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**CHAPTER 421—S.F.No.3338**  
[Coded]

*An act relating to commerce; banks and trust companies; authorized investments; amending Minnesota Statutes 1971, Section 48.61, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1971, Section 48.61, is amended by adding a subdivision to read:

**Subd. 3. BANKS AND TRUST COMPANIES; AUTHORIZED INVESTMENTS.** Any such bank or trust company may invest not to exceed three percent of its capital and surplus in shares of stock in any banks or bank holding companies wherein the ownership of such stock in such banks or bank holding companies is restricted to banks authorized to do business in the state of Minnesota.

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

Approved April 10, 1974.

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**CHAPTER 422—H.F.No.636**  
[Coded in Part]

*An act relating to metropolitan government; prescribing powers and duties for the metropolitan council; establishing the metropolitan waste control commission and prescribing powers and duties; prescribing powers and duties of the metropolitan transit commission; amending Minnesota Statutes 1971, Chapters 473A, by adding a section and 473B, by adding sections; Section 473A.01, Subdivisions 2 and 3 and by adding a subdivision; 473A.02; 473A.03; 473A.04, Subdivision 1; 473A.05, Subdivision 10 and by adding a subdivision; 473A.06, by adding a subdivision; 473A.16; 473A.18; 473B.02, Subdivisions 1, 2, 3, 4, and 5; 473B.04; 473B.06, by adding subdivisions; 473C.03, Subdivision 1; 473C.06, Subdivision 3; 473C.10; 473C.16, Subdivision 3; 473C.18; and 473D.02, Subdivision 9; repealing Minnesota Statutes 1971, Section 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 473A.05, Subdivisions 1, 2, 3, 4, 5 and 6; 473A.06, Subdivision 1; 473A.065; 473B.06, Subdivisions 7 and 8; 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 473C.04 and 473C.06, Subdivisions 1 and 2.*

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

**ARTICLE I**

Section 1. **METROPOLITAN GOVERNMENT; LEGISLATIVE**

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**PURPOSE.** In order to achieve the goal of orderly growth and economic development in the metropolitan area, it is essential to establish a framework to coordinate effectively those proposals, projects, improvements, programs, expenditures, and plans which directly and substantially affect the development of the metropolitan area. It is the purpose of this act to establish such a framework: by clarifying the role and authority of the metropolitan council, by requiring a consistent review process to be performed by the metropolitan council, by providing technical assistance for planning by local government units, and by reorganizing the other metropolitan agencies.

Sec. 2. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

**[473B.011] DEFINITIONS.** Subdivision 1. For the purposes of sections 1 to 15, the terms defined in this section shall have the meanings given them unless otherwise provided or indicated by the context.

Subd. 2. "Metropolitan area or area" means the area over which the metropolitan council has jurisdiction, including only the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington.

Subd. 3. "Metropolitan commission or commission" means the metropolitan waste control commission, the metropolitan transit commission, and other such commissions as the legislature may hereafter designate.

Subd. 4. "Independent commission, board or agency" means governmental entities with jurisdictions lying in whole or in part within the metropolitan area but not including the metropolitan commissions referred to herein.

Subd. 5. "Local governmental unit" means any county, city, town, school district, special district or other political subdivisions or public corporation, other than a metropolitan commission, lying in whole or part within the metropolitan area.

Subd. 6. "Metropolitan significance" means a status determined by the metropolitan council pursuant to the regulations and procedures established by section 12, subdivisions 1 and 2 of this article.

Subd. 7. "State agency" means the state of Minnesota or any agency, board, commission, department or educational institution thereof.

Subd. 8. "Policy plan" means the long range comprehensive plans of each commission adopted pursuant to section 10 of this article.

Subd. 9. "Development program" means the detailed technical program of each commission adopted pursuant to section 13 of this article.

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Sec. 3. Minnesota Statutes 1971, Section 473B.02, Subdivision 1, is amended to read:

**473B.02 METROPOLITAN COUNCIL.** Subdivision 1. **CREATION.** A metropolitan council with jurisdiction in the metropolitan area consisting of the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington, is created. It shall be under the supervision and control of ~~15~~17 members, all of whom shall be residents of the metropolitan area.

Sec. 4. Minnesota Statutes 1971, Section 473B.02, Subdivision 2, is amended to read:

Subd. 2. **TERMS.** ~~The first members of the metropolitan council appointed by the governor shall be appointed as follows: the chairman as provided in subdivision 4; four for terms ending the first Monday in January 1969; five for terms ending the first Monday in January 1971; and five for terms ending the first Monday in January 1973. Thereafter the term of each member shall be for a term of six years and until his successor is appointed and qualified.~~

Commencing the first Monday in January, 1975, the council members shall be appointed by the governor from each of the districts described in subdivision 3. The terms of the members shall be as follows: members representing even numbered districts for terms ending the first Monday in January, 1977; members representing odd numbered districts for terms ending the first Monday in January, 1979. Thereafter the term of each member shall be for a term of four years and until his successor is appointed and qualified.

Members of the council serving as of the first Monday in January, 1975 shall continue to serve the district described in subdivision 3 in which they reside for the term herein prescribed for that district, provided that if more than one such member resides in the same district the governor shall designate one of them to serve as the council member from the district and the terms of the other members are thereupon terminated. The governor shall appoint as members of the council one resident of each district described in subdivision 3 in which no present member of the council resides to serve for the term herein defined. For the purpose of this subdivision the residence of present members of the council serving as of the first Monday in January, 1975 shall be their residence as of July 1, 1974.

Sec. 5. Minnesota Statutes 1971, Section 473B.02, Subdivision 3, is amended to read:

Subd. 3. **MEMBERSHIP.** ~~Fourteen-Sixteen~~ members of the metropolitan council shall be appointed by the governor on a nonpartisan basis, after consulting with all members of the legislature from the area composing the council district for which the member is to be appointed, by and with the advice and consent of the senate. Each such

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council member shall reside in the council district which he represents. Council districts consist of combinations of legislative and representative districts established by Extra Session Laws 1966, Chapter 1, as prescribed herein. Each council district shall be represented by one member of the council. Council districts are hereby created as follows:

(1) The first council district consists of ~~legislative district 12; that part of representative district 6A within Dakota county; and representative district 14A;~~ and that part of representative district 14B within Scott county that part of the city of St. Paul described as follows: commencing at the intersection of the center line of University avenue with the west city limits, extending easterly along the center line of University avenue to the center line of Rice street, extending southerly along the center line of Rice street to the center line of Interstate 94, extending easterly along the center line of Interstate 94 to the center line of Summit avenue extended, extending southwesterly along the center line of Summit avenue extended and Summit avenue to the center line of Kellogg boulevard, extending southeasterly along the center line of Kellogg boulevard to the center line of Eagle street, extending southeasterly along the center line of Eagle street to the main channel of the Mississippi river, extending southwesterly, westerly, and northerly along the main channel of the Mississippi river to the west city limits, and extending northerly along the west city limits to the point of origin

(2) The second council district consists of ~~legislative districts 8 and 50~~ that part of the county of Ramsey consisting of the villages of Lauderdale, Falcon Heights, and Roseville; and that part of the city of St. Paul described as follows: commencing at the intersection of the center line of University avenue with the west city limits, extending easterly along the center line of University avenue to the center line of Rice street, extending northerly along the center line of Rice street to the Burlington Northern railroad right of way, extending easterly along the Burlington Northern railroad right of way to the center line of Sylvan street, extending northerly along the center line of Sylvan street to the center line of Magnolia avenue west, extending easterly along the center line of Magnolia avenue west to the center line of Agate street, extending northerly along the center line of Agate street to the center line of Jessamine avenue west extended, extending easterly along the center line of Jessamine avenue west extended to the center line of Interstate 35E, extending northerly along the center line of Interstate 35E to the north city limits, and extending westerly, southerly, westerly, southerly, westerly, northerly, westerly, and southerly along the city limits to the point of origin .

(3) The third council district consists of ~~legislative districts 49 and 57, and representative district 32B~~ that part of the city of St. Paul described as follows: commencing at the intersection of the center line of Interstate 35E with the north city limits, extending southerly along the center line of Interstate 35E to the center line of Jessamine avenue west extended; extending westerly along the center line of Jessamine

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avenue west extended to the center line of Agate street, extending southerly along the center line of Agate street to the center line of Magnolia avenue west, extending westerly along the center line of Magnolia avenue west to the center line of Sylvan street, extending southerly along the center line of Sylvan street to the Burlington Northern railroad right of way, extending westerly along the Burlington Northern railroad right of way to the center line of Rice street, extending southerly along the center line of Rice street to the center line of Interstate 94, extending easterly along the center line of Interstate 94 to the center line of Summit avenue extended, extending southwesterly along the center line of Summit avenue extended and Summit avenue to the center line of Kellogg boulevard, extending southeasterly along the center line of Kellogg boulevard to the center line of Eagle street, extending southeasterly along the center line of Eagle street to the main channel of the Mississippi river, extending southwesterly along the main channel of the Mississippi river to the south city limits, extending easterly, northerly, easterly, southerly, easterly, southeasterly, easterly, northerly, and westerly along the city limits to the point of origin .

