

of the unplatted portion of Government Lot 9 of Section 4 lying westerly of the Minnesota River as it now exists, excepting therefrom the right-of-way of U. S. Highway 169. All that part of the town plat of Traverse Des Sioux (North of Sibley Street) lying northerly of Chestnut Street and outside of the existing statutory boundary of Traverse Des Sioux State Park, excepting therefrom the right-of-way of U. S. Highway 169; all of Government Lot 6, all that part of Government Lot 5 lying westerly of the Minnesota River as it now exists, all of the unplatted portion of Government Lot 7 except the north 20 acres of said Government Lot 7, all in Section 10; all that part of Government Lot 4 and the Northwest Quarter of the Northeast Quarter of Section 15 lying northerly of the Minnesota River as it now exists; all that part of Blocks 106, 107, and 108 of the town plat of Traverse Des Sioux and all that part of McLeods Addition to Traverse, M. T. lying easterly of the easterly right-of-way line of U. S. Highway 169; all being in Township 110 North, Range 26 West of the 5th P.M.

Approved June 6, 1969.

CHAPTER 1030—H. F. No. 1838

An act relating to divorce; custody and support of children on judgment; amending Minnesota Statutes 1967, Section 518.17.

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

Section 1. Minnesota Statutes 1967, Section 518.17, is amended to read:

518.17 Divorce; custody and support of children on judgment. Upon adjudging the nullity of a marriage, or a divorce or separation, the court may make such further order as it deems just and proper concerning the care, custody, and maintenance of the minor children of the parties and may determine with which of 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 amount of child support to be paid by each parent, the court shall consider the earning capacity of each parent. Any change in child support because of alleged change in circumstances shall take*

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

into consideration the earning capacity of each parent and the parent's spouse, if any.

Approved June 6, 1969.

CHAPTER 1031—H. F. No. 1889

An act relating to the department of public service; amending Minnesota Statutes 1967, Sections 216A.01; 216A.05, Subdivision 6; 216A.07; 221.031, Subdivision 1; 221.131; 221.141; 232.13; 233.20; 233.25; 237.10; 239.10; and 239.18, Subdivision 3.

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

Section 1. Minnesota Statutes 1967, Section 216A.01, is amended to read:

216A.01 Department of public service; establishment of department and branches. There is hereby created and established the department of public service to consist of two branches, the public service commission and the administrative division. *The department of public service shall have and possess all of the rights and powers and perform all of the duties vested in it by Laws 1967, Chapter 864, and, immediately prior to enactment of said chapter, vested by law in the railroad and warehouse commission.*

Sec. 2. Minnesota Statutes 1967, Section 216A.05, Subdivision 6, is amended to read:

Subd. 6. Operation with regard to federal law. The commission is authorized:

(1) To cooperate with ~~the interstate commerce commission~~ *all federal agencies* for the purpose of harmonizing state and federal regulations within the state to the extent and in the manner deemed advisable, and for such purpose may approve and establish freight rates which depart from the distance principle required by any state law.

(2) To conduct joint hearings with the interstate commerce commission or federal communications commission within or without the state and participate in any proceedings before such commissions when it considers such participation advisable and in the interest of the people of this state.

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