



Department of Natural Resources Fact Sheet



2013 POLICY FACT SHEET Game and Fish Technical Provisions

It is needed because

This initiative addresses multiple game and fish management needs and provides more opportunities for fish and wildlife resource use and enjoyment, improves management capabilities and clarifies or better defines Department of Natural Resources' (DNR) authorities. This initiative also addresses the trend in declining outdoor recreation participation, promotes sustainable use and stewardship of fish and wildlife resources, and enhances fishing and hunting opportunities.

DNR provides high-quality fishing, hunting, trapping, and wildlife viewing opportunities by ensuring healthy fish and wildlife populations and habitat, public access to outdoor recreation opportunities, and safety and compliance with game and fish laws. DNR seeks to provide high-quality opportunities that support Minnesota businesses and jobs and meet customer expectations through the effective and efficient delivery of conservation services.

Overview

Section 1. Game and fish rules. This technical change clarifies the need for expedited game and fish rules (M.S. 84.027, subd. 13). Season variables dependent on annually updated biological and harvest data need to be adjusted every year. These changes cannot be accommodated in M.S. 14.14 to 14.28 or M.S. 97A.0451 to 97A.0459. No changes are proposed for the actual rulemaking procedure.

Sec 2. Federal law compliance. In order to comply with federal requirements of the Americans with Disabilities Act, this change is needed to provide authority for the commissioner to establish policies for effective and efficient permitting of the use of power-driven mobility devices on DNR lands and facilities including Wildlife and Aquatic Management Areas.

Sec. 3. Hunting licenses for critically ill persons. This clarifies the commissioner's authority to issue permits/licenses to take game species within established hunting seasons or season frameworks by hunters participating in a program sponsored by a nonprofit organization providing opportunities for hunters who are critically ill. This authority would include opportunities limited by a lottery drawing (e.g., turkey, antlerless deer, bear, prairie chicken and wolf).

Sec. 4. Rice boat. This technical change provides a definition for rice boat.

Secs. 5 – 9, 36. Waterfowl boats and seasons and revisor's instructions for rules. This technical change clarifies in statutes and rules that the phrase "duck" boats and "duck" seasons also includes boats and seasons for geese and other waterfowl by replacing the phrases "duck boat" and "duck seasons" with "waterfowl boat" and "waterfowl seasons."

Sec.10. Duties; generally. This would allow DNR to recover costs for responding to escaped non-native animals from game farms, farmed cervid operations, and agricultural livestock operations. The Board of Animal Health oversees farmed cervid facilities (M.S. 31.155); however, DNR is charged with destroying escaped animals that are not recaptured within 24 hours. DNR is also charged with destroying cervids possessed or imported illegally. Reported escapes typically number approximately 100 animals per year and DNR staff spends time investigating and removing farmed cervids from the wild. While some problems are resolved quickly, others require a significant amount of staff resources, including field investigations and removals with associated fleet and diagnostic testing costs. Recently, swine that have escaped from agricultural operations have been removed from the wild and have the potential to seriously damage wild habitat.

Sec. 11. Summary of fish and game laws. This change updates statutory language regarding distribution of fish and game law summaries (i.e., regulation books). This change reflects the availability of fishing and hunting regulations on the DNR internet site and that couples may not require multiple copies of the regulations.

Sec. 12. Cooperative farming agreements. This expands the use of Cooperative Farming Agreements to include not only Wildlife Management Areas and Scientific and Natural Areas, but also Aquatic Management Areas (AMA). This would expand and improve the suite of options for managing AMA sites for fish and wildlife habitat.

Sec. 13. Seizure. This change clarifies that when hunting licenses are seized under a gross over limits big game violation that all big game licenses are subject to the seizure and prohibition. Similarly, if the violation applies to small game, all small game licenses are subject to seizure and prohibition.

Sec. 14. Angling; Take A Kid Ice Fishing Weekends. The angling license requirement has already been waived for someone fishing with a child under 16 years during Take a Kid Ice Fishing Weekend. This initiative waives the requirement for the spearing validation during Take a Kid Ice Fishing weekend as well so that there are no license requirements during this weekend recruitment activity.

This initiative also provides authority to the commissioner to designate the date of the Take a Kid Ice Fishing days in the same flexible and efficient manner as currently provided for state park access permit exceptions for open house days. The intention is to advance the Take a Kid Ice Fishing dates to January during safe ice fishing conditions. The current language coincides with a holiday weekend when most schools were off; however, this is no longer the norm. Also, there have been numerous years where the ice is no longer safe by the current date in late February. The intention is to schedule the 2014 Take a Kid Ice Fishing Weekend for the Friday following Martin Luther King federal holiday in January.

