

annually. Notwithstanding any provision to the contrary, no such person shall be entitled to credit for service with the public employees retirement association if for the same period of service he receives credit with any other public retirement or pension plan maintained by the municipality.

Sec. 40. Minnesota Statutes 1969, Sections 353.01, Subdivisions 5, 21, 22, and 26; 353.17; 353.27, Subdivision 6; 353.28, Subdivision 11; 353.30, Subdivision 2; 353.32, Subdivision 8; 353.34, Subdivision 4; 353.36, Subdivisions 1 and 3; and 353.62, are repealed.

Sec. 41. This act is effective July 1, 1971.

Approved April 8, 1971.

CHAPTER 107—H.F.No.651

[Not Coded]

An act authorizing Rice county to establish, operate and maintain refuse disposal facilities; and authorizing other governmental subdivisions to cooperate therein and contribute thereto.

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

Section 1. **RICE COUNTY; DISPOSAL FACILITIES.** This act shall apply to Rice county and the terms "board of commissioners" and "county board" as used in this act shall mean the county board of Rice county. The board of commissioners may acquire by purchase, lease, or gift or by condemnation as provided by law, any land or interest in land within the county which the county board deems suitable for use as refuse disposal facility sites. The county board may establish refuse disposal facilities on such sites and may hold, improve, maintain, supervise, control, and operate the same for said purposes. For purposes of this act, "refuse disposal facilities" shall include public dump grounds, sanitary land fill facilities, incinerators, refuse composting facilities, refuse collection, refuse compaction, and transportation of refuse.

Sec. 2. The board of commissioners may provide for the construction, installation, maintenance and operation of refuse disposal facilities or may authorize private persons or corporations to construct, install, maintain, or operate such facilities on county owned sites under leases or contracts upon such terms and conditions as the board may prescribe in the public interest.

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Sec. 3. The board of commissioners may provide for surveys to determine the appropriate location of refuse disposal facilities in the county and suitability of areas available therefor, general plans for refuse disposal facilities throughout the county and for plans for the improvement of refuse disposal facilities required for the county.

Sec. 4. The board of commissioners after public hearing upon notice given by the county auditor by publication for two successive weeks in the official newspaper of the county may, upon determining that any tract of land or interest therein acquired under or subject to the provisions of sections 1 to 13 is no longer needed for the purposes thereof, sell, lease, or otherwise dispose of such tract or interest upon such terms as it deem best in the public interest, or may provide for the use thereof for other purposes, so far as not inconsistent with any lawful restrictions on the use or disposal of such tracts or interest therein.

Sec. 5. Any governmental subdivision or public agency of the state may be a party to a joint cooperative project, undertaking, or enterprise with the county for any purpose under sections 1 to 13 upon such terms as may be agreed upon between the governing bodies or authorities concerned not inconsistent with law. Any such governmental subdivision or public agency, with respect to any of said purposes, may act under and be subject to the provisions of Minnesota Statutes, Section 471.59, as now in force or hereafter amended, or any other appropriate law now in force or hereafter enacted providing for joint or cooperative action between governmental subdivisions or other public agencies.

Sec. 6. For the purposes of sections 1 to 13 the board of commissioners may levy taxes on all the taxable property in the county, with such levy to be made as part of the general revenue fund levy of said county.

Sec. 7. The board of commissioners may prescribe and provide for the collection of fees and charges for the use of any county refuse disposal facilities and may accept contributions of funds for the purposes of sections 1 to 13 made to the county by any city, village, borough, or town within or without the county to whose residents the refuse disposal facility may be of substantial benefit. Such contributions may be made out of the general funds of the contributing governmental subdivision or out of funds raised expressly for the purpose of such contributions, and the governing bodies of such subdivisions may levy taxes therefor subject to any applicable limitations. The governing body of a governmental subdivision making such a contribution may specify the particular purpose for which the same is to be used within the general purposes aforesaid, and such contributions shall be used only for the purposes so specified, subject to such restrictions, if any.

