

*Adopted*

1 Senator ..... moves to amend S.F. 2974, the 1<sup>st</sup> Engrossment, as follows:

2 Page 8, after line 4, insert:

3 Sec. 20. Minnesota Statutes 2004, Section 97A.465 is amended by adding a subdivision

4 to read:

5 Subd. 6. Special hunts for military personnel. The commissioner may by rule

6 establish criteria, special seasons, and limits for military personnel and veterans to take

7 big game and small game by firearms or archery in designated areas or times. A person

8 hunting under this subdivision must be participating in a hunt sponsored and administered

9 by the Minnesota Department of Military Affairs or the Minnesota Department of

10 Veterans Affairs.

11 Renumber the sections in sequence and correct internal references

12 Amend the title accordingly

*Adopted*

1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

Page 5, after line 10, insert:

1.3 "Sec. 12. Minnesota Statutes 2004, section 97A.085, subdivision 4, is amended to  
1.4 read:

1.5 Subd. 4. **Establishment by petition of county residents.** The commissioner may  
1.6 designate as a game refuge public waters or a contiguous area described in a petition,  
1.7 signed by 50 or more residents of the county where the public waters or area is located. The  
1.8 game refuge must be a contiguous area of at least 640 acres unless it borders or includes  
1.9 a marsh, or other body of water or watercourse suitable for wildlife habitat. The game  
1.10 refuge may be designated only if the commissioner finds that protected wild animals are  
1.11 depleted and are in danger of extermination, or that it will best serve the public interest. If  
1.12 any of the land area in the proposed game refuge is privately owned and the commissioner  
1.13 receives a petition opposing designation of the refuge signed by the owners, lessees, or  
1.14 persons in possession of at least 75 percent of the private land area within the proposed  
1.15 game refuge, the commissioner shall not designate the private lands as a game refuge."

1.16 Renumber the sections in sequence and correct the internal references

1.17 Amend the title accordingly

*Adopted*

1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

Page 16, after line 21, insert:

1.3 "Sec. 37. [348.125] COYOTE CONFLICT MANAGEMENT OPTION.

1.4 (a) A county board may, by resolution, offer a bounty for the taking of coyote (Canis  
1.5 latrans) by all legal methods. The resolution may be made applicable to the whole or any  
1.6 part of the county. The bounty must apply during the months specified in the resolution  
1.7 and be in an amount determined by the board.

1.8 (b) The county offering the bounty must publish annually by press release or public  
1.9 service announcement the townships or areas where the number of coyotes should be  
1.10 reduced. Counties may encourage willing landowners to post their land as open to coyote  
1.11 hunting, <sup>"without further"</sup> ~~with~~ permission of the landowner or lessee."

1.12 Renumber the sections in sequence and correct the internal references

1.13 Amend the title accordingly

## MINUTES

Environment, Agriculture and Economic Development Budget Division  
Thursday, April 20, 2006  
2:15 p.m., Room 107 Capitol

### MEMBERS PRESENT

Anderson  
Bachmann  
Bakk  
Cohen  
Dibble  
Dille  
Frederickson  
Jungbauer  
Kubly  
Metzen  
Pariseau  
Rosen  
Sams  
Vickerman

### MEMBERS ABSENT

The meeting was called to order at 2:15 p.m.

Senator Saxhaug presented SF2974, the game and fish bill. Ed Bogus, Fish & Wildlife Division of the Minnesota Department of Natural Resources went over the money changes in the bill. Senator Vickerman offered an amendment for special hunts for military personnel. The amendment was adopted. Senator Vickerman offered the A20 amendment concerning designation of game refuges. The amendment was adopted. Senator Frederickson offered the A16 amendment regarding Farmed cervidae. The amendment would prohibit shooting farmed cervidae by anyone other than the owner or an employee. Tom Kelliher, representing the Minnesota Deer Hunters Assoc. testified in support of the amendment. After much discussion by the committee, the amendment was withdrawn. Senator Kubly offered the A15 amendment to allow counties to offer a bounty on coyotes. Mark Holston, Deputy Commissioner, DNR testified against the amendment. The amendment was adopted. Senator Vickerman moved the bill as amended to be referred to the Finance Committee. The motion prevailed.

The meeting adjourned at 4:20 p.m.

Respectfully submitted,

## MINUTES

Environment, Agriculture and Economic Development Budget Division  
Thursday, April 20, 2006  
2:15 p.m., Room 107 Capitol

### MEMBERS PRESENT

Anderson  
Bachmann  
Bakk  
Cohen  
Dibble  
Dille  
Frederickson  
Jungbauer  
Kubly  
Metzen  
Pariseau  
Rosen  
Sams  
Vickerman

### MEMBERS ABSENT

The meeting was called to order at 2:15 p.m.

Senator Saxhaug presented SF2974, the game and fish bill. Ed Bogus, Fish & Wildlife Division of the Minnesota Department of Natural Resources went over the money changes in the bill. Senator Vickerman offered an amendment for special hunts for military personnel. The amendment was adopted. Senator Vickerman offered the A20 amendment concerning designation of game refuges. The amendment was adopted. Senator Frederickson offered the A16 amendment regarding Farmed cervidae. The amendment would prohibit shooting farmed cervidae by anyone other than the owner or an employee. Tom Kelliher, representing the Minnesota Deer Hunters Assoc. testified in support of the amendment. After much discussion by the committee, the amendment was withdrawn. Senator Kubly offered the A15 amendment to allow counties to offer a bounty on coyotes. Mark Holston, Deputy Commissioner, DNR testified against the amendment. The amendment was adopted. Senator Vickerman moved the bill as amended to be referred to the Finance Committee. The motion prevailed.

The meeting adjourned at 4:20 p.m.

Respectfully submitted,

**Environment, Agriculture & Economic Development Budget  
Division**

**Chair: Senator Dallas Sams**

**Thursday, April 20, 2006**

**Room 107 Capitol**

**Agenda**

SF2974-Samhaug: Game & Fish bill.

**Environment, Agriculture & Economic Development Budget  
Division**

**Chair: Senator Dallas Sams**

**Thursday, April 20, 2006**

**Room 107 Capitol**

**Agenda**

SF2974-Samhaug: Game & Fish bill.

1.1 A bill for an act  
 1 relating to game and fish; modifying critical habitat private sector matching  
 1.2 account provisions; providing definitions; providing for and modifying  
 1.4 disposition of certain revenue; modifying restrictions on motorized watercraft  
 1.5 and recreational vehicles in wildlife management areas; modifying procedure  
 1.6 for confiscation of property; providing for inspection of equipment used to take  
 1.7 wild animals; modifying certain penalty and fee amounts; modifying certain  
 1.8 game and fish license provisions; modifying firearms possession provisions  
 1.9 for persons under 16; providing for collecting antler sheds; modifying certain  
 1.10 provisions for taking and possessing game and fish; providing for arms use  
 1.11 areas; modifying provisions for fishing contests; creating a ditch buffer task  
 1.12 force; providing for a moratorium on use of public waters for aquaculture;  
 1.13 amending Minnesota Statutes 2004, sections 84.943, subdivision 3; 97A.015, by  
 1.14 adding subdivisions; 97A.055, subdivision 2; 97A.065, subdivision 2; 97A.075,  
 1.15 subdivision 1; 97A.101, subdivision 4; 97A.221, subdivisions 3, 4; 97A.225,  
 1.16 subdivisions 2, 5; 97A.251, subdivision 1; 97A.321; 97A.475, subdivisions 2,  
 1.17 20; 97A.535, subdivision 1; 97B.021, subdivision 1, by adding a subdivision;  
 1.18 97B.301, subdivision 7; 97C.081, subdivisions 4, 6, 8, 9; 97C.205; 97C.355,  
 1 subdivision 7; 97C.371, subdivision 4; Minnesota Statutes 2005 Supplement,  
 sections 97A.405, subdivision 4; 97A.475, subdivision 3; 97A.551, subdivision  
 1.21 6; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing  
 1.22 Minnesota Statutes 2004, section 97C.355, subdivision 6.

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

1.24 Section 1. Minnesota Statutes 2004, section 84.943, subdivision 3, is amended to read:

1.25 Subd. 3. **Appropriations must be matched by private funds.** Appropriations  
 1.26 transferred to the critical habitat private sector matching account and money credited to  
 1.27 the account under section 168.1296, subdivision 5, may be expended only to the extent  
 1.28 that they are matched equally with contributions to the account from private sources  
 1.29 or by funds contributed to the nongame wildlife management account. The private  
 contributions may be made in cash or in contributions of, property, land, or interests in  
 1.31 land ~~that are designated by the commissioner of natural resources as program acquisitions.~~



2.1 Appropriations transferred to the account that are not matched within three years from the  
2.2 date of the appropriation shall cancel to the source of the appropriation. For the purposes  
2.3 of this section, the private contributions of property, land, or interests in land that are  
2.4 retained by the commissioner shall be valued in accordance with their appraised value.

2.5 Sec. 2. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.6 to read:

2.7 Subd. 3a. Bonus permit. "Bonus permit" means a license to take and tag deer by  
2.8 archery or firearms, in addition to deer authorized to be taken under regular firearms  
2.9 or archery licenses.

2.10 Sec. 3. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.11 to read:

2.12 Subd. 14a. Deer. "Deer" means white-tailed or mule deer.

2.13 Sec. 4. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.14 to read:

2.15 Subd. 26b. Intensive deer area. "Intensive deer area" means an area of the state  
2.16 where taking a deer of either sex is allowed and where multiple bonus permits are  
2.17 authorized.

2.18 Sec. 5. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.19 to read:

2.20 Subd. 27b. Lottery deer area. "Lottery deer area" means an area of the state  
2.21 where taking antlerless deer is allowed only by either-sex permit and no bonus permits  
2.22 are authorized.

2.23 Sec. 6. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.24 to read:

2.25 Subd. 27c. Managed deer area. "Managed deer area" means an area of the state  
2.26 where taking a deer of either sex is allowed and where one bonus permit is authorized.

2.27 Sec. 7. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.28 to read:

3.1            Subd. 32a. Muzzle-loader season. "Muzzle-loader season" means the firearms  
3.2 deer season option open only for legal muzzle-loading firearms, as prescribed by the  
3.3 commissioner.

3.4            Sec. 8. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
3.5 to read:

3.6            Subd. 41a. Regular firearms season. "Regular firearms season" means any of the  
3.7 firearms deer season options prescribed by the commissioner that begin in November,  
3.8 exclusive of the muzzle-loader season.

3.9            Sec. 9. Minnesota Statutes 2004, section 97A.055, subdivision 2, is amended to read:

3.10           **Subd. 2. Receipts.** The commissioner of finance shall credit to the game and fish  
3.11 fund all money received under the game and fish laws and all income from state lands  
3. acquired by purchase or gift for game or fish purposes, including receipts from:

3.13            (1) licenses and permits issued;

3.14            (2) fines and forfeited bail;

3.15            (3) sales of contraband, wild animals, and other property under the control of the  
3.16 division;

3.17            (4) fees from advanced education courses for hunters and trappers;

3.18            (5) reimbursements of expenditures by the division;

3.19            (6) contributions to the division; and

3.20            (7) revenue credited to the game and fish fund under section 297A.94, paragraph  
3.21 (e), clause (1).

3.            Sec. 10. Minnesota Statutes 2004, section 97A.065, subdivision 2, is amended to read:

3.23           **Subd. 2. Fines and forfeited bail.** (a) Fines and forfeited bail collected from  
3.24 prosecutions of violations of: the game and fish laws or rules adopted thereunder; sections  
3.25 84.091 to 84.15 or rules adopted thereunder; sections 84.81 to 84.91 or rules adopted  
3.26 thereunder; section 169A.20, when the violation involved an off-road recreational vehicle  
3.27 as defined in section 169A.03, subdivision 16; chapter 348; and any other law relating  
3.28 to wild animals or aquatic vegetation, must be paid to the treasurer of the county where  
3.29 the violation is prosecuted. The county treasurer shall submit one-half of the receipts to  
3.30 the commissioner and credit the balance to the county general revenue fund except as  
3.31 provided in paragraphs (b); and (c); and (d). In a county in a judicial district under section  
3 480.181, subdivision 1, paragraph (b), the share that would otherwise go to the county

4.1 under this paragraph must be submitted to the commissioner of finance for deposit in the  
 4.2 state treasury and credited to the general fund.

4.3 ~~(b) The commissioner may reimburse a county, from the game and fish fund, for the~~  
 4.4 ~~cost of keeping prisoners prosecuted for violations of the game and fish laws under this~~  
 4.5 ~~section if the county board, by resolution, directs: (1) the county treasurer to submit all~~  
 4.6 ~~game and fish fines and forfeited bail to the commissioner; and (2) the county auditor to~~  
 4.7 ~~certify and submit monthly itemized statements to the commissioner.~~

4.8 ~~(c)~~ (b) The county treasurer shall submit one-half of the receipts collected under  
 4.9 paragraph (a) from prosecutions of violations of sections 84.81 to 84.91 or rules adopted  
 4.10 thereunder, and 169A.20, except receipts that are surcharges imposed under section  
 4.11 357.021, subdivision 6, to the commissioner and credit the balance to the county  
 4.12 general fund. The commissioner shall credit these receipts to the snowmobile trails and  
 4.13 enforcement account in the natural resources fund.

4.14 ~~(d)~~ (c) The county treasurer shall indicate the amount of the receipts that are  
 4.15 surcharges imposed under section 357.021, subdivision 6, and shall submit all of those  
 4.16 receipts to the commissioner of finance.

4.17 Sec. 11. Minnesota Statutes 2004, section 97A.075, subdivision 1, is amended to read:

4.18 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this  
 4.19 subdivision, "deer license" means a license issued under section 97A.475, subdivisions  
 4.20 2, clauses (4), (5), (9), (11), (13), and (14), and 3, clauses (2), (3), and (7), and licenses  
 4.21 issued under section 97B.301, subdivision 4.

