

6125.8300 QUALIFICATIONS TO HOLD LEASE.

The right to apply for, acquire, and hold a lease to explore for, mine, and remove industrial minerals owned by the state, and the right to apply for and hold an authorization to conduct geological data gathering activities, are subject to the following:

A. the applicant is qualified to do business in Minnesota as shown by:

(1) if a corporation organized under the laws of Minnesota, a Certificate of Incorporation from the Minnesota secretary of state's office;

(2) if a corporation organized under the laws of any state other than Minnesota or another country, a Certificate of Authority to Transact Business in Minnesota from the Minnesota secretary of state's office;

(3) if a limited partnership, a Certificate of Limited Partnership from the Minnesota Secretary of State's office;

(4) if an individual, proof of United States citizenship and of legal age; or

(5) if a general partnership or other business entity, evidence that the general partners or individuals controlling the business entity meet the requirements listed in subitems (1) to (4); and

B. if applicable as to the industrial minerals the applicant wants to lease, the applicant is qualified to conduct exploratory borings in Minnesota by having fulfilled the requirements of Minnesota Statutes, section 103I.601, subdivision 3.

The commissioner may request additional evidence that the applicant is technically and financially capable of performing under the terms of a state industrial minerals lease or an authorization to conduct geological data gathering activities and that the applicant has shown the capability to comply with environmental laws and permits. Examples of evidence the commissioner may request are corporate reports, audited financial statements, and evidence of the applicant's compliance with environmental regulations of other jurisdictions. If such evidence is requested, the applicant must submit the evidence within 45 days of receipt of the request.

Statutory Authority: *MS s 93.25*

History: *19 SR 2433*

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