

## CHAPTER 414—S. F. No. 1210

[Coded as Section 84.031]

*An act authorizing the commissioner of conservation to institute proceedings in behalf of the state in certain cases.*

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

[84.031] **Commissioner may bring action to enjoin interference with waterflow from beyond state boundaries.** Section 1. Whenever any person, firm, association, or corporation or any state or political subdivision, agency or commission thereof shall disturb, obstruct or interfere with the natural flow or condition of public waters beyond the boundaries of the State of Minnesota in a manner so as to seriously affect the public welfare and interests of the State of Minnesota, the commissioner of conservation may institute proceedings in behalf of the state in any court having jurisdiction to abate or enjoin the continuance thereof.

Approved April 19, 1947.

## CHAPTER 415—S. F. No. 1230

[Not Coded]

*An act to authorize the sale of certain trust fund lands in Cass County.*

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

Section 1. **Commissioner may sell certain lands in Cass County.** The Commissioner of Conservation is hereby authorized to offer for sale and to sell that portion of Lot 13, section 34, township 141, range 28, Cass County, which lies west of the old railroad grade, as now established and constructed over and across the said Lot 13, in the same manner as other state trust fund lands are sold, notwithstanding the fact that Lot 13 borders public waters.

Sec. 2. **Payment for improvements.** If, in the opinion of the commissioner of conservation, the present occupant or user of the said land has constructed improvements thereon in good faith, believing he had the right so to do, the value of such improvements shall be appraised separately, and if at the sale of such land the present occupant or user thereof shall be the purchaser, he shall not be required to pay for such

improvements. If a person other than the occupant or user of said land shall purchase the same, such purchaser shall pay to the state at the time of the sale, in addition to all other required payments, the full amount for which such improvements are appraised in cash, and the amount so received by the state for such improvements shall be paid over to the present occupant or user of the land, or his successors in interest as compensation therefor, by warrant drawn by the state auditor upon the state treasurer. Any amounts received for such improvements are hereby appropriated for the purpose of making such payment.

Approved April 19, 1947.

---

CHAPTER 416—H. F. No. 184

[Coded as Section 6.136]

*An act providing for the refundment of money by the state, making appropriation therefor, and repealing Minnesota Statutes 1945, Section 6.135.*

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

[6.136] **Refundment of money.** Section 1. Subdivision 1. **Presentment and approval of claim; warrant in payment.** When money has been paid into the state treasury through error, or under circumstances such that the state is not legally entitled to retain the same, the money so paid may be refunded upon the submission of a verified claim therefor as hereinafter provided. The claimant shall present his verified claim, together with a complete statement of facts and reasons for which the refund is claimed, to the head of the state agency concerned, who shall forthwith examine it and endorse thereon his approval or disapproval thereof, together with his reasons therefor. Upon approval, the head of the state agency shall submit the claim to the state auditor, who shall issue his warrant in payment thereof out of the fund to which such money was credited in the manner provided by law.

Sec. 2. Subd. 2. **Appropriation.** There is hereby appropriated to the persons entitled to such refund, from the fund