

~~(6)~~ (5) No net shall be raised, laid out, or landed, between sunset and sunrise the following morning;

~~(7)~~ (6) Seines shall be hauled to a landing immediately after being placed, and no two seines shall be joined together in the water.

Approved May 13, 1963.

CHAPTER 691—S. F. No. 1386

An act relating to commercial fishing, authorizing the use of trawls on Lake of the Woods and establishing a license fee therefor; amending Minnesota Statutes 1961, Sections 102.26, Subdivisions 1, 2 and 3; and 98.46, Subdivision 10.

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

Section 1. Minnesota Statutes 1961, Section 102.26, Subdivision 1, is amended to read:

102.26 Lake of the Woods and Rainy Lake fishing. Subdivision 1. Unless otherwise changed by order of the commissioner under authority of section 97.48, subdivision 3, the following regulations and restrictions shall apply to all commercial fishing operations conducted in Lake of the Woods and Rainy Lake:

(1) Any variety of fish, except black bass, rock bass, muskellunge, crappies, sturgeon and sunfish, may be taken subject to all other restrictions contained in chapters 97 to 102.

(2) Pound nets and staked trap nets shall be of mesh not less than two and one-half inches nor more than four inches stretch measure in the pound or crib.

(3) Gill nets shall be of mesh not less than four inches stretch measure, and shall not be more than 30 meshes in width.

(4) Fyke nets shall be of mesh not less than two and one-half inches nor more than four inches stretch measure in the pot or crib, with hoop or opening not more than six feet in height, the wings not more than 100 feet in length, and a single lead not be more than 400 feet in length.

(5) Submerged trap nets shall be of mesh not less than two and one-half inches nor more than three inches stretch measure in the heart, pot, or crib, with pot or crib not exceeding 150 square feet in area, and lead not exceeding 300 feet in length. The depth of pot or lead shall not exceed 12 feet.

Changes or additions indicated by italics, deletions by strikeout.

(6) *Trawls may be used only on Lake of the Woods and shall be of such specification as the commissioner of conservation may prescribe. Such specifications shall include but not be limited to the following:*

1. *Not more than one trawl net shall be operated by a licensed trawler.*
2. *No member of the trawler crew may operate other commercial fishing gear on the same day that he is conducting trawling operations or possess fish caught in other commercial fishing gear while aboard the trawler.*
3. *The head rope of the trawl shall be no longer than 88 feet measured along that portion of the head rope on which the webbing is attached.*
4. *The mesh of the cod end or bag shall be of a size no smaller than 3½ inches or larger than 4 inches, stretch measure.*
5. *The walleyed pike catch shall not exceed 1,000 pounds in any calendar month and the total for the season shall not exceed 5,000 pounds. The sauger catch shall not exceed 5,000 pounds in any calendar month and 25,000 pounds during a season. At such times as these game fish quotas are exceeded, the operator shall suspend operations for the remainder of the month or season, whichever shall apply.*
6. *No northern pike shall be taken in trawling operations.*

Sec. 2. Minnesota Statutes 1961, Section 102.26, Subdivision 2, is amended to read:

Subd. 2. No licensee shall be permitted to operate more than six pound nets or 4,000 feet of gill nets or eight submerged trap nets or ten fyke or staked trap nets, *or one trawl*, or one pound net station. ~~Each licensee shall devote his personal attention to fishing under such license; and~~ No net of any kind shall be set except at a place consented to by the commissioner.

Sec. 3. Minnesota Statutes 1961, Section 102.26, Subdivision 3, is amended to read:

Subd. 3. The maximum amount of nets permitted to be licensed shall be as follows:

(1) In Lake of the Woods, 50 pound nets, 80,000 feet of gill nets or 160 submerged trap nets, 80 fyke or staked trap nets,

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and two trawls. Licenses for submerged trap nets may be issued in lieu of licenses for gill nets in the ratio of not more than one submerged trap net per 500 feet of gill net, and the maximum permissible amount of gill nets shall be reduced by 500 feet for each submerged trap net licensed. The commissioner may authorize submerged trap net licensees, before the beginning of the third season following the first exchange, to exchange such trap nets for gill nets; *Licenses for trawls may be issued in lieu of licenses for gill nets. Trawl licenses may be issued for 1963 and 1964 only. The holder of a trawl license may be issued a gill net license in 1965 if the trawl license provision is not extended;*

(2) In Rainy Lake, 20 pound nets, and 20,000 feet of gill nets;

(3) When any licensee has lost or surrendered his license for any reason, the commissioner shall not be required to issue licenses for the amount of netting previously authorized under such license;

(4) At any time when commercial fishing is prohibited in any of the international waters by Canadian authorities, such fishing may be prohibited in the Minnesota portions of such waters;

(5) The commissioner by regulation may limit the total amount of game fish that may be taken by commercial fishermen in Lake of the Woods in any one season and shall apportion said amount to each licensee in accordance with the number and length of nets licensed;

(6) *The commissioner of conservation may limit by order the amount of game fish taken in trawls in Lake of the Woods.*

Sec. 4. Minnesota Statutes 1961, Section 98.46, Subdivision 10, is amended to read:

Subd. 10. Fees for the following licenses to net fish in Lake of the Woods, to be issued to residents only, shall be:

(1) For each pound net or staked trap net, \$35;

(2) For each fyke net with wings or lead not exceeding four feet in height, \$5;

(3) For each fyke net with either wings or lead over four feet in height, an additional \$5 for each additional two feet or fraction thereof;

(4) For each 100 feet of gill net, \$1.50;

(5) For each submerged trap net, \$15;

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(6) For helper's license, \$5.;

(7) For each trawl, \$500.

Approved May 13, 1963.

CHAPTER 692—S. F. No. 1595

An act relating to county planning and zoning activities; amending Minnesota Statutes 1961, Sections 394.22, Subdivision 4; 394.24, Subdivision 2; 394.25, by adding a subdivision; 394.26, by adding a subdivision; 394.27, Subdivision 2; 394.30, Subdivision 1; and 394.33.

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

Section 1. Minnesota Statutes 1961, Section 394.22, Subdivision 4, is amended to read:

Subd. 4. **County planning; administration.** "Municipality" means a city, village, or borough however organized ~~and any town having the powers of villages pursuant to law.~~

Sec. 2. Minnesota Statutes 1961, Section 394.24, Subdivision 2, is amended to read:

Subd. 2. Official controls adopted by a board shall apply to and be binding upon only that area or parts thereof outside the incorporated limits of a city, village, or borough ~~and the limits of towns having the powers of villages pursuant to law.~~

Sec. 3. Minnesota Statutes 1961, Section 394.25, is amended by adding a subdivision to read:

Subd. 8. *Any statute of Minnesota, any administrative rule or regulation of any department of the state of Minnesota affecting the county, or any code. The term "code" as used herein means any compilation of regulations or standards or part thereof prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or welfare. All requirements of statutes for the publication or posting of resolutions shall be satisfied in such case if the resolution incorporating the statute, regulation, ordinance or code is published or posted in the required manner and if, prior to such posting or publication, at least three copies of the statute, rule, regulation, ordinance*

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