

Approved March 25, 1976.

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**CHAPTER 88—S.F.No.1996**

*An act relating to counties; authorizing county boards to furnish board and certain other services to prisoners in county jails; amending Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6.*

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 387.20, Subdivision 6, is amended to read:

Subd. 6. **COUNTY JAILS; BOARD AND SERVICES.** The county board by resolution shall provide the budget for (1) the salaries of deputies, jailers, matrons, bailiffs, clerks and other employees in the office of the sheriff; (2) other expenses necessary in the performance of the duties of said office, including the reimbursement of the sheriff or his designee for necessary and reasonable expenses incurred in furnishing board, laundry and other services provided to prisoners in the county jail, provided that the county board may at its option provide for the furnishing of these services to the prisoners, and (3) the payment of premiums of any bonds or license fees required of the sheriff or any deputy or other employee in said office and the board is authorized to appropriate funds therefor and for the salary of the sheriff.

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

Approved March 25, 1976.

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**CHAPTER 89—S.F.No.2068**

[Not Coded]

*An act authorizing the conveyance by the state of a certain easement over certain lands in the county of Washington.*

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

Section 1. **CONVEYANCE OF STATE LANDS; FLOWAGE EASEMENT, FOREST LAKE SPAWNING AREA; WASHINGTON COUNTY.** The state of Minnesota, department of natural resources, is the owner of an easement over and upon the following described land situated in the county of Washington, state of Minnesota, to-wit:

That part of lots six (6) and seven (7) of block one (1) of

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

Hazzard's Second North Shore Terrace; lots one (1) through four (4) inclusive of block one (1), lots one (1) through seven (7) inclusive of block two (2), and lots one (1) and two (2) of block three (3) of Sargeant's North Shore Terrace, otherwise described as part of block two (2) of Hazzard's Second North Shore Terrace and part of the southwest quarter of the northeast quarter (SW 1/4 of NE 1/4), in section eleven (11), township thirty-two (32) north, range twenty-one (21) west.

The easement was obtained in connection with the construction of a dam at the outlet of a marsh lying in sections two, three, ten, eleven, township thirty-two, range twenty-one from which dam a crest was established at an elevation (project datum) of 101.8 feet based on the following described bench mark: B.M. elevation 103.25. Top of the north end of the 36 inch C.M. culvert at outlet of the spawning area located under the county road north of lot 13 Melquist's North Shore Addition.

The easement is for the following purposes:

(a) To grant a perpetual flowage easement and right and privilege to trespass with water over and upon any and all of the described lands.

(b) To remise, release, acquit and forever discharge the state of Minnesota, its division of game and fish, department of natural resources, and any and all of its officers and employees of and from any and all claims, demands or causes of action of any kind or nature, whatsoever, which may arise or accrue by virtue of any flowage or trespass with water within terms of the easement.

Sec. 2. The easement taken includes lands within elevations far in excess of the crest elevations described; attempts to subdivide the above described parcel have been frustrated by the existence and unlimited character of the easement; thus the easement has adversely affected the marketability of the described tract in its entirety.

Sec. 3. The state of Minnesota, by and through the department of natural resources, has by survey determined the precise portion of the above described parcel over and upon which the flowage easement must be retained.

Sec. 4. The governor, upon recommendation of the commissioner of administration, by quit claim deed, in such form as the attorney general approves, in the name of the state, and for the consideration of \$1 shall transfer and convey to Howard E. Sargeant and Sophie M. Sargeant, husband and wife, all of the state's rights obtained by and through the easement to that portion of the described parcel designated by the aforementioned survey, being in the county of Washington and state of Minnesota, described as follows, to-wit:

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That part of lots six (6) and seven (7) of block one (1) of Hazzard's Second North Shore Terrace; lots one (1) through four (4) inclusive of block one (1), lots one (1) through seven (7) inclusive of block two (2), and lots one (1) and two (2) of block three (3) of Sargeant's North Shore Terrace, otherwise described as part of block two (2) of Hazzard's Second North Shore Terrace and part of the southwest quarter of the northeast quarter (SW 1/4 of NE 1/4), in section eleven (11), township thirty-two (32) north, range twenty-one (21) west, Washington County, Minnesota, lying above the 904.6 foot contour sea level datum, 1929 adjustment.

Sec. 5. This act is effective the day following its final enactment.

Approved March 25, 1976.

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#### CHAPTER 90—S.F.No.2152

*An act relating to anatomical gifts; eye enucleation; authorizing eye enucleation upon pronouncement of death by a physician; amending Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6.*

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 525.924, Subdivision 6, is amended to read:

Subd. 6. **ANATOMICAL GIFTS; EYE ENUCLEATION.** In respect to a gift of an eye, a person licensed to practice mortuary science under chapter 149, or any other person who has completed a course in eye enucleation conducted and certified by the department of ophthalmology of any accredited college of medicine, and holds a valid certificate of competence for completing the course, may enucleate eyes for a gift after ~~certification—pronouncement~~ of death by a physician. A written release authorizing the enucleation must be obtained prior to the performance of the procedure. The release shall be obtained from a relative or other person in the order of priority stated in section 525.922, subdivision 2. A mortician or other person acting in accordance with the provisions of this subdivision shall not have any liability, civil or criminal, for the eye enucleation.

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

Approved March 25, 1976.

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