

CHAPTER 536—H. F. No. 328

[Not Coded]

An act repealing Minnesota Statutes 1953, Section 162.37; relating to county reimbursement of boroughs, villages, or cities of the fourth class for expenditures made by said boroughs, villages, or cities of the fourth class on streets within their limits subsequently designated as state-aid roads.

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

Section 1. **Repealer.** Minnesota Statutes 1953, Section 162.37 is hereby repealed.

Sec. 2. This act takes effect July 1, 1957.

Approved April 20, 1957.

CHAPTER 537—H. F. No. 385

[Coded in Part]

An act relating to game and fish; imposing duties on the commissioner of conservation, director of firearm safety, county directors, and instructors; requiring training and certification in firearm safety for certain minors; providing county funds for purchase of materials and supplies and creating a state revolving fund; providing for insurance; repealing Laws 1955, Chapter 704; and exempting minors from licensing requirements in certain cases, amending Minnesota Statutes 1953, Section 98.47, Subdivision 1.

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

Section 1. [97.81] **Safe use of firearms, instruction in using.** Subdivision 1. *The commissioner of conservation is authorized and directed to publish rules and regulations establishing a state-wide program of instruction in the safe use of firearms.*

In the preparation of the regulations, the commissioner shall cooperate with the director of civilian marksmanship of the United States, and the director of civil defense in the state. The director of civil defense is authorized and directed to cooperate with and to assist the commissioner of conservation in the preparation of these regulations. Such regulations shall provide for courses of instruction in every municipality or school district in this state by the commissioner of conservation in cooperation with organizations, groups, associations

and any private or public corporation or political subdivision of the state, the United States, or any federal agency. The courses shall be conducted at least once annually, or within 30 days of a written request to the commissioner from the municipality or school district to instruct the youth of the state in the commonly accepted principles of safety in hunting and in the handling of all types of common hunting firearms by each youth.

Subd. 2. The commissioner or his authorized agent shall issue a certificate of satisfactory completion of the course of instruction required by this act to any person entitled thereto. The form and content of the certificate shall be as prescribed by the commissioner. To defray the expenses of this act, the commissioner shall be paid a fee of fifty cents.

Sec. 2. [97.82] **Director of hunting safety.** The commissioner shall appoint a qualified person as a director of hunting safety and shall prescribe his duties and responsibilities. The director of hunting safety shall assist the commissioner in the administration and execution of the provisions of this act. The director of hunting safety shall be in the classified service. The commissioner shall provide the director with such assistants and clerical help as the commissioner shall determine necessary. The commissioner with the approval of the county board may appoint one or more deputy directors of hunting safety in each county of the state. Such deputy director shall be responsible to the director of hunting safety to carry out the course of instruction prescribed by the state director, and shall serve on a voluntary basis without compensation. Such county deputy director may appoint such instructors as may be necessary to carry out the purposes of this act, who shall serve without compensation.

Sec. 3. [97.83] **Use of firearms in taking wild animals, when forbidden.** Subdivision 1. After September 1, 1957, it shall be unlawful for any person under the age of 16, unless accompanied by a parent or guardian, to use a firearm for the purpose of taking protected or unprotected wild animals unless he has a certificate of satisfactory completion of the course of instruction herein provided for. However, this section shall not apply to any person using firearms on land owned, or occupied as a usual place of abode, by himself, parent or guardian. No certificate shall be issued to a youth under 12 years of age. The provisions of Minnesota Statutes 1953, Section 93.47, Subdivision 10, and Minnesota Statutes 1953, Section 615.10, are not affected by this act, except that it is lawful for any minor participating in the foregoing course of instruction to carry a properly encased and

unloaded firearm to and from class and to handle the same during such instruction. Also, such minors shall be allowed participation in organized target shooting programs conducted under qualified adult supervision.

Subd. 2. Any law enforcement officer is authorized and directed in the name of the state to seize and hold any firearm used in violation of this act. Firearms so seized shall be tagged with the name and address of the youth from whom it was taken and a receipt given therefor. The firearm shall be placed in the custody of the state game warden in whose area the seizure was made.

Subd. 3. The game warden in whose custody a firearm seized under this act is deposited shall hold the firearm until 90 days after the next commencing date of a firearm training course in the county, and if, during such time, the youth from whom the weapon was taken presents a certificate of completion of the course of instruction provided for in this act, the firearm shall be returned to him. However, after the firearm has been held for such time, if no valid demand has been made for the return thereof, the firearm is contraband and forfeited to the state and shall be disposed of as the commissioner may prescribe.

Sec. 4. [97.84] **Safety revolving fund.** The auditor shall establish an account to be known as the safety revolving fund into which shall be credited all fees collected by the state under the provisions of this act.

Sec. 5. [97.85] **Fees.** Subdivision 1. For the purpose of defraying the expense of the program within the county, the county director may with the approval of the county board collect a sum not to exceed \$1.50 from each person who has received the courses of instruction herein provided, and shall deposit the money with the county treasurer. The county is authorized to pay from the fund thereby created the expenses of the program. Any county is authorized to pay into said fund out of general revenue up to the sum of \$1,000 annually to be used and expended as provided for in this subdivision. In counties having a population in excess of 100,000, the foregoing sum may be increased to the sum of \$2,500. The state director may procure materials and supplies for the counties upon the request of the county director and the same shall be sold to the county without profit to the state. Proceeds from such sale shall be deposited in the safety revolving fund.

Subd. 2. The commissioner shall procure insurance against all liability incurred by the deputy county directors

and instructors by reason of any claim for bodily injury, death or property damage made upon any such director or instructor by reason of the performance of their duties under this act. Such policy of insurance shall contain a waiver of governmental immunity and such immunity shall not be raised as a defense by the insured, the state, or the county.

Sec. 6. Minnesota Statutes 1953, Section 98.47, Subdivision 1, is amended as follows:

98.47 **Exemptions.** Subdivision 1. Residents under the age of 16 years may fish and trap fur bearing animals except beaver or otter without procuring a license. *Residents under the age of 12 years may take small game without a license. Residents under the age of 16 years and over 12 may take small game without a license provided they have in their possession while hunting a valid firearm safety certificate as herein provided.* Non-residents under the age of 16 years may take fish without procuring a license, if accompanied by a parent or legal guardian who has obtained a non-resident fishing license. Any non-resident under the age of 16 years who is attending a camp adjacent to any public waters of the state conducted by a social, charitable, or welfare organization or institution, not for profit, may take fish in such waters or other adjacent waters without procuring a license, provided the organization or institution conducting the camp shall have a certificate from the commissioner that the camp is qualified hereunder, describing the waters affected as determined by the commissioner, and each such non-resident shall carry with him at all times while taking or attempting to take fish in such waters a certificate identifying him and describing the waters, in such form as the commissioner shall prescribe, signed and dated by the officer or agent of the organization or institution in charge of the camp within the current calendar year.

Sec. 7. **Repealer.** Laws 1955, Chapter 704, is hereby repealed.

Sec. 8. This act shall be effective upon its passage.

Approved April 20, 1957.

CHAPTER 538—H. F. No. 418

An act relating to foreign corporations; amending Minnesota Statutes 1953, Section 303.13, Subdivision 1, as amended.