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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2145

03/07/2019 Authored by Persell, Heintzeman and Lueck
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy
03/20/2019 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to game and fish; requiring license to take muskellunge; amending
1.3 Minnesota Statutes 2018, sections 97A.445, subdivisions 1, 1a; 97A.451,
1.4 subdivisions 2, 2a, 5; 97A.475, subdivisions 6, 7; 97A.485, subdivision 6; 97C.301,
1.5 by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2018, section 97A.445, subdivision 1, is amended to read:

1.8 Subdivision 1. Angling; Take a Kid Fishing Weekends. (a) A resident age 16 years
1.9 or older may take fish, including muskellunge, by angling without an angling or muskellunge
1.10 license and may take fish by spearing from a dark house without a spearing license and
1.11 without a fish house or dark house license during one three-day consecutive period of the
1.12 open water angling season and one three-day consecutive period of the ice angling season
1.13 designated by the commissioner if the resident is accompanied by a child who is under age
1.14 16. The commissioner may, by written order published in the State Register, establish the
1.15 three-day consecutive periods. The written order is not subject to the rulemaking provisions
1.16 of chapter 14 and section 14.386 does not apply.

1.17 (b) The commissioner may designate and publicize the three-day periods as "Take a Kid
1.18 Fishing Weekend" for the open water angling season and "Take a Kid Ice Fishing Weekend"
1.19 for the ice angling season. The commissioner shall announce the date of each three-day
1.20 weekend at least 30 days in advance of the date it occurs.

1.21 Sec. 2. Minnesota Statutes 2018, section 97A.445, subdivision 1a, is amended to read:

1.22 Subd. 1a. Angling in state parks. (a) A resident may take fish by angling without an
1.23 angling license:

2.1 (1) when shore fishing or wading on state-owned land within a state park; or

2.2 (2) when angling from a boat or float or through the ice on water bodies completely  
2.3 encompassed within the statutory boundary of the state park.

2.4 (b) The exemption from an angling license does not apply to waters where a trout stamp  
2.5 is required.

2.6 (c) A person may take muskellunge under this section without an angling license or  
2.7 muskellunge license.

2.8 Sec. 3. Minnesota Statutes 2018, section 97A.451, subdivision 2, is amended to read:

2.9 Subd. 2. **Residents under age 16; fishing.** (a) A resident under the age of 16 years may  
2.10 take fish, including muskellunge, without a license.

2.11 (b) A resident under the age of 16 may net ciscoes and whitefish for personal consumption  
2.12 without the license required under section 97A.475, subdivision 13. A resident netting  
2.13 ciscoes and whitefish under this paragraph must follow all other applicable requirements  
2.14 for netting ciscoes and whitefish for personal consumption.

2.15 Sec. 4. Minnesota Statutes 2018, section 97A.451, subdivision 2a, is amended to read:

2.16 Subd. 2a. **Residents age 16 or 17; muskellunge or spearing.** Residents age 16 or over  
2.17 and under age 18 may take muskellunge without a muskellunge license and fish by spearing  
2.18 without a spearing license but must possess a fishing license under section 97A.475,  
2.19 subdivision 6, clause (7).

2.20 Sec. 5. Minnesota Statutes 2018, section 97A.451, subdivision 5, is amended to read:

2.21 Subd. 5. **Nonresident youth; angling.** (a) A nonresident under age 16 may:

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

2.25 (2) purchase a youth fishing license under section 97A.475, subdivision 7, paragraph  
2.26 (a), clause (8), and possess a limit of fish; or

2.27 (3) be included under a nonresident family angling license and possess a limit of fish.

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

3.1 (c) Nonresidents age 16 or over and under age 18 may take fish by spearing without a  
3.2 spearing license but must possess a fishing license under section 97A.475, subdivision 7,  
3.3 paragraph (a), clause (8).

3.4 (d) Nonresidents under age 16 may take fish by spearing without a spearing or angling  
3.5 license.

3.6 (e) Limits for fish taken by spearing must comply with one of the options listed under  
3.7 paragraph (a).

3.8 (f) Nonresidents age 16 or over and under age 18 may take muskellunge without a  
3.9 muskellunge license but must possess an angling license under section 97A.475, subdivision  
3.10 7, paragraph (a), clause (8). Nonresidents under age 16 may take muskellunge without a  
3.11 muskellunge or angling license.

3.12 Sec. 6. Minnesota Statutes 2018, section 97A.475, subdivision 6, is amended to read:

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

3.15 (1) for persons age 18 or over to take fish by angling, \$25;

3.16 (2) for persons age 18 or over to take fish by angling, for a combined license for a married  
3.17 couple, \$40;

3.18 (3) for persons age 18 or over to take fish by spearing from a dark house, \$6, and the  
3.19 person must possess an angling license;

3.20 (4) for persons age 18 or over to take fish by angling for a 24-hour period selected by  
3.21 the licensee, \$12;

3.22 (5) for persons age 18 or over to take fish by angling for a consecutive 72-hour period  
3.23 selected by the licensee, \$14;

3.24 (6) for persons age 18 or over to take fish by angling for three consecutive years, \$71;  
3.25 ~~and~~

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

3.27 (8) for persons age 18 or over to take muskellunge, \$10, and the person must possess  
3.28 an angling license.

