

Sec. 3. EFFECTIVE DATE.

Sections 1 and 2 are effective the day following final enactment and apply to strikes and lockouts that occur on or after that date.

Presented to the governor May 28, 1991

Became law without the governor's signature June 1, 1991

[Revisor's Note: While the governor attempted to veto this chapter, the Ramsey County District Court found the attempted veto to be invalid.]

CHAPTER 240—H.F.No. 1387

An act relating to public buildings; requiring that legislative hearing rooms and the house and senate chambers be fitted with devices to aid the hearing-impaired; appropriating money; amending Minnesota Statutes 1990, section 16B.61, by adding a subdivision.

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

Section 1. Minnesota Statutes 1990, section 16B.61, is amended by adding a subdivision to read:

Subd. 7. ACCESS FOR THE HEARING-IMPAIRED. All rooms in the state office building and in the capitol that are used by the house of representatives or the senate for legislative hearings, and the public galleries overlooking the house and senate chambers, must be fitted with assistive listening devices for the hearing-impaired. Each hearing room and the public galleries must have a sufficient number of receivers available so that hearing-impaired members of the public may participate in the committee hearings and public sessions of the house and senate.

Sec. 2. APPROPRIATION.

\$30,000 is appropriated from the general fund to the commissioner of administration for purposes of section 1, to be available for the biennium ending June 30, 1993.

Presented to the governor May 24, 1991

Signed by the governor May 28, 1991, 9:48 a.m.

CHAPTER 241—S.F.No. 800

An act relating to natural resources; requiring a plan and program for control of ecologically harmful species of plants and animals; revising certain provisions relating to the taking, possession, and transportation of wild animals; requiring reports; amending Minnesota Stat-

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utes 1990, sections 97A.445, subdivision 2; 97A.535, subdivision 1; 97B.055, subdivision 3; 97B.106; and 97B.935, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 84.

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

Section 1. **[84.967] ECOLOGICALLY HARMFUL SPECIES; DEFINITION.**

For the purposes of section 1 to 4, "ecologically harmful exotic species" means non-native aquatic plants or wild animals that can naturalize, have high propagation potential, are highly competitive for limiting factors, and cause displacement of, or otherwise threaten, native plants or native animals in their natural communities.

Sec. 2. **[84.968] ECOLOGICALLY HARMFUL EXOTIC SPECIES MANAGEMENT PLAN.**

By January 1, 1993, a long-term statewide ecologically harmful exotic species management plan must be prepared by the commissioner of natural resources and address the following:

- (1) coordinated detection and prevention of accidental introductions;
- (2) coordinated dissemination of information about ecologically harmful exotic species among resource management agencies and organizations;
- (3) a coordinated public awareness campaign regarding ecologically harmful exotic animals and aquatic plants;
- (4) a process, where none exists, to designate and classify ecologically harmful exotic species into the following categories:
 - (i) undesirable wild animals that must not be sold, propagated, possessed, or transported; and
 - (ii) undesirable aquatic exotic plants that must not be sold, propagated, possessed, or transported;
- (5) coordination of control and eradication of ecologically harmful exotic species on public lands and public waters; and
- (6) development of a list of exotic wild animal species intended for non-agricultural purposes, or propagation for release by state agencies or the private sector.

Sec. 3. **[84.969] COORDINATING PROGRAM, GRANTS, AND REGIONAL COOPERATION.**

Subdivision 1. COORDINATING PROGRAM. The commissioner of natural resources shall establish a statewide coordinating program to prevent and curb the spread of ecologically harmful exotic animals and aquatic plants.

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Subd. 2. GRANTS. The coordinating program created in subdivision 1 may accept gifts, donations, and grants to accomplish its duties and must seek available federal grants through the federal Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990. A portion of these funds shall be used to implement the plan under section 2.

Subd. 3. REGIONAL COOPERATION. The governor may cooperate, individually and regionally, with other state governors in the midwest for the purposes of ecologically harmful exotic species management and control.

Sec. 4. [84.9691] RULEMAKING.

The commissioner of natural resources may adopt rules, including emergency rules, to restrict the introduction, propagation, use, possession, and spread of ecologically harmful exotic animals and aquatic plants in the state.

Sec. 5. Minnesota Statutes 1990, section 97A.445, subdivision 2, is amended to read:

Subd. 2. **ANGLING; INSTITUTIONAL RESIDENTS.** A license is not required to take fish by angling with the written consent of the superintendent or chief executive of the institution for the following persons:

- (1) a resident of a state hospital;
- (2) a patient of a United States Veterans Administration hospital;
- (3) an inmate of a state correctional facility; ~~and~~

(4) a resident of a licensed nursing or boarding care home, a person who is enrolled in and regularly participates in an adult day care program or other similar organized activity sponsored by a licensed nursing or boarding care home, or a resident of a licensed board and lodging facility; and

(5) a resident of a drug or alcohol residential treatment program under the age of 20.

