

section shall also include a provision allowing a covered employee or surviving spouse or dependent at the expiration of the post termination coverage provided by subdivision 2 to obtain from the insurer offering the group policy or group subscriber contract, at the employee's, spouse's or dependent's option and expense, without further evidence of insurability and without interruption of coverage, an individual policy of insurance or an individual subscriber contract providing coverage which is similar to or greater than the hospital or medical expense protection afforded to the employee, the spouse and his dependents by the group policy or contract. A policy providing reduced benefits at a reduced premium rate may be accepted by the employee, the spouse or a dependent in lieu of the optional coverage otherwise required by this subdivision.

The individual policy shall be guaranteed renewable to age 65 or to the day before the date of eligibility for coverage under Title XVIII of the Social Security Act, as amended. Any revisions in the table of rate for the individual policy shall apply to the covered person's original age at entry, and shall apply equally to all similar policies issued by the insurer.

Sec. 4. This act is effective on August 1, 1976.

Approved April 3, 1976.

CHAPTER 143—S.F.No.1530

[Coded in Part]

An act relating to game and fish; establishing the expiration date of all game and fish licenses as the last day of February; authorizing the commissioner of natural resources to provide for the issuance of more than one game or fish license to a person during any licensing year; providing for distribution of game and fish licenses on consignment; establishing an issuing fee for such licenses; requiring sub-agents to be bonded; authorizing county auditors to retain a four percent commission on license fees; authorizing the commissioner of natural resources to issue regulations relating to sub-agencies; amending Minnesota Statutes 1974, Sections 98.45, Subdivision 1; and 98.50, Subdivisions 1, 2 and 5, and by adding a subdivision; repealing Minnesota Statutes 1974, Section 98.50, Subdivision 3.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1974, Section 98.45, Subdivision 1, is amended to read:

98.45 GAME AND FISH; LICENSES; 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

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license therefor as provided in section 98.46 or in section 98.48. Every license is issued for ~~the calendar~~ 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. No license to take beaver or otter may be issued to any person after the third day of the open season provided therefor for that year. Except as provided in this section, no license to take deer with firearm may be issued after 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 ~~second~~ 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 ~~calendar~~ licensing year. No license may be transferred except as expressly authorized.

Sec. 2. Minnesota Statutes 1974, Section 98.50, Subdivision 1, is amended to read:

98.50 ISSUANCE. Subdivision 1. County auditors are hereby appointed agents of the commissioner for the sale of licenses to take big and small game and fish, and to trap fur-bearing animals, and to harvest wild rice, to residents of the state, and to take big and small game and fish, to nonresidents of the state. Each county auditor may appoint sub-agents within his county or within adjacent counties to sell such licenses, and upon such appointment the auditor shall notify the commissioner forthwith of the name and address of the sub-agent. Such appointments may be revoked by the auditor at any time ~~and he may require such security of the agent as he deems advisable~~, and he shall revoke any agency upon demand of the commissioner. The auditor shall furnish license blanks on consignment to any sub-agent who furnishes a surety bond in favor of the county in an amount at least equal to the value of the license blanks to be consigned to that sub-agent. The county auditor shall be responsible for all license blanks issued to, and license fees received by, his agents, except in a county to which Laws 1951, Chapter 381, applies, or in a county wherein the county auditor does not retain fees paid for such license purposes. In such county the responsibility imposed above upon the county auditor is imposed upon the county.

Sec. 3. Minnesota Statutes 1974, Section 98.50, Subdivision 2, is amended to read:

Subd. 2. The commissioner may require county auditors to furnish such additional corporate surety bonds as in his opinion may be required to secure the state, in addition to the auditor's official bond.

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The commissioner shall prescribe rules and regulations setting up such accounting and procedural requirements as he may deem necessary to assure the efficient handling of licenses and license fees, and all county auditors and other agents shall strictly comply therewith. The commissioner may by order adopted pursuant to section 97.53 establish such standards and other requirements for the establishment and revocation of sub-agencies as he may deem necessary to assure the efficient distribution of licenses throughout the state, and all county auditors shall strictly comply therewith.

Sec. 4. Minnesota Statutes 1974, Section 98.50, Subdivision 5, is amended to read:

Subd. 5. Any resident desiring to sell the licenses referred to in subdivision 1 may either purchase for cash or obtain on consignment license blanks from a county auditor at the auditor's option described in subdivision 1 in groups of not less than five non-resident, and ten resident license blanks. In addition to the basic license fee, he shall be entitled to a discount of seven percent from the price established by law on cash purchases and six percent on consignments—collect a fee for issuing each license in the amount of \$.75 for the license to take deer and \$.50 for all other licenses. In selling such licenses, he shall be deemed an agent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting for and handling of such licenses.

The county auditor shall promptly deposit all moneys received from the sale of licenses with the county treasurer, and shall promptly transmit such reports as may be required by the commissioner, together with his warrant on the county treasurer for 90-100 percent of the surcharge imposed by section 97.482 plus 96 percent of the price to the licensee, exclusive of said surcharge and the issuing fee, for each license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as his commission three-four percent of all license fees for licenses sold for cash and resale, four percent of all license fees, excluding issuing fees for licenses consigned to subagents; and ten percent of all license fees. In addition, for licenses sold for cash directly to the licensee, the auditor shall collect the same issuing fee as a sub-agent. Unsold license blanks in the hands of any agent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner therefor. Any license blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the agent possessing the same or to whom they are charged shall be accountable therefor. The commissioner shall collect the same issuing fee as a sub-agent for licenses sold directly through a license distribution center operated by the department of natural resources. The issuing fees so collected by the commissioner shall be credited to the game and fish fund.

Sec. 5. The provisions contained in section 4 of this act apply to

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licenses issued for licensing years beginning on March 1, 1977, and thereafter. All licenses issued for the calendar year 1976 shall be deemed to have been issued for a period ending on the last day of February, 1977.

Sec. 6. Minnesota Statutes 1974, Section 98.50, is amended by adding a subdivision to read:

Subd. 10. (a) A written application shall be made by each sub-agent to the appropriate county auditor in a manner approved by the commissioner, who shall require the applicant to deposit with the state treasurer, securities of the United States government or the state of Minnesota or to execute and file a bond, with a corporate surety approved by the commissioner, to the appropriate county auditor and to the state of Minnesota in an amount to be fixed by the commissioner and approved by the attorney general and which shall be conditioned for the payment when due of all license fees, penalties and accrued interest arising by reason of any delinquent money which may be due to the appropriate county auditor and the state of Minnesota for said fees. The bond shall cover all places of business within the state where license fees are received by the sub-agent.

(b) When the surety upon any bond issued pursuant to the provisions of this chapter shall have fulfilled the conditions of such bond and compensated the state for any loss occasioned by any act or omission of any sub-agent under this chapter, such surety shall be subrogated to all the rights of the state in connection with the transaction wherein such loss occurred.

(c) If a sub-agent cannot or does not choose to acquire a bond of the type required then the county auditor may demand prepayment for such licenses prior to delivery of them to the sub-agent. Such license may be returned by the sub-agent to the auditor for a refund within time limits established by the commissioner.

Sec. 7. **REPEALER.** Minnesota Statutes 1974, Section 98.50, Subdivision 3, is repealed.

Approved April 2, 1976.

CHAPTER 144—S.F.No.1575

[Coded]

An act relating to certain counties; authorizing the expenditure of county and federal revenue sharing funds for certain purposes.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

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