

(c) percentage of gross dollars contributed which was directly received by the charitable agencies; and

(d) projected percentage of the contribution to be received by the charitable agencies in the year for which the solicitation is being made.

If participating charitable agencies are required to pay any fees to the combined charitable organization, it shall also be disclosed in the solicitation and annual report. In the annual report the combined charitable organization shall include a list of charitable agencies to which donors specifically designated funds, and the amount designated to each agency. Notwithstanding section 309.53, subdivision 1a, each charitable agency shall file the report required in section 309.53. The commissioner shall consult with the attorney general to determine if the combined charitable organization and its charitable agencies are in compliance with chapter 309. The commissioner shall register or not register the application of an organization within 60 days. No organization may apply to the commissioner more than once in a 12-month period. Registered combined charitable organizations shall file the report required in section 309.53. The commissioner shall notify the commissioner of finance in writing of his decision to register an organization under this section.

Sec. 3. [309.502] RULES.

The commissioner shall promulgate rules to implement the provisions of sections 1 and 2. The rules shall not require the modification of any existing payroll deduction fund drive for state employees previously authorized by section 15.375, subdivision 1.

Sec. 4. REPEALER.

Minnesota Statutes 1982, section 15.375, subdivision 1, is repealed.

Approved June 14, 1983

CHAPTER 356 — S.F.No. 634

An act relating to game and fish; imposing a surcharge on fishing licenses for development and improvement of state fishing resources; authorizing designation of experimental and specialized fishing waters; authorizing additional notice of netting season; increasing certain license fees; prohibiting angling and use of tip-ups while spearing in a dark house; prohibiting issuance of new commercial game fish netting licenses; allowing designation of lakes for taking of certain muskellunge; reducing the seasonal commercial walleye take in Lake of the Woods and Rainy Lake; authorizing the state to buy the

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walleye quota of certain commercial fishermen; amending Minnesota Statutes 1982, sections 97.48, subdivisions 8, 22, and 26, and by adding a subdivision; 97.53, by adding a subdivision; 97.55, by adding subdivisions; 98.46, subdivision 5; 101.42, subdivisions 1a and 20; and 102.26, by adding subdivisions; and proposing new law coded in Minnesota Statutes, chapters 97 and 102.

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

Section 1. Minnesota Statutes 1982, section 97.48, subdivision 8, is amended to read:

Subd. 8. The commissioner shall do all things deemed by him desirable in the preservation, protection and propagation in their natural state, and artificially, of all desirable species of wild animals. The commissioner shall make special provisions for the management of fish and wildlife to insure recreational opportunities for anglers and hunters.

Sec. 2. Minnesota Statutes 1982, section 97.48, subdivision 22, is amended to read:

Subd. 22. The commissioner shall authorize the maintenance and operation of private fish hatcheries under such rules and regulations as the commissioner shall prescribe for the raising and disposition of any fish indigenous to Minnesota waters ~~except carp~~. No license shall be required of any person for taking fish by angling at a licensed private fish hatchery operated in accordance with the rules and regulations of the commissioner, or from an artificial pool containing only fish purchased from a private fish hatchery, provided the operator shall furnish to each person taking such fish a written certificate in such form as the commissioner shall prescribe, giving the number and description of the fish taken and such other information as the commissioner requires, whereupon such fish may be possessed, shipped, or transported within the state in like manner as fish taken by a resident under a license. Any person making a false statement in any such certificate shall be guilty of a misdemeanor and subject to the same penalties as prescribed for violations of section 97.55, subdivision 11.

Sec. 3. Minnesota Statutes 1982, section 97.48, subdivision 26, is amended to read:

Subd. 26. The commissioner may designate all or part of any lake ~~which does not exceed 2,000 acres of water area or any stream, but in aggregate not more than 15~~ 100 lakes or five and 25 streams, not more than 10,000 acres of water, at any one time, as experimental waters and, notwithstanding any other provision of law, may establish by order the seasons, limits and methods for the taking of fish therefrom and such other regulations relating thereto as he deems desirable; provided the above may be done only on waters to which the public has free access after a public hearing ~~meeting~~ meeting has been held in the county where the lake or stream, or major portion thereof, is located. In the case of a named lake having a water area of more than 1,500 acres, a public meeting shall be held

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in the seven-county metropolitan area, as defined in section 473.121, subdivision 2. Notice of said the public hearing meeting shall be published once in a legal newspaper within the county or counties where the lake or stream is located not less than seven days prior to the hearing meeting. The commissioner shall establish methods and criteria for citizen initiation of experimental waters designation and for citizen participation in the evaluation of waters designated as experimental waters.

