

trot lines, wire strings, ropes or cables, except where otherwise expressly provided for, defining certain offenses therein and penalties therefor, and repealing all acts or parts of acts inconsistent herewith.

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

Section 1. Use of explosives prohibited.—That Section 5581, General Statutes 1923, be and the same hereby is amended to read as follows:

“5581. Fish shall not be taken by means of explosives, drugs, poisons, lime, medicated bait, fish berries, or other deleterious substances, or by nets, traps, tipups, trot lines, wire strings, ropes or cables, except where otherwise expressly provided by this chapter. Possession of any of such substances or contrivances by any person on the waters, shores, or islands of this state, shall be presumptive evidence that the same are possessed for use in violation of this section. It shall be unlawful to have in possession fish nets, except minnow nets, landing nets and dip nets and all nets held in stock for sale by dealers, unless tagged and licensed by the game and fish commissioner. Such tags and licenses shall be for the current year. Provided that nets in the possession of licensed commercial fishermen shall not be subject to this regulation. *Whoever violates the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than fifty (\$50.00) dollars nor more than one hundred (\$100.00) dollars or by imprisonment in the county jail for not less than thirty (30) days.*”

Sec. 2. All acts or parts of acts inconsistent herewith are hereby repealed.

Approved April 24, 1929.

CHAPTER 332—S. F. No. 990

An act relating to wild animals and to the preservation, protection, and propagation thereof and to licenses pertaining thereto, amending Sections 1, 2, 3, 8 and 12, Chapter 438, General Laws 1927, and appropriating moneys received from fees for such licenses and from other sources and repealing inconsistent acts.

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

Section 1. License to hunt and fish.—That Section 1, Chapter 438, General Laws 1927, be and the same hereby is amended so as to read as follows:

“Sec. 1. No person shall kill, take or attempt to take in any manner any *protected* wild animal, or engage in hunting, pursuing, or trapping for the purpose of taking any *protected* wild quadruped or bird, or engage in fishing for the purpose of taking any *game* fish, without first obtaining a license from the commissioner of game and fish so to do, as provided by this act unless otherwise specifically permitted by law. Residents of the state shall be required to procure a hunting license at the age of 18 years for the purpose of hunting *protected wild animals or game birds* and a resident of the state shall be required to procure a fishing license at the age of 18 years for the purpose of fishing. Non-residents of the state under 16 years of age may take fish without procuring a license, but may not transport or ship any fish out of the state without procuring a license, and provided further that no non-resident under 16 years of age may fish without a non-resident *fishing* license unless his or her parent or guardian shall have obtained and have in his or her possession such non-resident *fishing* license. No trapping license shall be issued to any non-resident of the state. All licenses shall be issued for the calendar year, and no reduction in fees shall be made for fractions of a year. Only one license of each kind shall be issued to any one person in any calendar year. No license shall be transferable.”

Sec. 2. Fees for licenses.—That Section 2, Chapter 438, General Laws 1927, be and the same hereby is amended so as to read as follows:

“Sec. 2. (A) The kinds of licenses, the fees to be paid therefor, and the kinds of animals which may be taken thereunder, respectively, subject to all other provisions of law relating to the taking of wild animals, shall be as follows:

“(1) Resident small game hunting license, \$1.00, to take all small game;

“(2) Non-resident small game hunting license, \$25.00, to take all small game;

“(3) Resident big game hunting license, \$2.00 to take all big game;

“(4) Non-resident big game hunting license, \$50.00, to take all big game;

“(5) Resident trapping license, \$1.00, to trap all fur bearing animals;

"(6) Resident *fishing* license, \$.50 to take fish, provided that a resident *fishing* license shall be issued to the head of the family or household authorizing all members thereof to use the same by paying a fee of \$1.00, and it shall be the duty of the commissioner of game and fish to issue an identification card without payment of any fee for each member of a family or household of the age of 18 years or over, of which family or household the head thereof has applied for and received such resident *fishing* license.

"(7) Non-resident *fishing* license, \$3.00, to take fish;

"(B) The term 'big game' as used herein shall include deer, moose, elk, caribou and bear, and the term "small game" as used herein shall include all other *protected* wild quadrupeds and wild birds.