Sec. 6. Minnesota Statutes 1990, section 97A.535, subdivision 1, is amended to read:

Subdivision 1. **TAGS REQUIRED.** A person may not possess or transport deer, bear, elk, or moose taken in the state unless a tag is attached to the carcass in a manner prescribed by the commissioner. The commissioner must prescribe the type of tag that has the license number of the owner, the year of its issue, and other information prescribed by the commissioner. The tag must be attached to the deer, bear, elk, or moose ~~when:~~

~~(1) the animal is in a camp, or a place occupied overnight or the yard surrounding the place; or~~

(2) the animal is on a motor vehicle at the site of the kill before the animal is removed from the site of the kill, and must remain attached to the animal until the animal is processed for storage.

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Sec. 7. Minnesota Statutes 1990, section 97B.055, subdivision 3, is amended to read:

Subd. 3. **HUNTING FROM VEHICLE BY DISABLED HUNTERS.** The commissioner may issue a special permit, without a fee, to discharge a firearm or bow and arrow from a stationary motor vehicle to a licensed hunter that is temporarily or permanently physically unable to walk ~~with or~~ without crutches, braces, or other mechanical support, or who has a physical disability which substantially limits the person's ability to walk. The physical disability and the substantial inability to walk must be established by medical evidence verified in writing by a licensed physician. A person with a temporary disability may be issued an annual permit and a person with a permanent disability may be issued a permanent permit.

Sec. 8. Minnesota Statutes 1990, section 97B.106, is amended to read:

97B.106 CROSSBOW PERMITS FOR HUNTING.

The commissioner may issue a special permit, without a fee, to take deer or turkey with a crossbow to a person that is unable to hunt by archery because of a permanent or temporary physical disability. To qualify a person for a special permit under this section, a temporary disability must render the person unable to hunt by archery for a minimum of two years after application for the permit is made. The permanent or temporary disability, established by medical evidence, and the inability to hunt by archery for the required period of time must be verified in writing by a licensed physician. The person must obtain the appropriate license. The crossbow must:

- (1) be fired from the shoulder;
- (2) deliver at least 42 foot-pounds of energy at a distance of ten feet;
- (3) have a stock at least 30 inches long;
- (4) have a working safety; and
- (5) be used with arrows or bolts at least ten inches long with a broadhead.

Sec. 9. Minnesota Statutes 1990, section 97B.935, subdivision 3, is amended to read:

Subd. 3. **SPECIAL PERMIT FOR DISABLED.** The commissioner may issue a special permit, in the manner provided in section 97B.055, subdivision 3, to use a snowmobile or all-terrain vehicle to transport or check beaver or otter traps or to transport beaver or otter carcasses or pelts to a licensed trapper physically unable to walk as specified in section 97B.055, subdivision 3.

Sec. 10. **CHECKS OF TRAILERED BOATS.**

(a) The commissioner of natural resources shall establish a two-year pro-

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gram of at least five checks per year of trailered boats. The purpose of the checks is to inspect boats and trailers for Eurasian water milfoil fragments, and to inform and educate the boat owners about Eurasian water milfoil and other exotic species and how to prevent their spread.

(b) The commissioner shall assess the effectiveness of the program established in paragraph (a), keep records on the occurrence of Eurasian water milfoil fragments or other exotic species, and report to the legislature by January 1, 1993.

Sec. 11. PILOT PROJECT FOR TAKING TWO DEER.

(a) Notwithstanding Minnesota Statutes, section 97B.301, in the 1991 and 1992 hunting seasons, the commissioner must allow a person to take two deer per season, one by firearm and one by archery, in the counties of Marshall, Kittson, and Roseau. A person taking two deer under this section must obtain a license for each method of hunting.

(b) The commissioner shall conduct a study on the provisions of paragraph (a) including, but not limited to, a review of the impact on the deer population, the participation and satisfaction of hunters, and the success ratio. By February 15, 1993, the commissioner must report on the study to the house and senate committees with jurisdiction over natural resources.

Sec. 12. TAGGING REPORT.

The commissioner must review the tagging requirement in Minnesota Statutes, section 97A.535, subdivision 1, and report to the house and senate committees with jurisdiction over natural resources by February 15, 1993, on any recommended changes to the requirement.

Sec. 13. EFFECTIVE DATE.

Section 5 is effective the day following its final enactment. Sections 7 to 9 are effective August 1, 1991. Section 6 is effective August 1, 1992.

Presented to the governor May 24, 1991

Signed by the governor May 28, 1991, 9:32 a.m.

CHAPTER 242—S.F.No. 1027

An act relating to natural resources; establishing a Minnesota adopt-a-park program; requiring the department of natural resources to report to the legislature on the program; ensuring that the program does not conflict with public employee duties; proposing coding for new law in Minnesota Statutes, chapter 85.

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