

HOUSE RESEARCH

Bill Summary

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Overview

This bill contains various provisions related to the state's game and fish laws.

Section

- 1 Fish collector.** Adds § 17.4982. Defines “fish collector” for purposes of the fish health inspection provisions in the next three sections.
- 2 Fish health inspection.** Amends § 17.4982, subd. 12. Modifies the definition of “fish health inspections” by adding procedures done in accordance with the processes contained in the Diagnostic Manual for Aquatic Animal Diseases. Establishes criteria for the inspections, including requiring that collection of samples be done in cooperation with the producer and that testing be done in approved labs. Modifies minimum testing requirements.
- 3 Fish sample collecting.** Adds § 17.4989.
 - Subd. 1. Training.** States that a fish collector training class may be offered by any agency or organization with a class and syllabus approved by the commissioner. Specifies the requirements for a class.
 - Subd. 2. Certification time period.** States that a fish collector certification is valid for five years and may be renewed by successfully completing training. Provides provisions for revoking and suspending certifications.
 - Subd. 3. Conflict of interest.** States that a fish collector may not oversee the collection of fish from a facility or water body when the collector has a conflict of interest.
- 4 Fish health inspection.** Amends § 17.4991, subd. 3. Requires an aquatic farm propagating species susceptible to viral hemorrhagic septicemia (VHS) that has an effluent discharge into public waters to test for VHS according to specific guidelines. Permits the commissioner to prescribe alternative testing periods and methods under certain conditions.

Requires the results of fish health inspections for all fish that remain in the state to be provided to the commissioner.

- 5 **Sucker eggs.** Amends § 17.4994. Removes an acreage requirement for the licensed taking of sucker eggs and permits the commissioner to limit the number of eggs taken based on the number of eggs historically taken by the licensee and other factors.
- 6 **Preparation.** Amends § 84.942, subd. 1. Technical (removes obsolete language).
- 7 **Purposes and expenditures.** Amends § 84.95, subd. 2. Technical.
- 8 **Bait harvest from infested waters.** Amends § 84D.03, subd. 3. States that equipment and gear authorized for use in harvesting minnows from designated infested waters may not be used in any other waters. Allows the taking of animals as permitted in waters designated as containing certifiable diseases of fish and adds a cross reference to new minnow taking provisions in section 97C.341 included later on in this bill.
- 9 **Harvest of bait from invested waters.** Amends § 84D.11, subd. 2a. Prohibits the commissioner from issuing a permit to harvest bait from waters that contain certifiable diseases of fish and adds a cross reference to the new minnow taking provisions in section 97C.341 included later on in this bill.
- 10 **Unprotected birds.** Amends § 97A.015, subd. 52. Adds “Eurasian collared doves” to the list of unprotected birds.
- 11 **Fishing may not be restricted.** Amends § 97A.101, subd. 3. Allows the taking of minnows to be restricted on waters designated for wildlife management purposes.
- 12 **Refunds.** Amends § 97A.311, subd. 5. Adds a provision allowing the commissioner to issue refunds when a license was purchased that was not legally required and requires all refund requests to occur within 90 days.
- 13 **Taking and possessing big game out of season.** Amends § 97A.331, subd. 4. Sets restitution values for taking typical and nontypical trophy deer out of season illegally.
- 14 **Restitution value of wild animals.** Amends § 97A.345. Adds a cross reference to the new restitution values established for trophy deer in the previous section.
- 15 **Personal possession.** Amends § 97A.405, subd. 2. Allows the commissioner to charge a fee to cover the costs of producing and mailing a pictorial stamp. Allows the commissioner to set the fee without going through the rulemaking process.
- 16 **Suspension for failure to appear in court or pay a fine or surcharge.** Amends § 97A.421, subd. 4a. Clarifies that the commissioner shall suspend game and fish licenses when a person fails to appear in court or comply with orders of the court regarding the appearance.
- 17 **Mandatory separate selection.** Adds § 97A.433, subd. 5. Requires the commissioner to hold a separate elk license selection process for 20 percent of the licenses to be available only to those who have applied for a license ten or more times and have not received a license.

- 18 **License issuance.** Amends § 97A.435, subd. 1. Clarifies the commissioner’s authority in setting turkey seasons.
- 19 **Separate selection of eligible licensees.** Amends § 97A.435, subd. 4. Clarifies that family members must be “immediate” family members of the landowner for purposes of eligibility for landowner turkey hunting licenses.
- 20 **Angling in a state park.** Amends § 97A.445, subd. 1a. Allows ice fishing without a license in state parks.
- 21 **Deer killed by motor vehicles.** Amends § 97A.502. Gives drivers of motor vehicles that have collided and killed a deer on public roads the priority for a possession permit to keep the deer provided the deer was not taken illegally.
- 22 **Quartering of deer allowed.** Amends § 97A.535, subd. 2a. Modifies deer quartering requirements by requiring the head to be attached only when antler point restrictions are in place and requiring that the genitalia be attached only when the deer is a male deer taken in a lottery area.
- 23 **Birds must be in undressed condition; exceptions.** Amends § 97A.545, subd. 5. Permits doves to be shipped and transported fully dressed in accordance with federal law.
- 24 **Exemption for military personnel.** Adds § 97B.015, subd. 5a. Exempts a person who has completed basic training and training as a sniper in the U.S. Armed Forces from the classroom instruction and range and shooting exercise portions of the required firearms safety certificate course.
- 25 **Apprentice hunter validation requirements.** Amends § 97B.022, subd. 2. Modifies apprentice hunter validation requirements by increasing the age from 12 to 13, and allows it to be valid for two years in a lifetime instead of one.
- 26 **Scopes; visually impaired hunters.** Amends § 97B.031, subd. 5. Adds certified nurse practitioners and certified physician assistants acting under the direction of licensed physicians to verify medical evidence for purposes of special muzzleloader permits for those with visual impairments.
- 27 **Hunting from vehicle by disabled hunters.** Amends § 97B.055, subd. 3. Adds certified nurse practitioners and certified physician assistants acting under the direction of licensed physicians to verify medical evidence for purposes of special permits to hunt from vehicles for those with certain disabilities.
- 28 **Hunting restricted between evening and morning.** Amends § 97B.075. Adds doves to the list of migratory birds that are exempt from the prohibition from shooting before 9:00 AM on the opening day of duck season.
- 29 **Qualifications for crossbow permits.** Amends § 97B.106, subd. 1. Adds certified nurse practitioners and certified physician assistants acting under the direction of licensed physicians to verify medical evidence for purposes of special permits to use crossbows for those with certain disabilities.
- 30 **Deer stand restrictions.** Amends § 97B.325. Removes the height restriction on permanent