"(C) Every license shall have printed thereon the kind thereof and the name of all wild animals which may lawfully be taken thereunder, and shall entitle the person to whom issued to take the wild animals therein specified in such manner and at such times and places as may be permitted by law. *Protected* wild animals may be taken under a hunting license only by hunting with a firearm or other lawful weapon. *Protected* fur-bearing animals may be taken under a trapping license only with lawful traps. Fish may be trapped under *fishing* license only by angling or *spearfishing*."

Sec. 3. Issuance of licenses.—That Section 3, Chapter 438, General Laws 1927, be and the same hereby is amended so as to read as follows:

"Sec. 3. (A) Licenses shall be issued as follows:

"(1) 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.

"(2) 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.

"(3) *Fishing* 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.

"(4) *Fishing* 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.

"(B) The commissioner may appoint agents to issue non-resident licenses of any kind outside 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.

“(C) Every county auditor *shall* appoint agents to issue within his county such licenses as such agents are authorized to issue. He shall 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 amenable to all the penalties provided by law relating to such moneys or to the issuance of such licenses.”

Sec. 4. Penalties.—That Section 8, Chapter 438, General Laws 1927 be and the same hereby is amended so as to read as follows:

"Sec. 8. Upon conviction of any person for any violation of any provision of law relating to any license issued to such person or relating to the wild animals covered by such license, such license shall immediately become null and void and no license of the same kind shall be issued to such person for a period of one year after the date of commission of the offense. Upon conviction of any person for hunting, fishing, or trapping without a license or doing without a license or any other act for which a license is required as hereinbefore provided, no license of the kind required for the doing of such act shall be issued to such person for one year after the date of commission of the offense. Provided, that this section shall not apply to resident fishing licenses or to the taking of fish by residents by angling or spearing without licenses."

Sec. 5. Reports to Game and Fish Commissioner.—That Section 12, Chapter 438, General Laws 1927 be and the same hereby is amended so as to read as follows:

"Sec. 12. (A) For the purpose of enabling the commissioner to prepare statistics relating to the number of wild animals in the state, every person who has taken any protected wild quadruped or game bird, whether with or without a license, shall, on or before the last day of January in each year, mail or deliver to the commissioner a written report on a form prepared by the commissioner and furnished on application made to the commissioner or to any game warden, county auditor, or agent of the commissioner authorized to issue licenses, stating the number of each kind of protected quadrupeds and game birds taken by such person during the preceding calendar year.

"(B) No person who is required to make such a report shall be entitled to hunt, trap, or take any *protected* wild quadruped or game bird until such report has been made. No person to whom a hunting or trapping license has been issued who wilfully fails or neglects to make such a report shall be granted a license of the same kind for the year succeeding the year for which his license was issued, and if a new license of the same kind has been issued to such person it shall be null and void and shall be surrendered upon demand to the commissioner or to any game warden.

"(C) As soon as practicable in each year the commissioner shall furnish to each county auditor, game warden, and agent authorized to issue licenses a list of the names of all persons to whom licenses were issued by or within the county or territory of such auditor, game warden, or agent during the preceding year and who have failed to make the report hereby required. No such county auditor, game warden, or agent shall issue a license of the same kind for the current

year to any person whose name appears upon such list as delinquent in this regard."

Sec. 6. Fees set aside for use of Game and Fish Commissioner.—Appropriations.—All moneys received from fees for licenses of any kind issued by the commissioner of game and fish shall be credited by the state treasurer 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, and for the payment of the cost of acquiring any property or right which the commissioner is authorized by law to acquire, and for the payment of the cost of any construction, improvement, or other project which the commissioner is authorized by law to undertake; provided, that this shall not apply to any such moneys otherwise expressly appropriated by law for a specific purpose under the direction or authority of the commissioner; provided, that the following sums from the game and fish fund are hereby appropriated for the activities and purposes enumerated as follows:

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| a. | St. Paul Hatchery: | |
| | Maintenance and improvements | \$ 14,150.00 |
| | for each of the two fiscal years 1930 and 1931. | |
| b. | Glenwood Hatchery: | |
| | Maintenance and Improvements | 10,000.00 |
| | for each of the two fiscal years 1930 and 1931. | |
| c. | Detroit Hatchery: | |
| | Maintenance and Improvements | 8,000.00 |
| | for each of the two fiscal years 1930 and 1931. | |
| d. | French River Hatchery: | |
| | Maintenance and Improvements | 10,150.00 |
| | for each of the two fiscal years 1930 and 1931. | |
| e. | Southern Minnesota Hatchery: | |
| | Maintenance and Improvements | 8,000.00 |
| | for each of the two fiscal years 1930 and 1931. | |
| f. | Lanesboro Hatchery: | |
| | Maintenance and Improvements | 10,000.00 |
| | for each of the two fiscal years 1930 and 1931. | |
| g. | Tower Field Station: | |
| | Maintenance | 3,000.00 |
| | for each of the two fiscal years, 1930 and 1931. | |
| h. | Ranier Field Station: | |
| | Maintenance | 2,000.00 |
| | for each of the two fiscal years, 1930 and 1931. | |

