

First, to the various funds of the county and the various towns and school districts owning a share in the taxes and special assessments against the land acquired by the state under this Act, and from which such proceeds are derived, the amount of such share in such taxes and special assessments, without interest, providing the amount available for distribution is sufficient therefor; if not, their pro rata share of such amount.

Second, if there is an undistributed surplus, the county treasurer shall distribute such surplus among the various funds of the county and the several towns and school districts therein wherein such lands lie on the same basis as if such payment had been received as taxes on such lands payable in the current year.

In case any town or school district within the conservation zone shall cease to have an organization by reason of depopulation or otherwise, the sum which would otherwise have been distributed to such town or school district shall be paid by the County Treasurer to apply on the indebtedness of such town or school district, and when such indebtedness shall have been paid in full all distribution to such disorganized town or school district shall cease, and the distributive share of such disorganized town shall be paid to the county and the distributive share of such disorganized school district shall be paid to the fund for unorganized school territory of the county.

Sec. 11. Twenty percent to state revenue fund.—Twenty per cent of the gross proceeds from all lands within the conservation zone shall be paid into the state treasury.

Sec. 12. Lands to become part of state forest.—The lands hereafter acquired by the state under this Act and by tax sales in the conservation zones established by this Act, shall become a part of the state forests and be subject to the same laws, rules, and regulations except as herein otherwise provided.

Sec. 13. Inconsistent acts repealed.—Laws 1931, Chapter 32 and all Acts or parts of Acts inconsistent herewith are hereby repealed.

Approved April 22, 1933.

CHAPTER 419—H. F. No. 1293

An act relating to the establishment and creation of state forests, and providing among other things for their management and con-

trol; providing for the acquisition by the state by condemnation, purchase or gift of lands within said state forests, and providing funds therefor.

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

Section 1. **State forests created.**—For the purpose of vesting the state with title to lands in the area hereafter described which are suitable primarily for state use and development for the purpose of preserving, propagating and breeding wild life of all suitable kinds, including all species of game, fish and fur bearing animals and birds of rare and useful species, and especially for the developments of forests and the prevention of forest fires, and for the preservation and development of rare and distinctive species of flora native to such area, including the state flower, and for the protection of watershed areas, valuable for domestic and commercial uses, and for the establishment and development of recreational areas, there are hereby created and established certain state forests, to be managed in the same manner as other state forests, comprising all lands and waters within the following described areas now owned by the state, or hereafter acquired by the state, in the counties and townships described as follows:

Beltrami Island State Forest—Lake of the Woods County. Townships 157, 158 and 159, Range 33; Townships 157, 158, 159 and 160, Range 34; Townships 157, 158, 159 and 160, Range 35; Townships 159 and 160, Range 36; all west of the 5th principal meridian. Roseau County. The south $\frac{1}{2}$ of township 161, Range 35; the south $\frac{1}{2}$ of Township 161, Range 36; Township 159 and 160, Range 37; the south $\frac{2}{3}$ of Township 161, Range 37; the east $\frac{2}{3}$ of township 160, Range 38; all west of the 5th principal meridian.

Cloquet Valley State Forest—St. Louis County. The north $\frac{1}{2}$ of township 53, range 12; township 54, range 12, and township 55, range 12 except sections 1, 2, 3, 11 and 12 and the portions of sections 4, 9, 10, 13, 14 and 15 lying north and east of the present main line right-of-way of the Duluth and Iron Range Railroad; the north half of township 53, range 13; townships 54 and 55, range 13; the north half of township 53, range 14; townships 54 and 55, range 14; the north half of township 53, range 15; townships 54 and 55, range 15; all west of the 4th principal meridian.

Finland State Forest—Lake County. Section 6, township 57, range 6; sections 6, 7, 18, 19, 30 and 31, township 58, range 6; sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16, 17, the east $\frac{1}{2}$ of section 18, the north $\frac{1}{2}$ of sections 20 and 21, township 57, range 7; township 58, range 7; section 1 and the east $\frac{1}{2}$ of sections 2 and

12, township 57, range 8; sections 1, 2, 3, 10, 11, 12, 13, 14, 23, 24, 25, 26, 35, 36 and the east $\frac{1}{2}$ of section 15, township 58, range 8; all west of the 4th principal meridian.

