

CHAPTER 483—H. F. No. 1218

[Not Coded]

An act relating to state civil service and providing for qualifying examinations in certain cases.

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

Section 1. **Certain persons eligible for qualifying examinations.** Any person who has been continuously employed in the Grain Inspection Division of the State of Minnesota from the month of September, 1912, to the month of July, 1935, except for short seasonal lay-offs due to fluctuations in the grain movement, and who is now and has been ever since April 13th, 1943, in the employ of the Grain Inspection Division as a Grain Shipping Inspector or Grain Inspector II, shall be eligible to take a qualifying examination under state civil service for permanent status as a civil service employee.

Approved April 23, 1947.

CHAPTER 484—H. F. No. 1242

[Section 8 Coded as Section 282.227]

An act relating to public lands and the sale thereof in conservation areas, amending Minnesota Statutes 1945, Sections 282.17, 282.19, 282.222, Subdivision 4, and 282.226, and validating the cancellation of all contracts made pursuant to Chapter 210 of the Laws of Minnesota for 1935, or amendments thereof, by the commissioner of conservation or the state auditor, and all sales subsequent to such cancellation and limiting the time for commencing an action based on such cancelled contracts.

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

Section 1. Minnesota Statutes 1945, Section 282.17, is hereby amended to read as follows :

282.17. **Cancelation of contracts.** *Failure of the purchaser to make any payment of any installment or of any interest required under a contract within six months from the date on which such payment becomes due, or to pay before they become delinquent all taxes that may be levied upon the lands so purchased shall constitute a default, and thereupon the contract shall be deemed cancelled, and all right, title,*

and interest of the purchaser, his heirs, representatives, or assigns in the premises shall terminate without the doing by the state of any act or thing whatsoever. A record of such default shall be made in the state land records kept by or under the direction of the commissioner of conservation, and a certificate of such default may be made by or under the direction of the commissioner and filed with the county treasurer or recorded in the office of the register of deeds of the county in which the premises are situated. Any such record or certificate shall be prima facie evidence of the facts therein stated, but the making of such record or certificate shall not be essential to the taking effect of such cancellation and termination, and thereupon the land described in the contract shall be subject to disposition as provided in Sections 282.15 and 282.16, upon first having been reclassified and reappraised as provided by Section 282.14. The county auditor shall report any such default to the commissioner of conservation on or before June 30th of each year.

Sec. 2. Minnesota Statutes 1945, Section 282.19, is hereby amended to read as follows:

282.19. County treasurer to collect payments. The county treasurer shall collect all payments made under Sections 282.14 to 282.22 and place the same in a special fund and forthwith submit to the conservation commissioner a *copy of the receipt* specifying the name and address of the person making the payment and the date and amount thereof, whether Such receipt shall be countersigned by the auditor of such county, and shall have the same force and effect as if given by the state treasurer. The county treasurer shall report all collections to the commissioner of conservation on June 30 and December 31 of each year and at such other times when requested by the commissioner. There shall be transferred from such special fund to the revenue fund of the county the cost of giving the notices herein required and there shall be paid from such fund to the members of the county board, upon warrant of the county auditor, \$3.00 per day for each day necessarily consumed in the classification and appraisal of the lands under Sections 282.14 to 282.22 and mileage at the rate of *six cents per mile* for necessary travel, and to the county auditor *and the county treasurer for their additional duties* such sums as the county board may by resolution determine, not to exceed *to each annually one per cent of the annual receipts under Sections 282.14 to 282.22, inclusive*, and for additional clerk hire in the county auditor's

office such amount as the county board may by resolution determine, not to exceed annually *one* per cent of the annual receipts under Sections 282.14 to 282.22, inclusive. *Where a county board has appointed a land commissioner under the provisions of Section 282.13 the actual expenses of the land commissioner, together with mileage at the rate of six cents per mile for necessary travel in gathering data and information to assist the county board in making classifications and appraisals under Sections 282.14 to 282.22, shall be paid from this fund upon warrant on the county auditor.* The amount remaining in the fund shall be transmitted by the county treasurer to the commissioner of conservation as of June 30 and December 31 each year, and at such other times when requested by the commissioner, and disposed of as provided by the laws governing the fund derived from the respective areas in which the lands sold were situated.

Sec. 3. Minnesota Statutes 1945, Section 282.222, Subdivision 4, is hereby amended to read as follows:

282.222. *Sale. Subd. 4. Terms of sale. All sales under Sections 282.221 to 282.226 shall be for cash or on the following terms: at least 15 per cent of the purchase price shall be paid in cash at the time of the sale, and the balance thereof shall be paid in equal annual installments over a period of 20 years, with interest at the rate of four per cent per annum, payable annually, on the portion from time to time remaining unpaid, with privilege of prepayment of any installment on any interest date. Sales on terms shall be evidenced by a certificate issued by the county auditor in such form as the attorney general shall prescribe, a copy of which shall be submitted to the commissioner of conservation forthwith. The appraised value of all merchantable timber on such agricultural lands shall be paid for in cash in full at the time of sale. The county auditor shall report all sales to the commissioner of conservation forthwith. Failure of the purchaser to make any payment of any installment or of any interest required under any contract within six months from the date on which such payment shall become due, or to pay before they become delinquent all taxes that may be levied upon the land so purchased, shall constitute a default, and thereupon the contract shall be deemed cancelled and all right, title, and interest of the purchaser, his heirs, representatives, or assigns in the premises shall terminate without the doing by the state of any act or thing whatsoever. A record of such default shall be made in the state land records kept by or under the direction of the commissioner of conservation, and a certificate of such default may be made by or under the direction of the commis-*

sioner and filed with the county treasurer or recorded in the office of the register of deeds of the county in which the premises are situated. Any such record or certificate shall be prima facie evidence of the facts therein stated, but the making of such record or certificate shall not be essential to the taking effect of such cancellation and termination, and thereupon the land described in the contract shall be subject to disposition as provided in Section 282.222, upon first having been reclassified and re-appraised as provided by Section 282.221. The county auditor shall report any such default to the commissioner of conservation on or before June 30th of each year.