Sec. 4. Minnesota Statutes 1982, section 97.48, is amended by adding a subdivision to read:

Subd. 26a. The commissioner may develop a system of classification under which waters which have been designated as experimental waters pursuant to subdivision 26 and other waters intrinsically suitable therefor are classified as primarily intended for use as trophy lakes, family fishing lakes, special species management lakes, or other categories of special use designated by the commissioner.

Sec. 5. Minnesota Statutes 1982, section 97.53, is amended by adding a subdivision to read:

Subd. 3. In addition to the publication requirements of this section, notice of opening of the netting season on whitefish, tulibee, and herring may be given by posting the date and time in the public places deemed most appropriate by the commissioner not less than 48 hours prior to the opening of the netting season.

Sec. 6. Minnesota Statutes 1982, section 97.55, is amended by adding a subdivision to read:

Subd. 14. Every person who violates the provisions of section 101.42, subdivision 11, is guilty of a gross misdemeanor.

Sec. 7. Minnesota Statutes 1982, section 97.55, is amended by adding a subdivision to read:

Subd. 15. Except as provided in section 102.23, every person who unlawfully buys or sells game fish or small game where the total amount of the sale or sales is \$50 or more, and where no penalty is provided in subdivision 8 or 9, is guilty of a gross misdemeanor.

Sec. 8. Minnesota Statutes 1982, section 97.55, is amended by adding a subdivision to read:

Subd. 16. Every person who illegally buys or sells game fish, big game, or small game, when the total amount of the sale or sales is \$300 or more, is guilty of a gross misdemeanor punishable by a fine of not less than \$500 nor more than \$5,000 or by imprisonment in the county jail for not less than 90 days or more than one year or by both such fine and imprisonment.

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Sec. 9. [97.86] IMPROVEMENT OF FISHING RESOURCES.

Subdivision 1. LICENSE SURCHARGE. A surcharge of \$2.50 shall be added to the annual license fee for each license issued pursuant to section 98.46, subdivision 2, clauses (4) and (5), subdivision 2a, subdivision 5, clauses (1), (2), and (3), and subdivision 15. The proceeds of the surcharge shall be credited to the game and fish fund.

The commissioner may spend the proceeds of the surcharge for the following purposes:

(a) Rehabilitation and improvement of marginal fish producing waters administered on a cost sharing basis under agreements between the commissioner and other parties interested in sport fishing.

(b) Expansion of fishing programs including, but not limited to, aeration, stocking of marginal fishing waters in urban areas, shore fishing areas, and fishing piers. In the expenditure of funds pursuant to this clause, preference shall be given to local units of government and other parties willing and able to share costs.

(c) Upgrading of fish propagation capabilities in order to improve the efficiency of fish production, expansion of walleyed pike production from waters subject to winter kill for stocking in more suitable waters, introduction of new species where deemed biologically appropriate by the commissioner, and purchase of fish from private hatcheries for stocking purposes.

(d) Financing the preservation and improvement of fish habitat. First priority shall be given to expansion of habitat improvement programs approved by the commissioner and implemented in cooperation with other interested parties.

(e) Increasing enforcement through use of covert operations, workteams, and added surveillance, communication, and navigational equipment.

(f) Purchase by the commissioner of the walleyed pike quota of commercial fishermen as prescribed in section 17.

(g) Not more than ten percent of the money available under this subdivision may be used for administrative or permanent personnel costs.

Subd. 2. INTERIM STUDY. The house environment and natural resources committee and the senate agriculture and natural resources committee shall review issues and trends in the management and improvement of fishing resources, using information obtained by and presented to the committees by public and private agencies and organizations, and other parties interested in management and improvement of fishing resources. The committees may make recommendations to the commissioner on programs and projects for management and improvement of fishing resources.

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The commissioner shall prepare an annual work plan for the expenditure of money under subdivision 1 and provide copies of the plan and any subsequent amendments to the committees and to other parties interested in management and improvement of fishing resources.

