

knowingly makes a false claim under this act shall be guilty of a gross misdemeanor.

Sec. 17. **EFFECTIVE DATE.** This act shall apply to claims arising as a result of crimes committed or attempted on or after July 1, 1974.

Sec. 18. **APPROPRIATIONS.** The sum of \$100,000 is hereby appropriated from the general fund in the state treasury to the department of public safety for the organization, operation, administration and staffing of the crime victim reparation board effective July 1, 1974.

Approved April 11, 1974.

CHAPTER 464—H.F.No.485
[Not Coded]

An act relating to the state junior college board; appropriating money for a special assessment.

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

Section 1. STATE JUNIOR COLLEGE BOARD; APPROPRIATION; SPECIAL ASSESSMENT. There is appropriated to the state junior college board from the general fund in the state treasury \$9,340 for the purpose of paying a special assessment levied for a water main by the city of Willmar against Willmar junior college property.

Sec. 2. This act takes effect on the date of final enactment.

Approved April 11, 1974.

CHAPTER 465—H.F.No.530

An act relating to wild animals; providing for the management of threatened and endangered species of wild animals and prescribing powers and duties of the commissioner of natural resources in relation thereto; providing a penalty; amending Minnesota Statutes 1971, Sections 97.488; 98.46, Subdivision 14; 99.25, Subdivision 7; 100.26, Subdivision 1; and 100.29, Subdivision 14.

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

Section 1. Minnesota Statutes 1971, Section 97.488, is amended to read:

97.488 GAME AND FISH; PROTECTION OF THREATENED AND
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ENDANGERED SPECIES. Subdivision 1. **PROHIBITION.** Notwithstanding any other provision of law, the taking, import, transport, or sale of any endangered species of fish or wildlife-wild animal, or hides or other parts thereof, or the sale or possession with intent to sell any article made in whole or in part from the skin, hide, or other parts of any endangered species of fish or wildlife-wild animal is prohibited, except under license or permit of the commissioner of natural resources as provided in subdivision 6.

Subd. 2. **DESIGNATION.** The following species of wild animals are hereby designated as endangered species: leopard (*Panthera pardus*); snow leopard (*Panthera uncia*); clouded leopard (*Neofelis nebulosa*); tiger (*Panthera tigris*); cheetah (*Acinonyx jubatus*); alligators; caiman or crocodile of the order *Crocodylia*; vicuna (*Vicugna vicugna*); red wolf (*Canis niger*). After July 1, 1972, the following species shall be designated as endangered: jaguar (*Panthera onca*); ocelot (*Felis pardalis*); or margay (*Felis wiedii*). The commissioner of natural resources ~~may~~ shall designate other species as endangered, by adoption of a regulation to that effect pursuant to sections 15.0411 to 15.0422, designate any species of wild animal as either:

(1) Endangered, upon a showing that such species is seriously threatened with extinction throughout all or a significant portion of its range; or

(2) Threatened, upon a showing that such species is likely to become endangered within the foreseeable future throughout all or a significant portion of its range.

A designation by the secretary of the interior that a species is threatened or endangered shall be a prima facie showing for this purpose. The commissioner ~~may~~ shall withdraw designation in the same manner. The timber wolf (*Canis lupus*) ~~may not be designated as an endangered species by the commissioner pursuant to this section except that the commissioner may establish sanctuaries pursuant to section 99.25 for the timber wolf (*Canis lupus*).~~ Until the commissioner adopts such regulation, those species designated as endangered by Section 4 (c) (3) of the Endangered Species Act of 1973 (PL 93-205) at the time of enactment thereof shall be considered endangered within the meaning of this section.

Subd. 3. **STUDIES.** The commissioner of natural resources may conduct such investigations as he shall deem appropriate to determine the status and requirements for survival of any resident species of wild animal.

Subd. 4. **MANAGEMENT.** Notwithstanding any other provision of law, whenever any resident species of wild animal has been designated as threatened or endangered pursuant to this section, the commissioner of natural resources may undertake such management programs and in connection therewith issue such orders and promulgate such

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regulations as he deems necessary to bring the species to a point at which it is no longer threatened or endangered. Subject to the provisions of subdivision 6, management programs for endangered or threatened species may include, but need not be limited to, methods and procedures such as research, census, law enforcement, habitat acquisition and maintenance, propagation, live trapping, transplantation and regulated taking.

Subd. 3-5 . **ENFORCEMENT.** Any peace officer or conservation officer, pursuant to chapter 626, may execute a warrant to search for and seize any goods, merchandise, or wildlife taken, sold or offered for sale in violation of this section, or any thing used in connection with a violation of this section. Seized property shall be held pending judicial proceedings. Upon conviction, seized property is forfeit. Goods, merchandise, or wildlife shall be offered to a scientific or educational institution or destroyed.

