
CHAPTER 569—S.F.No.2367**[Not Coded]**

An act authorizing the issuance of bonds by Independent School District No. 625.

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

Section 1. **INDEPENDENT SCHOOL DISTRICT NO. 625; BUILDING BONDS.** Independent School District No. 625 is authorized to issue general obligation bonds in the amount of \$7,000,000 for the purpose of erecting the buildings for two senior high schools. Such bonds shall be sold and issued pursuant to the provisions of Minnesota Statutes, Chapter 475, except as provided herein. Such bonds shall not be included in computing any debt limitation for the district and no election shall be required for their sale and issuance.

Sec. 2. This act shall become effective only after its approval by a majority of the governing body of Independent School District No. 625 and upon compliance with Minnesota Statutes, Section 645.021.

Approved April 11, 1974.

CHAPTER 570—S.F.No.2447

An act relating to soil and water conservation; amending Minnesota Statutes 1971, Sections 40.03, Subdivision 1; 40.04, Subdivision 12; and 40.05, Subdivisions 3, 3a, and 4.

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

Section 1. Minnesota Statutes 1971, Section 40.03, Subdivision 1, is amended to read:

40.03 SOIL AND WATER CONSERVATION COMMISSION. Subdivision 1. **MEMBERS.** There is hereby established, to serve as an agency within the department of natural resources and to perform the functions conferred upon it in this chapter, the state soil and water conservation commission to be composed of nine members, five of whom shall be either elected supervisors or past supervisors of soil and water conservation districts selected as herein provided. Four members thereof shall be ex officio members composed of the following: The director of the agricultural extension service of the University of Minnesota; the dean of the institute of agriculture of the University of Minnesota; the director of the pollution control agency; the commis-

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sioner of agriculture. The director of the agricultural extension service may designate the associate director of the agricultural extension service to act in his stead as a member of the commission, with all his rights and privileges. The designation shall be filed with the secretary of state. Similarly, the dean of the institute of agriculture may designate the associate dean of the institute of agriculture to act in his stead, with all his rights and privileges, which designation also shall be filed with the secretary of state. The commission shall invite the state conservationist of the United States soil conservation service to serve as an advisory member. The commission may also invite a representative of the state association of soil and water conservation districts, the association of Minnesota counties, the league of municipalities and such other organizations and governmental agencies as may be deemed necessary to serve as advisory members. The other five members of said commission shall be appointed by the governor from nominees who are either elected representatives or past supervisors of the state soil and water conservation districts, recommended by the state association of soil and water conservation district supervisors submitted to the governor, and in the event of a failure to submit such nominees to the governor he shall make the necessary appointments from present or past supervisors of soil and water conservation districts. The four members heretofore appointed shall serve for the balance of the terms for which they were appointed. The fifth member shall be appointed for a term of five years. Thereafter as vacancies occur all appointments shall be made for terms of five years. The commission shall keep a record of its official actions, and may perform such acts, hold such public hearings, and promulgate such rules and regulations as may be necessary for the execution of its functions under this chapter. The commission shall be responsible to the commissioner of natural resources and shall continue to exercise all powers and duties as conferred upon it by law.

Sec. 2. Minnesota Statutes 1971, Section 40.04, Subdivision 12, is amended to read:

Subd. 12. **FORMATION OF SUPERVISOR DISTRICTS.** The district governing body of any district, heretofore or hereafter organized, after two successive annual elections have been held ~~may shall~~, with the approval of the state soil and water conservation commission, divide a district into five supervisor districts for ~~election~~ purposes of nomination for election and at each election thereafter one ~~and only one supervisor or more supervisors shall be elected-nominated~~ from each such district, and whenever the boundary of any district has been substantially changed after a division thereof, such district shall thereupon be divided into five supervisor districts for ~~election nomination~~ purposes in accord with this subdivision, provided that nothing herein will be construed to disqualify a supervisor during the term for which he was elected or nominated for election. Supervisors nominated from nomination districts shall be included on the ballot for election from the entire area included in the soil and water conservation district. Any vacancy occurring in any such district by failure to ~~elect-nominate~~

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a supervisor or otherwise, shall be filled by a majority of the supervisors in the manner provided in section 40.05, subdivision 4.

A certified copy of the minutes or the resolution of the supervisors establishing districts as herein authorized shall be promptly filed by the chairman of the board of supervisors with the county auditor wherein the districts are located and with the state soil and water conservation commission.

