

CHAPTER 277—H.F.No. 2171

An act relating to natural resources; modifying game and fish license provisions; providing for taking wolf; modifying requirements to take and transport wild animals; modifying department authority and duties; providing for continued operations when biennial appropriations have not been enacted; creating walk-in access program; modifying predator control program; modifying deer baiting restrictions; modifying authority to remove beavers; providing for and modifying disposition of certain receipts; modifying snowmobile registration and trail sticker requirements; modifying snowmobile operation provisions; modifying watercraft license fees; modifying shooting range provisions; modifying temporary drawdown of public waters provisions; modifying certain civil liability provisions; requiring certain hearings; requiring report; requiring rulemaking; providing civil penalties; appropriating money; amending Minnesota Statutes 2010, sections 84.027, subdivisions 14, 15; 84.085, subdivision 1; 84.82, subdivisions 2, 3, 6; 84.8205, subdivision 1; 84.83, subdivisions 2, 3; 84.8712, subdivision 1; 86B.301, subdivision 2; 86B.415, subdivisions 1, 2, by adding a subdivision; 87A.01, subdivision 4; 87A.02, subdivision 2; 97A.015, subdivisions 3a, 53; 97A.055, by adding a subdivision; 97A.065, subdivision 6; 97A.085, by adding a subdivision; 97A.095, subdivisions 1, 2; 97A.137, subdivision 5; 97A.405, subdivision 4, by adding a subdivision; 97A.411, subdivision 1, by adding a subdivision; 97A.421, subdivision 3; 97A.431, subdivision 3; 97A.433, subdivision 3; 97A.435, subdivisions 2, 3; 97A.441, subdivision 7; 97A.451, subdivisions 3, 4, 5, by adding subdivisions; 97A.473, subdivisions 2, 2b, 3, 4, 5, 5a; 97A.474, subdivision 2; 97A.475, subdivisions 2, 3, 3a, 4, 6, 8, 11, 12, 20, 43, 44, 45; 97A.482; 97A.485, subdivision 7; 97B.001, subdivision 7; 97B.020; 97B.031, subdivisions 1, 2; 97B.035, subdivision 1a; 97B.071; 97B.085, subdivision 3; 97B.328; 97B.401; 97B.601, subdivisions 3a, 4; 97B.603; 97B.605; 97B.671, subdivisions 3, 4; 97B.711, subdivision 1; 97B.715, subdivision 1; 97B.801; 97B.805, subdivision 1; 97B.901; 97C.305, subdivisions 1, 2; 97C.355, subdivision 1, by adding a subdivision; 97C.395, subdivision 1; 97C.515, subdivisions 2, 4, 5; 103G.005, by adding a subdivision; 103G.408; 604A.21, subdivision 5; Minnesota Statutes 2011 Supplement, sections 84D.03, subdivision 3; 97A.075, subdivision 1, by adding a subdivision; 97A.475, subdivision 7; 97B.075; 97B.645, subdivision 9; 97B.667; Laws 2011, First Special Session chapter 2, article 1, section 4, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 87A; 97A; 97B; repealing Minnesota Statutes 2010, sections 17.4993, subdivision 2; 87A.02, subdivision 1; 97A.045, subdivisions 8, 13; 97A.065, subdivision 1; 97A.095, subdivision 3; 97A.331, subdivision 7; 97A.451, subdivisions 3a, 7; 97A.485, subdivision 12; 97A.552; 97B.645, subdivision 2; 97C.031.

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

ARTICLE 1**GAME AND FISH POLICY**

Section 1. Minnesota Statutes 2010, section 84.027, subdivision 14, is amended to read:

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

- (1) prevent the waste or unnecessary spending of public money;
- (2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;
- (3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;
- (4) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;
- (5) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;
- (6) report to the legislature on the performance of agency operations and the accomplishment of agency goals in the agency's biennial budget according to section 16A.10, subdivision 1; ~~and~~
- (7) recommend to the legislature appropriate changes in law necessary to carry out the mission and improve the performance of the department; and
- (8) plan and implement activities designed to recruit new outdoor recreation participants, including youth, women, and minorities, and retain existing participants. This includes but is not limited to anglers, hunters, trappers, and campers.

Sec. 2. Minnesota Statutes 2010, section 84.027, subdivision 15, is amended to read:

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

- (1) provide for the electronic transfer of funds generated by electronic transactions, including by telephone;
- (2) assign an identification number to an applicant who purchases a hunting or fishing license or recreational vehicle registration by electronic means, to serve as temporary authorization to engage in the activity requiring a license or registration until the license or registration is received or expires;
- (3) charge and permit agents to charge a fee of individuals who make electronic transactions and transactions by telephone or Internet, including issuing fees and an additional transaction fee not to exceed \$3.50;
- (4) charge and permit agents to charge a convenience fee not to exceed three percent of the cost of the license to individuals who use electronic bank cards for payment. An

electronic licensing system agent charging a fee of individuals making an electronic bank card transaction in person must post a sign informing individuals of the fee. The sign must be near the point of payment, clearly visible, include the amount of the fee, and state: "License agents are allowed by state law to charge a fee not to exceed three percent of the cost of state licenses to persons who use electronic bank cards for payment. The fee is not required by state law.";

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

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

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

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

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

Sec. 3. Minnesota Statutes 2010, section 84.085, subdivision 1, is amended to read:

Subdivision 1. **Authority.** (a) The commissioner of natural resources may accept for and on behalf of the state any gift, bequest, devise, or grants of lands or interest in lands or personal property of any kind or of money tendered to the state for any purpose pertaining to the activities of the department or any of its divisions. Any money so received is hereby appropriated and dedicated for the purpose for which it is granted. Lands and interests in lands so received may be sold or exchanged as provided in chapter 94. The deed conveying land or an interest in land to the state under this paragraph must clearly indicate whether the state may resell the donated land or interest in land.

(b) When the commissioner of natural resources accepts lands or interests in land, the commissioner may reimburse the donor for costs incurred to obtain an appraisal needed for tax reporting purposes. If the state pays the donor for a portion of the value of the lands or interests in lands that are donated, the reimbursement for appraisal costs shall not exceed \$1,500. If the donor receives no payment from the state for the lands or interests in lands that are donated, the reimbursement for appraisal costs shall not exceed \$5,000.

(c) The commissioner of natural resources, on behalf of the state, may accept and use grants of money or property from the United States or other grantors for conservation purposes not inconsistent with the laws of this state. Any money or property so received is hereby appropriated and dedicated for the purposes for which it is granted, and shall be expended or used solely for such purposes in accordance with the federal laws and regulations pertaining thereto, subject to applicable state laws and rules as to manner of expenditure or use providing that the commissioner may make subgrants of any money received to other agencies, units of local government, private individuals, private organizations, and private nonprofit corporations. Appropriate funds and accounts shall be maintained by the commissioner of management and budget to secure compliance with this section.

(d) The commissioner may accept for and on behalf of the permanent school fund a donation of lands, interest in lands, or improvements on lands. A donation so received shall become state property, be classified as school trust land as defined in section 92.025, and be managed consistent with section 127A.31. When the commissioner proposes to accept a donation of land or an interest in land, the commissioner must notify the landowner of the option to express in the deed whether the state may resell the land.

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 6. Minnesota Statutes 2010, section 84.82, subdivision 6, is amended to read:

Subd. 6. **Exemptions.** Registration is not required under this section for:

(1) a snowmobile owned and used by the United States, an Indian tribal government, another state, or a political subdivision thereof;

(2) a snowmobile registered in a country other than the United States temporarily used within this state;

(3) a snowmobile that is covered by a valid license of another state and has not been within this state for more than 30 consecutive days or that is registered by an Indian tribal government to a tribal member and has not been outside the tribal reservation boundary for more than 30 consecutive days;

(4) a snowmobile used exclusively in organized track racing events;

(5) a snowmobile in transit by a manufacturer, distributor, or dealer;

(6) a snowmobile at least 15 years old in transit by an individual for use only on land owned or leased by the individual; or

(7) a snowmobile while being used to groom a state or grant-in-aid trail.

