

for security of network facilities and restrictions on access to data supplied to and received through the network .

Sec. 3. Minnesota Statutes 1976, Chapter 299C, is amended by adding a section to read:

[299C.49] GRANT REVIEW. The commissioner of public safety, after consultation with representatives of criminal justice agencies, shall review all grant requests for federal and state funds from the governor's commission on crime prevention and control or its successor for criminal justice information systems and recommend action to the commission.

Sec. 4. [299C.50] TRANSFER OF FUNCTIONS. The commissioner of public safety shall perform all duties in respect to the state's criminal justice information system which were transferred from the commissioner of finance and the governor's commission on crime prevention and control by executive order of the governor; provided, that a transfer shall not occur if the state is informed by a federal agency that the transfer will result in the loss of federal moneys to which the state would otherwise be entitled pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as amended by the Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93-415, and the Crime Control Act of 1976, Public Law 94-503.

Sec. 5. REPEALER. Minnesota Statutes 1976, Section 299C.45, is repealed.

Sec. 6. EFFECTIVE DATE. This act is effective July 1, 1977.

Approved June 2, 1977.

CHAPTER 425—H.F.No.937

[Not Coded]

An act relating to Ramsey county; deleting obsolete provisions in the Ramsey county code relating to parks and recreation; amending Laws 1974, Chapter 435, Section 1.0205.

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

Section 1. Laws 1974, Chapter 435, Section 1.0205, is amended to read:

Sec. 1.0205. **RAMSEY COUNTY; PARKS AND RECREATION.** ~~(*)~~ Subdivision 1. PARKS AND OPEN SPACE SYSTEM. ~~(+)~~ (a) COUNTY PARK AND OPEN SPACE SYSTEM. ~~(A)~~ (1) ACQUISITION, ESTABLISHMENT AND MAINTENANCE. Ramsey county may acquire real and personal property within or without the county by purchase, lease, gift, condemnation, option, contract or otherwise including any estate, interest, easement or right, and subject to any estate, interest, easement or right. The county shall hold, improve, maintain, supervise, control and operate the property so acquired for park, open space or recreational purposes.

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~~(B)~~ (2) **EXISTING AREAS.** All areas that Ramsey county has acquired under any other law for public park and open space purposes, public access to waters or recreational purposes are subject to this ~~subsection~~ subdivision.

~~(C)~~ (3) **FOREST RESERVES.** The county may acquire lands for conversion into forest reserves and for the conservation of natural resources of the state, including streams, lakes, submerged lands, and swamp lands, and to these ends may create parks, parkways, forests and other reservations, and develop and improve, protect and promote the use of this land in a manner conducive to the general welfare.

~~(D)~~ (4) **PUBLIC USE FACILITIES, ACCOMMODATIONS AND SERVICES, PUBLIC OR PRIVATE OPERATION.** The county may provide for the construction, installation, maintenance, and operation of suitable facilities, accommodations and services in the park and open space system for public use for the purposes of this ~~subsection~~ subdivision or may authorize private persons or corporations to do so. The county may not acquire a right, title or interest in or to real property or develop real property pursuant to this ~~subsection~~ subdivision without the approval of the governing body of the municipality in which the property is located; provided further that no such property situated in any other county shall be acquired without the approval by resolution of the county board thereof.

~~(E)~~ (5) **SURVEYS AND PLANS.** The county may provide for surveys to determine the needs of the park and open space system and the location and suitability of areas available therefor, for general plans for the park and open space system and for plans for the improvement of any park or the construction or installation of facilities, accommodations or services for public use therein.

~~(F)~~ (6) **SALE OR DISPOSAL OF SURPLUS TRACTS.** The county may sell, lease or otherwise dispose of property acquired under or subject to the provisions of this ~~subsection~~ subdivision upon such terms as it considers best in the public interest, but the use of real property so disposed of must remain consistent with the purposes of this ~~subsection~~ subdivision.

