

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 of that series and of all outstanding series issued by or for the purposes of libraries, shall not exceed an amount equal to two mills times the assessed value of all taxable property in the county, which is not then taxed by any city or village for the support of any free public library as last finally equalized before the issuance of the new series. When the tax levy authorized in this subdivision is collected it shall be appropriated and credited to a sinking fund for such bonds in amounts required each year in lieu of a countywide tax levy for the sinking fund under section 475.61.

Sec. 2. Extra Session Laws 1967, Chapter 24, Section 6, is amended to read:

Sec. 6. ~~The library boards of the county of Hennepin and the city of Minneapolis shall commence merger discussions of the two library systems for the purpose of establishing an agreement of amalgamation to be effective January 1, 1973. The county of Hennepin and the library board of the city of Minneapolis may agree to merge their public library systems at such time and in such manner as they may mutually agree. Such merger shall be subject to enabling legislation by the legislature of the state of Minnesota.~~

Sec. 3. *This act shall become effective only after its approval by a majority of the governing body of the county of Hennepin, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.*

Approved June 4, 1969.

CHAPTER 968—S. F. No. 1168

[Coded]

An act relating to the trunk highway system; authorizing acquisitions of replacement lands for public lands acquired for trunk highway construction or improvement.

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

Section 1. **[161.202] Highways; replacement of public lands.** Subdivision 1. **Definitions.** For the purposes of this section the following terms shall have the meanings ascribed to them:

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

(1) "Public lands" means any lands, except streets, roads, or bridges owned by any subdivision of government, including but not limited to, the property of school districts, however organized, towns, villages, boroughs, cities, municipalities, counties, and any board or commission of any thereof, and public corporations created by the laws of this state.

(2) "Affected agency" means any governing body of any subdivision of government which owns public lands, and shall include any agency, board, or commission charged with the administration of such lands.

(3) "Cost of replacement" means the amount paid by any affected agency to purchase and develop lands to replace public lands acquired for the purpose of constructing or improving trunk highways.

Subd. 2. Replacement of acquired public lands. Whenever it has been determined that the commissioner of highways is to acquire any public lands for the construction or improvement of a federally-aided state trunk highway, including urban extensions thereof, he may, and in the case of parks shall, upon the request of the affected agency, authorize the affected agency to replace the same within a reasonable time by gift, purchase, or condemnation if granted the power of eminent domain by law. The replacement lands to be acquired by the affected agency shall be designated in an agreement entered into between any affected agencies and the commissioner. Such replacement lands shall be a functional replacement which shall consist of but not be limited to land substantially equal in acreage, use, interest, or estate in the lands to be acquired from the affected agency. If the parties are unable to agree on the designation of the replacement lands, the parties may agree to submit to an arbiter or the district court the issue of which replacement lands proposed by the parties is a functional replacement for the lands to be acquired from the affected agency. After the completion of the acquisition of the replacement lands by the affected agency the cost of replacement shall be ascertained and paid by the state from any funds available for the acquisition of lands.

Subd. 3. Lump sum settlements. The commissioner of highways may enter into agreements with an affected agency for the replacement of public lands providing for the payment by the state of a lump sum based on the estimated cost of replacement when the lump sum so agreed upon, which shall be irrevocable, does not exceed \$50,000.00.

Subd. 4. Acquisition of replacement lands for the affected

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agency. When the affected agency is unable to acquire the replacement lands, or if the acquisition of such lands by the affected agency would result in undue delay in the completion of the highway project, upon a request of an affected agency which shall include a recommendation as to the replacement land to be acquired within its jurisdiction, the commissioner of highways by gift, purchase, or condemnation proceedings, may acquire the designated replacement lands if the commissioner deems that such acquisition would reduce the cost to the state of highway project and would otherwise be in the public interest. The affected agency shall relinquish to the commissioner its interests in the lands required for the highway project upon its completion of the acquisition of the replacement lands or upon conveyance by the commissioner to the affected agency of the replacement lands designated in the agreement between the affected agency and the commissioner. Upon the recommendation of the commissioner, the governor shall convey such lands or interests therein to the affected agency.

Subd. 5. **Compensation for damage to improvements.** The affected agency, unless otherwise provided for in the agreement, by the acceptance of the replacement lands, shall not be deemed to have waived its right to compensation for the total of the damage to improvements.

Sec. 2. [161.203] **Rights preserved; effective date.** Nothing in section 1 hereof shall be construed to amend, alter, or in any manner modify the rights, duties or obligations of any party to any litigation instituted on or before the effective date of this act without his consent. Such litigation only concerns the proposed acquisition by the department of park lands in areas known as Minnehaha Park, Wilson Park, and North Mississippi Park located in the city of Minneapolis. This act becomes effective on July 1, 1969.

Approved June 4, 1969.

CHAPTER 969—S. F. No. 1677

[Not Coded]

An act relating to waters; planning and assessments to the Rice Creek Watershed.

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

Section 1. **Rice Creek watershed district.** Subdivision

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