

Subd. 5. 8. EFFECTIVE DATE. The consolidation shall be effective upon the election and qualification of new municipal officers, or at such later date as set by the board in its order.

Sec. 2. [16.868] REFERENDA ON STATE BUILDING CODE IN NON-METROPOLITAN COUNTIES. Notwithstanding any other provision of law to the contrary, a county that is not a metropolitan county as defined by section 473.121, subdivision 4, may provide, by a vote of the majority of its electors residing outside of municipalities that have adopted the state building code prior to January 1, 1977, that no portion of the state building code except the building requirements for handicapped persons shall apply within its jurisdiction.

The county board may, and upon petition therefor signed by voters equal in number to at least five percent of those voting in the last general election shall submit to the voters at a regular or special election the question of adopting the building code. The question on the ballot shall be stated substantially as follows:

“ Shall the state building code be adopted in County? ”

If the majority of the votes cast on the proposition is in the negative, the state building code shall not apply in the subject county, outside home rule charter or statutory cities or towns that adopted the building code prior to January 1, 1977, except the building requirements for handicapped persons shall apply.

Nothing in this section shall preclude a home rule charter or statutory city or town that did not adopt the state building code prior to January 1, 1977, from adopting and enforcing the state building code within its jurisdiction.

Approved May 31, 1979.

CHAPTER 288—S.F.No.831

An act relating to Hennepin County; providing for the operation of the Hennepin County park reserve district; regulating its tax levies; providing for appointment and election of park commissioners; permitting certain residents of Hennepin County to request reconsideration of certain decisions of the environmental quality board affecting Hennepin County; amending Laws 1967, Chapter 721, Section 2, as amended; repealing Laws 1963, Chapter 883, Section 2.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1967, Chapter 721, Section 2, as amended by Laws 1969, Chapter 885, Section 1; Laws 1971, Chapter 954, Section 1; and Laws 1973, Chapter 473, Section 1, is amended to read:

Sec. 2. HENNEPIN COUNTY; PARK RESERVE DISTRICT; TAX LEVY. To

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provide funds for the purposes of the Hennepin County park reserve district as set forth in its annual budget, in lieu of the levies authorized by any other special law for such purposes, the board of county commissioners of Hennepin County upon approval of each annual budget may levy taxes on all the taxable property in the county and park district at a rate not exceeding .67 1.0 mill on the assessed valuation thereof. To provide funds for the acquisition and betterment of park properties and facilities of the district in accordance with plans filed by it under Minnesota Statutes, Section 398.19, upon request of the board of park district commissioners by a resolution or resolutions regularly adopted by a majority of all members thereof, the board of county commissioners of Hennepin County may, in addition to bonds issued by the county for this purpose before January 1, 1973, by resolution issue and sell general obligation bonds of the county in the manner provided in Minnesota Statutes, Sections 475.60 to 475.753, in an aggregate amount not exceeding \$2,500,000. Taxes for the payment of the principal of and interest on such bonds shall be assessed and extended upon all taxable property in the county. Such bonds shall not be subject to the limitations of Minnesota Statutes, Sections 475.51 to 475.59, but the maturity years and amounts and interest rates of each series of bonds shall be fixed so that the maximum amount of principal and interest to become due in any year on the bonds authorized by this law and all bonds issued by the county for the purposes of the district before January 1, 1973, shall not exceed an amount equal to three tenths of one mill times the assessed value of all taxable property in the county as last finally equalized before the issuance of the new series.

Sec. 2. HENNEPIN COUNTY PARK RESERVE DISTRICT; COMMISSIONERS. Subdivision 1. Effective January 1, 1983, and notwithstanding any provision of Minnesota Statutes, Sections 398.02 to 398.04, or any other law to the contrary, the board of park district commissioners of the Hennepin County park reserve district shall consist of seven commissioners appointed or elected as provided in this section.

Subd. 2. Three park district commissioners shall be appointed by the park and recreation board of the city of Minneapolis from among its membership. Each park district commissioner appointed pursuant to this subdivision shall serve for a term coinciding with his term on the park and recreation board of the city of Minneapolis, and until a successor is appointed and qualifies. If a vacancy occurs among the commissioners appointed pursuant to this subdivision, the park and recreation board of the city of Minneapolis shall appoint a successor.

Subd. 3. Four park district commissioners shall be elected as provided in this subdivision to represent those portions of Hennepin County outside of the city of Minneapolis. One park district commissioner shall be elected without party designation from each of the districts established pursuant to subdivision 4. Elections under this subdivision shall be held at the same time and in the same manner as elections for the office of county commissioner. Each park district commissioner elected pursuant to this subdivision shall be a resident of the district he represents and shall serve for a term of four years and until a successor is elected and qualifies, except that the term of office of each park district commissioner elected at the general election held in the year of a federal census shall be only two years and until a successor is elected and qualifies. If a vacancy occurs in the office of any commissioner elected pursuant to this subdivision, the

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board of park district commissioners shall appoint a successor residing in that district to fill the unexpired term.

