

The provisions of this compact and of any supplementary agreement entered into hereunder shall be severable and if any phrase, clause, sentence or provision of this compact or such supplementary agreement is declared to be contrary to the constitution of any compacting state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this compact or such supplementary agreement and the applicability thereof to any government, agency, person or circumstance shall not be affected thereby. If this compact or any supplementary agreement entered into hereunder shall be held contrary to the constitution of any compacting state, the compact or such supplementary agreement shall remain in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters. The provisions of this compact and of any supplementary agreement entered into pursuant hereto shall be liberally construed to effectuate the purposes thereof.

Sec. 2. [121.844] MEMBERS OF THE BOARD. Subdivision 1. **APPOINTMENT.** Legislative members of the midwestern education board established in article III of the Midwestern Education Compact are appointed as follows: one member of the house of representatives appointed by the speaker of the house for a term coinciding with the term of office of the member; one member of the senate appointed by the subcommittee on committees of the rules and administration committee for a two year term. Two citizen members, one of whom shall be from the field of education, shall be appointed by the governor with the advice and consent of the senate for a term which coincides with the term of the appointing governor. Members appointed from the legislature and members appointed by the governor serve until their successors are appointed and qualified.

Subd. 2. **VACANCIES.** Vacancies are filled by the appointing power. If the legislature is not in session, vacancies in the office of legislative members are filled as follows: A vacancy in the office held by a house member is filled by the last speaker of the house, or if he be not available, by the last chairman of the house rules committee; a vacancy in the office held by a senate member is filled by the last senate subcommittee on committees of the rules and administration committee or other appointing authority designated by the senate rules in case of a senate vacancy.

Sec. 3. [121.845] FILING OF BYLAWS AND AMENDMENTS. The midwestern education board shall file a copy of its bylaws and any amendment thereto with the secretary of state.

Approved March 28, 1978.

CHAPTER 719-S.F.No.1891

[Coded]

An act relating to taxation; property tax; exempting certain cities containing utility plants from per capita levy limitations; amending Minnesota Statutes 1976, Section 275.11, by adding a subdivision.

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

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

Section 1. Minnesota Statutes 1976, Section 275.11, is amended by adding a subdivision to read:

Subd. 4. A city which has a major electric generating facility within its borders, which is designed for operation at a capacity of 500 megawatts or more and is capable of producing electrical energy for the purpose of transmission and distribution to a consumer, shall be exempt from the per capita levy limits set by section 275.11.

Sec. 2. **EFFECTIVE DATE.** This act is effective for taxes levied in 1978 and thereafter, payable in 1979 and thereafter.

Approved March 28, 1978.

CHAPTER 720-H.F.No.1859

[Coded in Part]

An act relating to retirement; providing for an exclusion from public pension coverage for those persons covered by certain federal public service employment programs in compliance with federal regulations; establishment of reserve accounts for certain provisional members; increasing highway patrol officers survivor benefits; providing a post-retirement adjustment for certain former probate judges; authorizing purchase of prior service credit by certain tax court judges; appropriating money; amending Minnesota Statutes 1976, Sections 69.29; 136.80, Subdivision 1; 352B.01, Subdivision 2; 352B.11, Subdivision 2; 353.64, by adding a subdivision; 354A.10; 423.23; 423.372; 423.43; 423.801, Subdivision 2; 424.03; Chapter 356, by adding sections; Chapter 490, by adding a section; and Laws 1969, Chapter 950, Section 1; Minnesota Statutes, 1977 Supplement, Sections 352.01, Subdivision 2B; 353.01, Subdivision 2b; 354.05, Subdivision 2; and 422A.09, Subdivision 3.

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

Section 1. Minnesota Statutes 1976, Section 69.29, is amended to read:

69.29 **EXCLUSION FROM MEMBERSHIP.** Each firemen's relief association may exclude all applicants for membership who are not physically and mentally sound so as to prevent unwarranted risks for the association. Additional requirements for entrance fees and annual dues for membership in the association may from time to time be prescribed in the bylaws of the association. Each firemen's relief association may exclude from active membership all members who reach 65 years of age regardless of the provisions of sections 197.45 to 197.48. When such members who have reached 65 years of age have been so excluded from active membership in the relief association, they shall be retired and receive a service pension as provided in this chapter.

The St. Paul and Duluth firefighters relief associations shall exclude and the Minneapolis firefighters relief association shall exclude or shall consider as a provisional

Changes or additions indicated by underline deletions by strikeout