4.22 (b) ~~At least~~ \$2 from each annual deer license and \$2 annually from the lifetime fish  
 4.23 and wildlife trust fund, established in section 97A.4742, for each license issued under  
 4.24 section 97A.473, subdivision 4, shall be credited to the deer management account and  
 4.25 shall be used for deer habitat improvement or deer management programs.

4.26 (c) ~~At least~~ \$1 from each annual deer license and each bear license and \$1 annually  
 4.27 from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each  
 4.28 license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear  
 4.29 management account and shall be used for deer and bear management programs, including  
 4.30 a computerized licensing system.

4.31 (d) Fifty cents from each deer license is credited to the emergency deer feeding  
 4.32 and wild cervidae health management account and is appropriated for emergency deer  
 4.33 feeding and wild cervidae health management. Money appropriated for emergency  
 4.34 deer feeding and wild cervidae health management is available until expended. When  
 4.35 the unencumbered balance in the appropriation for emergency deer feeding and wild

5.1 cervidae health management at the end of a fiscal year exceeds \$2,500,000 for the first  
5.2 time, \$750,000 is canceled to the unappropriated balance of the game and fish fund.  
5.3 The commissioner must inform the legislative chairs of the natural resources finance  
5.4 committees every two years on how the money for emergency deer feeding and wild  
5.5 cervidae health management has been spent.

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

5.10 **EFFECTIVE DATE.** This section is effective July 1, 2007.

5.11 Sec. 12. Minnesota Statutes 2004, section 97A.101, subdivision 4, is amended to read:

5.12 Subd. 4. **Restrictions on airboats, watercraft, and recreational vehicles.** (a) The  
5.13 use of airboats is prohibited at all times on lakes designated for wildlife management  
5.14 purposes under this section unless otherwise authorized by the commissioner.

5.15 (b) The commissioner may restrict the use of motorized watercraft and recreational  
5.16 vehicles on lakes designated for wildlife management purposes by posting all public  
5.17 access points on the designated lake. Restrictions may include prohibitions or limitations  
5.18 on the type of allowable motorized watercraft or recreational vehicle, horsepower or  
5.19 thrust of motor, speed of operation, season or area of use, or other restrictions that the  
5.20 commissioner determines are necessary to minimize disturbances to wildlife or to protect  
5.21 wildlife habitat. Designation of areas, times, and types of restrictions to be posted shall be  
5.22 by written order published in the State Register. Posting of the restrictions is not subject to  
5.23 the rulemaking provisions of chapter 14 and section 14.386 does not apply.

5.24 Sec. 13. Minnesota Statutes 2004, section 97A.221, subdivision 3, is amended to read:

5.25 Subd. 3. **Procedure for confiscation of property seized.** The enforcement officer  
5.26 must hold the seized property. The property held may be confiscated when:

5.27 (1) the person from whom the property was seized is convicted, the conviction is not  
5.28 under appeal, and the time period for appeal of the conviction has expired; or

5.29 (2) the property seized is contraband consisting of a wild animal, wild rice, or other  
5.30 aquatic vegetation.

5.31 Sec. 14. Minnesota Statutes 2004, section 97A.221, subdivision 4, is amended to read:

5.32 Subd. 4. **Disposal of confiscated property.** Confiscated property may be disposed  
5.33 of or retained for use by the commissioner, or sold at the highest price obtainable as

6.1 prescribed by the commissioner. Upon acquittal or dismissal of the charged violation for  
 6.2 which the property was seized; :

6.3 (1) all property, other than contraband consisting of a wild animal, wild rice, or other  
 6.4 aquatic vegetation, must be returned to the person from whom the property was seized; and

6.5 (2) the commissioner shall reimburse the person for the full value of any seized or  
 6.6 confiscated property that is sold, lost, or damaged.

6.7 **EFFECTIVE DATE.** This section is effective the day following final enactment  
 6.8 and applies to property seized beginning one year prior to that date.

6.9 Sec. 15. Minnesota Statutes 2004, section 97A.225, subdivision 2, is amended to read:

6.10 Subd. 2. **Procedure for confiscation of property seized.** The enforcement officer  
 6.11 must hold the seized property, subject to the order of the court having jurisdiction where  
 6.12 the offense was committed. The property held is confiscated when:

6.13 (1) the commissioner complies with this section and;

6.14 (2) the person from whom it was seized is convicted of the offense; and

6.15 (3) the conviction is not under appeal and the time period for appeal of the  
 6.16 conviction has expired.

6.17 Sec. 16. Minnesota Statutes 2004, section 97A.225, subdivision 5, is amended to read:

6.18 Subd. 5. **Court order.** (a) If the person arrested is acquitted, the court shall dismiss  
 6.19 the complaint against the property and:

6.20 (1) order it returned to the person legally entitled to it; and

6.21 (2) order the commissioner to reimburse the person for the full value of any seized  
 6.22 or confiscated property that is sold, lost, or damaged.

6.23 (b) Upon conviction of the person, the court shall issue an order directed to any  
 6.24 person that may have any right, title, or interest in, or lien upon, the seized property. The  
 6.25 order must describe the property and state that it was seized and that a complaint against  
 6.26 it has been filed. The order shall require a person claiming right, title, or interest in, or  
 6.27 lien upon, the property to file with the court administrator an answer to the complaint,  
 6.28 stating the claim, within ten days after the service of the order. The order shall contain a  
 6.29 notice that if the person fails to file an answer within the time limit, the property may be  
 6.30 ordered sold by the commissioner.

6.31 (c) The court order must be served upon any person known or believed to have any  
 6.32 right, title, interest, or lien in the same manner as provided for service of a summons in a  
 6.33 civil action, and upon unknown persons by publication, in the same manner as provided  
 6.34 for publication of a summons in a civil action.

7.1 **EFFECTIVE DATE.** This section is effective the day following final enactment  
7.2 and applies to property seized beginning one year prior to that date.

7.3 Sec. 17. Minnesota Statutes 2004, section 97A.251, subdivision 1, is amended to read:

7.4 Subdivision 1. **Unlawful conduct.** A person may not:

7.5 (1) intentionally hinder, resist, or obstruct an enforcement officer, agent, or employee  
7.6 of the division in the performance of official duties;

7.7 (2) refuse to submit to inspection of ~~firearms~~ equipment used to take wild animals  
7.8 while in the field, licenses, or wild animals; or

7.9 (3) refuse to allow inspection of a motor vehicle, boat, or other conveyance used  
7.10 while taking or transporting wild animals.

7.11 Sec. 18. Minnesota Statutes 2004, section 97A.321, is amended to read:

7.12 **97A.321 DOGS PURSUING OR KILLING BIG GAME.**

7.13 The owner of a dog that pursues but does not kill a big game animal is guilty of a  
7.14 petty misdemeanor and is subject to a civil penalty of \$100 for each violation. The owner  
7.15 of a dog that kills ~~or pursues~~ a big game animal is guilty of a petty misdemeanor and is  
7.16 subject to a civil penalty of ~~up to~~ \$500 for each violation.

7.17 Sec. 19. Minnesota Statutes 2005 Supplement, section 97A.405, subdivision 4, is  
7.18 amended to read:

7.19 Subd. 4. **Replacement licenses.** (a) The commissioner may permit licensed deer  
7.20 hunters to change zone, license, or season options. The commissioner may issue a  
7.21 replacement license if the applicant submits the original deer license and unused tags that  
7.22 are being replaced and the applicant pays any increase in cost between the original and  
7.23 the replacement license. When a person submits both an archery and a firearms license  
7.24 for replacement, the commissioner may apply the value of both licenses towards the  
7.25 replacement license fee.

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

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

(1) when the season for the license being surrendered has not yet opened; or

8.1 (2) when the person is upgrading from a regular firearms or archery deer license to a  
8.2 multizone or all season deer license ~~that is valid in multiple zones.~~

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

8.5 Sec. 20. Minnesota Statutes 2004, section 97A.475, subdivision 2, is amended to read:

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

- 8.8 (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
- 8.9 (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- 8.10 (3) to take turkey, \$18;
- 8.11 (4) for persons age 18 or over to take deer with firearms, \$26;
- 8.12 (5) for persons age 18 or over to take deer by archery, \$26;
- 8.13 (6) to take moose, for a party of not more than six persons, \$310;
- 8.14 (7) to take bear, \$38;
- 8.15 (8) to take elk, for a party of not more than two persons, \$250;
- 8.16 (9) multizone license to take antlered deer in more than one zone, \$52;
- 8.17 (10) to take Canada geese during a special season, \$4;
- 8.18 (11) all season license to take two deer throughout the state in any open deer season,  
8.19 except as restricted under section 97B.305, \$78;
- 8.20 (12) to take prairie chickens, \$20;
- 8.21 (13) for persons at least age 12 and under age 18 to take deer with firearms during  
8.22 the regular firearms season in any open zone or time period, \$13; and
- 8.23 (14) for persons at least age 12 and under age 18 to take deer by archery, \$13.

8.24 Sec. 21. Minnesota Statutes 2005 Supplement, section 97A.475, subdivision 3, is  
8.25 amended to read:

8.26 Subd. 3. **Nonresident hunting.** Fees for the following licenses, to be issued  
8.27 to nonresidents, are:

- 8.28 (1) to take small game, \$73;
- 8.29 (2) to take deer with firearms, \$135;
- 8.30 (3) to take deer by archery, the greater of:
- 8.31 (i) an amount equal to the total amount of license fees and surcharges charged to a  
8.32 Minnesota resident to take deer by archery in the person's state or province of residence; or
- 8.33 (ii) \$135;
- 8.34 (4) to take bear, \$195;

9.1 (5) to take turkey, \$73;

9.2 (6) to take raccoon, bobcat, fox, or coyote, \$155;

9.3 (7) multizone license to take antlered deer in more than one zone, \$270; and

9.4 (8) to take Canada geese during a special season, \$4.

9.5 Sec. 22. Minnesota Statutes 2004, section 97A.475, subdivision 20, is amended to read:

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

9.7 (1) for residents over age 13 and under age 18, \$6;

9.8 (2) for residents age 18 ~~and older~~ or over and under age 65, \$20; ~~and~~

9.9 (3) for residents age 65 or over, \$10; and

9.10 (4) for nonresidents, \$73.

9.11 Sec. 23. Minnesota Statutes 2004, section 97A.535, subdivision 1, is amended to read:

9. Subdivision 1. **Tags required.** (a) A person may not possess or transport deer,  
9.13 bear, elk, or moose taken in the state unless a tag is attached to the carcass in a manner  
9.14 prescribed by the commissioner. The commissioner must prescribe the type of tag that has  
9.15 the license number of the owner, the year of its issue, and other information prescribed by  
9.16 the commissioner.

9.17 (b) The tag and the license must be validated at the site of the kill as prescribed by  
9.18 the commissioner.

9.19 (c) Except as otherwise provided in this section, the tag must be attached to the  
9.20 deer, bear, elk, or moose at the site of the kill before the animal is removed from the  
9.21 site of the kill, and.

9.22 (d) The tag must remain attached to the animal until the animal is processed for  
9. storage.

9.24 (e) A person may move a lawfully taken deer, bear, elk, or moose from the site of the  
9.25 kill without attaching the validated tag to the animal only while in the act of manually  
9.26 or mechanically dragging, carrying, or carting the animal across the ground and while  
9.27 possessing the validated tag on their person. A motor vehicle may be used to drag the  
9.28 animal across the ground. At all other times, the validated tag must be attached to the  
9.29 deer, bear, elk, or moose:

9.30 (1) as otherwise provided in this section; and

9.31 (2) prior to the animal being placed onto and transported on a motor vehicle, being  
9.32 hung from a tree or other structure or device, or being brought into a camp or yard or  
9. other place of habitation.



10.1 Sec. 24. Minnesota Statutes 2005 Supplement, section 97A.551, subdivision 6, is  
10.2 amended to read:

10.3 Subd. 6. **Tagging and registration.** The commissioner may, by rule, require  
10.4 persons taking, possessing, and transporting certain species of fish to tag the fish with  
10.5 a special fish management tag and may require registration of tagged fish. A person  
10.6 may not possess or transport a fish species taken in the state for which a special fish  
10.7 management tag is required unless a tag is attached to the fish in a manner prescribed by  
10.8 the commissioner. The commissioner shall prescribe the manner of issuance and the  
10.9 type of tag as authorized under section 97C.087. The tag must be attached to the fish as  
10.10 prescribed by the commissioner immediately upon reducing the fish to possession and  
10.11 must remain attached to the fish until the fish is processed or consumed. Species for  
10.12 which a special fish management tag is required must be transported undressed, except as  
10.13 otherwise prescribed by the commissioner.

10.14 Sec. 25. Minnesota Statutes 2004, section 97B.021, subdivision 1, is amended to read:

10.15 Subdivision 1. **Restrictions.** (a) Except as provided in this subdivision, a person  
10.16 under the age of 16 may not possess a firearm, ~~unless accompanied by~~ without maintaining  
10.17 unaided visual and vocal contact with a parent or guardian.

10.18 (b) A person under age 16 may possess a firearm ~~without being accompanied by~~  
10.19 maintaining unaided visual and vocal contact with a parent or guardian:

10.20 (1) on land owned by, or occupied as the principal residence of, the person or the  
10.21 person's parent or guardian;

10.22 (2) while participating in an organized target shooting program with adult  
10.23 supervision;

10.24 (3) while the person is participating in a firearms safety program or traveling to  
10.25 and from class; or

10.26 (4) if the person is age 14 or 15 and has a firearms safety certificate.

10.27 Sec. 26. Minnesota Statutes 2004, section 97B.021, is amended by adding a  
10.28 subdivision to read:

10.29 Subd. 1a. **Parent or guardian duties.** A parent or guardian may not knowingly  
10.30 direct, allow, or permit a person under the age of 16 to possess a firearm in violation  
10.31 of this section.

10.32 Sec. 27. **[97B.22] COLLECTING ANTLER SHEDS.**

10.33 (a) A person may take and possess naturally shed antlers without a license.

