

House Research Act Summary

CHAPTER: 368

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TOPIC: Omnibus Lands, Game and Fish

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Overview

This act includes various provisions related to the sale, exchange, and conveyance of land and various provisions related to game and fish.

Article 1: State Lands

- 1** **Notice to agencies; determination of surplus.** Amends § 16B.281, subd. 3. Removes the requirements of the commissioner of administration to: review certifications from each agency regarding surplus land; and to notify the executive council of the determination to dispose of surplus land.
- 2** **Surveys, appraisals, and sale.** Amends § 16B.282. Raises the minimum value of surplus land requiring an appraisal before sale from \$40,000 to \$50,000. Removes the requirement that an appraiser take an oath prior to the appraisal and instead requires an appraiser to hold a state appraiser license. Requires a notice for a sale of surplus land to be published at least 30 days before the sale and removes the requirement that the notice be posted in a newspaper once each week for four weeks. Removes a requirement that tracts be sold separately. Prohibits surplus land from being sold for less than the estimated or appraised value and allows the minimum bid to include any expenses incurred to make the land saleable (appraisal, surveying, etc.).
- 3** **Terms of payment.** Amends § 16B.283. Modifies the terms of payment regarding surplus land sales to require ten percent of the bid to be paid at the time of the sale and the remainder to be paid within 90 days.
- 4** **Quitclaim deed.** Amends § 16B.284. Removes the authorization of contracts for deed for surplus land purchases.

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Payment of expenses. Amends § 16B.287, subd. 2. Technical.
Minnesota Forests for the Future Program. Adds § 84.66.

Subd. 1. Purpose. States that the purpose of the Minnesota Forests for the Future Program is to identify and protect private, working forest lands for their timber, scenic, recreational, fish and wildlife habitat, threatened and endangered species, and other values.

Subd. 2. Definitions. Defines “forest land,” “forest resources,” “guidelines,” “riparian land,” and “working forest land,” for purposes of the program.

Subd. 3. Establishment. Requires the commissioner of natural resources to establish and administer the Minnesota Forests for the Future Program. Establishes criteria for evaluating land for the program, including its potential for producing timber and other products, maintaining forest landscapes, providing public recreation, and providing ecological, fish and wildlife habitat and other cultural and environmental values.

Subd. 4. Land eligibility. Requires land to be: (1) forest land, desirable land adjacent to forest land, or land beneficial to forest resource protection; (2) at least five acres (except for riparian areas or an area providing access to state forest land); and (3) is not currently enrolled in a state or federal program, unless enrollment in the program would provide additional conservation benefits or a longer enrollment term.

Subd. 5. Land interests. Allows the commissioner to acquire permanent interests in lands by fee title, easement, gift or donation. Requires easements to have a forestry management plan (unless waived or modified by the commissioner). States that this plan will guide forest management consistent with the easement and provide perpetuation of the forest. Requires the plan to be developed in accordance with the guidelines established by the Minnesota Forest Resources Council.

Subd. 6. Application. Requires the commissioner to establish an application process and requires that priority be given, if applications exceed available funds, to applications covering lands providing the greatest public benefits for timber productivity, public access, and ecological and wildlife values.

Subd. 7. Landowner responsibilities. Allows the commissioner to enroll land in the program through an easement, if the landowner agrees to a permanent easement that is not subject to any prior title, lien or encumbrance and manage the land in a manner consistent with the purposes for which the land was selected for the program.

Subd. 8. Correction of easement boundaries. Allows the commissioner to convey interests of the state to correct legal descriptions of boundaries for easements and requires the conveyances to be quitclaim deed or as approved by the attorney general.

Subd. 9. Terminating or changing an easement. Allows the commissioner to terminate an easement with the consent of a property owner if it is in the public interest and allows the commissioner to modify the terms of an easement if it will

help implement the program or facilitate the program's administration.

Subd. 10. Payments. Requires payments to landowners under the program to be in accordance with law and the Department of Natural Resources' policies.

Subd. 11. Monitoring, enforcement, and damages. Paragraph (a) requires the commissioner to establish a long-term program for monitoring and enforcing easements within the program and requires the program to require a financial contribution to be made for each easement to cover the costs of managing, monitoring, and enforcing the easement.

