

SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION

S.F. No. 3386

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DATE	D-PG	OFFICIAL STATUS
03/31/2016		Introduction and first reading Referred to Environment and Energy

A bill for an act

1.1 relating to game and fish; eliminating the turkey stamp and related revenues;
 1.2 amending Minnesota Statutes 2014, sections 97A.045, subdivision 7; 97A.055,
 1.3 subdivision 4; 97A.405, subdivision 2; 97A.473, subdivisions 3, 5, 5a; 97A.474,
 1.4 subdivision 3; 97A.475, subdivisions 2, 3; repealing Minnesota Statutes 2014,
 1.5 section 97A.075, subdivision 5.
 1.6

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

1.8 Section 1. Minnesota Statutes 2014, section 97A.045, subdivision 7, is amended to read:

1.9 Subd. 7. **Duty to encourage stamp design and purchases.** (a) The commissioner
 1.10 shall encourage the purchase of:

1.11 (1) Minnesota migratory waterfowl stamps by nonhunters interested in migratory
 1.12 waterfowl preservation and habitat development;

1.13 (2) pheasant stamps by persons interested in pheasant habitat improvement;

1.14 (3) trout and salmon stamps by persons interested in trout and salmon stream and
 1.15 lake improvement; and

1.16 ~~(4) turkey stamps by persons interested in stamp collecting; and~~

1.17 ~~(5)~~ (4) walleye stamps by persons interested in walleye stocking and stamp collecting.

1.18 (b) The commissioner shall make rules governing contests for selecting a design for
 1.19 each stamp, including those stamps not required to be in possession while taking game or
 1.20 fish. The commissioner shall ensure that stamp design and characteristics are consistent
 1.21 with the design and characteristics that are sought by pictorial stamp collectors.

1.22 Sec. 2. Minnesota Statutes 2014, section 97A.055, subdivision 4, is amended to read:

2.1 Subd. 4. **Game and fish annual reports.** (a) By December 15 each year,
 2.2 the commissioner shall submit to the legislative committees having jurisdiction over
 2.3 appropriations and the environment and natural resources reports on each of the following:

2.4 (1) the amount of revenue from the following and purposes for which expenditures
 2.5 were made:

2.6 (i) the small game license surcharge under section 97A.475, subdivision 4;

2.7 (ii) the Minnesota migratory waterfowl stamp under section 97A.475, subdivision
 2.8 5, clause (1);

2.9 (iii) the trout and salmon stamp under section 97A.475, subdivision 10;

2.10 (iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);

2.11 ~~(v) the wild turkey management account under section 97A.075, subdivision 5;~~

2.12 ~~(vi)~~ (v) the deer license donations and surcharges under section 97A.475,

2.13 subdivisions 3, paragraph (b), and 3a; and

2.14 ~~(vii)~~ (vi) the walleye stamp under section 97A.475, subdivision 10a;

2.15 (2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and
 2.16 (c), and the purposes for which these amounts were spent;

2.17 (3) money credited to the game and fish fund under this section and purposes for
 2.18 which expenditures were made from the fund;

2.19 (4) outcome goals for the expenditures from the game and fish fund; and

2.20 (5) summary and comments of citizen oversight committee reviews under
 2.21 subdivision 4b.

2.22 (b) The report must include the commissioner's recommendations, if any, for
 2.23 changes in the laws relating to the stamps and surcharge referenced in paragraph (a).

2.24 Sec. 3. Minnesota Statutes 2014, section 97A.405, subdivision 2, is amended to read:

2.25 Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from
 2.26 an area where a licensed activity was performed must have in personal possession either:

2.27 (1) the proper license, if the license has been issued to and received by the person; or (2)

2.28 the proper license identification number or stamp validation, if the license has been sold to
 2.29 the person by electronic means but the actual license has not been issued and received.

