

as practicable, how much less such land would sell for at private sale in consequence of such destruction, and make return thereof to the auditor.

Sec. 3. REPEALER. Minnesota Statutes 1974, Section 273.11, Subdivision 4, is repealed.

Approved April 20, 1976.

CHAPTER 346—H.F.No.2657

[Coded in Part]

An act relating to natural resources; exempting senior citizens from payment of certain camping fees; increasing motor vehicle permit fees; authorizing the designation of the Zumbro river as a canoe and boating route; providing a reduced fee for small game licenses for senior citizens; authorizing the issuance of Minnesota sportsman licenses; requiring the promulgation of rules concerning certain water permits; appropriating money; amending Minnesota Statutes 1974, Sections 85.05, Subdivisions 1 and 2; 85.32, Subdivision 1; 98.45, by adding a subdivision; 98.46, Subdivisions 2, 4, 7, 8, 9, 14, 15, 16, 17, as amended, and 19, and by adding a subdivision; 101.44; and Chapter 105, by adding a section; and Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5, as amended.

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

Section 1. Minnesota Statutes 1974, Section 85.05, Subdivision 1, is amended to read:

85.05 NATURAL RESOURCES; FEES AND PERMITS; STATE PARK CAMP SITES. Subdivision 1. **RULES, FEES.** The commissioner is hereby authorized to make rules and regulations for the use of state parks and charge appropriate fees for such uses, as hereinafter specified;

(1) Provide special parking space for automobile or other motor-driven vehicle in any state park or state recreation area;

(2) Provide special parking spurs and camp grounds for automobiles and sites for tent-camping and special auto trailer coach parking spaces for the use of the individual charged for such space according to the daily rates which shall be determined and fixed by the commissioner of natural resources consistent with the type of facility provided for the accommodation of guests in any particular park and with similar facilities offered for tourist camping in the area;

(3) Improve and maintain golf courses already established in state parks, and charge reasonable fees for the use thereof;

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(4) May charge a fee for entrance to any pageant grounds which may be created in any state park for the purpose of having historical or other pageants conducted by the commissioner of any other authorized agency.

When deemed necessary by the commissioner, for the purpose of better carrying out any such state park pageants, he may stage such pageants in any municipal park or other lands near or adjoining any state park, and all receipts from such pageants shall be used in the same manner as though the pageants were carried on in a state park;

(5) Provide water, sewer, and electric service to trailer or tent camp sites and charge a reasonable fee therefor.

Any individual age 65 or over who furnishes satisfactory proof of age shall ~~pay on Monday through Thursday one half be exempt from payment~~ of the fees set pursuant to clauses 1 to 4 on Monday through Thursday of each calendar week.

Sec. 2. Minnesota Statutes 1974, Section 85.05, Subdivision 2, is amended to read:

Subd. 2. **PERMITS FOR MOTOR VEHICLES.** (a) Except as provided in clauses (b), (c), (d) and (e) of this subdivision, no motor vehicle shall enter or be permitted to enter any state park, state monument, state recreation area or state wayside over 50 acres in area unless it has affixed to its windshield in the lower right corner thereof a permit which is provided for hereinafter. The commissioner of natural resources shall procure permits in such form as he shall prescribe for each calendar year which by appropriate language shall grant permission to use any state park, state monument, state recreation area or state wayside over 50 acres in area. Permits for each calendar year shall be provided and placed on sale before October 1 next preceding, and may be affixed and used on or at any time after said date until the end of the calendar year for which issued. Such permits in each category shall be numbered consecutively for each year of issue. A fee of ~~\$3~~ \$5 shall be charged for each permit issued, except that permits of appropriate special design may be sold individually at ~~\$1~~ \$1.50 covering the use of state parks, state monuments, state recreation areas or state waysides under such conditions as the commissioner may prescribe for a designated period of not more than two days. The fee collected shall be deposited in the state park development account in the state treasury. Such permits shall be issued by such employees of the division of parks and recreation as the commissioner of natural resources may designate in writing and as hereinbefore provided.