11.1 (b) A person may not place, arrange, or set equipment in a manner that is likely to  
 11.2 artificially pull, sever, or otherwise cause antlers of live deer, moose, elk, or caribou to  
 11.3 be shed or removed.

11.4 Sec. 28. Minnesota Statutes 2004, section 97B.301, subdivision 7, is amended to read:

11.5 Subd. 7. **All season deer license.** (a) A resident may obtain an all season deer  
 11.6 license. ~~This license that authorizes the resident to take one buck by firearm or archery hunt~~  
 11.7 ~~during any season statewide. In addition, a resident obtaining this license may take one~~  
 11.8 ~~antlerless deer: the archery, regular firearms, and muzzle-loader seasons. The all season~~  
 11.9 license is valid for taking three deer, no more than one of which may be a legal buck.

11.10 ~~(1) by firearms in the regular firearms season if the resident first obtains an antlerless~~  
 11.11 ~~deer permit or if the resident takes the antlerless deer in an area where the commissioner~~  
 11.12 ~~has authorized taking a deer of either sex without an antlerless permit;~~

1 ~~(2) by archery in the archery season; or~~

11.14 ~~(3) by muzzleloader in the muzzleloader season.~~

11.15 (b) The all season deer license is valid for taking antlerless deer as follows:

11.16 (1) up to two antlerless deer may be taken during the archery or muzzle-loader  
 11.17 seasons in any open area or during the regular firearms season in managed or intensive  
 11.18 deer areas; and

11.19 (2) one antlerless deer may be taken during the regular firearms season in a lottery  
 11.20 deer area, only with an either-sex permit or statutory exemption from an either-sex permit.

11.21 ~~(c) The commissioner shall issue one tag for a buck and one tag for an antlerless~~  
 11.22 ~~deer three tags~~ when issuing a license under this subdivision.

11.23 Sec. 29. [97B.318] ARMS USE AREAS AND RESTRICTIONS; REGULAR  
 11.24 FIREARMS SEASON.

11.25 Subdivision 1. Shotgun use area. During the regular firearms season in the shotgun  
 11.26 use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading  
 11.27 long guns, and legal handguns may be used for taking deer. Legal shotguns include  
 11.28 those with rifled barrels. The shotgun use area is that portion of the state lying within  
 11.29 the following described boundary: Beginning on the west boundary of the state at U.S.  
 11.30 Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 32; thence  
 11.31 along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence  
 11.32 along I-94 to County State Aid Highway (CSAH) 40, Douglas County; thence along  
 11.33 CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas  
 11.34 County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to

12.1 CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to  
12.2 CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22,  
12.3 Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71  
12.4 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of  
12.5 the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to  
12.6 U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence  
12.7 along the east, south, and west boundaries of the state to the point of beginning.

12.8 Subd. 2. All legal firearms use area. The all legal firearms use area is that part of  
12.9 the state lying outside of the shotgun use area.

12.10 Sec. 30. Minnesota Statutes 2004, section 97C.081, subdivision 4, is amended to read:

12.11 Subd. 4. **Restrictions.** The commissioner may by rule establish restrictions on  
12.12 fishing contests to protect fish and fish habitat, to minimize user conflicts, and for the  
12.13 safety of contest participants.

12.14 Sec. 31. Minnesota Statutes 2004, section 97C.081, subdivision 6, is amended to read:

12.15 Subd. 6. **Permit application process.** (a) Beginning ~~September~~ August 1 each  
12.16 year, the commissioner shall accept permit applications for fishing contests to be held in  
12.17 the following year.

12.18 (b) If the number of permit applications received by the commissioner from  
12.19 ~~September~~ August 1 through the last Friday in ~~October~~ September exceeds the limits  
12.20 specified in subdivisions 7 and 8, the commissioner shall notify the affected applicants  
12.21 that their requested locations and time period are subject to a drawing. After notification,  
12.22 the commissioner shall allow the affected applicants a minimum of seven days to change  
12.23 the location or time period requested on their applications, provided that the change is  
12.24 not to a location or time period for which applications are already at or above the limits  
12.25 specified in subdivisions 7 and 8.

12.26 (c) After the applicants have been given at least seven days to change their  
12.27 applications, the commissioner shall conduct a drawing for all locations and time periods  
12.28 for which applications exceed limits. First preference in the drawings shall be given  
12.29 to applicants for established or traditional fishing contests, and second preference to  
12.30 applicants for contests that are not established as traditional fishing contests based on the  
12.31 number of times they have been unsuccessful in previous drawings. Except for applicants  
12.32 of established or traditional fishing contests, an applicant who is successful in a drawing  
12.33 loses all accumulated preference. "Established or traditional fishing contest" means a  
12.34 fishing contest that was issued permits in 1999 and 2000 or was issued permits four out of

13.1 five years from 1996 to 2000 for the same lake and time period. Beginning with 2001,  
 13.2 established or traditional fishing contests must continue to be conducted at least four out  
 13.3 of five years for the same lake and time period to remain established or traditional.

13.4 (d) The commissioner has until ~~December~~ November 7 to approve or deny permit  
 13.5 applications that are submitted by 4:30 p.m. on the last Friday in ~~October~~ September. The  
 13.6 commissioner may approve a permit application that is received after 4:30 p.m. on the last  
 13.7 Friday in ~~October~~ September if approving the application would not result in exceeding  
 13.8 the limits in subdivisions 7 and 8.

13.9 Sec. 32. Minnesota Statutes 2004, section 97C.081, subdivision 8, is amended to read:

13.10 Subd. 8. **Limits on number of fishing contests.** (a) The number of permitted  
 13.11 fishing contests allowed each month on a water body shall not exceed the following limits:

13.12 (1) Lakes:

	Maximum number of permitted fishing contests	Maximum number of large permitted fishing contests	Maximum number of permitted fishing contest days
13.13 Size/acres			
13.14 less than 2,000	2	0	4
13.15 2,000-4,999	3	1	6
13.16 5,000-14,999	4	2	8
13.17 15,000-55,000	5	3	10
13.18 more than 55,000	no limit	no limit	no limit

13.19 (b) For boundary ~~waters~~ water lakes, the limits on the number of permitted fishing  
 13.20 contests shall be determined based on the Minnesota acreage.

13.21 (2) Rivers:

	<u>Maximum number of permitted fishing contests</u>	<u>Maximum number of large permitted fishing contests</u>	<u>Maximum number of permitted fishing contest days</u>
13.22 <u>Mississippi River:</u>			
13.23 <u>Pool 1, 2, 3, 5, 5A,</u>			
13.24 <u>6, 7, 8, 9</u>	<u>4 (each pool)</u>	<u>2 (each pool)</u>	<u>8 (each pool)</u>
13.25 <u>Pool 4</u>	<u>5</u>	<u>3</u>	<u>10</u>

14.1	<u>St. Croix River</u>	<u>2</u>	<u>1</u>	<u>4</u>
14.2	<u>Lake St. Croix</u>	<u>4</u>	<u>2</u>	<u>8</u>

14.3 Contest waters identified in the permit for Mississippi River pools are limited to  
 14.4 no more than one lockage upstream and one lockage downstream from the pool where  
 14.5 the contest access and weigh-in is located.

14.6 Contest waters for Lake St. Croix are bounded by the U.S. Highway 10 bridge at  
 14.7 Prescott upstream to the Arcola Bar. Contest waters for the St. Croix River are bounded  
 14.8 by the Arcola Bar upstream to the Wisconsin state line.

14.9 For all other rivers, no more than two contest permits, not to exceed four days  
 14.10 combined, may be issued for any continuous segment of a river per month. Of the two  
 14.11 contests permitted, only one shall be a large permitted fishing contest. Permits issued by  
 14.12 the commissioner shall not exceed 60 continuous river miles.

14.13 Sec. 33. Minnesota Statutes 2004, section 97C.081, subdivision 9, is amended to read:

14.14 Subd. 9. **Permit restrictions.** (a) The commissioner may require fishing contest  
 14.15 permittees to limit prefishing to week days only as a condition of a fishing contest permit.  
 14.16 The commissioner may require proof from permittees that prefishing restrictions on the  
 14.17 permit are communicated to fishing contest participants and enforced.

14.18 (b) The commissioner may require permit restrictions on the hours that a permitted  
 14.19 fishing contest is conducted, including, but not limited to, starting and ending times.

14.20 (c) The commissioner may require permit restrictions on the number of parking  
 14.21 spaces that may be used on a state-owned public water access site. The commissioner may  
 14.22 require proof from permittees that parking restrictions on the permit are communicated to  
 14.23 fishing contest participants and enforced.

14.24 (d) To prevent undue ~~loss~~ mortality of released fish, the commissioner may require  
 14.25 restrictions for off-site weigh-ins and live releases on a fishing contest permit or may deny  
 14.26 permits requesting an off-site weigh-in or live release.

14.27 (e) A person may not transfer a fishing contest permit to another person.

14.28 (f) Failure to comply with fishing contest permit restrictions may be considered  
 14.29 grounds for denial of future permit applications.

14.30 Sec. 34. Minnesota Statutes 2004, section 97C.205, is amended to read:

14.31 **97C.205 ~~RULES FOR TRANSPORTING AND STOCKING FISH.~~**

14.32 (a) Except on the water body where taken, a person may not transport a live fish in a  
 14.33 quantity of water sufficient to keep the fish alive, unless the fish:

15.1 (1) is being transported under an aquaculture license as authorized under sections

15.2 17.4985 and 17.4986;

15.3 (2) is being transported for a fishing contest weigh-in under section 97C.081;

15.4 (3) is a minnow being transported under section 97C.505 or 97C.515;

15.5 (4) is being transported by a commercial fishing license holder under section

15.6 97C.821; or

15.7 (5) is being transported as otherwise authorized in this section.

15.8 (b) The commissioner may adopt rules to allow and regulate:

15.9 (1) the transportation of fish and fish eggs ~~from one body of water to another~~; and

15.10 (2) the stocking of waters with fish or fish eggs.

15.11 ~~(b)~~ (c) The commissioner shall prescribe rules designed to encourage local sporting  
15.12 organizations to propagate game fish by using rearing ponds. The rules must:

15.13 (1) prescribe methods to acquire brood stock for the ponds by seining public waters;

15.14 (2) allow the sporting organizations to own and use seines and other necessary  
15.15 equipment; and

15.16 (3) prescribe methods for stocking the fish in public waters that give priority to the  
15.17 needs of the community where the fish are reared and the desires of the organization  
15.18 operating the rearing pond.

15.19 ~~(c)~~ (d) A person age 16 or under may, for purposes of display in a home aquarium,  
15.20 transport largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie,  
15.21 white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black,  
15.22 yellow, and brown bullheads taken by angling. No more than four of each species may  
15.23 be transported at any one time, and any individual fish can be no longer than ten inches  
15.24 in total length.

15.25 Sec. 35. Minnesota Statutes 2004, section 97C.355, subdivision 7, is amended to read:

15.26 Subd. 7. **Dates and times houses may remain on ice.** (a) Except as provided  
15.27 in paragraph (d), a shelter, including a fish house or dark house, may not be on the ice  
15.28 between 12:00 a.m. and one hour before sunrise after the following dates:

15.29 (1) the last day of February, for state waters south of a line starting at the  
15.30 Minnesota-North Dakota border and formed by rights-of-way of U.S. Route No. 10, then  
15.31 east along U.S. Route No. 10 to Trunk Highway No. 34, then east along Trunk Highway  
15.32 No. 34 to Trunk Highway No. 200, then east along Trunk Highway No. 200 to U.S. Route  
15.33 No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin border; and

(2) March 15, for other state waters.

16.1 A shelter, including a fish house or dark house, on the ice in violation of this  
16.2 subdivision is subject to the enforcement provisions of paragraph (b). The commissioner  
16.3 may, by rule, change the dates in this paragraph for any part of state waters. Copies of  
16.4 the rule must be conspicuously posted on the shores of the waters as prescribed by the  
16.5 commissioner.

16.6 (b) A conservation officer must confiscate a fish house ~~or~~, dark house, or shelter in  
16.7 violation of paragraph (a). The officer may remove, burn, or destroy the house or shelter.  
16.8 The officer shall seize the contents of the house or shelter and hold them for 60 days. If the  
16.9 seized articles have not been claimed by the owner, they may be retained for the use of the  
16.10 division or sold at the highest price obtainable in a manner prescribed by the commissioner.

16.11 (c) When the last day of February, under paragraph (a), clause (1), or March 15,  
16.12 under paragraph (a), clause (2), falls on a Saturday, a shelter, including a fish house or  
16.13 dark house, may be on the ice between 12:00 a.m. and one hour before sunrise until  
16.14 12:00 a.m. the following Monday.

16.15 (d) A person may have a shelter, including a fish house or dark house, on the ice  
16.16 between 12:00 a.m. and one hour before sunrise on waters within the area prescribed in  
16.17 paragraph (a), clause (2), but the house or shelter may not be unattended during those  
16.18 hours.

16.19 Sec. 36. Minnesota Statutes 2004, section 97C.371, subdivision 4, is amended to read:

16.20 Subd. 4. **Open season.** The open season for spearing through the ice is December 1  
16.21 to the ~~third~~ last Sunday in February.

16.22 Sec. 37. **DITCH BUFFER TASK FORCE.**

16.23 The Board of Water and Soil Resources shall convene a task force to address the  
16.24 recommendations and findings identified in the February 2006 public drainage ditch  
16.25 buffer study, including, but not limited to:

- 16.26 (1) clarification of the point of beginning for measuring the required grass strip;  
16.27 (2) enhancing the ability of drainage authorities to establish and maintain grass strips;  
16.28 (3) developing methods and models for drainage records modernization;  
16.29 (4) developing a best management practices manual and training for public drainage  
16.30 systems and authorities;  
16.31 (5) annual reporting by drainage authorities; and  
16.32 (6) identifying barriers and promoting incentives for buffer strip implementation  
16.33 regarding federal, state, and local programs and requirements.

