

## CHAPTER 379—S. F. No. 806

*An act relating to wild animals, regulating commercial fishing in Lake Superior, and amending Mason's Supplement 1940, Section 5599, Subdivision 1 and Subdivision 2.*

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

**Section 1. Law amended—commercial fishing in Lake Superior.**—That Mason's Supplement 1940, Section 5599, Subdivision 1, be amended to read as follows:

“Subdivision 1. The size of mesh of nets shall be fixed as follows:

(a) Gill nets for taking herring of not less than  $2\frac{3}{8}$ -inch mesh, extension measure, when in possession and measured from center of knot to center of knot, on and after July 1st, 1935, *but of not less than  $2\frac{3}{8}$ -inch mesh, flexible rule measure, on and after July 1, 1943.* Flexible rule measure shall mean distance between the extreme angles of any single mesh and such measurement shall be taken between and inside the knots with a flexible steel gauge constructed and used as prescribed by the National Bureau of Standards as hereinafter defined. All measurements of the mesh of gill nets or gill netting shall be made by inserting in the mesh parallel with the selvage, a gauge made of spring steel, free from rust, of a length equal to the number of inches prescribed in this order for the mesh measured. The ends of the gauge shall be free of sharp edges or burrs. The gauge shall be straight and shall not be graduated, and any necessary markings shall be placed near the ends of the gauge. The length of the straight gauge, measured parallel with the long edge, shall not at any point exceed or be less than the prescribed length by more than one-thousandth (.001) of an inch. Its width at any point shall not exceed nine-sixteenths of an inch or be less than seven-sixteenths of an inch. Its thickness shall be such that when it is set vertically on a solid anvil with its upper end loaded with a dead weight between seven and one-half and eight and one-half ounces, the gauge shall deflect at its middle one-tenth of its length. The gauges to be used for measuring the mesh of gill nets or gill netting as provided by this order shall be certified and approved by the National Bureau of Standards and shall be approved also by the conservation commissioner.

*In gauging a mesh, the flexible gauge shall be held only by the ends and bent between thumb and forefinger, the bent rule shall be then inserted in the mesh parallel with the selvage and with the collapsed mesh, and finger pressure*

shall be released immediately, not gradually. If the gauge does not straighten out completely under its own tension within two seconds after it is released in the mesh, without slipping a knot or breaking the twine, the mesh shall be considered unlawful, and if the majority of ten or more meshes selected at random by the enforcement officer from any part or parts of the gill net or from the entire gill net or from any gill netting being gauged are found to be unlawful, the gill net or gill netting shall be seized and confiscated. The meshes to be gauged shall be at least three meshes removed from the selvage or side lines, shall not be stretched or manipulated in any way prior to or after the insertion of the gauge, and the same mesh shall not be gauged more than once.

(b) Gill nets for taking lake trout, pickerel and whitefish, not less than  $4\frac{1}{2}$  inches mesh, extension measure, when in possession, and measured from center of knot to center of knot, but of not less than  $4\frac{1}{2}$ -inch mesh, flexible rule measure on and after July 1, 1943.

(c) Gill nets for taking ciscoes, not less than  $2\frac{3}{8}$  inches mesh, flexible rule measure, when in possession and measured from center of knot to center of knot; Providing, that whenever nets set for the purpose of taking ciscoes shall catch more than 10% of lake trout less than 17 inches in length, or whitefish less than 16 inches in length, such nets shall be deemed illegally set and shall be moved from the waters in which they were set, upon notice from the director of game and fish or his representative. Nets for taking ciscoes shall be set in water not less than 40 fathoms in depth.

(d) Bait nets for taking chubs and live bait, not less than  $1\frac{1}{2}$  nor more than  $1\frac{3}{4}$ -inch mesh, flexible rule measure, such nets to be set in not less than 40 fathoms, to be set only on the bottom, and to be used only between March 15 and August 1 following of each year. Provided further that whenever nets set for the purpose of taking bait shall catch any lake trout, their location shall be moved until waters unfrequented by trout have been reached or located.

