

Sec. 3. *This act is effective January 1, 1968.*

Approved May 25, 1967.

CHAPTER 905—S. F. No. 1606

[Coded in Part]

An act relating to the organization and operation of the state government; providing for the reorganization of the department of conservation; amending Minnesota Statutes 1965, Sections 84.025; 84.03; 84.081, Subdivision 1; 84.083, Subdivision 1; and Minnesota Statutes 1965, Chapter 84, by adding a section.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **[84.024] Department of conservation; reorganization; purpose.** *The purpose of this act is to centralize the operating authority of the department of conservation in a commissioner and his deputy in lieu of the commissioner and several operating divisional directors; to coordinate the management of the public domain; to eliminate duplication of effort and function; and to best serve the public in the development of a long range program to conserve the natural resources of the state.*

Sec. 2. Minnesota Statutes 1965, Section 84.025, is amended to read:

84.025 Creation and organization. *Subdivision 1. Continuance.* **The department of conservation shall continue as now constituted, subject to the provisions of Laws 1943, Chapter 60 this act; as amended.**

Subd. 2. Supervision. *The department shall be under the supervision and control of a commissioner of conservation who shall be appointed by the governor by and with the advice and consent of the senate. The commissioner shall be chosen with regard to his knowledge, training, experience, and ability in the field of public administration of conservation work. The commissioner, if his appointment be approved by the senate at a regular session of the legislature, shall serve for a term expiring March 1 in the sixth calendar year following the calendar year in which such approval was given; on February 15, of the year in which a governor takes office, and until his successor is appointed and has qualified. Appointment of a commissioner for the ensuing term may be made by the incoming gov-*

Changes or additions indicated by italics, deletions by strikeout:

error at any time after taking office in the year in which the current term expires; but such appointee shall not take office until the expiration of such current term nor until approved by the senate unless there is a vacancy. In case of a vacancy the governor *may shall* appoint a commissioner by and with the advice and consent of the senate, to serve at the pleasure of the governor but not later than the next following March 1 in an odd numbered year and until a successor is appointed and has qualified as in case of the expiration of a regular term for the balance of the unexpired term.

The term of the incumbent commissioner of conservation on February 15, 1971, shall expire on that date. Appointment to the office of commissioner of conservation thereafter shall be in conformity with this subdivision.

Subd. 3. **Bond.** The commissioner shall give a bond to the state in the sum of ~~\$25,000~~ *\$50,000*.

Subd. 4. **Deputy.** The commissioner may appoint a deputy, to serve at his pleasure, who shall be in the unclassified service of the state. The deputy may exercise all the powers of the commissioner, subject to his direction and control. The deputy shall give a bond to the state in the sum of ~~\$5,000~~ *\$25,000*.

Subd. 5. **Assistant commissioner and employees.** The commissioner may ~~employ such other assistants as may be necessary for his administrative staff and appoint an assistant commissioner to serve at his pleasure who shall be in the unclassified service of the state. He may employ such other persons in the classified service as he deems necessary for the performance of each other functions of the commissioner or the department as are not assigned to the several divisions.~~

Subd. 6. **Deputy attorney general.** The attorney general shall appoint a deputy attorney general, in addition to the number now authorized by law, who shall be the attorney for the department of conservation. He shall receive the same salary as other deputy attorneys general, to be paid from moneys appropriated therefor to the department of conservation ~~or otherwise as may be provided by law.~~ *The deputy attorney general and such other attorneys as may be assigned to the department of conservation are designated as the legal bureau of the department of conservation.*

Subd. 7. *The commissioner of conservation may contract with the federal government, local governmental units, the university of Minnesota, and other educational institutions, and private persons as may be necessary in the performance of his duties. Contracts made pursuant to this section for professional services shall not be subject*

Changes or additions indicated by italics, deletions by strikeout.

to the provisions of Minnesota Statutes, Chapter 16, as they relate to competitive bidding.