(b) The commissioner shall issue without charge an employee's motor vehicle permit to any state employee who, for the purpose of performing official duties, must enter places where park stickers are required. The employee shall display his employee's permit on his motor vehicle in the same manner as state park stickers are displayed. A

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motor vehicle displaying only an employee's permit may not enter a place where park stickers are required if the vehicle is used for purposes other than those authorized by this clause (b).

(c) The commissioner shall issue without charge a motor vehicle permit to any individual of the age of 65 years or over who furnishes satisfactory proof of age. Such permit or the decal evidencing its issuance shall be valid only when displayed upon the vehicle owned and occupied by the person to whom issued.

(d) No state park permit is necessary for entry of a motor vehicle into a state park, state monument, state recreation area, or state wayside, on one day each calendar year which the commissioner may designate as state park open house day for the purpose of acquainting the public with state parks, monuments, recreation areas, and waysides. The commissioner shall announce the date of state park open house day at least 30 days in advance of the open house.

(e) No state park permit is necessary, nor shall any fee, including a parking fee, be charged, for entry of a motor vehicle into that part of Fort Snelling state park commonly known as Fort Snelling Memorial Chapel island.

Sec. 3. Minnesota Statutes 1974, Section 85.32, Subdivision 1, is amended to read:

85.32 CANOE AND BOATING ROUTES. Subdivision 1. **AREAS MARKED.** The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to mark canoe and boating routes on the Little Fork, Big Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Des Moines, Crow Wing, St. Louis, Rum, Kettle, Cloquet, Root, Zumbro and Crow rivers which have historic and scenic values and to mark appropriately points of interest, portages, camp sites, and all dams, rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe and watercraft travelers.

Sec. 4. Minnesota Statutes 1974, Section 98.45, is amended by adding a subdivision to read:

Subd. 8. Any resident whose age is 65 years or over may purchase a small game license for 50 percent of the fee specified in section 98.46, subdivision 2, plus the surcharge authorized pursuant to section 97.482.

Sec. 5. Minnesota Statutes 1974, Section 98.46, Subdivision 2, is amended to read:

Subd. 2. Fees for the following licenses, to be issued to residents only, shall be:

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- (1) To take small game, ~~\$4-\$5~~ ;
- (2) To take deer or bear, or both, with firearms during the period in which the licensee may take deer, ~~\$7.50-\$10~~ ;
- (3) To take deer or bear, or both, with bow and arrow during the period in which the licensee may take deer, ~~\$7.50-\$10~~ ;
- (4) To take fish by angling, ~~\$4-\$5~~ ;
- (5) Combination husband and wife, to take fish by angling, ~~\$6-\$8~~ ;
- (6) To take moose, \$100 for an individual or for a party of not to exceed four persons;
- (7) To take bear only, ~~\$5.00-\$7.50~~ .

Sec. 6. Minnesota Statutes 1974, Section 98.46, is amended by adding a subdivision to read:

Subd. 2a. The commissioner of natural resources may issue Minnesota sportsman licenses. The licenses shall be issued to residents only. The fee for licenses shall be \$17 if the angling license is for one person and \$19 if the angling license is a combination husband and wife license. These fees do not include the surcharge authorized pursuant to section 97.482

The license shall authorize the licensee to:

- (1) Take small game;
- (2) Take fish by angling;
- (3) Take deer or bear with firearms during the period in which the licensee may take deer; or take deer or bear with bow and arrow during the period in which the licensee may take deer.

