

application is made at the time of application. A fee of \$2 shall be charged for the alteration, correction, or completion of any vital record provided that no fee shall be charged for any such alteration, correction, or completing within one year after the filing of the certificate. Such fee shall be payable to the registrar to whom application is made at the time of application.

Sec. 2. Minnesota Statutes 1967, Section 144.175, Subdivision 4, is amended to read:

Subd. 4. **Purposes of research.** The board may permit the use of data contained in vital statistical records for research purposes only, but no identifying use thereof shall be made. *The board may charge for expenses authorized by this subdivision for searching vital statistics records for research purposes. All of the money collected by the board under this subdivision for searching vital records shall be deposited in the state treasury and is annually appropriated to the board of health to pay the costs of researching vital statistics records.*

Sec. 3. **Effective date.** *This act is effective July 1, 1969.*

Approved May 27, 1969.

CHAPTER 777—H. F. No. 1405

[Coded in Part]

An act relating to water resources; providing for the regulation of shoreland use and development; prescribing the powers and duties of state agencies and local governments in relation thereto; providing penalties; amending Minnesota Statutes 1967, Chapters 105, and 396 by adding sections; Sections 394.25, Subdivision 2; and 396.03.

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

Section 1. Minnesota Statutes 1967, Chapter 105, is amended by adding a section to read:

[105.485] Water resources; shoreland development; regulation. Subdivision 1. **Purpose.** *In furtherance of the policies declared in Minnesota Statutes, Section 105.38, and Chapter 116, it is in the interest of the public health, safety, and welfare to provide guidance for the wise development of shorelands of public waters and thus preserve and enhance the quality of surface waters, preserve the economic and natural environmental values of shore-*

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lands, and provide for the wise utilization of water and related land resources of the state.

Subd. 2. Definitions. For the purposes of this section the terms defined in this section have the meanings given them: (a) "Shoreland" means land located within the following distances from the ordinary high water elevation of public waters: (1) Land within 1,000 feet from the normal high watermark of a lake, pond, or flowage; and (2) land within 300 feet of a river or stream or the landward side of flood plain delineated by ordinance on such a river or stream, whichever is greater. (b) "Unincorporated area" means the area outside a city, village, or borough.

Subd. 3. Commissioner's duties. Before July 1, 1970, the commissioner of conservation shall promulgate, in the manner provided in Minnesota Statutes, Chapter 15, model standards and criteria for the subdivision, use, and development of shoreland in unincorporated areas, including but not limited to the following: (a) The area of a lot and length of water frontage suitable for a building site; (b) the placement of structures in relation to shorelines and roads; (c) the placement and construction of sanitary and waste disposal facilities; (d) designation of types of land uses; (e) changes in bottom contours of adjacent public waters; (f) preservation of natural shorelands through the restriction of land uses; (g) variances from the minimum standards and criteria; and (h) a model ordinance. The following agencies shall provide such information and advice as may be necessary to the preparation of the rules and regulations, or amendments thereto: The state departments of agriculture, economic development, and health; the state planning agency; the pollution control agency; the state soil and water conservation commission; and the Minnesota historical society. In addition to other requirements of Minnesota Statutes, Chapter 15, the model standards and ordinance promulgated pursuant to this section, or amendments thereto, shall not be filed with the secretary of state unless approved by the executive officer of the state board of health and the director of the pollution control agency.

Subd. 4. Failure of county to act; commissioner's duties; enforcement. If a county fails to adopt a shoreland conservation ordinance by July 1, 1972, or if the commissioner of conservation, at any time after July 1, 1972, after notice and hearing as provided in Minnesota Statutes, Section 105.44, finds that a county has adopted a shoreland conservation ordinance which fails to meet the minimum standards established pursuant to this section, the commissioner shall adapt the model ordinance to the county. The commissioner shall hold at least one public hearing on the proposed ordinance in the

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manner provided in Minnesota Statutes, Section 394.26, after giving notice as provided in section 394.26. This ordinance is effective for the county on the date and in accordance with such regulations relating to compliance as the commissioner shall prescribe. The ordinance shall be enforced as provided in Minnesota Statutes, Section 394.37. The penalties provided in Minnesota Statutes, Section 394.37, apply to violations of the ordinance so adapted by the commissioner.

Subd. 5. Costs. The cost incurred by the commissioner in adapting the model ordinance to the county pursuant to subdivision 4 shall be paid by the county upon the submission to the county of an itemized statement of these costs by the commissioner. If the county fails to pay these costs within 90 days after the commissioner's statement is received, the commissioner may file a copy of the statement of these costs with the county auditor of the county for collection by special tax levy. The county auditor, upon receiving a statement from the commissioner, shall include the amount of the state's claim in the tax levy for general revenue purposes of the county. This additional tax shall be levied in excess of any limitation as to rate or amount, but shall not cause the amount of other taxes which are subject to any limitation to be reduced in any amount whatsoever. Upon completion of the tax settlement following this levy, the county treasurer shall remit the amount due to the state to the commissioner for deposit in the state treasury.

Sec. 2. Minnesota Statutes 1967, Section 394.25, Subdivision 2, is amended to read:

Subd. 2. The establishment of zoning districts within which districts the use of land for agriculture, forestry, recreation, residence, industry, trade, soil conservation, water supply conservation, surface water drainage and removal, *conservation of shorelands, as defined in section 1 of this act*, and additional uses of land may be encouraged, regulated, or prohibited and for such purpose the board may divide the county into districts of such number, shape, and area as may be deemed best suited to carry out the comprehensive plan.

Sec. 3. Minnesota Statutes 1967, Section 396.03, is amended to read:

396.03 Object of regulations. These regulations shall be made in accordance with a comprehensive plan and designed for any or all of the following purposes:

- (1) To protect and guide the development of non-urban areas;
- (2) To secure safety from fire, flood, and other dangers;

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(3) To encourage a distribution of population and a mode of land utilization that will facilitate the economical and adequate provision of transportation, roads, water supply, drainage, sanitation, education, recreation, or other public requirements;

(4) To lessen governmental expenditures;

(5) To conserve and develop natural resources, *including but not limited to the conservation of shorelands, as defined in section 1 of this act;*

(6) To prevent soil erosion;

(7) To foster the state's agricultural or other industries;

(8) To protect the food supply;

(9) To prevent waste.

These regulations shall be made with a reasonable consideration, among other things, to the character of the district and its peculiar suitability for particular uses.

Sec. 4. Minnesota Statutes 1967, Chapter 396, is amended by adding a section to read:

[396.051] Shoreland regulations; powers of towns. *Notwithstanding the provisions of Minnesota Statutes, Section 396.05, the approval of town boards is not required for ordinances regulating the conservation of shorelands. However, this section does not prohibit a town from adopting or continuing in force, by ordinance, regulations of shorelands which are more restrictive than those required by the county ordinance.*

Approved May 27, 1969.

CHAPTER 778—H. F. No. 1435

[Coded]

An act relating to estates of decedents; termination of trusts; dis-cretion of probate court.

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

Section 1. **[525.486] Probate proceedings; estates of decedents; trusts; termination.** In any administration of an estate in probate, wherein the decedent died testate and has established a

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