(e) All nets permitted to be used under the provisions of this chapter, shall, when set for fishing purposes be properly marked at the ends of such nets with proper buoys, and the licensee's number shall be plainly marked on any buoy indicating the location of any net set for taking of fish. All nets set in Lake Superior waters under the jurisdiction of this state having a mesh less than permitted by this chapter and all nets having a mesh less than permitted by this chapter found on or within premises commonly used for the receiving

and marketing of fish from Lake Superior waters, and including fish receiving stations, sheds, warehouses and docks, are hereby declared illegal and subject to confiscation by the director of game and fish or his representative and may summarily be destroyed."

**Sec. 2. Law amended—licenses.**—That Mason's Supplement 1940, Section 5599, Subdivision 2, be amended to read as follows:

"Subdivision 2. Such license shall be procured from the director of game and fish. The applicant shall make a verified written application to the director of game and fish on a form prepared by him, stating: (a) His name and residence; (b) The period of time the applicant has resided in the county in which he desires to fish, and whether a citizen of the United States. Such license shall be designated as a "Master's License" and for which he shall pay the sum of \$2.50. Every person assisting the holder of a "Master's License" in going to and from the fishing locations or who assists in the setting and lifting of nets or in the removal of fish from such nets, *unless he shall be the holder of a "Master's License"*, shall have a license so to do which license shall be designated as a "Helper's License," which shall be procured by the holder of a "Master's License" and for which there shall be paid the sum of \$2.50; such licenses may be transferable; and shall be transferred upon application made by the holder of a "Master's License" without any additional charge. Application for "Helper's License" shall be made to the director of game and fish and shall give: (a) The name and residence of the applicant; (b) Name of person holding "Master's License" employing him; (c) Whether a resident of Minnesota and (d) Whether a citizen of the United States. "Master's Licenses" shall not be transferable and shall be issued for one fishing season only, and provided that aliens who have duly declared their intention of becoming citizens of the United States and who have not failed to qualify as citizens within the length of time in which they may legally do so, shall be entitled to "Helper's Licenses;" Provided, however, that no person shall be entitled to receive a "Master's License" unless such person has been a bona fide resident of the State of Minnesota for at least one year and a resident of the county where he desires to fish for at least 90 days. The holder of a "Master's License" shall be entitled to fish in any waters under the jurisdiction of the State of Minnesota."

**Sec. 3. Law may be modified to conform to Wisconsin laws.**  
—*The season provided in Mason's Supplement 1940, Section 5599 (A) for the taking of herring, lake trout, ciscoes, pickerel,*

or whitefish may be modified or changed from time to time by order of the commissioner of conservation, upon recommendation of the director of game and fish so as to correspond with the season for taking such fish or any species thereof provided by Wisconsin law.

Sec. 4. **Who may obtain licenses.**—*Residents of the states of Wisconsin and Michigan who are citizens of the United States may procure a commercial fishing license to take such fish as are enumerated in Mason's Supplement 1940, Section 5599, Subdivision (A) according to law, in waters of Lake Superior lying within the jurisdiction of Minnesota, upon payment of a fee equal to the fee charged residents of Minnesota for similar privileges in waters within the jurisdiction of Wisconsin and Michigan.*"

Approved April 22, 1941.

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#### CHAPTER 380—S. F. No. 950

*An act to amend laws relating to authorized securities, amending Mason's Minnesota Statutes of 1927, Section 7714, Subdivisions 2 and 9, and Mason's Supplement 1940, Section 7714, Subdivision 3.*

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

Section 1. **Law amended—authorized securities for savings banks.**—That Mason's Minnesota Statutes of 1927, Section 7714, Subdivision 2, be and the same is hereby amended to read as follows:

"2. In the bonds or notes of any state which has not defaulted in the payment of any bonded debt within ten years prior to the making of such investment; and in the highway revenue bonds or certificates of such states payable out of irrevocably pledged special revenues to be derived from gasoline or other motor fuel taxes or motor vehicle license fees, provided that such revenues during the most recent fiscal year of such state (next preceding the date of such investment) were equal to at least one and one quarter times the interest, principal, and sinking fund requirements of such revenue bonds or certificates during such fiscal year."

Sec. 2. **Law amended—same.**—That Mason's Supplement 1940, Section 7714, Subdivision 3, be and the same is hereby amended to read as follows: