

## CHAPTER 410—S.F.No. 2445

*An act relating to natural resources; clarifying status of game refuge designations; modifying provisions for aquatic farms; modifying provisions for recreational vehicles; removing the residency requirement for youth hunting; permitting nonresident students to take big game; defining terms; modifying provisions relating to short-term fishing licenses, special permits, commercial fishing, taking fish, taking deer, blaze orange, trout and salmon stamps, and sturgeon and paddlefish; modifying provisions for stocking fish; modifying provisions related to wild rice and disposal of state hatchery eggs or fry; requiring reports; ratifying certain conveyances of county fee lands; permitting the sale of certain state wildlife land; modifying certain provisions for shoreland transfers; modifying penalty provisions for personal flotation device violations; amending Minnesota Statutes 1994, sections 17.4982, subdivisions 8, 10, 17, 21, and by adding a subdivision; 17.4984, subdivisions 2 and 7; 17.4985, subdivisions 2 and 3; 17.4986; 17.4988, subdivisions 2 and 4; 17.4991, subdivision 3; 17.4992, subdivisions 2 and 3; 17.4993, subdivision 1; 97A.015, subdivision 20, and by adding a subdivision; 97A.401, subdivision 4; 97A.411, subdivision 1; 97A.451, by adding a subdivision; 97A.455; 97A.475, subdivisions 30, 31, 32, 33, 34, 35, 36, and 37; 97A.535, by adding a subdivision; 97B.021, subdivision 1; 97B.071; 97B.311; 97C.035, subdivision 3; 97C.203; 97C.205; 97C.305, subdivision 2; 97C.411; 97C.811, subdivision 6; 97C.815, subdivision 4; 97C.835, subdivisions 1 and 5; and 97C.841; Minnesota Statutes 1995 Supplement, sections 14.386; 14.387; 84.788, subdivision 3; 84.922, subdivision 2; and 97A.451, subdivision 3; Laws 1995, chapters 220, section 137; and 238, section 1, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 1994, sections 84.09 and 84.14; Laws 1995, chapter 220, section 136.*

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

Section 1. Minnesota Statutes 1995 Supplement, section 14.386, is amended to read:

**14.386 PROCEDURE FOR ADOPTING EXEMPT RULES; DURATION.**

(a) A rule adopted, amended, or repealed by an agency, under a statute authorizing or requiring rules to be adopted but excluded from the rulemaking provisions of chapter 14 or from the definition of a rule, has the force and effect of law only if:

- (1) the revisor of statutes approves the form of the rule by certificate;
  - (2) the office of administrative hearings approves the rule as to its legality within 14 days after the agency submits it for approval and files two copies of the rule with the revisor's certificate in the office of the secretary of state; and
  - (3) a copy is published by the agency in the State Register.
- (b) A rule adopted under this section is effective for a period of two years from the date of publication of the rule in the State Register. The authority for the rule expires at the end of this two-year period.

(c) The chief administrative law judge shall adopt rules relating to the rule approval duties imposed by this section and section 14.388, including rules establishing standards for review.

(d) This section does not apply to rules adopted, amended, or repealed under section 14.388.

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This section also does not apply to:

- (1) rules implementing emergency powers pursuant to sections 12.31 to 12.37;
- (2) rules of agencies directly in the legislative or judicial branches;
- (3) rules of the regents of the University of Minnesota;
- (4) rules of the department of military affairs;
- (5) rules of the comprehensive health association provided in section 62E.10;
- (6) rules of the tax court provided by section 271.06;
- (7) rules concerning only the internal management of the agency or other agencies, and which do not directly affect the rights of or procedure available to the public;
- (8) rules of the commissioner of corrections relating to the placement and supervision of inmates serving a supervised release term, the internal management of institutions under the commissioner's control, and rules adopted under section 609.105 governing the inmates of those institutions;
- (9) rules relating to weight limitations on the use of highways when the substance of the rules is indicated to the public by means of signs;
- (10) opinions of the attorney general;
- (11) the systems architecture plan and long-range plan of the state education management information system provided by section 121.931;
- (12) the data element dictionary and the annual data acquisition calendar of the department of children, families, and learning to the extent provided by section 121.932;
- (13) the occupational safety and health standards provided in section 182.655;
- (14) revenue notices and tax information bulletins of the commissioner of revenue;
- (15) uniform conveyancing forms adopted by the commissioner of commerce under section 507.09;
- (16) game and fish rules of the commissioner of natural resources adopted under section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459; or
- (17) experimental and special management waters designated by the commissioner of natural resources under sections 97C.001 and 97C.005; or
- (18) game refuges designated by the commissioner of natural resources under section 97A.085.

Sec. 2, Minnesota Statutes 1995 Supplement, section 14.387, is amended to read:

**14.387 LEGAL STATUS OF EXISTING EXEMPT RULES.**

A rule adopted on or before May 26, 1995, and which was not adopted under sections 14.05 to 14.28 or their predecessor provisions, does not have the force and effect of law on and after July 1, 1997, and the authority for the rule expires on that date.

This section does not apply to:

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- (1) rules implementing emergency powers under sections 12.31 to 12.37;
- (2) rules of agencies directly in the legislative or judicial branches;
- (3) rules of the regents of the University of Minnesota;
- (4) rules of the department of military affairs;
- (5) rules of the comprehensive health association provided in section 62E.10;
- (6) rules of the tax court provided by section 271.06;

(7) rules concerning only the internal management of the agency or other agencies, and which do not directly affect the rights of or procedure available to the public;

(8) rules of the commissioner of corrections relating to the placement and supervision of inmates serving a supervised release term, the internal management of institutions under the commissioner's control, and rules adopted under section 609.105 governing the inmates of those institutions;

(9) rules relating to weight limitations on the use of highways when the substance of the rules is indicated to the public by means of signs;

(10) opinions of the attorney general;

(11) the systems architecture plan and long-range plan of the state education management information system provided by section 121.931;

(12) the data element dictionary and the annual data acquisition calendar of the department of education to the extent provided by section 121.932;

(13) the occupational safety and health standards provided in section 182.655;

(14) revenue notices and tax information bulletins of the commissioner of revenue;

(15) uniform conveyancing forms adopted by the commissioner of commerce under section 507.09;

(16) game and fish rules of the commissioner of natural resources adopted under section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459; or

(17) experimental and special management waters designated by the commissioner of natural resources under sections 97C.001 and 97C.005; or

(18) game refuges designated by the commissioner of natural resources under section 97A.085.