(4) The fourth council district consists of ~~legislative district 33 and representative districts 13A and 21A~~ that part of the county of Ramsey consisting of the town of White Bear; the villages of Arden Hills, Gem Lake, Little Canada, Moundview, New Brighton, North Oaks, North St. Paul, Shoreview, and Vadnais Heights; that part of the city of White Bear Lake lying in the county of Ramsey; and that part of the village of Maplewood lying north of the center line of Larpent-eur Avenue .

(5) The fifth council district consists of ~~legislative districts 30 and 31 and representative district 32A~~ that part of the county of Hennepin consisting of the city of Robbinsdale; that part of the village of Golden Valley described as follows: commencing at the intersection of center line of trunk highway No. 100 with the north village limits, extending southerly along the center line of trunk highway No. 100 to the Minnesota Western railroad right of way, extending easterly along the Minnesota Western railroad right of way to the east village limits, and extending northerly, westerly, northerly, and westerly along the village limits to the point of origin; and that part of the city of Minneapolis described as follows: commencing at the intersection of the main channel of the Mississippi river with the north village limits, extending southerly along the main channel of the Mississippi river to the Burlington Northern railroad right of way, extending southwesterly along the Burlington Northern railroad right of way to the center line of Sixth street north extended, extending southeasterly along the center line of Sixth street north extended and sixth street north to the center line of Hennepin avenue, extending southwesterly along the center line of Hennepin avenue to the center line of Franklin avenue west, extending westerly along the center line of Franklin avenue west to the center line of Lake of the Isles boulevard east, extending southerly along the center line of Lake of the Isles boulevard east to the center line of Lake Cal-

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houn boulevard east, extending southerly along the center line of Lake Calhoun boulevard east to the center line of Lake street west, extending westerly along the center line of Lake street west to the west city limits, and extending northerly, easterly, northerly, and easterly along the city limits to the point of origin .

(6) The sixth council district consists of ~~legislative districts 29 and 37~~—that part of the county of Hennepin consisting of that part of the village of St. Anthony lying in the county of Hennepin; and that part of the city of Minneapolis described as follows: commencing at the intersection of the main channel of the Mississippi river with the north village limits, extending southerly along the main channel of the Mississippi river to the Burlington Northern railroad right of way, extending southwesterly along the Burlington Northern railroad right of way to the center line of Sixth street north extended, extending southeasterly along the center line of Sixth street north extended and Sixth street north to the center line of Hennepin avenue, extending southwesterly along the center line of Hennepin avenue to the center line of Lincoln avenue extended, extending easterly along the center line of Lincoln avenue extended to the center line of Lyndale avenue south, extending southerly along the center line of Lyndale avenue south to the center line of Twenty-fourth street east, extending easterly along the center line of Twenty-fourth street east to the center line of Stevens avenue south, extending southerly along the center line of Stevens avenue south to the center line of Twenty-fifth street east, extending easterly along the center line of Twenty-fifth street east to the center line of Fifteenth avenue south, extending northerly along the center line of Fifteenth avenue south to the center line of Twenty-fourth street east, extending easterly along the center line of Twenty-fourth street east to the center line of Cedar avenue south, extending northerly along the center line of Cedar avenue south to the center line of Sixth street south; extending easterly along the center line of Sixth street south to the center line of Twenty-seventh avenue south extended, extending northerly along the center line of Twenty-seventh avenue south extended to the main channel of the Mississippi river, extending south-easterly along the main channel of the Mississippi river to the east city limits, and extending northerly, westerly, northerly, westerly, northerly, and westerly to the point of origin; and that part of the county of Ramsey consisting of that part of the village of St. Anthony lying in the county of Ramsey .

(7) The seventh council district consists of ~~legislative districts 27 and 28~~—that part of the city of Minneapolis described as follows: commencing at the intersection of the center line of Lake street west with the west city limits, extending easterly along the center line of Lake street west to the center line of Lake Calhoun boulevard east, extending northerly along the center line of Lake Calhoun boulevard east to the center line of Lake of the Isles boulevard east, extending northerly along the center line of Lake of the Isles boulevard east to the center line of Franklin avenue west, extending easterly along the center line of Franklin avenue west to the center line of Hennepin avenue, extend-

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ing northeasterly along the center line of Hennepin avenue to the center line of Lincoln avenue extended, extending easterly along the center line of Lincoln avenue extended to the center line of Lyndale avenue south, extending southerly along the center line of Lyndale avenue south to the center line of Twenty-fourth street east, extending easterly along the center line of Twenty-fourth street east to the center line of Stevens avenue south, extending southerly along the center line of Stevens avenue south to the center line of Twenty-fifth street east, extending easterly along the center line of Twenty-fifth street east to the center line of Chicago avenue south, extending southerly along the center line of Chicago avenue south to the center line of Thirty-eighth street east, extending westerly along the center line of Thirty-eighth street east to the center line of Fourth avenue south, extending southerly along the center line of Fourth avenue south to the center line of Forty-second street east, extending westerly along the center line of Forty-second street east to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the center line of Forty-eighth street east extended, extending westerly along the center line of Forty-eighth street east extended and Forty-eighth street east to the center line of Nicollet avenue south, extending southerly along the center line of Nicollet avenue south to the center line of Fifty-seventh street east, extending easterly along the center line of Fifty-seventh street east and Fifty-seventh street east extended to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the south city limits, and extending westerly, northerly, westerly, and northerly to the point of origin .

(8) The eighth council district consists of legislative districts 34 and 35 that part of the city of Minneapolis described as follows: commencing at the intersection of the main channel of the Mississippi river with the east city limits, extending northwesterly along the main channel of the Mississippi river to the center line of Twenty-seventh avenue south extended, extending southerly along the center line of Twenty-seventh avenue south extended to the center line of Sixth street south, extending westerly along the center line of Sixth street south to the center line of Cedar avenue south, extending southerly along the center line of Cedar avenue south to the center line of Twenty-fourth street east, extending westerly along the center line of Twenty-fourth street east to the center line of Fifteenth avenue south, extending southerly along the center line of Fifteenth avenue south to the center line of Twenty-fifth street east, extending westerly along the center line of Twenty-fifth street east to the center line of Chicago avenue south, extending southerly along the center line of Chicago avenue south, to the center line of Thirty-eighth street east, extending westerly along the center line of Thirty-eighth street east to the center line of Fourth avenue south, extending southerly along the center line of Fourth avenue south to the center line of Forty-second street east, extending westerly along the center line of Forty-second street east to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the center line of Forty-eighth street east extended, extending westerly along the center line of Forty-eighth street east extended and

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Forty-eighth street east to the center line of Nicollet avenue south, extending southerly along the center line of Nicollet avenue south to the center line of Fifty-seventh street east, extending easterly along the center line of Fifty-seventh street east and Fifty-seventh street east extended to the center line of Interstate 35W, extending southerly along the center line of Interstate 35W to the south city limits, and extending easterly, northerly, easterly, and northerly to the point of origin .

(9) The ninth council district consists of legislative districts 36 and 38 that part of the county of Hennepin consisting of the Fort Snelling area; the city of Richfield; and that part of the city of Bloomington described as follows: commencing at the intersection of the center line of France avenue south with the north city limits, extending southerly along the center line of France avenue south to the center line of One Hundred Second Street west, extending westerly along the center line of One Hundred Second Street west to the center line of Johnson avenue, extending southerly along the center line of Johnson avenue to the Minneapolis, Northfield, and Southern railroad right of way, extending southwestwardly along the Minneapolis, Northfield, and Southern railroad right of way to the center line of Normandale boulevard, extending southerly along the center line of Normandale boulevard to the south city limits, extending easterly, northeasterly, westerly, northerly, and westerly along the city limits to the point of origin .

