

the parents they, or any of them, shall remain, having due regard to the age and sex of such children and the children's relationship with each parent prior to the commencement of the action. In determining the parent with whom a child shall remain, the court shall consider all facts in the best interest of the children and shall not prefer one parent over the other solely on the basis of the sex of the parent. In determining the appropriate amount of child support to be paid by each parent, the court shall consider the earning capacity and financial circumstances of each parent. On petition for any change in child support because of alleged change in circumstances the court shall take into consideration the earning capacity and financial circumstances of each parent and the custodial parent's spouse, if any.

Approved April 29, 1971.

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#### CHAPTER 174—S.F.No.526

*An act relating to regional development; providing for commission membership; amending Minnesota Statutes 1969, Section 462.388, Subdivision 1.*

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

Section 1. Minnesota Statutes 1969, Section 462.388, Subdivision 1, is amended to read:

**462.388 REGIONAL DEVELOPMENT COMMISSION; COMMISSION MEMBERSHIP.** Subdivision 1. A commission shall consist of the following members:

(1) one member from each county board of every county in the development region;

(2) one additional county board member from each county of over 100,000 population;

(3) one member of a town board of supervisors from each county containing organized towns;

(4) one additional member selected by the county board of any county containing no townships;

~~(4)~~ (5) one mayor or councilman from a municipality of under 10,000 population from each county, selected by the mayors of all such municipalities in the development region;

**Changes or additions indicated by underline, deletions by ~~strikeout~~.**

~~(5)~~ (6) one mayor or councilman from each municipality of over 10,000 in each county;

~~(6)~~ (7) two school board members;

~~(7)~~ (8) one member from each council of governments;

~~(8)~~ (9) one member representing special districts;

~~(9)~~ (10) citizens representing public interests within the region including members of minority groups to be selected after adoption of the bylaws of the commission; and

~~(10)~~ (11) a chairman appointed by the state planning officer, pursuant to section 462.389.

Approved April 29, 1971.

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#### CHAPTER 175—S.F.No.1309

*An act relating to a compact between the states of North Dakota, South Dakota and Minnesota, and the tristate waters commission; repealing Minnesota Statutes 1969, Sections 114.09 to 114.11.*

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

Section 1. **TRI-STATE WATERS COMPACT; REPEAL.** Minnesota Statutes 1969, Sections 114.09, 114.10, and 114.11 are repealed.

Approved April 29, 1971.

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#### CHAPTER 176—H.F.No.401

*An act relating to education; Indian scholarships; amending Minnesota Statutes 1969, Section 124.48.*

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

Section 1. Minnesota Statutes 1969, Section 124.48, is amended to read:

Changes or additions indicated by underline, deletions by ~~strikeout~~.