

that date. Section 1 applies to payments in respect to periods commencing after May 31, 1969.

Sec. 3. This act is effective upon its approval by the governing body of the city of New Ulm and compliance with Minnesota Statutes 1967, Section 645.021.

Approved May 28, 1969.

CHAPTER 878—H. F. No. 3017

[Not Coded]

An act empowering the state to participate in the Congressional Medal of Honor Grove at the Freedoms Foundation Memorial in Valley Forge; appropriating money therefor.

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

Section 1. **Congressional Medal of Honor Grove; appropriation.** The state of Minnesota through its department of economic development may participate in the Congressional Medal of Honor Grove at the Freedoms Foundation Memorial in Valley Forge. A replica of the state seal may be reproduced and installed in the memorial at Valley Forge, and copies thereof may be made.

Sec. 2. The sum of \$674 is appropriated to the department of economic development from the general revenue fund in the state treasury as a sponsorship fee for the state's participation in the national memorial described in section 1 to cover costs in connection therewith.

Approved May 28, 1969.

CHAPTER 879—H. F. No. 1338

[Coded]

An act relating to state and regional parks and open space programs; changing boundaries and imposing an additional tax on cigarettes; appropriating moneys and providing for the distribution thereof.

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

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

Section 1. [85.1872] State parks; additions to the state parks, waysides, and recreational reserves. Subdivision 1. Acquisition of lands. *The lands described in this section are added to the boundaries of the designated state parks, waysides, and recreational reserves and the commissioner of administration for the commissioner of conservation is authorized to acquire by gift, purchase, or if expressly authorized by law, by condemnation proceedings the lands as described. Any land which now is or hereafter becomes tax-forfeited land and is located within the described park boundaries is hereby withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of conservation, free from any trust in favor of the interested taxing districts. The commissioner shall execute a certificate of acceptance of the lands on behalf of the state for such purposes and transmit the same to the county auditor of the county for record as provided by law in the case of tax-forfeited land transferred to the commissioner by resolution of the county board for conservation purposes. Any lands within the herein described boundaries which may be owned by the United States and managed by any of its agents may be acquired by land exchange, direct transfer, or purchase as federal laws may prescribe. The lands acquired pursuant to this section shall be administered in the same manner as provided for other state parks and shall be perpetually dedicated for such use.*

Subd. 2. Baptism River State Park, Lake county. *All of the East Half of the Southwest Quarter of Section 10; the East Half of the Northwest Quarter and the Northeast Quarter of the Northeast Quarter of Section 15; all in Township 56 North, Range 7 West of the 4th P.M.*

Subd. 3. Beaver Creek Valley State Park, Houston county. *All that part of the South Half of the Southeast Quarter of the Northwest Quarter and the South Half of the Southwest Quarter of the Northeast Quarter lying southwesterly of Beaver Creek and all of the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 5, Township 102 North, Range 6 West.*

Subd. 4. Blue Mounds State Park, Rock county. *All of the Northwest Quarter of the Northeast Quarter and the West One-half of the Northeast Quarter of the Northeast Quarter, Section 26, Township 103 North, Range 45 West.*

The following lands are to be deleted from the statutory bound-

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ary: *all of the East One-half of the East One-half of the Southeast Quarter, Section 23, Township 103 North, Range 45 West.*

Subd. 5. Buffalo River State Park, Clay county. *All of the South One-half of the Northwest Quarter, Section 14; all of the West One-half of the Southwest Quarter and all that part of the Southwest Quarter of the Northwest Quarter, Section 10, lying southerly of the southerly right-of-way line of the Northern Pacific Railroad; all in Township 139 North, Range 46 West.*

Subd. 6. Forestville State Park, Fillmore county. *All of the West Half of the Southeast Quarter of Section 18; all that part of the South Half of the Northwest Quarter of Section 7 lying southerly of the following described lines: Beginning at the center of Section 7, thence North to a point 760 feet south of the Northeast corner of the Southeast Quarter of the Northwest Quarter, thence S. 50° -31' W. -162 feet, thence N. 86° W. -78 feet, thence N. 31° W. -148 feet, thence N. 71° W. -270 feet, thence N. 53° -38' W. -1014 feet, thence N. 14° E. -26 feet to the north line of the South Half of the Northwest Quarter, thence west along the said line to the Northwest corner of said South Half of the Northwest Quarter of Section 7; all being in Township 102 North, Range 11 West of the 5th P.M.*