(10) The tenth council district consists of legislative districts 39 and 40 that part of the county of Hennepin consisting of the village of New Hope, the cities of Crystal and St. Louis Park; and that part of the village of Golden Valley described as follows: commencing at the intersection of the center line of trunk highway No. 100 and the north village limits, extending southerly along the center line of trunk highway No. 100 to the Minnesota Western railroad right of way, extending easterly along the Minnesota Western railroad right of way to the east city limits, extending southerly, westerly, southerly, westerly, and northerly along the village limits to the center line of Olson Memorial highway, extending easterly along the center line of Olson Memorial highway to the center line of Winnetka avenue north, extending northerly along the center line of Winnetka avenue north to the north village limits, and extending easterly along the north village limits to the point of origin .

(11) The eleventh council district consists of legislative districts 41 and 42 that part of the county of Hennepin consisting of the villages of Edina, Medicine Lake, Minnetonka, and Plymouth; the cities of Hopkins and Wayzata; and that part of the village of Golden Valley described as follows: commencing at the intersection of the center line of Winnetka avenue north and the north village limits, extending southerly along the center line of Winnetka avenue north to the center line of Olson Memorial highway; extending westerly along the center line of Olson Memorial highway to the west village limits, and extending northerly and easterly along the village limits to the point of origin .

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(12) ~~The twelfth council district consists of legislative districts 43 and 44~~ that part of the county of Anoka consisting of the towns of Burns, Grow, Oak Grove, and Ramsey; the villages of Bethel and St. Francis; and the city of Anoka; and that part of the county of Hennepin consisting of the town of Hassan; the villages of Corcoran, Champ-  
lin, Dayton, Greenfield, Independence, Loretto, Maple Grove, Maple Plain, Medina, Minnetrista, Osseo, Rogers, and St. Bonifacius; the cities of Brooklyn Center and Brooklyn Park; and that part of the villages of Hanover and Rockford lying in the county of Hennepin .

(13) ~~The thirteenth council district consists of legislative districts 45 and 46~~ that part of the county of Anoka consisting of the town of Ham Lake; the villages of East Bethel and Hilltop; the cities of Columbia Heights, Coon Rapids, and Fridley; and that part of the village of Spring Lake Park and the city of Blaine lying in Anoka county; and that part of the county of Ramsey consisting of that part of the village of Spring Lake Park and the city of Blaine lying in the county of Ramsey .

(14) ~~The fourteenth council district consists of legislative districts 47 and 48~~ the county of Washington; that part of the county of Anoka consisting of the towns of Columbus and Linwood; and the villages of Centerville, Circle Pines, Lexington, and Lino Lakes; that part of the county of Dakota consisting of the towns of Marshan, Nininger, and Ravenna; the city of Hastings; and that part of the county of Ramsey consisting of that part of the village of Maplewood lying south of the center line of Larpenteur avenue .

(15) The fifteenth council district consists of that part of the county of Dakota consisting of the towns of Castle Rock, Douglas, Egan, Empire, Eureka, Greenvale, Hampton, Randolph, Sciota, Vermilion, and Waterford; the villages of Apple Valley, Burnsville, Coates, Farmington, Hampton, Inver Grove Heights, Lilydale, Mendota, Mendota Heights, Miesville, New Trier, Randolph, Rosemount, Sunfish Lake, and Vermillion; and the cities of South St. Paul and West St. Paul.

(16) The sixteenth council district consists of the counties of Carver and Scott; that part of the county of Dakota consisting of the village of Lakeville; and that part of the county of Hennepin consisting of the villages of Deephaven, Eden Prairie, Excelsior, Greenwood, Long Lake, Mound, Orono, Shorewood, Spring Park, Tonka Bay, and Woodland; the city of Minnetonka Beach; that part of the village of Chanhassen lying in the county of Hennepin; and that part of the city of Bloomington described as follows: commencing at the intersection of the center line of France avenue south with the north city limits, extending southerly along the center line of France avenue south to the center line of One Hundred Second street west, extending westerly along the center line of One Hundred Second street west to the center line of Johnson avenue south, extending southerly along the center line of Johnson avenue south to the Minneapolis, Northfield, and Southern

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railroad right of way, extending southwesterly along the Minneapolis, Northfield and Southern railroad right of way to the center line of Normandale boulevard, extending southerly along the center line of Normandale boulevard to the south city limits, and extending westerly, northerly, and easterly, along the city limits to the point of origin.

Sec. 6. Minnesota Statutes 1971, Section 473B.02, Subdivision 4, is amended to read:

Subd. 4. **CHAIRMAN.** (a) **APPOINTMENT.** The chairman of the metropolitan council shall be appointed by the governor as the ~~15th~~ 17th voting member thereof by and with the advice and consent of the senate to serve at his pleasure. He shall be a person experienced in the field of municipal and urban affairs with administrative training and executive ability.

(b) **DUTIES.** The chairman of the metropolitan council shall preside at the meetings of the metropolitan council and shall act as principal executive officer. He shall organize the work of the metropolitan council, appoint all officers and employees thereof, subject to the approval of the metropolitan council, and be responsible for carrying out all policy decisions of the metropolitan council. His salary and expense allowances shall be fixed by the metropolitan council.

Sec. 7. Minnesota Statutes 1971, Section 473B.02, Subdivision 5, is amended to read:

Subd. 5. **METROPOLITAN COUNCIL; DUTIES AND COMPENSATION.** The metropolitan council shall elect such officers as it deems necessary for the conduct of its affairs other than the chairman. A secretary and treasurer need not be members of the metropolitan council. Meeting times and places shall be fixed by the metropolitan council and special meetings may be called by a majority of the members of the metropolitan council or by the chairman thereof. Each metropolitan council member other than the chairman shall be paid a per diem compensation of ~~\$35~~ \$50 for each meeting and for such other services as ~~are specifically~~ authorized by the metropolitan council, and shall be reimbursed for his reasonable expenses.

In the performance of its duties the metropolitan council may promulgate rules governing its operation, establish committees, divisions, departments and bureaus and staff the same as necessary to carry out its duties and when specifically authorized by law make appointments to other governmental agencies and districts. All officers and employees of the metropolitan council shall serve at the pleasure of the appointing authority in the unclassified service of the state civil service. Rules promulgated by the metropolitan council shall be in accordance with the administrative procedure provisions contained in Minnesota Statutes, Chapter 15.

Sec. 8. Minnesota Statutes 1971, Chapter 473B, is amended by **Changes or additions indicated by underline deletions by ~~strikeout~~**

adding a section to read:

**[473B.021] MEMBERSHIP, PROCEDURES, OFFICERS AND EMPLOYEES OF METROPOLITAN COMMISSIONS.** Subdivision 1. GENERAL. Metropolitan commissions shall be organized, structured and administered as prescribed in this section.

Subd. 2. MEMBERSHIP. Each commission shall consist of eight members, plus a chairman appointed as provided in subdivision 3. The eight members shall be appointed by the metropolitan council. One member shall be appointed from each of the following precincts:

- (1) Precinct A, consisting of council districts 1 and 2;
- (2) Precinct B, consisting of council districts 3 and 14;
- (3) Precinct C, consisting of council districts 4 and 13;
- (4) Precinct D, consisting of council districts 5 and 6;
- (5) Precinct E, consisting of council districts 7 and 8;
- (6) Precinct F, consisting of council districts 9 and 11;
- (7) Precinct G, consisting of council districts 10 and 12; and
- (8) Precinct H, consisting of council districts 15 and 16.

Subd. 3. CHAIRMAN. The chairman of each commission shall be appointed by the governor with the advice and consent of the senate and shall be the ninth voting member of the commission and shall meet all qualifications established for members, except the chairman need only reside within the metropolitan area. The chairman shall preside at all meetings of the commission, if present, and shall perform all other duties and functions assigned to him by the commission or by law. Each commission may appoint from among its members a vice chairman to act for the chairman during his temporary absence or disability.

Subd. 4. QUALIFICATIONS. Each member shall be a resident of the precinct for which he is appointed and shall not during his term of office hold the office of metropolitan council member, or be a member of another metropolitan commission or hold any judicial office. Each member shall qualify by taking and subscribing the oath of office prescribed by the Minnesota Constitution, Article V, Section 8. Such oath, duly certified by the official administering the same, shall be filed with the executive director of the metropolitan council.

Subd. 5. TERMS, REMOVAL. Commencing the first Monday in January 1975 the terms of members of each commission shall be as follows: members representing precincts A, B, C, and D for terms end-

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ing the first Monday in January 1977, members representing precincts E, F, G, and H and the chairman for terms ending the first Monday in January 1979. Thereafter the term of each member and chairman shall be for a term of four years and until his successor is appointed and qualified. Members, other than the chairman, may be removed by the council only for cause in the manner specified in chapter 351. The chairman may be removed at the pleasure of the governor.

