

## CHAPTER 329—S. F. No. 1049

*An act relating to agreements for the mining of certain minerals on state-owned land, amending Section 6413, Mason's Minnesota Statutes of 1927.*

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

Section 1. **Law amended.**—Section 6413 of Mason's Minnesota Statutes of 1927 is hereby amended so that the same shall read as follows:

“6413. **Agreements for mineral leases on state owned lands.**—Should gold, copper, silver, cobalt, coal, graphite, or manganese (4% or over, dried) or any other valuable mineral be *believed to exist* on lands *included within a prospecting permit or leased* as heretofore authorized, the terms and conditions on which the same may be mined, shall be agreed upon by the *Commissioner of Conservation* and the *permit holder or lessee*, and in case they are unable to agree, each shall choose a referee. The two persons thus selected shall choose a third. The decision of said board shall be final and binding on the parties in interest.”

Approved April 21, 1941.

## CHAPTER 330—H. F. No. 1122

*An act relating to the selection of members of the county canvassing board; amending Mason's Supplement 1940, Section 601-6 (11).*

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

Section 1. **Law amended.**—Mason's Supplement 1940, Section 601-6 (11), is hereby amended to read as follows:

“601-6 (11). **Members of county canvassing board.**—The county canvassing board shall consist of the county auditor, the clerk of the district court, two members of the county board, to be selected by the board from among its members who are not candidates for nomination or election to such office, the mayor or president of the most populous municipality in the county; provided, however, in the event that any of said persons shall fail or refuse to serve on said canvassing board *and in the absence of any selection by the county board*

*from among its own members*, the county auditor shall appoint a qualified voter of the county, who shall not hold any public office, to take the place of such person on said canvassing board. Three members shall constitute a quorum and when sworn shall have power to act. Such board shall meet at the auditor's office at 10:00 A. M. on *or before* the third day after a primary election, take the oath of office, and publicly canvass the returns of such election made to the county auditor, and it shall complete the canvass by the evening of the *sixth* day following such election. The canvassing board shall forthwith make the following report and file same with the county auditor.

1. A separate statement of each political party showing the names of all candidates thereof voted for at such primary election, the number of votes received by each, and for what office;
2. A separate statement showing the names of candidates of each political party who are nominated;
3. A statement of the whole number of votes registered and the number of ballots cast at such primary election; and
4. A separate statement of the votes received by each of the non-partisan candidates and the names of the non-partisan candidates nominated.

Whenever any candidates receive an equal number of votes for the same nomination the canvassing board shall determine the tie by lot.

Upon completion of such canvass, the county auditor shall forthwith certify to the secretary of state the vote, as shown by such report, for all candidates to be voted for in more than one county, and shall mail or deliver to each nominee who is to be voted for in his county only a notice of his nomination and that his name will be placed upon the official ballot; provided, however, that in any primary election for city officers in any city having a home rule charter said canvassing board shall file with the clerk of such city a separate statement which will show the persons nominated for each office under the provisions of such charter, with such details as are provided in this section, omitting all political party designation, if such charter so provides.

Such canvassing board, within ten days after the general election, shall meet at the auditor's office and there publicly canvass the returns of such election made to said auditor, and shall complete such canvass without unnecessary delay, and

forthwith make the following report and file same with the county auditor;

1. A statement of the whole number of votes cast in such county for the several state officers, including therein presidential electors, members of the legislature and judges of the district court, the names of the persons for which such votes were cast, and the number cast for each; and the total number of registered names in each election district, and the total number of ballots cast therein;

2. A statement of the names of all persons receiving votes for any county office, and the number of votes received by each;

3. A statement of the names of all candidates for the offices of representative in congress, and the number of votes received by each;

4. A statement of the number of votes cast for and against any proposed change of county lines or county seat; and

5. A statement of the number of votes cast for and against any proposed amendment to the constitution, or other proposal submitted to popular vote.

Such canvassing board, having completed such canvass shall declare the person receiving the highest number of votes for each county office duly elected thereto; and when such county constitutes, or contains a senatorial or representative district it shall declare the persons receiving the highest number of votes, respectively for senator or representative duly elected. In case of a tie, the canvassing board shall determine the result by lot.

Approved April 21, 1941.

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#### CHAPTER 331—H. F. No. 1165

*An act relating to wild animals, regulating the taking, transportation and sale of Minnows and amending Mason's Supplement 1940, Section 5563.*

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

Section 1. Law amended.—Mason's Supplement 1940, Section 5563, is hereby amended to read as follows: