

hearing, the commissioner determines that the staff adjuster or appraiser has engaged or in engaging in any prohibited practices, he may impose a fine, not in excess of \$500, on the staff adjuster or appraiser or on the employing insurer or insurers, or on both such parties. In addition, the commissioner may order the employing insurer to suspend the staff adjuster or appraiser from his duties for such period as the commissioner may deem appropriate.

Any final order of the commissioner shall be subject to judicial review. Any hearing or judicial review under this section shall be in accordance with the contested case provisions of Minnesota Statutes, Chapter 15.

Sec. 11. [72B.11] **PRODUCTION OF RECORDS.** The commissioner may, by order, require any licensee or permit holder to produce any records relating to his activities under his license or permit, and may examine persons under oath to determine questions arising under a person's status as a licensee or permit holder.

Sec. 12. [72B.12] **RULES AND REGULATIONS.** The commissioner may promulgate rules and regulations to carry out the purpose of this act, pursuant to Minnesota Statutes 1969, Chapter 15.

Sec. 13. [72B.13] **ACTING WITHIN CONTRACT AND LAW.** Every adjuster shall investigate or adjust every claim, damage or loss made or occurring under an insurance contract in accordance with the terms and conditions of the contract and of the applicable laws of this state.

Sec. 14. [72B.14] **VIOLATIONS.** A person who violates this act or the terms of any license or permit under this act or any lawful order of the commissioner in accordance with this act shall be subject to a fine imposed by the commissioner, not in excess of \$500, which may be imposed in addition to the penalties prescribed in the provisions dealing with the suspension or revocation of licenses or permits.

Sec. 15. **EFFECTIVE DATE.** This act shall become effective on January 1, 1972.

Approved June 3, 1971.

CHAPTER 705—H.F.No.2041

[Not Coded]

An act establishing a southern Minnesota rivers basin commission; setting forth its powers and duties; authorizing the appointment

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of commissioners; prescribing their powers and duties; appropriating money.

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

Section 1. SOUTHERN MINNESOTA RIVERS BASIN COMMISSION; LEGISLATIVE FINDINGS; POLICY; APPROPRIATION. Subdivision 1. Because of recurring flood damage, and because of other problems such as pollution, deficiencies in recreational and conservational opportunities, planning and projects, and deficiencies in planning and coordinating for economic growth, a southern Minnesota rivers basin commission is hereby created and charged with the obligation to guide the creation and implementation of a comprehensive environmental conservation and development plan for the southern Minnesota rivers basin. The commission may utilize all available scientific, economic, legal, and social resources so as to make effective the purposes and policy of this act.

Subd. 2. For the purposes of this act, the southern Minnesota rivers basin is defined to include the area within the watersheds of rivers and streams tributary to the Minnesota river, and the areas within the watersheds of rivers tributary to the Mississippi river on the westerly side of the Mississippi south of its confluence with the Minnesota river. The planning for development of the southern Minnesota rivers basin will have considerable impact within the boundaries of Minneapolis and St. Paul.

Sec. 2. DEFINITIONS. Subdivision 1. For the purposes of this act, the terms defined in this section have the meanings ascribed to them.

Subd. 2. "Person" includes any firm, partnership, association, or corporation, and any public or political subdivision of the federal or state governments.

Subd. 3. "Commission" means the governing body of the southern Minnesota rivers basin commission.

Subd. 4. "Local governmental unit" means a county, town, village, city, borough, or a political division or subdivision of the state.

Subd. 5. "Public health" includes any act or thing tending to improve the general sanitary conditions of the basin.

Subd. 6. "Public welfare", "general welfare", and "public benefit" include any act or thing tending to improve or benefit or contribute to the enhancement of the environment, the safety or well being of the general public or benefit the inhabitants of the basin.

Subd. 7. "Basin" means the area within the watersheds of rivers and streams tributary to the Minnesota river, and the areas

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within the watersheds of rivers tributary to the Mississippi river on the westerly side of the Mississippi south of its confluence with the Minnesota river.

Subd. 8. "County auditor" means the county auditor of any county located in whole or in part within the boundaries of the basin.

Subd. 9. "Interested party" means any person having an interest in the subject matter pending or involved, and shall include any official of any state agency or subdivision of the state.

Subd. 10. "Project" or "improvement" means any work or works for construction, maintenance, repairs, study or studies undertaken by the commission.

Sec. 3. **PURPOSE AND INTENT.** Subdivision 1. The southern Minnesota rivers basin commission is hereby established to serve as the regional organization for guiding the creation and implementation of a comprehensive environmental conservation and development plan for the basin. In cooperation with all federal agencies, including but not limited to the United States departments of agriculture and interior and the corps of engineers, all state agencies, departments, and commissions, including but not limited to the department of natural resources, Minnesota geological survey, water resources board, state planning agency, department of highways, soil and water conservation commission, pollution control agency, department of economic development, department of agriculture, and the institute of agriculture of the University of Minnesota, and local governments and citizens within the basin, the commission shall initiate, coordinate and prepare its overall comprehensive environmental conservation and development plan. The Minnesota soil and water conservation commission and local soil and water conservation districts and watershed districts within the basin shall provide technical assistance to the commission in the creation and implementation of the plan. The plan may include, but is not limited to, planning for the following purposes:

- (1) Control or alleviation of damages by flood waters;
- (2) Improvement of stream channels for handling of surface waters, navigation, and any other public purposes;
- (3) Reclaiming or filling of wet and overflowed lands;
- (4) Regulating the flow of streams and conserving the waters thereof;
- (5) Diverting or changing watercourses in whole or in part;
- (6) Providing and maintaining water quality and supply for municipal, domestic, industrial, recreational, agricultural, aesthetic, wildlife, fishery, or other public use;

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(7) Providing for sanitation and public health and regulating uses of streams, ditches, or watercourses for the purpose of disposing of waste and maintaining water quality;

(8) Repair, improvement, relocation, modification, consolidation or abandonment in whole or in part of previously established public drainage systems within the territory;

(9) Imposition of prevention or remedial measures for the control or alleviation of land and soil erosion and siltation of watercourses or bodies of water affected thereby;

(10) Regulation of improvements and land development by abutting landowners of the beds, banks, and shores of lakes, streams, watercourses, and marshes by permit or otherwise in order to preserve the same for beneficial use; such regulation to be in accordance with state department of natural resource standards and criteria;

(11) Regulation of construction of improvements on and prevention of encroachments in the flood plains of the rivers, and the lakes, marshes and streams of the basin; such regulation to be in accordance with state department of natural resource standards and criteria.