282.222. Sale. Sec. 4. Subd. 5. Cancellation validated. In any case where a certificate of cancellation of any certificate of sale of lands sold pursuant to Laws 1935, Chapter 210, or amendments thereof, has heretofore been made by either the state auditor or the commissioner of conservation and filed in the office of the officer executing the same or in the office of the state auditor or recorded in the office of the register of deeds of the county in which the land lies, such cancellation is hereby validated and made effective, and the certificate of sale shall be deemed cancelled as if cancelled by the proper officer in the manner prescribed by law.

282.222. Sale. Sec. 5. Subd. 6. Abandonment presumed. In any case where prior to the passage of this act the purchaser has defaulted in the payment of any installment on the principal or interest due on a certificate of sale of land made pursuant to Laws 1935, Chapter 210, or amendments thereof, or has failed to pay before they become delinquent all taxes levied upon the land so purchased, and where a certificate of cancellation has been made and filed or recorded as provided in Section 4, it shall be presumed that the purchaser, and all persons claiming under him, have left and abandoned the land and all right, title, and interest therein and claim thereto, and have released the same absolutely to the state and its assigns.

282.222. Sale. Sec. 6. Subd. 7. Right of action denied. In any case where prior to the passage of this act the purchaser has defaulted in the payment of any installment of the principal or interest due under a certificate of sale of land issued pursuant to Laws 1935, Chapter 210, or has failed to pay all taxes that may have been levied upon the lands, and where a certificate of cancellation has been made and filed or recorded as provided in Section 4, no action for the recovery or possession of the land or the enforcement of any right, title, or interest therein, or claim thereto shall be main-

tained by the purchaser or any one claiming under him unless such action is commenced within six months after the passage of this act.

Sec. 7. Minnesota Statutes 1945, Section 282.226, is hereby amended to read as follows:

282.226. **Funds collected.** The county treasurer shall collect all payments of principal and interest made under Sections 282.221 to 282.226, place the same in a special fund, and *forthwith submit to the conservation commissioner a copy of the receipt specifying the name and address of the person making the payment and the date and amount thereof, whether for principal, timber, improvements or interest, the fund to which it is applicable, and the number of the certificate. Such receipt shall be countersigned by the auditor of such county, and shall have the same force and effect as if given by the state treasurer. The county treasurer shall report all collections to the commissioner of conservation on June 30 and December 31 of each year and at such other times when requested by the commissioner.* There shall be transferred from this special fund to the revenue fund of the county the cost of giving the notices required in Section 282.222, Subdivisions 1 and 2, and there shall be paid from this fund to the members of the county board upon warrant of the county auditor \$3.00 per day for each day necessarily consumed in the classification and appraisal of the lands under Sections 282.221 to 282.226 and mileage at the rate of six cents per mile for necessary travel and to the county auditor and the county treasurer for their additional duties such sums as the county board may by resolution determine, not to exceed to each annually one per cent of the annual receipts under Sections 282.221 to 282.226, inclusive, and for additional clerk hire in the county auditor's office such amount as the county board may by resolution determine, not to exceed annually one per cent of the annual receipts under Sections 282.221 to 282.226, inclusive. Where a county board has appointed a land commissioner under the provisions of Section 282.13 the actual expenses of the land commissioner, together with mileage at the rate of six cents per mile for necessary travel in gathering data and information to assist the county board in making classifications and appraisals under Sections 282.221 to 282.226, shall be paid from this fund upon warrant on the county auditor. The net amount remaining in this fund shall be transmitted by the county treasurer to the commissioner of conservation as of June 30 and December 31 each year, and at such other times when requested by

the commissioner, and credited to the Red Lake game preserve fund created by Section 84A.03.

[282.227] **Severable.** Sec. 8. If any clause, sentence, paragraph, section or part of this act shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or part thereof directly involved in the controversy in which the judgment shall have been rendered.

Approved April 23, 1947.

CHAPTER 485—H. F. No. 1297

An act relating to the powers of the state board of health and amending Minnesota Statutes 1945, Section 144.10.

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

Section 1. Minnesota Statutes 1945, Section 144.10, is amended to read as follows:

144.10. **Federal aid for maternal and child welfare service; custodian of fund; plan of operation; local appropriations.** The state treasurer is hereby appointed as the custodian of all moneys received, or which may hereafter be received, by the state by reason of any federal aid granted for maternal and child welfare service and for public health services, *including the purposes as declared in Public Law 725 enacted by the 79th Congress of the United States, Chapter 958-2d Session and all amendments thereto*, which moneys shall be expended in accordance with the purposes expressed in the acts of congress granting such aid and solely in accordance with plans to be prepared by the state board. The plans so to be prepared by the board for maternal and child health service shall be approved by the United States children's bureau; and the plans of the board for public health service shall be approved by the United States public health service. Such plans shall include the training of personnel for both state and local health work and conform with all the require-governing federal aid for these purposes. Such plans shall be designed to secure for the state the maximum amount of federal aid which is possible to be secured on the basis of the available state, county, and local appropriations for such purposes.