Sec. 7. Minnesota Statutes 2010, section 84.8205, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 8. Minnesota Statutes 2010, section 84.83, subdivision 2, is amended to read:

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

Sec. 9. Minnesota Statutes 2010, section 84.83, subdivision 3, is amended to read:

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

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

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

(3) for snowmobile safety programs; and

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

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

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

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

Sec. 11. Minnesota Statutes 2011 Supplement, section 84D.03, subdivision 3, is amended to read:

Subd. 3. **Bait harvest from infested waters.** (a) Taking wild animals from infested waters for bait or aquatic farm purposes is prohibited, except as provided in paragraph (b) and section 97C.341.

(b) In waters that are designated as infested waters, except those designated because they contain prohibited invasive species of fish or certifiable diseases of fish, as defined under section 17.4982, subdivision 6, taking wild animals may be permitted for:

(1) commercial taking of wild animals for bait and aquatic farm purposes according to a permit issued under section 84D.11, subject to rules adopted by the commissioner; ~~and~~

(2) bait purposes for noncommercial personal use in waters that contain Eurasian water milfoil, when the infested waters are designated solely because they contain Eurasian water milfoil and if the equipment for taking is limited to cylindrical minnow traps not exceeding 16 inches in diameter and 32 inches in length; and

(3) harvest of bullheads, goldeyes, mooneyes, sheepshead (freshwater drum), and suckers for bait from streams or rivers designated as infested waters, by hook and line for noncommercial personal use. Other provisions that apply to this clause are:

(i) fish taken under this clause must be used on the same body of water where caught and while still on that water body;

(ii) fish taken under this clause may not be transported live from or off the water body;

(iii) fish harvested under this clause may only be used in accordance with this section;

(iv) any other use of wild animals used for bait from infested waters is prohibited;

(v) fish taken under this clause must meet all other size restrictions and requirements as established in rules; and

(vi) all species listed under this clause shall be included in the person's daily limit as established in rules, if applicable.

(c) Equipment authorized for minnow harvest in a designated infested water by permit issued under paragraph (b) may not be transported to, or used in, any waters other than waters specified in the permit.

Sec. 12. Minnesota Statutes 2010, section 86B.301, subdivision 2, is amended to read:

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

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

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

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

(4) a ship's lifeboat;

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

(6) a duck boat during duck hunting season;

(7) a rice boat during the harvest season;

(8) a seaplane; and

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

EFFECTIVE DATE. This section is effective January 1, 2013.

Sec. 13. Minnesota Statutes 2010, section 86B.415, subdivision 1, is amended to read:

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

(b) The watercraft license fee:

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

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

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

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

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

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

EFFECTIVE DATE. This section is effective January 1, 2013.

Sec. 14. Minnesota Statutes 2010, section 86B.415, is amended by adding a subdivision to read:

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

EFFECTIVE DATE. This section is effective January 1, 2013.

Sec. 15. Minnesota Statutes 2010, section 86B.415, subdivision 2, is amended to read:

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

- (1) for a watercraft more than 19 feet but less than 26 feet in length is \$45;
- (2) for a watercraft 26 feet but less than 40 feet in length is \$67.50; and
- (3) for a watercraft 40 feet in length or longer is \$90.

EFFECTIVE DATE. This section is effective January 1, 2013.

Sec. 16. Minnesota Statutes 2010, section 87A.01, subdivision 4, is amended to read:

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

Sec. 17. Minnesota Statutes 2010, section 87A.02, subdivision 2, is amended to read:

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

Sec. 18. **[87A.09] PUBLIC SHOOTING RANGES; ACCESSIBILITY.**

(a) A publicly owned or managed shooting range located in the seven-county metropolitan area that is funded in whole or part with public funds must be available at least twice during the spring and twice during the summer for use by participants in a Minnesota Department of Natural Resources firearms safety instruction course under section 97B.015. The shooting range must be available during hours reasonable for youth participants. The range operator may charge a fee to cover any costs directly incurred

from use required under this section, but may not charge a fee to offset costs for general maintenance and operation of the facility.

(b) This section does not apply to cities of the first class or a shooting range located on the same premises as a correctional or detention facility that holds or incarcerates offenders.

Sec. 19. Minnesota Statutes 2010, section 97A.015, subdivision 3a, is amended to read:

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

Sec. 20. Minnesota Statutes 2010, section 97A.015, subdivision 53, is amended to read:

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

Sec. 21. Minnesota Statutes 2010, section 97A.065, subdivision 6, is amended to read:

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

~~(b) By February 10, 2010, the commissioner shall report to the legislature on the participation in and the effectiveness of the venison donation program. The surcharges and donations under section 97A.475, subdivisions 3, paragraph (b); 3a, paragraph (a); and 4, paragraph (b), shall be deposited in an account in the special revenue fund and are appropriated to the commissioner for the walk-in access program.~~

Sec. 22. Minnesota Statutes 2011 Supplement, section 97A.075, subdivision 1, is amended to read:

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

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

(c) \$1 from each annual deer license and each bear license and \$1 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer and

bear management account and is appropriated to the commissioner for deer and bear management programs, including a computerized licensing system.

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. ~~The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent.~~

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

Sec. 23. Minnesota Statutes 2011 Supplement, section 97A.075, is amended by adding a subdivision to read:

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

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

Sec. 24. Minnesota Statutes 2010, section 97A.085, is amended by adding a subdivision to read:

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

Sec. 25. Minnesota Statutes 2010, section 97A.095, subdivision 1, is amended to read:

Subdivision 1. **Migratory waterfowl sanctuary.** The commissioner may designate by rule any part of a state game refuge or any part of a public water that is designated for management purposes under section 97A.101, subdivision 2, as a migratory waterfowl sanctuary ~~if there is presented to the commissioner a petition signed by ten resident licensed hunters describing an area that is primarily a migratory waterfowl refuge. The commissioner must consider an area for designation upon presentation of a petition signed by at least ten residents demonstrating that the area is primarily a migratory waterfowl refuge.~~ The commissioner shall post the area as a migratory waterfowl sanctuary. A person may not enter a posted migratory waterfowl sanctuary during the open migratory waterfowl season or during other times prescribed by the commissioner unless accompanied by or under a permit issued by a conservation officer or wildlife manager. Upon a request from a private landowner within a migratory waterfowl sanctuary, an annual permit must be issued to provide access to the property during the waterfowl season. The permit shall include conditions that allow no activity which would disturb waterfowl using the refuge during the waterfowl season.

Sec. 26. Minnesota Statutes 2010, section 97A.095, subdivision 2, is amended to read:

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

Sec. 27. **[97A.126] WALK-IN ACCESS PROGRAM.**

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

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

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

(c) Hunter access on private lands that are posted as enrolled in the walk-in access program is restricted to nonmotorized use, except by hunters with disabilities operating motor vehicles on established trails or field roads who possess a valid permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.

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

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

- (1) harvesting bait, including minnows, leeches, and other live bait;
- (2) training dogs or using dogs for activities other than hunting; and
- (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting blind, or other structure, unless constructed or maintained by the landowner.

EFFECTIVE DATE. This section is effective March 1, 2013.

Sec. 28. Minnesota Statutes 2010, section 97A.137, subdivision 5, is amended to read:

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

Sec. 29. Minnesota Statutes 2010, section 97A.405, subdivision 4, is amended to read:

Subd. 4. **Replacement deer licenses.** (a) The commissioner may permit licensed deer hunters to change zone, license, or season options. The commissioner may issue a replacement deer license if the applicant submits the original deer license and unused tags that are being replaced and the applicant pays any increase in cost between the original and the replacement deer license. A refund of the difference in fees may be issued when a person changes from a regular deer license to a youth deer license.

(b) A replacement deer license may be issued only if the applicant has not used any tag from the original deer license or licenses and meets the conditions of paragraph (c). The original deer license or licenses and all unused tags for the deer licenses being replaced must be submitted to the issuing agent at the time the replacement deer license is issued.

(c) A replacement deer license may be issued under the following conditions, or as otherwise prescribed by rule of the commissioner:

- (1) when the season for the deer license being surrendered has not yet opened; or
- (2) when the person is changing from a regular deer license to a youth deer license.