Paragraph (b) states that a landowner who violates or allows others to violate the terms of the easement is liable for the damages.

Paragraph (c) allows the attorney general, upon request of the commissioner, to bring action against a landowner in district court.

Subd. 12. Rulemaking exemptions. Exempts easements under this section from rulemaking requirements.

- 7 **Forests for the future revolving account.** Establishes the forests for the future revolving account in the natural resources fund. States that money in the fund is appropriated to the commissioner to acquire land meeting the requirements of the forests for the future program. Requires the commissioner to sell the lands acquired with this fund after placing a protective easement on the land. Requires the commissioner to submit a report to the legislature by October 1, each year.
- 8 **Pledges and contributions.** Amends § 84.943, subd. 5. Technical clarification needed to allow the commissioner to accept contributions to the Critical Habitat Matching Account to be used at a future date.
- 9 **Composition of system.** Amends § 86A.04. States that Aquatic Management Areas are included within the outdoor recreation system.
- 10 **Secondary authorization; when permitted.** Amends § 86A.08, subd. 1. Allows an Aquatic Management Area to be designated as a secondary management area within other areas of the outdoor recreation system.
- 11 **Alternative recording for state forest road.** Amends § 89.715. Removes the term "recorded" to clarify the definition of a "state forest road map" and removes a requirement that the maps be prepared on a scale where four inches equals one mile. Modifies the process that a property owner may use to appeal a state forest road map.
- 12 **Issuance; expiration.** Amends § 90.151, subd. 1. Allows the commissioner to grant an extension up to five business days for a purchaser to sign a timber permit provided the purchaser pays a \$125 penalty fee. States that the effective date of the section is retroactive to permits dated January 1, 2008, and thereafter.
- 13 **Expedited exchanges of land involving the state and governmental subdivisions of the state.** Adds § 94.3495.

Subd. 1. Purpose and scope. States that the purpose of this section is to expedite the exchange of public land ownership and that the section applies to exchanges of land between the state and a governmental subdivision of the state.

Subd. 2. Classes of land; definitions. Classifies the lands that may be involved in

expedited land exchanges under this section into three classes:

- (1) Class 1 land, which includes Class A land, except for school trust lands and university land granted by acts of Congress, (Class A land includes all land owned by the state and controlled or administered by the DNR);
- (2) Class 2 land, which includes Class B land (tax-forfeited land); and
- (3) Class 3 land, which includes all land owned in fee by a governmental subdivision of the state.

Subd. 3. Valuation of land. Paragraph (a) states that all land valuations shall be determined by: the commissioner for the exchange of Class 1 land for Class 2 or 3 land; and by the county board for the exchange of Class 2 land for Class 3 land. Allows the parties of a land exchange to have the land appraised, use the valuation process for minimal value acquisitions provided under § 84.0272, subdivision 3, or obtain a market analysis from a qualified real estate broker. Requires the merchantable timber to be determined and considered in the valuation of lands.

Paragraph (b) requires lands exchanged under this section to be only for lands of at least “substantially equal value” as defined in § 94.343, subdivision 3, paragraph (b), and states that no payment is due if the lands are of substantially equal value but are not the same value.

Subd. 4. Title. Requires that the title to land be examined as necessary to determine that the title is good and allows the parties to the exchange to utilize title insurance.

Subd. 5. Approval by Land Exchange Board. Requires all land exchanges under this section to receive unanimous approval of the Land Exchange Board.

Subd. 6. Conveyance. Requires the conveyance of Class 1 land to be made by deed executed by the commissioner of natural resources. Requires the conveyance of Class 2 land to be made by deed executed by the commissioner of revenue. Requires the conveyance of Class 3 land to be made by deed executed by the governing body. Establishes procedures for delivering the deeds in various situations and requires the deeds to be recorded in the county where the lands lie.

