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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. 1075

February 23, 2009

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The bill was read for the first time and referred to the Committee on Environment Policy and Oversight

1.1 A bill for an act
1.2 relating to game and fish; exempting donated venison from certain food laws;
1.3 eliminating nonresident hunting license surcharge; removing deer processing as
1.4 an allowable use of revenue from certain donations and surcharges; repealing
1.5 hunter-harvested venison donation program; amending Minnesota Statutes 2008,
1.6 sections 31.01, subdivision 3; 97A.055, subdivision 4; 97A.065, subdivision
1.7 6; 97A.475, subdivisions 3, 3a; 97A.485, subdivision 7; repealing Minnesota
1.8 Statutes 2008, section 17.035.

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

1.10 Section 1. Minnesota Statutes 2008, section 31.01, subdivision 3, is amended to read:

1.11 Subd. 3. **Food.** "Food" means articles used for food or drink for humans or other
1.12 animals, chewing gum, and articles used for components of any such article. Food does
1.13 not mean hunter-harvested venison that a person donates for charitable purposes under
1.14 section 97B.303.

1.15 Sec. 2. Minnesota Statutes 2008, section 97A.055, subdivision 4, is amended to read:

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

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

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

1.22 (ii) the Minnesota migratory waterfowl stamp under section 97A.475, subdivision
1.23 5, clause (1);

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

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

- 2.1 (v) the wild turkey management account under section 97A.075, subdivision 5;
- 2.2 (vi) the deer license donations and surcharges under section 97A.475, ~~subdivisions~~
- 2.3 ~~3, paragraph (b), and subdivision 3a;~~ and
- 2.4 (vii) the walleye stamp under section 97A.475, subdivision 10a;
- 2.5 (2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and
- 2.6 (c), and the purposes for which these amounts were spent;
- 2.7 (3) money credited to the game and fish fund under this section and purposes for
- 2.8 which expenditures were made from the fund;
- 2.9 (4) outcome goals for the expenditures from the game and fish fund; and
- 2.10 (5) summary and comments of citizen oversight committee reviews under
- 2.11 subdivision 4b.
- 2.12 (b) The report must include the commissioner's recommendations, if any, for
- 2.13 changes in the laws relating to the stamps and surcharge referenced in paragraph (a).

2.14 Sec. 3. Minnesota Statutes 2008, section 97A.065, subdivision 6, is amended to read:

2.15 Subd. 6. **Deer license donations and surcharges.** ~~(a) The surcharges and donations~~

2.16 ~~collected under section 97A.475, subdivision 3, paragraph (b), and subdivision 3a,~~

2.17 ~~shall be deposited in an account in the special revenue fund and are appropriated to~~

2.18 ~~the commissioner for deer management, including for grants or payments to agencies,~~

2.19 ~~organizations, or individuals for assisting with the cost of processing deer taken for~~

2.20 ~~population management purposes for venison donation programs. None of the additional~~

2.21 ~~license fees shall be transferred to any other agency for administration of programs other~~

2.22 ~~than venison donation. If any money transferred by the commissioner is not used for a~~

2.23 ~~venison donation program, it shall be returned to the commissioner.~~

2.24 ~~(b) By February 10, 2010, the commissioner shall report to the legislature on the~~

2.25 ~~participation in and the effectiveness of the venison donation program.~~

2.26 Sec. 4. Minnesota Statutes 2008, section 97A.475, subdivision 3, is amended to read:

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

2.28 ~~to nonresidents, are:~~

- 2.29 (1) for persons age 18 or over to take small game, \$73;
- 2.30 (2) for persons age 18 or over to take deer with firearms during the regular firearms
- 2.31 season, \$135;
- 2.32 (3) for persons age 18 to take deer by archery, \$135;
- 2.33 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
- 2.34 season, \$135;

- 3.1 (5) to take bear, \$195;
- 3.2 (6) for persons age 18 and older to take turkey, \$78;
- 3.3 (7) for persons under age 18 to take turkey, \$12;
- 3.4 (8) to take raccoon or bobcat, \$155;
- 3.5 (9) multizone license to take antlered deer in more than one zone, \$270;
- 3.6 (10) to take Canada geese during a special season, \$4;
- 3.7 (11) for persons under age 18 to take deer with firearms during the regular firearms
- 3.8 season in any open season option or time period, \$13;
- 3.9 (12) for persons under age 18 to take deer by archery, \$13; and
- 3.10 (13) for persons under age 18 to take deer during the muzzleloader season, \$13.
- 3.11 ~~(b) A \$5 surcharge shall be added to nonresident hunting licenses issued under~~
- 3.12 ~~paragraph (a), clauses (1) to (9). An additional commission may not be assessed on this~~
- 3.13 ~~surcharge.~~

3.14 Sec. 5. Minnesota Statutes 2008, section 97A.475, subdivision 3a, is amended to read:

3.15 Subd. 3a. **Deer license donation and surcharge.** A person may agree to add a

3.16 donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take

3.17 deer by firearms or archery established under subdivisions 2, clauses (5), (6), (7), (11),

3.18 and (13), and 3, clauses (2), (3), (4), and (9). ~~Beginning March 1, 2008,~~ Fees for bonus

3.19 licenses to take deer by firearms or archery established under section 97B.301, subdivision

3.20 4, must be increased by a surcharge of \$1. An additional commission may not be assessed

3.21 on the donation or surcharge and the following statement must be included in the annual

3.22 deer hunting regulations: "The deer license donations and surcharges are being paid

3.23 by hunters for deer management, ~~including assisting with the costs of processing deer~~

3.24 ~~donated for charitable purposes."~~

3.25 Sec. 6. Minnesota Statutes 2008, section 97A.485, subdivision 7, is amended to read:

3.26 Subd. 7. **Electronic licensing system commission.** The commissioner shall retain

3.27 for the operation of the electronic licensing system the commission established under

3.28 section 84.027, subdivision 15, and issuing fees collected by the commissioner on all

3.29 license fees collected, excluding:

- 3.30 (1) the small game surcharge;
- 3.31 (2) the deer license surcharges or donations under section 97A.475, ~~subdivisions~~
- 3.32 ~~3, paragraph (b), and subdivision~~ 3a; and
- 3.33 (3) \$2.50 of the license fee for the licenses in section 97A.475, subdivisions 6,
- 3.34 clauses (1), (2), and (4), 7, 8, 12, and 13.

4.1 Sec. 7. **REPEALER.**

4.2 Minnesota Statutes 2008, section 17.035, is repealed.

17.035 VENISON DISTRIBUTION AND REIMBURSEMENT.

Subdivision 1. **Reimbursement.** A meat processor holding a license under chapter 28A may apply to the commissioner of agriculture for reimbursement of \$70 towards the cost of processing donated deer. The meat processor shall deliver the deer, processed into cuts or ground meat, to a charitable organization that is registered under chapter 309 and with the commissioner of agriculture and that operates a food assistance program. To request reimbursement, the processor shall submit an application, on a form prescribed by the commissioner of agriculture, the tag number under which the deer was taken, and a receipt for the deer from the charitable organization.

Subd. 2. **Distribution.** (a) The commissioner of agriculture shall ensure the equitable statewide distribution of processed deer by requiring the charitable organization to allocate and distribute processed deer according to the allocation formula used in the distribution of United States Department of Agriculture commodities under the federal emergency food assistance program. The charitable organization must submit quarterly reports to the commissioner on forms prescribed by the commissioner. The reports must include, but are not limited to, information on the amount of processed deer received and the organizations to which the meat was distributed.

(b) The commissioner of agriculture may adopt rules to implement this section.