

CHAPTER 507—H.F.No. 2358

An act relating to state lands; authorizing sale of certain tax-forfeited lands that border public water in East Grand Forks, Polk county.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **SALE OF CERTAIN TAX-FORFEITED LAND; POLK COUNTY.**

Notwithstanding Minnesota Statutes, section 282.018, Polk county may sell certain tax-forfeited land located in the city of East Grand Forks that is described in this section.

The land that may be sold consists of lots that border public water in the city of East Grand Forks, Polk county, described as:

Riverview 3rd Addition, Block 3, Lot 6.

The lot has special assessments levied against it for improvements and is located between developed residential homes outside of the floodplain.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved April 13, 1988

CHAPTER 508—H.F.No. 2629

An act relating to minerals; authorizing the commissioner of natural resources to lease certain severed mineral interests; amending Minnesota Statutes 1986, section 93.55, subdivisions 1, 3, and by adding a subdivision.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1986, section 93.55, subdivision 1, is amended to read:

Subdivision 1. If the owner of a mineral interest fails to file the verified statement required by section 93.52, before January 1, 1975, as to any interests owned on or before December 31, 1973, or within one year after acquiring such interests as to interests acquired after December 31, 1973, and not previously filed under section 93.52, the mineral interest shall forfeit to the state after notice and opportunity for hearing as provided in this section. However, before completing the procedures set forth in subdivision 2, the commissioner of natural resources may lease the severed mineral interest as provided in subdivisions 1a and 3.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 2. Minnesota Statutes 1986, section 93.55, is amended by adding a subdivision to read:

Subd. 1a. If the owner of a severed mineral interest fails to file the verified statement required by section 93.52 before the dates specified in subdivision 1, the commissioner of natural resources may lease the mineral interest as provided in this subdivision and subdivision 3 before completing the procedures set forth in subdivision 2. In any lease issued under this subdivision, the commissioner shall cite, as authority for issuing the lease, this subdivision, subdivision 3, and the United States Supreme Court decision in *Texaco, Inc., et al. v. Short, et al.*, 454 U.S. 516 (1982), where the Supreme Court determined, under Amendment XIV to the Constitution of the United States, that enactment of a state law requiring an owner of severed mineral interests to timely file a statement of claim to the mineral interests was constitutional, without individual advance notice of operation of the law, before the owner loses the mineral interests for failing to timely file the statement of claim. A lessee holding a lease issued under this subdivision may not mine under the lease until the commissioner completes the procedures set forth in subdivision 2 and a court has adjudged the forfeiture of the mineral interest to be absolute. "Mine" for the purposes of this subdivision is defined to exclude exploration activities, exploratory boring, trenching, test pitting, test shafts and drifts, and related activities.

Sec. 3. Minnesota Statutes 1986, section 93.55, subdivision 3, is amended to read:

Subd. 3. After the forfeiture of the mineral interest is adjudged to be absolute, the mineral interest may be leased. The commissioner may lease severed mineral interests described in subdivision 1 in the same manner as provided in section 93.335, for the lease of minerals and mineral rights becoming the absolute property of the state under the tax laws, except that no permit or lease issued pursuant to this section shall afford the permittee or lessee any of the rights of condemnation provided in section 93.05, as to overlying surface interests.

Sec. 4. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved April 13, 1988

CHAPTER 509—S.F.No. 1867

An act relating to cemeteries; mausoleums, prearranged funeral services; consumer protection; requiring the establishment of a construction performance bond; requiring a permanent care account for any mausoleum; providing reporting requirements; broadening the powers of the county auditors and state auditor; amending Minnesota Statutes 1986,

New language is indicated by underline, deletions by ~~strikeout~~.