Subd. 7. Reversionary interest; mineral and water power rights and other reservations. Requires the deed for any land exchanged under this section to include a reverter that provides that the land automatically reverts back to the conveying governmental unit if: the land is sold or otherwise transferred without prior written approval within 40 years of the conveyance. States that Class 1 lands are subject to the reservation of mineral, water, and other rights and easements directed by the commissioner. States that Class 2 lands are subject to the reservation of the same rights and easements as required by the sale of tax-forfeited lands and others determined by the county board and approved by the commissioner. States that Class 3 lands are subject to the reservation of the mineral rights.

Subd. 8. Land status. States that land received in exchange for Class 1 land is subject to the same trust and status as the land given in the exchange. States that land received in exchange for Class 2 land is subject to a trust in favor of the government subdivision where it lies and all laws related to tax-forfeited land. States that land received in exchange for Class 3 land has the same status as the land given in exchange.

- 14 State conservation easements; wetland bank credit.** Adds § 103G.2251. Allows wetlands protected by future permanent conservation easements owned by the state or a local unit of government to be eligible for wetland replacement or mitigation credits in greater than 80 percent areas.
- 15 Private easements.** Amends § 282.04, subd. 4a. Allows a county board to convey a road easement across unsold tax-forfeited land to a private entity (this was previously allowed only to “individuals”).
- 16 Labor, electrical, agricultural, or horticultural organizations.** Amends § 325D.55, subd. 1. Provides an exemption from the states antitrust laws for aquatic farm co-ops.
- 17 Easement on state land bordering public water; Washington County.** Amends Laws 2005, ch. 161, § 25. Allows an owner to transfer ownership in their property without the expiration of an easement that was established to allow a number of property owners to share a dock.
- 18 Land replacement trust fund; Itasca County.** Amends Laws 2006, ch. 236, art. 1, § 43. Requires Itasca County to use the proceeds from the lease of tax-forfeited lands within the Minnesota Steel Industries permit to mine area near Nashwauk, for the land replacement trust fund which is used to replace these lands (this was previously required of only the proceeds from the sale of tax-forfeited lands).
- 19 Forest management investment account unallotments; fiscal years 2008 and 2009.** Requires the commissioner of natural resources to consult with the chairs and ranking minority members of the house and senate committees with jurisdiction over the environment and natural resources finance divisions on proposed allotment reductions from appropriations for the forest management investment account.
- 20 Additions to state parks.** Expands the boundaries of the following state parks: (1) Buffalo River State Park; (2) Frontenac State Park; (3) Monson Lake State Park; (4) Savanna Portage State Park; (5) Scenic State Park; (6) Soudan Underground Mine State Park; and (7) William O’Brien State Park.
- 21 Deletions from state parks.** Removes, exchanges, and transfers land from the following state parks: (1) Frontenac State Park; (2) Jay Cooke State Park; (3) Lake Carlos State Park; (4) Lake Shetek State Park; and (5) Moose Lake State Park.
- 22 Additions to state recreation areas.** Adds three islands to the Garden Island State Recreation Area.
- 23 Additions to Birch Lake State Forest.** Adds land to the Birch Lakes State Forest.
- 24 Lease of tax-forfeited and state lands.** Allows St. Louis County to enter into a 30-year lease agreement of tax-forfeited land for a wind energy project. Allows the commissioner of natural resources to enter into a 30-year lease of land for a wind energy project.
- 25 to 69 Sale, conveyance, or exchange of lands.** Sections 25 to 69 permit the public or private sale, conveyance, or exchange of certain state lands, in locations as described in the bill.
- 70 Easement on tax-forfeited land; Itasca County.** Allows Itasca County to grant a 40-year easement of tax-forfeited land to the Itasca County Regional Rail Authority. Prohibits the easement from being canceled unless by resolution of the county board and prohibits the sale or conveyance of the land during the period of the easement.
- 71 Report.** Requires the DNR, in cooperation with the attorney general, stakeholders, and a representative from Voyageurs National Park to report to the legislature on any state and

federal contractual agreements and the legal relationship between the state and federal authorities relating to the navigable waters of Voyageurs National Park under the state jurisdiction.

