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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2343

02/16/2012 Authored by Howes, Hackbarth, Dill, McNamara, Smith and others

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; enacting the Freedom to Hunt and Fish Act of 2012;
1.3 requiring the availability of game and fish licenses by electronic transaction;
1.4 appropriating money; amending Minnesota Statutes 2010, section 84.027,
1.5 subdivision 15.

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

1.7 Section 1. CITATION.

1.8 This act may be cited as the "Freedom to Hunt and Fish Act of 2012."

1.9 Sec. 2. Minnesota Statutes 2010, section 84.027, subdivision 15, is amended to read:

1.10 Subd. 15. **Electronic transactions.** (a) The commissioner may receive an
1.11 application for, sell, and issue any license, stamp, permit, pass, sticker, gift card, safety
1.12 training certification, registration, or transfer under the jurisdiction of the commissioner
1.13 by electronic means, including by telephone. Notwithstanding section 97A.472, electronic
1.14 and telephone transactions may be made outside of the state. The commissioner may:

1.15 (1) provide for the electronic transfer of funds generated by electronic transactions,
1.16 including by telephone;

1.17 (2) assign an identification number to an applicant who purchases a hunting or
1.18 fishing license or recreational vehicle registration by electronic means, to serve as
1.19 temporary authorization to engage in the activity requiring a license or registration until
1.20 the license or registration is received or expires;

1.21 (3) charge and permit agents to charge a fee of individuals who make electronic
1.22 transactions and transactions by telephone or Internet, including issuing fees and an
1.23 additional transaction fee not to exceed \$3.50;

2.1 (4) charge and permit agents to charge a convenience fee not to exceed three percent
2.2 of the cost of the license to individuals who use electronic bank cards for payment. An
2.3 electronic licensing system agent charging a fee of individuals making an electronic
2.4 bank card transaction in person must post a sign informing individuals of the fee. The
2.5 sign must be near the point of payment, clearly visible, include the amount of the fee, and
2.6 state: "License agents are allowed by state law to charge a fee not to exceed three percent
2.7 of the cost of state licenses to persons who use electronic bank cards for payment. The
2.8 fee is not required by state law.";

2.9 (5) establish, by written order, an electronic licensing system commission to be
2.10 paid by revenues generated from all sales made through the electronic licensing system.
2.11 The commissioner shall establish the commission in a manner that neither significantly
2.12 overrecovers nor underrecovers costs involved in providing the electronic licensing
2.13 system; and

2.14 (6) adopt rules to administer the provisions of this subdivision.

2.15 (b) The fees established under paragraph (a), clauses (3) and (4), and the commission
2.16 established under paragraph (a), clause (5), are not subject to the rulemaking procedures
2.17 of chapter 14 and section 14.386 does not apply.

2.18 (c) Money received from fees and commissions collected under this subdivision,
2.19 including interest earned, is annually appropriated from the game and fish fund and the
2.20 natural resources fund to the commissioner for the cost of electronic licensing.

2.21 (d) Game and fish licenses under chapters 97A, 97B, and 97C shall be available by
2.22 electronic transaction, regardless of whether all or any part of the biennial appropriation
2.23 law for the department has been enacted. If, by July 1 of an odd-numbered year, legislation
2.24 has not been enacted to appropriate money to the commissioner of management and budget
2.25 for central accounting, procurement, payroll, and human resources functions, amounts
2.26 necessary to operate those functions for the purpose of this paragraph are appropriated
2.27 from the general fund to the commissioner of management and budget. Any subsequent
2.28 appropriation to the commissioner of management and budget for a biennium in which
2.29 this section is applicable supersedes and replaces the funding authorized in this paragraph.