17.1 The recommendations must be done in consultation with farm groups, watershed  
17.2 districts, soil and water conservation districts, counties, industry, and conservation  
17.3 organizations, as well as federal agencies implementing voluntary buffer programs.  
17.4 State agencies participating shall include the Minnesota Department of Agriculture,  
17.5 Minnesota Pollution Control Agency, and Minnesota Department of Natural Resources.  
17.6 The board shall report the results to the senate and house of representatives committees  
17.7 with jurisdiction over public drainage systems by January 15, 2007.

17.8 Sec. 38. **MORATORIUM ON LICENSING OR USE OF NEW PUBLIC WATERS**  
17.9 **FOR AQUACULTURE.**

17.10 (a) Except as provided in paragraphs (b) and (c), the commissioner of natural  
17.11 resources may not license or use public waters, as defined in Minnesota Statutes, section  
17.12 103G.005, subdivision 15, for aquaculture or the raising of fish that were not licensed by  
17.13 the commissioner of natural resources or used for that purpose by the commissioner of  
17.14 natural resources during the five-year period prior to April 1, 2006.

17.15 (b) The commissioner of natural resources may annually authorize fish rearing in  
17.16 new public waters, if the fish rearing is conducted as part of a wetland improvement plan  
17.17 approved by the commissioner.

17.18 (c) The commissioner of natural resources may license or use public waters for  
17.19 aquaculture that were not used during the time period prescribed in paragraph (a) as a  
17.20 replacement for public waters that were used during that time period and are being vacated  
17.21 for use in aquaculture or raising fish. The restrictions in paragraph (a) apply to public  
17.22 waters that are replaced under this paragraph.

17.23 (d) This section expires December 31, 2007.

17.24 Sec. 39. **REPEALER.**

17.25 Minnesota Statutes 2004, section 97C.355, subdivision 6, is repealed.



APPENDIX  
Repealed Minnesota Statutes: S2974-1

**97C.355 DARK HOUSES AND FISH HOUSES.**

Subd. 6. **Restrictions for nonresidents.** A nonresident may obtain a license for a fish house but the house may not be unattended.

1.1 A bill for an act  
 1.2 relating to game and fish; modifying critical habitat private sector matching  
 1.3 account provisions; providing definitions; providing for and modifying  
 1.4 disposition of certain revenue; modifying restrictions on motorized watercraft  
 1.5 and recreational vehicles in wildlife management areas; modifying procedure  
 1.6 for confiscation of property; providing for inspection of equipment used to take  
 1.7 wild animals; modifying certain penalty and fee amounts; modifying certain  
 1.8 game and fish license provisions; modifying firearms possession provisions  
 1.9 for persons under 16; providing for collecting antler sheds; modifying certain  
 1.10 provisions for taking and possessing game and fish; providing for arms use  
 1.11 areas; modifying provisions for fishing contests; creating a ditch buffer task  
 1.12 force; providing for a moratorium on use of public waters for aquaculture;  
 1.13 amending Minnesota Statutes 2004, sections 84.943, subdivision 3; 97A.015, by  
 1.14 adding subdivisions; 97A.055, subdivision 2; 97A.065, subdivision 2; 97A.075,  
 1.15 subdivision 1; 97A.101, subdivision 4; 97A.221, subdivisions 3, 4; 97A.225,  
 1.16 subdivisions 2, 5; 97A.251, subdivision 1; 97A.321; 97A.475, subdivisions 2,  
 1.17 20; 97A.535, subdivision 1; 97B.021, subdivision 1, by adding a subdivision;  
 1.18 97B.301, subdivision 7; 97C.081, subdivisions 4, 6, 8, 9; 97C.205; 97C.355,  
 1.19 subdivision 7; 97C.371, subdivision 4; Minnesota Statutes 2005 Supplement,  
 1.20 sections 97A.405, subdivision 4; 97A.475, subdivision 3; 97A.551, subdivision  
 1.21 6; proposing coding for new law in Minnesota Statutes, chapter 97B; repealing  
 1.22 Minnesota Statutes 2004, section 97C.355, subdivision 6.

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

1.24 Section 1. Minnesota Statutes 2004, section 84.943, subdivision 3, is amended to read:

1.25 Subd. 3. **Appropriations must be matched by private funds.** Appropriations  
 1.26 transferred to the critical habitat private sector matching account and money credited to  
 1.27 the account under section 168.1296, subdivision 5, may be expended only to the extent  
 1.28 that they are matched equally with contributions ~~to the account~~ from private sources  
 1.29 or by funds contributed to the nongame wildlife management account. The private  
 1.30 contributions may be made in cash ~~or in contributions of~~ property, land, or interests in  
 1.31 land ~~that are designated by the commissioner of natural resources as program acquisitions.~~

2.1 Appropriations transferred to the account that are not matched within three years from the  
2.2 date of the appropriation shall cancel to the source of the appropriation. For the purposes  
2.3 of this section, the private contributions of property, land, or interests in land that are  
2.4 retained by the commissioner shall be valued in accordance with their appraised value.

2.5 Sec. 2. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.6 to read:

2.7 Subd. 3a. **Bonus permit.** "Bonus permit" means a license to take and tag deer by  
2.8 archery or firearms, in addition to deer authorized to be taken under regular firearms  
2.9 or archery licenses.

2.10 Sec. 3. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.11 to read:

2.12 Subd. 14a. **Deer.** "Deer" means white-tailed or mule deer.

2.13 Sec. 4. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.14 to read:

2.15 Subd. 26b. **Intensive deer area.** "Intensive deer area" means an area of the state  
2.16 where taking a deer of either sex is allowed and where multiple bonus permits are  
2.17 authorized.

2.18 Sec. 5. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.19 to read:

2.20 Subd. 27b. **Lottery deer area.** "Lottery deer area" means an area of the state  
2.21 where taking antlerless deer is allowed only by either-sex permit and no bonus permits  
2.22 are authorized.

2.23 Sec. 6. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.24 to read:

2.25 Subd. 27c. **Managed deer area.** "Managed deer area" means an area of the state  
2.26 where taking a deer of either sex is allowed and where one bonus permit is authorized.

2.27 Sec. 7. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
2.28 to read:

3.1 Subd. 32a. Muzzle-loader season. "Muzzle-loader season" means the firearms  
3.2 deer season option open only for legal muzzle-loading firearms, as prescribed by the  
3.3 commissioner.

3.4 Sec. 8. Minnesota Statutes 2004, section 97A.015, is amended by adding a subdivision  
3.5 to read:

3.6 Subd. 41a. Regular firearms season. "Regular firearms season" means any of the  
3.7 firearms deer season options prescribed by the commissioner that begin in November,  
3.8 exclusive of the muzzle-loader season.

3.9 Sec. 9. Minnesota Statutes 2004, section 97A.055, subdivision 2, is amended to read:

3.10 Subd. 2. **Receipts.** The commissioner of finance shall credit to the game and fish  
3.11 fund all money received under the game and fish laws and all income from state lands  
3.12 acquired by purchase or gift for game or fish purposes, including receipts from:

3.13 (1) licenses and permits issued;

3.14 (2) fines and forfeited bail;

3.15 (3) sales of contraband, wild animals, and other property under the control of the  
3.16 division;

3.17 (4) fees from advanced education courses for hunters and trappers;

3.18 (5) reimbursements of expenditures by the division;

3.19 (6) contributions to the division; and

3.20 (7) revenue credited to the game and fish fund under section 297A.94, paragraph  
3.21 (e), clause (1).

3.22 Sec. 10. Minnesota Statutes 2004, section 97A.065, subdivision 2, is amended to read:

3.23 Subd. 2. **Fines and forfeited bail.** (a) Fines and forfeited bail collected from  
3.24 prosecutions of violations of: the game and fish laws or rules adopted thereunder; sections  
3.25 84.091 to 84.15 or rules adopted thereunder; sections 84.81 to 84.91 or rules adopted  
3.26 thereunder; section 169A.20, when the violation involved an off-road recreational vehicle  
3.27 as defined in section 169A.03, subdivision 16; chapter 348; and any other law relating  
3.28 to wild animals or aquatic vegetation, must be paid to the treasurer of the county where  
3.29 the violation is prosecuted. The county treasurer shall submit one-half of the receipts to  
3.30 the commissioner and credit the balance to the county general revenue fund except as  
3.31 provided in paragraphs (b); and (c); and (d). In a county in a judicial district under section  
3.32 480.181, subdivision 1, paragraph (b), the share that would otherwise go to the county

4.1 under this paragraph must be submitted to the commissioner of finance for deposit in the  
4.2 state treasury and credited to the general fund.

4.3 ~~(b) The commissioner may reimburse a county, from the game and fish fund, for the~~  
4.4 ~~cost of keeping prisoners prosecuted for violations of the game and fish laws under this~~  
4.5 ~~section if the county board, by resolution, directs: (1) the county treasurer to submit all~~  
4.6 ~~game and fish fines and forfeited bail to the commissioner; and (2) the county auditor to~~  
4.7 ~~certify and submit monthly itemized statements to the commissioner.~~

4.8 (e) (b) The county treasurer shall submit one-half of the receipts collected under  
4.9 paragraph (a) from prosecutions of violations of sections 84.81 to 84.91 or rules adopted  
4.10 thereunder, and 169A.20, except receipts that are surcharges imposed under section  
4.11 357.021, subdivision 6, to the commissioner and credit the balance to the county  
4.12 general fund. The commissioner shall credit these receipts to the snowmobile trails and  
4.13 enforcement account in the natural resources fund.

4.14 (d) (c) The county treasurer shall indicate the amount of the receipts that are  
4.15 surcharges imposed under section 357.021, subdivision 6, and shall submit all of those  
4.16 receipts to the commissioner of finance.

4.17 Sec. 11. Minnesota Statutes 2004, section 97A.075, subdivision 1, is amended to read:

4.18 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this  
4.19 subdivision, "deer license" means a license issued under section 97A.475, subdivisions  
4.20 2, clauses (4), (5), (9), (11), (13), and (14), and 3, clauses (2), (3), and (7), and licenses  
4.21 issued under section 97B.301, subdivision 4.

4.22 (b) ~~At least~~ \$2 from each annual deer license and \$2 annually from the lifetime fish  
4.23 and wildlife trust fund, established in section 97A.4742, for each license issued under  
4.24 section 97A.473, subdivision 4, shall be credited to the deer management account and  
4.25 shall be used for deer habitat improvement or deer management programs.

4.26 (c) ~~At least~~ \$1 from each annual deer license and each bear license and \$1 annually  
4.27 from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each  
4.28 license issued under section 97A.473, subdivision 4, shall be credited to the deer and bear  
4.29 management account and shall be used for deer and bear management programs, including  
4.30 a computerized licensing system.

4.31 (d) Fifty cents from each deer license is credited to the emergency deer feeding  
4.32 and wild cervidae health management account and is appropriated for emergency deer  
4.33 feeding and wild cervidae health management. Money appropriated for emergency  
4.34 deer feeding and wild cervidae health management is available until expended. When  
4.35 the unencumbered balance in the appropriation for emergency deer feeding and wild

5.1 cervidae health management at the end of a fiscal year exceeds \$2,500,000 for the first  
5.2 time, \$750,000 is canceled to the unappropriated balance of the game and fish fund.  
5.3 The commissioner must inform the legislative chairs of the natural resources finance  
5.4 committees every two years on how the money for emergency deer feeding and wild  
5.5 cervidae health management has been spent.

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

5.10 **EFFECTIVE DATE.** This section is effective July 1, 2007.

5.11 Sec. 12. Minnesota Statutes 2004, section 97A.101, subdivision 4, is amended to read:

5 Subd. 4. **Restrictions on airboats, watercraft, and recreational vehicles.** (a) The  
5.13 use of airboats is prohibited at all times on lakes designated for wildlife management  
5.14 purposes under this section unless otherwise authorized by the commissioner.

5.15 (b) The commissioner may restrict the use of motorized watercraft and recreational  
5.16 vehicles on lakes designated for wildlife management purposes by posting all public  
5.17 access points on the designated lake. Restrictions may include prohibitions or limitations  
5.18 on the type of allowable motorized watercraft or recreational vehicle, horsepower or  
5.19 thrust of motor, speed of operation, season or area of use, or other restrictions that the  
5.20 commissioner determines are necessary to minimize disturbances to wildlife or to protect  
5.21 wildlife habitat. Designation of areas, times, and types of restrictions to be posted shall be  
5.22 by written order published in the State Register. Posting of the restrictions is not subject to  
5.23 the rulemaking provisions of chapter 14 and section 14.386 does not apply.

5.24 Sec. 13. Minnesota Statutes 2004, section 97A.221, subdivision 3, is amended to read:

5.25 Subd. 3. **Procedure for confiscation of property seized.** The enforcement officer  
5.26 must hold the seized property. The property held may be confiscated when:

5.27 (1) the person from whom the property was seized is convicted, the conviction is not  
5.28 under appeal, and the time period for appeal of the conviction has expired; or

5.29 (2) the property seized is contraband consisting of a wild animal, wild rice, or other  
5.30 aquatic vegetation.

5.31 Sec. 14. Minnesota Statutes 2004, section 97A.221, subdivision 4, is amended to read:

5.32 Subd. 4. **Disposal of confiscated property.** Confiscated property may be disposed  
5.33 of or retained for use by the commissioner, or sold at the highest price obtainable as

6.1 prescribed by the commissioner. Upon acquittal or dismissal of the charged violation for  
6.2 which the property was seized; :

6.3 (1) all property, other than contraband consisting of a wild animal, wild rice, or other  
6.4 aquatic vegetation, must be returned to the person from whom the property was seized; and

6.5 (2) the commissioner shall reimburse the person for the full value of any seized or  
6.6 confiscated property that is sold, lost, or damaged.

6.7 **EFFECTIVE DATE.** This section is effective the day following final enactment  
6.8 and applies to property seized beginning one year prior to that date.