(d) Notwithstanding section 97A.411, subdivision 3, a replacement deer license is valid immediately upon issuance if the deer license being surrendered is valid at that time.

Sec. 30. Minnesota Statutes 2010, section 97A.405, is amended by adding a subdivision to read:

Subd. 4a. **Replacement turkey licenses.** (a) The commissioner may permit licensed turkey hunters to change permit areas or time periods within the fall turkey season, or within the spring turkey season. The commissioner may issue a replacement turkey license if the applicant submits the original turkey license and unused tags that are being replaced, and the applicant pays the fee for a replacement license under section 97A.475, subdivision 44.

(b) A replacement turkey license may be issued only if the applicant has not used the tag from the original turkey license and meets the requirements of paragraph (c). The original turkey licenses and all unused tags for the turkey licenses being replaced must be submitted to the issuing agent at the time the replacement turkey license is issued.

(c) A turkey replacement license may be issued under the following conditions, or as otherwise prescribed by rule of the commissioner:

- (1) when the permit area or time period for the turkey license being surrendered has not yet opened; and

(2) licenses are available for the replacement turkey license permit area or time period for (i) areas that are not lottery areas, (ii) lottery areas that have remaining licenses, or (iii) the applicant is a youth hunter age 17 or younger.

Sec. 31. Minnesota Statutes 2010, section 97A.421, subdivision 3, is amended to read:

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

- (1) a gross misdemeanor violation under the game and fish laws relating to big game;
- (2) doing an act without a required big game license; or
- (3) the second violation within three years under the game and fish laws relating to big game.

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

(c) The revocation period under paragraphs (a) and (b) doubles if the conviction is for a deer that is a trophy deer scoring higher than 170 using the scoring method established for wildlife restitution values adopted under section 97A.345.

Sec. 32. Minnesota Statutes 2010, section 97A.431, subdivision 3, is amended to read:

Subd. 3. **Application for license.** An application for a moose license must be on a form provided by the commissioner and accompanied by a ~~\$3~~ \$4 nonrefundable application fee per person. A person may not make more than one application for each season. If a person makes more than one application, the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Sec. 33. Minnesota Statutes 2010, section 97A.433, subdivision 3, is amended to read:

Subd. 3. **Application for license.** An application for an elk license must be on a form provided by the commissioner and accompanied by a ~~\$10~~ \$4 nonrefundable application fee per person. A person may not make more than one application for each season. If a person makes more than one application, the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Sec. 34. Minnesota Statutes 2010, section 97A.435, subdivision 3, is amended to read:

Subd. 3. **Application for license.** An application for a turkey license must be on a form provided by the commissioner and accompanied by a ~~\$3~~ \$4 application fee. A person may not make more than one application for each season. If a person makes more than one application the person is ineligible for a license for that season after determination by the commissioner, without a hearing.

Sec. 35. Minnesota Statutes 2010, section 97A.441, subdivision 7, is amended to read:

Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may issue, without a fee, a license to take an antlerless deer to a resident who is an owner or tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land, as defined in section 97B.001, in deer permit areas that ~~have deer archery licenses to take~~

~~additional deer under section 97B.301, subdivision 4 allow the taking of antlerless deer without a lottery application.~~ A person may receive only one license per year under this subdivision. For properties with co-owners or cotenants, only one co-owner or cotenant may receive a license under this subdivision per year. The license issued under this subdivision is restricted to land leased for agricultural purposes or owned by the holder of the license within the permit area where the qualifying land is located. The holder of the license may transfer the license to the holder's spouse or dependent. Deer taken under this subdivision do not count towards the total bag limit for the permit area. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision 2, the holder of the license may purchase ~~an~~ additional license licenses or permits for taking deer and may take ~~an~~ additional deer under that license those licenses or permits, provided the holder adheres to the bag limits established for that permit area.

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

Sec. 36. Minnesota Statutes 2010, section 97A.451, subdivision 3, is amended to read:

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

- (1) age 14 or 15 and possesses a firearms safety certificate;
- (2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or guardian;
- (3) age 13, 14, or 15, possesses an apprentice hunter validation, and is accompanied by a parent or guardian who possesses a small game license that was not obtained using an apprentice hunter validation; or
- (4) age 12 or under and is accompanied by a parent or guardian.

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

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

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

Sec. 37. Minnesota Statutes 2010, section 97A.451, subdivision 4, is amended to read:

Subd. 4. **Persons Residents under age 16; big game.** (a) A ~~person~~ resident age 12, 13, 14, or 15 may not obtain a license to take big game unless the person possesses

a firearms safety certificate. A person resident age 12 or 13 must be accompanied by a parent or guardian to hunt big game.

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

Sec. 38. Minnesota Statutes 2010, section 97A.451, is amended by adding a subdivision to read:

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

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

Sec. 39. Minnesota Statutes 2010, section 97A.473, subdivision 3, is amended to read:

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

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

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

Sec. 40. Minnesota Statutes 2010, section 97A.473, subdivision 5, is amended to read:

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

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

- (1) age 3 and under, \$357;
- (2) age 4 to age 15, \$480;

- (3) age 16 to age 50, \$613; and
- (4) age 51 and over, \$413.

Sec. 41. Minnesota Statutes 2010, section 97A.473, subdivision 5a, is amended to read:

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

- (b) The fees for a resident lifetime sporting with spearing option license are:
 - (1) age 3 and under, \$615;
 - (2) age 4 to age 15, \$800;
 - (3) age 16 to age 50, \$985; and
 - (4) age 51 and over, \$586.

Sec. 42. Minnesota Statutes 2010, section 97A.475, subdivision 2, is amended to read:

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

- (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
- (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- (3) for persons age 18 or over to take turkey, \$23;
- (4) for persons under age 18 to take turkey, \$12;
- (5) for persons age 18 or over to take deer with firearms during the regular firearms season, \$26;
- (6) for persons age 18 or over to take deer by archery, \$26;
- (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, \$26;
- (8) to take moose, for a party of not more than six persons, \$310;
- (9) to take bear, \$38;
- (10) to take elk, for a party of not more than two persons, \$250;
- (11) to take Canada geese during a special season, \$4;
- (12) to take prairie chickens, \$20;
- (13) for persons under age 18 to take deer with firearms during the regular firearms season, \$13;
- (14) for persons under age 18 to take deer by archery, \$13; ~~and~~

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

(16) to take wolf, \$30.

Sec. 43. Minnesota Statutes 2010, section 97A.475, subdivision 3, is amended to read:

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

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

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

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

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

(5) to take bear, \$195;

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

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

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

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

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

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

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

(13) to take wolf, \$250.

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

Sec. 44. Minnesota Statutes 2010, section 97A.475, subdivision 3a, is amended to read:

Subd. 3a. **Deer license donation and surcharge.** (a) A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take deer by firearms or archery established under subdivisions 2, clauses (5), (6), (7), (11), and (13), and 3, paragraph (a), clauses (2), (3), (4), and (9).

(b) Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or archery established under section 97B.301, subdivision 4, must be increased by a surcharge of \$1.

~~(c) An additional commission may not be assessed on the donation or surcharge and the following statement must be included in the annual deer hunting regulations: "The deer license donations and surcharges are being paid by hunters for deer management, including assisting with the costs of processing deer donated for charitable purposes."~~

Sec. 45. Minnesota Statutes 2010, section 97A.475, subdivision 4, is amended to read:

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

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

Sec. 46. Minnesota Statutes 2010, section 97A.475, subdivision 20, is amended to read:

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

- (1) for residents over age 13 and under age 18, \$6;
- (2) for residents age 18 or over and under age 65, \$20;
- (3) for residents age 65 or over, \$10; and
- (4) for nonresidents, \$73.

(b) The fee for a license to trap wolves is \$30, to be issued to residents only.

Sec. 47. Minnesota Statutes 2010, section 97A.475, subdivision 44, is amended to read:

Subd. 44. **Replacement licenses.** The fee for a replacement ~~firearms~~ deer or turkey license is \$5.

