

and state its ground for the proposed discharge in reasonable detail. Within ten days after receipt of this notification the teacher may make a written request for a hearing before the board and it shall be granted before final action is taken. The board may, however, suspend a teacher with pay pending the conclusion of such hearing and determination of the issues raised therein after charges have been filed which constitute ground for discharge.

Sec. 2. Minnesota Statutes 1988, section 125.17, subdivision 4, is amended to read:

Subd. 4. **GROUND FOR DISCHARGE OR DEMOTION.** Causes for the discharge or demotion of a teacher either during or after the probationary period shall be:

- (1) Immoral character, conduct unbecoming a teacher, or insubordination;
- (2) Failure without justifiable cause to teach without first securing the written release of the school board having the care, management, or control of the school in which the teacher is employed;
- (3) Inefficiency in teaching or in the management of a school;
- (4) Affliction with active tuberculosis or other communicable disease shall be considered as cause for removal or suspension while the teacher is suffering from such disability; or
- (5) Discontinuance of position or lack of pupils.

For purposes of this subdivision, conduct unbecoming a teacher includes an unfair discriminatory practice described in section 363.03, subdivision 5.

Presented to the governor May 16, 1989

Signed by the governor May 17, 1989, 3:25 p.m.

CHAPTER 153—S.F.No. 297

An act relating to game and fish; regulating ammunition that may be used to take big game; authorizing party hunting for small game; authorizing party fishing by angling; amending Minnesota Statutes 1988, section 97B.031, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 97B and 97C.

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

Section 1. Minnesota Statutes 1988, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. **FIREARMS AND AMMUNITION THAT MAY BE USED TO TAKE BIG GAME.** (a) A person may take big game with a firearm only if:

New language is indicated by underline, deletions by ~~strikeout~~.

- (1) the rifle, shotgun, and handgun used is a caliber of at least .23 inches;
 - (2) the firearm is loaded only with single projectile ammunition;
 - (3) a projectile used is a caliber of at least .23 inches and has a soft point or is an expanding bullet type;
 - (4) the ammunition has a case length of at least 1.285 inches;
 - (5) the muzzle-loader used is incapable of being loaded at the breech;
 - (6) the smooth-bore muzzle-loader used is a caliber of at least .45 inches; and
 - (7) the rifled muzzle-loader used is a caliber of at least .40 inches.
- (b) A person may not take big game with a .30 caliber M-1 carbine cartridge.

(c) A person may take big game with a ten millimeter cartridge.

Sec. 2. [97B.603] SMALL GAME PARTY HUNTING.

While two or more persons are hunting small game as a party and maintaining unaided visual and vocal contact, a member of the party may take and possess more than one limit of small game, but the total number of small game taken and possessed by the party may not exceed the limit of the number of persons in the party that may take and possess small game.

Sec. 3. [97C.317] FISHING AS A PARTY.

While two or more persons are taking fish by angling as a party, the total number of fish taken and the total number of fish possessed by the party may not exceed the limit of the number of persons in the party that may take and possess fish by angling. For the purpose of this section a party means, for persons who are not on the water that the persons are maintaining unaided visual and vocal contact, and for persons who are on the water that the persons are angling from a single watercraft.

Sec. 4. EFFECTIVE DATE.

Sections 2 and 3 are effective the day following final enactment.

Presented to the governor May 18, 1989

Signed by the governor May 19, 1989, 12:07 a.m.

New language is indicated by underline, deletions by ~~strikeout~~.