

Subd. 4. ATTORNEY FEES. If the district court issues an injunction, or grants other relief under this section, or the prosecuting authority otherwise substantially prevails, the prosecuting authority shall also recover reasonable attorney fees in the trial and appellate courts and costs of investigation and litigation reasonably incurred.

Subd. 5. PERSONAL JURISDICTION. Personal service of process in a proceeding under this section may be made on any person outside of Minnesota if the person was a principal in any conduct constituting a violation of section 7 in this state. The person is deemed to have submitted to the jurisdiction of the courts of this state for the purposes of this section.

Sec. 15. [609.912] NOTICE TO OTHER PROSECUTING AUTHORITIES.

When a county attorney begins an investigation involving sections 5 to 14, the county attorney shall notify the attorney general. When the attorney general begins an investigation involving sections 5 to 14, the attorney general shall notify the county attorney of each county in which a substantial part of the investigation is likely to be conducted.

Sec. 16. EFFECTIVE DATE.

Sections 1 to 15 are effective August 1, 1989, and apply to crimes committed on or after that date.

Presented to the governor May 30, 1989

Signed by the governor June 1, 1989, 10:43 p.m.

CHAPTER 287—H.F.No. 827

An act relating to game and fish; prohibiting interference with or disturbance of a person taking wild animals under certain conditions; authorizing application fees for special permits to take game from certain areas during special seasons; clarifying the penalty for false or incomplete license applications; prohibiting certain actions related to license fee refunds; authorizing the taking of certain muskrat that are causing damage; creating an exception to fur buying and selling license requirements; permitting use of certain ammunition; amending Minnesota Statutes 1988, sections 97A.401, subdivision 4; 97A.481; 97A.485, subdivision 6; 97B.655, subdivision 1; 97B.905, subdivision 1; and Laws 1989, chapter 153, section 1; proposing coding for new law in Minnesota Statutes, chapter 97A.

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

Section 1. [97A.037] HUNTER, TRAPPER, AND ANGLER HARASSMENT PROHIBITED.

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

Subdivision 1. INTERFERENCE WITH TAKING WILD ANIMALS PROHIBITED. A person who has the intent to prevent, disrupt, or dissuade the taking of a wild animal or enjoyment of the out-of-doors may not disturb or interfere with another person who is lawfully taking a wild animal or preparing to take a wild animal. "Preparing to take a wild animal" includes travel, camping, and other acts that occur on land or water where the affected person has the right or privilege to take lawfully a wild animal.

Subd. 2. DISTURBING WILD ANIMALS PROHIBITED. A person who has the intent to prevent or disrupt a person from lawfully taking the animals may not disturb or engage in an activity that will tend to disturb wild animals.

Subd. 3. PERSONS INTENDING TO HARASS HUNTERS, TRAPPERS, AND ANGLERS MAY NOT REMAIN ON LAND. A person who has intent to violate subdivision 1 or 2 may not enter or remain on public lands, or on private lands without permission of the owner.

Subd. 4. PEACE OFFICER ORDER; PENALTY. A person must obey the order of a peace officer to stop the harassing conduct that violates this section if the officer observes the conduct. For purposes of this subdivision, "harassing conduct" does not include a landowner's or lessee's action to enforce the trespass law. Violation of this subdivision is a misdemeanor.

Sec. 2. Minnesota Statutes 1988, section 97A.401, subdivision 4, is amended to read:

Subd. 4. TAKING WILD ANIMALS FROM GAME REFUGES AND, WILDLIFE MANAGEMENT, AND OTHER AREAS. Special permits may be issued, with or without a fee, to take a wild animal from game refuges, wildlife management areas, and state parks, and other areas of the state that the commissioner may open for the taking of a wild animal during a special season. In addition, an application fee may be charged for a special permit. Fees to be collected shall be based upon the estimated cost of conducting the special season.

Sec. 3. Minnesota Statutes 1988, section 97A.481, is amended to read:

97A.481 LICENSE APPLICATIONS UNDER OATH; PENALTY.

All information required on a license application form must be furnished. The application must be made in writing and under oath is subject to the penalty prescribed in section 97A.301, subdivision 1, clause (5).

Sec. 4. Minnesota Statutes 1988, section 97A.485, subdivision 6, is amended to read:

Subd. 6. LICENSES TO BE SOLD AND ISSUING FEES. (a) Persons authorized to sell licenses under this section must sell the following licenses for the license fee and the following issuing fees:

- (1) to take deer or bear with firearms and by archery, the issuing fee is \$1;

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

(2) Minnesota sporting, the issuing fee is \$1; and

(3) to take small game, for a person under age 65 to take fish by angling or for a person of any age to take fish by spearing, and to trap fur-bearing animals, the issuing fee is \$1;

(4) for a trout and salmon stamp that is not issued simultaneously with an angling or sporting license, an issuing fee of 50 cents may be charged at the discretion of the authorized seller; and

(5) for stamps other than a trout and salmon stamp, there is no fee.