6.9 Sec. 15. Minnesota Statutes 2004, section 97A.225, subdivision 2, is amended to read:

6.10 Subd. 2. **Procedure for confiscation of property seized.** The enforcement officer  
6.11 must hold the seized property, subject to the order of the court having jurisdiction where  
6.12 the offense was committed. The property held is confiscated when:

6.13 (1) the commissioner complies with this section and;

6.14 (2) the person from whom it was seized is convicted of the offense; and

6.15 (3) the conviction is not under appeal and the time period for appeal of the  
6.16 conviction has expired.

6.17 Sec. 16. Minnesota Statutes 2004, section 97A.225, subdivision 5, is amended to read:

6.18 Subd. 5. **Court order.** (a) If the person arrested is acquitted, the court shall dismiss  
6.19 the complaint against the property and:

6.20 (1) order it returned to the person legally entitled to it; and

6.21 (2) order the commissioner to reimburse the person for the full value of any seized  
6.22 or confiscated property that is sold, lost, or damaged.

6.23 (b) Upon conviction of the person, the court shall issue an order directed to any  
6.24 person that may have any right, title, or interest in, or lien upon, the seized property. The  
6.25 order must describe the property and state that it was seized and that a complaint against  
6.26 it has been filed. The order shall require a person claiming right, title, or interest in, or  
6.27 lien upon, the property to file with the court administrator an answer to the complaint,  
6.28 stating the claim, within ten days after the service of the order. The order shall contain a  
6.29 notice that if the person fails to file an answer within the time limit, the property may be  
6.30 ordered sold by the commissioner.

6.31 (c) The court order must be served upon any person known or believed to have any  
6.32 right, title, interest, or lien in the same manner as provided for service of a summons in a  
6.33 civil action, and upon unknown persons by publication, in the same manner as provided  
6.34 for publication of a summons in a civil action.

7.1 **EFFECTIVE DATE.** This section is effective the day following final enactment  
7.2 and applies to property seized beginning one year prior to that date.

7.3 Sec. 17. Minnesota Statutes 2004, section 97A.251, subdivision 1, is amended to read:

7.4 Subdivision 1. **Unlawful conduct.** A person may not:

7.5 (1) intentionally hinder, resist, or obstruct an enforcement officer, agent, or employee  
7.6 of the division in the performance of official duties;

7.7 (2) refuse to submit to inspection of ~~firearms~~ equipment used to take wild animals  
7.8 while in the field, licenses, or wild animals; or

7.9 (3) refuse to allow inspection of a motor vehicle, boat, or other conveyance used  
7.10 while taking or transporting wild animals.

7.11 Sec. 18. Minnesota Statutes 2004, section 97A.321, is amended to read:

7.12 **97A.321 DOGS PURSUING OR KILLING BIG GAME.**

7.13 The owner of a dog that pursues but does not kill a big game animal is guilty of a  
7.14 petty misdemeanor and is subject to a civil penalty of \$100 for each violation. The owner  
7.15 of a dog that kills ~~or pursues~~ a big game animal is guilty of a petty misdemeanor and is  
7.16 subject to a civil penalty of ~~up to~~ \$500 for each violation.

7.17 Sec. 19. Minnesota Statutes 2005 Supplement, section 97A.405, subdivision 4, is  
7.18 amended to read:

7.19 Subd. 4. **Replacement licenses.** (a) The commissioner may permit licensed deer  
7.20 hunters to change zone, license, or season options. The commissioner may issue a  
7.21 replacement license if the applicant submits the original deer license and unused tags that  
7.22 are being replaced and the applicant pays any increase in cost between the original and  
7.23 the replacement license. When a person submits both an archery and a firearms license  
7.24 for replacement, the commissioner may apply the value of both licenses towards the  
7.25 replacement license fee.

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

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

(1) when the season for the license being surrendered has not yet opened; or



8.1 (2) when the person is upgrading from a regular firearms or archery deer license to a  
8.2 multizone or all season deer license ~~that is valid in multiple zones.~~

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

8.5 Sec. 20. Minnesota Statutes 2004, section 97A.475, subdivision 2, is amended to read:

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

- 8.8 (1) for persons age 18 or over and under age 65 to take small game, \$12.50;
- 8.9 (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;
- 8.10 (3) to take turkey, \$18;
- 8.11 (4) for persons age 18 or over to take deer with firearms, \$26;
- 8.12 (5) for persons age 18 or over to take deer by archery, \$26;
- 8.13 (6) to take moose, for a party of not more than six persons, \$310;
- 8.14 (7) to take bear, \$38;
- 8.15 (8) to take elk, for a party of not more than two persons, \$250;
- 8.16 (9) multizone license to take antlered deer in more than one zone, \$52;
- 8.17 (10) to take Canada geese during a special season, \$4;
- 8.18 (11) all season license to take two deer throughout the state in any open deer season,  
8.19 except as restricted under section 97B.305, \$78;
- 8.20 (12) to take prairie chickens, \$20;
- 8.21 (13) for persons at least age 12 and under age 18 to take deer with firearms during  
8.22 the regular firearms season in any open zone or time period, \$13; and
- 8.23 (14) for persons at least age 12 and under age 18 to take deer by archery, \$13.

8.24 Sec. 21. Minnesota Statutes 2005 Supplement, section 97A.475, subdivision 3, is  
8.25 amended to read:

8.26 Subd. 3. **Nonresident hunting.** Fees for the following licenses, to be issued  
8.27 to nonresidents, are:

- 8.28 (1) to take small game, \$73;
- 8.29 (2) to take deer with firearms, \$135;
- 8.30 (3) to take deer by archery, the greater of:
- 8.31 (i) an amount equal to the total amount of license fees and surcharges charged to a  
8.32 Minnesota resident to take deer by archery in the person's state or province of residence; or
- 8.33 (ii) \$135;
- 8.34 (4) to take bear, \$195;

9.1 (5) to take turkey, \$73;

9.2 (6) to take raccoon, bobcat, fox, or coyote, \$155;

9.3 (7) multizone license to take antlered deer in more than one zone, \$270; and

9.4 (8) to take Canada geese during a special season, \$4.

9.5 Sec. 22. Minnesota Statutes 2004, section 97A.475, subdivision 20, is amended to read:

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

9.7 (1) for residents over age 13 and under age 18, \$6;

9.8 (2) for residents age 18 ~~and older~~ or over and under age 65, \$20; ~~and~~

9.9 (3) for residents age 65 or over, \$10; and

9.10 (4) for nonresidents, \$73.

9.11 Sec. 23. Minnesota Statutes 2004, section 97A.535, subdivision 1, is amended to read:

9 Subdivision 1. **Tags required.** (a) A person may not possess or transport deer,  
9.13 bear, elk, or moose taken in the state unless a tag is attached to the carcass in a manner  
9.14 prescribed by the commissioner. The commissioner must prescribe the type of tag that has  
9.15 the license number of the owner, the year of its issue, and other information prescribed by  
9.16 the commissioner.

9.17 (b) The tag and the license must be validated at the site of the kill as prescribed by  
9.18 the commissioner.

9.19 (c) Except as otherwise provided in this section, the tag must be attached to the  
9.20 deer, bear, elk, or moose at the site of the kill before the animal is removed from the  
9.21 site of the kill, ~~and.~~

9.22 (d) The tag must remain attached to the animal until the animal is processed for  
9. storage.

9.24 (e) A person may move a lawfully taken deer, bear, elk, or moose from the site of the  
9.25 kill without attaching the validated tag to the animal only while in the act of manually  
9.26 or mechanically dragging, carrying, or carting the animal across the ground and while  
9.27 possessing the validated tag on their person. A motor vehicle may be used to drag the  
9.28 animal across the ground. At all other times, the validated tag must be attached to the  
9.29 deer, bear, elk, or moose:

9.30 (1) as otherwise provided in this section; and

9.31 (2) prior to the animal being placed onto and transported on a motor vehicle, being  
9.32 hung from a tree or other structure or device, or being brought into a camp or yard or  
9 other place of habitation.

10.1 Sec. 24. Minnesota Statutes 2005 Supplement, section 97A.551, subdivision 6, is  
10.2 amended to read:

10.3 Subd. 6. **Tagging and registration.** The commissioner may, by rule, require  
10.4 persons taking, possessing, and transporting certain species of fish to tag the fish with  
10.5 a special fish management tag and may require registration of tagged fish. A person  
10.6 may not possess or transport a fish species taken in the state for which a special fish  
10.7 management tag is required unless a tag is attached to the fish in a manner prescribed by  
10.8 the commissioner. The commissioner shall prescribe the manner of issuance and the  
10.9 type of tag as authorized under section 97C.087. The tag must be attached to the fish as  
10.10 prescribed by the commissioner immediately upon reducing the fish to possession and  
10.11 must remain attached to the fish until the fish is processed or consumed. Species for  
10.12 which a special fish management tag is required must be transported undressed, except as  
10.13 otherwise prescribed by the commissioner.

10.14 Sec. 25. Minnesota Statutes 2004, section 97B.021, subdivision 1, is amended to read:

10.15 Subdivision 1. **Restrictions.** (a) Except as provided in this subdivision, a person  
10.16 under the age of 16 may not possess a firearm, ~~unless accompanied by~~ without maintaining  
10.17 unaided visual and vocal contact with a parent or guardian.

10.18 (b) A person under age 16 may possess a firearm ~~without being accompanied by~~  
10.19 maintaining unaided visual and vocal contact with a parent or guardian:

10.20 (1) on land owned by, or occupied as the principal residence of, the person or the  
10.21 person's parent or guardian;

10.22 (2) while participating in an organized target shooting program with adult  
10.23 supervision;

10.24 (3) while the person is participating in a firearms safety program or traveling to  
10.25 and from class; or

10.26 (4) if the person is age 14 or 15 and has a firearms safety certificate.

10.27 Sec. 26. Minnesota Statutes 2004, section 97B.021, is amended by adding a  
10.28 subdivision to read:

10.29 Subd. 1a. **Parent or guardian duties.** A parent or guardian may not knowingly  
10.30 direct, allow, or permit a person under the age of 16 to possess a firearm in violation  
10.31 of this section.

10.32 Sec. 27. **[97B.22] COLLECTING ANTLER SHEDS.**

10.33 **(a) A person may take and possess naturally shed antlers without a license.**

11.1 (b) A person may not place, arrange, or set equipment in a manner that is likely to  
 11.2 artificially pull, sever, or otherwise cause antlers of live deer, moose, elk, or caribou to  
 11.3 be shed or removed.

11.4 Sec. 28. Minnesota Statutes 2004, section 97B.301, subdivision 7, is amended to read:

11.5 Subd. 7. **All season deer license.** (a) A resident may obtain an all season deer  
 11.6 license. ~~This license that authorizes the resident to take one buck by firearm or archery hunt~~  
 11.7 ~~during any season statewide. In addition, a resident obtaining this license may take one~~  
 11.8 ~~antlerless deer: the archery, regular firearms, and muzzle-loader seasons. The all season~~  
 11.9 license is valid for taking three deer, no more than one of which may be a legal buck.

11.10 ~~(1) by firearms in the regular firearms season if the resident first obtains an antlerless~~  
 11.11 ~~deer permit or if the resident takes the antlerless deer in an area where the commissioner~~  
 11.12 ~~has authorized taking a deer of either sex without an antlerless permit;~~

~~(2) by archery in the archery season; or~~

11.14 ~~(3) by muzzleloader in the muzzleloader season.~~

11.15 (b) The all season deer license is valid for taking antlerless deer as follows:

11.16 (1) up to two antlerless deer may be taken during the archery or muzzle-loader  
 11.17 seasons in any open area or during the regular firearms season in managed or intensive  
 11.18 deer areas; and

11.19 (2) one antlerless deer may be taken during the regular firearms season in a lottery  
 11.20 deer area, only with an either-sex permit or statutory exemption from an either-sex permit.

11.21 ~~(c) The commissioner shall issue one tag for a buck and one tag for an antlerless~~  
 11.22 ~~deer three tags when issuing a license under this subdivision.~~

11.24 Sec. 29. [97B.318] ARMS USE AREAS AND RESTRICTIONS; REGULAR  
 11.25 FIREARMS SEASON.

11.26 Subdivision 1. Shotgun use area. During the regular firearms season in the shotgun  
 11.27 use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading  
 11.28 long guns, and legal handguns may be used for taking deer. Legal shotguns include  
 11.29 those with rifled barrels. The shotgun use area is that portion of the state lying within  
 11.30 the following described boundary: Beginning on the west boundary of the state at U.S.  
 11.31 Highway 10; thence along U.S. Highway 10 to State Trunk Highway (STH) 32; thence  
 11.32 along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence  
 11.33 along I-94 to County State Aid Highway (CSAH) 40, Douglas County; thence along  
 11.34 CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas  
 11.35 County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to

12.1 CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to  
12.2 CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22,  
12.3 Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71  
12.4 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of  
12.5 the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to  
12.6 U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence  
12.7 along the east, south, and west boundaries of the state to the point of beginning.

12.8 Subd. 2. All legal firearms use area. The all legal firearms use area is that part of  
12.9 the state lying outside of the shotgun use area.

12.10 Sec. 30. Minnesota Statutes 2004, section 97C.081, subdivision 4, is amended to read:

12.11 Subd. 4. **Restrictions.** The commissioner may by rule establish restrictions on  
12.12 fishing contests to protect fish and fish habitat, to minimize user conflicts, and for the  
12.13 safety of contest participants.

12.14 Sec. 31. Minnesota Statutes 2004, section 97C.081, subdivision 6, is amended to read:

12.15 Subd. 6. **Permit application process.** (a) Beginning ~~September~~ August 1 each  
12.16 year, the commissioner shall accept permit applications for fishing contests to be held in  
12.17 the following year.

12.18 (b) If the number of permit applications received by the commissioner from  
12.19 ~~September~~ August 1 through the last Friday in ~~October~~ September exceeds the limits  
12.20 specified in subdivisions 7 and 8, the commissioner shall notify the affected applicants  
12.21 that their requested locations and time period are subject to a drawing. After notification,  
12.22 the commissioner shall allow the affected applicants a minimum of seven days to change  
12.23 the location or time period requested on their applications, provided that the change is  
12.24 not to a location or time period for which applications are already at or above the limits  
12.25 specified in subdivisions 7 and 8.