deer stands (currently no higher than 16 feet).

- 31 Commissioner may limit the number of bear hunters.** Amends § 97B.405. Requires a person selected for a bear license to purchase the license by the Friday closest to July 31. Allows any remaining licenses to be sold the following week, beginning Wednesday, to those who were unsuccessful. Opens up the licenses to all eligible hunters beginning the week after that.
- 32 Baiting bears; use of drum.** Amends § 97B.425. Permits a private landowner, or a person authorized by the landowner, to hunt bear on the person's land using a drum with bait and provides a definition for drums that may be used for this purpose.
- 33 Taking elk causing damage or nuisance.** Adds § 97B.515. Allows the commissioner to issue licenses to take elk that are causing damage or nuisance between September 1 and March 1. Allows the commissioner to select hunters based on interest, proximity, and availability to quickly respond. Exempts a hunter licensed under this provision from the once in a lifetime provision under section 97A.433, subdivision 2, clause (2).
- 34 Restrictions on leaving decoys unattended.** Amends § 97B.811, subd. 3. Modifies an exemption from waterfowl decoy restrictions to allow decoys to be left unattended if placed on waters completely surrounded by private land.
- 35 Muskrat seasons.** Amends § 97B.911. Requires the fall season for trapping muskrat in the forest zone to begin the third Saturday in October.
- 36 Mink seasons.** Amends § 97B.915. Requires the fall season for trapping mink in the forest zone to begin the third Saturday in October.
- 37 Otter seasons.** Amends § 97B.921. Requires the fall season for trapping otter in the forest zone to begin the third Saturday in October.
- 38 Beaver seasons.** Amends § 97B.925. Requires the fall season for trapping beaver in the forest zone to begin the third Saturday in October.
- 39 Incidental takings.** Adds § 97B.927. States that a person who incidentally takes a muskrat or otter during the beaver season must tag the animal with certain information and contact a conservation officer within 24 hours of the taking. Requires the person to give the pelt to the Minnesota Trappers Association and requires proceeds from the pelts to be used to support the association's education efforts.
- 40 Seasons, limits, and other rules.** Amends § 97C.005, subd. 3. Permits the commissioner to make midseason adjustments to daily possession or size limits based on harvest, angling pressure, and population data to manage special management waters in the 1837 Ceded Territory.
- 41 Application for tag.** Amends § 97C.087, subd. 2. Clarifies that special fish management tags may be applied for once each calendar year.
- 42 Transporting and stocking fish.** Amends § 97C.205. Permits the commissioner to prohibit the transportation of live fish by a person age 16 or younger for home aquarium purposes due to an emergency fish disease. Allows the commissioner to do so by written order published in the State Register.

- 43** **Lines.** Amends § 97C.315, subd. 1. Permits an angler to use two lines while taking fish if the person purchases a \$10 endorsement (a person would still be able to use two lines when ice fishing without purchasing the endorsement).
- 44** **Certain aquatic life prohibited for bait.** Amends § 97C.341. Permits the commissioner to authorize the use of game fish eggs as bait and expands the definition of bait for purposes of the ban on bait from waters infected with VHS to include any bait used for taking wild animals. Permits the commissioner to allow the taking of cisco and rainbow smelt taken under rules adopted by the commissioner that are to be used as bait in Lake Superior or as bait processed to inactivate VHS.
- 45** **Coyote conflict management option.** Adds § 348.125. Permits a county to pass a resolution to offer a bounty for taking coyotes legally. Permits the resolution to apply to the whole county or to part of the county and allows the county to determine the amount of the bounty. States that the section is effective the day following final enactment.
- 46** **Lake Florida fishing restrictions.** Requires the commissioner to restrict fishing in the area surrounding the outlet and carp trap one month prior to the fishing opener for walleye.
- 47** **Rulemaking; spearing on Cass Lake.** Requires the commissioner to remove the spearing ban on Cass Lake.
- 48** **Repealer.** Repeals §§ 84.942, subds. 2, 3, and 4 (requiring periodic updates to the comprehensive fish and wildlife management plan); 97A.435, subd. 5 (provisions regarding the spring turkey season); 97B.511 (the height restriction for permanent stands used to hunt moose); 97B.515, subd. 3 (the height restriction for permanent stands used to hunt elk); and 97B.811, subd. 4 (restrictions on the use of motorized decoys).