

## CHAPTER 308—S. F. No. 994

*An act fixing maximum annual expenditures for old age pensions in counties of this state now or, hereafter having property of the assessed valuation of not less than \$325,000,000.00, exclusive of money and credits and having a bonded indebtedness not exceeding \$5,000,000.00, inclusive of bonds issued to defray the cost of permanently improving state trunk highways, which bonds the State of Minnesota has heretofore agreed to pay.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Maximum expenditures for old age pensions in certain counties.**—In all counties of this state now or hereafter having property of the assessed valuation of not less than \$325,000,000.00, exclusive of money and credits and having a bonded indebtedness not exceeding \$5,000,000.00, inclusive of bonds issued to defray the cost of permanently improving state trunk highways, which bonds the State of Minnesota has heretofore agreed to pay, the maximum amount which may be expended in any one year for old age pensions shall not exceed such a sum as may be produced by a tax levy of seven-tenths of a mill on each dollar of the taxable value of the property of such counties.

**Sec. 2. Inconsistent acts repealed.**—All acts or parts of acts inconsistent with the provisions of this Act are hereby repealed.

Approved April 17, 1933.

## CHAPTER 309—S. F. No. 1005

*An act amending Mason's Minnesota Statutes of 1927, Sections 5536-3 and 5536-7, relating to licenses for taking wild animals and fish, the maner of sale thereof, and the disposition of the proceeds.*

Be it enacted by the Legislature of the State of Minnesota:

**Section 1. Hunting and trapping licenses.**—Mason's Minnesota Statutes of 1927, Section 5536-3, is hereby amended so as to read as follows:

“5536-3. Licenses shall be issued as follows:

Hunting or trapping licenses for residents of the state, by the county auditor of the county in which the applicant resides or by any agent of such auditor.

Hunting licenses for non-residents of the state, by the commissioner or any agent of the commissioner outside of the state, or by any county auditor in the state, or his agent.

'Angling licenses for residents of the state, by the county auditor of the county in which the applicant resides, or by any agent of such auditor.

Angling licenses for non-residents of the state, by the commissioner or any agent of the commissioner outside the state, or by any county auditor of the state, or his agent.

The commissioner may appoint agents to issue non-resident licenses of any kind outside of the state. Such appointments shall be in writing and a record thereof shall be kept by the commissioner. The commissioner may revoke any such appointment at any time. The commissioner may require any agent appointed by him to furnish a bond to the state, to be approved by the commissioner and filed in his office, in such sum as the commissioner may prescribe, at least equal to the total estimated amount of license fees and unsold licenses which will be in the hands of such agent at any one time, conditioned to secure the accounting by such agent for all license blanks furnished to and licenses issued by him and the payment by him according to law of all moneys received by him as fees for such licenses and the compliance by him with all the provisions of law relating to the issuance of such licenses. The commissioner may require a like bond of any county auditor if, in the opinion of the commissioner, his official bond is not sufficient for the purposes hereinbefore specified.

Every county auditor may appoint agents to issue within his county such licenses as such agents are authorized to issue. He shall *if possible* appoint at least one such agent in every city and village of his county outside of the county seat and at any other place in the county which may be designated by the commissioner and may appoint such other agents anywhere in the county as he deems necessary for the convenience of the public in obtaining licenses. Such appointments shall be in writing and a record thereof shall be kept by the auditor. Upon making any such appointment the auditor shall forthwith notify the commissioner of the name and address of the appointee. The auditor may revoke any such appointment at any time, and shall revoke any such appointment upon his own motion or when demanded by the Game and Fish Commissioner whenever such agent shall violate any provision of the laws relating to the issuance of such licenses, or shall fail to give proper attention to the issuance thereof, or shall fail to account promptly for unsold licenses or license fees. The county auditor shall be responsible for all license blanks issued to and license fees received

by his agents, and such agents shall be responsible to the auditor therefor. The auditor may require any such agent to furnish a bond to the auditor, in such sum as the auditor may prescribe, to be approved by the auditor and filed in his office, conditioned in like manner as the bonds to be furnished by agents of the commissioner as hereinbefore provided. All license fees received by such agents shall be deemed public moneys of the state, and such agents shall be amendable to all the penalties provided by law relating to such moneys or to the issuance of such licenses."

