

Sec. 30. Minnesota Statutes 1978, Section 219.97, Subdivision 7, is amended to read:

Subd. 7. Any company failing to comply with any of the provisions of ~~sections 219.84 and~~ section 219.85 shall forfeit to the state for each such violation not less than \$500 nor more than \$1,000; and each period of 30 days that any such failure shall continue shall be deemed to constitute a separate offense.

Sec. 31. Minnesota Statutes 1978, Chapter 239, is amended by adding a section to read:

**[239.081] INSPECTING TRACK SCALES.** The department shall supervise and inspect all track scales, and may direct any carrier to transport, move, and switch to any track scale free of charge any car used in the inspection and testing of scales. The department shall require the installation and maintenance of track scales at terminals, warehouses, and at other points in the state where scales are deemed necessary. The department shall prescribe reasonable regulations for the weighing of railroad cars and of freight. Rules of the department promulgated under chapter 218 and in effect on January 1, 1976, which pertain to installation or inspection of track scales or the weighing of railroad cars and freight shall continue in effect until amended or repealed by the department.

Sec. 32. **REPEALER.** Minnesota Statutes 1978, Sections 219.02; 219.03; 219.04; 219.05; 219.07; 219.11; 219.12; 219.25; 219.43; 219.58; 219.59; 219.60; 219.61; 219.62; 219.63; 219.65; 219.66; 219.67; 219.84; 219.86; 219.87; 219.89; 219.90; 219.91; 219.94; 219.95; 219.96; 219.97, Subdivisions 1, 2, 3, 8, 9, 11, 14, 15 and 16; 222.38; 222.39; 222.40; 222.41; 222.42; 222.43; 222.44; 222.45; 229.01; 229.02; 229.03; 229.04; 229.05; 229.06; 229.07; 229.08; 229.10; 229.11; 229.12; 229.13; 229.14; 229.15; 229.16; 229.17; 229.18; 229.19; 229.20; and 452.14, are repealed.

Sec. 33. **EFFECTIVE DATE.** This act is effective the day following its final enactment.

Approved April 3, 1980

## CHAPTER 461—S.F.No. 1611

*An act relating to local government; establishing the Moorhead-Clay County area redevelopment authority; terminating the existence of the Moorhead local redevelopment agency and the Clay County local redevelopment agency; granting certain powers to the city of Moorhead and the county of Clay.*

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

Section 1. **ESTABLISHMENT OF AUTHORITY.** The Moorhead-Clay County area redevelopment agency, heretofore established and operating as a joint board under Minnesota Statutes, Chapter 472, is declared to be a public

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corporation and political subdivision of the state with perpetual succession and all rights, powers, privileges, immunities, and duties which may be validly granted to or imposed upon a municipal corporation, as provided in this act, and shall be known hereafter as the Moorhead-Clay County area redevelopment authority. The passage of this act shall not affect the title or interest of the authority in or to any real or personal property, contract or obligation, and shall not impair the effectiveness of any action taken heretofore by the board or any employee or agent of the authority.

**Sec. 2. GENERAL POWERS OF THE AUTHORITY.** Minnesota Statutes, Sections 472.01 to 472.16, with all the powers and duties therein granted, apply to the Moorhead-Clay County area redevelopment authority, except as hereinafter provided.

**Sec. 3. POWERS OF EMINENT DOMAIN.** In addition to the powers granted in Minnesota Statutes, Sections 472.01 to 472.16, the Moorhead-Clay County area redevelopment authority may acquire real and personal property which it deems necessary for its purposes under this act by exercise of the power of eminent domain, as provided by Minnesota Statutes, Chapter 117, without regard to the procedural requirements of Minnesota Statutes, Section 472.08, Subdivision 1.

**Sec. 4. STATUS AS REDEVELOPMENT AGENCY.** The Moorhead-Clay County area redevelopment authority is declared to be a "redevelopment agency," as that term is defined in Minnesota Statutes, Chapter 474, with all the powers and duties which that designation entails under Minnesota Statutes, Chapter 474.

**Sec. 5. TRANSFER OF REAL PROPERTY.** Notwithstanding the provisions of any other law or of any city charter, the city of Moorhead and Clay County, separately or jointly, may transfer, with or without consideration and upon the terms and conditions their respective governing bodies may determine, any interest in real property, including fee title, to the Moorhead-Clay County area redevelopment authority. Any transfer shall be authorized by a resolution which shall contain among its provisions the following: (a) a general description and a legal description of the property; (b) a finding by the appropriate governing body that the real property involved is a "redevelopment area" as that term is defined in Minnesota Statutes, Section 472.03, Subdivision 7; (c) a statement as to the consideration, if any, to be received at the time of transfer; and (d) any other information deemed appropriate by the governing body. Any conveyance or transfer of real property pursuant to this section shall be by quitclaim deed.

