

Minnesota Department of Natural Resources

Division of Fish and Wildlife

NOTICE OF INTENT TO ADOPT EXPEDITED RULES WITHOUT A PUBLIC HEARING

Proposed Amendment to Rules Governing Electronic License System, Minnesota Rules, parts 6100, 6213, 6232, 6234, 6236, 6237, 6262, 6264, and 6266; Revisor's File Number R-4886

Introduction. The Department of Natural Resources (DNR) intends to adopt rules under the expedited rulemaking process following the rules of the Office of Administrative Hearings, *Minnesota Rules*, part 1400.2410, and the Administrative Procedure Act, *Minnesota Statutes*, section 14.389. You may submit written comments on the proposed expedited rules until Thursday, December 26, 2024.

Agency Contact Person. Submit comments, questions, or a request for hearing on the rules to Jason Abraham, Season Management Specialist, at Minnesota Department of Natural Resources, 500 Lafayette Road, St. Paul, Minnesota 55155, telephone 651-259-5197, or email jason.abraham@state.mn.us.

Subject of the Expedited Rules. A modern Department of Natural Resources electronic licensing system (ELS) is currently under development and will launch on March 4, 2025. Technical changes are needed to align administrative rule with statutory changes made in 2024 in support of the new ELS. The rule changes support improvements to customer experience when purchasing a hunting or fishing license, registering or titling a recreational vehicle, or registering for a training course. The changes will not affect resource management.

6100.5002 SPECIAL PERMITS

- Modifies a requirement that non-residents display a state permit on their snowmobile when participating in organized outings in Minnesota. This change creates consistency with changes to statute that eliminate physical licenses and tags on snowmobiles and instead require the user to possess an electronic or printed paper license. The change does not eliminate the requirement for non-residents to obtain and possess the permit.

6213.0100 DEFINITIONS

- Updates the definition of electronic license system to include agents, who are authorized to sell electronic licenses and registrations at business locations.

6213.0400 TERMS OF AGENT CONTRACT

- Repeals requirements that agents who are authorized to sell licenses provide access to electrical outlets and pay a \$500 deposit to possess equipment to sell licenses. Adds a requirement for agents to provide a location that protects the sale of electronic licenses from unauthorized use and any associated materials from damage. Statute no longer

requires agents to possess or maintain electronic equipment provided by the state to sell DNR licenses. Agents who sell licenses at a business location will provide a standard computer or electronic device for those transactions.

6213.0500 SALE OF ELECTRONIC LICENSES

- Requires agents to sell licenses only at the location identified in their contract with the DNR. Agents are responsible for completing electronic transactions for each license sold at their business, but the equipment used to sell licenses could be portable (like a laptop or tablet). Requiring that license sales take place at the location listed in the contract prevents the possibility of sales taking place away from their business location. Changes also eliminate requirements to physically sign applications. Physical signatures are no longer required by statute.

6232.0200 DEFINITIONS

- Eliminates requirement to attach physical tags to deer taken under a bonus permit or in earn-a-buck hunts. Statute no longer requires physical tags to be attached.

6232.0300 GENERAL RESTRICTIONS FOR TAKING DEER

- Modifies references to tagging, notching, and affixing deer licenses and tags. Statute no longer requires the use of physical licenses and tags. People who hunt and harvest deer will still be required to validate licenses and register deer, with options for electronic or printed paper licenses.

6232.0400 REGISTRATION OF DEER.

- Modifies references to tagging and presenting harvested deer and obtaining big game possession tags. Statute no longer requires physical licenses and tags.

6232.0500 DEER LICENSES FOR MILITARY PERSONNEL

- Modifies references to tags, special agents, and printed information. Statute allows people in the military and veterans with disabilities to obtain a license online or at any agent location, with options for an electronic or printed paper license.

6232.0900 CAMP RIPLEY ARCHERY HUNT

- Eliminates references to unused tags, special agents, and validated permits. Statute no longer requires hunters to obtain certain licenses from special agents and no longer requires physical licenses or tags. Hunters will still be able to meet requirements to possess a license and permit to enter Camp Ripley.

6232.1250 TAKING DEER BY ARCHERY UNDER BONUS PERMITS

- Eliminates reference to obtaining bonus permits from electronic license system agents. Statute allows hunters to obtain bonus permits online, without an agent.