Subd. 4. By no later than August 1, 1980, and after at least 30 days notice and public hearing, the board of park district commissioners of the Hennepin County park reserve district shall divide the territory of Hennepin County outside the city of Minneapolis into four districts. Each district shall be composed of contiguous territory as regular and compact in form as practicable and as nearly equal in population as possible, provided that no district shall vary in population more than ten percent from the average of all the districts, unless compliance with this requirement requires division of a voting precinct. After each federal census and by not later than 120 days before the next ensuing general election, after at least 30 days notice and public hearing, the board of park district commissioners of the Hennepin County park reserve district shall redistrict the territory of Hennepin County outside the city of Minneapolis into new commissioner districts as necessary to comply with the provisions of this subdivision. The districts established pursuant to this subdivision shall remain effective until new districts are established. Any person aggrieved by a districting plan established pursuant to this subdivision may challenge the plan in the same manner as a county commissioner districting plan may be challenged pursuant to Minnesota Statutes, Section 375.025. The district court in reviewing any challenge to a districting plan under this subdivision shall proceed in the manner prescribed by Minnesota Statutes, Section 375.025. Each districting plan established pursuant to this subdivision shall be filed in the office of the director of finance of Hennepin County or any successor office and shall be effective 31 days after its publication in a newspaper of general circulation in the county.

Sec. 3. TRANSITION TO ELECTED BOARD. Notwithstanding any law to the contrary, until January 1, 1983, the park district commissioners of the Hennepin County park reserve district shall continue to be appointed and vacancies shall continue to be filled as provided in Laws 1963, Chapter 883, Section 1. On January 1, 1983, the terms of office of all commissioners appointed pursuant to Laws 1963, Chapter 883, Section 1, shall expire and the first commissioners appointed or elected as provided in section 2 shall take office. Thereafter the park district commissioners of the Hennepin County park reserve district shall be appointed or elected and vacancies shall be filled as provided in section 2.

Sec. 4. DECISIONS OF ENVIRONMENTAL QUALITY BOARD AFFECTING HENNEPIN COUNTY; REQUEST FOR RECONSIDERATION. Notwithstanding any law to the contrary, any resident of Hennepin County who filed a petition under Minnesota Statutes, Section 116D.04, Subdivision 3, with respect to which the environmental quality board, prior to the effective date of this act, decided by less than a majority vote of the entire membership of the board not to require preparation of an environmental impact statement, may file a written request to the board to reconsider that decision. The request for reconsideration shall be filed with the board not later than 30 days after the effective date of this act. Upon receipt of a request authorized by this section, the board shall reconsider its previous decision and make a final decision concerning the petition. The board shall make its final decision by a majority vote of the entire membership of the board. No construction shall commence on any action which was the subject of such a petition until after the time for filing a request pursuant to this

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section has expired or, if a request has been filed within that time, until the board makes a final decision as provided in this section.

Sec. 5. **REPEALER.** Laws 1963, Chapter 883, Section 2, is repealed, effective January 1, 1983.

Sec. 6. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved May 31, 1979.

CHAPTER 289—S.F.No.1553

An act relating to legislative enactments; providing for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature; providing for the effective date of Laws 1979, Chapter 56, Section 6; amending Laws 1979, Chapter 63, Section 1, Subdivision 2; Minnesota Statutes 1978, Sections 98.46, Subdivisions 3, as amended, and 18, as amended; 105.391, Subdivision 1, as amended; 550.36, as amended; amending a law enacted at the 1979 regular session styled as H.F. No. 1467, Article 1, Section 108; amending a law enacted at the 1979 regular session styled as H.F. No. 643, Section 27; and amending a law enacted at the 1979 regular session styled as S.F. No. 59, Section 9.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Laws 1979, Chapter 56, Section 6, is effective the day following final enactment of this act.

Sec. 2. Laws 1979, Chapter 63, Section 1, Subdivision 2, is amended to read:

[609.774] Subd. 2. **AUTHORITY.** A supervising peace officer may order a telephone company to cut, reroute, or divert telephone lines for the purpose of establishing and controlling communications with a violator.

Sec. 3. Minnesota Statutes 1978, Section 98.46, Subdivision 3, as amended by Laws 1979, Chapter 94, Section 3, is amended to read:

Subd. 3. Fees for the following licenses, to be issued to residents only, shall be:

- (1) To harvest wild rice, \$4:
- (2) To buy ~~or~~ and sell wild ginseng, \$5.

Sec. 4. Minnesota Statutes 1978, Section 98.46, Subdivision 18, as amended by Laws 1979, Chapter 104, Section 1, is amended to read:

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