

carcasses or pelts in Lake of the Woods County.

Sec. 7. Minnesota Statutes 1978, 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, dip 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 the opening day for the taking of walleyed pike, April 30, inclusive and except that spears, dip nets, bows and arrows, and devices permitted in section 101.51 used for the taking of rough fish may be possessed between the hours of sunrise and sunset after April 30. This subdivision does not apply to nets used in the taking of trout and smelt in season or to seines or traps used for the taking of minnows for bait.

Sec. 8. Minnesota Statutes 1978, Section 101.42, is amended by adding a subdivision to read:

Subd. 18a. Dip nets shall not be used between one hour after sunset to one hour before sunrise, except for the taking of smelt in season and for landing game fish taken by angling.

Sec. 9. This act is effective the day following final enactment.

Approved May 31, 1979.

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CHAPTER 299—H.F.No.1206

*An act relating to energy; encouraging municipalities to make maximum utilization of diseased shade trees.*

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

Section 1. **[18.024] DISEASED SHADE TREE UTILIZATION.** Subdivision 1. The department of agriculture, in cooperation with the Minnesota energy agency and the Minnesota shade tree advisory committee, shall draft recommendations for wood utilization or disposal systems as defined in Minnesota Statutes, Section 18.023. These recommendations shall encourage maximum utilization of diseased shade trees. In addition to insuring maximum utilization, the recommendations shall be designed to insure public safety and to assure compliance with approved disease control programs.

Subd. 2. A municipality operating a program of sanitation as defined in Minnesota Statutes, Section 18.023 and conforming to all regulations relating to shade tree disease control may, with due attention to the recommendations developed pursuant to subdivision 1, institute a program of wood utilization and disposal which will, to the

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extent practicable, encourage utilization of diseased trees including but not limited to making the trees available to the public for use as firewood.

Approved May 31, 1979.

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CHAPTER 300—H.F.No.1241

*An act relating to natural resources; reducing local match required for dam repair and reconstruction grants; authorizing loans for local share of project costs; authorizing sale of bonds for loan program; appropriating money; amending Minnesota Statutes 1978, Section 105.482, Subdivisions 3 and 5, and by adding a subdivision.*

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

Section 1. Minnesota Statutes 1978, Section 105.482, Subdivision 3, is amended to read:

Subd. 3. **COMMISSIONER'S DUTIES.** From money appropriated for the following purposes from time to time, the commissioner of natural resources may repair or reconstruct state owned dams and may grant aid to local governmental units to repair or reconstruct dams owned by local governmental units and to make necessary engineering evaluations related to the repair or reconstruction. No grant to a local governmental unit shall exceed the amount contributed to the project by the local governmental unit from funds raised locally ~~exclusive of~~ Federal general revenue sharing money may be counted as funds raised locally, but other federal grants or loans shall be used to reduce equally the state share and the local share of project costs .

Sec. 2. Minnesota Statutes 1978, Section 105.482, Subdivision 5, is amended to read:

Subd. 5. **LIMITATIONS.** If the cost of repair or reconstruction of a state owned dam or a grant to a local governmental unit is less than ~~\$50,000~~ \$75,000 , the commissioner may direct that the state owned dam be repaired or reconstructed or that a grant be made to repair or reconstruct a dam owned by a local governmental unit without the approval of the state executive council. If the cost of repair or reconstruction of a state owned dam, or a grant to a local governmental unit is ~~\$50,000~~ \$75,000 or more but less than ~~\$100,000~~ \$150,000 , the expenditure shall be made only with the approval of the state executive council. If the cost of repair or reconstruction of a state owned dam or a grant to a local governmental unit is ~~\$100,000~~ \$150,000 or more, the commissioner may recommend the project to the legislature for its consideration and action, except in the following emergency situations. With the approval of the executive council, the commissioner may direct that a state owned dam be repaired or reconstructed or a grant be made to a local governmental unit where he determines that an emergency condition exists and that there is danger that life will be lost or that substantial property losses will be suffered if such action is not promptly taken.

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