6232.1300 SEASONS FOR TAKING DEER BY FIREARMS

- Clarifies reference to physical tags that come with licenses. Statute does not require hunters to possess or attach physical licenses or tags.

6232.1600 SPECIAL HUNT PROCEDURES

- Eliminates the reference to validating a deer license for a season option and making application at an electronic license system agent. Statute does not require hunters to possess or physically validate deer licenses and allows hunters to apply for special hunts online, without an agent.

6232.1950 TAKING DEER BY FIREARMS OR MUZZLELOADERS UNDER BONUS PERMITS

- Clarifies that hunters are not required to physically present a valid deer license to purchase a bonus permit. Statute does not require hunters to obtain physical licenses and tags. The electronic record of the hunter's previous license purchases will indicate their eligibility to purchase a bonus permit. Also clarifies that bonus permits may be purchased online, without an agent.

6232.1970 TAKING DEER BY ARCHERY, FIREARMS, OR MUZZLELOADER UNDER EARLY ANTLERLESS PERMITS

- Clarifies that hunters are not required to physically present a valid archery, firearms, or muzzleloader license to purchase early antlerless permits. Statute does not require hunters to obtain or possess physical licenses. The locations where early antlerless permits may be purchased are clarified. Statute allows early antlerless permits to be sold online, without an agent.

6232.1980 TAKING DEER BY ANY WEAPON USING DISEASE MANAGEMENT PERMITS

- Clarifies that disease management permits are available to people who have purchased an archery, firearms, or muzzleloader deer license. The locations where disease management permits may be purchased are clarified. Statute allows disease management permits to be purchased online, without an agent.

6232.2550 YOUTH SPECIAL DEER HUNTS

- Eliminates requirement to make applications for youth special deer hunts through an agent or at the DNR License Center. The locations where disease management permits may be purchased are clarified. Statute allows hunters to apply for permits online, without an agent.

6232.2800 GENERAL REGULATIONS FOR TAKING BEARS

- Modifies references to registering and attaching tags to bears harvested by hunters. Statute does not require hunters to attach physical licenses and tags to harvested bears. Hunters will be required to register harvested bears and retain a confirmation number they receive at registration until the bear is processed.

6232.3100 BEAR NO-QUOTA AREA

- Modifies references to locations where no-quota bear licenses may be purchased using the updated licensing system. Statute allows no-quota bear licenses to be purchased through an agent at a business location or online, without an agent.

6232.4400 GENERAL REGULATIONS FOR TAKING ELK

- Updates references to possessing unused seals, tagging and affixing tags to reflect changes in statute that eliminate requirements for physical licenses and tags. Provides requirements for validation of license before moving harvested elk.

6234.1600 TAKING BOBCAT

- Updates references to tagging bobcats. Statute does not require physical licenses and tags. Bobcat pelts and carcasses will still be required to be presented and registered within 48 hours of the close of the season.

6234.1700 TAKING FISHER AND PINE MARTEN

6234.2000 TAKING OTTER.

- Updates references to tagging fisher, pine marten and otter. Statute does not require physical licenses and tags.

6234.2600 PELT TAGGING AND REGISTRATION

- Eliminates references to the use of physical site validation coupons. Statute no longer requires trappers to obtain or possess physical site validation coupons. References to physical tags issued by DNR staff at in-person registration events are not eliminated because the physical tags will continue to be issued to trappers who present legally taken river otter, pine marten, fisher, or bobcat for registration.

6236.0300 TURKEY HUNT DRAWING

- Modifies references to locations where hunters may apply for turkey hunting licenses using the updated licensing system. Statute allows hunters to apply for turkey licenses through an agent at a business location or online, without an agent.

6236.0500 TURKEY HUNT LICENSE RESTRICTIONS

- Updates references to tagging harvested turkeys. Statute does not require hunters to obtain or possess physical licenses and tags.

6236.0950 VALIDATING TURKEYS

- Modifies requirements to sign, indicate the date of kill, and attach the physical license to harvested wild turkey during transit. Statute does not require hunters to obtain or possess physical licenses and tags. Hunters will still be required to provide information upon registering their harvest electronically in the field or in-person at an agent location.