**Sec. 6. CONTRIBUTIONS; CONTRACTS FOR SERVICE.** Notwithstanding the provisions of any other law or of any city charter, the city of Moorhead and Clay County, separately or jointly, may make grants and loans of money, services or personal property to the Moorhead-Clay County area redevelopment authority, and the Moorhead-Clay County area redevelopment authority may receive the grants and loans, on the terms and conditions the respective governing bodies of the city and county deem appropriate. Notwithstanding the provisions of any other law or of any city charter, the city of Moorhead and Clay

County, separately or jointly, may lease, sell or otherwise provide to the Moorhead-Clay County area redevelopment authority any services or personal property, on terms and conditions the respective governing bodies of the city and county, deem appropriate. The provisions of Minnesota Statutes, Chapter 475, shall not apply to loans, sales contracts or leases made pursuant to this section.

**Sec. 7. GIFTS, GRANTS AND LOANS.** Notwithstanding any contrary provision of law, the Moorhead-Clay County area redevelopment authority may accept gifts of money, property or services, may apply for and accept grants or loans of money or other property from the United States, the state, any subdivision of the state, or any person for any of its purposes, may enter into any agreement required in connection therewith, and may hold, use, and dispose of the money, property, or services in accordance with the terms of the gift, grant, loan or agreement relating thereto. Any loan accepted by the Moorhead-Clay County area redevelopment authority under this section may be secured by mortgages or other security interests upon property held by or to be held by the Moorhead-Clay County area redevelopment authority or by pledge of all or any part of the revenues of the Moorhead-Clay County area redevelopment authority, including any grants or gifts.

**Sec. 8. ISSUANCE OF BONDS.** Bonds issued by the Moorhead-Clay County area redevelopment authority under Minnesota Statutes, Chapter 472, may be sold at a price equal to the percentage of the par value thereof, plus interest, and bearing interest at the rate or rates, without limitation, as the board may determine, notwithstanding contrary provisions contained in Minnesota Statutes, Section 472.09, Subdivision 6. The bonds are securities in which all public officers and bodies of the state, its agencies and political subdivisions, all banks, all insurance companies and associations, and all savings banks and institutions, including savings and loan associations, may properly and legally invest funds within their control, notwithstanding the contrary provisions contained in Minnesota Statutes, Section 472.09, Subdivision 7.

**Sec. 9. CONSENT OF CITY.** The powers granted by this act to the Moorhead-Clay County area redevelopment authority shall not be effective within the corporate boundaries of any statutory or home rule charter city except the city of Moorhead unless the city council of the city has given its consent to the exercise of powers.

**Sec. 10. CONFLICT OF INTEREST.** No commissioner or employee of the Moorhead-Clay County area redevelopment authority may have or acquire any interest, direct or indirect, in any redevelopment project or property included or planned to be included in any redevelopment project, or any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used in connection with any redevelopment project, except that:

(a) A commissioner or employee may have or acquire an interest, direct or indirect, in a contract for materials to be provided or services to be performed in connection with the improvement of any land previously owned by the authority, if (1) the contract is entered into subsequent to the time that the authority has transferred title to the land to a developer or expected user of land; (2) disclosure

of the contract is made to the authority in writing when the contract is entered; and (3) the disclosure is entered upon the minutes of the authority;

(b) No contract between the authority and the Greater Moorhead Development Corporation for the sale, lease or development of any land owned by the authority shall be in violation of this section. Any commissioner or employee of the authority who has any interest, direct or indirect, in the Greater Moorhead Development Corporation shall disclose the interest to the authority in writing and the disclosure shall be entered upon the minutes of the authority. A commissioner with an interest shall abstain from the discussion, consideration and vote on the sale, lease or contract for development. An employee with an interest shall refrain from discussion or consideration of or making any recommendation with respect to the sale, lease or contract for development.

Violation of this section shall not impair the validity of any bonds or the underlying security therefor.

**Sec. 11. EXISTING AREA REDEVELOPMENT AGENCIES.** On July 1, 1980, or an earlier date as the board of the Moorhead-Clay County area redevelopment authority shall determine, the corporate existence of the city of Moorhead local redevelopment agency and the Clay County local redevelopment agency, heretofore established under Minnesota Statutes, Chapter 472, shall terminate. On July 1, 1980, or the earlier date, all funds of the redevelopment agencies then on hand shall be transferred to or made payable to the Moorhead-Clay County area redevelopment authority. On July 1, 1980, or the earlier date, the Moorhead-Clay County area redevelopment authority shall succeed to and become vested with all right, title and interest in and to any property real or personal, owned or operated by the local redevelopment agencies. Prior to that date the proper officers of the local redevelopment agencies shall execute and deliver to the Moorhead-Clay County area redevelopment authority all deeds, conveyances, bills of sale, and other documents or instruments required to vest in the board good and marketable title to all the real or personal property, but this act shall operate as transfer and conveyance to the board of the real or personal property, if not so transferred, as may be required under the law or under the circumstances. On July 1, 1980, or the earlier date, the Moorhead-Clay County area redevelopment authority shall become obliged to pay or assume all outstanding contracts or obligations incurred by the local redevelopment agencies.