Fon du Lac State Forest.—Carlton County. Township 49 north, range 19; the west $\frac{1}{2}$ of township 49 north, range 18; all of township 49 north, range 20 except the south $\frac{1}{2}$ of sections 25, 26, 27, 28, 29 and 30, and all of sections 31, 32, 33, 34, 35 and 36 inclusive; all of township 48 north, range 19, except sections 25 and 36 inclusive; all west of the 4th principal meridian. St. Louis County. The south $\frac{1}{2}$ of township 50 north, range 19 and the south $\frac{1}{2}$ of township 50 north, range 20, all west of the 4th principal meridian.

Foot Hills State Forest—Cass County. Townships 137, 138, 139, 140 and 141, Range 31; all west of the 5th principal meridian.

George Washington Memorial State Forest—St. Louis County. The north $\frac{2}{3}$ of township 59, range 21; township 60, range 21; the south $\frac{1}{2}$ of township 61, range 21; all west of the 4th principal meridian. Itasca County. Townships 59 and 60, range 22; the south $\frac{1}{2}$ of township 61, range 22; townships 59, 60, 61 and 62, range 23; townships 59, 60, 61 and 62, range 24; townships 59 and 60, range 25; and township 61, range 25; except sections 4, 5, 6, 7, 8, 9, 17 and 18; all west of the 4th principal meridian.

Grand Portage State Forest—Cook County. Townships 61, 62, 63, 64 and 65, range 3 except the portions of sections 7, 8, 17, 18, 19, and 30 in Twp. 64, Range 3 now within the boundary of the Superior National Forest; townships 62, 63, 64, range 4; townships 62, 63 and 64, range 5; townships 63 and 64, range 6; township 64, range 7; all east of the 4th principal meridian.

Kabetogama State Forest—St. Louis County. Townships 61, 62, 63, 64, 65, 66, 67, 68 and 69, range 17; townships 63, 64, 65, 66, 67, 68, 69 and 70, range 18; townships 63, 64, 65, 66, 67, 68, 69 and 70, range 19; townships 64, 65, 66, 67, 68, 69, 70 and 71, range 20; townships 64, 65, 66, 67, 68, 69, 70 and 71, range 21; all west of the 4th principal meridian.

Land O'Lakes State Forest—Cass County. Townships 139 and 140, Range 26; Townships 139 and 140, Range 27; all west of the 5th principal meridian.

Pine Island State Forest—Koochiching County. All that portion of township 153, ranges 26 and 27; township 154, ranges 25 and 26; township 155, range 25 lying west of the present location of trunk highway number 4; that part of townships 156 and 157, range 25, lying west of the Big Fork River; that part of sections 31, 32 and 33, township 158, range 25, lying on the south side of the Black

River; townships 155, 156, 157 and that part of 158, range 26, lying south of the Black River; townships 154, 155, 156, 157 and that part of 158, range 27, lying south of the Black River; townships 153, 154, 155 and 156, range 28; townships 153, 154, and 155, range 27; all west of the 5th principal meridian.

Savanna State Forest—Aitkin County. That portion of township 48, range 22, north of the present location of the Northern Pacific Railroad right-of-way; townships 49, 50, 51 and 52, range 22; that portion of township 48, range 23, north of the present location of the Northern Pacific Railroad right-of-way; townships 49 and 50, range 23; that portion of townships 51 and 52, range 23, lying east of the Mississippi River; that portion of townships 50 and 51, range 24, lying east of the Mississippi River; all west of the 4th principal meridian.

Third River State Forest—Itasca County. The north half of township 147, range 29, except that portion of sections 1 and 12 lying east of Third River; township 148, range 29; the south $\frac{1}{2}$ of township 149, range 29; all west of the 5th principal meridian. Providing, however, that no game refuge shall be established in said Third River State Forest other than by petition of three-fourths of the persons owning land and residing therein addressed to the Commissioner of Conservation. Except as herein provided such game refuge shall be established in accordance with the procedure prescribed in Mason's Minnesota Statutes of 1927, Section 5610.

White Earth State Forest—Clearwater County. Sections 7, 18, 19, 30, and 31, township 144, range 36; township 143, range 37; sections 10 to 36 except sections 17 and 20 inclusive in township 144, range 37; townships 143, range 38 and all of township 144, range 38 except that part of the township lying north of the state aid highway running from Zerkel to Roy Lake; all west of the 5th principal meridian.