Sec. 3. Minnesota Statutes 1965, Chapter 84, is amended by adding a section to read:

[84.028] Commissioner of conservation, specific assignments.

Subdivision 1. The powers, duties and responsibilities of the department of conservation relating to boat safety, firearm safety, wild rice harvest program, and such other programs as are now or hereafter vested by statute in the department of conservation, shall be under the control and supervision of the commissioner of conservation.

Subd. 2. The overall coordination of acquisition and development programs, comprehensive planning activities, including statewide recreational planning programs required by state or federal law, and not the responsibility of the state planning agency, are under the control and supervision of the commissioner.

Subd. 3. The operation of the game warden service in the division of game and fish as constituted before the effective date of this act is under the direct control and supervision of the commissioner. The name of the personnel in such game warden service is changed to conservation officers. Conservation officers shall continue to have the powers and duties of game wardens as they existed before the effective date of this act and may be assigned to public relations, conservation instructional activities, and the enforcement of laws relating to resources management which the commissioner shall direct. The commissioner may create a separate division or bureau to be composed of conservation officers and may appoint a chief conservation officer to serve at his pleasure in the unclassified service of the state.

Sec. 4. Minnesota Statutes 1965, Section 84.03, is amended to read:

84.03 Additional duties and powers. So far as practicable the commissioner shall collect and arrange statistics and other information in reference to the lands and general and special resources of the state; and its advantages as a place of residence; spread knowledge of the same throughout the civilized world by correspondence, by messengers, and by public lectures and all forms of legitimate advertising; facilitate the immigration of such persons of good moral character as may desire a change of domicile; and answer all inquiries from persons residing within or without the state upon these subjects.

He is hereby authorized and empowered to take such measures as he may deem advisable to advertise, both within and without the

Changes or additions indicated by italics, deletions by strikeout.

state, sales of all state lands, and to secure, compile, and issue such valuable statistics of the resources of the state as ~~may be useful in securing a desirable class of settlers to purchase and to locate on these lands.~~

He may adopt and promulgate reasonable rules and regulations, not inconsistent with law, governing the use and enjoyment of state land reserved from sale, state parks, state public camp grounds, *public access sites, boat launching facilities*, state recreation reserves, *trails*, state monument sites, and *recreational areas owned by other state, local and federal agencies and operated under agreement by the department of conservation*, which shall have the force and effect of law. A reasonable fee may be fixed, charged, and collected by the commissioner for the privilege of ~~transient camping in state public camp grounds; the use of any or all of the foregoing privileges and facilities.~~

The commissioner, biennially, shall report to the legislature his acts and doings, with recommendation for the improvement or conservation of state parks, state public camp grounds, *public access sites, boat launching facilities*, state recreation reserves, *trails*, and state monument sites, *and all other recreational lands under the jurisdiction of the department of conservation*, and for desirable accessions thereto, such report to include an inventory of the tracts and parcels of land, and rights, interests, and easements therein, held by the state or withdrawn from sale for any of these purposes, with the value thereof. *He shall maintain a long range plan governing the use of the public domain under his jurisdiction.* ~~The commissioner is hereby authorized to subdivide the east one-half of the southeast quarter of section 16, township 57, range 21, into smaller parcels or village lots; and to appraise and offer such parcels or lots for sale as provided by law. This land may be sold notwithstanding the fact that it has frontage on a public lake; provided that a strip 33 feet in width landward from the ordinary high water mark be reserved by the state.~~

Sec. 5. Minnesota Statutes 1965, Section 84.081, Subdivision 1, is amended to read:

84.081 **Department divisions and bureaus.** Subdivision 1. **Directors.** The department of conservation shall be organized with the following divisions: a division of *lands and forestry*, a division of *waters, soils and minerals*, a division of *game and fish*, ~~a division of *lands and minerals*~~, and a division of *state parks and recreation*. Each division shall be under the immediate charge of a director, subject to the ~~general~~ supervision and control of the commissioner. The directors shall be appointed by the commissioner, to serve at his pleasure, and shall be in the unclassified service of the state. They

Changes or additions indicated by italics, deletions by strikeout.

shall be chosen with regard to knowledge, training, experience, and ability in administering the work of their respective divisions.

