

Section 1. Laws 1963, Chapter 830, Section 2, is amended to read:

Sec. 2. **[252.22] Mentally retarded; activity centers; applicants for assistance; tax levy.** Any city, village, town, county or non-profit corporation or any combination thereof, may apply to the commissioner of public welfare for assistance in establishing and operating a daytime activity center and program for mentally retarded persons. Application for such assistance shall be on forms supplied by the commissioner. Each applicant shall annually submit to the commissioner its plan and budget for the next fiscal year. No applicant shall be eligible for a grant hereunder unless its plan and budget have been approved by the commissioner.

Any city, town, village, or county is authorized, at the discretion of its governing body, to make grants from special tax revenues or from its general revenue fund to any nonprofit organization, governmental or corporate, within or outside its jurisdiction, that has established a daytime activity center for the mentally retarded. In order to provide necessary funds to establish and operate daytime activity centers for the mentally retarded, the governing body of any city, town, village, or county may levy annually upon all taxable property in such city, town, village, or county, a special tax in excess of any statutory or charter limitation but such levy shall not exceed one mill except in counties containing cities of the first class where the limit shall be one tenth of a mill. The governing body of any city, town, village, or county may make such a levy, where necessary, separate from the general levy. Nothing contained herein shall in any way preclude the use of funds available for this purpose under any existing statute or charter provision relating to cities, towns, villages, or counties.

Approved May 19, 1965.

CHAPTER 481—S. F. No. 253

An act relating to wild animals; removing raccoon and badgers from the protected list of the state; amending Minnesota Statutes 1961, Sections 100.26, Subdivision 1, 100.27, Subdivision 3, and 100.29, Subdivision 10.

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

Section 1. Minnesota Statutes 1961, Section 100.26, Subdivision 1, is amended to read:

Changes or additions indicated by italics, deletions by ~~strikeout~~.

100.26 **Raccoon and badgers; unprotected animals.** Subdivision 1. Weasel, wild cat, lynx, wolves, foxes, bears, gophers, porcupines, *badgers*, and all other quadrupeds for which no closed season or other protection is accorded by chapters 97 to 102, are unprotected animals and may be taken either in the daytime or at night, and in any manner, except with the aid of artificial lights, and possessed, bought, sold or transported in any quantity, provided that for the safety of humans and domestic stock, poison may not be used in the taking thereof, and steel traps may not be used in the taking of bear, except when and in the manner prescribed by the commissioner. The taking of bear may be prohibited by order of the commissioner in such areas of the state and during such periods as he may deem necessary. *Raccoon are unprotected animals on the effective date of this act and all of the provisions of this subdivision are applicable to such animals except that they may be taken with the aid of artificial lights in the manner provided by law under section 100.29, subdivision 10.*

Sec. 2. Minnesota Statutes 1961, Section 100.27, Subdivision 3, is amended to read:

Subd. 3. The following animals may be taken and possessed, subject to all other provisions of chapters 97 to 102, between the dates set opposite the species:

(1) Grey and fox squirrels, October 15th and December 31st statewide; and during such other times, within such areas, and subject to such restrictions as the commissioner by order may prescribe;

(2) ~~Raccoon, October 1st and December 31st;~~

(3) ~~Badger, November 1st and March 1st;~~

(4) (2) Jack rabbits, cottontail rabbits and varying hare or snowshoe rabbits, September 16th and March 1st.

Sec. 3. Minnesota Statutes 1961, Section 100.29, Subdivision 10, is amended to read:

Subd. 10. It shall be unlawful to throw or cast the rays of a spotlight, headlight, or other artificial light on any highway, or in any field, woodland, or forest, for the purpose of spotting, locating or taking any wild animal, except raccoons when treed with the aid of dogs, while having in possession or under control, either singly or as one of a group of persons, any firearm, bow or other implement whereby big game could be killed, unless the firearm is unloaded in both barrels and magazine and properly encased or contained in the trunk of the car with the trunk door closed and in the case of a

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bow, unless the same is encased or unstrung or contained in the trunk of the car with the trunk door closed. *When artificial lights are used to take raccoon when treed with the aid of dogs, the rifles used to take raccoon shall not be of a larger caliber than .22 rim-fire, and shotguns so used shall only contain shells with shot no larger than No. 4. Artificial lights to take raccoon when treed with the aid of dogs shall be legal.*

Approved May 20, 1965.

CHAPTER 482—S. F. No. 768

An act relating to non-intoxicating malt liquor; amending Minnesota Statutes 1961, Section 340.403, Subdivision 2.

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

Sec. 1. Minnesota Statutes 1961, Section 340.403, Subdivision 2, is amended to read:

Subd. 2. **Non-intoxicating malt liquor; conditions of bond.** All bonds or deposits shall be conditioned (1) that the licensee shall obey the law relating to such licensed business; (2) that the licensee shall pay to the state, when due, all taxes, license fees, penalties, and other charges payable by him under any law relating to the manufacture, distribution, or sale of intoxicating or non-intoxicating malt liquor; (3) that, in the event of any violation of the provisions of any law of this state relating to the manufacture, distribution, or sale of intoxicating or non-intoxicating malt liquor, such bond shall be forfeited to the state of Minnesota.

Approved May 20, 1965.

CHAPTER 483—S. F. No. 805

An act relating to state game refuges; authorizing the state park posted notices to be black letters upon a yellow background; amending Minnesota Statutes 1961, Section 99.25, Subdivision 7.

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

Changes or additions indicated by italics, deletions by ~~strikeout~~.