

premises as the commissioner may deem necessary and proper for such purposes.

In St. Louis County: All that part of Sections 5 and 6 lying southerly of the state forest road; all that part of Section 8, the northeast quarter, the east-half of the northwest quarter and the northeast quarter of the southeast quarter of Section 7 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 of the northeast quarter, except that part lying southwesterly of the state forest road, and all of government Lot 6 of Section 17; all of the southwest quarter of the northwest quarter and the northwest quarter of the southwest quarter of Section 16; all that part of Government Lots 1, 3, and 4 and the northeast quarter of the southwest quarter of Section 16 lying westerly of C.S.A.H. 5; all of Government Lots 4 and 5 and the east-half of the northeast quarter, east-half of the southeast quarter and the southwest quarter of the southeast quarter of Section 35; all being in Township 60 North, Range 21 West of the 4th P.M.

In Itasca County: All of the east-half of the southeast quarter of Section 1, Township 60 North, Range 22 West of the 4th P.M.

Sec. 2. All lands added to McCarthy Beach State Park by Extra Session Laws 1961, Chapter 60, Section 4, and by Laws 1969, Chapter 879, Section 1, Subdivision 9, which lie outside the boundaries of the park as described in section 1, above, of this 1971 act, are hereby withdrawn from the park.

Sec. 3. Laws 1945, Chapter 484, Section 2, is repealed.

Approved April 23, 1971.

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## CHAPTER 160—H.F.No.1017

*An act relating to common carriers and certain duties thereof; amending Minnesota Statutes 1969, Section 218.031, Subdivision 1.*

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

Section 1. Minnesota Statutes 1969, Section 218.031, Subdivision 1, is amended to read:

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

**218.031 COMMON CARRIERS; SCHEDULES; DUTIES.** Subdivision 1. Except as otherwise directed or authorized, it shall be the duty of every common carrier:

(1) To prescribe in the first instance, and to publish upon not less than ten days' public notice in such manner as may be required by the commission and law, all schedules of fares, rates and charges and classifications thereof, together with the rules governing the same, and minimum weights for transportation of freight articles between points or stations in the state, and terminal and switching charges, provided there shall be but one classification applicable to any one commodity which shall be uniform on all railroads in this state and govern in all state commerce.

(2) To comply with every duly authorized rule, regulation or directive of the commission except as the same may be stayed, pending appeal therefrom.

(3) To put into effect and observe all schedules of rates, fares and charges and classifications and any amendments or changes therein duly ordered by the commission, except as the same may be stayed, pending appeal.

(4) To maintain as may be directed by the public service commission for public inspection at ~~every station~~ stations and ~~depot~~ depots all schedules showing all classifications, rates, fares and charges for transportation of freight and passengers currently in force applying from such station. Such schedules shall state the places between which persons and property will be carried and show the classification of freight, the distance tariff, a table of distances between stations, any terminal charges and any rules or regulations in any way affecting the aggregate of such rates, fares and charges.

(5) Upon request of an owner or consignor of freight to the initial company, whenever the initial line does not reach the place of destination, or the distance from the place of origin to destination may be shortened, to transfer such freight to a connecting line without change in cars if in carload lots, except such change be free of charge to the shipper and receiver; and to transfer with or without change in cars of less than carload lots at a reasonable joint through rate agreed upon by the connecting carriers or prescribed by the commission, not greater than the maximum rates allowed by law, provided any unloading and reloading which is necessary shall be at cost and the charge for such transfer included in the joint rate.

(6) To provide the same switching, transfer and handling facilities for local as for interstate traffic.

(7) Upon written demand of the owner, to construct, maintain and operate side tracks and reasonable facilities connecting with any

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grain warehouse, dock, wharf, mill, coal yard, quarry, brick or lime kiln, sand or gravel pit, crushed rock or concrete plant or manufactory as may be required by the commission, and on such terms as may be agreed upon, or, on failure of agreement, as may be prescribed by the commission.

(8) To issue receipts or bills of lading covering all property received for transportation from any point in the state to any other point in the state, and to respond for any loss, damage or injury to such property caused by it or any carrier to whom such property may be delivered or over whose line it may pass, nor shall any contractual provision whatever exempt it from such liability.

(9) To refund all overcharges for freight, baggage or express, and pay for any loss, damage or injury to property while in its possession, within ninety (90) days after the filing of a claim for such over-charge, loss or damage.

(10) To redeem, upon presentation to any authorized ticket agent, any passenger ticket unused in whole or in part, which has not by its terms expired, and pay therefor a pro rata share of the price for which such ticket was sold or, if wholly unused, the entire purchase price.

(11) To furnish suitable care for the transportation of livestock and transport livestock of different kinds in the same car at the option of the shipper; to deliver all livestock arriving at any terminal, billed to any stockyard within twenty (20) miles thereof, to the chutes of such stockyard within five (5) hours after arrival at the terminal unless prevented by act of God, or to any chutes within ten (10) miles of the terminal within three (3) hours after arrival thereat unless prevented by act of God; to furnish transportation without charge, in connection with livestock shipments in carload lots, for one (1) person for the first car and an additional person for each additional four (4) carloads shipped at the same time, in a caboose or other suitable car while going, and by first class passage when returning.

(12) To keep its accounts so as to show, as far as practicable, the earnings derived from, and the expenses incurred in, handling intrastate business in such form as the commission shall prescribe, including the separation of accounts for each operating division, wholly or partly within the state. Such accounts shall show the total cost of operating through trains and the total cost of operating the local or distributing trains of each operating division, wholly or partly within the state, during the fiscal year to be fixed by the commission, *the total number of tons of revenue and non-revenue freight, the number of tons of each carried one (1) mile on the through trains and on the local trains, respectively, the number of tons and ton miles of revenue and non-revenue freight carried on through or local trains which are exclusively intrastate, and the gross tons and ton miles*

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made by through and local trains on each division. The accounts shall show the total revenue and non-revenue train and engine miles and the total revenue and non-revenue car miles (the non-revenue car miles to be shown loaded and empty separately) produced by such railroad in the state in each operating division, the number of each of the above train, engine and car mileage produced in handling the through trains and in handling the local trains, the total locomotive miles produced in switching on each division and such further information related to the income or cost of intrastate business as the commission may require. The commission may require such accounts to be kept with reference to the intrastate passenger business of each carrier and the train, car and engine mileage incurred in such business in this state as it may deem necessary.

(13) During pendency of any litigation, when rates prescribed by the commission have not been put into effect, to keep a correct account of every charge made by it for any services to which such rates apply in excess of the rates prescribed, showing in each case the difference between the amount actually charged and the amount allowed to be charged, the date of the transaction, the stations between which the business was carried and the names and addresses of the consignor and consignee, and to report such information in full to the commission on their request.

Approved April 23, 1971.

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## CHAPTER 161—H.F.No.1241

*An act relating to post secondary education; authorizing the higher education coordinating commission to include area vocational-technical schools in higher education reciprocity agreements with other states; amending Minnesota Statutes 1969, Section 136A.08.*

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

Section 1. Minnesota Statutes 1969, Section 136A.08, is amended to read:

**136A.08 AREA VOCATIONAL-TECHNICAL SCHOOLS; RECIPROCIITY AGREEMENTS.** The Minnesota higher education coordinating commission herein referred to as the commission, in addition to its general responsibility for cooperatively engaging in planning higher education needs with neighboring states pursuant to section

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