Subd. 7. Frontenac State Park, Goodhue county. *All of the West Half of the Southwest Quarter of the Southwest Quarter of Section 2; all that part of the Northwest Quarter of the Northwest Quarter and the South Half of the Northwest Quarter lying northwesterly of C.S.A.H. 2 and northeasterly of the township road; all that part of the Southwest Quarter and the South Half of the Northwest Quarter lying southeasterly of C.S.A.H. 2, all being in Section 11; all that part of the Northwest Quarter of Section 14 lying northerly of the northerly right-of-way line of U. S. Highway 61; all that part of the Southeast Quarter of Section 10 and the Northeast Quarter of the Northeast Quarter of Section 15 lying southeasterly of C.S.A.H. 2 and northerly and easterly of the following described lines: Beginning at the intersection of C. S. A. H. 2 and a line 300 feet north of and parallel with the northerly line of Hibernia Avenue of the town of Frontenac Station, thence easterly along said line to its intersection with the northerly extension of the easterly line of Ludlow Avenue, thence southerly along the easterly line of Ludlow Avenue and its extension to a point 270 feet north of the northerly line of Columbia Avenue, thence deflecting left at a right angle to a line parallel with and 100 feet distance from the easterly line of Ludlow Avenue, thence southerly along said line to its intersection with the northerly right-of-way line of U.S. Highway 61, thence easterly along said northerly right-of-way line to the east line of Section 15 and there terminating; all of*

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Block 5, Lots 3 and 4 of Block 6, and Lots 3 and 4 of Block 4 of the official plat of the Village of Frontenac; being in Government Lot 1 of Section 12; all being in Township 112 North, Range 13 West of the 5th P.M.

Subd. 8. Lake Bronson State Park, Kittson county. *All of the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter, Section 32, Township 161 North, Range 46 West.*

The following lands are to be deleted from the statutory boundary: all of the South One-half of the Northwest Quarter and all that part of Government Lots 3 and 4, lying southerly of C.S.A.H. 10; all being in Section 5, Township 160 North, Range 46 West.

Subd. 9. McCarthy Beach State Park, Itasca and St. Louis counties. *St. Louis County: All that part of Sections 5 and 6 lying southerly of the state forest road; all that part of Sections 7, 8 and Government Lots 1, 2 and 3 of Section 17 lying northerly and easterly of the state forest road; all that part of Sections 4 and 9 lying westerly of C.S.A.H. 5; all being in Township 60 North, Range 21 West of the 4th P.M. Itasca County: All of the South Half and all that part of the Northeast Quarter of Section 1, lying southwesterly of the state forest road running northwesterly through the Northeast Quarter of said Northeast Quarter; all those parts of Section 12 and the East Half of the Northeast Quarter of Section 11 lying northerly and easterly of the state forest road running easterly and westerly through said Sections 11 and 12; all being in Township 60 North, Range 22 West of the 4th P.M.*

Subd. 10. Ray Berglund State Park, Cook county. *All of Lots 3, 4, 5, 6, and 7 of rearrangement of Government Lot 1 of Section 12 according to the plat thereof on file and of record in the office of the Register of Deeds in and for Cook County; and all of the easterly one-half of the northerly 1,000 feet of Government Lot 2 of Section 12; all in Township 59 North, Range 4 West of the 4th P.M.*

Subd. 11. Sibley State Park, Kandiyohi county. *All of the Northwest Quarter of the Northwest Quarter and the Northeast Quarter of the Northwest Quarter, Section 2, and all of the North One-half of the Northeast Quarter, Section 12, Township 121 North, Range 35 West. All that part of the South One-half of Section 35 and the South One-half of Section 36 lying southerly of Minnesota Highway 9 and outside of the existing statutory boundary of Sibley State Park.*

Subd. 12. Whitewater State Park, Winona county. *All of*

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the West One-half of the Southwest Quarter, Section 16, Township 107 North, Range 10 West.

Subd. 13. Zippel Bay Recreation Reserve, Lake of the Woods county. *All of the Northwest Quarter of the Southeast Quarter of Section 10; all of Government Lot 3 of Section 11; all of the South Half of the Northwest Quarter and the Northwest Quarter of the Northwest Quarter of Section 14; all in Township 162 North, Range 33 West.*

Subd. 14. St. Croix State Park, Pine county. *All of Government Lot 4 of Section 25; all of Government Lot 4 and the Southwest Quarter of the Northeast Quarter of Section 26; all of the West Half of the Northwest Quarter of Section 35; all in Township 41 North, Range 17 West. All that part of the Southeast Quarter of the Southeast Quarter, Section 21, and that part of the Southwest Quarter of the Southwest Quarter, Section 22, Township 41 North, Range 18 West, bounded by the following described lines: beginning at the southeast corner of Section 21, thence West 1025 feet along the South Section Line, thence North 515 feet, thence East 350 feet, thence northeasterly 1070 feet to a point on the center line of CSAH 22 a distance of 1130 feet northerly of the southeast corner of Section 21 as measured along said CSAH 22 thence southerly 1130 feet along the center line of CSAH 22 to the point of beginning.*