12.26 (c) After the applicants have been given at least seven days to change their  
12.27 applications, the commissioner shall conduct a drawing for all locations and time periods  
12.28 for which applications exceed limits. First preference in the drawings shall be given  
12.29 to applicants for established or traditional fishing contests, and second preference to  
12.30 applicants for contests that are not established as traditional fishing contests based on the  
12.31 number of times they have been unsuccessful in previous drawings. Except for applicants  
12.32 of established or traditional fishing contests, an applicant who is successful in a drawing  
12.33 loses all accumulated preference. "Established or traditional fishing contest" means a  
12.34 fishing contest that was issued permits in 1999 and 2000 or was issued permits four out of

13.1 five years from 1996 to 2000 for the same lake and time period. Beginning with 2001,  
 13.2 established or traditional fishing contests must continue to be conducted at least four out  
 13.3 of five years for the same lake and time period to remain established or traditional.

1. (d) The commissioner has until ~~December~~ November 7 to approve or deny permit  
 13.5 applications that are submitted by 4:30 p.m. on the last Friday in ~~October~~ September. The  
 13.6 commissioner may approve a permit application that is received after 4:30 p.m. on the last  
 13.7 Friday in ~~October~~ September if approving the application would not result in exceeding  
 13.8 the limits in subdivisions 7 and 8.

13.9 Sec. 32. Minnesota Statutes 2004, section 97C.081, subdivision 8, is amended to read:

13.10 Subd. 8. **Limits on number of fishing contests.** (a) The number of permitted  
 13.11 fishing contests allowed each month on a water body shall not exceed the following limits:

13.12 (1) Lakes:

13.13	Maximum number	Maximum number	Maximum number
13.14	of permitted fishing	of large permitted	of permitted fishing
13.15	contests	fishing contests	contest days
13.16	Size/acres		
13.17	less than 2,000	2	0
13.18	2,000-4,999	3	1
13.19	5,000-14,999	4	2
13.20	15,000-55,000	5	3
13.21	more than 55,000	no limit	no limit

13.22 (b) For boundary ~~waters~~ water lakes, the limits on the number of permitted fishing  
 13.23 contests shall be determined based on the Minnesota acreage.

13.24 (2) Rivers:

13.25	<u>Maximum number</u>	<u>Maximum number</u>	<u>Maximum number</u>
13.26	<u>of permitted fishing</u>	<u>of large permitted</u>	<u>of permitted fishing</u>
13.27	<u>contests</u>	<u>fishing contests</u>	<u>contest days</u>
13.28	<u>Mississippi River:</u>		
13.29	<u>Pool 1, 2, 3, 5, 5A,</u>		
13.30	<u>6, 7, 8, 9</u>	<u>4 (each pool)</u>	<u>2 (each pool)</u>
13.31	<u>Pool 4</u>	<u>5</u>	<u>3</u>
			<u>8 (each pool)</u>

14.1	<u>St. Croix River</u>	<u>2</u>	<u>1</u>	<u>4</u>
14.2	<u>Lake St. Croix</u>	<u>4</u>	<u>2</u>	<u>8</u>

14.3 Contest waters identified in the permit for Mississippi River pools are limited to  
 14.4 no more than one lockage upstream and one lockage downstream from the pool where  
 14.5 the contest access and weigh-in is located.

14.6 Contest waters for Lake St. Croix are bounded by the U.S. Highway 10 bridge at  
 14.7 Prescott upstream to the Arcola Bar. Contest waters for the St. Croix River are bounded  
 14.8 by the Arcola Bar upstream to the Wisconsin state line.

14.9 For all other rivers, no more than two contest permits, not to exceed four days  
 14.10 combined, may be issued for any continuous segment of a river per month. Of the two  
 14.11 contests permitted, only one shall be a large permitted fishing contest. Permits issued by  
 14.12 the commissioner shall not exceed 60 continuous river miles.

14.13 Sec. 33. Minnesota Statutes 2004, section 97C.081, subdivision 9, is amended to read:

14.14 Subd. 9. **Permit restrictions.** (a) The commissioner may require fishing contest  
 14.15 permittees to limit prefishing to week days only as a condition of a fishing contest permit.  
 14.16 The commissioner may require proof from permittees that prefishing restrictions on the  
 14.17 permit are communicated to fishing contest participants and enforced.

14.18 (b) The commissioner may require permit restrictions on the hours that a permitted  
 14.19 fishing contest is conducted, including, but not limited to, starting and ending times.

14.20 (c) The commissioner may require permit restrictions on the number of parking  
 14.21 spaces that may be used on a state-owned public water access site. The commissioner may  
 14.22 require proof from permittees that parking restrictions on the permit are communicated to  
 14.23 fishing contest participants and enforced.

14.24 (d) To prevent undue ~~loss~~ mortality of released fish, the commissioner may require  
 14.25 restrictions for off-site weigh-ins and live releases on a fishing contest permit or may deny  
 14.26 permits requesting an off-site weigh-in or live release.

14.27 (e) A person may not transfer a fishing contest permit to another person.

14.28 (f) Failure to comply with fishing contest permit restrictions may be considered  
 14.29 grounds for denial of future permit applications.

14.30 Sec. 34. Minnesota Statutes 2004, section 97C.205, is amended to read:

14.31 **97C.205 RULES FOR TRANSPORTING AND STOCKING FISH.**

14.32 (a) Except on the water body where taken, a person may not transport a live fish in a  
 14.33 quantity of water sufficient to keep the fish alive, unless the fish:

15.1 (1) is being transported under an aquaculture license as authorized under sections

15.2 17.4985 and 17.4986;

15.3 (2) is being transported for a fishing contest weigh-in under section 97C.081;

15.4 (3) is a minnow being transported under section 97C.505 or 97C.515;

15.5 (4) is being transported by a commercial fishing license holder under section

15.6 97C.821; or

15.7 (5) is being transported as otherwise authorized in this section.

15.8 (b) The commissioner may adopt rules to allow and regulate:

15.9 (1) the transportation of fish and fish eggs ~~from one body of water to another~~; and

15.10 (2) the stocking of waters with fish or fish eggs.

15.11 ~~(b)~~ (c) The commissioner shall prescribe rules designed to encourage local sporting  
15.12 organizations to propagate game fish by using rearing ponds. The rules must:

15.13 (1) prescribe methods to acquire brood stock for the ponds by seining public waters;

1 (2) allow the sporting organizations to own and use seines and other necessary  
15.15 equipment; and

15.16 (3) prescribe methods for stocking the fish in public waters that give priority to the  
15.17 needs of the community where the fish are reared and the desires of the organization  
15.18 operating the rearing pond.

15.19 ~~(c)~~ (d) A person age 16 or under may, for purposes of display in a home aquarium,  
15.20 transport largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie,  
15.21 white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black,  
15.22 yellow, and brown bullheads taken by angling. No more than four of each species may  
15.23 be transported at any one time, and any individual fish can be no longer than ten inches  
15.24 in total length.

15.25 Sec. 35. Minnesota Statutes 2004, section 97C.355, subdivision 7, is amended to read:

15.26 Subd. 7. **Dates and times houses may remain on ice.** (a) Except as provided  
15.27 in paragraph (d), a shelter, including a fish house or dark house, may not be on the ice  
15.28 between 12:00 a.m. and one hour before sunrise after the following dates:

15.29 (1) the last day of February, for state waters south of a line starting at the  
15.30 Minnesota-North Dakota border and formed by rights-of-way of U.S. Route No. 10, then  
15.31 east along U.S. Route No. 10 to Trunk Highway No. 34, then east along Trunk Highway  
15.32 No. 34 to Trunk Highway No. 200, then east along Trunk Highway No. 200 to U.S. Route  
15.33 No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin border; and

1 (2) March 15, for other state waters.



16.1 A shelter, including a fish house or dark house, on the ice in violation of this  
16.2 subdivision is subject to the enforcement provisions of paragraph (b). The commissioner  
16.3 may, by rule, change the dates in this paragraph for any part of state waters. Copies of  
16.4 the rule must be conspicuously posted on the shores of the waters as prescribed by the  
16.5 commissioner.

16.6 (b) A conservation officer must confiscate a fish house ~~or,~~ dark house, or shelter in  
16.7 violation of paragraph (a). The officer may remove, burn, or destroy the house or shelter.  
16.8 The officer shall seize the contents of the house or shelter and hold them for 60 days. If the  
16.9 seized articles have not been claimed by the owner, they may be retained for the use of the  
16.10 division or sold at the highest price obtainable in a manner prescribed by the commissioner.

16.11 (c) When the last day of February, under paragraph (a), clause (1), or March 15,  
16.12 under paragraph (a), clause (2), falls on a Saturday, a shelter, including a fish house or  
16.13 dark house, may be on the ice between 12:00 a.m. and one hour before sunrise until  
16.14 12:00 a.m. the following Monday.

16.15 (d) A person may have a shelter, including a fish house or dark house, on the ice  
16.16 between 12:00 a.m. and one hour before sunrise on waters within the area prescribed in  
16.17 paragraph (a), clause (2), but the house or shelter may not be unattended during those  
16.18 hours.

16.19 Sec. 36. Minnesota Statutes 2004, section 97C.371, subdivision 4, is amended to read:

16.20 Subd. 4. **Open season.** The open season for spearing through the ice is December 1  
16.21 to the ~~third~~ last Sunday in February.

16.22 Sec. 37. **DITCH BUFFER TASK FORCE.**

16.23 The Board of Water and Soil Resources shall convene a task force to address the  
16.24 recommendations and findings identified in the February 2006 public drainage ditch  
16.25 buffer study, including, but not limited to:

16.26 (1) clarification of the point of beginning for measuring the required grass strip;

16.27 (2) enhancing the ability of drainage authorities to establish and maintain grass strips;

16.28 (3) developing methods and models for drainage records modernization;

16.29 (4) developing a best management practices manual and training for public drainage  
16.30 systems and authorities;

16.31 (5) annual reporting by drainage authorities; and

16.32 (6) identifying barriers and promoting incentives for buffer strip implementation  
16.33 regarding federal, state, and local programs and requirements.

17.1 The recommendations must be done in consultation with farm groups, watershed  
17.2 districts, soil and water conservation districts, counties, industry, and conservation  
17.3 organizations, as well as federal agencies implementing voluntary buffer programs.  
17.4 State agencies participating shall include the Minnesota Department of Agriculture,  
17.5 Minnesota Pollution Control Agency, and Minnesota Department of Natural Resources.  
17.6 The board shall report the results to the senate and house of representatives committees  
17.7 with jurisdiction over public drainage systems by January 15, 2007.

17.8 Sec. 38. **MORATORIUM ON LICENSING OR USE OF NEW PUBLIC WATERS**  
17.9 **FOR AQUACULTURE.**

17.10 (a) Except as provided in paragraphs (b) and (c), the commissioner of natural  
17.11 resources may not license or use public waters, as defined in Minnesota Statutes, section  
17.12 103G.005, subdivision 15, for aquaculture or the raising of fish that were not licensed by  
1 the commissioner of natural resources or used for that purpose by the commissioner of  
17.14 natural resources during the five-year period prior to April 1, 2006.

17.15 (b) The commissioner of natural resources may annually authorize fish rearing in  
17.16 new public waters, if the fish rearing is conducted as part of a wetland improvement plan  
17.17 approved by the commissioner.

17.18 (c) The commissioner of natural resources may license or use public waters for  
17.19 aquaculture that were not used during the time period prescribed in paragraph (a) as a  
17.20 replacement for public waters that were used during that time period and are being vacated  
17.21 for use in aquaculture or raising fish. The restrictions in paragraph (a) apply to public  
17.22 waters that are replaced under this paragraph.

17.23 (d) This section expires December 31, 2007.

17.24 Sec. 39. **REPEALER.**

17.25 Minnesota Statutes 2004, section 97C.355, subdivision 6, is repealed.

APPENDIX  
Repealed Minnesota Statutes: S2974-1

**97C.355 DARK HOUSES AND FISH HOUSES.**

**Subd. 6. Restrictions for nonresidents.** A nonresident may obtain a license for a fish house but the house may not be unattended.

**Bill Description**

This bill is the Game and Fish Omnibus Bill and is included in the Governor's Supplemental Budget. Section 20 of the bill will make the youth (age 12 to 17) firearms deer license valid for all of the regular firearms zone/season options. The current youth firearms deer license limits an applicant to one option for firearm hunting among seven choices.

Section 22 of this bill provides for a reduced fee for residents age 65 or over for license to trap fur-bearing animals.

**Assumptions**

In 2004, youth under 18 purchased (fees including \$1 issuing fee): 1,835 multi-zone firearms licenses at \$53 and 1,543 all-season licenses at \$79.

It is assumed that the multi-zone buyers will now likely purchase a \$14 youth license and the all-season buyers will now likely purchase a youth archery and a youth firearms license for \$28.

There were 640 trapping licenses sold to residents age 65 or over.

**Expenditure and/or Revenue Formula**

Estimated annual loss in revenue:

Multi-zone users: license fee difference	\$14-\$53 = -\$39 x 1,835 users =	-\$71,565
All-season users: license fee difference	\$28-\$79 = -\$51 x 1,543 users =	-\$78,693
Subtotal Youth License		-\$150,258
Senior Trapper: license fee difference	\$10-\$20 = -\$10 x 640 users =	-\$6,400
Total Revenue Loss		-\$156,658

**Long-Term Fiscal Considerations**

Currently, all deer license revenues combined are over \$20 million annually. Youth participation is key to the future of deer hunting and this short-term loss in revenue is worth the investment in potential future deer hunters and license sales.

**Local Government Costs**

None

**References and Sources**

2004 License sales, DNR License Bureau

Agency Contact Name: Peter Skwira, Fish & Wildlife 259-5238  
FN Coord Signature: BRUCE NASLUND  
Date: 04/10/06 Phone: 259-5551

**EBO Comments**

I have reviewed this Fiscal Note for accuracy and content.

