

1.1 A bill for an act

1.2 relating to game and fish; allowing scopes on muzzleloaders; amending
1.3 Minnesota Statutes 2008, section 97B.031, subdivision 5.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2008, section 97B.031, subdivision 5, is amended to read:

1.6 Subd. 5. ~~Scopes; visually impaired hunters on muzzleloaders.~~ (a)

1.7 ~~Notwithstanding any other law to the contrary, the commissioner may issue a special~~
1.8 ~~permit, without a fee, to~~ A person may use a muzzleloader with a scope to take deer
1.9 ~~during the muzzleloader season to a person who obtains the required licenses and who has~~
1.10 ~~a visual impairment. The scope may not have magnification capabilities.~~

1.11 ~~(b) The visual impairment must be to the extent that the applicant is unable~~
1.12 ~~to identify targets and the rifle sights at the same time without a scope. The visual~~
1.13 ~~impairment and specific conditions must be established by medical evidence verified in~~
1.14 ~~writing by a licensed physician, ophthalmologist, or optometrist. The commissioner~~
1.15 ~~may request additional information from the physician if needed to verify the applicant's~~
1.16 ~~eligibility for the permit.~~

1.17 ~~(c) A permit issued under this subdivision may be valid for up to five years, based~~
1.18 ~~on the permanence of the visual impairment as determined by the licensed physician,~~
1.19 ~~ophthalmologist, or optometrist.~~

1.20 ~~(d) The permit must be in the immediate possession of the permittee when hunting~~
1.21 ~~under the special permit.~~

1.22 ~~(e) The commissioner may deny, modify, suspend, or revoke a permit issued under~~
1.23 ~~this subdivision for cause, including a violation of the game and fish laws or rules.~~

S.F. No. 2939, as introduced - 86th Legislative Session (2009-2010) [10-5754]

2.1 ~~(f) A person who knowingly makes a false application or assists another in making~~
2.2 ~~a false application for a permit under this subdivision is guilty of a misdemeanor. A~~
2.3 ~~physician, ophthalmologist, or optometrist who fraudulently certifies to the commissioner~~
2.4 ~~that a person is visually impaired as described in this subdivision is guilty of a~~
2.5 ~~misdemeanor.~~