Subd. 4-6 . **GENERAL EXCEPTIONS.** The commissioner may permit, on prescribed conditions, ~~the importation of any species or subspecies subject to this section~~ any act otherwise prohibited by subdivision 1 for any of the following purposes:

(1) Zoological, educational or scientific purposes; study;

(2) Enhancement of the propagation or survival of the affected species; or

(3) Prevention of injury to persons or property, provided that for the purpose of preventing such injury no member of an endangered species may be destroyed until all alternatives, including but not limited to live trapping and transplantation, have been evaluated and rejected.

He may permit, on prescribed conditions, the propagation of a species or subspecies for its preservation. A member of a threatened or endangered species may be captured or destroyed without permit by any person when necessary in an emergency to avoid an immediate and demonstrable threat to human life or property.

Subd. 5-7 . **APPLICATION.** This section shall not apply ~~to fish or wildlife retroactively or so as to prohibit importation into this state and subsequent possession, transport and sale of wild animals or hides or other parts thereof legally imported into the United States or legally acquired and exported from another country, territory, state, possession or political subdivision of the United States and imported, transported, or sold solely for the purpose of serving as a pet .~~

Subd. 6-8 . **VIOLATIONS.** A violation of this section is a misdemeanor.

Sec. 2. Minnesota Statutes 1971, Section 98.46, Subdivision 14, is

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amended to read:

Subd. 14. Fees for the following licenses, to be issued to nonresidents, shall be:

(1) To take small game and unprotected quadrupeds with firearms and bow and arrows, \$25;

(2) To take deer ~~or~~, bear, ~~or both~~ or timber wolf, any or all of them, during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, \$50.25;

(3) To take deer ~~or~~, bear, ~~or both~~ or timber wolf, any or all of them, during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, \$10.25;

(4) To take bear ~~only~~ or timber wolf, or both, \$25.25.

Sec. 3. Minnesota Statutes 1971, Section 99.25, Subdivision 7, is amended to read:

Subd. 7. No state game refuge shall become effective as such until the boundaries thereof have been posted with notices consisting of black letters upon a white background at least 12 inches in diameter, except state park posted notices which shall be black letters upon a yellow background, and except for a timber wolf sanctuary, comprising an area of not less than 2,000 square miles, established pursuant to section 97.488 which may be designated and posted in the manner prescribed by order of the commissioner and in a manner other than required by this subdivision. Such signs shall proclaim the area as a state park, or state game refuge, as the case may be, and shall be posted at intervals of not more than 30 rods around the boundaries, as well as at all public road entrances to such areas, except where the boundary of a state game refuge is an international boundary in public waters, or a state boundary line in public waters. In any case where the boundary of a state game refuge extends for more than 30 rods continuously through any stream or body of water, in lieu of placing any such signs in such waters, it shall be sufficient to place such signs, with the following words appended, "Adjacent Waters Included," on the shore of said waters not more than one rod above the high water mark thereof at the intersection of said boundary therewith, and at intervals of not more than 30 rods along the intervening shore. The certificate of the commissioner, the director, or a conservation officer, refuge supervisor or patrolman, or other authorized officer or employee stating the completion of such posting, or a certified copy of such certificate filed with the commissioner or director shall be prima facie evidence of such posting.

Sec. 4. Minnesota Statutes 1971, Section 100.26, Subdivision 1, is amended to read:

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100.26 UNPROTECTED ANIMALS. Subdivision 1. Weasel, wild cat, lynx, wolves other than timber wolves, foxes, gophers, porcupines, badgers, and all other quadrupeds for which no closed season or other protection is accorded by chapters 97 to 102, are unprotected animals and may be taken either in the daytime or at night, and in any manner, except with the aid of artificial lights, and possessed, bought, sold or transported in any quantity, provided that for the safety of humans and domestic stock, poison may not be used in the taking thereof, except in the manner authorized by sections 18.021 to 18.035. Raccoon are unprotected animals on May 21, 1965, and all of the provisions of this subdivision are applicable to such animals except that they may be taken with the aid of artificial lights in the manner provided by law under section 100.29, subdivision 10. It shall be unlawful to intentionally drive, chase, run over or kill with any motor propelled vehicle any unprotected animals. The taking of any species of bear may be permitted by order of the commissioner without a license therefor in such areas of the state and during such periods as he may deem necessary, upon a determination that the predation of bear represents a threat to livestock or other property.

Sec. 5. Minnesota Statutes 1971, Section 100.29, Subdivision 14, is amended to read:

Subd. 14. It shall be unlawful to take deer or moose from any artificial scaffold, platform, or other construction higher than six feet above the ground, or to take any big game animal or timber wolf with the aid of dogs or horses.

Approved April 11, 1974.

CHAPTER 466—H.F.No.545
[Not Coded]

An act relating to the Willmar state junior college; appropriating money to the city of Willmar for costs incurred on behalf of the college.

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

Section 1. WILLMAR, CITY OF; APPROPRIATION; JUNIOR COLLEGE EXPENSE. The sum of \$22,091 is appropriated from the general fund to the city of Willmar for the purpose of reimbursing said city for that portion of the cost, properly attributed to the Willmar state junior college, of installing an elevated water storage tank to provide service to said college.

Sec. 2. EFFECTIVE DATE. This act shall take effect upon final passage and approval.

Approved April 11, 1974.

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