Subd. 2. **IMPLEMENTATION OF PLAN.** Upon reviewing and approving the overall comprehensive environmental conservation and development plan for the basin, the commission shall be the coordinating agency for the implementation of the plan and it may designate and request any local unit of government, including but not limited to counties, cities, villages, soil and water conservation districts and watershed districts, to initiate, implement and carry out any phase, project or improvement provided for in the commission's plan. The commission may engage in public education programs.

Sec. 4. **COMMISSION.** Subdivision 1. **COMMISSIONERS, APPOINTMENT, COMPENSATION.** The commission shall consist of eleven members, all of whom shall be residents within the basin. Five members, who may be county commissioners, shall be elected by an advisory council, which shall consist of one person appointed by the county board of each of the counties lying wholly or partly within the basin. Each of these members shall serve fixed terms of not to exceed three years, as determined by the advisory council, and vacancies of these members shall be filled by the advisory council. Five members shall be appointed by the governor with two original members appointed for a term of one year and two members appointed for two years and one member appointed for three years. Thereafter, the term for each member appointed by the governor shall be for a period of three years, and until his successor is appointed and qualified. The last remaining member of the commission shall be its chairman who shall be appointed by and serve at the

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pleasure of the governor. The compensation of the members of the commission shall not exceed \$35 per day, and each member shall be entitled to reimbursement for all traveling and other expenses necessarily incurred in the manner provided for state employees.

Subd. 2. OFFICERS, PROCEDURES, TIME AND PLACE OF MEETING. Except for its chairman, the commission shall select from among its members all necessary officers for terms of one year. The commission shall adopt and from time to time amend its own rules of procedure. The commission shall determine the place and time of its meeting. The commission shall meet with not less frequency than once every month.

Subd. 3. SEAL, RECORDS, ANNUAL REPORT. The commission shall adopt a seal and shall keep a record of all proceedings, minutes, official papers and all other business transacted or actions taken by the commission, which record shall be, at all reasonable times, open to public inspection. The commission annually shall file a report of the progress of the comprehensive plan for the preceding year with each regional development commission in the basin.

Sec. 5. COMMISSION; POWERS, DUTIES. The commission, in order to give effect to the purposes of this act, shall develop and coordinate an efficient system whereby the political subdivisions, commissions, departments, agencies, local units of governments and other authorities within the basin having the necessary powers may carry out, in an efficient and coordinated manner, all activities reasonable and necessary to prepare and approve the commission's comprehensive environmental conservation and development plan for the basin and thereafter to foster and promote its implementation by the various federal, state and local units of governments thereby affected.

Sec. 6. PERPETUAL EXISTENCE. The southern Minnesota rivers basin commission created hereunder shall have perpetual existence, with the power to sue and be sued.

Sec. 7. GOVERNMENT UNITS TO COOPERATE. Each local and regional governmental unit, its officers and employees, and each regional development commission, its officers and employees, shall cooperate with the commission in accomplishing its purposes as established by this act. Such unit may aid the commission by furnishing staff, services, property, or financial support to the commission.

Sec. 8. BUDGET. The commission shall, prior to each session of the legislature, submit a budget request for funds to be used for its general expenses to accomplish the purposes of this act. Said budget request shall be presented by the commission to the governor and the legislature of the state of Minnesota on or before November 15 of each year that the legislature is in session.

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Sec. 9. **APPROPRIATION.** The sum of \$30,000 is appropriated for the biennium ending June 30, 1973 from the general fund to the commission to commence carrying out the purposes of this act.

Sec. 10. **POLLUTION CONTROL AGENCY.** Nothing in this act shall be construed to in any way supersede the powers and duties of the Minnesota pollution control agency under Minnesota Statutes, Chapters 115 and 116, or to affect the validity of any standard, regulation, stipulation, order or permit heretofore or hereafter adopted or issued pursuant thereto.

Sec. 11. This act shall terminate July 1, 1973.

Approved June 3, 1971.

CHAPTER 706—H.F.No.2064

An act relating to aeronautics; amending Minnesota Statutes 1969, Section 360.305, Subdivision 4.

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

Section 1. Minnesota Statutes 1969, Section 360.305, Subdivision 4, is amended to read:

Subd. 4. **AIRPORTS; STATE EXPENDITURES.** (1) Except as otherwise provided in this subdivision, the commissioner of aeronautics shall require as a condition of such assistance by the state that the political subdivision, municipality, or public corporation itself make a substantial contribution to the cost of the construction, improvement, maintenance, or operation, such costs are hereinafter referred to as project costs, in connection with which the assistance of the state is sought.

~~(2) For airport projects where only state and local funds are to be used this contribution shall be not less than one third of the project costs; where federal, state, and local funds are to be used, the contribution shall be not less than one tenth of the project costs.~~

For any airport, whether key, secondary or landing strip, where only state and local funds are to be used, said contribution shall be not less than one third of the sum of:

(a) the said project costs,

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