Sec. 3. Minnesota Statutes 1971, Section 40.05, Subdivision 3, is amended to read:

Subd. 3. After December 31, 1972, and for the elections required by subdivision 2, all elections except that provided for the organization of the district, in subdivision 1, shall be held at the time and place of holding the general election, as defined in section 200.02, subdivision 2. No primary election shall be held. Election of supervisors of the soil and water conservation district shall be by inclusion on the "canary ballot," as described in section 203.29. Nominating petitions conforming to the rules stated in subdivision 1 shall be filed with the secretary of the soil and water conservation district at least ~~45-60~~ days before the time of holding the general election. At least ~~30-45~~ days before the general election the district secretary shall submit the names of the candidates and the terms for which nominated to the appropriate county auditor. The ballots for use at the election shall be prepared by the county auditor. All laws relating to county elective office elections shall govern insofar as applicable. The county auditor shall certify the result to the state soil and water conservation commission, and if the soil and water conservation district embraces land in more than one county the county auditor shall forthwith certify to the state soil and water conservation commission the vote, as shown by the report of the county canvassing board, for all candidates voted for in more than one county. In the latter case the state soil and water conservation commission shall certify the results of the election and publish the result.

Sec. 4. Minnesota Statutes 1971, Section 40.05, Subdivision 3a, is amended to read:

Subd. 3a. In any soil conservation district where a supervisor nomination district is located entirely within lands of an American Indian tribe or band to which ~~town~~ county election laws do not apply, ~~the a supervisor representing to represent the district may shall be~~ elected or appointed in the manner provided by the governing body of the tribe or band.

Sec. 5. Minnesota Statutes 1971, Section 40.05, Subdivision 4, is amended to read:

Subd. 4. If a vacancy except by reason of expiration of term shall occur in the office of an elected supervisor, more than ~~45-60~~ days before the next succeeding general election, the governing body of the

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district shall fill the vacancy by appointment; and the supervisor appointed shall hold office until December 31 following the next succeeding general election. If the term does not then expire, his successor shall be elected at the next succeeding general election following the appointment and hold office for the remainder of the term. If a vacancy except by reason of expiration of term shall occur in such office less than ~~45~~ 60 days before the next succeeding general election, the governing body of the district shall fill the vacancy by appointment; and the supervisor shall hold office until the expiration of the term or until December 31 following the second succeeding general election, whichever is the shortest term, when his successors shall be elected and hold office for the remainder of the term.

Approved April 11, 1974.

CHAPTER 571—S.F.No.2576
[Coded in Part]

An act relating to planning, development, zoning; authorizing all counties to carry on planning, development and zoning activities; setting forth authorities in land and water use controls; amending Minnesota Statutes 1971, Sections 394.22, Subdivision 6 and by adding subdivisions; 394.23; 394.24, Subdivisions 1 and 2 and by adding a subdivision; 394.25, Subdivisions 1, 2, 3, 4, 7 and 8 and by adding subdivisions; 394.26, Subdivision 2 and by adding subdivisions; 394.27, Subdivisions 1, 2, 5 and 6 and by adding subdivisions; 394.29; 394.30, Subdivisions 1 and 3 and by adding subdivisions; 394.32, Subdivisions 2 and 3; 394.33; 394.35; 394.36, Subdivisions 1 and 2 and by adding a subdivision; 394.37, Subdivision 1; 375.51, Subdivisions 1, 2 and 3; 599.13; Chapter 394 by adding sections; repealing Minnesota Statutes 1971, Sections 394.06 to 394.15; 394.16, as amended; 394.17; 394.21, Subdivision 2; 394.22, Subdivision 5; 394.25, Subdivisions 5 and 6; 394.26, Subdivisions 1 and 3; 394.30, Subdivision 2; 394.31; 394.32, Subdivision 4; and 396.01 to 396.21.

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

Section 1. Minnesota Statutes 1971, Section 394.22, Subdivision 6, is amended to read:

Subd. 6. **COUNTIES; PLANNING, DEVELOPMENT AND ZONING.** "Official control" means legislatively defined and enacted policies, standards, precise detailed maps, and other criteria, all of which control the physical development of a municipality or a county or any part thereof or any detail thereof, and are the means of translating into ~~regulations and ordinances~~ all or any part of the general objectives of the comprehensive plan. Such official controls may include but are not limited to ordinances establishing zoning, subdivision control, ~~platting controls, site plan regulations, sanitary codes, building codes, housing codes~~, and the ~~adoption of detailed official maps.~~

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