

Sec. 2. *Minnesota Statutes 1965, Section 256.28, Subdivision 2, is repealed.*

Approved March 22, 1967.

CHAPTER 90—S. F. No. 263

An act relating to the sale of timber on tax forfeited land; amending Minnesota Statutes 1965, Section 282.04, Subdivision 1.

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

Section 1. Minnesota Statutes 1965, Section 282.04, Subdivision 1, is amended to read:

282.04 Tax forfeited lands; timber sale; tax forfeited lands, lease, partition, easements. Subdivision 1. **Timber sold for cash.** The county auditor may sell dead, down and mature timber upon any tract that may be approved by the conservation commissioner. Such sale of timber products shall be made for cash at not less than the appraised value determined by the county board to the highest bidder after not less than one week's published notice in an official paper within the county. Any timber offered at such public sale and not sold may thereafter be sold at private sale by the county auditor at not less than the appraised value thereof, until such time as the county board may withdraw such timber from sale. The appraised value of the timber and the forestry practices to be followed in the cutting of said timber shall be approved by the commissioner of conservation. Payment of the full sale price of all timber sold on tax forfeited lands shall be made in cash at the time of the timber sale. The county board may require final settlement on the basis of a scale of cut products. Any parcels of land from which timber is to be sold by scale of cut products shall be so designated in the published notice of sale above mentioned, in which case the notice shall contain a description of such parcels, a statement of the estimated quantity of each species of timber thereon and the appraised price of each specie of timber for 1,000 feet, per cord or per piece, as the case may be. *In such cases any bids offered over and above the appraised prices shall be by percentage, the percent bid to be added to the appraised price of each of the different species of timber advertised on the land.* The purchaser of timber from such parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the notice of sale as estimated to be standing on the land, and in addition shall pay at the same rate for any additional amounts

Changes or additions indicated by italics, deletions by strikeout.

which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of such sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of such sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, *except hardwood pulpwood*, may be removed from such parcels of land until scaled by a person or persons designated by the county board and approved by the commissioner of conservation. No timber shall be removed until fully paid for in cash. Small amounts of green standing, dead, down, dying, insect infected or diseased timber not exceeding \$500 in appraised valuation may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of such sale involving a total appraised value of more than \$50 for sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than one such sale, directly or indirectly to any individual shall be in effect at one time. As directed by the county board, the county auditor may lease tax forfeited land to individuals, corporations or organized subdivisions of the state at public or private vendue, and at such prices and under such terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, and black dirt therefrom, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases *involving a consideration of more than \$50 per year, except to an organized subdivision of the state* shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any such leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by such cancellation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county. The county auditor, with the approval of the county board is authorized to grant permits, licenses, and leases to tax forfeited lands for the depositing of stripping, lean ores, tailings, or waste products from mines or ore milling plants, upon such conditions and for such consideration and for such period of time, not exceeding 15 years, as the county board may determine; said permits, licenses, or leases to be subject to approval by the commissioner of conservation. Any person who removes any timber from tax forfeited land before said timber has

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor. The county auditor may, with the approval of the county board and the commissioner of conservation, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax forfeited lands upon such terms and conditions as the county board may prescribe.

Provided, however, that no lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on his intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the court house at least 20 days before the hearing shall be given of the hearing.

Approved March 22, 1967.

CHAPTER 91—S. F. No. 397

[Coded]

An act relating to wild animals; defining the word "firearm"; amending Minnesota Statutes 1965, Section 97.40, by adding a new subdivision.

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

Section 1. Minnesota Statutes 1965, Section 97.40, is amended by adding a subdivision to read:

*Subd. 34. **Wild animals; firearms.** "Firearm" means any gun from which shot or a projectile is discharged by means of an explosive, gas, or compressed air.*

Approved March 22, 1967.

CHAPTER 92—S. F. No. 437

An act relating to soft drinks and other non-alcoholic beverages; amending Minnesota Statutes 1965, Sections 34.01, Subdivision 3; and 34.09; and repealing Minnesota Statutes 1965, Section 34.10.

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

Changes or additions indicated by italics, deletions by ~~strikeout~~.