Sec. 7. Minnesota Statutes 1974, Section 98.46, Subdivision 4, is amended to read:

Subd. 4. Fees for the following licenses, to be issued to residents shall be:

- (1) To trap fur bearing animals, except beaver, ~~\$3-\$5~~ ;
- (2) To buy or sell raw furs anywhere within the state, ~~\$20-\$50~~ ;
- (3) To buy or sell raw furs anywhere within the state as authorized in (2) and including the privilege of selling to resident manufacturers or to unlicensed non-residents, representing unlicensed non-residents as a broker or agent, or conducting a fur auction wherein

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sales are made to unlicensed non-residents or resident manufacturers, ~~\$200~~ \$400, provided that no raw furs shall be delivered to any unlicensed non-resident until a registration card disclosing the purchaser's name and place of business, the number and species of fur and the name and place of business of the licensee from whom the purchase is being made has been forwarded by such licensee to the division of game and fish, and provided further that any employee, partner or officer buying or selling at the established place of business only for such licensee may secure a supplemental license for ~~\$10~~ \$20 ; . . .

(4) To trap beaver during an open season or by permit when doing damage, \$2.50.

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 98.46, Subdivision 5, as amended by Laws 1976, Chapter 55, Section 4, is amended to read:

Subd. 5. Fees for the following licenses, to be issued to residents only, shall be:

(1) To spear fish from a dark house, ~~\$3~~ \$5 ;

(2) For any fish house or dark house used during the winter fishing season, \$3 for each fish house or dark house not rented or offered for hire, and ~~\$6~~ \$10 for each fish house or dark house rented or offered for hire. Each such fish house or dark house shall have attached to the outside a metal tag at least two inches in diameter with a 3/16 inch hole in the center, which will be issued with a license. Each metal tag shall be stamped with a number to correspond with the fish house or dark house license and also shall be stamped with the year of issuance. The metal tag shall be attached to the fish house or dark house as designated by commissioner's order;

(3) To net whitefish, tullibees or herring from inland lakes or international waters, for domestic use only, for each net, ~~\$1~~ \$3 ;

(4) To conduct a taxidermist business, ~~\$2~~ \$10 ;

(5) To maintain fur and game farms, including deer, ~~\$5~~ \$10 ;

(6) To take mussels or clams, ~~\$5~~ \$25 ;

(7) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, \$25;

(8) To prepare dressed game fish shipments for nonresidents as provided by section 97.45, subdivision 6, as amended, \$10;

(9) Minnow dealer, ~~\$15~~ \$50 plus \$10 for each vehicle;

(10) Minnow dealer's helper, ~~\$2.50~~ \$5 for each helper. Minnow

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dealer's helpers' licenses shall be issued to the minnow dealer and are transferable by the dealer at will to his own helpers;

(11) Exporting minnow dealer, \$200, plus \$10 for one vehicle only. No licenses to transport fathead minnows beyond the boundaries of the state will be issued for 1961 calendar year after the effective date of Laws 1961, Chapter 477, and the number issued prior to the effective date of Laws 1961, Chapter 477 will not be exceeded in subsequent years. The renewal of such existing licenses will be reserved through April 1 of the following year; licenses not so renewed will not be made available until the total number has been reduced to below 35 licenses.

Each vehicle license shall cover a specified vehicle. The serial number, license number, make, and model shall be specified on the license which must be conspicuously posted in the vehicle licensed. No vehicle shall be licensed if the maximum tank capacity exceeds 300 cubic feet, inside measurement, and unless it complies with reasonable regulations adopted pursuant to the provisions of section 101.42, subdivision 5.

The exporting minnow dealer's license and vehicle license are void upon the sale of the business or death of the licensee. Provided, however, a succeeding owner of the business upon meeting the required qualifications will be issued the required licenses upon application and payment therefor. In the event of the death of the licensee the administrator or executor of the estate may purchase such licenses and operate the business until the sale thereof. If there is no estate then the widow or a member of the immediate family, if qualified, will be issued the required licenses upon application and payment therefor.