Members of any commission serving as of the first Monday in January 1975 shall continue to serve the precinct described in subdivision 2 in which they reside for the term herein prescribed for that precinct, provided that if more than one such member resides in the same precinct the council shall designate one of them to serve as the commission member from the precinct and the terms of the other members are thereupon terminated. The council shall appoint as members of the commission, in the manner prescribed by subdivision 2, one resident of each precinct described in said subdivision in which no present member of the commission resides to serve for the term herein defined. For the purpose of this subdivision the residence of present members of the commissions serving as of the first Monday in January 1975 shall be their residence as of July 1, 1974.

Subd. 6. VACANCIES. If the office of any commission member becomes vacant, the vacancy shall be filled in the same manner in which the last regular appointment for that precinct was made. An office shall be deemed vacant under the conditions specified in chapter 351.

Subd. 7. COMPENSATION. Each commission member shall be paid a per diem compensation of \$50 for each meeting and for such other services as authorized by the commission, and shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties in the same manner and amount as state employees. The chairman shall receive a salary in an amount fixed by the members of that commission or board and shall be reimbursed for reasonable expenses to the same extent as a member.

Subd. 8. REGULAR AND SPECIAL MEETINGS. Each commission shall meet regularly at least once each month, at such time and place as the commission shall by resolution designate. Special meetings may be held at any time upon the call of the chairman or any two other members, upon written notice sent by certified mail to each member at least three days prior to the meeting, or upon such other notice as the commission may by resolution provide, or without notice if each member is present or files with the secretary a written consent to the meeting either before or after the meeting. Unless otherwise provided, any action within the authority of the commission may be taken by the affirmative vote of a majority of the members. A majority of all of the members of the commission shall constitute a quorum, but a lesser number may meet and adjourn from time to time and compel the attendance of absent members.

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Subd. 9. PERSONNEL CODE; MERIT SYSTEM. (a) The council shall by resolution adopt guidelines for a personnel code relating to the employees of the commissions, except that nothing in this act shall impair the rights of any commission or employee under Minnesota Statutes 1971, Sections 473A.05, Subdivision 8, and 473A.10. After adoption of the guidelines, each commission shall by resolution adopt a personnel code in general conformance therewith. The code shall include a job classification plan, procedures for employment and promotion of personnel based on merit, procedures for the demotion, suspension or discharge of employees, procedures for hearing grievances, procedures for salary administration, and such other provisions as the council deems appropriate. In addition, the code shall provide for the development by each commission of affirmative action plans, which shall be submitted for approval to the appropriate agency or office of the state. The plans shall include a yearly progress report to the agency or office. The chief administrator of each commission shall administer the code, and no commission shall take any action inconsistent with the personnel code.

(b) All employees of the commission except those expressly designated for the unclassified service, shall serve in the classified service. The unclassified service shall include: members of the commission, the chief administrator of the commission, all officers of the commission, any employee of the commission who is determined by the commission to have a confidential relationship to the commission or the council; and any employee of the commission expressly exempted from the classified service by law. Each code shall also include procedures for open competitive examinations to test the relative skill or ability of all applicants for positions in the classified service. Such examinations may consist of written or oral tests of the subjective or objective type, physical tests, and practical or demonstration tests for the evaluation of past training and experience. Oral tests may be used to test the applicant's knowledge of the position applied for or his personal fitness for the position. Where there is more than one applicant for a position, each code shall provide for the employment of one of the three applicants best qualified for it.

(c) When a commission employee has been demoted, suspended or dismissed by the chief administrator, he may, within 30 days after such action becomes effective, file with the commission a written request for a hearing showing the position from which he was dismissed, the date of dismissal, and the reason for requesting the hearing, his full name and his present mailing address. Upon receipt of a request for a hearing the commission shall appoint three of its members to act as an appeal committee and preside at a hearing on the action of the administrator. The hearing shall be held within 30 days after the request is received by the commission, upon written notice mailed or delivered to the employee at his present mailing address, not less than seven days before the hearing. The appeal committee shall approve or disapprove the action of the administrator, and in the case of approval the action of the administrator shall be final. In the case of disapproval the ap-

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peal committee may reinstate the employee under such conditions as it deems proper, and may order the payment to the employee of compensation lost as a result of the demotion, suspension or dismissal.

Subd. 10. SECRETARY AND TREASURER. At its first regular meeting each year each commission shall appoint a secretary and a treasurer or, in the alternative, a secretary-treasurer. The secretary and treasurer, or secretary-treasurer, may, but need not be, members of the commission, and shall hold office at the pleasure of the commission, subject to the terms of any contract of employment which the commission may enter into with the secretary or treasurer. The secretary shall record the minutes of all meetings of the commission and shall be the custodian of all books and records of the commission except such as the commission shall entrust to the custody of a designated employee. The treasurer shall be the custodian of all moneys received by the commission except such as the commission shall entrust to the custody of a designated employee. The commission may appoint a deputy to perform any and all functions of either the secretary or the treasurer.

Subd. 11. CHIEF ADMINISTRATOR. The chairman of each commission shall, subject to the approval of the commission, appoint a chief administrator who shall be chosen solely on the basis of his training, experience, and other qualifications, and who shall serve at the pleasure of the commission. The administrator shall attend all meetings of the commission, but shall not vote, and shall have the following powers and duties:

(a) He shall see that all resolutions, rules, regulations, or orders of the commission are enforced.

(b) He shall appoint and remove, subject to the provisions of the personnel code adopted pursuant to subdivision 9 of this section, upon the basis of merit and fitness, all subordinate officers and regular employees of the commission.

(c) He shall present to the commission plans, studies, and reports prepared for commission purposes and recommend to the commission for adoption such measures as he deems necessary to enforce or carry out the powers and duties of the commission, or to the efficient administration of the affairs of the commission.

(d) He shall keep the commission fully advised as to its financial condition, and he shall prepare and submit to the commission its annual budget and such other financial information as it may request.

(e) He shall recommend to the commission for adoption such rules and regulations as he deems necessary for the efficient operation of the commission's functions.

(f) He shall perform such other duties as may be prescribed by  
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the commission.

**Subd. 12. PUBLIC EMPLOYEES.** All persons employed by the chief administrator shall be public employees, and shall have all rights and duties conferred on public employees under sections 179.61 to 179.76. The compensation and other conditions of employment of such employees shall not be governed by any rule applicable to state employees in the classified service nor to any of the provisions of chapter 15A, unless the council so provides. All employees of the commission shall be members of the Minnesota state retirement system, except that employees, who by reason of their prior employment belonged to another public retirement association in the state of Minnesota, may at their option continue membership in that public retirement association, and all other rights to which they are entitled by contract or law. The commission shall make the employer's contributions to pension funds of its employees. Employees shall perform such duties as may be prescribed by the commission. Nothing in this act shall impair the rights of any commission or employee under Minnesota Statutes 1971, Sections 473A.05, Subdivision 8, and 473A.10.

**Subd. 13. COMMISSION OPERATING PROCEDURES.** (a) The commission shall adopt resolutions and bylaws, an administrative code establishing procedures for commission action, keeping records, approving claims, authorizing and making disbursements, authorizing contracts, safekeeping funds and audit of all financial operations of the commission.

(b) The commission and the council may enter into contracts with each other and with other commissions and governmental units for the joint exercise of powers in the manner provided by Minnesota Statutes, Section 471.59; provided that no commission shall enter into any contract with the council which would assign any operations authority, responsibility or function, other than planning or making studies, from the commission to the council.

**Subd. 14. RELOCATION PAYMENT STANDARDS.** In all acquisitions the commissions shall provide as a cost of acquisition the relocation assistance, services, payments and benefits required by the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 84 Stat. 1894 (1971), 42 United States Code, Section 4601, et seq.

Sec. 9. Minnesota Statutes 1971, Section 473B.04, is amended to read:

**473B.04 REPORTS.** On or before January 15th, of each ~~odd numbered~~ year the metropolitan council shall report to the legislature. The report shall include:

(1) A statement of the metropolitan council's receipts and expenditures by category since the preceding report;

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(2) A detailed budget for the year in which the report is filed and the following year including an outline of its program for such period;

(3) An explanation of any ~~comprehensive policy plan~~ and other comprehensive plan adopted in whole or in part for the metropolitan area and the review comments of the affected commission ;

(4) Summaries of any studies and the recommendations resulting therefrom made by the metropolitan council, and a listing of all applications for federal moneys made by governmental units within the metropolitan area submitted to the metropolitan council;

(5) A listing of plans of local governmental units and proposed matters of metropolitan significance submitted to the metropolitan council; and

(6) Recommendations of the metropolitan council for metropolitan area legislation, including the organization and functions of the metropolitan council and the commissions. The council shall include in its 1975 report to the legislature its recommendations for solid waste recycling facilities in the metropolitan area .