- 72 **Repealer.** Repeals section 16B.281, subdivisions 2, 4, and 5, which required state agencies to annually certify surplus land, required the executive council to approve or disapprove surplus land determinations; and required the submittal of a report regarding surplus lands.
- 73 **Effective date.** States that the article is effective the day following final enactment.

Article 2: Game and Fish

- 1 **Public official.** Amends § 10A.01, subd. 35. Adds a citizen member of the Lessard Outdoor Heritage Council to the definition of “public official” which would subject them to certain disclosure requirements.

States that the section is effective upon passage of the constitutional amendment proposed in Laws 2008, chapter 151.

- 2 **General conditions for regulation of aquatic farms.** Amends § 17.4981. Requires the commissioner to establish license and other fees in order to make the aquaculture program self-sustaining and requires the commissioner to develop best management practices for aquaculture including fish farming in man-made ponds.
- 3 **License required.** Amends § 17.4984, subd. 1. Prohibits the commissioner from issuing a new aquatic farm license in a natural water body if that body has been restored or is subject to a protective easement funded in whole or part with state or federal funds and requires an applicant for a new aquatic farm license to notify all property owners with direct access to the water body of the requirements of the subdivision.
- 4 **Electronic transactions.** Amends § 84.027, subd. 15. Allows electronic licensing agents (those licensed to sell licenses, permits, passes, etc. that are under the jurisdiction of the DNR) to charge individuals a fee of up to three percent of the cost of the license if they use their credit card or other bank card provided a sign notifying individuals of the fee and a statement that the fee is not required by state law is posted near the point of sale and is clearly visible.
- 5 **Exceptions.** Amends § 84D.10, subd. 2. Clarifies provisions allowing a watercraft or trailer in state waters to have attached aquatic plants when being used as a shooting or observation blind.
- 6 **Warnings; civil citations.** Amends § 84D.13, subd. 4. Allows a conservation officer or other licensed peace officers to issue warnings and citations to persons who places a trailer, watercraft, or plant harvesting equipment that has attached aquatic plants into state waters.
- 7 **Pass in possession.** Amends § 97B.031, subd. 1. Exempts a person riding, leading, or driving a horse on a horse trail that the person or a family member owns from the requirement to carry a horse trail pass. Removes the requirement that a horse trail pass be visibly displayed.
- 8 **Muzzleloader season.** Amends § 97A.015, subd. 32a. Modifies the definition of “muzzleloader season” as part of a deer hunting simplification effort.
- 9 **Regular firearms season.** Amends § 97A.015, subd. 41a. Modifies the definition of “regular firearms season” as part of a deer hunting simplification effort.
- 10 **Shelter.** Amends § 97A.015 by adding subd. 44a. Defines “shelter” for purposes of fishing regulations as any structure set on the ice of state waters to provide shelter, excluding a self-propelled motor vehicle.
- 11 **Duty to encourage stamp design and purchases.** Amends § 97A.045, subd. 7. Makes a technical change needed as part of the consolidation of the turkey stamp fee and turkey

license into one license fee and adds a reference to the new walleye stamp.

12 Game and fish annual reports. Amends § 97A.055, subd. 4. Makes a technical change needed as part of the consolidation of the turkey stamp fee and turkey license into one license fee and adds a reference to the new walleye stamp.

13 Citizen oversight subcommittees. Amends § 97A.055, subd. 4b. Makes a technical change needed as part of the consolidation of the turkey stamp fee and turkey license into one license fee and adds a reference to the new walleye stamp.

14 Outdoor heritage fund; Lessard Outdoor Heritage Council. Adds § 97A.056.

Subd. 1. Outdoor heritage fund. Establishes the outdoor heritage fund in the state treasury and requires that 99 percent of the funds be used for the purposes stated in the constitutional amendment being proposed in the November 2008 election that would dedicate funding for the outdoors and other purposes.

Subd. 2. Lessard Outdoor Heritage Council. Provides the membership of the council (8 citizens and 4 legislators) and requires the DNR to provide administrative support to the council.

Subd. 3. Council recommendations. Requires the council to provide recommendations on the use of funds in the outdoor heritage fund to the legislature. Requires the council to establish a conservation partners program and allows the council to work with the Clean Water Council and provide recommendations to the Legislative-Citizen Commission on Minnesota Resources. Requires a super majority of nine members for approval of recommendations of the council.