Sec. 6. Minnesota Statutes 1965, Section 84.083, Subdivision 1, is amended to read:

84.083 Assignment and delegation of duties. Subdivision 1. Each division shall have charge of administering the activities indicated by its title and such other duties and functions as may be assigned by the commissioner, subject to the right of the commissioner to revise and change assignments of any and all activities or of specific duties or functions among the several divisions at any time as he may see fit. The commissioner may, by written order filed in the office of the secretary of state, delegate to the ~~director of any division~~ *directors or other employees designated by him*, any of the powers or duties vested in or imposed upon the commissioner by this act or by any other law upon such conditions as he may prescribe and subject to modification or revocation at his pleasure. Such delegated powers and duties may be exercised or performed by the respective directors in their own names or in the name of the commissioner, as he may direct.

Sec. 7. *All unexpended funds appropriated to the department of conservation, any division or officer thereof, for the purpose of any of its functions, powers, or duties which are transferred by this act within the department of conservation or any division, bureau, or section thereof, are hereby transferred to such division, bureau, or section.*

Sec. 8. *Subdivision 1. Transfer of any personnel from one bureau or division to another shall be without prejudice to seniority rights, accrued annual leave, and sick leave, retirement benefits, status within salary ranges, and any or all other emoluments, rights, or privileges accorded under the civil service laws, rules, and regulations, but this provision shall not preclude the establishment of new salary ranges or the allocation of employees so transferred into different salary ranges. The funds necessary to protect pension rights shall be appropriately transferred or earmarked.*

Subd. 2. Under any reorganization authorized or directed by this act, new positions and salary ranges may be established by the commissioner upon consultation with and approval of the director of civil service and the commissioner of administration. All such new positions shall be filled by open or promotional civil service examinations as the director of civil service may determine, except that where any such position recreates the equivalent of a former position which the director of civil service determines makes no substantial change

Changes or additions indicated by italics, deletions by strikeout.

in functions, duties, or responsibilities from a position presently occupied by an incumbent, such incumbent shall be entitled to the position without further examination and shall be entitled to all civil service and other benefits as though no reorganization had been established. In the event civil servants are appointed to any newly created positions, all benefits from past service accumulated under any civil service law, rule, or regulation or pension plan shall be accorded to the incumbent.

Sec. 9. *In the next and subsequent editions of the Minnesota Statutes the revisor of statutes shall make such changes in terminology as may be necessary to record the functions, powers and duties of the department of conservation which are changed by the enactment of this act.*

Sec. 10. *This act is in effect on and after July 1, 1967.*

Approved May 25, 1967.

CHAPTER 906—H. F. No. 1815

An act relating to wild animals and to licenses for taking them; prescribing age limits and other conditions therefor; amending Minnesota Statutes 1965, Section 98.47, Subdivision 1.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 98.47, Subdivision 1, is amended to read:

98.47 Game and fish; hunting licenses; age; exemptions. Subdivision 1. Residents under the age of 16 years may take fish and trap fur bearing animals except beaver or otter without procuring a license. *Residents under the age of 13 years may take small game without a license.* Residents under the age of 16 years and over 12 may take small game provided they have in their possession while hunting a valid firearm safety certificate. Residents under 14 ~~and over 12 years~~ must be accompanied by a parent or guardian while hunting. No hunting license shall be issued to any resident under the age of 16, except that such residents who possess a valid certificate may purchase a big game hunting license. Nonresidents under the age of 16 years may take fish by angling without procuring a license, if their parent or legal guardian has obtained a nonresident fishing license. Fish so taken shall be included in the daily and possession limit of the parent or legal guardian. Any nonresident under the age of 16 years

Changes or additions indicated by italics, deletions by ~~strikeout~~.