(b) An issuing fee may not be collected for issuance of a trout and salmon stamp if a stamp is issued simultaneously with the related angling or sporting license. Only one issuing fee may be collected when selling more than one trout and salmon stamp in the same transaction after the end of the season for which the stamp was issued.

(c) The auditor or subagent shall keep the issuing fee as a commission for selling the licenses.

(d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.

(e) A license, except stamps, must state the amount of the issuing fee and that the issuing fee is kept by the seller as a commission for selling the licenses.

(f) The fee for an angling license paid by a resident 65 years of age or over must be refunded to the licensee upon request to the commissioner, if the request is made within 30 days of the sale. The commissioner shall design a system on the license for this purpose. An auditor or subagent may not provide postage stamps or pre-addressed envelopes for obtaining the refund. An auditor or subagent must provide information on the purposes for which license receipts are spent and the effects of applying for a refund.

Sec. 5. Minnesota Statutes 1988, section 97B.655, subdivision 1, is amended to read:

Subdivision 1. **OWNERS AND OCCUPANTS MAY TAKE CERTAIN ANIMALS.** A person may take mink, squirrel, rabbit, hare, raccoon, lynx, bobcat, fox, muskkrat, or beaver on land owned or occupied by the person where the animal is causing damage. The person may take the animal without a license and in any manner except by poison, or artificial lights in the closed season. Raccoons may be taken under this subdivision with artificial lights during open season. A person that kills mink, raccoon, lynx, bobcat, fox, muskkrat, or beaver under this subdivision must bring the entire animal to a conservation officer or employee of the division within 24 hours after the animal is killed.

Sec. 6. Minnesota Statutes 1988, section 97B.905, subdivision 1, is amended to read:

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Subdivision 1. **RESIDENT LICENSE REQUIREMENT.**

(a) A resident that has a license to buy and sell raw furs person may not buy and or sell raw furs in the state including:

(1) ~~selling raw furs to a manufacturer, representing nonresidents;~~

(2) ~~selling raw furs to a broker or agent, representing a nonresident; and~~

(3) ~~conducting a fur auction that makes sales to resident manufacturers and nonresidents without a fur buying and selling license, except a taxidermist licensed under section 97A.475, subdivision 19, and a fur manufacturer are not required to have a license to buy raw furs from a person with fur buying and selling licenses.~~

(b) An employee, partner, or officer buying or selling only for a raw fur dealer licensee at an established place of business licensed under section 97A.475, subdivision 21, clause (a), may obtain a supplemental license under section 97A.475, subdivision 21, clause (b).

Sec. 7. Laws 1989, chapter 153, section 1, if enacted, is amended to read:

Section 1. Minnesota Statutes 1988, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. **FIREARMS AND AMMUNITION THAT MAY BE USED TO TAKE BIG GAME.** (a) A person may take big game with a firearm only if:

(1) the rifle, shotgun, and handgun used is a caliber of at least .23 inches;

(2) the firearm is loaded only with single projectile ammunition;

(3) a projectile used is a caliber of at least .23 inches and has a soft point or is an expanding bullet type;

(4) the ammunition has a case length of at least 1.285 inches;

(5) the muzzle-loader used is incapable of being loaded at the breech;

(6) the smooth-bore muzzle-loader used is a caliber of at least .45 inches; and

(7) the rifled muzzle-loader used is a caliber of at least .40 inches.

(b) A person may not take big game with a .30 caliber M-1 carbine cartridge.

(c) Notwithstanding paragraph (a), clause (4), a person may take big game with a ten millimeter cartridge that is at least 0.95 inches in length.

Sec. 8. **EFFECTIVE DATE.**

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

Section 2 is effective the day following final enactment.

Presented to the governor May 26, 1989

Signed by the governor May 26, 1989, 5:36 p.m.

CHAPTER 288—H.F.No. 1146

An act relating to traffic regulations; dedicating seat belt violation fines to emergency medical services relief account; amending Minnesota Statutes 1988, section 169.686, subdivision 3.

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

Section 1. Minnesota Statutes 1988, section 169.686, subdivision 3, is amended to read:

Subd. 3. **APPROPRIATION; SPECIAL ACCOUNT.** ~~One-half of~~ The fines collected for a violation of subdivision 1 must be deposited in the state treasury and credited to a special account to be known as the emergency medical services relief account; ~~provided that the total amount of fines deposited in the account may not exceed \$750,000 per year. The remaining fines must be distributed as provided in statute.~~ Money in the account shall be distributed to the eight regional emergency medical services systems designated by the commissioner under section 144.8093, for personnel education and training, equipment and vehicle purchases, and operational expenses of emergency life support transportation services. The board of directors of each emergency medical services region shall establish criteria for funding.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective July 1, 1989.

Presented to the governor May 26, 1989

Signed by the governor May 26, 1989, 5:37 p.m.

CHAPTER 289—H.F.No. 391

An act relating to peace officers; providing eligibility for death benefits for certain fire and rescue unit members and other first responders; amending Minnesota Statutes 1988, section 176B.01, subdivision 2.

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

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