

CHAPTER 605—H.F.No. 1960

An act relating to natural resources; amending certain provisions concerned with the management of wildlife; amending Minnesota Statutes 1988, sections 97A.115; 97A.121; 97A.135, by adding a subdivision; and 97A.445, by adding a subdivision; and Minnesota Statutes 1989 Supplement, sections 97A.475, subdivision 18; and 97B.603.

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

Section 1. Minnesota Statutes 1988, section 97A.115, is amended to read:

97A.115 ESTABLISHMENT OF ~~PRIVATE~~ SHOOTING PRESERVES.

Subdivision 1. **LICENSES; RULES.** A person ~~must be licensed to~~ may not operate a private shooting preserve without a license. The commissioner may issue a license for a privately owned and operated licenses to operate commercial shooting preserve preserves and private shooting preserves if the commissioner determines that it is in the public interest and that there will not be an adverse effect on wild game bird populations. Private shooting preserves may only be located outside of the pheasant range as determined by the commissioner. The commissioner may ~~make~~ adopt rules to implement this section and section 97A.121.

Subd. 2. **GAME AVAILABLE.** Game that may be released and hunted in a licensed shooting preserve must be specified in the license and is limited to adult pheasant, quail, and chukar partridge for private shooting preserves and adult pheasant, quail, chukar partridge, turkey, mallard duck, black duck, and other species designated by the commissioner for commercial shooting preserves. These game birds must be pen hatched and raised.

Subd. 3. **SIZE OF PRESERVE.** A private shooting preserve must be at least 40 but not more than 160 contiguous acres for private shooting preserves and at least 100 but not more than 1,000 contiguous acres, including any water area, for commercial shooting preserves. A preserve limited to duck hunting may be a minimum of 50 contiguous acres including water area.

Subd. 4. **POSTING OF BOUNDARIES.** The boundaries of a private shooting preserve must be clearly posted in a manner prescribed by the commissioner.

Subd. 5. **REVOCAION OF LICENSE.** The commissioner may revoke a private shooting preserve license if the licensee or persons authorized to hunt in the preserve have been convicted of a violation under this section or section 97A.121. After revocation, a new license may be issued in the discretion of the commissioner.

Sec. 2. Minnesota Statutes 1988, section 97A.121, is amended to read:

97A.121 HUNTING IN PRIVATE SHOOTING PRESERVES.

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

Subdivision 1. **HUNTER'S LICENSE.** (a) A person hunting released birds in a private shooting preserve must have the licenses required by law for the hunting of game birds pheasants. ~~A nonresident may obtain a special private shooting preserve license that is valid for the entire preserve season for the same fee as a resident small game hunting license.~~

(b) A license is not required to hunt authorized game birds on a commercial shooting preserve.

Subd. 2. **SEASON.** (a) The open season for hunting in ~~private~~ commercial shooting preserves is ~~from July 15 through April 15~~ continuous. Sanctioned registered field trials in ~~private~~ commercial shooting preserves may be held from April 16 to July 14 after notification to the commissioner.

(b) The open season for hunting in a private shooting preserve is September 15 until December 31.

(c) The commissioner may restrict the open season after receiving a complaint, holding a public hearing, and finding that the population of wild game birds is in danger by hunting in the preserve.

Subd. 3. **OPERATOR MAY ESTABLISH RESTRICTIONS.** A ~~private~~ shooting preserve licensee may determine who is allowed to hunt in the preserve. In each preserve the licensee may establish the charge for taking game, the shooting hours, the season, limitations, and restrictions on the age, sex, and number of each species that may be taken by a hunter. These provisions may not conflict with this section or section 97A.115 and may not be less restrictive than any rule or order.

Subd. 4. **LIMITS AND MARKING OF GAME BIRDS.** Except as provided in subdivision 4a, the commissioner shall prescribe the minimum number of each authorized species that may be released and the percentage of each species that may be taken. The commissioner shall prescribe methods for identifying birds to be released.

Subd. 4a. **PHEASANTS.** (a) A private shooting preserve licensed to release pheasants ~~must~~ may release at least 500 ~~no more than~~ 300 ~~adult~~ pheasants on the licensed shooting preserve area during the private shooting preserve hunting season. ~~At least 20 pheasants must be released within 14 days before a day that pheasants are hunted.~~ The number of pheasants harvested may not exceed 95 percent of the number of pheasants released ~~during the private shooting preserve hunting season.~~

(b) A commercial shooting preserve must release at least 1,000 adult pheasants.

