

MINNESOTA STATUTES 1975 SUPPLEMENT

100.27 QUADRUPEDS, BIRDS

(3) Raccoon may be taken and possessed, subject to the provisions of chapters 97 to 102 and the restrictions imposed by order of the commissioner between October 15th and December 31st statewide. Notwithstanding the restrictions imposed by this subdivision, raccoon may be treed without being taken by the use of dogs at any time during the year.

[1975 c 164 s 2; 1975 c 167 s 4]

[For text of subds 4 to 9, see M.S.1974]

100.29 Restrictions and prohibitions.

[For text of subds 1 to 30, see M.S.1974]

Subd. 31. It shall be unlawful to take bear by using solid waste containing bottles, cans, plastic, paper, metal or any other materials that are not readily biodegradable as a bait or a lure for the purpose of attracting the bear.

[1975 c 298 s 1]

CHAPTER 101. FISH

Sec.		Sec.	
101.42	Restrictions and prohibitions.	101.45	Turtles and tortoises.
101.425	Boundary waters; portable fish houses. [New]		

101.42 Restrictions and prohibitions.

[For text of subds 1 to 20, see M.S.1974]

Subd. 21. Except as may be authorized by commissioner's order, it is unlawful for any person to conduct a fishing contest whereby entry fees over \$10 per person or total prizes valued over \$2,000 are involved on any waters of this state without a permit issued pursuant to this subdivision by the commissioner of natural resources. The commissioner, by order promulgated pursuant to section 97.53, shall establish limitations on such fishing contests as he deems desirable for the preservation, protection, and propagation of fish and fish habitat and for the safety of participants in the contest. Any permit which the commissioner may issue pursuant to the limitations so established shall be issued without fee. The commissioner must either grant or deny the permit within 14 days, excluding holidays, after receipt of the permit application or the application is deemed granted.

[1975 c 172 s 1]

(NOTE: Laws 1975, Chapter 172, Section 2, reads as follows:

"Sec. 2. This act is effective January 1, 1976. However, before the effective date the commissioner may promulgate the order specified in section 1, which order may not become effective before the effective date of this act.")

101.425 Boundary waters; portable fish houses.

Notwithstanding any law or regulation of the commissioner of natural resources to the contrary, it shall be lawful to utilize fish houses or dark houses for the purpose of taking fish within the boundary waters canoe area, provided any fish house or dark house so utilized is of a portable type, and the owner or occupant thereof removes the same from any lake within the boundary

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FLOOD PLAIN MANAGEMENT 104.37

waters canoe area and collapses or disassembles the portable fish house each night. The owner or occupant shall remove the portable fish house or dark house from the boundary waters canoe area each time he leaves the boundary waters canoe area.

[1975 c 161 s 1]

101.45 Turtles and tortoises.

Any person permitted by law to take fish by angling may take, possess, buy, sell and transport turtles and tortoises in any manner except by use of explosives, drugs, poisons, lime and other deleterious substances or by the use of nets, other than landing nets, or traps; except that snapping turtles of the species *Chelydra serpentina* may not be possessed in excess of a limit of ten nor in a size where the dorsal surface of the carapace or shell measures less than ten inches in length. A holder of a license pursuant to section 98.46, subdivision 5, clause (7) may take turtles for sale in accordance with regulations of the commissioner.

[1975 c 107 s 3]

CHAPTER 104. FLOOD PLAIN MANAGEMENT

Sec. 104.35	Management plans; hearing; establishment.	Sec. 104.37	Acquisition of interests in land; development.
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104.35 Management plans; hearing; establishment.

[For text of subds 1 and 2, see M.S.1974]

Subd. 3. Following the public hearing, and such additional public hearings as the commissioner shall deem necessary, and following review by the state planning agency as required by section 86A.09, he may by order designate the river or segment thereof as a wild, scenic, or recreational river and shall adopt a management plan to govern the area. The commissioner shall notify and inform public agencies and private landowners of the plan and its purposes so as to encourage their cooperation in the management and use of their land in a manner consistent with the plan and its purposes.

[1975 c 353 s 21]

[For text of subd 4, see M.S.1974]

104.37 Acquisition of interests in land; development.

Subdivision 1. To further the purposes of sections 104.31 to 104.40, the commissioner of administration, for the commissioner of natural resources, may acquire the title, scenic easements or other interests in land, by purchase, grant, gift, devise, exchange, lease, or other lawful means. "Scenic easement" means an interest in land, less than the fee title, which limits the use of such land for the purpose of protecting the scenic, recreational, or natural characteristics of a wild, scenic or recreational river area. Unless otherwise expressly and specifically provided by the parties, such easement shall be (a) perpetually held for the benefit of the people of Minnesota; (b) specifically enforceable by its holder or any beneficiary; and (c) binding upon the holder of the servient estate, his heirs, successors and assigns. Unless specifically provided by the parties, no such easement shall give the holder or any beneficiary the right to enter on the land except for enforcement of the easement.

Subd. 2. The commissioner of natural resources may designate and develop appropriate areas of public land along wild, scenic, and recreational riv-