

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1971, Section 202.13, is amended to read:

**202.13 ELECTIONS; NOMINATING PETITIONS, FILED WITH SECRETARY OF STATE, TIME.** Subdivision 1. **FILING, ACKNOWLEDGMENT OF FILING, FEE.** Nominating petitions for names to be placed on the state white ballot shall be filed with the secretary of state when to be voted for in more than one county, and with the county auditor when to be voted for in a single county. The secretary of state or the county auditor shall give or send to the person filing ~~the~~ a nominating petition an acknowledgment thereof on the same day it is received, and he shall file and preserve the nominating petitions, subject to public inspection. No filing of any nominating petition is effective unless at the time thereof the prescribed fee is paid or tendered.

Subd. 2. **FILING, DISTRICTS ENCOMPASSING MORE THAN ONE COUNTY.** In the case of names to be placed upon the state white ballot or the county and district ; canary ballot, whenever the nomination of a candidate to be voted for in any district larger than a single county is made by nominating petition, the petition shall be filed with the secretary of state, who shall certify the nomination to the auditor of each county within the district, and such certification shall be authority for the auditor to place the name upon the state white ballot or the county and district ; canary ballots.

Subd. 3. **TIME.** Except with respect to the nomination of candidates for presidential electors, no nomination for any office may be made either by nominating petition or otherwise later than the last day for filing affidavits of candidacy at the state primary election, except nominations to fill a vacancy in a nomination previously made. Candidates for presidential electors may be nominated on or before primary election day.

Sec. 2. This act is effective the day following final enactment.

Approved April 5, 1974.

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#### CHAPTER 392—S.F.No.2822

*An act relating to county water management; clarifying the jurisdiction of lake conservation districts and counties over certain bodies of water; amending Minnesota Statutes, 1973 Supplement, Sections 378.31, Subdivision 2; and 378.32, Subdivision 1.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Changes or additions indicated by underline deletions by ~~strikeout~~

Section 1. Minnesota Statutes, 1973 Supplement, Section 378.31, Subdivision 2, is amended to read:

**Subd. 2. COUNTY WATER MANAGEMENT; JURISDICTION.** The county board of every county shall have the powers set forth in this section with respect to any bodies of water situated wholly or partly within the boundaries of the county and not situated entirely within the boundaries of a single city, village, or borough, or lake conservation district established by law. All programs undertaken pursuant to such powers shall be consistent with the statewide water and related land resources plan prepared under the direction of the commissioner of natural resources, and with regional water and related resources plans. No body of water shall be improved under this section unless the public has access to some portion of the shoreline thereof. The county boards shall have power:

Sec. 2. Minnesota Statutes, 1973 Supplement, Section 378.32, Subdivision 1, is amended to read:

**378.32 WATER SURFACE USE REGULATION.** Subdivision 1. The county board of every county may by ordinance regulate the surface use of any bodies of water situated wholly or partly within the boundaries of the county and not situated entirely within the boundaries of a single city, village, or borough, or lake conservation district established by law, except that where a body of water lies in more than one county no such ordinance shall be effective until adopted by the county boards of all the counties in which the body of water lies pursuant to section 471.59 or placed into effect by order of the commissioner of natural resources pursuant to section 361.26. The regulation by the county of the surface use of any portion of a body of water situated within the boundaries of a city, village, or borough, shall be consistent with any regulation existing on May 25, 1973 of the surface use of that portion of the body of water, by the city, village, or borough. After January 1, 1975, any such ordinance shall be consistent with the provisions of chapter 361 and rules and regulations of the commissioner promulgated pursuant to section 361.25. Any surface use zoning ordinances adopted pursuant to this section by a local governmental unit subsequent to May 25, 1973 is invalid unless it is approved by the commissioner. Proposed surface use zoning ordinances shall be submitted to the commissioner for his review and approval prior to adoption. The commissioner shall approve or disapprove the proposed ordinance within 120 days after receiving it. If the commissioner disapproves the proposed ordinance, he shall return it to the local governmental unit with a written statement of his reasons for disapproval. The county board shall have power:

Approved April 5, 1974.

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