2.30 (b) If possession of a license or a license identification number is required, a person
 2.31 must exhibit, as requested by a conservation officer or peace officer, either: (1) the proper
 2.32 license if the license has been issued to and received by the person; or (2) the proper
 2.33 license identification number or stamp validation and a valid state driver's license, state
 2.34 identification card, or other form of identification provided by the commissioner, if the
 2.35 license has been sold to the person by electronic means but the actual license has not been

3.1 issued and received. A person charged with violating the license possession requirement
3.2 shall not be convicted if the person produces in court or the office of the arresting officer,
3.3 the actual license previously issued to that person, which was valid at the time of arrest,
3.4 or satisfactory proof that at the time of the arrest the person was validly licensed. Upon
3.5 request of a conservation officer or peace officer, a licensee shall write the licensee's name
3.6 in the presence of the officer to determine the identity of the licensee.

3.7 (c) If the actual license has been issued and received, a receipt for license fees, a
3.8 copy of a license, or evidence showing the issuance of a license, including the license
3.9 identification number or stamp validation, does not entitle a licensee to exercise the rights
3.10 or privileges conferred by a license.

3.11 (d) A license issued electronically and not immediately provided to the licensee shall
3.12 be mailed to the licensee within 30 days of purchase of the license. A pictorial migratory
3.13 waterfowl, pheasant, trout and salmon, or walleye stamp shall be provided to the licensee
3.14 after purchase of a stamp validation only if the licensee pays an additional fee that covers
3.15 the costs of producing and mailing a pictorial stamp. ~~A pictorial turkey stamp may be~~
3.16 ~~purchased for a fee that covers the costs of producing and mailing the pictorial stamp.~~
3.17 Notwithstanding section 16A.1283, the commissioner may, by written order published in
3.18 the State Register, establish fees for providing the pictorial stamps. The fees must be set in
3.19 an amount that does not recover significantly more or less than the cost of producing and
3.20 mailing the stamps. The fees are not subject to the rulemaking provisions of chapter 14,
3.21 and section 14.386 does not apply.

3.22 Sec. 4. Minnesota Statutes 2014, section 97A.473, subdivision 3, is amended to read:

3.23 Subd. 3. **Lifetime small game hunting license; fee.** (a) A resident lifetime small
3.24 game hunting license authorizes a person to hunt and trap small game, other than wolves,
3.25 in the state. The license authorizes those hunting and trapping activities authorized by
3.26 the annual resident small game hunting license and the trapping license for fur-bearing
3.27 animals other than wolves. The license does not include ~~a turkey stamp validation or~~
3.28 ~~any other~~ hunting stamps required by law.

3.29 (b) The fees for a resident lifetime small game hunting license are:

- 3.30 (1) age 3 and under, \$223;
3.31 (2) age 4 to age 15, \$301;
3.32 (3) age 16 to age 50, \$430; and
3.33 (4) age 51 and over, \$274.

3.34 Sec. 5. Minnesota Statutes 2014, section 97A.473, subdivision 5, is amended to read:

4.1 Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license
4.2 authorizes a person to take fish by angling and hunt and trap small game, other than
4.3 wolves, in the state. The license authorizes those activities authorized by the annual
4.4 resident angling and resident small game hunting licenses and the resident trapping license
4.5 for fur-bearing animals other than wolves. The license does not include a trout and salmon
4.6 stamp validation, ~~a turkey stamp validation~~, a walleye stamp validation, or any other
4.7 hunting stamps required by law.

4.8 (b) The fees for a resident lifetime sporting license are:

4.9 (1) age 3 and under, \$485;

4.10 (2) age 4 to age 15, \$659;

4.11 (3) age 16 to age 50, \$861; and

4.12 (4) age 51 and over, \$560.

4.13 Sec. 6. Minnesota Statutes 2014, section 97A.473, subdivision 5a, is amended to read:

4.14 Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident
4.15 lifetime sporting with spearing option license authorizes a person to take fish by angling
4.16 or spearing and hunt and trap small game, other than wolves, in the state. The license
4.17 authorizes those activities authorized by the annual resident angling, spearing, and resident
4.18 small game hunting licenses and the resident trapping license for fur-bearing animals other
4.19 than wolves. The license does not include a trout and salmon stamp validation, ~~a turkey~~
4.20 ~~stamp validation~~, a walleye stamp validation, or any other hunting stamps required by law.