Subd. 15. Hayes Lake State Park, Roseau county. *All of the northwest quarter of the southwest quarter (NW1/4 of SW 1/4) of Section 28, Township 160 North, Range 38 West of the 5th P.M.*

Subd. 16. Itasca State Park. *The Southeast Quarter of the Northwest Quarter of Section 35, Range 36 West, Township 144 North, in Clearwater County.*

Sec. 2. [85.198] Minnesota Valley Trail. [Subdivision 1.] *The commissioner of conservation shall establish, develop, maintain, and operate a riding and hiking trail, and facilities related to the trail, in Hennepin, Dakota, Scott, Carver, Sibley, and LeSueur counties. The trail shall be designated as the "Minnesota Valley Trail," and shall originate at Fort Snelling state park and thence extend generally southwesterly along the Minnesota river valley through Hennepin, Dakota, Scott, Carver, Sibley, and LeSueur counties to the city of LeSueur, and there terminating. The trail shall include the following state waysides: (a) Rice lake wayside, in Scott county; (b) Carver rapids wayside, in Scott county; (c) Lawrence wayside, in Scott county; (d) Belle Plaine wayside, in Carver, Scott, and Sibley counties; (e) Blakely wayside, in Scott county; and (f) Rush river wayside, in Sibley county. In establishing, developing, maintaining,*

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and operating the trail the commissioner shall cooperate with local units of government and private individuals and groups whenever feasible. Motorized vehicles are prohibited from that portion of the trail on the north side of the Minnesota river, lying between Fort Snelling state park and Rice lake wayside.

Subdivision 1. [Subd. 2.] Commissioner's powers. The commissioner of administration for the commissioner of conservation may acquire by gift or purchase all such lands and easements as may be needed for the purpose of the Minnesota valley trail and for waysides and other facilities related thereto, including but not limited to the following tracts of land which are designated as state waysides:

(a) *Rice lake wayside, in Scott county.*

In Township 115 North, Range 21 West: All of Government Lots 1, 2 and 3 of Section 6; and all of Government Lots 2, 3, 4 and 5, the Northwest Quarter of the Southwest Quarter and the Northeast Quarter of the Southeast Quarter of Section 7.

In Township 115 North, Range 22 West: All of Government Lots 4 and 5, and the Southeast Quarter of the Southwest Quarter of Section 1; and all of Government Lot 1, the Northwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 12.

(b) *Carver rapids wayside, in Scott county.*

In Township 115 North, Range 23 West: All of Government Lots 9, 10, 11 and 12 of Section 31; and all of the West Half of Section 32.

(c) *Lawrence wayside, in Scott county.*

In Township 114 North, Range 24 West: All of Government Lot 1 of Section 15; all of Government Lots 1, 2 and 3 and the Southeast Quarter of the Southeast Quarter of Section 21; all of Government Lots 3, 4, 5 and 6, the South Half of the Southwest Quarter, the Northwest Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 22; all of the Northwest Quarter of the Northwest Quarter of Section 27; all of Government Lots 2, 3 and 4, the Southwest Quarter, the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northeast Quarter of Section 28; and all of the Northwest Quarter of the Northwest Quarter of Section 33.

(d) *Belle Plaine wayside, in Carver, Scott and Sibley counties.*

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In Township 114 North, Range 24 West: All of Government Lots 1, 2, 3, 4, 5, 6 and 7, the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Northeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 29; all of Government Lots 1, 2 and 3 and the Northeast Quarter of the Southeast Quarter of Section 30; all of Section 31; and all of the North Half and the North Half of the Southwest Quarter of Section 32.

In Township 113 North, Range 24 West: All of the North Half of the Northwest Quarter of Section 6.

In Township 114 North, Range 25 West: All of Section 36.

In Township 113 North, Range 25 West: All of Government Lots 1 and 2, the North Half of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 1.

(e) *Blakely wayside, in Scott county.*

In Township 113 North, Range 25 West: All of the Southeast Quarter and the North Half of the Southwest Quarter of Section 19.

(f) *Rush river wayside, in Sibley county.*

In Township 112 North, Range 26 West: All of the South Half of the Southwest Quarter and all that part of Government Lots 5 and 6 lying southerly of the easterly extension of the North line of the North Half of the Southwest Quarter; all of the Southwest Quarter and the South Half of the Southeast Quarter of Section 14; all of the East Half of the Southeast Quarter of Section 15; all of the Northeast Quarter of the Northeast Quarter of Section 22; all of the North Half of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 23; and all of Government Lot 5 and the North Half of the Northwest Quarter of Section 24.