Sec. 10. Minnesota Statutes 1971, Section 473B.06, is amended by adding a subdivision to read:

**Subd. 5a. POLICY PLANS FOR METROPOLITAN COMMISSIONS.** (1) Within 12 months after the effective date of this section, the council shall adopt after appropriate study and such public hearings as may be necessary, as a part of its development guide, long-range comprehensive policy plans for each commission and when adopted, the policy plans shall be followed by the council and the affected commissions. The plans shall substantially conform to all policy statements, purposes, goals, standards, and maps in development guide sections and comprehensive plans as developed and adopted by the council pursuant to the chapters of the Minnesota Statutes directly relating to the council and the commissions. In preparing or amending a policy plan the council shall consult with and make maximum use of the expertise of the affected commission, and each such commission shall cooperate with and make its employees, records, studies, plans and other information available to the council. Each such policy plan shall include, to the extent appropriate to the functions covered thereby, the following:

(a) A statement of the needs of the metropolitan area with respect to the functions covered and the objective of and the policies to be forwarded by the policy plan;

(b) A general description of the physical facilities and services to be developed by the commission in performing its functions;

(c) A statement as to the general location of physical facilities and

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service areas:

(d) A general statement of timing and priorities in the development by the commission of those physical facilities and service areas;

(e) A general statement on the level of public expenditure both capital and operating appropriate to the facilities and a statement of the relationship of the policy plan to other policy plans and chapters of the metropolitan development guide;

(f) A statement of the relationships to any current local comprehensive plans and any related development programs on file with the council;

(g) Such additional general information as may be necessary to develop the policy plan or as may be required by the laws relating to the commission and function covered by the policy plan; and

(h) A general statement relating to future population, employment levels, and land use in the metropolitan area and in the individual local governmental units located therein, including population densities and anticipated rates of change in such densities.

(2) Before adopting a policy plan, the council shall submit the proposed plan to the affected commission for its review, and the commission shall report its comments to the council within 60 days and may, within that period request the council to hold a special public hearing for the purpose of receiving the commission's report and comments. Within 60 days after the submission of the proposed plan to the commission, any local governmental unit may request a public hearing for the purpose of receiving testimony from local governmental units and the general public concerning the proposed policy plan prior to the adoption of a policy plan. Within a reasonable time, not to exceed 60 days, after receiving a request for a hearing, the council shall hold a public hearing on the proposed policy plan at such time and place in the metropolitan area as it shall determine. Not less than 15 days before the hearing, the council shall publish notice thereof in a newspaper or newspapers having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed policy plan and commission comments may be examined by any interested person. At any hearing interested persons shall be permitted to present their views on the policy plan, and the hearing may be continued from time to time. After receipt of the commission's report and such hearing, if any, the council may revise the proposed plan giving appropriate consideration to all comments received, and thereafter shall adopt the plan by resolution. An amendment to a policy plan may be initiated by the council or by an affected commission. At least every four years the council shall engage in a comprehensive review of the policy plan. Development guide sections, comprehensive plans, capital improvement programs and other plans in substantial conformance with the requirements of clause (1) which have been

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adopted by the council pursuant to Minnesota Statutes, Chapters 473A, 473B and 473C, shall continue in force and effect until expressly superseded by a policy plan adopted pursuant to this subdivision. The council shall not amend a policy plan except in accordance with the procedures herein established.

Sec. 11. Minnesota Statutes 1971, Section 473B.06, is amended by adding a subdivision to read:

Subd. 14. LOCAL PLANNING ASSISTANCE. The metropolitan council may, at the request of local governmental units, enter into contracts or make other arrangements with local governmental units and others for the provision of services for and assistance with comprehensive community planning. This may include:

(a) Assistance in the preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities together with long-range fiscal plans for such development;

(b) Programming of capital improvements based on a determination of relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program;

(c) Coordination of all related plans of the departments or subdivision of the government concerned;

(d) Intergovernmental coordination of all related planned activities among the state and local governmental agencies concerned; and

(e) Preparation of regulatory and administrative measures in support of the foregoing.

Sec. 12. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

[473B.061] REVIEW BY COUNCIL. Subdivision 1. METROPOLITAN SIGNIFICANCE. Within 12 months following the enactment of this section, the council shall adopt regulations pursuant to the administrative procedures act, Minnesota Statutes, Chapter 15, establishing standards and guidelines for determining whether any proposed matter is of metropolitan significance, and establishing a procedure for the review of all proposed matters required to be considered and reviewed by the council. These regulations shall take effect on July 1, 1975. The purpose of these regulations shall be to promote the orderly and economic development, public and private, of the metropolitan area. The metropolitan council shall submit the regulations adopted pursuant to this section to the session of the legislature in 1975 for approval. The council shall establish an advisory committee, consisting of elected officials of local governmental units and representing all council districts equally, to provide advice and make recommendations in the prepara-

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tion of these regulations and may thereafter review and make recommendations to the council concerning the metropolitan significance of any proposed matter considered by the council. The regulations adopted shall provide for a public hearing prior to the determination that an action is of metropolitan significance.

Subd. 2. REGULATIONS. (a) In developing the above regulations establishing standards and guidelines for determining metropolitan significance the council and the committee shall give consideration to all factors deemed relevant to that determination including the following:

(1) The impact a proposed matter will have on the orderly, economic development, public and private, of the metropolitan area and its consistency with the development guide;

(2) The relationship a proposed matter will have to the policy statement goals, standards, programs and other applicable provisions of the development guide;

(3) The impact a proposed matter will have on policy plans adopted by the council and on the development programs and functions performed and to be performed by the commission;

(4) Functions of municipal governments in respect to control of land use as provided for under the municipal planning act;

(5) Such other factors as are deemed relevant.

(b) The regulations establishing a procedure for the review of proposed matters shall include, among other provisions, the following:

(1) No applicant shall be required to submit a proposed matter for review more than once unless it is materially altered.

(2) The council shall be empowered to suspend action on a proposed matter for a period not to exceed 12 months following the issuance of its recommendation or determination.

(3) The council's recommendation or determination concerning a proposed matter, including the determination as to its metropolitan significance, shall be issued within 90 days following its receipt of an adequately supported and documented proposal.

(4) The council shall be required to review a proposed matter upon request of an affected local governmental unit or metropolitan commission. The regulations shall include a procedure for review of a proposed matter upon petition by a specified number of residents of the metropolitan area.

(5) The council shall be empowered to review all proposed matters of metropolitan significance regardless of whether the council has

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received a request from an affected body to conduct that review.

(6) The council shall review all proposed matters determined to be of metropolitan significance as to their consistency with the comprehensive development guide and, if appropriate, an applicable policy plan.

(7) Any major alteration or amendment to the regulations adopted by the council shall be developed and promulgated by the council in the same manner as the original regulations.

(8) Previously approved policy plans and development programs and areas of operational authority of the metropolitan commissions shall not be subject to review under this section, except as specifically provided in paragraphs (b) and (c) of subdivision 3.

(c) Once the development of all of the regulations has been completed by the council and the committee, and no later than 30 days prior to the date specified for their adoption, the council shall hold a public hearing for the purpose of considering the developed regulations and receiving comments and recommendations thereon. Notice of the hearing, containing the developed regulations and such other comments as are deemed appropriate, shall be published in a newspaper or newspapers circulated throughout the metropolitan area and mailed to all state agencies and all local governmental units which may be affected by these regulations no later than 30 days prior to the hearing. Following the hearing, the council may revise the proposed regulations, giving consideration to all comments received, and thereafter the council shall finally adopt these regulations.

Subd. 3. COUNCIL REVIEW; METROPOLITAN SIGNIFICANCE; APPLICATIONS FOR FEDERAL AND STATE AID. The council shall review the following matters, applications, and plans proposed for or with respect to the metropolitan area in accordance with the regulations to be adopted and the provisions of any other relevant statute.

(a) All proposed matters of metropolitan significance to be undertaken by any private organization, independent commission, board or agency, local governmental unit, or any state agency.

(b) All applications of a metropolitan commission, independent commission, board or agency, and local governmental units for funds, grants, loans or loan guarantees from the United States of America or agencies thereof submitted in connection with proposed matters of metropolitan significance, all other applications by commissions and local governmental units for grants, loans, or loan guarantees from the United States of America or any agency thereof if review by a regional agency is required by federal law or the federal agency, and all applications of the commissions for grants, loans, or allocations from funds made available by the United States of America to the metropolitan area for regional facilities pursuant to a federal revenue sharing or

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similar program requiring that the funds be received and granted or allocated or that the grants and allocations be approved by a regional agency.