~~(G)~~ (7) **COOPERATION WITH OTHER AGENCIES.** Ramsey county shall cooperate with a public or municipal corporation, governmental body, or with a private or public organization engaged in conservation, recreational activities, pollution, sanitation, mosquito abatement or a constructive purpose consistent with the county park and open space system.

~~(2)~~ (b) **FINANCING.** ~~(A)~~ (1) **FEEES.** The county may fix, alter, charge and collect fees for the use of the facilities of the park and open space system or for facilities, accommodations or services provided for public use therein.

~~(B)~~ (2) **CONTRIBUTIONS FROM OTHER DEPARTMENTAL SUBDIVISIONS.** A city, ~~village~~, town or school district inside or outside Ramsey county or another county may make contributions of funds to Ramsey county for the purposes of this ~~subsection~~ subdivision with respect to a county park or other unit of the park and open space system. These contributions may be made out of the general funds of the

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contributing government subdivision or out of funds raised or designated for park and open space purposes or out of funds raised expressly for the purpose of these contributions. The governing body of a government subdivision making such a contribution may specify the particular purpose for which it is to be used, and these contributions shall be paid into the general fund of Ramsey county and used for the purposes herein authorized.

~~(C)~~ **(3) GIFTS, GRANTS AND LOANS.** The county may accept a gift, grant, or loan of money or other property from the United States, the state, or any other source for any purpose under this ~~subsection~~ subdivision, enter into an agreement required in connection therewith, and may hold, use, and dispose of this money or property for the purposes of this ~~subsection~~ subdivision in accordance with the terms and conditions of the gift, grant, loan or agreement relating thereto.

~~(D)~~ **(4) BONDS.** The county may borrow not more than \$15,000,000 for the purposes of this ~~subsection~~ subdivision. The county may issue and sell bonds from time to time without submitting the question of their issuance to a vote of the people. The payment of these bonds shall be secured by pledging the full faith and credit of Ramsey county. The county shall prescribe the form of these bonds and their interest rate and shall sell them to the highest bidder after publication of the notice of the time and place for receiving of bids. These bonds shall be issued to mature serially, the first installment of which shall become due and payable in not more than three years and the last of which shall become due and payable in not more than 30 years from their date. In all other particulars, the applicable provisions of Minnesota Statutes, Chapter 475, shall control these bonds and their issuance and payment. The proceeds from the sale of these bonds shall be disbursed in the same manner as other county funds for the purposes specifically expressed in this ~~subsection~~ subdivision.

~~(E)~~ **The county may in the interest of public safety expend road and bridge funds for the construction and maintenance of bicycle paths on road rights of way under county jurisdiction.**

~~(3)~~ **(c) ORDINANCES; ENACTMENT.** The county may enact the ordinances relating to the county park and open space system and recreational areas. The county may regulate, by ordinance, the use of any park, open space, or recreational area subject to the provisions of this ~~subsection~~ subdivision, including waters and public lakeshore within the system and not more than 300 feet of the waterfront immediately abutting this lakeshore.

~~(4)~~ **(A)** ~~The county may appoint the employees that it considers necessary for the proper administration of the park and open space system. The Ramsey county civil service law, rules and regulations shall govern the employment of these employees.~~

~~(B)~~ **(d) POLICE POWER.** The county may designate employees as police officers within the park and open space system to exercise police power within the system under the jurisdiction and control of the board. The county may contract with municipalities for the policing of park and open space properties.

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(5) (e) **COUNTY PARK COMMISSION.** The county may create a county park and open space commission with such provisions for membership, terms of office and other requirements that the board may prescribe, and may delegate to this commission authority to exercise any of the powers conferred on the county by this section, except the power to acquire or dispose of real property, to levy taxes, and to appropriate and borrow money. The commission may make recommendations to the county board concerning matters relating to the county park and open space system.

(6) (f) **NEGATIVE REFERENDUM.** A resolution of the county board pursuant to this ~~subsection~~ subdivision shall not be effective until 45 days from the date of publication; however, if a petition asking for an election on the proposition signed by voters equal to five percent of the number of voters at the last regular election is filed with the county auditor within 30 days following publication of the resolution, the resolution shall not be effective until it has been approved by a majority of the votes cast on the question at a regular or special election.

~~(b)~~ Subd. 2. **PARK AND RECREATIONAL AREAS.** ~~(+)~~ (a) **ACQUISITION.** Ramsey county may acquire by gift, purchase, or condemnation, and may improve and maintain public parks, bathing beaches and other recreational areas.

~~(2)~~ (b) **RULES, VIOLATIONS.** The county may by ordinance provide for the use, government and protection of these public parks, bathing beaches and other recreational areas.

~~(e)~~ Subd. 3. **NAVIGABLE LAKES; IMPROVEMENT AND RECREATION GROUNDS.** ~~(+)~~ (a) Ramsey county may appropriate and expend moneys for the *improvement of navigable lakes lying wholly or partly inside the county.*

~~(2)~~ (b) Ramsey county may acquire land inside the county by gift, lease, purchase or condemnation, in the vicinity of a lake of this kind, for a public recreational purpose, and may acquire, improve, equip and maintain these recreational grounds.

~~(4)~~ Subd. 4. **SOIL AND WATER CONSERVATION.** Notwithstanding the provisions of Minnesota Statutes, Section 375.19, Ramsey county may make annual expenditures from its general revenue fund for soil and water conservation purposes in an amount to be determined by the county board.

~~(e)~~ Subd. 5. **WHITE BEAR AND GOOSE LAKES.** ~~(+)~~ (a) **PUBLIC WATERS.** White Bear Lake, in the counties of Ramsey and Washington and Goose Lake, in the county of Ramsey, adjacent to White Bear Lake, are declared to be public waters of the state of Minnesota, and shall forever remain free and open for the common and public use of all citizens of this state.

~~(2)~~ (b) **LEVEL OF LAKES.** The waters of these lakes shall never be lowered or diminished by any artificial means, nor shall they or any of them ever be connected with, used, or applied to a use or purpose, public or private, by a person, persons, or corporation public or private.

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(~~f~~) Subd. 6. FISH HATCHERIES. (~~+~~) (a) AUTHORITY. In Ramsey county the county may locate, equip, develop, and maintain, inside the county, a fish hatchery for the propagation and cultivation of fish to be known as the county fish hatchery of Ramsey county.

(~~2~~) (b) LAND FOR FISH HATCHERY. The county of Ramsey may acquire by gift, lease, purchase, or condemnation in the name and on behalf of the county, real property, lands, premises, right of way, or easement, public or private, to establish and equip and develop a fish hatchery and grounds and to receive and conduct to and from the hatchery waters necessary or desirable for the use of the hatchery, in the manner that the county considers fit; if the owner of any real property, land, or premises and the county cannot agree as to the value of the premises taken or so to be taken for this use, the value thereof and the price to be paid therefor shall be determined by the appraisal of three competent disinterested persons, residents of the county commissioned to ascertain the amount to be paid by the county to the owner, the appraisers to be appointed on application of the county by the district court under chapter 117, so far as reasonably applicable, which shall apply to and govern the proceedings.

(~~3~~) (c) MANAGEMENT AND CONTROL. The county of Ramsey has full management and control of the fish hatchery and may hire the help that is necessary to establish and care for the fish hatchery.

(~~4~~) (d) To carry out the provisions of this subsection the county may make an annual appropriation of not more than \$5,000.

(~~g~~) Subd. 7. ARTIFICIAL ICE ARENAS AND GOLF COURSE. (~~+~~) (a) AUTHORIZATION. Ramsey county may acquire from any source, including but not limited to public agencies, by purchase, gift, lease or condemnation, sites for nine artificial ice arenas and a golf course to construct recreational facilities, to be maintained and operated by the county, and may construct these facilities.

