

SESSION LAWS
of the
STATE OF MINNESOTA

ENACTED BY THE EIGHTIETH LEGISLATURE

AT THE REGULAR SESSION IN 1998,

FROM JANUARY 20 TO APRIL 9

CHAPTER 252—S.F.No. 2111

An act relating to game and fish; modifying restrictions on fish houses; modifying the license period for fish house licenses; extending certain angling seasons in 1998; amending Minnesota Statutes 1996, section 97C.355, subdivision 7; Minnesota Statutes 1997 Supplement, section 97A.411, subdivision 1.

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

Section 1. Minnesota Statutes 1997 Supplement, section 97A.411, subdivision 1, is amended to read:

Subdivision 1. **LICENSE PERIOD.** (a) Except as provided in ~~paragraph~~ paragraphs (b) and (c), 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), 97A.475, subdivision 7, clause (2), (3), (5), or (6), or 97A.475, subdivision 12, clause (2), 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.

(c) When the last day of February falls on a Saturday, an annual resident or nonresident fish house or dark house license, including a rental fish house or dark house license, obtained for the license year covering the last day of February, is valid through Sunday, March 1 and the angling license of the fish house licensee is extended through March 1.

Sec. 2. Minnesota Statutes 1996, section 97C.355, subdivision 7, is amended to read:

Subd. 7. **DATES AND TIMES HOUSES MAY REMAIN ON ICE.** (a) A fish house or dark house may not be on the ice between 12:00 a.m. and one hour before sunrise after the following dates:

(1) February 28 the last day of February, for state waters south of a line starting at the Minnesota-North Dakota border and formed by rights-of-way of U.S. Route No. 10, then east along U.S. Route No. 10 to Trunk Highway No. 34, then east along Trunk Highway No. 34 to Trunk Highway No. 200, then east along Trunk Highway No. 200 to U.S. Route No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin border; and

(2) March 15, for other state waters.

A fish house or dark house on the ice in violation of this subdivision is subject to the enforcement provisions of paragraph (b). The commissioner may, by rule, change the dates in this paragraph for any part of state waters. Copies of the rule must be conspicuously posted on the shores of the waters as prescribed by the commissioner.

(b) A conservation officer must confiscate a fish house or dark house in violation of paragraph (a). The officer may remove, burn, or destroy the house. The officer shall seize the contents of the house and hold them for 60 days. If the seized articles have not been claimed by the owner, they may be retained for the use of the division or sold at the highest price obtainable in a manner prescribed by the commissioner.

(c) When the last day of February, under paragraph (a), clause (1), or March 15, under paragraph (a), clause (2), falls on a Saturday, a fish house or dark house may be on the ice between 12:00 a.m. and one hour before sunrise until 12:00 a.m. the following Monday.

Sec. 3. **EXTENDING CERTAIN ANGLING SEASONS.**

Notwithstanding Minnesota Statutes, sections 97C.345, subdivisions 1 and 2, paragraph (b), 97C.371, subdivision 4, and 97C.395, subdivision 1, paragraph (a), clause (1), the 1997-1998 angling season for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth bass and the 1997-1998 spearing season for roughfish, catfish, lake whitefish, and northern pike is extended through March 1, 1998, except that no spearing will be permitted on Cass lake, Beltrami and Cass counties, during this extension. The commissioner of natural resources by order may close the season in all or parts of the state before March 1, 1998, if the commissioner finds it necessary for protection of the resource or public safety. Such an order is effective upon filing with the secretary of state. The rulemaking provisions of Minnesota Statutes, chapter 14, section 84.027, subdivision 13, and sections 97A.0451 to 97A.0459, do not apply to this section.

Sec. 4. **EFFECTIVE DATE.**

Sections 1 to 3 are effective the day following final enactment.

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

Presented to the governor February 12, 1998

Signed by the governor February 12, 1998, 9:35 a.m.

CHAPTER 253—H.F.No. 661

An act relating to landlords and tenants; recodifying, clarifying, and relocating landlord tenant law; proposing coding for new law as Minnesota Statutes, chapter 504A; repealing Minnesota Statutes 1996, sections 504.01; 504.012; 504.015; 504.02; 504.03; 504.04; 504.05; 504.06; 504.07; 504.08; 504.09; 504.18; 504.181, subdivisions 2 and 3; 504.183; 504.185; 504.20; 504.201; 504.21; 504.22; 504.23; 504.24; 504.245; 504.246; 504.25; 504.255; 504.257; 504.26; 504.265; 504.27; 504.28; 504.29; 504.30; 504.31; 504.32; 504.36; 566.01; 566.02; 566.021; 566.03; 566.04; 566.051; 566.06; 566.07; 566.08; 566.09; 566.10; 566.11; 566.12; 566.13; 566.14; 566.15; 566.16; 566.17; 566.175; 566.18, subdivisions 1, 2, 3, 4, and 5; 566.19; 566.20; 566.205; 566.21; 566.22; 566.23; 566.24; 566.26; 566.27; 566.28; 566.29; 566.291; 566.30; 566.31; 566.32; 566.33; 566.34; and 566.35; Minnesota Statutes 1997 Supplement, sections 504.181, subdivision 1; 504.215; 566.05; 566.18, subdivision 6; and 566.25.

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

CHAPTER 504A

LANDLORDS AND TENANTS

Section 1. [504A.001] DEFINITIONS.

Subdivision 1. APPLICABILITY. For the purposes of this chapter, the terms defined in this section have the meanings given them.

Subd. 2. COMMERCIAL TENANT. "Commercial tenant" means a person paying rent in a residential building defined in subdivision 10 who is not a residential tenant, as defined in subdivision 11. [566.18, subd. 4]

Subd. 3. EVICT OR EVICTION. "Evict" or "eviction" means to remove a renter or occupant from or otherwise recover possession of real property by process of law.

Subd. 4. INSPECTOR. "Inspector" means the person charged by the governing body of the political subdivision in which a residential building is situated, with the responsibility of enforcing provisions of local law, the breach of which could constitute a violation as defined in subdivision 13, clause (1). If there is no such person, "inspector" means the county agent of a board of health as authorized under section 145A.04 or the chair of the board of county commissioners, and in the case of a manufactured home park, the state department of health or its designee. [566.18, subd. 8]

Subd. 5. LANDLORD. "Landlord" means an owner of real property, a contract for deed vendee, receiver, executor, trustee, lessee, agent, or other person directly or indirectly in control of rental property. [566.18, subd. 3]

Subd. 6. LEASE. "Lease" means a written or oral agreement to rent real property, other than a hotel as defined in section 327.70, for any period of time.

New language is indicated by underline, deletions by strikeout.