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| i. | Bemidji Field Station:
Maintenance | 3,000.00 |
| | for each of the two fiscal years, 1930 and 1931. | |
| j. | Park Rapids Field Station:
Maintenance | 3,000.00 |
| | for each of the two fiscal years, 1930 and 1931. | |
| k. | Jenkins Field Station:
Maintenance | 3,000.00 |
| | for each of the two fiscal years, 1930 and 1931. | |
| l. | Game Farm:
Maintenance and Improvements | 12,000.00 |
| | for each of the two fiscal years, 1930 and 1931. | |
| m. | Cut Foot Sioux Field Station:
Maintenance and Improvements | 2,500.00 |
| | for each of the fiscal years, 1930 and 1931. | |

and provided, that a sum equivalent to the amount of money in said fund on December 31, 1928, and not necessary for the maintenance and conduct of the department and not set apart for any other specific purpose, and not less than one-half of all fees thereafter and hereafter received from the sale of hunting licenses, are hereby appropriated and shall be used for the acquisition and maintenance of public hunting grounds, game farms and game refuges by the commissioner as provided by General Statutes 1923, Section 5630, and acts amendatory thereof and supplementary thereto.

Sec. 7. Game and Fish Commissioner to use unexpended balances.—If any of the sums of money appropriated under Section 6 are not sufficient to properly maintain and improve said hatcheries and game farm, the game and fish commissioner is authorized to use such further funds from said game and fish fund as may be necessary, and any unexpended balance in each fiscal year may be transferred and used by the game and fish commissioner in such manner and for such purposes of the department as the commissioner shall determine.

Sec. 8. Fees reappropriated.—Any and all other moneys paid into the state treasury through the game and fish department, including the income from the sale of confiscated game and parts thereof and all other articles, are hereby appropriated for the maintenance and conduct of the activities of the office of the commissioner of game and fish, as authorized by law, except such moneys as are otherwise expressly appropriated by law for a specific purpose. All expenditures of the department of game and fish are subject to the

provisions of Chapter 426, General Laws 1925 and subject to audit by the state auditor.

Sec. 9. All acts and parts of acts inconsistent with this act are hereby repealed.

Approved April 24, 1929.

CHAPTER 333—S. F. No. 994

An act to amend Section 4345, General Statutes 1923, as amended by Chapter 168, General Laws 1925, relating to admission of persons to the Minnesota Soldiers' Home.

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

Section 1. **Soldiers of the world war to be admitted to Minnesota Soldiers' Home.**—That Section 4345, General Statutes 1923, as amended by Chapter 168, General Laws 1925, relating to admission of persons to the Minnesota Soldiers' Home, be and the same is hereby amended so as to read as follows:

"4345. The object of the soldiers' home shall be to provide a home for all honorably discharged ex-soldiers, sailors and marines who served in the army or navy of the United States during the War of the Rebellion, or the Mexican War, or in the war begun in the year 1898 between the Kingdom of Spain and the United States or the Philippine Insurrection, or the Boxer Rebellion, or members of the Minnesota National Guard mustered into Federal service in 1916 and served on the Mexican Border, or the war of 1917 and 1918 commonly called "The World War," who now are or may hereafter become citizens of the State of Minnesota. All persons who are otherwise entitled under the provisions unable to earn their living, who, by reason of wounds, disease, or old age or infirmities are unable to earn their living, and who have no adequate means of support. No applicant shall be admitted to the soldiers' home who has not been a resident of the State of Minnesota for *three years* next preceding the time of having his application, unless he served in a Minnesota regiment or was accredited to the State of Minnesota. All persons who are otherwise entitled under the provisions of this section to admission to said soldiers' home who actually served in any campaign against the Indians in Minnesota in the year 1862 shall be entitled to admission to such soldiers' home, notwithstanding such