(~~2~~) (b) BONDS, ISSUANCE BY COUNTY. The county may borrow a sum not to exceed \$3,000,000, or so much thereof as the county considers necessary, to defray the cost and expenses to acquire land to erect and equip these recreational facilities. Ramsey county may issue and sell from time to time, and without submitting the question of the issuance of the bonds to a vote of the people, the bonds of Ramsey county in the sum of \$3,000,000, or the part thereof that the county considers necessary, the proceeds of the sale of the bonds to be used for the purposes specified herein, and to secure the payment of these bonds by pledging the full faith and credit of the county therefor. These bonds shall be in such form and bear interest at the rate that the county prescribes and shall be sold by the county to the highest bidder therefor, after notice of the time and place for the receiving of the bids has been published according to law. These bonds shall be issued to mature serially, the first installment of which shall become due and payable in not more than three years and the last of which shall become due and payable in not more than 30 years from their date. The proceeds received from the sale of these bonds shall be deposited by the county in a fund to be designated as recreation facility fund, and the moneys shall be disbursed therefrom in the same manner as other funds the county has disbursed, but only for the purposes herein expressed, and according to such other

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procedural requirements in reference thereto as are set out specifically in this ~~subsection~~ subdivision.

(3) (c) **ADDITIONAL BONDING AUTHORIZATION.** In addition to and not in substitution for any other powers granted to Ramsey county by the above paragraph, Ramsey county may issue in one or more series general obligation bonds of the county in a total aggregate amount not to exceed \$750,000 for the acquisition, construction and equipping of the recreation facilities authorized to be acquired, constructed and equipped under this ~~subsection~~ subdivision. This additional sum shall be spent to buy the golf course, and a balance remaining thereafter of the additional sum may be used to construct and equip the artificial ice arenas. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds and shall provide for the issuance and sale and for the security of the bonds in the manner provided in Minnesota Statutes, Chapter 475, except that no election shall be required and the bonds shall not be included in computing the net debt of the county under any law or amount.

(4) (d) **FURTHER ADDITIONAL BONDING.** In addition to and not in substitution for any other powers granted to the county of Ramsey by laws heretofore enacted, the county of Ramsey may issue in one or more series general obligation bonds of the county in a total aggregate amount not to exceed \$715,000, for the acquisition, construction and equipping of any and all of the recreation facilities authorized to be acquired, constructed and equipped under this ~~subsection~~ subdivision, as amended. This additional sum shall be used to construct and equip the artificial ice arenas. The board shall pledge its full faith and credit and taxing powers for the payment of such bonds and shall provide for the issuance and sale and for the security of such bonds in the manner provided in Minnesota Statutes, Chapter 475, except that no election shall be required and such bonds shall not be included in computing the net debt of the county under any law; and taxes required to be levied for the payment of such bonds shall not be subject to any limitation of rate or amount.

(5) (e) **LOCATION OF ARENAS.** Seven of the artificial ice arenas shall be constructed inside the city of Saint Paul, one or more of which shall be inside the boundaries of each legislative district inside the city, and two of the artificial ice arenas shall be constructed outside the city of Saint Paul inside the county of Ramsey, one of which shall be located in each of the legislative districts outside the city of Saint Paul. The golf course shall be located inside the city of White Bear Lake and inside the county of Ramsey.

(6) (f) **OPERATION.** Ramsey county shall prescribe rules and regulations relating to the use, operation, maintenance and control of the arena facilities and golf course. It shall prescribe fees for the use of the facilities and charges for services performed in connection therewith which shall be reasonable and proper. It shall extend the use of the facilities free of charge to teams and groups that it authorizes and sanctions. Ramsey county shall maintain and operate the arenas and golf course in the manner that will best provide for the equitable and fair use of the facilities by the public, schools and other agencies of the county.

(7) (g) **EMPLOYEES.** Ramsey county may employ the employees that in its

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opinion are necessary and proper to the efficient and effective functioning of the arenas and golf course and activities. These employees are subject to the laws relating to the civil service of the county and their compensation is in accordance with the rules provided for the civil service of the county.