Secs. 15 - 19. Nonresident youth hunting license fees. These changes simplify youth hunting fees by making fees consistent for both resident and nonresident youth. Hunting license fees were reduced for resident

youth in 2012. Nonresident youth fees would be reduced for license year 2014 to match resident youth fees which go into effect in 2013.

Sec. 15 allows nonresident youth under age 16 years to take small game under the same conditions as a resident youth under age 16 years. Specifically, it would eliminate the requirement for a free small game license for nonresident youth age 15 years and younger. This would treat nonresident youth age 15 years and younger the same as resident youth age 15 years and under and simplify license cost structure. In addition, a nonresident under age 13 years must obtain a free turkey license and allows the taking of a turkey without a firearm safety certificate (FAS) if the nonresident is accompanied by an adult parent or guardian who has a FAS certificate.

Sec. 16 specifies that nonresident youth ages 16 – 17 years require a youth small game license or an apprentice hunter validation.

Sec. 17 is a technical simplification combining the big game license requirements for resident and nonresident youth ages 12 to 15 years in M.S. 97A.451, subd. 4.

Sec. 18 specifies existing resident turkey hunting fees youth age 12 years and under (no fee) and all forms of deer hunting for youth 10 – 12 years (no fee).

Sec. 19 reduces nonresident youth hunting fees to be consistent with resident youth fees as follows:

- Deer hunting fees for youth age 13 – 17 years reduced from \$15 to \$5
- Small game hunting fees for age 16 – 17 years reduced from \$15 to \$5
- Turkey hunting fees for age 12 years and under, no fee
- Turkey hunting fees for age 13 – 17 years, reduced from \$13 to \$5
- Deer hunting fees for age 10 – 12 years, no fee

Sec. 20. Licenses to be sold and issuing fees. This clarifies that \$1 may be charged for issuing turkey, prairie chicken, and wolf hunting/trapping licenses. These fees are consistent with the fees that can be charged for other licenses. In addition, the issuing fee for ELS agents is increased from 50 cents to \$1 for licenses, seals, tags, or coupons issued without a fee.

Secs. 21 - 22. Recreational trespass. This change clarifies that a person may not remain or return to

private land after being personally notified by the owner, occupant, or lessee.

Sec. 23. Discharging firearms in certain areas. This will amend the 2011 outdoor recreation trespass changes relating to a stockade or corral, allowing hunting on public lands or on property owned by the hunter similar to the provisions for a building occupied by a human or livestock.

Sec. 24. Parent or guardian responsibility; violation. This change provides that the violation for knowingly directing or permitting a minor to violate game and fish laws also applies to guardians authorized by the parent or legal guardian, and not just the parent or legal guardian. This change would be consistent with other sections of law where a parent or legal guardian authorizes another adult for their child.

Sec. 25. Apprentice hunter validation requirements. This initiative would expand apprentice hunter provisions to nonresident as well as residents. This addresses requests in recent years by nonresident disabled veterans and nonresident youth by providing similar apprentice hunter opportunities for residents and nonresidents.

Secs. 26, 29. Bowfishing season. This change removes restrictions for gasoline motors used while bowfishing. It simplifies statute language regarding the noise level thresholds by retaining the reference to “65 decibels on the A scale measured at a distance of 50 feet from the motorboat” and eliminates the other two tests which are impractical.

Sec. 27. Special hunts. This expands the availability of special hunts for purposes of recruitment to include not only youth but also adults. There is increasing demand for adult recruitment hunts. The ability to schedule these hunts outside the normal season framework increases the ability to recruit mentors to assist with the special hunts, an important consideration for both adult and youth beginners.

Secs. 28, 30. Game fish eggs as bait and rulemaking. This provides the commissioner authority to use rules to carry out aquatic invasive species laws for Lake Superior and its tributaries below posted boundaries. Specifically, changes are needed in the commissioner’s statutory authority so that the use of game fish as bait is consistent with invasive species statutes (M.S. 97C.341).

Sec. 31. Rulemaking; wildlife restitution value for sandhill cranes. This establishes a \$200 wildlife restitution value for sandhill cranes utilizing an expedited, good cause exempt rule process. The restitution value is consistent with that for tundra swans, a species with federal protection (Federal Migratory Bird Treaty Act).

Sec. 33. Repealer. This removes duplicative language resulting from making resident and nonresident youth hunting license fees consistent in Sections 16 – 20.

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