

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

Section 1. Minnesota Statutes 1982, section 100.27, subdivision 2, is amended to read:

Subd. 2. Deer, moose and bear may be taken in such areas of the state, under such restrictions and on such dates within the periods hereafter prescribed as the commissioner may, by order, provide:

(1) Deer and bear by bow and arrow; legal muzzle loading firearms as defined in section 100.29, subdivision 3, clause (2), or both, between September 1 and December 31 and in any areas of the state designated by the commissioner. ~~Legal muzzle loading firearms shall be permitted by the commissioner on public lands only;~~

(2) Deer, by legal firearms and with bow and arrow, between November 1 and December 15, with the length of the season to be determined by the commissioner; and

(3) Moose, between January 1 and December 31 as determined by the commissioner, by legal firearms and with bow and arrow, in areas of the state, and under such restrictions and on such dates as the commissioner may by order provide; for purposes of this section a split season in any one calendar year shall be considered as one season.

Approved June 6, 1983

CHAPTER 282 — S.F.No. 1015

An act relating to cemeteries; increasing the penalty for illegal molestation of human remains; requiring the state or political subdivision to obtain archaeologist services and to pay for removal of Indian burial grounds under certain circumstances; amending Minnesota Statutes 1982, section 307.08, subdivisions 2, 4, 8, and 10.

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

Section 1. Minnesota Statutes 1982, section 307.08, subdivision 2, is amended to read:

Subd. 2. ~~Every~~ A person who ~~shall willfully intentionally, willfully,~~ or knowingly ~~destroy destroys,~~ mutilate mutilates, ~~injure injures,~~ or ~~remove removes~~ human skeletal remains or human burials, or ~~remove removes~~ any tombstone, monument, or structure placed in any public or private cemetery or unmarked human burial ground, or any fence, railing, or other work erected for protection or ornament, or any tree, shrub, or plant or grave goods and artifacts within the limits ~~thereof~~ of the cemetery or burial ground, and ~~every~~ a person who, without

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authority from the trustees, state archaeologist, or Indian affairs intertribal board, ~~shall discharge~~ discharges any firearms upon or over the grounds of any public or private cemetery or authenticated and identified Indian burial ground, ~~shall be~~ is guilty of a gross misdemeanor.

Sec. 2. Minnesota Statutes 1982, section 307.08, subdivision 4, is amended to read:

Subd. 4. The state shall retain the services of a qualified professional archaeologist, approved by the state archaeologist and the Indian affairs intertribal board shall authenticate and identify, for the purpose of authenticating and identifying Indian burial grounds when requested by the political subdivision in which the alleged Indian burial grounds are located, or by a concerned scientific or contemporary Indian ethnic group, when Indian burials are known or suspected to exist on public lands or waters controlled by the state or political subdivision.

Sec. 3. Minnesota Statutes 1982, section 307.08, subdivision 8, is amended to read:

Subd. 8. The Indian affairs intertribal board must approve any request to relocate an authenticated and identified Indian burial ground. No authenticated and identified Indian burial ground may be relocated unless the request to relocate is approved by the Indian affairs intertribal board. When the Indian burial ground is located on public lands or waters, the cost of removal is the responsibility of and shall be paid by the state or political subdivision controlling the lands or waters. If large Indian burial grounds are involved, efforts shall be made by the state to purchase and protect them instead of removing them to another location.

Sec. 4. Minnesota Statutes 1982, section 307.08, subdivision 10, is amended to read:

Subd. 10. When Indian burials are known or suspected to exist, on public lands or waters, ~~the agency or department~~ state or political subdivision controlling ~~said~~ the lands or waters shall submit construction and development plans to the state archaeologist and the Indian affairs intertribal board for review prior to the time bids are advertised. The state archaeologist and the Indian affairs intertribal board shall promptly review ~~such~~ the plans and make recommendations for the preservation or removal of the human burials or remains, which may be endangered by construction or development activities.

Sec. 5. **EFFECTIVE DATE.**

Sections 2 to 4 are effective the day following final enactment. Section 1 is effective August 1, 1983.

Approved June 6, 1983

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