

CHAPTER 60—S. F. No. 523

An act relating to wild animals, amending the Mason's Supplement of 1940, Sections 5542 and 5543.

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

Section 1. Law amended.—That the Mason's Supplement 1940, Section 5542, be amended to read as follows:

“5542. Open season for fur bearing animals.—(1) Mink may be taken by trapping between November 1st and January 31st following, both dates inclusive, and bought, sold and possessed at any time; provided no traps for mink shall be set in any muskrat house or runway and provided that mink may not be dug from their dens or taken with the aid of dogs. Provided, however, that mink may be taken or killed in any manner at any time by the actual occupant of any lands to which the mink so killed or taken are causing any damage or injury. Upon the killing of any such mink at any time other than during the regular season as hereinabove provided therefor, the entire carcass including hide shall be turned over and surrendered to the nearest warden or employee of the Division of Game and Fish within 24 hours of the time such animal was killed.

“(2) Muskrats may be taken only by trapping in such areas of the state and in such numbers and during such times in the several areas, not exceeding 30 days in the aggregate for any area between November 1 and April 30 following, both inclusive, in any year in any county, and subject to such other provisions not inconsistent with *this act*, as the director may by regulation from time to time prescribe according to conditions existing in the respective areas. No person shall set or use more than 50 traps for muskrats at any one time. No person shall set, visit, or remove any trap for muskrats between the hours of 8 P. M. and 6 A. M.

“(3) Skunk may be taken in any manner, except with the aid of dogs, between October 20 and March 1 following, both inclusive. Provided, however, that skunk may be taken or killed in any manner at any time by the actual occupant of any lands to which the skunk so killed or taken are causing any damage or injury. Upon the killing of any such skunk at any time other than during the regular season as hereinabove provided therefor, the entire carcass including hide shall be turned over and surrendered to the nearest warden or employee of the Division of Game and Fish within 24 hours of the time such animal was killed.

"(4) Such animals, legally taken, may be possessed, bought and sold at any time upon compliance with all applicable provisions of law relating thereto."

Sec. 2. That the Mason's Supplement of 1940, Section 5543, be amended to read as follows:

"5543. Same.—(1) No person shall take or possess badger, marten, fisher, otter or beaver at any time, or molest or disturb any badger, marten, fisher, otter or beaver, except as hereinafter provided.

"(2) Beaver may be taken only by trapping in such counties or portions of counties of the state as the commissioner shall designate for a period not exceeding 15 days between *December 1st* and *May 1st* following, both days inclusive. The commissioner of conservation, upon receipt of a license fee of \$2.50, shall issue to any person a license to take beaver, specifying therein the number of beaver that may be taken, provided that no more than ten beaver may be taken in any one season under such license.

"(3) The licensee shall report, within 10 days after the close of the season for the taking of any beaver and the number of beaver so taken by him, to the commissioner, or to the game warden or wardens designated by the commissioner, and shall submit the skins *and such other portions* of all such beaver, *in the manner and at the time required by order of the commissioner*, to the inspection of the commissioner or warden, whereupon the commissioner or warden shall issue and affix to each skin a distinctive tag, stamp, or seal. The licensee shall pay the commissioner a fee of \$1.00 for each tag, stamp, or seal, so issued. Beaver skins so taken and tagged, stamped or sealed may be bought, sold and transported at any time upon compliance with all applicable provisions of law relating thereto. The commissioner shall keep a record of each such tag, stamp, or seal, the number issued, to whom issued and the date of issue. Provided, however, that beaver may be taken or killed in any manner at any time by the actual occupant of any lands to which the beaver so killed or taken are causing any substantial damage or injury. Upon the killing of any such beaver at any time other than during the regular season as hereinabove provided therefor, the entire carcass including hide shall be turned over and surrendered to the nearest warden or employee of the Division of Game and Fish within 24 hours of the time such animal was killed.

"(4) Beaver may be trapped in a game refuge only by the Division of Game and Fish by persons employed so to

do by the Director of the Division of Game and Fish under conditions and regulations to be prescribed by the director.

“(5) Any person who shall unlawfully take, possess, transport, sell, or otherwise dispose of any beaver or any part thereof shall be guilty of a gross misdemeanor and shall, upon conviction be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment in the county jail for not more than 6 months, or by both such fine and imprisonment.”

Approved March 12, 1941.

CHAPTER 61—S. F. No. 531

An act relating to public lands and property, conferring power and authority to sell.

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

Section 1. Commissioner of Conservation to sell Redby Fish Hatchery.—The commissioner of conservation is hereby authorized to sell the state fisheries plant and equipment, the state fish hatchery and equipment and appurtenant buildings located at Redby, Minnesota to the United States or to any proper authorized agency thereof or to the Red Lake Band of the Chippewa Indian Nation, for a sum not less than \$5,000, and under such further conditions as he may deem advisable. Provided that all deeds of conveyance shall contain a condition for reversion of said properties to the state in the event of failure on the part of the purchaser or its successors for three consecutive years to maintain and operate the fish hatchery or maintain the program for restocking Red Lake upon the same average scale as has obtained over the past five years. Said deeds shall further contain a provision for reversion to the state in the event of failure of the Red Lake Fisheries Association to keep and maintain existing laws and agreements relative to its fishing operations or any duly approved and authorized amendments thereto.

Sec. 2. Disposition of proceeds.—The proceeds of the sale herein provided for shall be paid in to the state treasurer and by him credited to the state fish revolving fund.

Sec. 3. Commissioner to issue conveyances.—The commissioner of conservation is hereby authorized and empowered to enter into and execute all deeds of conveyance necessary to carry out the purposes of this act.

Approved March 12, 1941.