Sec. 3. Minnesota Statutes 1994, section 17.4982, subdivision 8, is amended to read:

Subd. 8. **CONTAINMENT FACILITY.** "Containment facility" means a licensed facility for salmonids or catfish that complies with clauses (1), (3), and (4), or clauses (2), (3), and (4):

(1) disinfects its effluent to the standards in section 17.4991 before the effluent is discharged to public waters;

(2) does not discharge to public waters or to waters of the state directly connected to public waters;

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(3) raises aquatic life that is prohibited from being released into the wild and must be kept in a facility approved by the commissioner unless processed for food consumption only;

(4) contains aquatic life requiring a fish health inspection prior to transportation.

Sec. 4. Minnesota Statutes 1994, section 17.4982, is amended by adding a subdivision to read:

Subd. 8a. **EMERGENCY ENZOOTIC DISEASE AREA.** “Emergency enzootic disease area” means an enzootic disease area that harbors an emergency fish disease. Trout, salmon, or catfish species are from an emergency enzootic disease area only if the individual species in question can carry one or more of the emergency fish disease pathogens present.

Sec. 5. Minnesota Statutes 1994, section 17.4982, subdivision 10, is amended to read:

Subd. 10. **ENZOOTIC DISEASE AREA.** “Enzootic disease area” means a disease that is known to occur within an area with well-defined geographic boundaries which harbors one or more certifiable diseases pathogens.

Sec. 6. Minnesota Statutes 1994, section 17.4982, subdivision 17, is amended to read:

Subd. 17. **LOT.** “Lot” means a group of fish of the same species and age that originated from the same discrete spawning population and that always have shared a common water supply, or various age groups of adult brood stock of the same species may comprise the same lot if they that have shared the same containers for one brood cycle.

Sec. 7. Minnesota Statutes 1994, section 17.4982, subdivision 21, is amended to read:

Subd. 21. **STANDARD FACILITY.** “Standard facility” means a licensed facility with a ~~continual or intermittent discharge of effluent to public waters that is not a quarantine or containment facility.~~

Sec. 8. Minnesota Statutes 1994, section 17.4984, subdivision 2, is amended to read:

Subd. 2. **LISTED WATERS.** (a) An aquatic farm license must list:

(1) the specific waters of the state that may be used in connection with the licensed aquatic farm and the species approved for each licensed water; and

(2) whether aeration requiring a permit is approved.

Additional waters may not be used until they are approved by the commissioner.

(b) The right to use waters licensed for private fish hatchery or aquatic farm purposes may be transferred between licensees with prior approval by the commissioner if requirements for species to be raised are met. Waters that are continually connected by a permanent watercourse to other waters must not be approved for aquatic farm use, except that connected waters that are isolated from other waters may be licensed as a single water body. Waters that are intermittently connected or may become connected with other waters may be denied, or screening or other measures may be required to prevent passage

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of aquatic life. Listed waters may be changed on approval by the area fisheries supervisor or the commissioner.

(c) The commissioner shall conduct an inspection of waters to be licensed prior to approving or denying initial licensing of the waters.

(d) Waters containing game fish of significant public value may be denied licensing unless the applicant can demonstrate exclusive riparian control.

(e) Waters containing game fish of significant public value may be denied licensing unless the game fish of significant public value are, at the commissioner's option, sold to the licensee, removed for other state use by the department of natural resources, or disposed of as provided in writing by the commissioner.

(f) Waters licensed under an aquatic farm license may be aerated during open water periods without a separate aeration permit.

Sec. 9. Minnesota Statutes 1994, section 17.4984, subdivision 7, is amended to read:

Subd. 7. **NONPUBLIC RECORDS.** (a) Licensees must keep complete, up-to-date, nonpublic records of the operation of the aquatic farm. The records must be kept remain available for at least three years.

(b) The records must be in English and include the following information:

(1) for each species acquired, the number and pounds of fish or eggs acquired, names and addresses of the sources from which acquired, and the dates of receipt;

(2) for each species sold or disposed of, the number and pounds of fish sold or disposed of, the names and addresses of the purchasers or persons to whom the conveyances are made, and the dates of sale; and

(3) for fish sperm or viable eggs, the amount acquired or sold, the names and addresses of the sources from which acquired, the purchasers to whom conveyed, and the dates of purchase or sale.

(c) On or before March 1 of each year, the licensee shall submit a complete annual report on a form furnished by the commissioner, covering the quantity of all species sold or purchased in the preceding licensed year.

(d) An aquatic farmer shall maintain records for reasonable inspection by the commissioner. Information on aquatic life production, harvest, and sales is nonpublic information.

Sec. 10. Minnesota Statutes 1994, section 17.4985, subdivision 2, is amended to read:

Subd. 2. **BILL OF LADING.** (a) ~~A person may transport aquatic life except salmonids or catfish with~~ A completed state-issued bill of lading is required for:

(1) intrastate transportation of aquatic life other than salmonids and catfish between licensed private fish hatcheries, aquatic farms, or aquarium facilities licensed for the same species and of the proper classification for the aquatic life being transported if the aquatic life is being transported into a watershed where it is not currently present, if wall-eyes whose original source is south of marked state highway No. 210 are being trans-

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ported to a facility north of marked state highway No. 210, or if the original source of the aquatic life is outside Minnesota and contiguous states; and

(2) stocking of waters other than public waters with aquatic life other than salmonids and catfish.

(b) When aquatic life is transported under paragraph (a), a copy of the bill of lading must be submitted to the regional fisheries manager at least 72 hours before the transportation.

(c) For transportation and stocking of waters that are not public waters:

(1) a bill of lading must be submitted to the regional fisheries manager 72 hours before transporting fish for stocking;

(2) a bill of lading must be submitted to the regional fisheries manager within five days after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to stocking by the regional fisheries office not to be public waters; or

(3) a completed bill of lading may be submitted to the regional fisheries office by telecopy prior to transporting fish for stocking. Confirmation that the waters to be stocked are not public waters may be made by returning the bill of lading by telecopy or in writing, in which cases additional copies need not be submitted to the department of natural resources.

(d) Bill of lading forms may only be issued by the department of natural resources in St. Paul, and new bill of lading forms may not be issued until all previously issued forms have been returned.