4.1 Sec. 7. Minnesota Statutes 2018, section 97A.475, subdivision 7, is amended to read:

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

4.4 (1) for persons age 18 or over to take fish by angling, \$46;

4.5 (2) for persons age 18 or over to take fish by angling limited to seven consecutive days  
4.6 selected by the licensee, \$38;

4.7 (3) for persons age 18 or over to take fish by angling for a consecutive 72-hour period  
4.8 selected by the licensee, \$31;

4.9 (4) for persons age 18 or over to take fish by angling for a combined license for a family  
4.10 for one or both parents and dependent children under the age of 16, \$63;

4.11 (5) for persons age 18 or over to take fish by angling for a 24-hour period selected by  
4.12 the licensee, \$14;

4.13 (6) to take fish by angling for a combined license for a married couple, limited to 14  
4.14 consecutive days selected by one of the licensees, \$49;

4.15 (7) for persons age 18 or over to take fish by spearing from a dark house, \$12, and the  
4.16 person must possess an angling license; ~~and~~

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

4.18 (9) for persons age 18 or over to take muskellunge, \$10, and the person must possess  
4.19 an angling license.

4.20 (b) A \$5 surcharge shall be added to all nonresident fishing licenses, except licenses  
4.21 issued under paragraph (a), clauses (5) and (8). An additional commission may not be  
4.22 assessed on this surcharge.

4.23 Sec. 8. Minnesota Statutes 2018, section 97A.485, subdivision 6, is amended to read:

4.24 Subd. 6. **Licenses to be sold and issuing fees.** (a) Persons authorized to sell licenses  
4.25 under this section must issue the following licenses for the license fee and the following  
4.26 issuing fees:

4.27 (1) to take deer or bear with firearms and by archery, the issuing fee is \$1;

4.28 (2) Minnesota sporting, the issuing fee is \$1;

4.29 (3) to take small game, to take fish by angling or by spearing, to take muskellunge, and  
4.30 to trap fur-bearing animals, the issuing fee is \$1;

5.1 (4) to apply for a limited hunt drawing, the issuing fee is \$1 unless the application requires  
5.2 a license purchase at the time of application and the license purchase requires an application  
5.3 fee;

5.4 (5) for a prairie-chicken license, the issuing fee is \$1;

5.5 (6) for a turkey license, the issuing fee is \$1;

5.6 (7) for an elk license, the issuing fee is \$1;

5.7 (8) for a moose license, the issuing fee is \$1;

5.8 (9) for a wolf license, the issuing fee is \$1;

5.9 (10) for a stamp validation that is not issued simultaneously with a license, an issuing  
5.10 fee of 50 cents may be charged at the discretion of the authorized seller;

5.11 (11) for stamp validations issued simultaneously with a license, there is no fee;

5.12 (12) for licenses, seals, tags, or coupons issued without a fee under section 97A.441,  
5.13 subdivisions 1 to 6a, or 97A.465, there is no fee;

5.14 (13) for lifetime licenses, there is no fee; and

5.15 (14) for all other licenses, permits, renewals, or applications or any other transaction  
5.16 through the electronic licensing system under this chapter or any other chapter when an  
5.17 issuing fee is not specified, an issuing fee of \$1 may be charged at the discretion of the  
5.18 authorized seller.

5.19 (b) Only one issuing fee may be collected when selling more than one stamp in the same  
5.20 transaction after the end of the season for which the stamp was issued.

5.21 (c) The agent shall keep the issuing fee as a commission for selling the licenses.

5.22 (d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.

5.23 (e) A license, except stamps, must state the amount of the issuing fee and that the issuing  
5.24 fee is kept by the seller as a commission for selling the licenses.

5.25 (f) For duplicate licenses, including licenses issued without a fee, the issuing fees are:

5.26 (1) for licenses to take big game, 75 cents; and

5.27 (2) for other licenses, 50 cents.

5.28 (g) The commissioner may issue one-day angling licenses in books of ten licenses each  
5.29 to fishing guides operating charter boats upon receipt of payment of all license fees, excluding  
5.30 the issuing fee required under this section. Copies of sold and unsold licenses shall be

6.1 returned to the commissioner. The commissioner shall refund the charter boat captain for  
6.2 the license fees of all unsold licenses. Copies of sold licenses shall be maintained by the  
6.3 commissioner for one year.

6.4 Sec. 9. Minnesota Statutes 2018, section 97C.301, is amended by adding a subdivision to  
6.5 read:

6.6 Subd. 3a. **Muskellunge.** A person may not take muskellunge without a muskellunge  
6.7 license and an angling license.