Sec. 48. Minnesota Statutes 2010, section 97A.482, is amended to read:

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

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

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

~~(c) The commissioners of human services and natural resources shall request a waiver from the secretary of health and human services to exclude any applicant under the age of 16 from the requirement under this section and under cross-country ski licensing sections to provide the applicant's Social Security number. If a waiver is granted, this section will be so amended effective January 1, 2006, or upon the effective date of the waiver, whichever is later.~~

Sec. 49. Minnesota Statutes 2010, section 97B.001, subdivision 7, is amended to read:

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

- (1) on another person's private land, if the land is not a licensed shooting preserve; or
- (2) on a public right-of-way.

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

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

Sec. 50. Minnesota Statutes 2010, section 97B.031, subdivision 1, is amended to read:

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

- (1) the rifle, shotgun, and handgun used is a caliber of at least .22 inches and with centerfire ignition;
- (2) the firearm is loaded only with single projectile ammunition;
- (3) a projectile used is a caliber of at least .22 inches and has a soft point or is an expanding bullet type;
- (4) the muzzleloader used is incapable of being loaded at the breech;
- (5) the smooth-bore muzzleloader used is a caliber of at least .45 inches; and
- (6) the rifled muzzleloader used is a caliber of at least .40 inches.

Sec. 51. Minnesota Statutes 2010, section 97B.031, subdivision 2, is amended to read:

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

Sec. 52. Minnesota Statutes 2010, section 97B.035, subdivision 1a, is amended to read:

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

Sec. 53. **[97B.063] HUNTER SATISFACTION SURVEY.**

The commissioner shall administer the collection of hunter information related to participation and satisfaction. This may include information on preferences, values, interests, participation rates and patterns, barriers to participation, or other factors. The data shall be collected using established social science methods.

Sec. 54. Minnesota Statutes 2010, section 97B.071, is amended to read:

97B.071 BLAZE ORANGE REQUIREMENTS.

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

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

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

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

Sec. 55. Minnesota Statutes 2011 Supplement, section 97B.075, is amended to read:

97B.075 HUNTING RESTRICTED BETWEEN EVENING AND MORNING.

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

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

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

Sec. 56. Minnesota Statutes 2010, section 97B.085, subdivision 3, is amended to read:

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

- (1) ~~one-way~~ radio communication between a handler and a dog; ~~or~~
- (2) a remote-controlled animal noise caller for taking crows, fur-bearing animals, and unprotected animals; ~~or~~
- (3) a remote-controlled motorized decoy used for taking migratory waterfowl under section 97B.811, subdivision 4a, or for taking mourning doves.

Sec. 57. **[97B.1115] USE OF MECHANICAL OR ELECTRONIC ASSISTANCE TO HOLD AND DISCHARGE FIREARMS OR BOWS BY PHYSICALLY DISABLED.**

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

Sec. 58. Minnesota Statutes 2010, section 97B.328, is amended to read:

97B.328 BAITING PROHIBITED.

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

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

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

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

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

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

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

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

Sec. 59. Minnesota Statutes 2010, section 97B.401, is amended to read:

97B.401 BEAR LICENSE REQUIRED; APPLICATION.

(a) A person may not take bear without a bear license except as provided in section 97B.415 to protect property.

(b) A person may not place bait for bears on or after the Friday nearest August 14 unless the person has a bear license or is operating under the direction of a person with a valid bear license.

(c) An application for a bear license must be on a form provided by the commissioner and accompanied by a \$4 application fee. A person may not make more than one application for each season. If a person makes more than one application, the person is

ineligible for a license for that season after determination by the commissioner, without a hearing.

Sec. 60. Minnesota Statutes 2010, section 97B.601, subdivision 3a, is amended to read:

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

Sec. 61. Minnesota Statutes 2010, section 97B.601, subdivision 4, is amended to read:

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

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

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

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

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

Sec. 62. Minnesota Statutes 2010, section 97B.603, is amended to read:

97B.603 TAKING SMALL GAME AS A PARTY.

(a) While two or more persons are taking 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.

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

Sec. 63. Minnesota Statutes 2010, section 97B.605, is amended to read:

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

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

Sec. 64. Minnesota Statutes 2011 Supplement, section 97B.645, subdivision 9, is amended to read:

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

Sec. 65. **97B.647] TAKING WOLVES.**

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

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

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

Subd. 4. **Daily and possession limits.** The commissioner may establish by rule the daily and possession limits for wolves.

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

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

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

Sec. 66. Minnesota Statutes 2011 Supplement, section 97B.667, is amended to read:

97B.667 REMOVAL OF BEAVERS, BEAVER DAMS, AND LODGES BY ROAD AUTHORITIES AND LOCAL GOVERNMENT UNITS.

Subdivision 1. **Road authorities.** (a) When a drainage watercourse is impaired by a beaver dam and the water damages or threatens to damage a public road, the road authority, as defined in section 160.02, subdivision 25, may remove the impairment and any associated beaver lodge within 300 feet of the road. ~~Notwithstanding any law to the contrary,~~

(b) The road authority may kill ~~or~~ beaver associated with the lodge or damage in any manner, except by poison or artificial lights.

(c) The road authority may arrange to have killed by any lawful means a beaver associated with the lodge by trapping through a third-party contract or under subdivision 4.

Subd. 2. **Local government units.** (a) Local government units may, as provided in this section, kill or arrange to have killed beaver that are causing damage, including damage to silvicultural projects and drainage ditches, on property owned or managed by the local government unit. Removal or destruction of any associated beaver lodge is subject to section 97A.401, subdivision 5.

(b) The local government unit may kill beaver associated with the lodge or damage in any manner, except by poison or artificial lights.

(c) The local government unit may arrange to have killed any beaver associated with the lodge or damage by trapping through a third-party contract or under subdivision 4.

Subd. 3. **Permits and notice; requirements.** (a) Before killing or arranging to kill a beaver under this section, the road authority or local government unit must contact a conservation officer for a special beaver permit. The conservation officer must issue the permit for any beaver subject to this section.

(b) A road authority or local government unit that kills or arranges to have killed a beaver under this section must notify a conservation officer or ~~the officer's designee as specified in the permit~~ employee of the Wildlife Division within ten days after the animal is killed.

Subd. 4. **Local beaver control programs.** A road authority or local government unit may, after consultation with the Wildlife Division ~~and the Board of Water and Soil Resources~~, implement a local beaver control program designed to reduce the number of incidents of beaver;

(1) interfering with or damaging a public road; or

(2) causing damage, including damage to silvicultural projects and drainage ditches, on property owned or managed by the local government unit.

The local control program may include the offering of a bounty for the lawful taking of beaver.

Sec. 67. Minnesota Statutes 2010, section 97B.671, subdivision 3, is amended to read:

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

Sec. 68. Minnesota Statutes 2010, section 97B.671, subdivision 4, is amended to read:

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

(b) After the gray wolf is delisted under the federal Endangered Species Act of 1973, in zone B, as defined under section 97B.645, subdivision 12, if the commissioner, after considering recommendations from an extension agent or conservation officer, has

verified that livestock, domestic animals, or pets were destroyed by a ~~gray~~ wolf within the previous five years, and if the livestock, domestic animal, or pet owner requests ~~gray~~ wolf control, the commissioner shall open a predator control area for ~~gray~~ wolves.

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

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

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

(f) The commissioner may, in consultation with the commissioner of agriculture, develop a cooperative agreement for ~~gray~~ wolf control activities with the United States Department of Agriculture. The cooperative agreement activities may include, but not be limited to, ~~gray~~ wolf control, training for state predator controllers, and control monitoring and record keeping.

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

Sec. 69. Minnesota Statutes 2010, section 97B.711, subdivision 1, is amended to read:

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

- (1) pheasant;
- (2) ruffed grouse;
- (3) sharp tailed grouse;
- (4) Canada spruce grouse;
- (5) prairie chicken;
- (6) gray partridge;
- (7) bobwhite quail; and
- (8) turkey.

