

# MINNESOTA STATUTES 1979 SUPPLEMENT

## GAME AND FISH 94.349

### 94.349 Transfers of title involving the state and governmental subdivisions of the state.

Subdivision 1. For the purpose of consolidating ownership or for any other public purpose, the state, acting through the commissioner of natural resources, or a local unit of government of the state may submit a proposal involving transfer of titles of land of the state and the local unit of government to the land exchange board, for review and recommendation of the board.

Subd. 2. The procedures relating to appraisal, title examination, and hearings set forth in sections 94.341 to 94.348 for land exchanges shall be followed, insofar as applicable, in matters relating to transfers of land titles under this section, subject to such further limitations as may be provided in this section.

Subd. 3. The classes of state land which may be involved in a transfer of title are the same as those which may be exchanged under land exchange laws and are subject to the same limitations as are applied to state lands under land exchange laws. In addition, land subject to the public sale requirements of Minnesota Constitution, Article XI, Section 8, shall be condemned prior to any title transfer. The condemnation award must be paid and the time to appeal from the award must have expired prior to any title transfer under this section.

Subd. 4. For the purposes of this section, lands acquired through tax-forfeiture, held subject to a trust in favor of taxing districts, and under the control of county authorities for classification, appraisal and sale may be considered as land of a local unit of government for the purposes of this section. This land is subject to the same limitations as are applied to the same lands under land exchange laws.

Subd. 5. The land exchange board shall recommend such legislation as may be necessary to complete the transfer of titles under this section.

Subd. 6. Upon satisfaction of the requirements of this section, and upon the unanimous approval of the land exchange board, the commissioner of natural resources, as to the state land involved in the transfer of titles, and the governing body of the local unit of government, as to the local government land involved in the transfer of titles, shall execute deeds in the name of the respective government involved in the transfer, which deeds shall be executed and recorded in the same manner as deeds in land exchanges.

Subd. 7. The commissioner of natural resources, with the approval of the board, shall determine the status of each tract of land received by the state in the transfer of titles. The county board, in a situation where the land given in a transfer is that type of land described in subdivision 4, shall proceed as required in section 94.344, subdivision 11.

Subd. 8. State land involved in a transfer of title shall be subject to the provisions of section 94.343, subdivision 4. Tax-forfeited land under the control of a county involved in a title transfer shall be subject to the provisions of section 94.344, subdivision 4.

Subd. 9. The provisions of this section shall be supplementary to other laws relating to transfer of title of land or interests in land involving the state and local units of government.

[ 1979 c 142 s 1 ]

### CHAPTER 97. GAME AND FISH

Sec. 97.40	Definitions.	Sec. 97.4861	Repealed.
97.45	Transportation restricted.	97.49	Funds.
97.48	Commissioner, general powers.		
97.482	Surcharge on small game hunting licenses appropriated.		

# MINNESOTA STATUTES 1979 SUPPLEMENT

## 97.40 GAME AND FISH

### 97.40 Definitions.

[For text of subs. 1 to 10, see M.S.1978]

Subd. 11. "Rough fish" includes carp, buffalofish, suckers, redhorse, sheepshead, dogfish, eelpout, tullibees, garfish, goldeyes, and bullheads.

Subd. 12. "Minnows" includes all members of the minnow family (Cyprinidae), except carp and goldfish; mudminnows; all members of the sucker family (Catostomidae) not over 12 inches in length; bullheads, tullibees, herring, whitefish, goldeyes and mooneyes not over seven inches in length. For purposes of any law regulating the taking, sale or transportation thereof, a leech shall be considered a minnow; except that no license shall be required of any resident individual under the age of 18 years engaging in the business of taking, transporting or selling leeches at retail.