Subd. 4. Conflict of interest. Provides conflict of interest requirements for council members.

Subd. 5. Open meetings. States that meetings of the council are subject to the state's open meeting law and requires the council to establish additional processes to broaden public involvement. States that the quorum requirement of the council is seven members.

Subd. 6. Audit. Requires the council to select an independent auditor to audit the outdoor heritage fund expenditures every two years.

Subd. 7. Legislative oversight. Requires the chairs of the senate and house committees with jurisdiction over the environment and natural resources budget to convene a joint hearing to review the activities of the council and the effectiveness of the administration of the council by the DNR and requires the chairs to select a professional outside review authority to evaluate the effectiveness and efficiency of the DNR's administration and staffing of the council by January 15, 2013, and requires a report by January 15, 2014.

States that the section is effective upon passage of the constitutional amendment proposed in Laws 2008, chapter 151.

15 Deer, bear, and lifetime licenses. Amends § 97A.075, subd. 1. Makes cross reference changes needed as part of the deer hunting simplification effort.

16 Pheasant stamp. Amends § 97A.075, subd. 4. Extends, by ten years, the sunset date for

using pheasant stamp funds to provide technical and promotional assistance to private landowners to implement conservation provisions of state and federal programs.

- 17 **Turkey account.** Amends § 97A.075, subd. 5. Technical change needed as part of the consolidation of the turkey stamp fee and turkey license into one license fee.
- 18 **Walleye stamp.** Amends § 97A.075 by adding subd. 6. Requires revenues collected from the new walleye stamp to be used for stocking walleye.
- 19 **Refunds.** Amends § 97A.311, subd. 5. Allows the commissioner to issue a refund to a licensee who purchased two licenses for the same license season in error.
- 20 **Personal possession.** Amends § 97A.405, subd. 2. Technical change needed as part of the consolidation of the turkey stamp fee and turkey license into one license fee.
- 21 **Eligibility.** Amends § 97A.431, subd. 2. Eliminates the minimum age requirement for obtaining a license to hunt moose.
- 22 **Eligibility.** Amends § 97A.433, subd. 2. Eliminates the minimum age requirement for obtaining a license to hunt elk.
- 23 **Eligibility.** Amends § 97A.434, subd. 2. Eliminates the minimum age requirement for obtaining a license to hunt prairie chicken.
- 24 **Owners or tenants of agricultural land.** Amends § 97A.441, subd. 7. States that only a resident or a nonresident owner may obtain a free landowner license to take antlerless deer.
- 25 **Residents under age 16; small game.** Amends § 97A.451, subd. 3. Requires residents under the age of 16 to obtain a license to hunt small game but exempts them from paying the applicable licensing fee beginning March 1, 2009. Allows a resident under the age of twelve to apply for a prairie chicken license without a firearms safety certificate if the resident is accompanied by an adult parent or guardian who has a firearms safety certificate.
- 26 **Persons under age 16; big game.** Amends § 97A.475, subd. 2. Allows persons ages 10 and 11 to hunt big game under a parent or guardian's license provided they are within immediate reach of a parent or guardian. Beginning March 1, 2009, a resident age 10 or 11 must obtain their own license, but is exempt from paying the applicable fee.
- 27 **Lifetime angling license; fee.** Amends § 97A.473, subd. 2. Adds a cross reference needed for the new walleye stamp.
- 28 **Lifetime sporting license; fee.** Amends § 97A.473, subd. 5. Adds a cross reference needed for the new walleye stamp.
- 29 **Nonresident lifetime angling license; fee.** Amends § 97A.473, subd. 2. Adds a cross reference needed for the new walleye stamp.
- 30 **Resident hunting.** Amends § 97A.475, subd. 2. Modifies turkey hunting provisions by increasing the turkey license fee for residents to reflect the consolidation of the turkey stamp fee and turkey license into one license fee and providing a youth turkey license that is \$5 less than the turkey license (youth were not required to purchase a turkey stamp and this would allow them to continue paying the same fee amount to hunt turkey). Makes changes necessary as part of the deer hunting simplification effort and clarifies that resident youth may obtain a license for the muzzleloader deer season.
- 31 **Nonresident hunting.** Amends § 97A.475, subd. 3. Makes the following changes to the nonresident hunting provisions: increases the turkey license fee for nonresidents to reflect the consolidation of the turkey stamp fee and turkey license into one license; establishes a youth nonresident turkey hunting fee of \$12; modifies the muzzleloader and firearms season provisions necessary for the deer hunting simplification effort; and clarifies that nonresident youth may obtain a license for the muzzleloader deer season.
- 32 **Deer hunting surcharge.** Amends § 97A.475, subd. 3a. Makes cross reference changes needed as part of the deer hunting simplification effort.
- 33 **Hunting stamps.** Amends § 97A.475, subd. 5. Technical change needed as part of the consolidation of the turkey stamp fee and turkey license into one license fee.

