

the number of voters at the last regular municipal election is filed with the clerk, such certificates shall not be issued until the proposition of their issuance has been approved by a majority of the votes cast on the question at a regular or special election. A tax levy shall be made for the payment of the principal and interest on such certificates as in the case of bonds.

Approved May 13, 1963.

CHAPTER 647—H. F. No. 1836

An act relating to royalties for the mining of materials under public waters; amending Minnesota Statutes 1961, Section 93.08, Subdivision 2.

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

Section 1. Minnesota Statutes 1961, Section 93.08, Subdivision 2, is amended to read:

Subd. 2. **Mineral lands; scope of regulations.** It shall be provided in such regulations, among other things:

(1) No permit to prospect shall be issued for a period to exceed two years;

(2) Each permit shall authorize prospecting only within the area designated therein, which area shall not exceed the limitations upon size prescribed by the regulations;

(3) At any time prior to the expiration of any such prospective permit, the holder thereof shall have the right to a lease giving him the exclusive right to mine and remove the minerals specified in such permit within the area specified in the permit; provided, if the regulations adopted hereunder shall permit or prescribe larger areas for permits than for leases, the permit holder shall designate the specific part of the area covered by his permit (not exceeding the limitations upon size of lease areas) upon which he desires a lease;

(4) Minimum rents and royalties, and the other terms, conditions, and covenants of all such leases shall be prescribed by such regulations prior to the issuance of any permits hereunder; provided no rents or royalties shall be paid for muck and silt, or sand, or gravel removed under a lease *or permit* issued to any department of the state, any political subdivisions, *the federal government, watershed district, drainage and conservancy district, drainage and flood control district, sanitary district* of the state, or any port authority,

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if such materials are used for public purposes only, and are not resold to any private party; and provided further that no rents or royalties shall be charged for muck and silt, or sand, or gravel furnished to or taken by any department of the state or any political subdivision of the state, or any port authority, subsequent to July 1, 1958, and prior to the effective date of Laws 1961, Chapter 336, if such materials were used for public purposes;

(5) No such lease shall be for a longer term than 50 years;

(6) All rents and royalties paid under such leases shall be paid to the state treasurer on the order of the state auditor and shall be credited to the permanent school funds of the state;

(7) No minerals shall be removed under such permits until lease has been issued as provided by such regulations, except that, with the approval of the commissioner, sufficient minerals or ore material may be removed for exploratory or assaying purposes;

(8) The grantee of such permit or lease, his or their assigns, representatives, and successors in interest, may be required to secure riparian owners against damage from the use of such lease or permit.

Approved May 13, 1963.

CHAPTER 648—H. F. No. 1841

An act relating to the regulation and control of the waters of Big Stone Lake; amending Minnesota Statutes 1961, Section 114.12.

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

Section 1. Minnesota Statutes 1961, Section 114.12, is amended to read:

114.12. **Big Stone Lake; water level.** It is hereby determined that the most desirable and beneficial level for the waters of Big Stone Lake from May 1 to October 1 is elevation 967, project datum, and the South Dakota-Minnesota Boundary Waters Commission, the director of game and fish of South Dakota and the commissioner of conservation of Minnesota shall maintain and operate the Big Stone control dam in conformance herewith.

Stop logs shall be kept in place and maintained in the outlet dam of Big Stone Lake at all times when the water elevation of said lake is 967, or less, project datum, and during such time the outflow from the outlet dam shall be regulated so as not to exceed 100 cubic feet per second (c.f.s.).

Changes or additions indicated by italics, deletions by strikeout.