Sec. 11. Minnesota Statutes 1994, section 17.4985, subdivision 3, is amended to read:

**Subd. 3. EXEMPTIONS FOR TRANSPORTATION PERMITS AND BILLS OF LADING.** (a) A state-issued bill of lading or transportation permit is not required by an aquatic farm licensee for importation, transportation, or export for the following:

(1) minnows taken under an aquatic farm license in this state and transported intrastate;

(2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater species that cannot survive in the waters of the state, which may be imported or transported if accompanied by shipping documents;

(3) fish or fish eggs that have been processed for use as food, bait, or other purposes unrelated to fish propagation;

(4) live fish from a licensed aquatic farm, which may be transported directly to an outlet for processing or for other food purposes if accompanied by shipping documents;

(5) fish being exported if accompanied by shipping documents;

(6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation or feeding of cultural aquatic life;

(7) species of fish that are found within the state used in connection with public shows, exhibits, demonstrations, or fishing pools for periods not exceeding 14 days; or

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(8) fish being transported through the state if accompanied by shipping documents;  
or

(9) intrastate transportation of aquatic life between or within licensed private fish hatcheries, aquatic farms, or aquarium facilities licensed for the same species and of the proper facility classification for the aquatic life being transported, except where required in subdivision 2 and except that salmonids and catfish may only be transferred or transported intrastate without a transportation permit if they had no record of bacterial kidney disease at the time they were imported into the state and if the most recent they have had a fish health inspection since importation within the preceding year that has shown no certifiable diseases to be present.

Aquatic life being transferred between licensed private fish hatcheries, aquatic farms, or aquarium facilities must be accompanied by shipping documents and salmonids and catfish being transferred or transported intrastate without a transportation permit must be accompanied by a copy of their most recent fish health inspection.

(b) Shipping documents required under paragraph (a) must show the place of origin, owner or consignee, destination, number, and species.

Sec. 12. Minnesota Statutes 1994, section 17.4986, is amended to read:

17.4986 **IMPORTATION OF AQUATIC LIFE.**

Subdivision 1. **IMPORTATION AND STOCKING RESTRICTIONS.** A person may not import fish into or stock fish in the state without first obtaining a transportation permit with a disease certification when required or a bill of lading from the commissioner, unless the person is exempted.

Subd. 2. **LICENSED FACILITIES.** (a) The commissioner shall issue transportation permits to import:

(1) indigenous and naturalized species except trout, salmon, and catfish from any source to a standard facility;

(2) trout, salmon, and catfish from a nonemergency enzootic disease area to a containment facility if the fish are certified within the previous year to be free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced; and

(3) trout, salmon, and catfish from a facility in a nonemergency enzootic disease area with a disease-free history of three years or more to a standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bacterial kidney disease may be imported into areas where the disease has been previously introduced.

(b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a history free from disease, aquatic life may only be imported into a quarantine facility.

Subd. 3. **EMERGENCY ENZOOTIC DISEASE AREA.** (a) Except as otherwise provided and except that eggs with enteric redmouth, whirling disease, or furunculosis may be imported following treatment approved by the commissioner, and fish with bac-

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terial kidney disease may be imported into areas where the disease has been previously introduced, fish may be imported from emergency ~~disease~~ enzootic disease areas only as fertilized eggs under the following conditions:

(1) to be imported into a standard facility, fertilized eggs must have a disease-free history for at least five years;

(2) to be imported into a containment facility, fertilized eggs must have a disease-free history for at least three years; or

(3) to be imported into a quarantine facility, fertilized eggs may have a disease-free history of less than three years.

~~(b) A hatchery inspection must occur at least once a year and fish must have been tested for all certifiable diseases. Fish health inspections under this subdivision must comply with section 17.4982, subdivision 12.~~

Subd. 4. **DISEASE-FREE HISTORY.** Disease-free histories required under this section must include the results of a fish health inspection. When disease-free histories of more than one year are required for importing salmonids or catfish, the disease history must be of consecutive years that include the year previous to, or the year of, the transportation request.

Sec. 13. Minnesota Statutes 1994, section 17.4988, subdivision 2, is amended to read:

Subd. 2. **AQUATIC FARMING LICENSE.** (a) The annual fee for an aquatic farming license is \$275.

~~(b) The aquatic farming license must~~ may contain endorsements for the rights and privileges of the following licenses under the game and fish laws. The endorsement must be made upon payment of the license fee prescribed in section 97A.475 for the following licenses:

(1) minnow dealer license;

(2) minnow retailer license for sale of minnows as bait;

(3) minnow exporting license;

(4) minnow dealer helper license;

(5) aquatic farm vehicle endorsement, which includes a minnow dealer vehicle license, a minnow retailer vehicle license, an exporting minnow hauler vehicle license, and a fish vendor vehicle license;

(6) sucker egg taking license; and

(7) game fish packers license.

Sec. 14. Minnesota Statutes 1994, section 17.4988, subdivision 4, is amended to read:

Subd. 4. **AQUARIUM FACILITY.** (a) ~~A person may not operate~~ operating an a commercial aquarium facility without must have an a commercial aquarium facility li- cence issued by the commissioner if the facility contains species of aquatic life that are for

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sale and that are present in waters of the state. The commissioner may require an aquarium facility license for aquarium facilities importing or holding species of aquatic life that are for sale and that are not present in Minnesota if those species can survive in waters of the state. The fee for an aquarium facility license is \$15.

(b) Game fish transferred by an aquarium facility must be accompanied by a receipt containing the information required on a shipping document by section 17.4985, subdivision 3, paragraph (b).

Sec. 15. Minnesota Statutes 1994, section 17.4991, subdivision 3, is amended to read:

Subd. 3. **FISH HEALTH INSPECTION.** (a) An aquatic farm propagating trout, salmon, or catfish and having an effluent discharge from the aquatic farm into public waters must have ~~an annual~~ a fish health inspection conducted at least once every 12 months by a certified fish health inspector. Testing must be conducted according to approved laboratory methods.

(b) A health inspection fee must be charged based on each lot of fish sampled. The fee by check or money order payable to the department of natural resources must be prepaid or paid at the time a bill or notice is received from the commissioner that the inspection and processing of samples is completed.

(c) Upon receipt of payment and completion of inspection, the commissioner shall notify the operator and issue a fish health certificate. The certification must be made according to the Fish Health Blue Book by a person certified as a fish health inspector.

(d) All aquatic life in transit or held at transfer stations within the state may be inspected by the commissioner. This inspection may include the collection of stock for purposes of pathological analysis. Sample size necessary for analysis will follow guidelines listed in the Fish Health Blue Book.

(e) Salmonids and catfish must have a fish health inspection before being transported from a containment facility, unless the fish are being transported directly to an outlet for processing or other food purposes or unless the commissioner determines that an inspection is not needed. A fish health inspection conducted for this purpose need only be done on the lot or lots of fish that will be transported. The commissioner must conduct a fish health inspection requested for this purpose within five working days of receiving written notice. Salmonids and catfish may be immediately transported from a containment facility to another containment facility once a sample has been obtained for a health inspection or once the five-day notice period has expired.

Sec. 16. Minnesota Statutes 1994, section 17.4992, subdivision 2, is amended to read:

Subd. 2. **RESTRICTION ON THE SALE OF GAME FISH.** (a) Except as provided in paragraph (b), species of the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases if sold for stocking or transfer to another aquatic farm, except that.

(b) The following exceptions apply to paragraph (a):

(1) Eggs with enteric redmouth, whirling disease, or furunculosis may be transferred between licensed facilities or stocked following treatment approved by the commissioner, and.

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(2) Fish with bacterial kidney disease may be transferred between licensed facilities or stocked to in areas where the disease has been previously introduced.

(3) The commissioner may allow transfer between licensed facilities or stocking of fish with enteric redmouth or furunculosis when the commissioner determines that doing so would pose no threat to the state's aquatic resources.

Sec. 17. Minnesota Statutes 1994, section 17.4992, subdivision 3, is amended to read:

Subd. 3. **ACQUISITION OF FISH FOR BROOD STOCK.** Game fish brood stock may be sold to private fish hatcheries or aquatic farms by the state at fair wholesale market value. As a one-time purchase For brood stock development, up to 20 pair of adults of each species requested may be provided to a licensee once every three years, if available, by the state through normal operations.

Sec. 18. Minnesota Statutes 1994, section 17.4993, subdivision 1, is amended to read:

Subdivision 1. **TAKING FROM PUBLIC WATERS.** A licensee may take minnow sperm, minnow eggs, and live minnows from public waters for aquatic farm purposes under an aquatic farm license, except that sucker eggs and sperm may only be taken with a sucker egg license endorsement as provided by section 17.4994.

Sec. 19. **[84.105] WILD RICE SEASON.**

Ripe wild rice may be harvested from July 15 to September 30.

Sec. 20. Minnesota Statutes 1995 Supplement, section 84.788, subdivision 3, is amended to read:

Subd. 3. **APPLICATION; ISSUANCE; REPORTS.** (a) Application for registration or continued registration must be made to the commissioner or an authorized deputy registrar of motor vehicles on a form prescribed by the commissioner. The form must state the name and address of every owner of the off-highway motorcycle and must be signed by at least one owner.

(b) A person who purchases from a retail dealer an off-highway motorcycle that is intended to be operated on public lands or waters shall make application for registration to the dealer at the point of sale. The dealer shall issue a temporary ten-day registration permit to each purchaser who applies to the dealer for registration. The dealer shall submit the completed registration applications and fees to the deputy registrar at least once each week. No fee may be charged by a dealer to a purchaser for providing the temporary permit.

(c) Upon receipt of the application and the appropriate fee, the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer, a 60-day temporary receipt and shall assign a registration number that must be affixed to the motorcycle in a manner prescribed by the commissioner. A dealer subject to paragraph (b) shall provide the registration materials and temporary receipt to the purchaser within the ten-day temporary permit period.

(d) The commissioner shall develop a registration system to register vehicles under this section. A deputy registrar of motor vehicles acting under section 168.33, is also a

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deputy registrar of off-highway motorcycles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to ensure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with the accounting and procedural requirements. A fee of \$2 in addition to other fees prescribed by law is charged for each off-highway motorcycle registered by:

(1) a deputy registrar and must be deposited in the treasury of the jurisdiction where the deputy is appointed, or kept if the deputy is not a public official; or

(2) the commissioner and must be deposited in the state treasury and credited to the off-highway motorcycle account.

Sec. 21. Minnesota Statutes 1995 Supplement, section 84.922, subdivision 2, is amended to read:

Subd. 2. **APPLICATION, ISSUANCE, REPORTS.** (a) Application for registration or continued registration shall be made to the commissioner of natural resources, the commissioner of public safety or an authorized deputy registrar of motor vehicles on a form prescribed by the commissioner. The form must state the name and address of every owner of the vehicle and be signed by at least one owner.

(b) A person who purchases an all-terrain vehicle from a retail dealer shall make application for registration to the dealer at the point of sale. The dealer shall issue a temporary ten-day registration permit to each purchaser who applies to the dealer for registration. The dealer shall submit the completed registration application and fees to the deputy registrar at least once each week. No fee may be charged by a dealer to a purchaser for providing the temporary permit.

(c) Upon receipt of the application and the appropriate fee the commissioner or deputy registrar shall register the vehicle issue to the applicant, or provide to the dealer, a 60-day temporary receipt and shall assign a registration number that must be affixed to the vehicle in a manner prescribed by the commissioner. A dealer subject to paragraph (b) shall provide the registration materials and temporary receipt to the purchaser within the ten-day temporary permit period. The commissioner shall use the snowmobile registration system to register vehicles under this section.

(e)(d) Each deputy registrar of motor vehicles acting under section 168.33, is also a deputy registrar of all-terrain vehicles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to assure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with the accounting and procedural requirements.

(d)(e) A fee of \$2 in addition to other fees prescribed by law shall be charged for each vehicle registered by:

(1) a deputy registrar and shall be deposited in the treasury of the jurisdiction where the deputy is appointed, or retained if the deputy is not a public official; or

(2) the commissioner and shall be deposited to the state treasury and credited to the all-terrain vehicle account in the natural resources fund.

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Sec. 22. Minnesota Statutes 1994, section 97A.015, subdivision 20, is amended to read:

Subd. 20. **FIREARMS SAFETY CERTIFICATE.** "Firearms safety certificate" means the certificate issued under section 97B.015 or an equivalent certificate issued by another state or other evidence that meets with the requirements of section 97B.020.

Sec. 23. Minnesota Statutes 1994, section 97A.015, is amended by adding a subdivision to read:

Subd. 25a. **GUARDIAN.** "Guardian" means a legal guardian of a person under age 16, or a person 18 or older who has been authorized by the parent or legal guardian to supervise the person under age 16.

Sec. 24. Minnesota Statutes 1994, section 97A.401, subdivision 4, is amended to read:

Subd. 4. **TAKING WILD ANIMALS FROM GAME REFUGES, WILDLIFE MANAGEMENT, AND OTHER AREAS.** Special permits may be issued, with or without a fee, to take a wild animal from game refuges, wildlife management areas, state parks, controlled hunting zones, and other areas of the state that the commissioner may open for the taking of a wild animal during a special season or subject to special restrictions. In addition, an application fee may be charged for a special permit. Local units of government may charge an administrative fee in connection with special hunts under their jurisdiction. Fees to be collected shall be based upon the estimated cost of conducting the special season or administering the special restrictions.

Sec. 25. Minnesota Statutes 1994, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. **LICENSE PERIOD.** (a) Except as provided in paragraph (b), a license is valid during the lawful time within the license year that the licensed activity may be performed. A license year begins on the first day of March and ends on the last day of February.

(b) A license issued under section 97A.475, subdivision 6, clause (5), or section 97A.475, subdivision 7, clause (2), (3), (5), or (6) is valid for the full license period even if this period extends into the next license year, provided that the license period selected by the licensee begins at the time of issuance.

Sec. 26. Minnesota Statutes 1995 Supplement, section 97A.451, subdivision 3, is amended to read:

Subd. 3. **PERSONS RESIDENTS UNDER AGE 16; SMALL GAME.** (a) A person resident under age 16 may not obtain a small game license but may take small game by firearms or bow and arrow without a license if the person is a resident is:

(1) age 14 or 15 and possesses a firearms safety certificate;

(2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or guardian; or

(3) age 12 or under and is accompanied by a parent or guardian.

(b) A resident under age 16 may take small game by trapping without a small game license, but a resident 13 years of age or older must have a trapping license. A resident under age 13 may trap without a trapping license.

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Sec. 27. Minnesota Statutes 1994, section 97A.451, is amended by adding a subdivision to read:

Subd. 3a. NONRESIDENTS UNDER AGE 16; SMALL GAME. (a) A nonresident under age 16 may obtain a small game license at the resident fee if the nonresident:

- (1) possesses a firearms safety certificate; or
- (2) if age 13 or under, is accompanied by a parent or guardian when purchasing the license.

(b) A nonresident age 13 or under must be accompanied by a parent or guardian to take small game.

Sec. 28. Minnesota Statutes 1994, section 97A.455, is amended to read:

**97A.455 NONRESIDENT STUDENTS; FISHING, SMALL GAME, AND DEER BIG GAME.**

(a) A nonresident that is a full-time student at an educational institution in the state and resides in the state during the school year may obtain a resident license to take fish ~~or~~, small game, or big game, except moose, by providing proof of student status and residence as prescribed by the commissioner.

(b) A nonresident that is a full-time foreign exchange student at a high school in the state and resides with persons in the state may obtain a resident license to take ~~deer~~ by archery big game, except moose, by providing proof of foreign exchange student status as prescribed by the commissioner.

Sec. 29. Minnesota Statutes 1994, section 97A.475, subdivision 30, is amended to read:

Subd. 30. **COMMERCIAL NETTING OF FISH IN INLAND WATERS.** The fee for a license to net commercial fish in inland waters, to be issued to residents and non-residents, is \$70 plus:

- (1) for each hoop net pocket, \$1;
- (2) for each 1,000 feet of seine, \$16.50; and
- (3) for each ~~helper's~~ apprentice license, ~~\$5.50~~ \$25.

Sec. 30. Minnesota Statutes 1994, section 97A.475, subdivision 31, is amended to read:

Subd. 31. **COMMERCIAL NETTING OF FISH IN LAKE OF THE WOODS.** The fee for a license to commercially net fish in Lake of the Woods is:

- (1) for each pound net or staked trap net, \$49.50;
- (2) for each fyke net, \$11, plus \$5 for each two-foot segment, or fraction, of the wings or lead in excess of four feet in height;
- (3) for each 100 feet of gill net, \$2.75;
- (4) for each submerged trap net, \$16.50; and

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(5) for each helper's apprentice license, ~~\$16.50~~ \$25.

Sec. 31. Minnesota Statutes 1994, section 97A.475, subdivision 32, is amended to read:

Subd. 32. **COMMERCIAL NETTING OF FISH IN RAINY LAKE.** The fee for a license to commercially net fish in Rainy Lake is:

- (1) for each pound net, \$49.50;
- (2) for each 100 feet of gill net, \$2.75; and
- (3) for each helper's apprentice license, ~~\$16.50~~ \$25.

Sec. 32. Minnesota Statutes 1994, section 97A.475, subdivision 33, is amended to read:

Subd. 33. **COMMERCIAL NETTING OF FISH IN NAMAKAN AND SAND POINT LAKES.** The fee for a license to commercially net fish in Namakan Lake and Sand Point Lake is:

- (1) for each 100 feet of gill net, \$1.75;
- (2) for each pound, fyke, and submerged trap net, \$16.50; and
- (3) for each helper's apprentice license, ~~\$5.50~~ \$25.

Sec. 33. Minnesota Statutes 1994, section 97A.475, subdivision 34, is amended to read:

Subd. 34. **COMMERCIAL SEINE AND SET LINES TO TAKE FISH IN THE MISSISSIPPI RIVER.** (a) The fee for a license to commercially seine rough fish in the Mississippi river from St. Anthony Falls to the St. Croix river junction is:

- (1) for a seine not exceeding 500 feet, \$27.50; or
  - (2) for a seine over 500 feet, \$44, plus \$2 for each 100 foot segment or fraction over 1,000 feet.
- (b) The fee for each helper's apprentice license issued under paragraph (a) is ~~\$5.50~~ \$25.

Sec. 34. Minnesota Statutes 1994, section 97A.475, subdivision 35, is amended to read:

Subd. 35. **COMMERCIAL SEINING OF FISH IN WISCONSIN BOUNDARY WATERS.** The fee for a license to commercially seine fish in the boundary waters between Wisconsin and Minnesota from Taylors Falls to the Iowa border is:

- (1) for a seine not exceeding 500 feet, \$27.50; or
- (2) for a seine over 500 feet, \$44, plus \$2.50 for each 100 feet over 1,000 feet; and
- (3) for each helper's apprentice license to be issued to residents and nonresidents, ~~\$5.50~~, \$25.