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Sec. 8. The board of commissioners may, in the name and behalf of the county, accept gifts, grants, or loans of money or other property from the United States, the state, or any other source for any purpose under sections 1 to 13; may enter into any agreement for repayment or otherwise required in connection therewith, and may hold, use and dispose of such money or property for said purposes in accordance with the terms of the gift, grant, loan, or agreement relating thereto.

Sec. 9. All moneys received from any source specified in sections 1 to 13 shall be paid into the county treasury, placed in a special fund designated as the county refuse disposal facilities fund, and used only for the purposes authorized in said sections, as appropriated by the county board, subject to any lawful restrictions, conditions, or pledges applicable to such moneys or any part thereof.

Sec. 10. To raise funds for the cost and expense of acquisition of areas for county refuse disposal facilities or for the betterment thereof, or to refund bonds issued for said purposes, the county board may issue the bonds of the county in the manner and subject to the conditions prescribed by Minnesota Statutes, Chapter 475, as heretofore or hereafter amended, so far as applicable to counties, except as herein otherwise expressly provided, and may levy all taxes necessary therefor. Such bonds and interest thereon and the expense of issuance thereof may be paid out of the proceeds of tax levies or out of revenue from fees or other sources, or both, and the county board may pledge any such proceeds or revenues thereto.

Sec. 11. The board of commissioners may adopt and amend ordinances or resolutions regulating the use of county refuse disposal facilities. Such ordinances or resolutions may also establish standards which upon adoption shall govern the operation of refuse disposal facilities throughout the county, including those operated by the county, other public agencies or by private operators. Such regulations may apply to the location of refuse disposal facilities, requirements relative to the sanitary operation thereof, requirements regarding the equipment necessary relative to the amount of material being received at the facility, requirements in relation to the control of salvage operations, rodent control, water pollution control, and such other subjects as may be required for the public health, welfare, and safety relative to the operation of such facilities. The board may issue permits or licenses for commercial private refuse disposal facilities and may require that refuse disposal facilities operated by or owned by municipal or other governmental agencies be registered with the appropriate county office. Before acting on ordinances or resolutions regulating the operation or location of refuse disposal facilities, the county board shall hold a public hearing upon the proposal therefor upon at least three weeks' notice given by the county auditor by publication in the official newspaper of the county, stating briefly the subject matter and the general purposes of

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the proposed ordinance or resolution. The proposed ordinance or resolution may be amended by the county board before enactment in any manner not inconsistent with the terms of the notice of hearing thereon. Every such ordinance or resolution upon enactment shall be signed by the chairman of the county board, attested by the county auditor, filed by him, and published in the official proceedings of the board. Thereupon the ordinance or resolution shall take effect. Every such ordinance or resolution shall be recorded by the county auditor as required by law. Such record or a certified copy thereof shall be prima facie evidence of the context of the ordinance or resolution and compliance of all requirements of law relating to the enactment and taking effect thereof.

Sec. 12: Every ordinance or resolution relating to any matter specified in section 11 shall have the force and effect of law, and violation of any provision thereof shall be a misdemeanor punishable by imprisonment in the county jail for not more than three months or by a fine of not more than \$300. All fines collected for violations of ordinances or resolutions enacted hereon shall be deposited in the county revenue fund.

Sec. 13. The county board having or proposing to establish a county refuse disposal facility or facilities may appoint a superintendent thereof and such other personnel as may be necessary for the care, maintenance, and operation thereof or for other purposes authorized by sections 1 to 13, subject to other provisions of law relating to county employees so far as applicable.

Sec. 14. This act shall become effective as to any county named in section 1 upon its approval by a majority of the board of commissioners of such county, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved April 8, 1971.

CHAPTER 108—S.F.No.349

An act relating to corrections and the private employment of inmates of state correctional institutions; amending Minnesota Statutes 1969, Section 241.26, Subdivision 2.

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

Section 1. Minnesota Statutes 1969, Section 241.26, Subdivision 2, is amended to read:

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