

No. 455, A.]

[Published January 16, 1962.

CHAPTER 632

AN ACT to renumber and amend 30.20 (2); and to create 30.20 (2) (b) of the statutes, relating to removal of minerals, ores and materials from the bed of lakes and streams.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 30.20 (2) of the statutes is renumbered 30.20 (2) (a) and amended to read:

30.20 (2) (a) The public service commission, whenever consistent with public rights, may enter into contracts on behalf of the state for the removal of any material from the bed of any navigable lake or any of the outlying waters, and for the lease or sale of such material. Every such contract shall contain such conditions as may be necessary for the protection of the public interest and the interests of the state and shall fix the compensation to be paid to the state for material so removed, except that no compensation shall be paid for such material if the contract is with a municipality and the material is to be used for a municipal purpose and not for resale. No contract entered into pursuant to this * * * paragraph shall run for a longer period than 5 years.

SECTION 2. 30.20 (2) (b) of the statutes is created to read:

30.20 (2) (b) The public service commission, whenever consistent with public rights, may enter into contracts on behalf of the state for the removal of any mineral, ore and material from beneath the bed of navigable lakes and waters, where the waters would not be disturbed in the removal operation and for the lease and sale of such mineral, material and ore and provide the necessary regulations for all acts incident thereto. Every such contract shall contain such conditions as may be necessary for the protection of the public interest and the interests of the state, and shall fix the compensation to be paid to the state for the material, mineral and ore so removed. No contract entered into, pursuant to this paragraph, shall run for a longer period than 75 years. Should any doubt exist as to whether the state, in fact, owns such lake bed or stream bed such contract or lease shall be for such interests, if any, as the state may own. Title to the royalties to be paid when mining operations are begun shall be determined at such future time as royalties for ores so sold are paid or are due and payable.

SECTION 3. The conservation commission is hereby authorized to lease to a mining company the following described land, to wit: The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 15, T. 41 N., R. 7 W., Sawyer County, Wisconsin, pursuant to the provisions of and as provided in section 24.39 of the statutes for a period not to exceed 75 years.

Approved January 10, 1962.