- 34 **Walleye stamp validation.** Adds § 97A.475, subd. 10a. Establishes a new voluntary walleye stamp.
- 35 **Resident bear hunting outfitters.** Amends § 97A.475, subd. 16. Adds a license fee for a master bear hunting outfitter license of \$165, and \$82.50 for each additional person added under the license.
- 36 **Licenses to be sold and issuing fees.** Amends § 97A.485, subd. 6. Technical correction needed as a result of the elimination of using pictorial stamps as licensing documents.
- 37 **Tags required.** Amends § 97A.535, subd. 1. Removes a requirement that a deer license be validated when validating a deer, bear, elk, or moose tag.
- 38 **Firearms safety certificate.** Amends § 97B.015, subd. 5. Allows a youth who will turn 12 years of age during the calendar year to obtain a license to hunt big game.
- 39 **Firearms and ammunition that may be used to take big game.** Amends § 97B.031, subd. 1. Simplifies the types of ammunition that may be used to take big game.
- 40 **Minimum draw weight.** Amends § 97B.035, subd. 1a. Requires a bow used to take turkey to have a pull that meets or exceeds 30 pounds at or before full draw (this is currently required for big game).
- 41 **Crossbow hunting during firearms season.** Amends § 97B.036. Allows the use of crossbows to hunt bear and turkey during their respective regular firearms seasons.
- 42 **Possession of firearms and ammunition restricted in deer zones.** Amends § 97B.041. Allows a person to possess a handgun or rifle capable of firing .17 caliber rimfire cartridges during the firearms seasons for deer in areas open to deer hunting.
- 43 **Blaze orange requirements.** Amends § 97B.071. Removes an exemption from blaze orange requirements for those hunting with nontoxic shot.
- 44 **Qualifications for crossbow permits.** Amends § 97B.106, subd. 1. Clarifies that a person who is eligible for a disability permit to use a crossbow may also use a bow that is held at full draw by a mechanical device. Allows a person who has received a disability permit for a permanent disability to be eligible for subsequent permits without providing medical evidence and verification of the disability.
- 45 **Possession of firearms prohibited.** Amends § 97B.211, subd. 1. Allows a person to possess a firearm while hunting big game except when hunting deer. This was previously only allowed while hunting bear.
- 46 **Licenses required.** Amends § 97B.301, subd. 1. Makes changes needed as part of the deer hunting simplification effort.
- 47 **Limit of one deer.** Amends § 97B.301, subd. 2. Makes changes needed as part of the deer hunting simplification effort.
- 48 **Taking more than one deer.** Amends § 97B.301, subd. 4. Makes changes needed as part of the deer hunting simplification effort.
- 49 **Residents or nonresidents under age 18 may take deer of either sex.** Amends § 97B.301, subd. 6. Allows nonresidents under the age of 18 to take a deer of either sex in a lottery area without a permit (except for areas or seasons where no antlerless deer permits are offered).
- 50 **Sale of multiple zone or multiple season licenses.** Amends § 97B.301 by adding subd. 8. States that if the commissioner adopts rules on deer zones, or seasons that eliminate the need for purchasing an all season deer or multizone license, the commissioner is not required to offer those licenses.
- 51 **Baiting prohibited.** Amends § 97B.328. Makes a technical correction to the deer baiting restrictions by clarifying that baiting includes feed and provides a definition of “bait or feed” and allows hunters who have not participated, agreed to, or been involved with feeding or baiting on adjacent land to hunt deer on land adjacent to land where feeding or baiting has taken place.