**Sec. 2. County auditor to deposit money with county treasurer.**—Mason's Minnesota Statutes of 1927, Section 5536-7, is hereby amended so as to read as follows:

"5536-7. Every county auditor shall promptly deposit with the county treasurer all moneys received by the auditor either directly or through his agents for license fees, and the treasurer shall make a record thereof and keep the same as other public funds. On or before the fifteenth of each month the county auditor shall make a written report to the commissioner for the preceding calendar month, stating the total number and the serial numbers of each kind of licenses sold, the amount of fees received for each kind of license, and the total amount received. He shall transmit to the commissioner with such report his warrant on the county treasurer in favor of the commissioner, or the county treasurer's check in payment of such warrant, for 90 per cent of all license fees received during such preceding calendar month *by direct sale to licensees and all of the money received by sale to agents. Thereupon the County Auditor shall be entitled to 10% of the fees derived from sale of licenses sold by him or his agents; or 2% of the fees for licenses sold for cash and resale, as hereinafter provided, as his compensation and may draw his warrant to himself upon the County Treasurer in payment thereof. The County Auditor shall pay his agents 5% of the value of the licenses sold by such agent, as his compensation.* On or before the tenth of each month every agent of the commissioner shall make a written report to the commissioner for the preceding calendar month, containing the same information as hereinbefore prescribed for reports by county auditors, and shall with such report transmit to the commissioner 90 per cent of all license fees received during the preceding calendar month, whereupon such agent shall be entitled to retain the remaining ten per cent of such fees as his compensation. The commissioner may also require any agent appointed by him to account to him for licenses and license fees at such other times as he shall direct. All moneys received by the commissioner for license fees, either directly or through county auditors or agents, shall be promptly remitted by the commissioner to the state treasurer, who shall credit the same

to a special fund known as the game and fish fund, and all of said moneys are hereby appropriated for the maintenance and conduct of the activities of the office of commissioner of game and fish, as provided by law.

*Any resident of a county who shall apply to the county auditor of his county for hunting or fishing license blanks for resale may purchase such license blanks from such county auditor, and if such license blanks shall be purchased in groups of not less than 10 non-resident license blanks and 25 resident license blanks which he is authorized to sell he shall be entitled to a discount of 8 per cent from the price established by law. All such license blanks shall be paid for at the time of purchase. In selling such licenses, such person shall be deemed to act in the capacity of agent of the county auditor, and shall at the end of each calendar month make a report to such county auditor stating the serial number of each license sold and the name and address of the purchaser thereof. Any such resident of a county who shall purchase for resale not less than 10 non-resident license blanks and 25 resident license blanks may at any time within ninety days of the date of purchase but not later than December first of the same year return any such blanks to the county auditor, and shall thereupon be reimbursed for such unused license blanks at the price established by law, less 8 per cent. All moneys received by the county auditor where cash payment has been made in advance by such persons shall be deposited by the county auditor with the county treasurer and such treasurer shall deposit such amounts in a fund known as a "Game and Fish Reserve Fund." On or before the 15th day of each month the county auditor shall transfer from the "Game and Fish Reserve Fund" to the regular Game and Fish Fund, moneys sufficient to cover licenses sold by said agents during the preceding calendar month. The County Auditor may draw his warrant upon the County Treasurer in an amount or amounts necessary to reimburse any purchaser of licenses for resale, for all unsold license blanks returned to him in accordance with the provisions of this act. Said warrant or warrants shall be drawn upon the fund known as the Game and Fish Reserve Fund.*

*Provided, however, the provisions of this act shall not be construed to in any way alter or repeal the provisions of Chapter 69, Laws of 1929, and Chapter 341, Laws of 1929, nor any law now or hereafter enacted wherein provision is made that all fees collected by county officials in certain counties be paid into the county treasury.*

Approved April 17, 1933.