

(a) Watercraft which is covered by a license or number in full force and effect pursuant to federal law or a federally approved licensing or numbering system of another state, and which has not been within this state for more than 90 consecutive days, the aforesaid 90 consecutive days shall not include days in which a watercraft is laid up at dock over winter or for repairs at any Lake Superior port, or any other Minnesota port.

(b) Watercraft from a country other than the United States which have not been within this state for more than 90 consecutive days, the aforesaid 90 consecutive days shall not include days in which a watercraft is laid up at dock over winter or for repairs at any Lake Superior port, or any other Minnesota port.

(c) Watercraft owned by the United States, a state, or a political subdivision thereof except watercraft used for recreational purposes.

(d) Ship's lifeboat.

(e) Watercraft which has a valid marine document issued by the United States government.

(f) Nonmotorized watercraft nine feet in length or less.

Sec. 4. EFFECTIVE DATE.

This act is effective January 1, 1983.

Approved March 22, 1982

CHAPTER 566 — S.F.No. 1948

An act relating to the Hennepin County park reserve district and the city of Anoka; authorizing the district to participate in hydroelectric power generation with other local government units under certain conditions.

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

Section 1. HENNEPIN PARKS; DAMS.

Subdivision 1. Subject to the provisions of this act the Hennepin county park reserve district may develop and maintain a hydroelectric generation and transmission facility and use or distribute the power generated by the facility in connection with any dam owned by the district. In all cases, the foregoing authority shall be exercised only with another local government unit.

Subd. 2. Notwithstanding subdivision 1, in connection with the park property known as the Coon Rapids dam regional park and the Coon Rapids

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dam which is a part of it, the district may exercise the authority granted in section 1, subdivision 1, but it may do so only jointly with the city of Anoka pursuant to Minnesota Statutes, Section 471.59, pursuant to an agreement by the parties under section 471.59 adopted prior to June 7, 1982.

Subd. 3. The agreement shall be limited to the principles stated in this section and in sections 2 and 3 and its effectiveness shall be contingent upon an affirmative determination in the proceedings described in section 2. The agreement shall provide that it shall be amended from time to time in order to interpret and apply these principles, by consent of the parties, or if agreement is not reached, pursuant to section 3, subdivision 4.

Sec. 2. FEDERAL ORDER.

Anoka and the district shall jointly apply to the Federal Energy Regulatory Commission for a declaratory order stating that the parties may amend their competing applications as now on file for a hydroelectric preliminary permit so that: (a) the applications may be deemed as a single, joint application for the permit pursuant to the terms of this act; (b) the single, joint application shall retain the same effective filing date as the application of the first of the parties to have filed; (c) the single, joint application and operation of the project pursuant to the terms of section 3 shall be deemed the application of a municipality as provided in section 3(7) of the Federal Power Act and be entitled to the preference provided for in that act; and (d) if Anoka does not exercise its option under section 3, subdivision 3 the permit shall be deemed exclusively the permit of the district and such local government unit as may join with the district.

Sec. 3. AGREEMENT WITH ANOKA.

Subdivision 1. The agreement of Anoka and the district under Minnesota Statutes, Section 471.59, shall include the principles set forth in this section and be incorporated in full in the application of the parties to the Federal Energy Regulatory Commission made pursuant to section 2.

Subd. 2. The parties shall both seek the fulfillment of the following coequal goals: (a) the development of the hydroelectric facilities to maximize the use of the public waters in the production of energy; and (b) the preservation and protection of the park as a major regional open space recreational area maximizing the integrity of and the existing public recreational uses of the park, and, to the extent feasible, limiting the exclusive dedication of any park property and facilities to electric generation and distribution purposes.

Subd. 3. The district shall jointly with Anoka contract in a timely manner for a feasibility study on the hydropower potential of the dam. Following completion of the feasibility study, the district shall grant to Anoka the first option for rights in and to the property of the park as may be required to allow Anoka to develop the generating, transmission and distribution facilities of the hydroelectric project, to finance its development, to operate and maintain the

facilities and utilize or distribute the energy produced by the facilities, all for a term not to exceed 50 years and subject to renewal provisions as the parties may agree. In consideration of the foregoing, Anoka shall pay to the district an annual fee which shall provide to the district reasonable compensation for the fair value of the rights in and to the property which are contributed by the district for hydroelectric generating or distributing facilities for the full term of the agreement. If Anoka does not declare its intention to exercise its option within 90 days of the completion of the feasibility study, the district may grant such rights to any other local government unit.

Subd. 4. If the parties are unable to agree upon the interpretation or application of the foregoing or any terms of the agreement, they shall submit to arbitration as provided by law and the rules of the American Arbitration Association, except that the arbitrator or arbitration panel shall be composed of the persons appointed in the manner provided by this subdivision and shall handle any and all matters relating to the agreement in a timely and on-going basis. If the parties agree, one person may serve as the arbitrator. If not, a panel of three arbitrators shall be utilized. Anoka shall appoint a person experienced in public utility management or the development of hydroelectric generating projects, or both. The district shall appoint a person experienced in public park management, and those persons shall appoint the third member of the panel.

Sec. 4. EFFECTIVE DATE.

The provisions of this act shall be effective the day after compliance with Minnesota Statutes, Section 645.021, Subdivision 3, by the governing body of the Hennepin county park reserve district and the council of the city of Anoka. If compliance with section 645.021, subdivision 3, has not occurred before May 7, 1982, this act is void.

Approved March 22, 1982

CHAPTER 567 — S.F.No. 1955

An act relating to tax forfeited land; restoring certain funds to the real estate assurance account; appropriating money; amending Minnesota Statutes 1981 Supplement, Section 284.28, Subdivision 8.

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

Section 1. Minnesota Statutes 1981 Supplement, Section 284.28, Subdivision 8, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.