(c) All applications or requests of a metropolitan commission, independent commission, board or agency, and local governmental units for state funds allocated or granted for proposed matters of metropolitan significance, and all other applications by metropolitan commissions, independent commissions, boards, agencies, and local governmental units for state funds if review by a regional agency is required by state law or the granting state agency.

**Subd. 4. COUNCIL REVIEW; COMPREHENSIVE PLANS, LAND USE PLANS.** Each city, town, and county all or part of which lies within the metropolitan area, shall submit to the metropolitan council for written comment and recommendation thereon its proposed long-term comprehensive plans, including but not limited to plans for land use. The proposed plans shall be submitted to the council after their approval by the planning commission of the local government unit and before final approval by the governing body of the city, town or county. The council shall maintain such plans in its files available for inspection by members of the public. No local government action shall be taken to place any such plan or part thereof into effect until 90 days have elapsed after its submission to the council. Promptly after submission, the council shall notify each city, town, county, or special district which may be affected by the plans submitted, of the general nature of the plan, the date of submission, and the identity of the submitting unit. Political subdivisions contiguous to the submitting unit shall be notified in all cases. Within 30 days after receipt of such notice any governmental unit so notified or the local governmental unit submitting the plan may request the council to conduct a hearing at which the submitting unit and any other governmental unit or subdivision may present its views. The council may attempt to mediate and resolve differences of opinion which exist among the participants in the hearing with respect to the plans submitted. If within 90 days the council fails to complete its written comments and recommendations the plans shall be deemed approved and may be placed into effect. Any major alteration to a plan subsequent to the council's review shall be submitted to and acted upon by the council in the same manner as the original plan. The written comments and recommendations of the council shall be filed with the plan of the local government unit at all places where the plan is required by law to be kept on file.

Sec. 13. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

**[473B.062] DEVELOPMENT PROGRAMS OF COMMISSIONS.**  
**Subdivision 1. PREPARATION OF DEVELOPMENT PROGRAMS.**  
Each metropolitan commission shall prepare a development program covering the detailed technical planning, engineering, financing, scheduling and other information necessary to the development of the pro-

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gram elements to be performed by the commission in implementing the policy plan adopted by the council pursuant to section 10 of this article. The program may include such other technical information as the commission deems necessary. The program shall prescribe and delineate the functions to be performed and activities to be undertaken by the commission and shall cover at least the five year period commencing with the first calendar year beginning after its approval or such longer period as the council may prescribe. The program shall describe all capital improvements to be undertaken in such period and with respect to each improvement shall include the following:

(a) A description of the improvement, its location, function and estimated cost;

(b) The proposed manner of financing the capital costs of the improvement, and the sources of revenue available for payment of such costs;

(c) A schedule showing on a yearly basis the timing of land acquisition, construction and capital expenditures for the improvements;

(d) A review and description of the public need for the improvement, alternatives to the improvement, (including alternatives not involving capital expenditures), the environmental and social effects of the improvement and all actions and steps theretofore taken by the commission with respect to the improvement;

(e) An estimate of the probable impact of the improvement on the responsibilities of the other metropolitan commissions;

(f) An estimate of the annual operating costs of the improvement and the sources of revenue available for payment of such costs;

(g) An evaluation of the relative priority of the improvement taking into consideration other capital improvements described in the program;

(h) Each program shall include such additional information as the council or commission may deem appropriate.

Upon a request from any local governmental unit, the commission shall hold a public hearing for the purpose of receiving testimony from local governmental units and the public prior to submission to the council as provided in subdivision 2 of this section.

Subd. 2. SUBMISSION TO AND APPROVAL BY COUNCIL. The development program prepared by the commission shall be submitted to the council for review and approval or disapproval. The council shall complete its review within 90 days after receipt of the proposed development program. If the council determines that the program is consistent with the policy plan it shall approve the program as submit-

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ted. If it determines that the program is inconsistent with the policy plan, it shall disapprove it and return it to the submitting commission with comments and the commission shall make appropriate revisions in the program and resubmit it to the council for review and approval or disapproval. Before approving a program or returning it to the submitting commission, the council shall hold a public hearing for the purpose of considering the program and the council's comments thereon, if requested to do so by the affected commission. The council may approve or disapprove a development program in whole or in part. Within two years of the approval of its first development program by the council and at least biennially thereafter each commission shall review the program, make such revisions as are necessary, including an updating of the five year capital improvement program, and submit the program to the council for its review and approval or disapproval as herein provided.

Subd. 3. EFFECT OF DEVELOPMENT PROGRAM. After approval by the council of a development program the commission shall implement the program. No capital improvements shall be undertaken by the commission unless authorized by the program or specifically approved by the council. The council shall not approve any improvement not in substantial conformance with the appropriate policy plan.

Sec. 14. Minnesota Statutes 1971, Chapter 473B, is amended by adding a section to read:

**[473B.063] METROPOLITAN COMMISSION BUDGET PREPARATION; REVIEW AND APPROVAL.** Subdivision 1. Each metropolitan commission shall prepare a proposed budget for calendar year 1976 and each calendar year thereafter. The proposed budget shall be prepared on or before August 1, 1975 and each year thereafter. The budget shall show for each such year:

(a) the estimated operating revenues from all sources including funds on hand at the beginning of the year, and estimated expenditures for costs of operation, administration, maintenance, and debt service; and

(b) capital improvement funds estimated to be on hand at the beginning of the year and estimated to be received during the year from all sources and estimated cost of capital improvements to be paid out or expended during the year; all in such detail and form as the council may prescribe. Between August 1 and September 1 of each year, the commission shall hold a public hearing on the proposed budget. Not less than 14 days before the hearing, the commission shall publish notice thereof in a newspaper having general circulation in the metropolitan area, stating the date, time and place of hearing, and the place where the proposed budget may be examined by any interested person. Those parts of the budget relating to revenues and expenditures for capital improvements shall be submitted to the council on or before August 1 of each year and shall be subject to approval by the council.

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The council shall act to approve or disapprove by October 1 of each year. Before December 15 of each year the commission, after obtaining approval of the council for any changes in the capital improvements budget, shall by resolution adopt a final budget. Each commission shall file its final budget with the council on or before December 20 of each year. Except in an emergency, for which procedures shall be established by the commission, the commission and its officers, agents and employees shall not spend money for any purpose, other than debt service, without an appropriation by the commission or in excess of the amount appropriated therefor, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is a sufficient appropriation of the proceeds for the purpose for which it is authorized, and of the tax or other revenues pledged to pay the obligation and interest on it whether or not specifically included in any annual budget. The commission may, after obtaining approval of the council, amend the capital improvements budget at any time by transferring any appropriation from one purpose to another, except appropriations of the proceeds of bonds issued for a specific purpose. The council shall file the budgets of all commissions with the secretary of the senate and the clerk of the house of representatives not later than January 15 of each year.

Subd. 2. PROGRAM BUDGETING. The council may in consultation with the commissions adopt regulations providing for program budgeting, as defined in section 16.141, subdivision 1, by each of the commissions. Upon adoption of such regulations, each commission shall submit program budgets to the council in the form established by the regulations, subject to the provisions of subdivision 1 of this section. Within three years after the effective date of this article, the council and all commissions shall adopt budgets in program budget form.

Subd. 3. REVIEW OF USER CHARGES. Thirty days prior to the establishment of or change in any user charges or fees or schedule of user charges or fees the commission shall forthwith submit proposed charges or fees or schedule to the council. The council shall review and comment upon the charges, fees, or schedule with particular reference to (1) their consistency with the development guide and policy plan, and (2) their fiscal impact on the metropolitan area, especially their impact on future debt service requirements, the financing of future capital improvements, and on the various local governmental units and classes of users. Upon a request from any local governmental unit, the council shall hold a public hearing for the purpose of receiving testimony from local governmental units and the public prior to commenting upon the establishment or change in any user charges, fees, or schedules. On or before January 15 of each year, the council shall transmit the charges, user fees or schedules of all commissions and its comments thereon to the secretary of the senate and chief clerk of the house of representatives.

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Sec. 15. **REPEALER.** Minnesota Statutes 1971, Section 473B.06, Subdivisions 7 and 8, are repealed.

