

**6238.1200 DEFINITIONS.**

Subpart 1. **Scope.** The terms used in this chapter have the meanings given them in this part.

Subp. 2. **Abatement.** "Abatement" means using raptors to remove animals from undesirable locations through disturbance or capture.

Subp. 3. **Abatement permit.** "Abatement permit" means a permit issued under part 6238.1250, subpart 6, for residents to conduct abatement activities using raptors.

Subp. 4. **Bred in captivity or captive-bred.** "Bred in captivity" or "captive-bred" means raptors, including eggs, hatched or produced in captivity from parents that mated or otherwise transferred gametes in captivity or were artificially inseminated.

Subp. 5. **Commissioner.** "Commissioner" means the commissioner of natural resources.

Subp. 6. **Eyases.** "Eyases" means young raptors not yet capable of sustained flight.

Subp. 7. **Falconry or practice of falconry.** "Falconry" or "practice of falconry" means training raptors for pursuit of wild game and hunting wild game with raptors. Falconry includes taking raptors from the wild to use in the sport and caring for, training, and transporting raptors held for falconry.

Subp. 8. **Falconry permit.** "Falconry permit" means a permit issued under part 6238.1250, subpart 2, for residents and, under part 6238.1250, subpart 3, for nonresidents who practice falconry in Minnesota for more than 120 days within a given year to take, possess, transport, transfer, use, sell, purchase, or barter raptors or offer to sell, purchase, or barter raptors.

Subp. 9. **Federal regulations.** "Federal regulations" means Code of Federal Regulations, title 50, sections 21.29 and 21.30.

Subp. 10. **Hacking.** "Hacking" means the temporary release of a falconry raptor or a raptor produced under a propagation permit to the wild so that it must survive on its own.

Subp. 11. **Hybrid.** "Hybrid" means offspring of birds listed as two or more distinct species or subspecies.

Subp. 12. **Imprinted raptor.** "Imprinted raptor" means a raptor that is hand-raised from two weeks of age until it has fledged and that has identified itself with humans rather than its own species. An imprinted raptor is considered to be so for its entire lifetime.

Subp. 13. **Nonresident take permit.** "Nonresident take permit" means a permit issued under part 6238.1250, subpart 4, for residents of the United States who are not Minnesota residents to take and possess wild Minnesota raptors while in Minnesota and to transport or receive wild Minnesota raptors directly from the state of Minnesota.

Subp. 14. **Passage raptor.** "Passage raptor" means a fledged juvenile raptor less than one year old that is capable of flight.

Subp. 15. **Propagation permit.** "Propagation permit" means a permit issued under part 6238.1250, subpart 5, for residents to breed and raise raptors; capture raptors from the wild; and possess, transport, import, purchase, barter, or offer to sell, purchase, or barter any raptor, raptor egg, or raptor semen for propagation purposes.

Subp. 16. **Raptor.** "Raptor" means a bird of the family Falconidae, the great horned owl (*Bubo virginianus*), or a bird of the family Accipitridae, other than the bald eagle (*Haliaeetus leucocephalus*).

Subp. 17. **Raptors not native to Minnesota.** "Raptors not native to Minnesota" means any raptor species that does not naturally spend some portion of its life cycle, including migration, breeding, or wintering, in Minnesota.

Subp. 18. **Season.** "Season" in falconry means from May 1 to April 30 of the next year.

Subp. 19. **Season of experience.** "Season of experience" means the experience gained by a falconer who has one or more raptors in the falconer's possession for a minimum of six calendar months within a season. Half months are counted from the first day of the month to the 15th day of the month or from the 16th day of the month to the last day of the month. Periods less than half months are not included in the total.

Subp. 20. **Take.** "Take" means to trap, capture, or attempt to trap or capture wild raptors, raptor eggs, or raptor semen for falconry or propagation purposes.

Subp. 21. **Wild Minnesota raptor.** "Wild Minnesota raptor" means a wild raptor that was removed from the wild within the state of Minnesota.

Subp. 22. **Wild raptor.** "Wild raptor" means a raptor or raptor egg removed from the wild for falconry or propagation. A wild raptor remains a wild raptor regardless of how long the bird is held in captivity or whether the bird is transferred to another permittee or permit type; however, the wild raptor is considered to be taken from the wild only by the person who originally captured the raptor. The wild raptor is not considered to be taken from the wild by any subsequent permittee to whom the raptor is legally transferred.

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