- 52 **Bear license required.** Amends § 97B.401. Prohibits a person from baiting bear on or after the last Friday nearest August 14, unless the person has a bear license or is operating under the direction of someone with a valid bear license.
- 53 **Commissioner may limit number of bear hunters.** Amends § 97B.405. Requires the commissioner of natural resources to allow bear hunting permit applicants to apply for more than one permit area at a time by ranking their choices.
- 54 **Baiting bears.** Amends § 97B.425. Requires tags at bear baiting sites to have the identification number for the licensed bear hunter or outfitter and requires a person to have their identification number with them while tending a bear baiting site.
- 55 **Bear hunting outfitters.** Amends § 97B.431. Requires the commissioner of natural resources to establish and adopt rules for a master bear hunting outfitter license which would allow one individual to operate as the master bear outfitter with one other person eligible to guide and bait bear under the license. Additional individuals may be added by paying an additional fee for each person added.
- 56 **Nighttime hunting restrictions.** Amends § 97B.621, subd. 3. Limits the time period a person may take raccoons at night to one-half hour after sunset to one-half hour before sunrise and specifies the type of ammunition that may be used.
- 57 **Seasons for certain upland game birds.** Amends § 97B.711, subd. 1. Requires the commissioner to allow a four-week turkey season in the fall in the area designated as turkey permit area 601 (the permit area including much of the metropolitan area).
- 58 **License required to take turkey; tagging and registration requirements.** Amends § 97B.721. Technical change needed as part of the consolidation of the turkey stamp fee and turkey license into one license fee.
- 59 **Transporting and stocking fish.** Amends § 97C.205. Allows a person to possess fish on special management or experimental waters that will be prepared as a meal if the fish were lawfully taken, packaged by a licensed fish packer, and do not otherwise exceed the statewide possession limits.
- 60 **Conservation angling license.** Adds § 97C.303.

Subd. 1. Availability. Requires the commissioner of natural resources to establish a conservation angling license for residents, including married couples.

Subd. 2. Daily and possession limits. States that the daily and possession limits for conservation angling licenses is one-half of the daily and possession limits for the corresponding fish taken (rounded down to the nearest whole number if applicable).

Subd. 3. License fee. States that the license fee for a conservation angling license is two-thirds of the corresponding angling fee rounded to the nearest whole dollar amount.

- 61 **License required.** Amends § 97C.355, subd. 2. Technical change to clarify fish and dark house licensing provisions.
- 62 **Distance between houses.** Amends § 97C.355, subd. 4. Technical change needed as part of the effort to clarify fish and dark house licensing provisions.
- 63 **Dates and times houses may remain on ice.** Amends § 97C.355, subd. 7. Lengthens the timeframe that a shelter may be left overnight on the ice from the last day of February to the first Monday in March for state waters south of highway 2, and to the third Monday in March for other waters.
- 64 **Houses left overnight.** Amends § 97C.355, subd. 7a. Technical change needed as part of the effort to clarify fish and dark house licensing provisions.
- 65 **Confiscation of unlawful structures; civil penalty.** Amends § 97C.355, subd. 8. Extends

the same civil penalty assessed to those leaving structures on the ice past the removal date to structures left at public access sites for more than 48 hours past ice removal deadlines.

66 **Open season.** Amends § 97C.371, subd. 4. Provides an earlier start to the open season for spear fishing (from November 15 to the last Sunday in February, it had been from December 1 to the last Sunday in February).

67 **Dates for certain species.** Amends § 97C.395, subd. 1. Establishes a winter season for trout on all lakes, from January 15 to March 31.

68 **Walleye; northern pike.** Amends § 97B.355, subd. 7a. Modifies walleye and northern pike “one-over” limits by changing them from daily taking limits to possession limits.