ARTICLE II  
METROPOLITAN WASTE CONTROL COMMISSION

Section 1. Minnesota Statutes 1971, Section 473D.02, Subdivision 9, is amended to read:

Subd. 9. "Solid waste" means garbage, refuse and other discarded solid materials, including solid waste materials and waste sludges resulting from industrial, commercial and agricultural operations, and from community activities, but does not include earthen fill, boulders, broken rock ~~and other materials normally handled in construction operations~~, solids or dissolved material in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

Sec. 2. Minnesota Statutes 1971, Section 473C.03, Subdivision 1, is amended to read:

**473C.03 METROPOLITAN WASTE CONTROL COMMISSION.** Subdivision 1. **ESTABLISHMENT; APPOINTMENTS.** A metropolitan sewer service board ~~waste control commission~~ is established as an agency of the council comprised of not fewer than seven members who shall be appointed by the metropolitan council as hereinafter provided. The council shall combine the council districts into precincts, each comprised of at least two contiguous council districts, and shall then appoint one board member for each precinct. If the boundaries of the council districts are at any time relocated, the boundaries of the precincts shall also be relocated. Not more than half of the board members may be appointed from among the residents of any one sewer service area established pursuant to section 473C.06 ~~and shall be organized, structured and administered as provided in chapter 473B, sections 1 to 14 of article I.~~

Sec. 3. Minnesota Statutes 1971, Section 473C.06, Subdivision 3, is amended to read:

Subd. 3. **MUNICIPAL PLANS AND PROGRAMS.** As soon as practicable after the adoption of the first comprehensive policy plan by the council as provided in ~~subdivision 1~~ article I, section 10, and before undertaking the construction of any extensions or additions to its disposal system or the substantial alteration or improvement of its existing disposal system, each local government unit shall adopt a similar comprehensive policy plan for the collection, treatment and disposal of sewage for which the local government unit is responsible, coordinated with the council's plan, and may revise the same as often as it deems necessary. Each such plan shall be submitted forthwith to the ~~sewer service board~~ waste control commission for review and shall be sub-

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ject to the approval of the board commission as to those features affecting the board's commission's responsibilities as determined by the board commission. Any such features disapproved by the board commission shall be modified in accordance with the board's commission's recommendations. No construction of new sewers or other disposal facilities, and no substantial alteration or improvement of any existing sewers or other disposal facilities involving such features, shall be undertaken by any local government unit unless its governing body shall first find the same to be in accordance with its comprehensive plan and program as approved by the board commission. At the time each local government unit makes application to the agency for a permit to alter or improve its disposal system it shall file with the commission a copy of the application together with design data and a location map of the project.

Sec. 4. Minnesota Statutes 1971, Section 473C.10, is amended to read:

**473C.10 WASTE CONTROL COMMISSION BUDGET.** The sewer service board—waste control commission shall prepare and, submit to the council for approval on or before September 1 in 1969 and each year thereafter, a budget showing, for the following calendar year or other fiscal year determined by the council, estimated receipts of money from all sources including but not limited to payments by each local government unit, federal or state grants, taxes on property, and funds on hand at the beginning of the year, and estimated expenditures for costs of (a) operation, administration, and maintenance of the metropolitan disposal system, including credits to each local government unit under section 473C.05, subdivision 4, and deferments under section 473C.08, subdivision 7; (b) acquisition and betterment of treatment works and interceptors; and (c) debt service, including principal and interest on general obligation bonds and certificates issued pursuant to section 473C.12; obligations assumed under section 473C.05, subdivisions 2 and 3; and any money judgment entered by a court of competent jurisdiction. Appropriations for purposes within these general categories shall be itemized in such detail as the council shall prescribe. The board and its officers, agents and employees shall not spend money for any purpose, other than debt service, without an appropriation or in excess of the amount appropriated therefor, and no obligation to make such an expenditure shall be enforceable except as the obligation of the person or persons incurring it. The creation of any debt obligation or the receipt of any federal or state grant is a sufficient appropriation of the proceeds for the purpose for which it is authorized; and of the tax or other revenues pledged to pay the obligation and interest on it, whether or not specifically included in any annual budget. The council may, at the board's request, amend the budget at any time by transferring from one purpose to another any appropriation except appropriations of bond proceeds and of money for debt service—and adopt a budget at the time and in the manner provided in and otherwise comply with article I, section 14.

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Sec. 5. Minnesota Statutes 1971, Section 473C.16, Subdivision 3, is amended to read:

Subd. 3. The ~~board-commission~~ shall prepare and submit to the council for ~~approval-review and comment~~, plans and specifications for the acquisition or betterment of interceptors or treatment works authorized by the council's ~~comprehensive-policy plan and the commission's development program~~, and after ~~approval-review and comment~~ by the council, and approval by the agency if required, may advertise for bids for all work and materials called for by such plans and specifications, and award a contract to the lowest responsible bidder.

Sec. 6. Minnesota Statutes 1971, Section 473C.18, is amended to read:

473C.18 **RELATION TO EXISTING LAWS.** The provisions of sections 473C.01 to 473C.17 and article I of this act shall be given full effect notwithstanding the provisions of any law not consistent therewith; ~~including but not limited to section 473B.06, subdivision 6~~. The powers conferred on the council and the ~~board-commission~~ under sections 473C.01 to 473C.17 shall in no way diminish or supersede the powers conferred on the agency by chapters 115 and 116.

Sec. 7. **REVISOR DUTIES.** In the next edition of Minnesota Statutes, the revisor of statutes shall make such changes in terminology as may be necessary to reflect the change of name made by this article.

Sec. 8. **REPEALER.** Minnesota Statutes 1971, Sections 473C.03, Subdivisions 2, 3, 4, 5, 6, 7, 8 and 9; 473C.04; 473C.06, Subdivisions 1 and 2, are repealed.

### ARTICLE III THE METROPOLITAN TRANSIT COMMISSION

Section 1. Minnesota Statutes 1971, Section 473A.01, Subdivision 2, is amended to read:

Subd. 2. "Metropolitan transit area" or "transit area" or "area" or "MTA" means the ~~Twin Cities~~ metropolitan ~~public~~ transit area hereinafter established.

Sec. 2. Minnesota Statutes 1971, Section 473A.01, Subdivision 3, is amended to read:

Subd. 3. "Metropolitan transit commission" or "transit commission" or "commission" means the ~~Twin Cities area~~ metropolitan transit commission hereinafter created.

Sec. 3. Minnesota Statutes 1971, Section 473A.01, is amended by adding a subdivision to read:

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Subd. 12. "Metropolitan council" or "council" means the metropolitan council created by Minnesota Statutes 1971, Section 473B.02.

Sec. 4. Minnesota Statutes 1971, Section 473A.02, is amended to read:

**473A.02 LEGISLATIVE DETERMINATION, POLICY AND PURPOSE.** The legislature finds and determines that nearly half the people of the state live in the metropolitan transit area hereinafter established. The population of that area is growing faster than in any other area of the state, and it is continually visited by large numbers of people from other parts of the state, resulting in a heavy and steadily increasing concentration of resident and transient population and creating serious problems of public transit and public highway traffic in the area. The present public transit systems in the area consist largely of bus lines using the public highways and streets. These systems are inadequate to meet the needs for public transit in the area. A major part of the transportation of people in the area is provided by private motor vehicles. All of the foregoing adds heavily to the traffic load on the state highways which constitute the main routes of travel to, from, and through the area, aggravating the congestion and danger of accidents thereon, polluting the surrounding air, intensifying the wear and tear on those highways and streets, increasing the cost of maintenance thereof, and the number, size, and cost of new highways that must be constructed in the area. These effects will progressively grow worse as the population of the area increases, imposing serious handicaps on the business, industry, property development, recreation, and other beneficial activities of the residents of the area and visitors thereto, and causing severe and widespread harm to the public health, safety and welfare of the area and the entire state. It is beyond the capacity of the present operators of public transit systems and other existing public and private agencies unassisted to make adequate provision for public transit in the area or for dealing effectively with the aforesaid problems and conditions therein. The legislature therefore declares as the public policy of the state that for the protection and advancement of the public health, safety, and welfare of the metropolitan transit area and the entire state, and in order to provide for adequate public transit within the area, reduce the traffic congestion and hazards on the state and other highways and streets therein, and relieve the other harmful conditions aforesaid, there is urgent need for the establishment of that area as herein defined, for the creation of a metropolitan transit commission therefor with the powers and duties herein prescribed, for the implementation of a comprehensive transportation policy plan for the area and for the other measures herein provided for.

Sec. 5. Minnesota Statutes 1971, Section 473A.03, is amended to read:

**473A.03 METROPOLITAN TRANSIT AREA, ESTABLISHMENT.** There is hereby established a ~~Twin Cities~~ metropolitan public transit area comprising the counties of Hennepin, Ramsey, Anoka, Washing-

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ton, Dakota, Scott, and Carver.

