5.1 ~~(g)~~ (h) Notwithstanding paragraph ~~(d)~~ (e), the commissioner may issue a permit
5.2 valid for the entire life of the applicant if the commissioner determines that there is no
5.3 chance that an applicant will become ineligible for a permit under this section and the
5.4 applicant requests a lifetime permit.

5.5 Sec. 7. Minnesota Statutes 2012, section 97B.106, subdivision 1, is amended to read:

5.6 Subdivision 1. **Qualifications for crossbow permits.** (a) The commissioner may
5.7 issue a special permit, without a fee, to take big game, small game, or rough fish with a
5.8 crossbow to a person ~~that is~~ who provides satisfactory evidence of being unable to hunt or
5.9 take rough fish by archery because of a permanent or temporary physical disability. A
5.10 crossbow permit issued under this section also allows the permittee to use a bow with a
5.11 mechanical device that draws, releases, or holds the bow at full draw as provided in
5.12 section 97B.035, subdivision 1, paragraph (a).

5.13 (b) To qualify for a crossbow permit under this section, a temporary disability must
5.14 render the person unable to hunt or fish by archery for a minimum of two years after
5.15 application for the permit is made.

5.16 (c) The following serve as satisfactory evidence to obtain a special permit under
5.17 this subdivision:

5.18 (1) a driver's license or Minnesota identification card bearing the applicable
5.19 designation under section 171.07, subdivision 17; or

5.20 ~~The permanent or temporary disability must be established by~~ (2) medical evidence;
5.21 ~~and that establishes the inability to hunt or fish by archery for the required period of time~~
5.22 ~~must be,~~ indicates whether the disability is permanent, and is verified in writing by ~~(1)~~ (i)
5.23 a licensed physician or a certified nurse practitioner or certified physician assistant acting
5.24 under the direction of a licensed physician; or ~~(2)~~ (ii) a licensed chiropractor.

5.25 (d) A person who has received a special permit under this section because of a
5.26 permanent disability is eligible for subsequent special permits without providing medical
5.27 evidence and verification of the disability.

5.28 ~~(e)~~ (e) The person must obtain the appropriate license.

5.29 Sec. 8. Minnesota Statutes 2012, section 97B.111, subdivision 1, is amended to read:

5.30 Subdivision 1. **Establishment; requirements.** (a) The commissioner may establish
5.31 criteria, special seasons, and limits for persons who have a physical disability to take big
5.32 game and small game with firearms and by archery in designated areas. A person hunting
5.33 under this section who has a physical disability must:

5.34 (1) have:

6.1 (i) a verified statement of the disability by a licensed physician; or
 6.2 (ii) a driver's license or Minnesota identification card bearing the applicable
 6.3 designation under section 171.07, subdivision 17; and must

6.4 (2) be participating in a program for physically disabled hunters sponsored by a
 6.5 nonprofit organization that is permitted under subdivision 2.

6.6 (b) Notwithstanding section 97B.055, subdivision 3, the commissioner may
 6.7 authorize hunt participants to shoot from a stationary motor vehicle. A license is not
 6.8 required for a person to assist a physically disabled person hunting during a special season
 6.9 under this section.

6.10 Sec. 9. Minnesota Statutes 2012, section 171.07, subdivision 15, is amended to read:

6.11 Subd. 15. **Veteran designation.** (a) At the request of the an eligible applicant
 6.12 and on payment of the required fee, the department shall issue, renew, or reissue to the
 6.13 applicant a driver's license or Minnesota identification card bearing the a designation of:

6.14 (1) "Veteran" to an applicant who is a veteran, as defined in section 197.447.; or

6.15 (2) "Veteran 100% T&P."

6.16 (b) At the time of the initial application for the designation provided under this
 6.17 subdivision, the applicant must:

6.18 (1) be a veteran, as defined in section 197.447;

6.19 (2) have a certified copy of the veteran's discharge papers; and

6.20 (3) if the applicant is seeking the disability designation under paragraph (a), clause
 6.21 (2), provide satisfactory evidence of a 100 percent total and permanent service-connected
 6.22 disability as determined by the United States Department of Veterans Affairs.

6.23 (c) The commissioner of public safety is required to issue drivers' licenses and
 6.24 Minnesota identification cards with the veteran designation only after entering a new
 6.25 contract or in coordination with producing a new card design with modifications made
 6.26 as required by law.

6.27 **EFFECTIVE DATE.** This section is effective the day following final enactment
 6.28 and applies to applications submitted on or after January 1, 2016.

6.29 Sec. 10. Minnesota Statutes 2012, section 171.07, is amended by adding a subdivision
 6.30 to read:

6.31 Subd. 17. **Disability designation.** At the request of an applicant with permanent
 6.32 eligibility for a disability designation and on payment of the required fee, the department
 6.33 shall issue, renew, or reissue to the applicant a driver's license or Minnesota identification
 6.34 card bearing a physical disability designation based on the following:

7.1 (1) type 1, to an applicant who permanently meets the requirements for a free license
7.2 to take fish under section 97A.441, subdivision 1, paragraph (a);

7.3 (2) type 2, to an applicant who meets the requirements for medical evidence under
7.4 section 97B.031, subdivision 5, paragraph (c), clause (2), and has a permanent visual
7.5 impairment;

7.6 (3) type 3, to an applicant who meets the requirements for medical evidence under
7.7 section 97B.055, subdivision 3, paragraph (b), clause (2);

7.8 (4) type 4, to an applicant who meets the requirements for medical evidence under
7.9 section 97B.106, subdivision 1, paragraph (c), clause (2), and has a permanent disability; or

7.10 (5) type 5, to an applicant who permanently meets the requirements for disability
7.11 under section 97B.111, subdivision 1, paragraph (a), clause (1), item (i).

7.12 **EFFECTIVE DATE.** This section is effective the day following final enactment and
7.13 applies to applications submitted on or after January 1, 2016, or the date the new driver and
7.14 vehicle services information technology system is implemented, whichever comes later.