
CHAPTER 547-H.F.No.1297

[Coded in Part]

An act relating to wild animals; prohibiting the sale of deer licenses during the firearms season; reducing the resident license fee to buy or sell raw furs; prescribing a nonresident license fee for the taking of raccoon; requiring tagging of deer or moose taken; requiring tagging of raccoon taken by nonresidents; amending Minnesota Statutes 1976, Sections 98.45, Subdivisions 1 and 3; 98.46, Subdivisions 4, 16, and 22, and by adding a subdivision; 100.29, Subdivision 10; 101.42, Subdivision 18; and Minnesota Statutes, 1977 Supplement, Sections 98.46, Subdivision 14; and 98.52, Subdivision 1.

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

Section 1. Minnesota Statutes 1976, Section 98.45, Subdivision 1, is amended to read:

98.45 REQUIREMENT. Subdivision 1. Except as specifically permitted in chapters 97 to 102, no person may take, buy, sell, transport, or possess any protected wild animals of this state or any aquatic plants without first procuring a license therefor as provided in section 98.46 or in section 98.48. Every license is issued for a year beginning on the first day of March and is void after the last day of the open season or the lawful time within that year during which the acts authorized may be performed. No license to take beaver or otter may be issued to any person after the third day of the open season provided therefor for that year. Except as provided in this section, no license to take deer with firearm or with bow and arrow may be issued after the day prior to the first day of the regular rifle season, and all license agents shall return all stubs and unsold license blanks to the county auditor on the first business day following the first day of such season. A resident who is discharged from the military or naval forces of the United States, or any active reserve or component thereof, during the regular season for taking deer by firearm or within ten days before its commencement, may be issued, at any time during the firearm deer season and upon a showing of his official discharge paper, a license to take deer with firearm. Only one license of each kind, except as authorized by order of the commissioner adopted pursuant to section 97.53 and except the non-resident short term angling license, may be issued to a person in any licensing year. No license may be transferred except as expressly authorized.

Sec. 2. Minnesota Statutes 1976, Section 98.45, Subdivision 3, is amended to read:

Subd. 3. No person may lend or transfer to another or borrow or solicit from another any license, coupon, tag, or seal attached thereto or issued therewith, or use any license, coupon, tag, or seal not issued to him unless otherwise expressly authorized.

Sec. 3. Minnesota Statutes 1976, Section 98.46, Subdivision 4, is amended to read:

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

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(1) To trap fur bearing animals, except beaver, \$5;

(2) ~~To buy or sell raw furs anywhere within the state; \$50;~~

(3) ~~(2) 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 sales are made to unlicensed non-residents or resident manufacturers, \$400 \$50, 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 \$20;~~

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

Sec. 4. Minnesota Statutes, 1977 Supplement, 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 during the period in which the licensee may take deer, and unprotected quadrupeds with firearms and bow and arrows, \$60;

(3) To take deer and bear during the period in which the licensee may take deer, and unprotected quadrupeds with a bow and arrows only, \$25;

(4) To take bear, \$25.25;

(5) To take turkeys, \$30, in addition to a small game license;

(6) To hunt raccoon, \$50, in addition to nonresident small game license.

Sec. 5. Minnesota Statutes 1976, 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, \$400, except that a license shall not be required to buy from those licensed under subdivision 4 ~~(3)~~, clause (2).

Sec. 6. Minnesota Statutes 1976, Section 98.46, Subdivision 22, is amended to read:

Subd. 22. No deer or moose taken in this state shall be transported or possessed

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unless a locking seal tag of a type prescribed by the commissioner bearing the license number of the owner and, the year of its issue, and such other information as the commissioner may require has been affixed to its carcass between the tendon and the bone and around the bone of the leg so that such seal cannot be removed without breaking the lock in a manner prescribed by the commissioner. The seal tag must be so placed and locked affixed at the time the deer or moose is brought into any hunting camp, dwelling, farm yard, or other place of abode of any kind occupied overnight, or before being placed wholly or partially on a motor vehicle of any kind, or upon a conveyance towed by a motor vehicle of any kind. Provided, that deer taken by bow and arrow and moose shall be tagged by a conservation officer or other authorized agent as may be prescribed by the commissioner, in addition to the seal tag herein provided for.