Sec. 35. Minnesota Statutes 1994, section 97A.475, subdivision 36, is amended to read:

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Subd. 36. **COMMERCIAL NETTING IN WISCONSIN BOUNDARY WATERS.** The fee for a license to commercially net in the boundary waters between Wisconsin and Minnesota from Lake St. Croix to the Iowa border is:

- (1) for each gill net not exceeding 500 feet, \$14.50;
- (2) for each gill net over 500 feet, \$27.50;
- (3) for each fyke net and hoop net, \$11;
- (4) for each bait net, \$1.75;
- (5) for each turtle net, \$1.75;
- (6) for each set line identification tag, \$14.50; and
- (7) for each helper's apprentice license to be issued to residents and nonresidents, ~~\$5.50~~, \$25.

Sec. 36. Minnesota Statutes 1994, section 97A.475, subdivision 37, is amended to read:

Subd. 37. **COMMERCIAL NETTING OF FISH IN LAKE SUPERIOR.** The fee for a license to commercially net fish in Lake Superior is:

- (1) for each gill net, \$77 plus \$2 for each 1,000 feet over 1,000 feet;
- (2) for a pound or trap net, \$77 plus \$2 for each additional pound or trap net; and
- (3) for each helper's apprentice license, ~~\$5.50~~ \$25.

Sec. 37. Minnesota Statutes 1994, section 97A.535, is amended by adding a subdivision to read:

Subd. 2a. **QUARTERING OF DEER ALLOWED.** A deer that has been tagged as required in subdivision 1 may be quartered at the site of the kill. The animal's head must remain attached to one of the quarters. The quarters must be presented together for registration under subdivision 2 and must remain together until the deer is processed for storage.

Sec. 38. Minnesota Statutes 1994, section 97B.021, subdivision 1, is amended to read:

Subdivision 1. **RESTRICTIONS.** (a) Except as provided in this subdivision, a person under the age of 16 may not possess a firearm, unless accompanied by a parent or guardian.

(b) A person under age 16 may possess a firearm without being accompanied by a parent or guardian:

- (1) on land owned by, or occupied as the principal residence of, the person or the person's parent or guardian;
- (2) while participating in an organized target shooting program with adult supervision;
- (3) while the person is participating in a firearms safety program or traveling to and from class; or

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(4) if the person is age 14 or 15 and has a firearms safety certificate.

(e) For purposes of this section a guardian is a legal guardian or a person age 18 or older that has been authorized by the parent or legal guardian to supervise the person under age 16.

Sec. 39. Minnesota Statutes 1994, section 97B.071, is amended to read:

**97B.071 BLAZE ORANGE REQUIREMENTS.**

(a) Except as provided in rules adopted under paragraph (b) (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person's cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange. Blaze orange includes a camouflage pattern of at least 50 percent blaze orange within each foot square. This section does not apply to migratory waterfowl hunters on waters of this state or in a stationary shooting location.

(b) Except as provided in rules adopted under paragraph (c), and in addition to the requirement in paragraph (a), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except when hunting with nontoxic shot, unless a visible portion of at least one article of the person's clothing above the waist is blaze orange.

(c) The commissioner may, by rule, prescribe an alternative color in cases where paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law Number 103-141.

(d) A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning.

Sec. 40. Minnesota Statutes 1994, section 97B.311, is amended to read:

**97B.311 DEER SEASONS AND RESTRICTIONS.**

(a) The commissioner may, by rule, prescribe restrictions and designate areas where deer may be taken, including hunter selection criteria for special hunts established under section 97A.401, subdivision 4. The commissioner may, by rule, prescribe the open seasons for deer within the following periods:

(1) taking with firearms, other than muzzle-loading firearms, between November 1 and December 15;

(2) taking with muzzle-loading firearms between September 1 and December 31; and

(3) taking by archery between September 1 and December 31.

(b) Notwithstanding paragraph (a), the commissioner may establish special seasons within designated areas between September 1 and January 15.

Sec. 41. Minnesota Statutes 1994, section 97C.035, subdivision 3, is amended to read:

Subd. 3. **TAKING OF FISH.** (a) The commissioner may, ~~by rule,~~ authorize residents to take fish:

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- (1) in any quantity;
- (2) in any manner, except by use of seines, hoop nets, fyke nets, and explosives; and
- (3) for personal use only, except rough fish may be sold.

(b) ~~In an emergency~~ the commissioner may authorize the taking of fish without publishing the rule if by posting notice is posted conspicuously along the shore of the waters and publishing a news release in a newspaper of general circulation in the area where the waters are located.

Sec. 42. Minnesota Statutes 1994, section 97C.203, is amended to read:

**97C.203 DISPOSAL OF STATE HATCHERY EGGS OR FRY.**

The commissioner shall dispose of game fish eggs and fry according to the following order of priorities:

(1) distribution of fish eggs and fry to state hatcheries to hatch fry or raise fingerlings for stocking waters of the state for recreational fishing; and

(2) transfer to other government agencies or private fish hatcheries in exchange for fish to be stocked in waters of the state for recreational fishing;

(3) sale of fish eggs and fry to private fish hatcheries or licensed aquatic farms at a price not less than the fair wholesale market value, established as the average price charged at the state's private hatcheries and contiguous states per volume rates; and

(4) transfer to other government agencies for fish management and research purposes.

Sec. 43. Minnesota Statutes 1994, section 97C.205, is amended to read:

**97C.205 RULES FOR TRANSPORTING AND STOCKING FISH.**

(a) The commissioner may adopt rules to regulate:

- (1) the transportation of fish and fish eggs from one body of water to another; and
- (2) the stocking of waters with fish or fish eggs.

(b) The commissioner shall prescribe rules designed to encourage local sporting organizations to propagate game fish by using rearing ponds. The rules must:

- (1) prescribe methods to acquire brood stock for the ponds by seining public waters;
- (2) allow the sporting organizations to own and use seines and other necessary equipment; and
- (3) prescribe methods for stocking the fish in public waters that give priority to the needs of the community where the fish are reared and the desires of the organization operating the rearing pond.

(c) A person age 16 or under may, for purposes of display in a home aquarium, transport largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie, white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black, yellow and brown bullheads taken by angling. No more than four of each species may be trans-

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ported at any one time, and any individual fish can be no longer than ten inches in total length.