Sec. 6. Minnesota Statutes 1971, Section 473A.04, Subdivision 1, is amended to read:

**473A.04 METROPOLITAN TRANSIT COMMISSION.** Subdivision 1. **COMMISSION; CREATION AND COMPOSITION.** There is hereby created a Twin Cities area metropolitan transit commission for the metropolitan area, composed of nine members, herein called commissioners ; selected and serving as hereinafter provided or members, which commission shall be organized, structured and administered as provided in this chapter and article I of this act .

Sec. 7. Minnesota Statutes 1971, Section 473A.05, Subdivision 10, is amended to read:

**Subd. 10. COMMISSION BUDGET; APPROVAL THEREOF.** During the month of June in each year, the commission shall at its regular meeting establish a budget consisting of an operating expense budget for the current fiscal year, a capital expense budget for the current fiscal year, and a capital improvement program for the five fiscal years past the current fiscal year. The capital expense budget and the capital improvement program shall be submitted to the metropolitan council for its approval or disapproval and comment which shall be given within 60 days after submission. The absence of such approval or comment as to the items contained therein shall constitute approval of such items. If circumstances require a significant change in the budget or program, the commission shall submit the matter to the council for its approval within 30 days upon the above terms.

The commission and the council shall cooperate in such manner and provide such information so as to make possible meaningful evaluation of these items and of the comments thereon in implementation of the purposes of Minnesota Statutes 1967, Section 473B.06. The commission shall prepare, submit and adopt a budget in the manner provided in, and otherwise comply with, the provisions of article I, section 14 of this act .

Sec. 8. Minnesota Statutes 1971, Chapter 473A, is amended by adding a section to read:

**[473A.051] TRANSPORTATION POLICY PLANS; FEDERAL PROGRAMS.** Subdivision 1. TRANSPORTATION POLICY PLAN. The council shall adopt a transportation policy plan as a part of its comprehensive development guide as in article I, section 10 hereof, which shall include policies, relating to all transportation forms. The plan shall be designed to promote the legislative determinations, policies and purposes set forth in section 4 of this article to the end of providing the area an integrated and efficient transportation system. In addition to the requirements of Article I, Section 10 of this act regarding the use of the expertise of the commission, the state highway depart-

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ment and affected counties and municipalities may provide such technical assistance as may be requested by the council.

Subd. 2. The metropolitan council shall be the designated planning agency for any long-range comprehensive transportation planning required by Section 134 of the Federal Highway Act of 1962, Section 4 of Urban Mass Transportation Act of 1964 and Section 112 of Federal Aid Highway Act of 1973 and such other federal transportation laws as may hereinafter be enacted. The council shall assure administration and coordination of transportation planning with appropriate state, regional and other agencies, counties, and municipalities, and together with the commission shall establish such an advisory body consisting of citizen representatives, commission, municipality, county and appropriate state agency representatives in fulfillment of the planning responsibilities of the council and the commission.

Subd. 3. FEDERAL AID. For the purposes of this subdivision the term "governmental subdivision" includes municipalities, counties and other political subdivisions generally. If federal aid for transportation programs and projects is otherwise unavailable to an existing agency or governmental subdivision, the metropolitan council may cooperate with the government of the United States and any agency or department thereof and the affected agency or other governmental subdivision in establishing metropolitan area eligibility to receive federal aid, and may comply with the provisions of the laws of the United States and any rules and regulations made thereunder for the expenditure of federal moneys upon such projects as are proposed for federal assistance. If necessary to meet federal requirements, the council and the commission may be considered a single eligible unit to carry out their respective responsibilities. The metropolitan council may accept federal aid and other aid, either public or private, for and in behalf of the metropolitan area or any governmental subdivision of the state, for transportation programs and projects within the metropolitan area upon such terms and conditions as are or may be prescribed by the laws of the United States and any rules or regulations made thereunder, and is authorized to act as agent of any governmental subdivision of the state with jurisdiction in the metropolitan area upon request of such subdivision in accepting the aid in its behalf for such programs or projects financed either in whole or in part by federal aid. The governing body of any such subdivision is authorized to designate the metropolitan council as its agent for such purposes and to enter into an agreement with the council prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations. The metropolitan council is authorized to designate an appropriate state agency as its agent for such purposes and to enter into an agreement with such agency prescribing the terms and conditions of the agency relationship in accordance with state and federal laws, rules and regulations.

Nothing contained herein shall limit any separate authority of agencies or governmental subdivisions of the state to contract for and

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receive federal aid.

Sec. 9. Minnesota Statutes 1971, Section 473A.06, is amended by adding a subdivision to read:

Subd. 1a. DEVELOPMENT PROGRAM. The commission shall prepare and submit in the manner provided in and satisfying the requirements of article I, section 13 of this act, a transportation development program, providing for the implementation of the policy plan adopted by the council. In preparing the program, the commission shall consult with counties and municipalities in the metropolitan area, the state highway department and the state planning agency, and for that purpose may create such advisory committees as may be necessary.

Such program shall provide for coordination of routes and operations of all publicly and privately owned transportation facilities within the area to the end that combined efficient and rapid transportation may be provided for the use of the public in the entire area. The commission may designate a segment of the system planned as a pilot or demonstration transportation project using, without limitation, new technology including airborne systems, or traditional systems of evolved or modern form. The transportation development program shall include the general alignment and profile, approximate points of access, facility classification, approximate cost, relation to other existing and planned transportation routes and facilities, and a statement of the expected general effect on present and future use of the property within the corridor. The program shall be accompanied with a statement of need for the proposed construction or improvement, a description of alternate routes which were considered, and an explanation of the advantages and disadvantages in the selection of any route considered. The transportation development program shall also contain a description of the type of right of way or routes required; the type of transit service to be provided in each portion of the system; designation of transit mode; and appropriate general operating criteria. The program may include such other information as the council or the commission deems necessary.

Sec. 10. Minnesota Statutes 1971, Section 473A.05, is amended by adding a subdivision to read:

Subd. 11. APPROVAL OF HIGHWAY PROJECTS. Before acquiring land for or constructing a controlled access highway in the area, hereinafter a project, the state highway department or local government unit proposing such acquisition or construction shall submit to the council a statement describing the proposed project. The statement shall be in the form and detail required by the council. Immediately upon receipt of the statement, the council shall transmit a copy to the commission, which shall review and evaluate the project in relationship to the development program and report its recommendations and comments to the council. The council shall also review the statement to ascertain its consistency with its policy plan and the development

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guide. No such project may be undertaken unless the council determines that it is consistent with the policy plan and development program. This approval shall be in addition to the requirements of any other statute, ordinance or regulation.

Sec. 11. Minnesota Statutes 1971, Section 473A.16, is amended to read:

**473A.16 ACT EXCLUSIVE.** The exercise by the commission of the powers provided in sections 473A.01 to 473A.18 shall not be subject to regulation by or the jurisdiction or control of any other public body or agency, either state, county, or municipal, except as specifically provided in sections 473A.01 to 473A.18, ~~and further except that in the event a public body or agency shall be created to exercise the powers of the commission as provided in sections 473A.01 to 473A.18; such powers shall be exercised by such other public body or agency and article I of this act .~~

Sec. 12. Minnesota Statutes 1971, Section 473A.18, is amended to read:

**473A.18 CITATION.** Sections 473A.01 to 473A.18 may be cited as the Twin Cities area metropolitan transit commission act of 1967-metropolitan transit commission act of 1974 .

Sec. 13. **REPEALER.** Minnesota Statutes 1971, Sections 473A.04, Subdivisions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14; 473A.05, Subdivisions 1, 2, 3, 4, 5 and 6; 473A.06, Subdivision 1; and 473A.065 are repealed.

#### ARTICLE IV

Section 1. **CITATION.** This act shall be known and may be cited as the Metropolitan Reorganization Act of 1974.

Sec. 2. **EFFECTIVE DATE.** Except for article I, sections 10, 11 and 12 which are effective on the day following final enactment, this act is effective January 1, 1975.

Approved April 11, 1974.

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### CHAPTER 423—H.F.No.1191 [Coded in Part]

*An act relating to employment agencies; the licensing and regulation thereof; prescribing penalties; amending Minnesota Statutes 1971, Sections 184.21, Subdivision 2, and by adding subdivisions; 184.22; 184.26, Subdivision 1; 184.29; 184.30, Subdivision 1; 184.32; 184.35; 184.37; 184.38, Subdivisions 1, 2, 3, and 13; 184.41; and Minnesota Statutes, 1973 Supplement, Section 184.33, Subdivision 1; repealing*

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