Sec. 7. Minnesota Statutes 1976, Section 98.46, is amended by adding a subdivision to read:

Subd. 26. No nonresident shall possess or transport a raccoon taken in this state unless a tag of a type prescribed by the commissioner is affixed to the carcass. The number of tags which the commissioner shall prescribe by order will be issued with every nonresident license to take raccoon, provided no such license or tags shall be issued after the fifth day from the commencement of the season for that licensing year.

Sec. 8. Minnesota Statutes, 1977 Supplement, Section 98.52, Subdivision 1, is amended to read:

98.52 LOSS AND REVOCATION OF LICENSES. Subdivision 1. Except as otherwise provided herein, the license of any person who is convicted of violating any provisions of chapters 97 to 102, or any order or regulation duly prescribed by the commissioner under authority thereof, relating to the license or to the wild animals covered thereby, shall immediately become null and void, and no big game license of the same any kind shall be issued to such person for three years after the date of conviction if the license is a big game license, or and no license of the kind related to the conviction shall be issued to such person for one year after the date of conviction if the license is other than a big game license. Every person convicted of doing anything without a license for which chapters 97 to 102 require a license, shall forfeit his right to secure such a license for a period of three years from a conviction related to big game, or for a period of one year from a conviction other than a conviction related to big game.

Sec. 9. Minnesota Statutes 1976, Section 100.29, Subdivision 10, is amended to read:

Subd. 10. It shall be unlawful to throw or cast the rays of a spotlight, headlight, or other artificial light on any highway, or in any field, woodland, or forest, for the purpose of spotting, locating or taking any wild animal, except raccoons when treed with the aid of dogs while on foot, while having in possession or under control, either singly or as one of a group of persons, any firearm, bow or other implement whereby big game could be killed, unless the firearm is unloaded in both barrels and magazine and completely contained in a gun case expressly made for that purpose which is fully enclosed by being zipped, snapped, buckled, tied, or otherwise fastened with no portion of the firearm

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exposed, and, as so enclosed, the firearm is contained in the trunk of the car with the trunk door closed and in the case of a bow, unless the same is completely encased or unstrung and, as so encased or unstrung, the bow is contained in the trunk of the car with the trunk door closed; provided, however, that if the vehicle has no trunk, the firearm or bow must be placed in the rearmost location in the vehicle. When artificial lights are used to take raccoon when treed with the aid of dogs while on foot, the rifles used to take raccoon shall not be of a larger caliber than .22 rim-fire, and shotguns so used shall only contain shells with shot no larger than No. 4. Artificial lights to take raccoon when treed with the aid of dogs while on foot shall be legal.

Sec. 10. Minnesota Statutes 1976, Section 101.42, Subdivision 18, is amended to read:

Subd. 18. Except as otherwise specifically permitted, it shall be unlawful to have in possession in an automobile or any vehicle or on their person, or at or near any waters, a spear, trap net, seine, or any other device capable of taking fish, except dip nets and except when acting under permit or contract to trap or seine from the division of fisheries, during the period of February 16; to ~~April 30~~ the opening day for the taking of wall-eyed pike, inclusive. This subdivision does not apply to nets used in the taking of trout and smelt in season.

Sec. 11. **EFFECTIVE DATE.** Sections 1 to 7 are effective March 1, 1979. Sections 8 to 10 are effective the day following final enactment.

Approved March 23, 1978.

CHAPTER 548-H.F.No.1416

[Coded]

An act relating to the legislature; requiring that bodies wholly or principally composed of legislators submit budgets and complement requests to the legislative coordinating commission; amending Minnesota Statutes 1976, Chapter 3, by adding a section.

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

Section 1. Minnesota Statutes 1976, Chapter 3, is amended by adding a section to read:

[3.05] LEGISLATIVE COORDINATING COMMISSION; BUDGET REVIEW.
The administrative budget request of any statutory commission the majority of whose members are members of the legislature shall be submitted to the legislative coordinating commission for review and comment prior to submission to the finance committee of the senate and the appropriations committee of the house of representatives. No such commission shall employ additional personnel or increase the compensation of any employee without first having received the recommendation of the legislative coordinating commission.

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