

CHAPTER 89

DIVISION OF FORESTRY; FORESTS; STATE FORESTS; TREE PLANTING

89.01 DIRECTOR, POWERS AND DUTIES.

HISTORY. 1911 c. 125 ss. 3 to 6; G.S. 1913 ss. 3783 to 3786; G.S. 1923 ss. 4001 to 4004; 1925 c. 407 ss. 5 to 10; M.S. 1927 ss. 4031-5 to 4031-10.

Exchange of trust fund land for tax-forfeited lands under county control is unconstitutional. OAG Feb. 19, 1945 (700d-6).

89.021 CREATION OF STATE FORESTS.

HISTORY. 1943 c. 171 s. 1; 1943 c. 305 s. 1; 1943 c. 550 ss. 1 to 3; 1945 c. 79 s. 1.

89.03 EDUCATION IN FORESTRY.

HISTORY. 1925 c. 407 s. 12; M.S. 1927 s. 4031-12.

89.031 CONTROL AND MANAGEMENT OF STATE FORESTS.

HISTORY. 1943 c. 171 s. 2.

PAYMENT OF OUTSTANDING TAXES; WHEN. The payment of outstanding taxes and assessments must be made at substantially the same time as the tract of land is acquired. 1934 OAG 167.

RECOMMENDATIONS; MISTAKE; REVIEW. In *State v Red River Lbr. Co.* 157 M 7, 195 NW 495, there was such gross mistake in the determination of the character of the lands that the court said the result could not be said to express the real judgment of the commissioner, and his decision was subject to review by the court. (Annotation for purpose of analogy.)

89.032 ADDITIONAL LANDS.

HISTORY. 1943 c. 171 s. 3.

89.033 GIFTS.

HISTORY. 1943 c. 171 s. 4.

RESERVATION OF MINERAL RIGHTS; FORM. 1934 OAG 167.

GIFTS OF MONEY TO AID FIRE CONTROL. OAG March 6, 1942, 454-F.

89.034 TAX-FORFEITED LANDS, WHEN INCLUDED.

HISTORY. 1943 c. 171 s. 5.

89.035 INCOME.

HISTORY. 1943 c. 171 s. 6.

SALES OF TIMBER ON FOREST RESERVES; EFFECT OF LEGISLATION UPON. 1918 OAG 522.

89.036 APPORTIONMENT OF CERTAIN FUNDS TO COUNTIES.

HISTORY. 1943 c. 171 s. 7 to 9.

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89.037 SUPPLEMENTARY.

HISTORY. 1943 c. 171 s. 10.

89.038 SALE OF CERTAIN STATE FOREST LAND.

HISTORY. 1945 c. 151 s. 1.

89.08 NURSERIES; STOCK TO BE USED ON STATE LANDS.

HISTORY. 1931 c. 281 ss. 1, 2; M. Supp. ss. 4031-73, 4031-74.

89.12 SPRAYING EQUIPMENT.

HISTORY. 1937 c. 398 s. 1; M. Supp. s. 6512-1.

89.13 TREES ON PRIVATELY-OWNED LAND SPRAYED.

HISTORY. 1937 c. 398 s. 2; M. Supp. s. 6512-2.

89.14 STATE FORESTS.

HISTORY. 1931 c. 263 s. 1; M. Supp. s. 6513-1.

89.15 DIRECTOR TO HAVE CHARGE OF STATE FORESTS.

HISTORY. 1931 c. 263 s. 2; M. Supp. s. 6513-2.

89.16 SALE OF TIMBER.

HISTORY. 1931 c. 263 s. 3; M. Supp. s. 6513-3.

89.163 LOADS OF TIMBER PRODUCTS MARKED.

HISTORY. 1941 c. 83 s. 1.

89.164 MANUFACTURED PRODUCTS MARKED.

HISTORY. 1941 c. 83 s. 2.

89.165 TIMBER PRODUCTS TRANSPORTED FOR STORAGE MARKED.

HISTORY. 1941 c. 83 s. 3.

89.166 MUST USE LEGAL DESCRIPTION OF LAND.

HISTORY. 1941 c. 83 s. 4.

89.167 AUTHORITY OF FOREST OFFICERS.

HISTORY. 1941 c. 83 s. 5.

(2) STOPPING AND SEARCHING AUTOMOBILES; AUTHORITY IN OFFICERS. The federal and state constitutions do not forbid searches and seizures without a warrant but only unreasonable searches and seizures. The existence of reasonable grounds for belief is the general test of authority. 1940 OAG 22.

89.168 VIOLATIONS; PENALTIES.

HISTORY. 1941 c. 83 s. 6.

89.17 LEASES GRANTED.

HISTORY. 1931 c. 263 s. 6; M. Supp. s. 6513-6.

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89.18 PERMIT FOR ROADS.

HISTORY. 1931 c. 263 s. 7; M. Supp. 6513-7.

89.19 RULES.

HISTORY. 1931 c. 263 s. 8; M. Supp. s. 6513-8.

89.26 WATER POWERS OWNED OR CONTROLLED BY STATE WITH- DAWN FROM SALE.

HISTORY. 1917 c. 360 s. 1; G.S. 1923 s. 6519; M.S. 1927 s. 6519.

89.27 LAND SUITABLE FOR REFORESTATION WITHDRAWN FROM SALE.

HISTORY. 1917 c. 360 s. 2; G.S. 1923 s. 6520; M.S. 1927 s. 6520.

PAPER MANUFACTURING; INTENT OF THE LEGISLATURE. Sections 89.27 and 89.28 contemplate authorizing the state to acquire, own, and operate a paper mill but do not make clear whether it would be done for a governmental purpose or not. 1918 OAG 468.

89.28 INVESTIGATION ORDERED OF PULPWOOD OR GROWING SAME.

HISTORY. 1917 c. 360 s. 3; G.S. 1923 s. 6521; M.S. 1927 s. 6521.

VALIDITY OF AN AUTHORIZATION TO ACQUIRE. The legislature cannot authorize the state to acquire, either by purchase or condemnation, land upon which there is located water power, and erect and operate thereon a pulp and paper mill as a purely private enterprise. It would be different, if in so doing, it was performing a governmental function. 1918 OAG 468.

89.29 STATE LANDS WITHIN CHIPPEWA NATIONAL FOREST MADE STATE FORESTS.

HISTORY. 1927 c. 246 s. 1; M.S. 1927 s. 6522-1.

89.30 CERTAIN STATE LANDS TO BECOME STATE FORESTS.

HISTORY. 1931 c. 293 s. 1; M. Supp. s. 6522-3.

89.31 REFORESTATION; TREE PLANTING.

HISTORY. 1945 c. 535 s. 1.

89.32 PLANTING STOCK; PROCUREMENT AND DISTRIBUTION.

HISTORY. 1945 c. 535 s. 2.

89.33 PLANTING STOCK; SALE

HISTORY. 1945 c. 535 s. 3.

89.34 REVOLVING FUND.

HISTORY. 1945 c. 535 ss. 4, 5.