EBO Signature: MARSHA BATTLES-JENKS  
Date: 04/10/06 Phone: 296-8510

**Fiscal Note – 2005-06 Session**

**Bill #:** S2974-1E **Complete Date:** 04/10/06

**Chief Author:** SAXHAUG, TOM

**Title:** MODIFY GAME AND FISH PROVISIONS

<b>Fiscal Impact</b>	<b>Yes</b>	<b>No</b>
State	X	
Local		X
Fee/Departmental Earnings	X	
Tax Revenue		X

**Agency Name:** Natural Resources Dept

This table reflects fiscal impact to state government. Local government impact is reflected in the narrative only.

Dollars (in thousands)	FY05	FY06	FY07	FY08	FY09
<b>Expenditures</b>					
-- No Impact --					
<b>Less Agency Can Absorb</b>					
-- No Impact --					
<b>Net Expenditures</b>					
-- No Impact --					
<b>Revenues</b>					
Game And Fish (Operations) Fund				(156)	(156)
<b>Net Cost &lt;Savings&gt;</b>					
Game And Fish (Operations) Fund				156	156
<b>Total Cost &lt;Savings&gt; to the State</b>				156	156

	FY05	FY06	FY07	FY08	FY09
<b>Full Time Equivalents</b>					
-- No Impact --					
<b>Total FTE</b>					

**Bill Description**

This bill is the Game and Fish Omnibus Bill and is included in the Governor's Supplemental Budget. Section 20 of the bill will make the youth (age 12 to 17) firearms deer license valid for all of the regular firearms zone/season options. The current youth firearms deer license limits an applicant to one option for firearm hunting among seven choices.

Section 22 of this bill provides for a reduced fee for residents age 65 or over for license to trap fur-bearing animals.

**Assumptions**

In 2004, youth under 18 purchased (fees including \$1 issuing fee): 1,835 multi-zone firearms licenses at \$53 and 1,543 all-season licenses at \$79.

It is assumed that the multi-zone buyers will now likely purchase a \$14 youth license and the all-season buyers will now likely purchase a youth archery and a youth firearms license for \$28.

There were 640 trapping licenses sold to residents age 65 or over.

**Expenditure and/or Revenue Formula**

Estimated annual loss in revenue:

Multi-zone users: license fee difference \$14-\$53 = -\$39 x 1,835 users =	-\$71,565
All-season users: license fee difference \$28-\$79 = -\$51 x 1,543 users =	-\$78,693
Subtotal Youth License	-\$150,258
Senior Trapper: license fee difference \$10-\$20 = -\$10 x 640 users =	-\$6,400
Total Revenue Loss	-\$156,658

**Long-Term Fiscal Considerations**

Currently, all deer license revenues combined are over \$20 million annually. Youth participation is key to the future of deer hunting and this short-term loss in revenue is worth the investment in potential future deer hunters and license sales.

**Local Government Costs**

None

**References and Sources**

2004 License sales, DNR License Bureau

Agency Contact Name: Peter Skwira, Fish & Wildlife 259-5238  
FN Coord Signature: BRUCE NASLUND  
Date: 04/10/06 Phone: 259-5551

**EBO Comments**

I have reviewed this Fiscal Note for accuracy and content.

EBO Signature: MARSHA BATTLES-JENKS  
Date: 04/10/06 Phone: 296-8510

**Fiscal Note – 2005-06 Session**

**Bill #: S2974-1E Complete Date: 04/10/06**

**Chief Author: SAXHAUG, TOM**

**Title: MODIFY GAME AND FISH PROVISIONS**

Fiscal Impact	Yes	No
State	X	
Local		X
Fee/Departmental Earnings	X	
Tax Revenue		X

**Agency Name: Natural Resources Dept**

This table reflects fiscal impact to state government. Local government impact is reflected in the narrative only.

Dollars (in thousands)	FY05	FY06	FY07	FY08	FY09
<b>Expenditures</b>					
-- No Impact --					
<b>Less Agency Can Absorb</b>					
-- No Impact --					
<b>Net Expenditures</b>					
-- No Impact --					
<b>Revenues</b>					
Game And Fish (Operations) Fund				(156)	(156)
<b>Net Cost &lt;Savings&gt;</b>					
Game And Fish (Operations) Fund				156	156
<b>Total Cost &lt;Savings&gt; to the State</b>				156	156

	FY05	FY06	FY07	FY08	FY09
<b>Full Time Equivalent</b>					
-- No Impact --					
<b>Total FTE</b>					

1 Senator ..... moves to amend S.F. 2974, the 1<sup>st</sup> Engrossment, as follows:

2 Page 8, after line 4, insert:

3 Sec. 20. Minnesota Statutes 2004, Section 97A.465 is amended by adding a subdivision  
4 to read:

5 Subd. 6. **Special hunts for military personnel.** The commissioner may by rule  
6 establish criteria, special seasons, and limits for military personnel and veterans to take  
7 big game and small game by firearms or archery in designated areas or times. A person  
8 hunting under this subdivision must be participating in a hunt sponsored and administered  
9 by the Minnesota Department of Military Affairs or the Minnesota Department of  
10 Veterans Affairs.

11 Renumber the sections in sequence and correct internal references

12 Amend the title accordingly



1 Senator ..... moves to amend S.F. 2974, the 1<sup>st</sup> Engrossment, as follows:

2 Page 8, after line 4, insert:

3 Sec. 20. Minnesota Statutes 2004, Section 97A.465 is amended by adding a subdivision  
4 to read:

5 Subd. 6. **Special hunts for military personnel.** The commissioner may by rule  
6 establish criteria, special seasons, and limits for military personnel and veterans to take  
7 big game and small game by firearms or archery in designated areas or times. A person  
8 hunting under this subdivision must be participating in a hunt sponsored and administered  
9 by the Minnesota Department of Military Affairs or the Minnesota Department of  
10 Veterans Affairs.

11 Renumber the sections in sequence and correct internal references

12 Amend the title accordingly

1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

1.2 Page 5, after line 10, insert:

1.3 "Sec. 12. Minnesota Statutes 2004, section 97A.085, subdivision 4, is amended to  
1.4 read:

1.5 Subd. 4. **Establishment by petition of county residents.** The commissioner may  
1.6 designate as a game refuge public waters or a contiguous area described in a petition,  
1.7 signed by 50 or more residents of the county where the public waters or area is located. The  
1.8 game refuge must be a contiguous area of at least 640 acres unless it borders or includes  
1.9 a marsh, or other body of water or watercourse suitable for wildlife habitat. The game  
1.10 refuge may be designated only if the commissioner finds that protected wild animals are  
1.11 depleted and are in danger of extermination, or that it will best serve the public interest. If  
1.12 any of the land area in the proposed game refuge is privately owned and the commissioner  
1.13 receives a petition opposing designation of the refuge signed by the owners, lessees, or  
1.14 persons in possession of at least 75 percent of the private land area within the proposed  
1.15 game refuge, the commissioner shall not designate the private lands as a game refuge."

1.16 Renumber the sections in sequence and correct the internal references

1.17 Amend the title accordingly

1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

1.2 Page 5, after line 10, insert:

1.3 "Sec. 12. Minnesota Statutes 2004, section 97A.085, subdivision 4, is amended to  
1.4 read:

1.5 Subd. 4. **Establishment by petition of county residents.** The commissioner may  
1.6 designate as a game refuge public waters or a contiguous area described in a petition,  
1.7 signed by 50 or more residents of the county where the public waters or area is located. The  
1.8 game refuge must be a contiguous area of at least 640 acres unless it borders or includes  
1.9 a marsh, or other body of water or watercourse suitable for wildlife habitat. The game  
1.10 refuge may be designated only if the commissioner finds that protected wild animals are  
1.11 depleted and are in danger of extermination, or that it will best serve the public interest. If  
1.12 any of the land area in the proposed game refuge is privately owned and the commissioner  
1.13 receives a petition opposing designation of the refuge signed by the owners, lessees, or  
1.14 persons in possession of at least 75 percent of the private land area within the proposed  
1.15 game refuge, the commissioner shall not designate the private lands as a game refuge."

1.16 Renumber the sections in sequence and correct the internal references

1.17 Amend the title accordingly

1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

1.2 Page 1, after line 23, insert:

3 "Section 1. Minnesota Statutes 2004, section 17.452, subdivision 4, is amended to  
1.4 read:

1.5 Subd. 4. **Farmed cervidae are livestock.** Farmed cervidae are livestock and, except  
1.6 as provided in section 97B.215, are not wild animals for purposes of game farm, hunting,  
1.7 or wildlife laws. Farmed cervidae and their products are farm products and livestock for  
1.8 purposes of financial transactions and collateral."

1.9 Page 10, after line 31, insert:

1.10 "Sec. 28. **[97B.215] SHOOTING FARMED CERVIDAE; PROHIBITION.**

1.11 A person who is not the owner or an employee of a registered cervidae farm may not  
1.12 take farmed cervidae by firearm or archery. In addition to other penalties prescribed by  
1.13 law, a person convicted under this section shall not be issued a license to take game for  
1.14 two years after the conviction."

1.15 Renumber the sections in sequence and correct the internal references

1.16 Amend the title accordingly

1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

1.2 Page 1, after line 23, insert:

1.3 "Section 1. Minnesota Statutes 2004, section 17.452, subdivision 4, is amended to  
1.4 read:

1.5 Subd. 4. **Farmed cervidae are livestock.** Farmed cervidae are livestock and, except  
1.6 as provided in section 97B.215, are not wild animals for purposes of game farm, hunting,  
1.7 or wildlife laws. Farmed cervidae and their products are farm products and livestock for  
1.8 purposes of financial transactions and collateral."

1.9 Page 10, after line 31, insert:

1.10 "Sec. 28. **[97B.215] SHOOTING FARMED CERVIDAE; PROHIBITION.**

1.11 A person who is not the owner or an employee of a registered cervidae farm may not  
1.12 take farmed cervidae by firearm or archery. In addition to other penalties prescribed by  
1.13 law, a person convicted under this section shall not be issued a license to take game for  
1.14 two years after the conviction."

1.15 Renumber the sections in sequence and correct the internal references

1.16 Amend the title accordingly

# Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-4037



Gene Merriam, Commissioner  
651-259-5555

March 30, 2006

The Honorable Tom Bakk  
State Senator  
226 State Capitol  
St. Paul, Minnesota 55155

The Honorable Joe Hoppe  
State Representative  
537 State Office Building  
St. Paul, Minnesota 55155

Dear Senator Bakk and Representative Hoppe:

The Department of Natural Resources supports your bills to ban farmed cervidae shooting preserves.

Allowing cervidae shooting preserves in Minnesota increases the numbers of farmed deer, and increases both interstate movements of these animals, thereby increasing the risk of moving chronic wasting disease into Minnesota. And Minnesota deer hunters stand to lose if CWD is found in wild deer. Wisconsin hunter numbers have declined 10% since the discovery of CWD in that state.

Throughout North America, the incidence of chronic wasting disease has almost always been linked to domestic cervidae farms. The Minnesota DNR has spent in excess of \$2.5 million to date testing deer for CWD. In Wisconsin, where CWD has been found in wild deer, the DNR spent \$11 million the first year testing deer and setting up research and monitoring programs. If CWD is found in Minnesota's wild deer population we must be prepared to spend millions of dollars combating the infection. The potential increased risk to wild deer is simply not worth the financial gains that would be realized by a few cervidae farmers.

We believe that your bills will further enhance protection of Minnesota's natural resources.

Sincerely,

A large, handwritten signature in black ink, appearing to read "Gene Merriam".

Gene Merriam  
Commissioner

[www.dnr.state.mn.us](http://www.dnr.state.mn.us)

AN EQUAL OPPORTUNITY EMPLOYER



PRINTED ON RECYCLED PAPER CONTAINING A MINIMUM OF 10% POST-CONSUMER WASTE



# MINNESOTA DEER HUNTERS ASSOCIATION



460 Peterson Road • Grand Rapids, MN 55744-8413  
Phone: (218) 327-1103 • Toll Free: 1-800-450-DEER (MN) • Fax: (218) 327-1349  
Web site: [www.mndeerhunters.com](http://www.mndeerhunters.com)  
email: [info@mndeerhunters.com](mailto:info@mndeerhunters.com)

Thomas Keliher  
Capitol Hill Associates, Inc.  
525 Park Street, Suite 310  
St. Paul MN 55103

March 24, 2006

Dear Mr. Keliher:

On behalf of the Minnesota Deer Hunters Association state-wide membership and chapters, on Thursday, March 23, 2006, the MDHA Executive Board of Directors voted without descent to continue MDHA's corporate support for a legislative ban of Big Game Shooting Enclosures in Minnesota.

Please consider this letter as the MDHA Executive Board's directive that you continue representing MDHA as opposed to Big Game Shooting Enclosures. Specifically, on MDHA's behalf your efforts should be to lobby for passage of S.F. 3048 and H.F.3362 (Farm-raised cervidae taking restrictions clarified).

This latest affirmation of MDHA's stance is a direct result of state-wide member feedback and opinion resulting from the following priority of concerns:

1. MDHA members are first and foremost concerned of the potential spread of disease to the wild cervid populations of Minnesota and the threat this poses to Minnesota's natural resource based heritage and economy. Due to the link associating farmed Cervidae and CWD, any avenue that supports propagation of farmed Cervidae within Minnesota, including big game shooting enclosures, is unacceptable.
2. MDHA members are proponents of fair chase. "Hunting" of domestic livestock is not "hunting," it is "slaughter."