4.21 (b) The fees for a resident lifetime sporting with spearing option license are:

4.22 (1) age 3 and under, \$562;

4.23 (2) age 4 to age 15, \$765;

4.24 (3) age 16 to age 50, \$961; and

4.25 (4) age 51 and over, \$612.

4.26 Sec. 7. Minnesota Statutes 2014, section 97A.474, subdivision 3, is amended to read:

4.27 Subd. 3. **Nonresident lifetime small game hunting license; fee.** (a) A nonresident
4.28 lifetime small game hunting license authorizes a person to hunt small game in the state.
4.29 The license authorizes those hunting activities authorized by the annual nonresident small
4.30 game hunting license. The license does not include ~~a turkey stamp validation~~ or any other
4.31 hunting stamps required by law.

4.32 (b) The fees for a nonresident lifetime small game hunting license are:

4.33 (1) age 3 and under, \$947;

4.34 (2) age 4 to age 15, \$1,280;

5.1 (3) age 16 to age 50, \$1,633; and

5.2 (4) age 51 and over, \$1,083.

5.3 Sec. 8. Minnesota Statutes 2014, section 97A.475, subdivision 2, is amended to read:

5.4 Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents
5.5 only, are:

5.6 (1) for persons age 18 or over and under age 65 to take small game, \$15.50;

5.7 (2) for persons age 65 or over, \$7 to take small game;

5.8 (3) for persons age 18 or over to take turkey, ~~\$26~~ \$21;

5.9 (4) for persons age 13 or over and under age 18 to take turkey, \$5;

5.10 (5) for persons age 18 or over to take deer with firearms during the regular firearms
5.11 season, \$30;

5.12 (6) for persons age 18 or over to take deer by archery, \$30;

5.13 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
5.14 season, \$30;

5.15 (8) to take moose, for a party of not more than six persons, \$356;

5.16 (9) for persons age 18 or over to take bear, \$44;

5.17 (10) to take elk, for a party of not more than two persons, \$287;

5.18 (11) to take Canada geese during a special season, \$4;

5.19 (12) to take prairie chickens, \$23;

5.20 (13) for persons age 13 or over and under age 18 to take deer with firearms during
5.21 the regular firearms season, \$5;

5.22 (14) for persons age 13 or over and under age 18 to take deer by archery, \$5;

5.23 (15) for persons age 13 or over and under age 18 to take deer by muzzleloader
5.24 during the muzzleloader season, \$5;

5.25 (16) for persons age 10, 11, or 12 to take bear, no fee;

5.26 (17) for persons age 13 or over and under age 18 to take bear, \$5;

5.27 (18) for persons age 18 or over to take small game for a consecutive 72-hour period
5.28 selected by the licensee, \$19, of which an amount equal to: one-half of the fee for the
5.29 migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
5.30 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half
5.31 of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in
5.32 the pheasant habitat improvement account under section 97A.075, subdivision 4; and
5.33 one-half of the small game surcharge under subdivision 4, shall be deposited in the
5.34 wildlife acquisition account;

5.35 (19) for persons age 16 or over and under age 18 to take small game, \$5;

- 6.1 (20) to take wolf, \$30;
- 6.2 (21) for persons age 12 and under to take turkey, no fee;
- 6.3 (22) for persons age 10, 11, or 12 to take deer by firearm, no fee;
- 6.4 (23) for persons age 10, 11, or 12 to take deer by archery, no fee; and
- 6.5 (24) for persons age 10, 11, or 12 to take deer by muzzleloader during the
- 6.6 muzzleloader season, no fee.