Sec. 44. Minnesota Statutes 1994, section 97C.305, subdivision 2, is amended to read:

Subd. 2. **EXCEPTION.** A trout and salmon stamp is not required to take fish by angling or to possess trout and salmon if:

(1) the person:

(i) possesses a license to take fish by angling for a period of 24 hours from the time of issuance under section 97A.475, subdivision 6, clause (5), or subdivision 7, clause (5); and (2) ~~the person~~

(ii) is taking fish by angling, or the trout or salmon were taken by the person, during the period the license is valid; or

(2) the person is taking fish, or the trout or salmon were taken by the person, as authorized under section 97C.035.

Sec. 45. Minnesota Statutes 1994, section 97C.411, is amended to read:

#### 97C.411 STURGEON AND PADDLEFISH.

Lake sturgeon, shovelnose sturgeon, and paddlefish may not be taken, bought, sold, transported or possessed except as provided by rule of the commissioner. The commissioner may only allow the taking of these fish in waters that the state boundary passes through except that a rule that applies and in tributaries to the St. Croix river must also apply to its tributaries.

Sec. 46. Minnesota Statutes 1994, section 97C.811, subdivision 6, is amended to read:

Subd. 6. **LICENSE INVALIDATION.** (a) A license to take commercial fish is void upon:

(1) the licensee's death;

(2) sale of the commercial fishing business cessation of commercial fishing operations within an assigned area, except as provided by paragraph (c);

(3) ~~removal of the commercial fishing business from the state;~~

(4) conviction of two or more violations of inland commercial fishing laws within a license period; or

~~(5)~~ (4) failure to apply for a new or renewal license prior to June 15 of any year.

(b) A commercial inland fishing license is not subject to the license revocation provisions of section 97A.421. Commercial fishing rights and area assignments covered by a license that becomes void reverts to the commissioner for reassignment.

(c) A person possessing a valid inland commercial fishing license may apply to the commissioner for transfer of an assigned commercial fishing area to another person. Upon receipt of the application, the commissioner shall notify the applicant that the application for transfer has been received and shall determine if other people are interested in the assigned area by:

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

- (1) notifying the inland commercial fish trade association in writing; and
- (2) publishing notice in a newspaper of general circulation in the vicinity of the assigned area.

These notices must allow interested persons 30 days to notify the commissioner of their interest in the assigned area. Within 60 days after publishing notice, the commissioner shall review the qualifications of all interested persons and approve or deny the transfer based on the criteria in section 97C.815, subdivision 2. If the transfer is denied, the licensee may retain the license or request that it become void.

Sec. 47. Minnesota Statutes 1994, section 97C.815, subdivision 4, is amended to read:

Subd. 4. **INLAND COMMERCIAL FISHING TRADE ASSOCIATION; LICENSE PROBLEMS.** The commissioner shall consult with representatives of the inland commercial fishing trade association when disagreements arise in the areas of license issuance, problems with performance pursuant to the license, transfers of licenses, area assignments, and the entry of new commercial fishing operators into the inland commercial fishery.

Sec. 48. Minnesota Statutes 1994, section 97C.835, subdivision 1, is amended to read:

Subdivision 1. **COMMERCIAL FISHING LICENSE FOR LAKE SUPERIOR.** (a) A license to fish commercially in Lake Superior shall be issued only to a resident who possesses 5,000 feet of gill net of mesh sizes permitted in subdivisions 4 and 5 or two pound nets, has maximum of 50 residents. To qualify for licensing, a resident must have landed fish in the previous year with a value of at least \$1,500, except for those state waters from Duluth to Silver Bay upon the discretion of the commissioner, and has must have engaged in commercial fishing for at least 50 30 days of the previous year. An applicant shall be issued a license without meeting these requirements if the applicant is 65 or more years of age and has held a license continuously since 1947. An applicant may be issued a license, at the discretion of the commissioner, if failure to meet these the requirements for the dollar value of fish landed or number of days fished resulted from illness or other mitigating circumstances, or the applicant has reached the age of 65 and has been licensed at least ten five of the previous 15 ten years. Persons receiving licenses under these provisions for applicants 65 years of age or more must be in attendance at the setting and lifting of nets. The commissioner may issue multiple licenses to individuals who meet these requirements and have held multiple licenses prior to 1978.

(b) A license may be issued to a resident who has not previously fished commercially on Lake Superior and has not been convicted of a game and fish law violation in the preceding three years, if the applicant:

- (1) shows a bill of sale indicating the purchase of gear and facilities connected with an existing license;
- (2) shows proof of inheritance of all the gear and facilities connected with an existing license; or
- (3) has served at least two years as a helper an apprentice in a Minnesota Lake Superior licensed commercial fishing operation.

Sec. 49. Minnesota Statutes 1994, section 97C.835, subdivision 5, is amended to read:

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

Subd. 5. **GILL NETS; CISCOES.** Gill nets for taking ciscoes and chubs may not be less than 2-1/4 inch extension measure mesh and may not exceed 2-3/4 inch extension measure mesh except that smaller or larger mesh sizes may be used under a permit issued by the commissioner.

Sec. 50. Minnesota Statutes 1994, section 97C.841, is amended to read:

97C.841 **HELPER'S APPRENTICE LICENSE.**

A person assisting the holder of a master's license, in with a commercial fishing license may list one person as an apprentice on the license. A person acting as an apprentice for a commercial fishing licensee must have an apprentice license. The commercial fishing licensee or the apprentice listed on the license must be present at all commercial fishing operations including going to and from fishing locations, or in setting or lifting nets, or removing fish from nets, must have a helper's license, unless the person is the holder of a master's license. A person possessing an angling license may assist the holder of a master's or apprentice license in going to and from fishing locations, or in setting or lifting nets, or removing fish from nets.

A helper's An apprentice license is transferable from one helper to another by the holder of a master's license applying to the commissioner.

Sec. 51. Laws 1995, chapter 220, section 137, is amended to read:

Sec. 137. **PUBLIC INPUT; REPORT.**

The commissioner of natural resources shall seek public input and comment on sections section 135 and 136. By March 1, 1996, the commissioner shall report to the environment and natural resources committees of the legislature with a summary of the public comments received and any recommendations for legislation.

Sec. 52. Laws 1995, chapter 238, section 1, subdivision 2, is amended to read.

