

Presented to the governor March 31, 2000

Signed by the governor April 4, 2000, 3:39 p.m.

CHAPTER 331—S.F.No. 3260

An act relating to agriculture; amending certain requirements for licensed aquatic farms; amending Minnesota Statutes 1998, sections 17.4984, subdivisions 2, 6, and 7; 17.4992, subdivision 3; and 97C.521.

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

Section 1. Minnesota Statutes 1998, section 17.4984, subdivision 2, is amended to read:

Subd. 2. **LISTED WATERS.** (a) An aquatic farm license must list:

(1) the specific waters of the state that may be used in connection with the licensed aquatic farm and the species approved for each licensed water; and

(2) whether aeration requiring a permit is approved.

Additional waters may not be used until they are approved by the commissioner.

(b) The right to use waters licensed for private fish hatchery or aquatic farm purposes may be transferred between licensees with prior approval by the commissioner if requirements for species to be raised are met. Waters that are continually connected by a permanent watercourse to other waters must not be approved for aquatic farm use, except that connected waters that are isolated from other waters may be licensed as a single water body. Waters that are intermittently connected or may become connected with other waters may be denied, or screening or other measures may be required to prevent passage of aquatic life. Listed waters may be changed on approval by the area fisheries supervisor or the commissioner.

(c) The commissioner shall conduct an inspection of waters to be licensed prior to approving or denying initial licensing of the waters. When artificial tanks, jars, or other containers are added to existing licensed facilities, an additional inspection is not required.

(d) Waters containing game fish of significant public value may be denied licensing unless the applicant can demonstrate exclusive riparian control.

(e) Waters containing game fish of significant public value may be denied licensing unless the game fish of significant public value are, at the commissioner's option, and taking into consideration the recommendation of the licensed applicant, sold to the licensee, or removed for other state use by the department of natural resources, or disposed of as provided in writing by the commissioner.

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(f) Waters licensed under an aquatic farm license may be aerated during open water periods without a separate aeration permit.

(g) Carp and bullheads may be removed from licensed waters, and transported and disposed of by the licensee.

Sec. 2. Minnesota Statutes 1998, section 17.4984, subdivision 6, is amended to read:

Subd. 6. **INSPECTIONS AND ENFORCEMENT.** (a) The premises, property, vehicles, private aquatic life, and equipment where private aquatic farm operations are being conducted are subject to an annual operations inspection and other reasonable and necessary inspections at reasonable times by conservation officers. The reason for the inspection must be provided in writing upon request. The owner, operator, or designee may be present when inspections are conducted.

(b) Conservation officers may enforce sections 17.4981 to 17.4997 under section 97A.205.

Sec. 3. Minnesota Statutes 1998, section 17.4984, subdivision 7, is amended to read:

Subd. 7. **NONPUBLIC RECORDS.** (a) Licensees must keep complete, up-to-date, nonpublic records of the operation of the aquatic farm. The records must remain available for at least three years.

(b) The records must be in English and include the following information:

(1) for each species acquired, the number and or pounds of fish or eggs acquired, names and addresses of the sources from which acquired, and the dates of receipt;

(2) for each species sold or disposed of, the number and or pounds of fish sold or disposed of, the names and addresses of the purchasers or persons to whom the conveyances are made, and the dates of sale; and

(3) for fish sperm or viable eggs, the amount acquired or sold, the names and addresses of the sources from which acquired, the purchasers to whom conveyed, and the dates of purchase or sale.

(c) On or before March 1 of each year, the licensee shall submit a complete annual report on a form furnished by the commissioner, covering the quantity number or pounds of all species sold or purchased in the preceding licensed year.

(d) An aquatic farmer shall maintain records for reasonable inspection by the commissioner. Information on aquatic life production, harvest, and sales is nonpublic information.

Sec. 4. Minnesota Statutes 1998, section 17.4992, subdivision 3, is amended to read:

Subd. 3. **ACQUISITION OF FISH FOR BROOD STOCK.** (a) Game fish brood stock may be sold to private fish hatcheries or aquatic farms by the state at fair wholesale market value. For brood stock development, up to 20 pair of adults of each

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species requested may be provided to a licensee once every three years, if available, by the state through normal operations.

(b) If brood stock is not available by the June 1 following the request under paragraph (a) and a permit to take brood stock by angling is requested by the licensee, within 30 days of the request, the commissioner may issue a permit to the licensee to take, by angling, up to 20 pairs of each species requested. Game and fish laws and rules relating to daily limits, seasons, and methods apply to the taking of fish by angling pursuant to a permit issued under this paragraph.

Sec. 5. Minnesota Statutes 1998, section 97C.521, is amended to read:

97C.521 TRANSPORTATION OF CARP FINGERLINGS PROHIBITED.

Except as provided in section 17.4984, subdivision 2, paragraph (g), a person may not transport live carp fingerlings.

Presented to the governor March 31, 2000

Signed by the governor April 4, 2000, 3:48 p.m.

CHAPTER 332—S.F.No. 2653

An act relating to state government; requiring state agencies to provide grant information on the Internet; requiring the commissioner of administration to develop a uniform Internet application for grants; amending Minnesota Statutes 1998, section 16B.467; proposing coding for new law in Minnesota Statutes, chapter 15.

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

Section 1. [15.994] INTERNET GRANT INFORMATION.

A state agency with an Internet site must provide information on grants available through the agency and must provide a link to any grant application under section 16B.467.

Sec. 2. Minnesota Statutes 1998, section 16B.467, is amended to read:

16B.467 ELECTRONIC CONDUCT OF STATE BUSINESS.

The commissioner of administration shall develop and implement a system under which:

(1) state business can be conducted and permits or licenses obtained through electronic communication with the appropriate state agencies; and

(2) applications for grants can be made electronically to state agencies when feasible.

Presented to the governor March 31, 2000

Signed by the governor April 4, 2000, 3:42 p.m.

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