69 **Rules.** Amends § 97C.865, subd. 2. Prohibits the commissioner from requiring information on fish labels put on by a fish packer except for certain information and prohibits sauger from being labeled as walleye.

70 **Regulation.** Amends § 624.20, subd. 1. Increases the amount of chemical mixtures for explosives for certain fireworks.

71 **Master angler proposal.** Requires the commissioner of natural resources to submit a proposal to improve, expand, and promote the master angler proposal and provides an appropriation of \$10,000 from the game and fish fund for the proposal.

72 **Bear hunting permit drawing; rulemaking.** Requires the commissioner of natural resources to adopt rules to allow bear hunting permit applicants to apply for more than one permit area at a time by ranking their choices. Allows the commissioner to use the good cause exemption from rulemaking.

73 **Wild turkey hunting management recommendations.** Requires the commissioner, in consultation with the National Wild Turkey Federation, to provide recommendations to the legislature on the future management of hunting wild turkeys by January 15, 2009.

74 **Rules.** Requires the commissioner of natural resources to adopt rules in compliance with the changes to provisions regarding fish packing label requirements and the possession of fish on special management and experimental waters that will be prepared as a meal. Exempts these rules from rulemaking requirements.

75 **Disabled hunting report.** Requires the commissioner of natural resources on changes needed to simplify the process for obtaining disabled hunting permits and for landowners to allow hunts on their land for the disabled.

76 **Minnesota moose management and research plan.** Requires the commissioner of natural resources to consult with research scientists and others on the development of a moose management and research plan and requires a progress report by January 15, 2009.

77 **Walleye stocking.** Requires the commissioner to stock 22,500,000 walleye fry in a lake being studied for the effects of cormorant control and the lack of natural walleye reproduction (Leech Lake) in 2009 and 2010. Allows the commissioner discretion in stocking in 2011.

78 **Uncased firearms report.** Requires the commissioner of natural resources to submit a report to the legislature on uncased firearms for the purposes of hunting, predator control, and trapping by January 1, 2009.

79 **Cock pheasant bag limit; rulemaking.** Requires the commissioner to amend Minnesota Rules, part 6234.0400, subpart 2, to allow a person to take up to three cock pheasants per day with a possession limit of nine beginning December 1, until the end of the pheasant season and allows the commissioner to use the good cause exemption from rulemaking.

80 **Outdoor education working group.** Requires the commissioner of natural resources to coordinate a working group with the commissioner of education on teaching outdoor education in grades 7 through 12. Requires the working group to submit a report to the legislature with recommendations by January 15, 2009.

81 **Appropriations.** Provides the following appropriations: \$102,000 in fiscal year 2009 from

the game and fish fund for the development of aquaculture best management practices (states that the base for fiscal year 2010 is \$150,000 and zero for fiscal year 2011); \$123,000 from the game and fish fund for fish virus surveillance; and \$128,000 for walleye stocking.

- 82 Repealer.** Repeals section 97A.411, subdivision 2 (technical correction needed as a result of the elimination of using pictorial stamps as licensing documents); and Minnesota Rules, parts 6232.0200, subpart 4; 6232.0300, subpart 4 (technical corrections needed as part of the changes to the deer baiting provisions); and 6234.0100, subpart 4 (regarding limits on shooting grouse near vehicles).

Article 3: Lake Vermilion State Park

- 1 Lake Vermilion State Park, St. Louis County.** Adds § 85.012, subd. 38a. Adds Lake Vermilion State Park to the list of state parks.

2 Lake Vermilion State Park.

Subd. 1. Lake Vermilion State Park. Establishes the park.

Subd. 2. Management. States that the lands acquired for the park must be administered in the same way as other state parks and perpetually dedicated for that use.

Subd. 3. Boundaries. Describes the land making up the park.

Subd. 4. Annual payments. States that beginning in fiscal year 2010, the county shall receive an annual payment for the land acquired for the park equal to 1.5 percent of the appraised value of the land and provides the methods to be used in determining the appraised value and the distribution of the funds.

- 3 Effective date.** States that sections 1 and 2 are effective upon acquisition by the state of all the lands described in section 2, subdivision 3.