



Department of Natural Resources Fact Sheet



2009 GAME AND FISH BILL FACT SHEET

CONTENTS

This language relates to game and fish; modifying refund provisions; modifying certain definitions; modifying publication requirements; modifying restrictions in migratory feeding and resting areas; providing certain exemptions from local law; modifying wild animal and fish taking, possession, and licensing requirements; authorizing certain fees; requiring rulemaking; amending Minnesota Statutes; repealing Minnesota Statutes.

OVERVIEW

Sections 1 and 2

Aquaculture Fee Rulemaking Exemption

Exemption to rulemaking process to facilitate compliance with changes in statute requiring additional fees based on aquaculture operation acreage and to make aquaculture licensing and enforcement self-sustaining.

Sections 3 thru 7

Refunds

Broadens the conditions for providing refunds of off-highway motorcycle, off-road vehicle, snowmobile, all-terrain vehicle, and watercraft registrations to include errors made by the registrant as long as the registration has not been used or transferred and the refund is requested within 60 days.

Section 8

Protected Wild Animals

This language clarifies the definition of protected wild animals to exclude animals that are protected only by a restriction on taking and possessing the animals alive. This language change would keep coyotes from being legally defined as protected wild animals if proposed changes to 97B.651, subpart 2 restricting possession of live coyotes are adopted.

Section 9

Summary of Fish and Game Laws

Technical change eliminating obsolete language requiring the delivery of game and fish laws to county auditors. Electronic Licensing System vendors are now the point-of-sale.

Section 10

Waterfowl Feeding and Resting Areas

Changes the electric motor restriction on designated waterfowl feeding and resting areas from less than 30 pounds of thrust to an electric motor with battery power of 12 volts or less. Most manufacturers no longer produce electric motors with less than 30 pounds of thrust.

Section 11

Wildlife Management Area Use Protection

This language exempts WMAs that are 160 contiguous acres or larger from local ordinances that limit the use and management of the unit that are authorized by state law.

Exempts WMAs between 40 and 160 contiguous acres from local ordinances that restrict trapping, discharge of archery equipment, discharge of shot guns with shot sizes of number 4 buckshot or smaller diameter shot, noise, dogs on a leash, or the management of the unit as authorized by state law.

Section 12

Angling: Take a Kid Fishing Weekends

This language provides that a resident age 16 years or older (*current law is 18 years or older*) may take fish by angling without an angling or fish house license during one three-day consecutive period of the open water angling season and one three-day consecutive period of the ice angling season designated by rule of the commissioner if accompanied by a child who is under age 16.

Section 13

Angling: Take a Kid Fishing in a State Park

This language permits a resident age 16 or older to take fish by angling without an angling license in a state park or state recreation area if accompanied by a child who is under age 16.

Section 14

Residents Under 16; Small Game

This language eliminates the small game hunting license requirement for youth under age 16 that was enacted in 2008 that takes effect March 1, 2009. Regulations, fees and requirements for youth hunters have been simplified and streamlined to reduce and eliminate barriers for youth participation.

Section 15

Nonresident Archery Deer License

Technical correction to M.S. 2008, section 97A.474, subdivision 3. The language as it currently stands provides nonresident archery licenses only for those under age 18 and those exactly age 18. The technical correction to the language will read for persons age 18 or over.

Section 16

Fish Houses and Shelters; Resident

Proposed language clarification to M.S. 2008, section 97A.475, subdivision 11. The language change clarifies that any shelters, including fish houses and dark houses, left unattended on the ice between midnight and one hour before sunrise are required to be licensed. The language change is consistent with other shelter provisions in current law.

Section 17

Fish Houses and Shelters; Nonresident

Proposed language clarification to M.S. 2008, section 97A.475, subdivision 12. The language change clarifies that any shelters, including fish houses and dark houses, left unattended on the ice between midnight and one hour before sunrise are required to be licensed. The language change is consistent with other shelter provisions in current law.

Section 18

Private Fish Hatchery fee rulemaking exemption

Exemption to rulemaking process made in statute last year will facilitate compliance with changes in statute requiring additional fees based on aquaculture operation acreage and to make aquaculture licensing and enforcement self-sustaining.

Section 19

Shipment of Wild Animals

Language modification. Changes to M.S. 2008, section 97A.525, subdivision 1. Extends the shipping by common carrier options to include shipment to a licensed taxidermist, tanner, or furbuyer for residents and nonresidents. Changes would combine separate subdivisions for residents and non-residents into one section that is common to both. *Current law technically does not allow shipment of wild animals by common carrier to a licensed taxidermist, tanner, or furbuyer.*

Section 20

Possession of Firearms and Ammunition Restricted in Deer Zones

Language clarification defines that during special muzzleloader season, muzzleloader hunters may only possess a muzzleloading firearm. *The exceptions for possession of handguns under a permit to carry and the .22 and .17 caliber rimfire firearms would still be in place. This is consistent with other firearms deer seasons.*

Section 21

Possession of Night Vision Equipment

Language clarification. Night vision equipment is available in a number of equipment options, including binoculars, monoculars and scopes, in addition to “goggle” equipment. The word goggle is eliminated, clarifying that all of these types of equipment are included in this section of the law. The peace officer and military exception language is considered redundant and is being deleted.

Section 22

Special Firearm Hunting Seasons for Physically Disabled

M.S. 2008, section 97B.111, subdivision 1 is amended to allow the commissioner to authorize hunt participants to shoot from a stationary motor vehicle.

Section 23

Unprotected Mammals and Birds

M.S. 2008, section 97B.651 is amended creating a new subdivision that prohibits taking and possessing live coyotes.

Section 24

License Requirements for Dark Houses, Fish Houses and Shelters

Technical language changes to M.S. 2008, section 97C.355, subdivision 2 regarding licensing requirements for dark houses, fish houses and shelters.

Section 25

Rulemaking

Change the current statewide muskie limit from 40 inches to 48 inches, except for designated lakes in the Twin Cities Metro Area that are managed specifically for smaller tiger muskie, a hybrid cross between muskie and northern pike.

Section 26

Repealers

- ◆ Transporation of Wild Animals by Common Carrier, 97A.525, subd. 2; and Muskellunge Size Limits, 97C.405; and
- ◆ Residents under age 16; small game, Laws 2008, chapter 368, article 2, section 25, the effective date, is repealed the day following final enactment.

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