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

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

Sec. 70. Minnesota Statutes 2010, section 97B.805, subdivision 1, is amended to read:

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

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

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

(3) pursuing or shooting wounded birds; or

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

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

Sec. 71. Minnesota Statutes 2010, section 97B.901, is amended to read:

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

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

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

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

Sec. 72. **[97B.903] USE OF BODY-GRIPPING TRAPS.**

A person may not set, place, or operate, except as a waterset, a body-gripping or conibear-type trap on public lands and waters that has a maximum jaw opening when set greater than 6-1/2 inches and less than 7-1/2 inches measured from the inside edges of the body-gripping portions of the jaws, unless:

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

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

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

Sec. 73. Minnesota Statutes 2010, section 97C.355, subdivision 1, is amended to read:

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

Sec. 74. Minnesota Statutes 2010, section 97C.355, is amended by adding a subdivision to read:

Subd. 2a. **Portable shelters.** A person using a portable shelter that is not identified under subdivision 1 must remain within 200 feet of the shelter while the shelter is on the ice of state waters.

Sec. 75. Minnesota Statutes 2010, section 97C.395, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

Sec. 76. Minnesota Statutes 2010, section 97C.515, subdivision 2, is amended to read:

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

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

~~(b)~~ (c) The commissioner may require the person transporting minnow species found on the official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services, to provide health certification for viral hemorrhagic septicemia ~~or other certifiable diseases. For certifiable diseases not currently documented in Minnesota,~~ The certification must disclose any incidentally isolated replicating viruses, and must be dated within the 12 months preceding transport.

Sec. 77. Minnesota Statutes 2010, section 97C.515, subdivision 4, is amended to read:

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

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

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

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

EFFECTIVE DATE. This section is effective July 1, 2013.

Sec. 78. Minnesota Statutes 2010, section 97C.515, subdivision 5, is amended to read:

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

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

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

(d) The commissioner may require the applicant to furnish evidence of financial responsibility at the time of application for a permit under this section, as prescribed by the commissioner.

Sec. 79. Minnesota Statutes 2010, section 103G.005, is amended by adding a subdivision to read:

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

Sec. 80. Minnesota Statutes 2010, section 103G.408, is amended to read:

103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.

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

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

~~(4)~~ (2) the permit applicant is a public entity; and:

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 81. Minnesota Statutes 2010, section 604A.21, subdivision 5, is amended to read:

Subd. 5. **Recreational purpose.** "Recreational purpose" includes, but is not limited to, hunting; trapping; fishing; swimming; boating; camping; picnicking; hiking; rock climbing; cave exploring; bicycling; horseback riding; firewood gathering; pleasure driving, including snowmobiling and the operation of any motorized vehicle or conveyance upon a road or upon or across land in any manner, including recreational trail use; nature study; water skiing; winter sports; noncommercial aviation activities; and viewing or enjoying historical, archaeological, scenic, or scientific sites. "Rock climbing" means the climbing of a naturally exposed rock face. "Cave exploring" means the planned exploration of naturally occurring cavities in rock, including passage through any structures placed for the purpose of safe access, access control, or conservation, but does not include the exploration of other man-made cavities such as tunnels, mines, and sewers. "Noncommercial aviation activities" means the use of private, nonstaffed airstrips for takeoffs and landings related to other recreational purposes under this subdivision that are not commercial operations under section 360.013, subdivision 45.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 82. Laws 2011, First Special Session chapter 2, article 1, section 4, subdivision 6, is amended to read:

Subd. 6. **Fish and Wildlife Management** 60,761,000 60,161,000

Appropriations by Fund

| | 2012 | 2013 |
|-------------------|------------|------------|
| General | 199,000 | 199,000 |
| Natural Resources | 1,899,000 | 1,899,000 |
| Game and Fish | 58,663,000 | 58,063,000 |

\$100,000 the first year and \$100,000 the second year are from the nongame wildlife account in the natural resources fund for gray wolf research.

\$120,000 the first year and \$120,000 the second year are from the game and fish fund for gray wolf management.

\$8,167,000 the first year and \$8,167,000 the second year are from the heritage enhancement account in the game and fish fund only for activities specified in Minnesota Statutes, section 297A.94, paragraph (e), clause (1). Notwithstanding Minnesota Statutes, section 297A.94, five up to ten percent of this appropriation may be used for expanding hunter and angler recruitment and retention, including grants to organizations for programs that promote

Minnesota's outdoor heritage to children and adults and securing public shooting range availability in the seven-county metropolitan area for use by participants in a Minnesota Department of Natural Resources firearms safety instruction course under Minnesota Statutes, section 97B.015.

Notwithstanding Minnesota Statutes, section 84.943, \$13,000 the first year and \$13,000 the second year from the critical habitat private sector matching account may be used to publicize the critical habitat license plate match program.

\$199,000 the first year and \$199,000 the second year are for preserving, restoring, and enhancing grassland and wetland complexes on public or private lands.

\$600,000 the first year is from the game and fish fund for land acquisition.

Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered under contract on or before June 30, 2013, for aquatic restoration grants and wildlife habitat grants are available until June 30, 2014.

Sec. 83. RULEMAKING; TROUT SEASONS.

The commissioner of natural resources shall amend Minnesota Rules, part 6262.0200, to make seasons for brown trout, brook trout, rainbow trout, and splake in lakes inside and outside the Boundary Waters Canoe Area consistent with section 75. The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388.

Sec. 84. RULEMAKING; RESTITUTION VALUE FOR WOLVES.

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

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

Sec. 85. RULEMAKING; USE OF SNARES.

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

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

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

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

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

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

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

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

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

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

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

Sec. 86. TRANSITION; SNOWMOBILE REGISTRATION.

An individual who, on the effective date of sections 4, 5, 7, 8, and 9, possesses an unexpired snowmobile registration that was issued before the effective date of sections 4, 5, 7, 8, and 9 and who was required to display a valid snowmobile state trail sticker before the effective date of sections 4, 5, 7, 8, and 9 must continue to display a valid snowmobile state trail sticker according to Minnesota Statutes 2010, section 84.8205, until such time as the snowmobile registration is renewed under the terms of sections 4, 5, 7, 8, and 9.

Sec. 87. PUBLIC HEARINGS; TWIN LAKES SCIENTIFIC AND NATURAL AREA.

The commissioner of natural resources shall, by September 1, 2012, hold public hearings utilizing the process provided under Minnesota Statutes, section 86A.05, subdivision 5, paragraph (d), on the issue of whether hunting should be allowed in Twin

Lakes Scientific and Natural Area. Any costs associated with conducting the public hearings required under this section are the responsibility of the department.

EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 88. **RECORDS MANAGEMENT; LEGISLATIVE REPORT.**

By January 15, 2015, the commissioner of natural resources shall prepare and submit a report to the chairs and ranking minority members of the house of representatives and senate legislative committees with jurisdiction over environment and natural resources policy and finance for developing a records management system in the Division of Enforcement. The report must include projected costs for planning, implementing, maintaining, and administering a comprehensive records management system, associated technology and equipment improvements, and an assessment of long-term funding needs to fully implement, maintain, and administer the records management system.

Sec. 89. **REPORT TO LEGISLATURE.**

By February 15, 2013, the commissioner of natural resources, after consultation with the aquaculture industry and other affected parties, shall report to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over environment and natural resources on the risks of introducing invasive carp through transportation of fish between water bodies and shall include recommendations for any necessary changes in statutes, rules, or permitting procedures.

Sec. 90. **REVISOR'S INSTRUCTION.**

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

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

Sec. 91. **REPEALER.**

(a) Minnesota Statutes 2010, sections 87A.02, subdivision 1; 97A.045, subdivisions 8 and 13; 97A.065, subdivision 1; 97A.095, subdivision 3; 97A.331, subdivision 7; 97A.485, subdivision 12; 97A.552; 97B.645, subdivision 2; and 97C.031, are repealed.

(b) Minnesota Statutes 2010, section 17.4993, subdivision 2, is repealed on July 1, 2013.

ARTICLE 2

GAME AND FISH LICENSE FEES

Section 1. Minnesota Statutes 2010, section 97A.055, is amended by adding a subdivision to read:

Subd. 6. **Land acquisition restriction.** Except as provided in section 97A.475, subdivision 4, revenue from the sale of game and fish licenses and permits, excluding

revenue from hunting and fishing stamps, shall not be used to acquire land in fee or easement.

Sec. 2. Minnesota Statutes 2011 Supplement, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5), (6), (7), (13), (14), and (15), ~~and~~ 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12); and 8, paragraph (b), and licenses issued under section 97B.301, subdivision 4.