Becker County. Township 142, ranges 37, 38, 39 and 40; all west of the 5th principal meridian. Mahnomon County. Township 143, range 39; sections 1 except the northeast $\frac{1}{4}$, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 36 and lot 5 of section 28 and lot 2 and lot 3 of section 29, township 144, range 39; sections 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, and the south $\frac{1}{2}$ of Sections 29 and 30 in township 143, range 40; sections 25 and 36, township 144, range 40, west of the 5th principal meridian.

Sec. 2. Lands to be under control of conservation commission.—Said lands shall be under the management and control of the Conservation Commission which shall have and is hereby

given full power and authority to make, establish, promulgate and enforce all necessary rules and regulations not inconsistent with the laws of the state for the care and management of state forests and fire prevention and the establishment and management of public shooting grounds and game refuges.

Sec. 3. Funds reappropriated.—All moneys received as gifts to the state; all income which may be received from the operation, development, management and use of such state forests, all income which may be derived from the sale of birds, animals, fish and flora therefrom and from the sale of lands and timber thereon owned by the state within such area, other than timber from university, school and swamp lands and from state forest lands set apart pursuant to Section 7 of Article 8 of the Constitution and from state lands acquired under the system of rural credits, and all moneys of the state which may hereafter be transferred thereto under any law of this state shall be paid into the state treasury and credited to the state forest fund and the same is hereby annually appropriated for the purposes of this Act. There is hereby annually appropriated from that one half of the state game and fish fund appropriated by Laws 1929, Chapter 332, Section 6, for the acquisition and maintenance of public hunting grounds, game farms and game refuges such an additional amount as may be necessary, in addition to the foregoing appropriation for the condemnation and/or purchase of said lands.

Sec. 4. Conservation commission may acquire land.—The Conservation Commission, with the approval of the Executive Council of the State, is hereby authorized and empowered to acquire, by exercise of the right of eminent domain, which right is hereby given it, to be exercised in the manner provided in Chapter 41, General Statutes 1923, as amended, or by purchase, any lands or interests in lands in the state forests herein created, which the Conservation Commission shall deem necessary for state ownership, use and development for the purposes of this Act, where the taxes and/or assessments have been delinquent for at least three years, provided that all moneys to be used for the purposes specified in this section, shall be expended from the funds created or appropriated in Section 3 of this Act. Provided, further, that any award to be paid for any tract of land so acquired by exercise of the right of eminent domain, shall first be applied to the payment of any taxes and/or assessments that may be outstanding against said tract; and provided, further, no such tract shall be acquired by purchase or gift without payment or settlement of taxes and/or assessments outstanding against the same. Each county, township, and school district receiving such taxes, shall apply such moneys

towards any outstanding indebtedness against such county, township, or school district. Provided, further, that the Conservation Commission is hereby authorized and empowered to acquire any lands or interests in lands in state forests herein created subject to mineral reservations.

Sec. 5. **State lands to become state forest.**—The state swamp, school, and other public lands owned by the State of Minnesota included within the boundaries of the state forests herein provided that have not heretofore been established as such are hereby created and established as state forests, and shall be governed, operated, managed and controlled in the same manner as other state forests.

Sec. 6. **May receive gifts of land, etc.**—The Conservation Commission is hereby authorized and empowered to receive for and in behalf of the State, including lands from the Federal Government, and to make suitable acknowledgments of, any gift, bequest, devise or grants of land or interests in lands in any such state forest, or of money or personal property of any kind, which it may deem suitable for use in connection with the operation, control, development or use of any or all of such state forests.

Sec. 7. **Provisions separable.**—This Act shall be held unconstitutional only in the event that some major provisions of the Act are found unconstitutional and invalid that would make the Act unworkable. If any minor provisions of this Act be held unconstitutional it shall in no way affect or invalidate any other provision or part hereof.

Sec. 8. **Application of act.**—This Act shall not be construed as repealing or amending Laws 1929, Chapter 258, and Laws 1931, Chapter 407, but shall be regarded as supplementary thereto.

Approved April 21, 1933.

CHAPTER 420—H. F. No. 1409

An act to regulate the handling and sale of fresh strawberries and fresh raspberries in the State of Minnesota.

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