Whitetails forever,

Dan Splittstoser State President	John Erlandson, Sr. State Vice-President	Darwin Viker State Secretary	Dan Larsen State Treasurer
Jim Larson Region I Director	Darrold Persson Region II Director	Kristian Jankofsky Region III Director	John Edinger Region IV Director
Scott Nagel Region V Director	John Erlandson, Jr. Region VI Director	Jerry Hoaglund Region VII Director	Bob Hall Region VIII Director
Carol Altrichter Region IX Director	Denis Quarberg Region X Director	Grand Bahls Region XI Director	Jim Vogen Region XII Director

*"...Dedicated to be the conservation and betterment of deer and deer hunting in Minnesota."*

**ROSEAU RIVER CHAPTER  
RESOLUTION – 03-005**

**Proposed Resolution on Preventing the Establishment of Big Game Enclosures  
in Minnesota**

Whereas: there are currently non existing big game hunting enclosures located within Minnesota; and

Whereas: big game hunting enclosures may raise ethical questions within the big game hunting community and;

Whereas: big game enclosures may serve as potential reservoirs and/or transmission vectors for wildlife disease; and

Therefore be it resolved: that the Minnesota Deer Hunters Association at the annual Corporate Board Meeting on March 1, 2003 oppose the establishment of big game hunting enclosures in Minnesota.

Supported for concerns detailed in “Whereas”

Passed on March 1, 2003 with a vote of

Yes – 237

No - 43



# Game & Fish Fund Budgetary Oversight Committee

—Authorized under Minnesota Statutes Section 97A.055 Subd. 4b—

**Rick Horton, Chair**

## Subcommittee Chairs

Dave Thompson—Fisheries Operations  
Dave Bennett—Trout & Salmon Stamp  
Dennis Neilson—Wildlife Operations  
Scott Nagel—Big Game  
Tom Glines—Turkey Stamp

Brad Cobb—Pheasant Stamp  
Phil Zins—Waterfowl Stamp  
John Curry—Ecological Services  
Fred Boethin—Enforcement, Support Services,  
& Administration

April 5, 2006

Representative Joe Hoppe  
537 State Office Building  
St. Paul, MN 55155

Senator Tom Bakk  
226 State Capital  
St. Paul, MN 55155

Honorable Legislators,

The Game and Fish Fund Budgetary Oversight Committee (BOC) wishes to express our support for your bills banning captive cervid shooting preserves (S.F. 3048 and H.F. 3362). The practice of shooting cervids within enclosures was illegal under DNR program administration, however an oversight allowed the practice after control transferred to the Board of Animal Health in 2004. We ask that this be corrected.


Specifically, we are concerned about the following:

- The ethics of fair chase within game enclosures and the image the practice portrays to non-hunting publics.
- The increased traffic in animals will increase the threat of disease importation and transfer among captive deer and elk, and thus increase the risk of infecting the wild populations.
- The cost of detection and eradication of disease in wild populations is borne by the hunters, not the captive animal producers.

The potential for diseases like chronic wasting disease (CWD) and bovine tuberculosis is particularly troubling. These diseases have been well documented in captive herds, and their negative impacts to wild populations, the cattle industry and resource agencies in Michigan and Wisconsin have been devastating.

We support the ban on behalf of the half million sportsmen and women that enjoy deer hunting in Minnesota. Thank you for considering Minnesota's greater good on this issue.

Sincerely,



Rick Horton  
BOC Chair

cc: DNR Commissioner Gene Merriam

FISH & WILDLIFE LEGISLATIVE ALLIANCE  
2045 BRUNSWICK AVE. N, GOLDEN VALLEY, MN 55422

4/1/06

Mark Johnson  
460 Peterson Rd.,  
Grand Rapids, MN 55744

Dear Mark,

Per your request, for support on the big game shooting enclosures prohibition in Minnesota. The FWLA supports the position of the Minnesota Deer Hunters Association (MDHA). The main reason is the possible threat of the spread of chronic wasting disease (CWD) into the natural or wild population of deer and elk in Minnesota. This is a serious situation, and with all of the known cases being found in pen raised cervidae we cannot support the possible expansion of pen raised animals into Minnesota, thus the possible threat of expansion of CWD into our state native herds.

The FWLA also cannot support the concept of "canned " or "fenced" hunting, it goes against the very fiber of hunting, which is to allow an animal the opportunity for escape, or provide the hunter with the opportunity for "Fair chase". Where the animal has the ability to "outsmart" the Hunter with its incredible natural instincts, and physical abilities, which can allow the animal to escape. We cannot condone the principal of artificial hunts as a wave of the future, nor support the idea of pay to hunt, leaving the sport of hunting to those that can afford to do so, and deny those that cannot afford to do so.

For those two major reasons we support the position of the MDHA.

Sincerely,

Lance K. Ness

President , FWLA

# Minnesota Department of Natural Resources

500 Lafayette Road • St. Paul, MN • 55155-4037



Gene Merriam, Commissioner  
651-259-5555

March 30, 2006

The Honorable Tom Bakk  
State Senator  
226 State Capitol  
St. Paul, Minnesota 55155

The Honorable Joe Hoppe  
State Representative  
537 State Office Building  
St. Paul, Minnesota 55155

Dear Senator Bakk and Representative Hoppe:

The Department of Natural Resources supports your bills to ban farmed cervidae shooting preserves.

Allowing cervidae shooting preserves in Minnesota increases the numbers of farmed deer, and increases both interstate movements of these animals, thereby increasing the risk of moving chronic wasting disease into Minnesota. And Minnesota deer hunters stand to lose if CWD is found in wild deer. Wisconsin hunter numbers have declined 10% since the discovery of CWD in that state.

Throughout North America, the incidence of chronic wasting disease has almost always been linked to domestic cervidae farms. The Minnesota DNR has spent in excess of \$2.5 million to date testing deer for CWD. In Wisconsin, where CWD has been found in wild deer, the DNR spent \$11 million the first year testing deer and setting up research and monitoring programs. If CWD is found in Minnesota's wild deer population we must be prepared to spend millions of dollars combating the infection. The potential increased risk to wild deer is simply not worth the financial gains that would be realized by a few cervidae farmers.

We believe that your bills will further enhance protection of Minnesota's natural resources.

Sincerely,

  
Gene Merriam  
Commissioner

[www.dnr.state.mn.us](http://www.dnr.state.mn.us)

AN EQUAL OPPORTUNITY EMPLOYER



PRINTED ON RECYCLED PAPER CONTAINING A MINIMUM OF 10% POST-CONSUMER WASTE



# MINNESOTA DEER HUNTERS ASSOCIATION



460 Peterson Road • Grand Rapids, MN 55744-8413  
Phone: (218) 327-1103 • Toll Free: 1-800-450-DEER (MN) • Fax: (218) 327-1349  
Web site: [www.mndeerhunters.com](http://www.mndeerhunters.com)  
email: [info@mndeerhunters.com](mailto:info@mndeerhunters.com)

Thomas Keliher  
Capitol Hill Associates, Inc.  
525 Park Street, Suite 310  
St. Paul MN 55103

March 24, 2006

Dear Mr. Keliher:

On behalf of the Minnesota Deer Hunters Association state-wide membership and chapters, on Thursday, March 23, 2006, the MDHA Executive Board of Directors voted without descent to continue MDHA's corporate support for a legislative ban of Big Game Shooting Enclosures in Minnesota.

Please consider this letter as the MDHA Executive Board's directive that you continue representing MDHA as opposed to Big Game Shooting Enclosures. Specifically, on MDHA's behalf your efforts should be to lobby for passage of S.F. 3048 and H.F.3362 (Farm-raised cervidae taking restrictions clarified).

This latest affirmation of MDHA's stance is a direct result of state-wide member feedback and opinion resulting from the following priority of concerns:

1. MDHA members are first and foremost concerned of the potential spread of disease to the wild cervid populations of Minnesota and the threat this poses to Minnesota's natural resource based heritage and economy. Due to the link associating farmed Cervidae and CWD, any avenue that supports propagation of farmed Cervidae within Minnesota, including big game shooting enclosures, is unacceptable.
2. MDHA members are proponents of fair chase. "Hunting" of domestic livestock is not "hunting," it is "slaughter."

Whitetails forever,

Dan Splittstoser  
State President

John Erlandson, Sr.  
State Vice-President

Darwin Viker  
State Secretary

Dan Larsen  
State Treasurer

Jim Larson  
Region I Director

Darold Persson  
Region II Director

Kristian Jankofsky  
Region III Director

John Edinger  
Region IV Director

Scott Nagel  
Region V Director

John Erlandson, Jr.  
Region VI Director

Jerry Hoaglund  
Region VII Director

Bob Hall  
Region VIII Director

Carol Altrichter  
Region IX Director

Denis Quarberg  
Region X Director

Grand Bahls  
Region XI Director

Jim Vogen  
Region XII Director

**ROSEAU RIVER CHAPTER  
RESOLUTION – 03-005**

**Proposed Resolution on Preventing the Establishment of Big Game Enclosures  
in Minnesota**

Whereas: there are currently non existing big game hunting enclosures located within Minnesota; and

Whereas: big game hunting enclosures may raise ethical questions within the big game hunting community and;

Whereas: big game enclosures may serve as potential reservoirs and/or transmission vectors for wildlife disease; and

Therefore be it resolved: that the Minnesota Deer Hunters Association at the annual Corporate Board Meeting on March 1, 2003 oppose the establishment of big game hunting enclosures in Minnesota.

Supported for concerns detailed in “Whereas”

Passed on March 1, 2003 with a vote of

Yes – 237

No - 43

# Game & Fish Fund Budgetary Oversight Committee

—Authorized under Minnesota Statutes Section 97A.055 Subd. 4b—

**Rick Horton, Chair**

**Subcommittee Chairs**

Dave Thompson—Fisheries Operations

Dave Bennett—Trout & Salmon Stamp

Dennis Neilson—Wildlife Operations

Scott Nagel—Big Game

Tom Glines—Turkey Stamp

Brad Cobb—Pheasant Stamp

Phil Zins—Waterfowl Stamp

John Curry—Ecological Services

Fred Boerhin—Enforcement, Support Services,  
& Administration

---

April 5, 2006

Representative Joe Hoppe  
537 State Office Building  
St. Paul, MN 55155

Senator Tom Bakk  
226 State Capital  
St. Paul, MN 55155

Honorable Legislators,

The Game and Fish Fund Budgetary Oversight Committee (BOC) wishes to express our support for your bills banning captive cervid shooting preserves (S.F. 3048 and H.F. 3362). The practice of shooting cervids within enclosures was illegal under DNR program administration, however an oversight allowed the practice after control transferred to the Board of Animal Health in 2004. We ask that this be corrected.

Specifically, we are concerned about the following:

- The ethics of fair chase within game enclosures and the image the practice portrays to non-hunting publics.
- The increased traffic in animals will increase the threat of disease importation and transfer among captive deer and elk, and thus increase the risk of infecting the wild populations.
- The cost of detection and eradication of disease in wild populations is borne by the hunters, not the captive animal producers.

The potential for diseases like chronic wasting disease (CWD) and bovine tuberculosis is particularly troubling. These diseases have been well documented in captive herds, and their negative impacts to wild populations, the cattle industry and resource agencies in Michigan and Wisconsin have been devastating.

We support the ban on behalf of the half million sportsmen and women that enjoy deer hunting in Minnesota. Thank you for considering Minnesota's greater good on this issue.

Sincerely,



Rick Horton  
BOC Chair

cc: DNR Commissioner Gene Merriam

FISH & WILDLIFE LEGISLATIVE ALLIANCE  
2045 BRUNSWICK AVE. N, GOLDEN VALLEY, MN 55422

4/1/06

Mark Johnson  
460 Peterson Rd.,  
Grand Rapids, MN 55744

Dear Mark,

Per your request, for support on the big game shooting enclosures prohibition in Minnesota. The FWLA supports the position of the Minnesota Deer Hunters Association (MDHA). The main reason is the possible threat of the spread of chronic wasting disease (CWD) into the natural or wild population of deer and elk in Minnesota. This is a serious situation, and with all of the known cases being found in pen raised cervidae we cannot support the possible expansion of pen raised animals into Minnesota, thus the possible threat of expansion of CWD into our state native herds.

The FWLA also cannot support the concept of "canned" or "fenced" hunting, it goes against the very fiber of hunting, which is to allow an animal the opportunity for escape, or provide the hunter with the opportunity for "Fair chase". Where the animal has the ability to "outsmart" the Hunter with its incredible natural instincts, and physical abilities, which can allow the animal to escape. We cannot condone the principal of artificial hunts as a wave of the future, nor support the idea of pay to hunt, leaving the sport of hunting to those that can afford to do so, and deny those that cannot afford to do so.

For those two major reasons we support the position of the MDHA.

Sincerely,

Lance K. Ness

President , FWLA

1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

1.2 Page 16, after line 21, insert:

"Sec. 37. **[348.125] COYOTE CONFLICT MANAGEMENT OPTION.**

1.4 (a) A county board may, by resolution, offer a bounty for the taking of coyote (Canis  
1.5 latrans) by all legal methods. The resolution may be made applicable to the whole or any  
1.6 part of the county. The bounty must apply during the months specified in the resolution  
1.7 and be in an amount determined by the board.

1.8 (b) The county offering the bounty must publish annually by press release or public  
1.9 service announcement the townships or areas where the number of coyotes should be  
1.10 reduced. Counties may encourage willing landowners to post their land as open to coyote  
1.11 hunting, with permission of the landowner or lessee."

1.12 Renumber the sections in sequence and correct the internal references

1.13 Amend the title accordingly



1.1 Senator ..... moves to amend S.F. No. 2974 as follows:

1.2 Page 16, after line 21, insert:

1.3 "Sec. 37. **[348.125] COYOTE CONFLICT MANAGEMENT OPTION.**

1.4 (a) A county board may, by resolution, offer a bounty for the taking of coyote (Canis  
1.5 latrans) by all legal methods. The resolution may be made applicable to the whole or any  
1.6 part of the county. The bounty must apply during the months specified in the resolution  
1.7 and be in an amount determined by the board.

1.8 (b) The county offering the bounty must publish annually by press release or public  
1.9 service announcement the townships or areas where the number of coyotes should be  
1.10 reduced. Counties may encourage willing landowners to post their land as open to coyote  
1.11 hunting, with permission of the landowner or lessee."

1.12 Renumber the sections in sequence and correct the internal references

1.13 Amend the title accordingly