Subd. 2. **AUTHORIZATION.** Notwithstanding Minnesota Statutes, section 103F.215, the counties of Crow Wing, Hubbard, Cass, and Morrison may allow the sale or transfer, as a separate parcel, of a lot within shoreland, as defined in Minnesota Statutes, section 103F.205, subdivision 4, that:

(1) is located wholly within the Mississippi headwaters corridor, as identified in the plan, or is located anywhere within Crow Wing, Hubbard, Cass, or Morrison county;

(2) is one of a group of two or more contiguous lots that have been under the same common ownership since July 1, 1981; and

(3) does not meet the residential lot size requirements in the model standards and criteria adopted by the commissioner of natural resources under Minnesota Statutes, section 103F.211.

Sec. 53. **PUBLIC INPUT; REPORT.**

The commissioner of natural resources shall seek public input and comments on the allowance to take antlered deer in more than one zone, and whether the license issued under Minnesota Statutes, section 97A.475, subdivision 2, clause (9), shall be extended to archery and muzzle-loader hunters at no additional fee. The commissioner must deliver a report on the public input to the house and senate policy committees by March 1, 1997.

Sec. 54. **SALE OF STATE WILDLIFE LAND IN WASHINGTON COUNTY.**

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

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, and the public hearing requirement in Minnesota Statutes, section 97A.135, subdivision 2a, the commissioner of natural resources may sell land in a wildlife management area, described in this section, by private sale for a consideration not less than the appraised value, in accordance with the remaining provisions of Minnesota Statutes, chapter 94, and section 97A.135.

(b) The conveyance shall be in a form approved by the attorney general.

(c) The deed must contain a restrictive covenant that prohibits the placement or construction of additional buildings or structures, including corrals and animal shelters or pens, on the property conveyed in this section. The cost for constructing and maintaining any fencing on the property to be conveyed shall be the sole responsibility of the purchaser.

(d) The land that may be sold is in the Hardwood Creek wildlife management area in Washington County and is described as: the South 487 feet of the North 520 feet of the West 770 feet of the Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4), Section Twenty-seven (27), Township Thirty-two (32) North, Range Twenty-one (21) West EXCEPT the North 440 feet of the West 650 feet of said NW 1/4 SE 1/4.

(e) The conveyance in this section will provide the adjacent landowner with a buffer between the landowner's buildings and public hunting activities on the adjacent wildlife area that surrounds the site and eliminate a problem with a portion of the landowner's barn that lies on the existing state property.

#### Sec. 55. LAKE COUNTY LAND SALES RATIFIED.

(a) Notwithstanding Minnesota Statutes, section 373.01, the conveyances by Lake county, Minnesota, of the following county fee lands are hereby ratified:

(1) one parcel of land sold October 29, 1993, by Lake county, Minnesota, to Darrel and Harriet Kempffer, being a five-acre county fee parcel of land described as the North One-half of the West One-half (N 1/2 of W 1/2) of the West One-half (W 1/2) of the Northwest Quarter of the Northwest Quarter (NW 1/4 of NW 1/4), Section Two (2), Township Fifty-two (52) North, Range Eleven (11) West, Lake county, Minnesota, constituting five acres;

(2) four parcels of land sold July 18, 1994, by Lake county, Minnesota, described as:

(i) Lot One (1), Five Mile Hill Plat, Lake county, Minnesota, sold to Diane Cullen;

(ii) Lot Four (4), Five Mile Hill Plat, Lake county, Minnesota, sold to Thomas Muehlburger;

(iii) Lot Seven (7), Five Mile Hill Plat, Lake county, Minnesota, sold to Thomas Muehlburger;

(iv) Lot Six (6), Five Mile Hill Plat, Lake county, Minnesota, sold to John McClellan;

(3) four parcels of land sold October 7, 1994, by Lake county, Knife River, Minnesota, described as:

(i) Lot One (1), Granite Point Plat, Lake county, Minnesota, sold to Tim Stoddart;

(ii) Lot Two (2), Granite Point Plat, Lake county, Minnesota, sold to Tim Stoddart;

(iii) Lot Three (3), Granite Point Plat, Lake county, Minnesota, sold to Lee Jensen;

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

(iv) Lot Four (4), Granite Point Plat, Lake county, Minnesota, sold to Lee Jensen; and

(4) a parcel of land sold July 21, 1995, by Lake county, Minnesota, described as:

The East Two Hundred Eight and 7/10 (E.208.7) feet of the West Eight Hundred Thirty-four and 8/10 (W.834.8) of the South Two Hundred Forty-two (S.242) feet of the South One-half (S 1/2) of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), Section Five (5), Township Fifty-nine (59) North, Range Eight (8) West, Stony River Township, Lake county, sold to Dorothy Johnson.

(b) Through an error, the sales of the lands described in paragraph (a) were conducted using the procedure for public sales of tax-forfeited lands rather than the applicable public sale procedure in Minnesota Statutes, section 373.01.

#### **Sec. 56. PERSONAL FLOTATION DEVICE RULES; VIOLATIONS.**

A violation prior to May 1, 1997, of requirements added in the proposed rule published in the State Register, Volume 19, Number 45, pages 2207 to 2210, May 8, 1995, and subsequently adopted on October 2, 1995, shall not result in a penalty, but is punishable only by a safety warning.

#### **Sec. 57. REPEALER.**

Minnesota Statutes 1994, sections 84.09 and 84.14; and Laws 1995, chapter 220, section 136, are repealed.

#### **Sec. 58. INSTRUCTION TO REVISOR.**

In each section of Minnesota Statutes referred to in column A, the revisor of statutes shall delete the reference in column B and insert the reference in column C. The references in column C may be changed by the revisor to the section of Minnesota Statutes in which the bill sections are compiled.

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
<u>84.42</u>	<u>84.09</u>	<u>84.091</u>
<u>97A.025</u>	<u>84.09</u>	<u>84.091</u>
<u>97A.065</u>	<u>84.09</u>	<u>84.091</u>

#### **Sec. 59. EFFECTIVE DATE.**

Sections 52 and 56 are effective the day following final enactment.

Presented to the governor March 30, 1996

Signed by the governor April 2, 1996, 12:43 p.m.

### **CHAPTER 411—S.F.No. 1872**

*An act relating to peace officer training; requiring peace officers to undergo training in community policing techniques; proposing coding for new law in Minnesota Statutes, chapter 626.*

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

**Section 1. [626.8455] TRAINING IN COMMUNITY POLICING.**

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