**Sec. 12. MEMBERSHIP OF BOARD OF COMMISSIONERS.** The Moorhead-Clay County area redevelopment authority shall be governed by a board of seven commissioners, two of which may be elected public officials. The present commissioners of the Moorhead-Clay County area redevelopment agency are confirmed in their offices for the terms for which they were respectively originally appointed and until the expiration dates that the board determines by resolution for the purpose of staggering the terms of the present commissioners. Future appointments to the board, whether occasioned by a vacancy or the expiration of a term, shall be made as follows:

(a) The city council of the city of Moorhead shall appoint three commissioners. The commissioners to be hereafter appointed by the city council of the

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city of Moorhead are for the positions now held by the persons originally appointed to the board by the city council of the city of Moorhead.

(b) The board of Clay County commissioners shall appoint four commissioners. The commissioners to be hereafter appointed by the board of Clay County commissioners are for the positions now held by the persons originally appointed to the board by the board of Clay County commissioners and the person originally appointed to the board by the governor of the state of Minnesota.

(c) All future appointments shall be for a term of five years unless made for the unexpired portion of an existing term. All commissioners shall be residents of Clay County. Determination of a vacancy in the office of a commissioner shall be made under Minnesota Statutes, Section 351.02. A commissioner appointed by the city council of the city of Moorhead may be removed by the unanimous vote of the city council of the city of Moorhead, with or without cause. A commissioner appointed other than by the city council of the city of Moorhead may be removed by the unanimous vote of the board of commissioners of Clay County, with or without cause.

**Sec. 13. COMMISSIONERS' COMPENSATION.** Each commissioner, including the chairman, may be paid for attending meetings of the board, or any meetings designated by the board for attendance by board members. No commissioner shall be entitled to be paid for attending meetings of the board until a resolution has been passed by the board authorizing the payments and detailing the rates, terms and conditions of the payment and until that resolution has been approved by the city council of the city of Moorhead and the board of Clay County commissioners. In addition to the payment for attendance at meetings of the board, each commissioner shall be entitled to receive reimbursement for necessary expenses, including travel expenses, incurred in the performance of activities authorized by the board, but only upon the submission of reimbursement requests in a written form satisfactory to the board.

**Sec. 14. EXEMPTION OF PROPERTY.** Notwithstanding any contrary provision of law, any real or personal property acquired, owned, leased, controlled, used or occupied by the Moorhead-Clay County area redevelopment authority for any of its purposes is declared to be acquired, owned, leased, controlled, used and occupied for public, governmental, and municipal purposes, and shall be exempt from taxation by the state or any political subdivision of the state, subject however to the requirements of Minnesota Statutes, Section 272.01, Subdivision 2. The properties are subject to special assessments levied by a political subdivision for a local improvement in amounts proportionate to and not exceeding the special benefit received by the properties from the improvement.

**Sec. 15. FOREIGN TRADE ZONE POWERS.** The board may apply to the board defined in 19 U.S.C., Section 81a, for authorization to exercise the powers provided for in 19 U.S.C., Sections 81a to 81u, and may upon receiving authorization exercise those powers.

Sec. 16. **LOCAL APPROVAL.** This act is effective upon its approval by the city council of the city of Moorhead and the board of county commissioners of Clay County and compliance with Minnesota Statutes, Section 645.021.

Approved April 3, 1980

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## CHAPTER 462—S.F.No. 1619

*An act relating to public administration; providing for paratransit grants; providing for contracts between the metropolitan transit commission and socially or economically disadvantaged persons including handicapped persons; regulating transit commission debt; authorizing certain municipal contracts with socially and economically disadvantaged persons; amending Minnesota Statutes, 1979 Supplement, Sections 174.25, Subdivision 1; 471.345, by adding a subdivision; 473.436, Subdivision 5; Minnesota Statutes 1978, Chapter 473, by adding a section.*

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

Section 1. Minnesota Statutes, 1979 Supplement, Section 174.25, Subdivision 1, is amended to read:

**174.25 PARATRANSIT GRANT PROGRAM.** Subdivision 1. **PURPOSE.** A paratransit program is established to provide grants for paratransit projects designed to accomplish the following objectives:

(a) to provide transportation services in those areas inefficiently or inadequately served by regular route transit;

(b) to provide transportation services which improve the accessibility and productivity of regular route transit;

(c) to provide transportation services for persons who because of age or incapacity are unable to drive a private automobile or use existing modes of public transit.

Subd. 1a. FINANCIAL ASSISTANCE. Grants may be made for demonstration projects or for projects of a type that the commissioner has determined to be successful on the basis of demonstration projects already implemented and evaluated. Except as otherwise provided in this subdivision, grants for a paratransit project shall not exceed two-thirds of the operating deficit and 50 percent of any non-federal share of the capital costs. Grants for a demonstration project, other than grants to the metropolitan transit commission, shall not exceed 90 percent of the capital costs and operating deficit of the project. Notwithstanding any other provision of this subdivision, the commissioner may fund up to 100 percent of a project that he determines to be unique and beneficial but lacks the necessary local financial support. Grants to the metropolitan transit commission for any paratransit project may be up to 100 percent of the operating deficit but may not include any portion of the capital costs. The commissioner may use funds appropriated to the paratransit grant program for program administration.

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