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

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

(d) Fifty cents from each deer license is credited to the emergency deer feeding and wild cervidae health management account and is appropriated for emergency deer feeding and wild cervidae health management. Money appropriated for emergency deer feeding and wild cervidae health management is available until expended. The commissioner must inform the legislative chairs of the natural resources finance committees every two years on how the money for emergency deer feeding and wild cervidae health management has been spent.

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

(e) Fifty cents from each annual deer license and 50 cents annually from the lifetime fish and wildlife trust fund established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the wolf management and monitoring account under subdivision 7.

Sec. 3. Minnesota Statutes 2010, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. **License period.** (a) Except as provided in paragraphs (b), (d), ~~and~~ (e), and (f), a license is valid during the lawful time within the license year that the licensed activity may be performed. Except as provided in paragraph paragraphs (c) and (f), a license year begins on the first day of March and ends on the last day of February.

(b) A short-term license issued under section 97A.475, ~~subdivision 6, clause (5), 97A.475, subdivision 7, clause (2), (3), (5), or (6), or 97A.475, subdivision 12, clause (2), that is limited by the number of days or hours under section 97A.475,~~ is valid for the full license period even if this period extends into the next license year, provided that the license period selected by the licensee begins at the time of issuance.

(c) The license year for ~~resident fishing, the angling portion of a sporting license, nonresident fishing,~~ resident fish house, resident dark house, and nonresident fish house begins on March 1 and ends on April 30 of the following year.

(d) A lifetime license issued under section 97A.473 or 97A.474 is valid during the lawful time within the license year that the licensed activity may be performed for the lifetime of the licensee.

(e) A three-year fish house or dark house license is valid during the license year that it is purchased and the two succeeding license years.

(f) A three-year individual angling license is valid during the license year in which it is purchased and the two succeeding license years.

Sec. 4. Minnesota Statutes 2010, section 97A.411, is amended by adding a subdivision to read:

Subd. 4. **Validity of license when age or residency status changes.** A license to take wild animals that was lawfully obtained continues to be valid for the balance of the license period if the licensee's age, residency, or student qualification status changes.

Sec. 5. Minnesota Statutes 2010, section 97A.435, subdivision 2, is amended to read:

Subd. 2. **Eligibility.** Persons eligible for a turkey license shall be determined by this section and commissioner's rule. ~~A person is eligible for a turkey license only if the person is at least age 16 before the season opens, possesses a firearms safety certificate, or, if under age 12, is accompanied by a parent or guardian.~~

Sec. 6. Minnesota Statutes 2010, section 97A.451, subdivision 3, is amended to read:

Subd. 3. **Residents under age 16; small game.** (a) A resident under age 16 ~~must~~ may not obtain a small game license ~~in order to~~ but may take small game by firearms or bow and arrow without ~~paying the applicable fees under section 97A.475, subdivisions 2, 4, and 5, a license~~ if the resident is:

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

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

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

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

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

(c) A resident under age ~~12~~ 13 ~~may apply for a turkey license~~ must obtain a free turkey license to take turkey and may take a turkey without a firearms safety certificate

if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.

(d) A resident under age ~~12~~ 13 may apply for a prairie chicken license and may take a prairie chicken without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.

Sec. 7. Minnesota Statutes 2010, section 97A.451, is amended by adding a subdivision to read:

Subd. 3b. **Nonresidents under age 18; small game.** (a) A nonresident age 16 or over and under age 18 may take small game by firearms or archery and may obtain a small game license at the youth fee under section 97A.475, subdivision 3, paragraph (a), clause (14), if the nonresident possesses a firearms safety certificate.

(b) A nonresident under age 16 may take small game by firearms or archery and may obtain a small game license without paying the applicable fees under section 97A.475, subdivisions 3, 4, and 5, if the nonresident is:

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

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

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

Sec. 8. Minnesota Statutes 2010, section 97A.451, subdivision 4, is amended to read:

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

(b) A person age ~~10 or 11~~ ten or over and under age 13 may take big game, provided the person is under the direct supervision of a parent or guardian where the parent or guardian is within immediate reach. ~~Until March 1, 2009, a person age 10 or 11 may take big game under a parent or guardian's license. Beginning March 1, 2009,~~ A person age ~~10 or 11~~ ten or over and under age 13 must obtain a license ~~in order~~ to take big game and may obtain the license without paying the fee required under section 97A.475, subdivision 2.

Sec. 9. Minnesota Statutes 2010, section 97A.451, subdivision 5, is amended to read:

Subd. 5. ~~**Nonresidents under age 16**~~ **Nonresident youth; angling.** (a) A nonresident under ~~the~~ age ~~of~~ 16 may:

(1) take fish by angling without a license if a parent or guardian has a fishing license. Fish taken by a nonresident under ~~the~~ age ~~of~~ 16 without a license must be included in the limit of the parent or guardian;

(b) A nonresident under age 16 may (2) purchase a youth fishing license at the resident fee under section 97A.475, subdivision 7, paragraph (a), clause (8), and possess a limit of fish; or

(3) be included under a nonresident family angling license; ~~take fish by angling;~~ and possess a limit of fish.

(b) A nonresident age 16 or over and under age 18 must purchase a youth license to angle under section 97A.475, subdivision 7, paragraph (a), clause (8).

Sec. 10. Minnesota Statutes 2010, section 97A.473, subdivision 2, is amended to read:

Subd. 2. **Lifetime angling license; fee.** (a) A resident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual resident angling license. The license does not include a trout and salmon stamp validation, a walleye stamp validation, or other stamps required by law.

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

- (1) age 3 and under, ~~\$227~~ \$304;
- (2) age 4 to age 15, ~~\$300~~ \$415;
- (3) age 16 to age 50, ~~\$383~~ \$508; and
- (4) age 51 and over, ~~\$203~~ \$335.

Sec. 11. Minnesota Statutes 2010, section 97A.473, subdivision 2b, is amended to read:

Subd. 2b. **Lifetime angling and spearing license; fee.** (a) A resident lifetime angling and spearing license authorizes a person to take fish by angling or spearing in the state. The license authorizes those activities authorized by the annual resident angling and spearing licenses.

(b) The fees for a resident lifetime angling and spearing license are:

- (1) age 3 and under, ~~\$485~~ \$380;
- (2) age 4 to age 15, ~~\$620~~ \$509;
- (3) age 16 to age 50, ~~\$755~~ \$617; and
- (4) age 51 and over, ~~\$376~~ \$386.

Sec. 12. Minnesota Statutes 2010, section 97A.473, subdivision 3, is amended to read:

Subd. 3. **Lifetime small game hunting license; fee.** (a) A resident lifetime small game hunting license authorizes a person to hunt and trap small game in the state. The license authorizes those hunting and trapping activities authorized by the annual resident small game hunting and trapping licenses. The license does not include a turkey stamp validation or any other hunting stamps required by law.

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

- (1) age 3 and under, ~~\$217~~ \$223;
- (2) age 4 to age 15, ~~\$290~~ \$301;
- (3) age 16 to age 50, ~~\$363~~ \$430; and
- (4) age 51 and over, ~~\$213~~ \$274.

Sec. 13. Minnesota Statutes 2010, section 97A.473, subdivision 4, is amended to read:

Subd. 4. **Lifetime deer hunting license; fee.** (a) A resident lifetime deer hunting license authorizes a person to take deer with firearms or by archery in the state. The license

authorizes those activities authorized by the annual resident firearm deer hunting license or the annual resident archery deer hunting license. The licensee must register and receive tags each year that the license is used. The tags shall be issued at no charge to the licensee.

(b) The fees for a resident lifetime firearm or archery deer hunting license are:

- (1) age 3 and under, ~~\$337~~ \$406;
- (2) age 4 to age 15, ~~\$450~~ \$538;
- (3) age 16 to age 50, ~~\$573~~ \$656; and
- (4) age 51 and over, ~~\$383~~ \$468.

Sec. 14. Minnesota Statutes 2010, section 97A.473, subdivision 5, is amended to read:

Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license authorizes a person to take fish by angling and hunt and trap small game in the state. The license authorizes those activities authorized by the annual resident angling, resident small game hunting, and resident trapping licenses. The license does not include a trout and salmon stamp validation, a turkey stamp validation, a walleye stamp validation, or any other hunting stamps required by law.

