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State of Minnesota  
**HOUSE OF REPRESENTATIVES**

EIGHTY-SIXTH  
SESSION

**HOUSE FILE No. 3315**

March 4, 2010

Authored by Bigham, McNamara and Hansen

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

March 11, 2010

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act  
1.2 relating to natural resources; modifying criminal penalty provisions; providing  
1.3 for participation in comprehensive incident-based reporting system; extending  
1.4 use of silencers for wildlife control; amending Minnesota Statutes 2008, sections  
1.5 84D.13, subdivision 3; 609.66, subdivision 1h; Minnesota Statutes 2009  
1.6 Supplement, section 299C.40, subdivision 1.

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

1.8 Section 1. Minnesota Statutes 2008, section 84D.13, subdivision 3, is amended to read:

1.9 Subd. 3. **Criminal penalties.** (a) A person who violates a provision of ~~section~~  
1.10 sections 84D.06, 84D.07, 84D.08, or to 84D.10, or a rule adopted under section 84D.12, is  
1.11 guilty of a misdemeanor.

1.12 (b) A person who possesses, transports, or introduces a prohibited invasive species in  
1.13 violation of section 84D.05 is guilty of a misdemeanor. A person who imports, purchases,  
1.14 sells, or propagates a prohibited invasive species in violation of section 84D.05 is guilty  
1.15 of a gross misdemeanor.

1.16 (c) A person who refuses to obey an order of a peace officer or conservation officer  
1.17 to remove prohibited invasive species or aquatic macrophytes from any watercraft, trailer,  
1.18 or plant harvesting equipment is guilty of a gross misdemeanor.

1.19 Sec. 2. Minnesota Statutes 2009 Supplement, section 299C.40, subdivision 1, is  
1.20 amended to read:

1.21 Subdivision 1. **Definitions.** (a) The definitions in this subdivision apply to this  
1.22 section.

2.1 (b) "CIBRS" means the Comprehensive Incident-Based Reporting System, located  
2.2 in the Department of Public Safety and managed by the Bureau of Criminal Apprehension.  
2.3 A reference in this section to "CIBRS" includes the Bureau of Criminal Apprehension.

2.4 (c) "Law enforcement agency" means a Minnesota municipal police department,  
2.5 the Metropolitan Transit Police, the Metropolitan Airports Police, the University of  
2.6 Minnesota Police Department, the Department of Corrections Fugitive Apprehension Unit,  
2.7 a Minnesota county sheriff's department, the Enforcement Division of the Department of  
2.8 Natural Resources, the Bureau of Criminal Apprehension, or the Minnesota State Patrol.

2.9 Sec. 3. Minnesota Statutes 2008, section 609.66, subdivision 1h, is amended to read:

2.10 Subd. 1h. **Silencers; authorized for law enforcement and wildlife control**  
2.11 **purposes.** (a) Notwithstanding subdivision 1a, paragraph (a), clause (1), licensed peace  
2.12 officers may use devices designed to silence or muffle the discharge of a firearm for  
2.13 tactical emergency response operations. Tactical emergency response operations include  
2.14 execution of high risk search and arrest warrants, incidents of terrorism, hostage rescue,  
2.15 and any other tactical deployments involving high risk circumstances. The chief law  
2.16 enforcement officer of a law enforcement agency that has the need to use silencing devices  
2.17 must establish and enforce a written policy governing the use of the devices.

2.18 (b) Notwithstanding subdivision 1a, paragraph (a), clause (1), ~~until July 1, 2011,~~  
2.19 an enforcement officer, as defined in section 97A.015, subdivision 18, a wildlife area  
2.20 manager, an employee designated under section 84.0835, or a person acting under contract  
2.21 with the commissioner of natural resources, at specific times and locations that are  
2.22 authorized by the commissioner of natural resources may use devices designed to silence  
2.23 or muffle the discharge of a firearm for wildlife control operations that require stealth.  
2.24 If the commissioner determines that the use of silencing devices is necessary under this  
2.25 paragraph, the commissioner must:

2.26 (1) establish and enforce a written policy governing the use, possession, and  
2.27 transportation of the devices;

2.28 (2) limit the number of the silencing devices maintained by the Department of  
2.29 Natural Resources to no more than ten; and

2.30 (3) keep direct custody and control of the devices when the devices are not  
2.31 specifically authorized for use.