Sec. 9. Minnesota Statutes 1974, Section 98.46, Subdivision 7, is amended to read:

Subd. 7. Fees for the following licenses to net for commercial purposes in the boundary waters between Wisconsin and Minnesota from Lake St. Croix to the Iowa border, which, except in the case of helpers licenses, shall be issued to residents only, shall be:

- (1) For each gill net not exceeding 500 feet in length, ~~\$2.50~~ \$10 ;
- (2) For each gill net exceeding 500 feet, but not over 1,000 feet, ~~\$5~~ \$20 ;
- (3) For each fyke net or hoop net, ~~\$5~~ \$10 ;
- (4) For each bait or turtle net, \$1;
- (5) For each set line, ~~\$1.25~~ \$10 for each identification tag to be attached to each set line;

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(6) For helper's license, \$5.

Sec. 10. Minnesota Statutes 1974, Section 98.46, Subdivision 8, is amended to read:

Subd. 8. Fees for the following licenses to take rough fish with set lines, or seines, in the Mississippi River from the St. Croix River junction to St. Anthony Falls, to be issued to residents only, shall be:

(1) For a seine not exceeding 500 feet, \$20; for a seine in excess of 500 feet, but not over 1,000 feet, \$30; for each 100 feet of seine or fraction thereof in excess of 1,000 feet, \$2;

(2) For each set line, ~~\$5~~ \$10 ;

(3) For helper's license, \$5.

Sec. 11. Minnesota Statutes 1974, Section 98.46, Subdivision 9, is amended to read:

Subd. 9. A license to take rough fish with one set line, containing not more than ten hooks, in the Minnesota River from Mankato to its junction with the Mississippi River, and in the Mississippi River from St. Anthony Falls to the St. Croix junction, for domestic use, shall be issued to residents only, upon payment of the fee of ~~\$1~~ \$10 .

Sec. 12. Minnesota Statutes 1974, Section 98.46, Subdivision 14, is 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 ~~, and bear ; 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~~ \$60 ;

(3) To take deer ~~, and bear ; 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~~ \$25 ;

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

Sec. 13. Minnesota Statutes 1974, Section 98.46, Subdivision 15, is amended to read:

Subd. 15. Fees for the following licenses, to be issued to nonresidents, shall be:

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(1) To take fish by angling, ~~\$6.50~~\$10 ;

(2) A short term individual license to take fish by angling for three consecutive days, ~~\$3~~\$5 ;

(3) Combination husband and wife, to take fish by angling, ~~\$10~~\$15 .

Sec. 14. Minnesota Statutes 1974, Section 98.46, Subdivision 16, is amended to read:

Subd. 16. Fee for the following license, to be issued to non-residents, shall be:

To buy or sell raw furs, ~~\$200~~\$400 , except that a license shall not be required to buy from those licensed under subdivision 4(3).

Sec. 15. Minnesota Statutes 1974, Section 98.46, Subdivision 17, as amended by Laws 1976, Chapter 55, Section 5, is amended to read:

Subd. 17. Fees for the following licenses, to be issued to either residents or nonresidents, shall be:

(1) To deal in live or engage in the business of preserving minnows; minnow retailer, ~~\$2.50~~\$5, plus \$10 for each vehicle used to transport minnows.

(2) To raise fish in a private hatchery, ~~\$5~~\$25 .

(3) To take under state supervision sucker eggs from public waters, for private fish hatchery purposes:

(a) To take not to exceed 100 quarts, ~~\$50~~\$100 ;

(b) To take in excess of 100 quarts, ~~\$1~~\$2 per quart for such excess.

Sec. 16. Minnesota Statutes 1974, Section 98.46, Subdivision 19, is amended to read:

Subd. 19. Fees for the following licenses, to be issued to either residents or nonresidents, shall be:

(1) To buy fish from licensed commercial fishermen on Lake Superior:

(a) For the purpose of selling to retailers, \$25;

(b) For the purpose of retail selling only, \$5.

(2) To buy fish from licensed commercial fishermen on Lake of

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the Woods, Namakan, Sand Point, or Rainy Lake:

(a) Wholesale fish buyer's license, \$100;

(b) Fish buyer's license to ship from one place to another on international waters only, \$10.

