

## CHAPTER 266—H.F.No. 811

*An act relating to natural resources; changing certain provisions relating to the taking of turtles; amending Minnesota Statutes 1988, sections 97A.475, subdivision 41; 97C.605, subdivisions 2 and 3; and 97C.611; repealing Minnesota Statutes 1988, section 97C.615.*

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

Section 1. Minnesota Statutes 1988, section 97A.475, subdivision 41, is amended to read:

Subd. 41. **TURTLE SELLERS.** The fee for a license to take, transport, purchase, and possess ~~unprocessed~~ turtles for sale is \$50.

Sec. 2. Minnesota Statutes 1988, section 97C.605, subdivision 2, is amended to read:

Subd. 2. **SALES LICENSE.** A person may not take, possess, transport, or purchase ~~unprocessed~~ turtles for sale without a turtle seller's license. ~~A person with a turtle seller's license may take turtles for sale as prescribed by the commissioner.~~ A turtle seller's license is not required to buy turtles for retail sale to consumers:

(1) at a location licensed by the department of agriculture or health for sale or preparation of food;

(2) of a person licensed by the department of agriculture or health for sale or preparation of food; or

(3) of a person buying turtle at a retail outlet.

Sec. 3. Minnesota Statutes 1988, section 97C.605, subdivision 3, is amended to read:

Subd. 3. **TAKING; METHODS PROHIBITED.** (a) Except as allowed in paragraph (b), a person may take turtles in any manner, except by use of:

(1) explosives, drugs, poisons, lime, and other harmful substances; or by the use of;

(2) turtle hooks or traps; or

(3) nets other than anglers' fish landing nets.

(b) A person with a turtle seller's license may take turtles for sale as prescribed by the commissioner.

Sec. 4. Minnesota Statutes 1988, section 97C.611, is amended to read:

97C.611 **SNAPPING TURTLES; LIMITS.**

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

A person may not possess more than ~~ten~~ three snapping turtles of the species *Chelydra serpentina* without a turtle seller's license. The size of the turtles must have a dorsal surface of the shell that measures at least ten inches long. A person may not take snapping turtles of a size less than ten inches wide including curvature, measured from side to side across the shell at midpoint.

Sec. 5. REPEALER.

Minnesota Statutes 1988, section 97C.615, is repealed.

Presented to the governor May 23, 1989

Signed by the governor May 25, 1989, 6:35 p.m.

CHAPTER 267—H.F.No. 1530

*An act relating to commerce; regulating business relations between manufacturers of heavy and utility equipment and independent retail dealers of those products; proposing coding for new law in Minnesota Statutes, chapter 325E.*

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

Section 1. [325E.068] DEFINITIONS.

Subdivision 1. SCOPE. For the purposes of sections 1 to 5, the terms defined in this section have the meanings given them.

Subd. 2. HEAVY AND UTILITY EQUIPMENT. "Heavy and utility equipment," "heavy equipment," or "equipment" means equipment including but not limited to excavators, crawler tractors, wheel loaders, compactors, pavers, backhoes, hydraulic hammers, cranes, fork lifts, compressors, generators, and other equipment including attachments and repair parts used in all types of construction of buildings, highways, airports, dams, or other earthen structures or in moving, stock piling, or distribution of materials used in such construction excluding self-propelled machines designed primarily for the transportation of persons or property on a street or highway.

Subd. 3. HEAVY AND UTILITY MANUFACTURER. "Heavy and utility equipment manufacturer," "heavy equipment manufacturer," or "equipment manufacturer" means a person, partnership, corporation, association, or other form of business enterprise engaged in the manufacturing, assembly, or wholesale distribution of heavy and utility equipment as defined in subdivision 2. The term also includes a successor in interest of the heavy and utility equipment manufacturer, including a purchaser of assets or stock, a surviving corporation resulting from a merger or liquidation, a receiver or assignee, or a trustee of the original equipment manufacturer.

New language is indicated by underline, deletions by strikeout.