6237.0200 PRAIRIE CHICKEN HUNT DRAWING

- Eliminates requirement to make applications for prairie chicken licenses at specific locations. Statute allows hunters to apply for licenses online, without an agent.

6262.1000 SPECIAL FISH MANAGEMENT TAGS

6262.3200 PREPARATION AND PACKING OF FISH FOR TRANSPORTATION

6264.0400 DESIGNATED SPECIAL MANAGEMENT WATERS

6266.0700 TAKING FISH ON MINNESOTA-CANADA BOUNDARY WATERS

- Modifications replace the term “tag” with “endorsement” to describe the actions that must be taken to validate a fishing license so that the holder can legally possess fish that are designated as special fish management species. Applying tags and related actions including notching, cutting, and marking are modified for consistency with statute, which does not require anglers to obtain or possess physical licenses and tags.

Publication of proposed rules. A copy of the proposed rules is published in the State Register and attached to this notice as mailed. A free copy of the rules is available upon request from the Agency Contact Person listed above. The proposed expedited rules may be viewed on the [DNR rulemaking webpage](https://mndnr.gov/input/rules) at mndnr.gov/input/rules.

Comments. You have until 4:30 p.m. on Thursday, December 26, 2024, to submit written comments in support of or in opposition to the proposed expedited rules and any part or subpart of the rules. Your comment must be in writing and received by the Agency Contact Person by the due date. The DNR encourages comment. Your comment should identify the portion of the proposed expedited rules addressed and the reason for the comment. In addition, you are encouraged to propose any change desired. You must also make any comments that you have on the legality of the proposed rules during this comment period. If the proposed expedited rules affect you in any way, the DNR encourages you to participate in the rulemaking process.

Request for Hearing. In addition to submitting comments, you may also request that a hearing be held on the rules. You must make your request in writing and the Agency Contact Person must receive it by 4:30 p.m. on Thursday, December 26, 2024. Your written request must include your name and address. You must identify the portion of the proposed rules to which you object or state that you oppose the entire set of rules. Any request that does not comply with these requirements is not valid and the DNR cannot count it for determining whether it must hold a public hearing. You are also encouraged to state the reason for the request and any changes you want made to the proposed rules.

Withdrawal of Requests. If 50 or more persons submit a valid written request for a hearing, a public hearing will be held unless a sufficient number withdraw their requests in writing. If enough requests for hearing are withdrawn to reduce the number below 50, the DNR must give written notice of this to all persons who requested a hearing, explain the actions the DNR took to effect the withdrawal, and ask for written comments on this action. If the DNR is required to hold a public hearing, it will follow the procedures in *Minnesota Statutes*, section 14.131 to

14.20.

Modifications. The DNR may modify the proposed expedited rules using either of two avenues: The DNR may modify the rules directly so long as the modifications do not make them substantially different as defined in *Minnesota Statutes*, section 14.05, subdivision 2, paragraphs (b) and (c). Or the DNR may adopt substantially different rules if it follows the procedure under *Minnesota Rules*, part 1400.2110. If the final rules are identical to the rules originally published in the State Register, the DNR will publish a notice of adoption in the State Register. If the final rules are different from the rules originally published in the State Register, the DNR must publish a copy of the changes in the State Register.

Alternative Format. Upon request, this information can be made available in an alternative format, such as large print, braille, or audio. To make such a request, please contact the Agency Contact Person at the address or telephone number listed above.

Lobbyist Registration. *Minnesota Statutes*, chapter 10A, requires each lobbyist to register with the State Campaign Finance and Public Disclosure Board. You may direct questions regarding this requirement to the Campaign Finance and Public Disclosure Board at: Suite #190, Centennial Building, 658 Cedar Street, St. Paul, Minnesota 55155, telephone (651) 539-1180 or 1-800-657-3889.

Adoption and Review of Expedited Rules. If no hearing is required, the DNR may adopt the rules at the end of the comment period. The DNR will then submit rules and supporting documents to the Office of Administrative Hearings for review for legality. You may ask to be notified of the date that the DNR submits the rules. If you want to be so notified or want to receive a copy of the adopted rules or want to register with the DNR to receive notice of future rule proceedings, submit your request to the Agency Contact Person listed above.

11/06/2024

/s/ SARAH STROMMEN

Sarah Strommen, Commissioner of Natural Resources