Subd. 5. **MARKING HARVESTED GAME.** Harvested game, except ducks that are marked in accordance with regulations of the United States Fish and Wildlife Service, must be ~~tagged with a self-sealing tag,~~ identifying marked or

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identified by the private shooting preserve in a manner prescribed by the commissioner. The commissioner ~~shall~~ may issue the tags or other markings at a cost of 15 cents each. The ~~tag~~ marking must remain attached on the bird while the bird is transported.

Subd. 6. **RECORD KEEPING.** A ~~private~~ shooting preserve licensee must maintain a registration book listing the names, addresses, and hunting license numbers, if applicable, of all hunters, the date when they hunted, the amount and species of game taken, and the tag numbers or other markings affixed to each bird. A ~~record~~ shooting preserve must ~~be kept~~ keep records of the number of each species raised and purchased and the date and number of each species released. The records must be open to inspection by the commissioner at all reasonable times.

Sec. 3. Minnesota Statutes 1988, section 97A.135, is amended by adding a subdivision to read:

Subd. 3. COOPERATIVE FARMING AGREEMENTS. On any public hunting, game refuge, or wildlife management area lands, the commissioner may enter into written cooperative farming agreements with nearby farmers on a sharecrop basis, without competitive bidding, for the purpose of establishing or maintaining wildlife food or cover for habitat purposes. The agreements may provide for the bartering of a share of any crop, not exceeding \$1,500 in value and produced from these lands, for services such as weed control, planting, cultivation, or other wildlife habitat practices.

Sec. 4. Minnesota Statutes 1988, section 97A.445, is amended by adding a subdivision to read:

Subd. 5. SMALL GAME HUNTING; TAKE A KID HUNTING WEEK-END. A resident over age 18 may take small game by hunting without a license during one Saturday and Sunday of the small game hunting season designated by order of the commissioner if accompanied by a child who is under age 16. The commissioner shall publicize the Saturday and Sunday as "Take a Kid Hunting Weekend."

Sec. 5. Minnesota Statutes 1989 Supplement, section 97A.475, subdivision 18, is amended to read:

Subd. 18. **SHOOTING PRESERVES.** The fee for a shooting preserve license is ~~\$82.50~~;

(1) for a private shooting preserve, \$100; and

(2) for a commercial shooting preserve, \$500.

Sec. 6. Minnesota Statutes 1989 Supplement, section 97B.603, is amended to read:

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97B.603 SMALL GAME PARTY HUNTING.

While two or more persons are hunting small game as a party and maintaining unaided visual and vocal contact, a member of the party may take and possess more than one limit of small game, but the total number of small game taken and possessed by the party may not exceed the limit of the number of persons in the party that may take and possess small game. This section does not apply to the hunting of migratory game birds or turkeys.

Sec. 7. EFFECTIVE DATE.

Sections 1 to 5 are effective the day following final enactment.

Presented to the governor April 28, 1990

Signed by the governor May 3, 1990, 5:53 p.m.

CHAPTER 606—S.F.No. 1150

An act relating to creditors remedies; regulating executions and garnishments; amending Minnesota Statutes 1988, section 550.142; proposing coding for new law in Minnesota Statutes, chapters 550 and 557; proposing coding for new law as Minnesota Statutes, chapter 551; repealing Minnesota Statutes 1988, sections 550.041; 550.05; 550.14; 550.141; 571.41; 571.42; 571.43; 571.44; 571.45; 571.46; 571.471; 571.495; 571.50; 571.51; 571.52; 571.53; 571.54; 571.55; 571.56; 571.57; 571.58; 571.59; 571.60; 571.61; 571.62; 571.63; 571.64; 571.65; 571.66; 571.67; 571.68; and 571.69.

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

ARTICLE 1

SHERIFF'S LEVY ON PROPERTY, MONEY, OR INDEBTEDNESS

Section 1. [550.051] TERM OF WRIT OF EXECUTION; INVENTORY; SATISFACTION.

Subdivision 1. TIME PERIODS. The writ of execution expires 180 days after its issuance by the court administrator. A levy that is served with a writ of execution that has expired is void. If the officer having the writ levies upon property or earnings before the expiration of 180 days, the officer may retain the writ until the officer sells the property or completes the levy upon earnings in the manner prescribed by law. Upon a demand of the judgment creditor or the creditor's attorney within 180 days, the officer shall pay to the judgment creditor or the judgment creditor's attorney all money collected upon execution after deducting the officer's fees. Upon expiration of the writ or full satisfaction of the judgment, if earlier, the officer shall make a full inventory of the property levied on and return it with the execution.

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