6.7 Sec. 9. Minnesota Statutes 2014, section 97A.475, subdivision 3, is amended to read:

6.8 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued

6.9 to nonresidents, are:

- 6.10 (1) for persons age 18 or over to take small game, \$90.50;
- 6.11 (2) for persons age 18 or over to take deer with firearms during the regular firearms
- 6.12 season, \$160;
- 6.13 (3) for persons age 18 or over to take deer by archery, \$160;
- 6.14 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
- 6.15 season, \$160;
- 6.16 (5) for persons age 18 or over to take bear, \$225;
- 6.17 (6) for persons age 18 or over to take turkey, ~~\$94~~ \$86;
- 6.18 (7) for persons age 13 or over and under age 18 to take turkey, \$5;
- 6.19 (8) to take raccoon or bobcat, \$178;
- 6.20 (9) to take Canada geese during a special season, \$4;
- 6.21 (10) for persons age 13 or over and under age 18 to take deer with firearms during
- 6.22 the regular firearms season in any open season option or time period, \$5;
- 6.23 (11) for persons age 13 or over and under age 18 to take deer by archery, \$5;
- 6.24 (12) for persons age 13 or over and under age 18 to take deer during the muzzleloader
- 6.25 season, \$5;
- 6.26 (13) for persons age 13 or over and under 18 to take bear, \$5;
- 6.27 (14) for persons age 18 or over to take small game for a consecutive 72-hour period
- 6.28 selected by the licensee, \$75, of which an amount equal to: one-half of the fee for the
- 6.29 migratory waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
- 6.30 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half
- 6.31 of the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in
- 6.32 the pheasant habitat improvement account under section 97A.075, subdivision 4; and
- 6.33 one-half of the small game surcharge under subdivision 4, shall be deposited into the
- 6.34 wildlife acquisition account;
- 6.35 (15) for persons age 16 or 17 to take small game, \$5;

- 7.1 (16) to take wolf, \$250;
- 7.2 (17) for persons age 12 and under to take turkey, no fee;
- 7.3 (18) for persons age ten, 11, or 12 to take deer by firearm, no fee;
- 7.4 (19) for persons age ten, 11, or 12 to take deer by archery, no fee;
- 7.5 (20) for persons age ten, 11, or 12 to take deer by muzzleloader during the
- 7.6 muzzleloader season, no fee; and
- 7.7 (21) for persons age 10, 11, or 12 to take bear, no fee.
- 7.8 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under
- 7.9 paragraph (a), clauses (1) to (6) and (8). An additional commission may not be assessed
- 7.10 on this surcharge.

7.11 Sec. 10. **REPEALER.**

7.12 Minnesota Statutes 2014, section 97A.075, subdivision 5, is repealed.

7.13 Sec. 11. **EFFECTIVE DATE.**

7.14 Sections 1 to 10 are effective July 1, 2016.

APPENDIX
Repealed Minnesota Statutes: 16-6856

97A.075 USE OF LICENSE REVENUES.

Subd. 5. **Turkey account.** (a) \$4.50 from each turkey license sold, except youth licenses under section 97A.475, subdivision 2, clause (4), and subdivision 3, clause (7), must be credited to the wild turkey management account and is appropriated to the commissioner only for:

(1) the development, restoration, and maintenance of suitable habitat for wild turkeys on public and private land including forest stand improvement and establishment of nesting cover, winter roost area, and reliable food sources;

(2) acquisitions of, or easements on, critical wild turkey habitat;

(3) reimbursement of expenditures to provide wild turkey habitat on public and private land;

(4) trapping and transplantation of wild turkeys; and

(5) the promotion of turkey habitat development and maintenance, population surveys and monitoring, and research.

(b) Money in the account may not be used for:

(1) costs unless they are directly related to a specific parcel of land under paragraph (a), clauses (1) to (3), a specific trap and transplant project under paragraph (a), clause (4), or to specific promotional or evaluative activities under paragraph (a), clause (5); or

(2) any permanent personnel costs.