(3) To tan or dress raw furs, ~~\$2~~ \$10 ;

(4) Fish peddler's license, to peddle with the use of a motor vehicle, any fish lawfully salable within the state, \$5. It shall be unlawful to misrepresent the species of any fish sold by any licensed fish peddler or his employee. Upon conviction of misrepresentation of the species of fish sold by any fish peddler licensed hereunder or his employee, his license shall be revoked, and such licensee shall not be eligible to obtain a fish peddler's license for the period of one year after said revocation. Misrepresentation shall include the following acts in addition to any other acts constituting misrepresentation in fact: (1) The designation of any fish by any name other than its common name in Minnesota; (2) The designation of any fish by any other name than its common name in the locality where it was taken if it is not generally known by any common name in Minnesota.

Sec. 17. Minnesota Statutes 1974, Section 101.44, is amended to read:

101.44 FROGS; SEASON, REGULATION, LICENSES. Except as otherwise permitted, frogs may not be taken or possessed during the months of April and the first 15 days of May. During the open season, frogs not exceeding six inches in length, measured from tip of nose to tip of hind toes, legs fully extended, may be possessed in any numbers, bought, sold, and transported for angling purposes only. Except as otherwise provided under commissioner's regulations, not to exceed 150 frogs over six inches in length may be possessed in or transported through the state, except by common carrier, and may be possessed in any quantity and sold during the open season. It shall be unlawful to use cloth screens or other similar contrivances in catching frogs. Provided, the taking of frogs may be prohibited in such areas of the state and during such periods as the commissioner may by order prescribe. Provided, further, that no person shall be permitted to take or possess frogs unless legally entitled to take fish within the state. The commissioner shall establish regulations dealing with the purchase, possession and transportation of frogs for purposes other than bait. The fee for this license shall be ~~\$25~~ \$50 for resident; ~~\$100~~ \$150 for non-residents. The commissioner may issue licenses to residents to take, possess, transport and sell frogs for purposes other than bait. The license fee shall be \$2.50.

Sec. 18. Minnesota Statutes 1974, Chapter 105, is amended by adding a section to read:

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[105.415] RULES GOVERNING PERMITS. Notwithstanding the provision in section 105.41, subdivision 1a, stating that the commissioner of natural resources shall submit to the legislature by January 1, 1975, for its approval proposed rules governing the allocation of waters among potential water users, and notwithstanding the provision in section 105.42, subdivision 1a, stating that the commissioner shall recommend by January 15, 1975, to the legislature a comprehensive law containing standards and criteria governing the issuance and denial of permits under the section, the commissioner shall prior to January 30, 1977, adopt rules containing standards and criteria for the issuance and denial of the permits required by sections 105.41 and 105.42.

Sec. 19. APPROPRIATION. There is appropriated from the game and fish fund to the commissioner of natural resources the sum of \$300,000 for fiscal year 1977 for deer habitat improvement, providing that a deer hunting season is held.

Sec. 20. EFFECTIVE DATES. This act is effective as to all big game licenses issued for 1976 and subsequent big game seasons and as to all other licenses and permits, except permits for motor vehicles, for licensing years commencing after December 31, 1976. Sections 1, 2, 3 and 18 are effective the day following final enactment.

Approved April 20, 1976.

CHAPTER 347—HF.No.2677

[Not Coded]

An act relating to public improvements; authorizing alteration, repair, rehabilitation, equipping, and replacement of equipment of public buildings; authorizing conveyance by the state of an easement for utility purposes over certain state lands in Blue Earth county; appropriating money.

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

APPROPRIATIONS

Section 1. PUBLIC LAND AND BUILDINGS; GENERAL FUND APPROPRIATIONS. There is appropriated from the general fund, or other funds as designated, in the state treasury to the state agencies indicated the sums set forth in the column designated "APPROPRIATIONS", to be expended in accordance with the provisions of this act.

Sec. 2. CAPITOL COMPLEX. Subdivision 1. To the commissioner of administration for the purposes specified in this section.

Subd. 2. Modification to buildings and grounds to provide safe use by handicapped persons \$85,000

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