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

- (1) age 3 and under, ~~\$357~~ \$528;
- (2) age 4 to age 15, ~~\$480~~ \$728;
- (3) age 16 to age 50, ~~\$613~~ \$861; and
- (4) age 51 and over, ~~\$413~~ \$602.

Sec. 15. Minnesota Statutes 2010, section 97A.474, subdivision 2, is amended to read:

Subd. 2. **Nonresident lifetime angling license; fee.** (a) A nonresident lifetime angling license authorizes a person to take fish by angling in the state. The license authorizes those activities authorized by the annual nonresident angling license. The license does not include a trout and salmon stamp validation, a walleye stamp validation, or other stamps required by law.

(b) The fees for a nonresident lifetime angling license are:

- (1) age 3 and under, ~~\$447~~ \$726;
- (2) age 4 to age 15, ~~\$600~~ \$925;
- (3) age 16 to age 50, ~~\$773~~ \$1,054; and
- (4) age 51 and over, ~~\$513~~ \$702.

Sec. 16. Minnesota Statutes 2010, section 97A.475, subdivision 2, is amended to read:

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

- (1) for persons age 18 or over and under age 65 to take small game, ~~\$12.50~~ \$15.50;
- (2) for persons ~~ages 16 and 17 and~~ age 65 or over, ~~\$6~~ \$7 to take small game;
- (3) for persons age 18 or over to take turkey, ~~\$23~~ \$26;

- (4) for persons ~~under~~ age 13 or over and under age 18 to take turkey, ~~\$12~~ \$5;
- (5) for persons age 18 or over to take deer with firearms during the regular firearms season, ~~\$26~~ \$30;
- (6) for persons age 18 or over to take deer by archery, ~~\$26~~ \$30;
- (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, ~~\$26~~ \$30;
- (8) to take moose, for a party of not more than six persons, ~~\$310~~ \$356;
- (9) to take bear, ~~\$38~~ \$44;
- (10) to take elk, for a party of not more than two persons, ~~\$250~~ \$287;
- (11) to take Canada geese during a special season, \$4;
- (12) to take prairie chickens, ~~\$20~~ \$23;
- (13) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season, ~~\$13~~ \$5;
- (14) for persons age 13 or over and under age 18 to take deer by archery, ~~\$13, and~~ \$5;
- (15) for persons age 13 or over and under age 18 to take deer by muzzleloader during the muzzleloader season, ~~\$13,~~ \$5;
- (16) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, \$19, of which an amount equal to: one-half of the fee for the migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under subdivision 4, shall be deposited in the wildlife acquisition account; and
- (17) for persons age 16 or over and under age 18 to take small game, \$5.

Sec. 17. Minnesota Statutes 2010, section 97A.475, subdivision 3, is amended to read:

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

- (1) for persons age 18 or over to take small game, ~~\$73~~ \$90.50;
- (2) for persons age 18 or over to take deer with firearms during the regular firearms season, ~~\$135~~ \$160;
- (3) for persons age 18 or over to take deer by archery, ~~\$135~~ \$160;
- (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader season, ~~\$135~~ \$160;
- (5) to take bear, ~~\$195~~ \$225;
- (6) for persons age 18 ~~and older~~ or over to take turkey, ~~\$78~~ \$91;
- (7) for persons age 13 or over and under age 18 to take turkey, ~~\$12~~ \$13;
- (8) to take raccoon or bobcat, ~~\$155~~ \$178;

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

(10) for persons age 13 or over and under age 18 to take deer with firearms during the regular firearms season in any open season option or time period, ~~\$13~~ \$15;

(11) for persons age 13 or over and under age 18 to take deer by archery, ~~\$13~~, ~~and~~ \$15;

(12) for persons age 13 or over and under age 18 to take deer during the muzzleloader season, ~~\$13~~. \$15;

(13) for persons age 18 or over to take small game for a consecutive 72-hour period selected by the licensee, \$75, of which an amount equal to: one-half of the fee for the migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half of the small game surcharge under subdivision 4, shall be deposited into the wildlife acquisition account; and

(14) for persons age 16 and over and under age 18 to take small game, \$15.

(b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this surcharge.

Sec. 18. Minnesota Statutes 2010, section 97A.475, subdivision 4, is amended to read:

Subd. 4. **Small game surcharge.** Fees for annual licenses to take small game must be increased by a surcharge of \$6.50, except licenses under subdivisions 2, clauses (16) and (17); and 3, paragraph (a), clause (13). An additional commission may not be assessed on the surcharge and the following statement must be included in the annual small game hunting regulations: "This \$6.50 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

Sec. 19. Minnesota Statutes 2010, section 97A.475, subdivision 6, is amended to read:

Subd. 6. **Resident fishing.** Fees for the following licenses, to be issued to residents only, are:

(1) for persons age 18 or over to take fish by angling, ~~\$17~~ \$22;

(2) for persons age 18 or over to take fish by angling, for a combined license for a married couple, ~~\$25~~ \$35;

(3) for persons age 18 or over to take fish by spearing from a dark house, ~~\$17~~, ~~and~~ \$5, and the person must possess an angling license;

(4) for persons age 18 or over to take fish by angling for a 24-hour period selected by the licensee, ~~\$8.50~~. \$10;

(5) for persons age 18 or over to take fish by angling for a consecutive 72-hour period selected by the licensee, \$12;

(6) for persons age 18 or over to take fish by angling for three consecutive years, \$63; and

(7) for persons age 16 or over and under age 18 to take fish by angling, \$5.

Sec. 20. Minnesota Statutes 2011 Supplement, section 97A.475, subdivision 7, is amended to read:

Subd. 7. **Nonresident fishing.** (a) Fees for the following licenses, to be issued to nonresidents, are:

- (1) for persons age 18 or over to take fish by angling, ~~\$37.50~~ \$40;
- (2) for persons age 18 or over to take fish by angling limited to seven consecutive days selected by the licensee, ~~\$26.50~~ \$33;
- (3) for persons age 18 or over to take fish by angling for a consecutive 72-hour period selected by the licensee, ~~\$22~~ \$27;
- (4) for persons age 18 or over to take fish by angling for a combined license for a family for one or both parents and dependent children under the age of 16, ~~\$50.50~~ \$55;
- (5) for persons age 18 or over to take fish by angling for a 24-hour period selected by the licensee, ~~\$8.50~~ \$12;
- (6) to take fish by angling for a combined license for a married couple, limited to 14 consecutive days selected by one of the licensees, ~~\$38.50~~, and \$43;
- (7) for persons age 18 or over to take fish by spearing from a dark house, ~~\$37.50~~ \$10, and the person must possess an angling license; and
- (8) for persons age 16 or over and under age 18 to take fish by angling, \$5.

(b) A ~~\$2~~ \$5 surcharge shall be added to all nonresident fishing licenses, except licenses issued under paragraph (a), ~~clause~~ clauses (5), ~~and licenses purchased at the resident fee by nonresidents under age 16 under section 97A.451, subdivision 5, paragraph (b) and (8).~~ An additional commission may not be assessed on this surcharge.

Sec. 21. Minnesota Statutes 2010, section 97A.475, subdivision 8, is amended to read:

Subd. 8. **Minnesota sporting; super sports.** (a) The commissioner shall issue Minnesota sporting licenses to residents only. The licensee may take fish by angling and small game. The fee for the license is:

- (1) for an individual, ~~\$23~~ \$31.50; and
- (2) for a combined license for a married couple to take fish and for one spouse to take small game, ~~\$32~~ \$45.50.

(b) The commissioner shall issue Minnesota super sports licenses to residents only. The licensee may take fish by angling, including trout; small game, including pheasant and waterfowl; and deer by firearms or muzzleloader or by archery. The fee for the super sports license, including all required stamp validations is:

- (1) for an individual age 18 or over, \$92.50; and
- (2) for a combined license for a married couple to take fish, including the trout and salmon stamp validation, and for one spouse to take small game, including pheasant and waterfowl, and deer, \$118.50.