Sec. 10. Minnesota Statutes 1982, section 98.46, subdivision 5, is amended to read:

Subd. 5. Fees for the following licenses, to be issued to residents only, shall be:

(1) To spear fish from a dark house, \$7.50;

(2) For any fish house or dark house used during the winter fishing season, ~~\$3~~ \$5 for each fish house or dark house not rented or offered for hire, and ~~\$13~~ \$15 for each fish house or dark house rented or offered for hire. Each fish house or dark house shall have attached to the outside a metal tag at least two inches in diameter with a 3/16 inch hole in the center, which will be issued with a license. Each metal tag shall be stamped with a number to correspond with the fish house or dark house license and also shall be stamped with the year of issuance. The metal tag shall be attached to the fish house or dark house as designated by commissioner's order;

(3) To net whitefish, tullibees or herring from inland lakes or international waters, for domestic use only, for each net, \$3;

(4) To conduct a taxidermist business, for three consecutive years for residents 18 years of age and older, \$40; for residents under the age of 18, \$25;

(5) To maintain fur and game farms, including deer, \$15;

(6) To take, transport, purchase and possess for sale unprocessed turtles and tortoises within the state, \$50;

(7) To prepare dressed game fish shipments for nonresidents as provided by section 97.45, subdivision 6, as amended, \$13;

(8) Minnow dealer, \$70 plus \$10 for each vehicle;

(9) Minnow dealer's helper, \$5 for each helper. Minnow dealer's helpers' licenses shall be issued to the minnow dealer and are transferable by the dealer at will to his own helpers;

(10) Exporting minnow dealer, \$250, plus \$10 for each vehicle.

Each vehicle license shall cover a specified vehicle. The serial number, license number, make, and model shall be specified on the license which must be conspicuously posted in the vehicle licensed.

Sec. 11. Minnesota Statutes 1982, section 101.42, subdivision 1a, is amended to read:

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Subd. 1a. No muskellunge less than 36 inches in length may be taken in any waters north of trunk highway No. 210. The commissioner may designate particular lakes north of trunk highway No. 210 in which muskellunge less than 36 inches but not less than 30 inches in length may be taken.

Sec. 12. Minnesota Statutes 1982, section 101.42, subdivision 20, is amended to read:

Subd. 20. It shall be unlawful to take fish by angling with a set or unattended line except that two lines with a single hook attached to each line, used for angling through the ice, shall not be deemed an unattended line if the owner is within sight of the line. Lines to which tip-ups are attached shall not be deemed unattended if the owner is within 80 feet of the tip-up; except that it is unlawful to use tip-ups or take fish by angling while spearing fish in a dark house.

Sec. 13. **[102.235] NEW LICENSES PROHIBITED.**

The commissioner shall not issue any new commercial fishing license which permits netting of game fish on Lake of the Woods and Rainy Lake.

Sec. 14. Minnesota Statutes 1982, section 102.26, is amended by adding a subdivision to read:

Subd. 3a. Beginning March 1, 1984, the commissioner shall limit the maximum poundage of walleye that may be taken by commercial fishermen in Lake of the Woods in any one season on the following schedule:

<u>YEAR</u>	<u>SEASONAL COMMERCIAL WALLEYE TAKE IN POUNDS</u>
<u>1984</u>	<u>164,000</u>
<u>1985</u>	<u>150,000</u>
<u>1986</u>	<u>135,000</u>
<u>1987</u>	<u>120,000</u>
<u>1988</u>	<u>100,000</u>
<u>1989</u>	<u>80,000</u>
<u>1990</u>	<u>60,000</u>
<u>1991</u>	<u>30,000</u>
<u>1992</u>	<u>0</u>

For the 1984 license year, 150,000 pounds of walleye shall be allocated equally among the ten existing gill net licensees according to order of the commissioner. Up to 14,000 pounds of walleye shall be allocated among existing trap or pound licensees, provided that no licensee shall take more than the highest poundage harvested in any of the last three years. For 1985 and subsequent years the allocation of walleye poundage among the licensees shall be determined by order of the commissioner.