Subd. 2. [Subd. 3.] Study as to extension. The commissioner of conservation and the State Planning Agency shall study the desirability of extending the Minnesota Valley Trail along the Minnesota river valley from the terminus of the trail at LeSueur to the source of the Minnesota river at Big Stone lake. The commissioner, in making his study shall recognize (1) the possibility that future development of the trail may be modified to conform with impoundments which may be created on the Minnesota river for flood control purposes, and (2) the desirability of development of the trail as a co-operative effort by state and local governments and private individuals and organizations. The commissioner shall report his findings and conclusions to the 1971 session of the legislature.

Sec. 3. [297.221] Additional tax. *In addition to the*

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tax imposed by Minnesota Statutes, Section 297.22, Subdivision 1, upon use or storage by consumers of cigarettes in this state, and upon such consumers, the following tax is imposed:

(1) *On cigarettes weighing not more than three pounds per thousand, one half mill on each such cigarette.*

(2) *On cigarettes weighing more than three pounds per thousand, one mill on each such cigarette.*

The proceeds of the tax imposed by this section shall be deposited in the state treasury and credited to the general fund. The tax imposed by section 297.22, shall not be subject to Minnesota Statutes 1967, Section 297.31, Subdivisions 5 and 6, insofar as the provisions are applicable, but shall otherwise be subject to all the other provisions of Minnesota Statutes 1967, Chapter 297, as far as the same are applicable.

Sec. 4. Subdivision 1. The moneys appropriated by this section are to the governor from the general fund in the state treasury for the purpose of natural resources acceleration. None of the moneys shall be expended except after consultation with the legislative advisory committee in the manner provided by Minnesota Statutes, Section 3.30.

Subd. 2. \$2,000,000 each biennium for acquisition of lands for state parks, waysides, recreational reserves and trails.

Subd. 3. \$1,000,000 each biennium for development in the major state parks of the state.

Subd. 4. \$2,000,000 each biennium for regional parks and open space in the seven county metropolitan area recommended for funding by the Metropolitan Council. If a metropolitan park authority for Scott, Carver, Hennepin, Ramsey, Dakota, Anoka and Washington counties is created by the 1969 session of the legislature, moneys may be transferred from this appropriation upon request from the new agency and are hereby reappropriated for such purpose. None of the moneys referred to in this subdivision may be expended for professional services or salaries.

Subd. 5. \$2,000,000 each biennium for parks serving regional and subregional needs in the area outside of Scott, Carver, Hennepin, Ramsey, Anoka, Washington and Dakota counties for projects recommended by the state, county or any regional authority created agency recognized by the state planning agency.

Subd. 6. \$500,000 is made available for planning and engineering expense for a statewide zoo to any metropolitan park or zoo

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authority created by the legislature. If a metropolitan operating authority is not created, the appropriation is made to the Governor for assignment to the proper state department.

Subd. 7. All requests for moneys from the appropriation referred to in this section shall be accompanied by a certificate signed by the state planning officer and the bureau of planning of the department of conservation. The application shall disclose the relationship of the request to the state recreational plan. A copy of each certificate shall be submitted to the standing committee of the senate and house of representatives having jurisdiction of the subject matter of the certificate at least 30 days before action is expected on the application for funds.

Approved May 29, 1969.

CHAPTER 880—H. F. No. 2088

An act relating to taxation; the collection of cigarette taxes; amending Minnesota Statutes 1967, Section 279.03, Subdivision 12.

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

Section 1: Minnesota Statutes 1967, Section 279.03, Subdivision 12, is amended to read:

Subd. 12. Taxation; cigarettes; setting of tax meters. The commissioner may designate the county treasurer of any county or any banking institution as defined by Minnesota Statutes, Section 48.01, as the representative of the commissioner in the setting of a tax meter machine of any particular distributor and the collection of the cigarette tax upon such setting. The county treasurer ~~who is or banking institution~~ so designated shall be required to set tax meter machines following the method prescribed by the commissioner of taxation and to transmit the amount of tax collected and to report the setting of each tax meter to the commissioner on or before the next business day. For purposes of this paragraph, a business day shall not include Saturday. Such duties shall be within the coverage of the official bond of the county treasurer. *The commissioner shall prescribe the form and amount of a surety bond which shall be furnished by a banking institution designated pursuant to this subdivision. The commissioner shall have the right to withdraw this designation without cause.*

Approved May 29, 1969.

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