[For text of subs 13 to 35, see M.S.1978]

[ 1979 c 244 s 1,2 ]

### 97.45 Transportation restricted.

[For text of subs 1 to 14, see M.S.1978]

Subd. 15. The following restrictions on the transportation of minnows apply only to quantities in excess of 24 dozen. The following restrictions do not apply to minnows being transported through the state pursuant to a permit issued by the commissioner under section 101.42, subdivision 6. No person shall transport any minnows beyond the boundaries of the state, except leeches, suckers, and fathead minnows, which may be transported without the state by any resident minnow dealer holding an exporting minnow dealers license or by any licensed nonresident exporting minnow hauler bearing a bill of lading issued by a dealer holding an exporting license, on forms furnished by the department. Said bill of lading shall contain the exporter's name and address, route of exit to be used leaving the state, amount and type of bait, time of issuance and 24 hours to exit the state. Except for a licensed and authorized nonresident hauler transporting minnows in accordance with this subdivision, no motor vehicle which is not registered and licensed in this state and which is not licensed under section 98.46, subdivision 5, clause 11, shall contain minnows or be used to transport minnows in Minnesota. A minnow retailer who transports minnows from a place of wholesale purchase to his place of business shall transport the minnows by the most convenient and direct route.

[ 1979 c 70 s 1 ]

### 97.48 Commissioner, general powers.

[For text of subs 1 to 18, see M.S.1978]

Subd. 18a. The commissioner may set such seasons and establish whatever regulations he deems necessary for the conservation of wild ginseng.

[For text of subs 19 to 28, see M.S.1978]

[ 1979 c 94 s 2 ]

### 97.482 Surcharge on small game hunting licenses appropriated.

[For text of subd 1, see M.S.1978]

Subd. 2. The commissioner may expend money for use in developing, preserving, restoring and maintaining the water fowl breeding grounds in Canada, under agreement or contract with any nonprofit organization dedicated to the construction, maintenance, and repair of such projects which are acceptable to the governmental agency having ju-

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isdiction over the land and water affected by such projects. Such agreements and contracts may be entered into if the commissioner is satisfied that the use of such funds will be beneficial to the migration of waterfowl into the state of Minnesota.

[ 1979 c 333 s 84 ]

**97.4861** [ Repealed, 1979 c 242 s 3 ]

**97.49 Funds.**

[For text of subd 1, see M.S.1978]

Subd. 3. A sum equal to: (1) 35 percent of the gross receipts from all special use permits and leases of lands acquired for public hunting grounds and game refuges, or (2) 50 cents per acre on purchased land actually used for public hunting grounds and game refuges, or (3) three-quarters of one percent of the appraised value of purchased land actually used for public hunting grounds and game refuges, whichever amount is the greater, shall be paid out of the game and fish fund annually to the county in which said lands are located, to be distributed by the county treasurer among the county and the respective towns and school districts wherein such grounds and refuges lie, on the same basis as if the payments were received as taxes on such lands, payable in the current year, but this provision shall not apply to state trust fund lands or any other state lands not purchased for game refuge and public hunting ground purposes. The county's share of the proceeds shall be deposited in the county general revenue fund. For the purpose of determining the applicability of payments pursuant to clause (3) above, the appraised value of the lands acquired shall be deemed to be the purchase or acquisition price thereof during the first five years following acquisition. After the expiration of five years from the date of acquisition or, in the case of lands acquired prior to July 1, 1974, within 90 days after July 1, 1979, and thereafter at five year intervals, a current appraisal of the land shall be made by the appropriate county assessor, and shall govern payments.

[For text of subs 4 to 7, see M.S.1978]

[ 1979 c 301 s 8 ]

## CHAPTER 98. LICENSES, TAKING OF GAME AND FISH

Sec. 98.45	Requirement.	Sec. 98.52	Loss and revocation of licenses.
98.46	Fees.		

### **98.45 Requirement.**

Subdivision 1. Except as specifically permitted in chapters 97 to 102, no person may take, buy, sell, transport, or possess any protected wild animals of this state or any aquatic plants without first procuring a license therefor as provided in section 98.46 or in section 98.48. Every license is issued for a year beginning on the first day of March and is void after the last day of the open season or the lawful time within that year during which the acts authorized may be performed. Except as provided in this section, no license to take deer with firearm or with bow and arrow may be issued after the day prior to the first day of the regular rifle season, and all license agents shall return all stubs and unsold license blanks to the county auditor on the first business day following the first day of such season. A resident who is discharged from the military or naval forces of the United States, or any active reserve or component thereof, during the regular season for taking deer by firearm or within ten days before its commencement, may be issued, at any time during the firearm deer season and upon a showing of his official discharge paper, a license to take deer with firearm. Only one license of each kind, except as authorized by order of the commissioner adopted pursuant to section 97.53 and except the non-resident short term angling license, may be issued to a person in any licensing year. No license may be transferred except as expressly authorized.