(c) Revenue for the stamp endorsements under paragraph (b) shall be deposited according to section 97A.075, subdivisions 2, 3, and 4.

(d) Revenue for the deer license endorsement under paragraph (b) shall be deposited according to section 97A.075, subdivision 1.

Sec. 22. Minnesota Statutes 2010, section 97A.475, subdivision 11, is amended to read:

Subd. 11. **Fish houses, dark houses, and shelters; residents.** Fees for the following licenses are:

- (1) annual for a fish house, dark house, or shelter that is not rented, ~~\$11.50~~ \$15;
- (2) annual for a fish house, dark house, or shelter that is rented, ~~\$26~~ \$30;
- (3) three-year for a fish house, dark house, or shelter that is not rented, ~~\$34.50~~ \$42; and
- (4) three-year for a fish house, dark house, or shelter that is rented, ~~\$78~~ \$87.

Sec. 23. Minnesota Statutes 2010, section 97A.475, subdivision 12, is amended to read:

Subd. 12. **Fish houses, dark houses, and shelters; nonresident.** Fees for fish house, dark house, and shelter licenses for a nonresident are:

- (1) annual, ~~\$33~~ \$37;
- (2) seven consecutive days selected by the licensee, ~~\$19~~ \$21; and
- (3) three-year, ~~\$99~~ \$111.

Sec. 24. Minnesota Statutes 2010, section 97A.475, subdivision 20, is amended to read:

Subd. 20. **Trapping license.** The fee for a license to trap fur-bearing animals is:

- (1) for residents over age 13 and under age 18, ~~\$6~~ \$5;
- (2) for residents age 18 or over and under age 65, ~~\$20~~ \$23;
- (3) for residents age 65 or over, ~~\$10~~ \$11.50; and
- (4) for nonresidents, ~~\$73~~ \$84.

Sec. 25. Minnesota Statutes 2010, section 97A.475, subdivision 43, is amended to read:

Subd. 43. **Duplicate licenses.** The fees for duplicate licenses are:

- (1) for licenses to take big game, \$5, except licenses issued under subdivision 8, paragraph (b); and
- (2) for other licenses, \$2.

Sec. 26. Minnesota Statutes 2010, section 97A.475, subdivision 44, is amended to read:

Subd. 44. **Replacement licenses.** The fee for a replacement firearms deer license is \$5, except there is no fee for replacing a deer license issued under subdivision 8, paragraph (b).

Sec. 27. Minnesota Statutes 2010, section 97A.475, subdivision 45, is amended to read:

Subd. 45. **Camp Ripley archery deer hunt.** The application fee for the Camp Ripley archery deer hunt is ~~\$8~~ \$12.

Sec. 28. Minnesota Statutes 2010, section 97A.485, subdivision 7, is amended to read:

Subd. 7. **Electronic licensing system commission.** The commissioner shall retain for the operation of the electronic licensing system the commission established under section 84.027, subdivision 15, and issuing fees collected by the commissioner on all license fees ~~collected, excluding:~~

- ~~(1) the small game surcharge;~~
- ~~(2) the deer license surcharges or donations under section 97A.475, subdivisions 3, paragraph (b), and 3a; and~~
- ~~(3) \$2.50 of the license fee for the licenses in section 97A.475, subdivisions 6, clauses (1), (2), and (4), 7, 8, 12, and 13.~~

Sec. 29. Minnesota Statutes 2010, section 97B.020, is amended to read:

97B.020 FIREARMS SAFETY CERTIFICATE REQUIRED.

(a) Except as provided in this section and section 97A.451, ~~subdivision 3a~~ subdivisions 3 and 3b, a person born after December 31, 1979, may not obtain an annual license to take wild animals by firearms unless the person has:

- (1) a firearms safety certificate or equivalent certificate;
- (2) a driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13;
- (3) a previous hunting license with a valid firearms safety qualification indicator;
- (4) an apprentice hunter validation issued under section 97B.022; or
- (5) other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement or certified by the department as substantially similar.

(b) A person who is on active duty and has successfully completed basic training in the United States armed forces, reserve component, or National Guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a firearms safety certificate.

(c) A person born after December 31, 1979, may not use a lifetime license to take wild animals by firearms, unless the person meets the requirements for obtaining an annual license under paragraph (a) or (b).

Sec. 30. Minnesota Statutes 2010, section 97B.715, subdivision 1, is amended to read:

Subdivision 1. **Stamp required.** (a) Except as provided in paragraph (b) or section 97A.405, subdivision 2, a person required to possess a small game license may not hunt pheasants without a pheasant stamp validation.

- (b) The following persons are exempt from this subdivision:
- (1) residents and nonresidents under age 18 ~~or~~ and residents over age 65;
 - (2) persons hunting on licensed commercial shooting preserves; ~~and~~
 - (3) resident disabled veterans with a license issued under section 97A.441, subdivision 6a; and

(4) residents and nonresidents hunting on licenses issued under section 97A.475, subdivision 2, clause (16); or 3, paragraph (a), clause (13).

Sec. 31. Minnesota Statutes 2010, section 97B.801, is amended to read:

97B.801 MINNESOTA MIGRATORY WATERFOWL STAMP REQUIRED.

(a) Except as provided in this section or section 97A.405, subdivision 2, a person required to possess a small game license may not take migratory waterfowl without a migratory waterfowl stamp validation.

(b) Residents under age 18 or over age 65; resident disabled veterans with a license issued under section 97A.441, subdivision 6a; and persons hunting on their own property are not required to possess a stamp validation under this section.

(c) Residents and nonresidents with licenses issued under section 97A.475, subdivision 2, clause (16); or 3, paragraph (a), clause (13), are not required to possess a stamp validation under this section.

Sec. 32. Minnesota Statutes 2010, section 97C.305, subdivision 1, is amended to read:

Subdivision 1. **Requirement.** Except as provided in subdivision 2 or section 97A.405, subdivision 2, a person over age ~~16~~ 18 and under age 65 required to possess an angling license must have a trout and salmon stamp validation to:

- (1) take fish by angling in:
 - (i) a stream designated by the commissioner as a trout stream;
 - (ii) a lake designated by the commissioner as a trout lake; or
 - (iii) Lake Superior; or
- (2) possess trout or salmon taken in the state by angling.

Sec. 33. Minnesota Statutes 2010, section 97C.305, subdivision 2, is amended to read:

Subd. 2. **Exception.** A trout and salmon stamp validation is not required to take fish by angling or to possess trout and salmon if:

- (1) the person:
 - (i) possesses a license to take fish by angling for a period of 24 hours or 72 hours from the time of issuance under section 97A.475, subdivision 6, clause (4) or (5); ~~or subdivision 7, paragraph (a), clause (3) or (5), and~~
 - (ii) is taking fish by angling, or the trout or salmon were taken by the person, during the period the license is valid;
- (2) the person is taking fish, or the trout or salmon were taken by the person, as authorized under section 97C.035; or
- (3) the person has a valid license issued under section 97A.441, subdivision 1, 2, 3, 4, or 5.

Sec. 34. **TRANSFER; INVASIVE SPECIES ACCOUNT.**

In fiscal year 2013, the commissioner of management and budget shall transfer \$500,000 from the game and fish fund to the invasive species account created in Minnesota

Statutes, section 84D.15. This is in addition to the transfer specified in Minnesota Statutes, section 84D.15, subdivision 2.

Sec. 35. **TRANSFER; WALK-IN ACCESS ACCOUNT.**

The commissioner of natural resources shall transfer \$616,000 from the venison donation account in the special revenue fund to the walk-in access account in the special revenue fund. This transfer is available until spent.

Sec. 36. **APPROPRIATION.**

\$1,000,000 in fiscal year 2013 from the invasive species account is added to the appropriation in Laws 2011, First Special Session chapter 2, article 1, section 4, subdivision 3, for invasive species activities. This is a onetime appropriation.

Sec. 37. **REPEALER.**

Minnesota Statutes 2010, section 97A.451, subdivisions 3a and 7, are repealed.

Sec. 38. **EFFECTIVE DATE.**

Sections 2 to 33, and 37, are effective March 1, 2013.

Presented to the governor April 30, 2012

Signed by the governor May 3, 2012, 3:17 p.m.