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Sec. 15. Minnesota Statutes 1982, section 102.26, is amended by adding a subdivision to read:

Subd. 3b. Beginning March 1, 1984, the commissioner shall limit the maximum poundage of walleye that may be taken by commercial fishermen in Rainy Lake in any one season on the following schedule:

<u>YEAR</u>	<u>SEASONAL COMMERCIAL WALLEYE TAKE IN POUNDS</u>
<u>1984</u>	<u>14,500</u>
<u>1985</u>	<u>12,500</u>
<u>1986</u>	<u>10,500</u>
<u>1987</u>	<u>8,500</u>
<u>1988</u>	<u>6,500</u>
<u>1989</u>	<u>4,500</u>
<u>1990</u>	<u>2,500</u>
<u>1991</u>	<u>1,000</u>
<u>1992</u>	<u>0</u>

For the 1984 license year and subsequent years, the seasonal commercial walleye take in pounds in Rainy Lake shall be allocated among the licensees by order of the commissioner.

Sec. 16. Minnesota Statutes 1982, section 102.26, is amended by adding a subdivision to read:

Subd. 3c. All gill net licenses on Lake of the Woods and Rainy Lake shall be canceled after the 1987 license year. A gill net licensee whose license is canceled as provided in this subdivision retains the walleye quota which he holds at the time of cancellation, subject to the quota phase-out schedule in section 14 or 15. Notwithstanding the provisions of section 13, the licensee may be issued a pound or trap net for the netting of game fish in accordance with the quota of the licensee.

Sec. 17. Minnesota Statutes 1982, section 102.26, is amended by adding a subdivision to read:

Subd. 3d. In 1984 and any subsequent year an existing licensee may transfer the walleye quota allocated to him under section 14 or 15 to any other existing licensee or, after July 1, 1985, he may sell the quota to the state. If a licensee sells the quota to the state, he must sell the quota for all years remaining in the quota schedule as provided in section 14 or 15. A sale to the state shall be at the present wholesale value of the quota as determined by applying the standard formula for computing present value assuming the following: (a) an allocation to the licensee of the same proportion of the total remaining walleye quota as allocated in the year of sale; (b) an interest rate of eight percent; and (c) a walleye wholesale price in the round of \$1.15 per pound. A licensee may elect to receive payment for a sale to the state in a lump sum or in up to four

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annual installments. Any quota sold to the state shall cancel and is not available for reallocation to any other licensee. When a walleye quota is sold to the state and canceled, the gill net license of the licensee shall be canceled.

Sec. 18. **EFFECTIVE DATE.**

Sections 9, 10, and 14 to 17 are effective March 1, 1984. The remaining sections of this act are effective the day following final enactment.

Approved June 14, 1983

CHAPTER 357 — S.F.No. 679

An act relating to redevelopment; authorizing the commissioner of iron range resources and rehabilitation to exercise certain powers and to issue bonds to finance certain projects and programs in tax relief areas; appropriating money; amending Minnesota Statutes 1982, section 298.292; proposing new law coded in Minnesota Statutes, chapter 298.

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

Section 1. **[298.2211] FINANCING ACTIVITIES.**

Subdivision 1. PURPOSE; GRANT OF AUTHORITY. In order to accomplish the legislative purposes specified in chapters 362A, 462C, and 474, within tax relief areas as defined in section 273.134, the commissioner of iron range resources and rehabilitation may exercise the following powers: (1) all powers conferred upon a rural development financing authority under sections 362A.01 to 362A.05; (2) all powers conferred upon a city under chapter 462C, subject to compliance with the provisions of section 462C.09; (3) all powers conferred upon a municipality or a redevelopment agency under chapter 474; (4) all powers provided by chapter 362A to further any of the purposes and objectives of chapters 462C and 474; and (5) all powers conferred upon a municipality or an authority under sections 273.73 to 273.76, section 273.77, except paragraph (a) thereof, and section 273.78, subject to compliance with the provisions of section 273.74, subdivisions 1, 2, and 3; provided that any tax increments derived by the commissioner from the exercise of this authority may be used only to finance or pay premiums or fees for insurance, letters of credit, or other contracts guaranteeing the payment when due of net rentals under a project lease or the payment of principal and interest due on or repurchase of bonds issued to finance a project or program, to accumulate and maintain reserves securing the payment when due on bonds issued to finance a project or program, or to provide an interest rate reduction program pursuant to section 462.445, subdivision 10. Tax increments and earnings thereon remaining in any bond reserve account after payment or discharge of any bonds secured thereby shall be

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