

the second year following the date of such purchase; provided, further that the total cost of all road machinery purchased under this act shall not exceed the sum of \$75,000, and that no warrants not payable in the year of their issue shall be issued subsequent to January 1, 1933. Such budget shall first allot, and there shall be first payable out of the receipts for such year, so much of the road and bridge floating indebtedness of the county, including amounts borrowed from any other fund or funds, as is not retired by the bond issue hereinbefore authorized, together with interest thereon. There shall then be allotted not less than one-fifth of the anticipated current tax collections annually for maintenance and not less than one-twenty-fifth of the anticipated current tax collections annually for an emergency fund, and what remains may be allotted to be expended on new construction for the year, which allotment shall include the payment of any amount remaining to be paid on outstanding construction contracts, completed or uncompleted. As nearly as may be, a specific program of new construction shall then be determined upon the amount to be expended on each item determined and allotted; and no change in such program shall be made, nor additional expenditures made or indebtedness incurred, which shall cause to be diverted to other purposes any part of the amount herein required to be allotted for payment of outstanding indebtedness, and for maintenance and emergency funds, nor which shall cause the expenditures made or indebtedness incurred by the county for all the purposes aforesaid in any year to exceed the total revenues of the county determined, as aforesaid, to be available for such year. The emergency fund may be used to pay for extraordinary repairs or replacements occasioned by emergency which could not be anticipated when the budget was made.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 25, 1931.

CHAPTER 338—S. F. No. 61

An act authorizing the state game and fish commissioner to cause the water level in certain public lakes to be controlled and to prevent carp from entering such lakes.

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

Section 1. Game and fish commissioner to control level of lakes.—That upon petition of 25% of the owners of property abutting on any public lake in this state, describing the nature of such lake and its location, setting forth the reasons why the water level therein should be established and controlled, the State Game and Fish Commissioner, if he deems it to be beneficial to and in the public interest that the water level in such lake be controlled, may establish the ordinary high water mark of such lake and cause to be erected and maintained all necessary dikes, dams, sluiceways and such other structures and devices deemed necessary and essential to establish and maintain the water level at such height of water as may be fixed, not, however, exceeding the ordinary high water mark. Provided that for lakes more than ten miles in length, in lieu of the petition of 25% of the abutting property owners, the petition to the commissioner may be signed by thirty-five per cent of the bona fide residents living along the shores of said lakes.

Before any such mark is established at which the water level in such lake is to be maintained as aforesaid, he shall cause a careful survey of such lake to be made by a competent civil engineer, showing if possible the government meander line thereof and the levels of the adjacent lands together with the ordinary high water mark.

Where it appears advisable to the Commissioner to establish a screen in connection with such other construction, in order to keep the game fish in such lake from leaving the same and carp from entering the same, he shall establish the same and provide for means of keeping the same clean so that the water above the level established may flow from such lake.

Sec. 2. Cost to be paid by game and fish commission.—The cost of all proceedings in connection with such survey and construction shall be paid out of state funds available to the State Game and Fish Commission for any purpose whatsoever except from funds provided for public hunting grounds and game refuges. Nothing in this act shall be construed to affect any lake lying wholly within any one county.

Sec. 3. This Act shall take effect and be in force from and after its passage.

Approved April 25, 1931.