(8) (h) **SPECIAL FUND.** Any income accruing to the county from the operation of the ice arenas and golf course shall be placed in the county treasury and credited to a special fund known as the public ice arena-golf course account.

~~(9) A resolution of the county board pursuant to paragraphs (1), (3) and (5) of this subsection shall not be effective until it has been approved by a majority of the votes cast on the question at a regular or special election if a petition asking for an election on the proposition signed by voters equal to five percent of the number of voters at the last regular election is filed with the county auditor within 30 days following publication of the resolution.~~

~~(A) Subd. 8. ALDRICH ARENA. (A) (a) SITE. (A) (1)~~ Ramsey county may acquire in the name of the county by purchase, lease or condemnation a site for the purpose of erecting thereon a recreational building.

~~(B) (2)~~ The county may allocate to this purpose any real estate which it presently controls and which is not needed or necessary for other county purposes.

(2) (b) **CONSTRUCTION AND OPERATION.** Ramsey county may construct, equip, operate and maintain a building suitable for use as a sports and recreational arena providing for the facilities necessary in its opinion to accommodate the public and educational interest in sports and recreation.

~~(3) (c) RULES.~~ The county shall prescribe rules and regulations relating to the use, operation, maintenance and control of the arena facility erected by the county pursuant to this subsection subdivision. It shall prescribe fees for the use of the facilities and charges for services performed in connection therewith which shall be reasonable and proper. The county shall maintain and operate the arena facility in the manner that will best provide for the equitable and fair use of the facilities by the public, school districts and other agencies of the county.

~~(4) The county may employ the employees that in its opinion are necessary and proper to the efficient and effective functioning of the building and activities conducted therein. These employees are subject to the laws relating to the civil service of the county, and their compensation is in accordance with the rules providing for the civil service of the county.~~

(5) (d) **SPECIAL FUND.** Income accruing to the county from the operation of the arena facility shall be placed in the county treasury, and credited to a special fund known as the recreation arena account.

~~(6) (e) NAME.~~ The recreation arena erected, operated and maintained under the provisions of this subsection subdivision shall be known as the Aldrich recreation arena;

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and a suitable plaque shall be placed at a conspicuous place within the building commemorating the services and devotion to public duty displayed by Mr. Eugene E. Aldrich while serving as director of athletics for the Saint Paul public high schools for the people of Ramsey county.

Sec. 2. Laws 1974, Chapter 395, is repealed.

Sec. 3. **EFFECTIVE DATE.** This act is effective upon approval by the board of commissioners of Ramsey county and upon compliance with Minnesota Statutes, Section 645.021.

Approved June 2, 1977.

CHAPTER 426—S.F.No.73

[Coded]

An act relating to weather modification; prescribing powers and duties for the commissioner of agriculture; providing for weather modification research; requiring the obtaining of licenses and permits prior to engaging in weather modification; prohibiting the use of cloud seeding apparatus located on the ground; prescribing penalties; appropriating money.

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

Section 1. **[42.01] WEATHER MODIFICATION; POLICY.** The legislature finds that it is necessary for the state to regulate weather modification to protect its citizens, but nothing in this act shall be construed to encourage or promote weather modification.

Sec. 2. **[42.02] DEFINITIONS.** Subdivision 1. For the purposes of sections 1 to 15, the terms defined in this section have the meanings given them.

Subd. 2. "Weather modification" means any activity performed in connection with placing or attempting to place any substance in the atmosphere or clouds within the atmosphere, including fog, with the intention of and for the purpose of producing artificial changes in the composition, motions, and resulting behavior of the atmosphere or clouds within the atmosphere, including fog.

Subd. 3. "Person" means any person, firm, association, organization, partnership, company, corporation, private or public, county, city, trust or other public agency.

Subd. 4. "Operation" means the performance of weather modification activities entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding one year.

Subd. 5. "Commissioner" means the commissioner of agriculture.

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