

the owner or occupant of the building on any land where the person is prohibited from entering by this section.

Sec. 8. [97B.002] CIVIL TRESPASS.

Subdivision 1. **AUTHORITY TO ISSUE.** Conservation officers, sheriffs, and deputies may issue citations to a person who trespasses in violation of section 97B.001 or removes a sign posted to prevent trespass without permission of the owner of the property.

Subd. 2. **PENALTY AMOUNT.** The citation must impose the following penalty amounts:

(1) \$50 for the first violation;

(2) \$200 for the second violation in a three-year period;

(3) for a third or subsequent violation in a three-year period, the penalty shall be \$500 and loss of every license or registration being used; and

(4) \$50 for removal of a sign posted pursuant to this section.

Subd. 3. **APPEALS.** Citations may be appealed under the procedures in section 116.072, subdivision 6, if the person requests a hearing by notifying the commissioner in writing within 15 days after receipt of the citation. If a hearing is not requested within the 15-day period, the citation becomes a final order not subject to further review.

Subd. 4. **ENFORCEMENT OF FIELD CITATIONS.** Field citations may be enforced under section 116.072, subdivisions 9 and 10.

Subd. 5. **CUMULATIVE REMEDY.** The authority to issue field citations is in addition to other remedies available under statutory or common law, except that the state may not seek penalties under any other provision of law for the incident subject to the citation.

Subd. 6. **PAYMENT OF PENALTY.** Penalty amounts shall be remitted within 30 days of issuance of the penalty citation to the issuer.

Subd. 7. **ALLOCATION OF PENALTY AMOUNTS.** Penalty amounts are deposited to the county or the commissioner for deposit in the game and fish fund depending upon who issues the citation.

Sec. 9. **APPLICABILITY.**

Section 8 applies to violations committed on or after August 1, 1996.

Presented to the governor March 6, 1996

Signed by the governor March 6, 1996, 1:40 p.m.

CHAPTER 302—H.F.No. 2889

An act relating to local government; the cities of Norwood and Young America in Carver county and their consolidation into the city of Norwood-Young America; repealing Extra Session

New language is indicated by underline, deletions by strikeout.

Laws 1857, chapter 18, section 50; Special Laws 1874, chapter 78; Special Laws 1879, chapters 4 and 152; Special Laws 1881, chapters 31 and 101; Special Laws 1889, chapter 24; and Special Laws 1891, chapters 211 and 272.

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

Section 1. MERGER OF THE CITIES OF NORWOOD AND YOUNG AMERICA.

Subdivision 1. INTENT; TIME OF MERGER. The cities of Norwood and Young America in Carver county have conducted the necessary proceedings to combine as one municipality effective January 1, 1997, to be known as Norwood-Young America all pursuant to Minnesota Statutes, sections 465.81 to 465.87. It is the intent of this act to facilitate the combination and merger of the cities in accordance with the plan. The cities are merged on the effective date.

Subd. 2. DEFINITIONS. For purposes of this act, the term "plan" means the plan for merger and implementation adopted by the cities of Norwood and Young America on November 11 and 12, 1995, and approved by the board of government innovation and cooperation. The term "effective date" means 12:01 a.m. on January 1, 1997.

Sec. 2. APPLICATION OF LAW.

On the effective date, the city of Norwood-Young America will be governed by the laws generally applicable to statutory cities operating under optional plan A except as specifically provided otherwise in this act.

Sec. 3. GOVERNING BODY; ELECTIONS; TRANSITION; WARDS.

Subdivision 1. COUNCIL. On and after the effective date, the city of Norwood-Young America is to be governed by a city council composed of a mayor and four council members elected in the manner, from the wards, at the times, and for the terms set forth in this section.

Subd. 2. ELECTIONS. The regular municipal election for the cities of Norwood and Young America, respectively, are not to be held in November 1996. A regular municipal election for the city of Norwood-Young America is to be held on the regular municipal election day in November 1996. For the purposes of Minnesota election law, the city clerk jointly designated by the cities of Norwood and Young America prior to July 1, 1996, is the local election official for the municipal election in 1996. At that election and subsequent elections, officers are to be elected for the city of Norwood-Young America for the terms and in the years described in the following table:

New language is indicated by underline, deletions by ~~strikeout~~.

<u>Column A</u> <u>OFFICE</u>	<u>Column B</u> <u>YEARS IN</u> <u>TERM</u>	<u>Column C</u> <u>YEAR</u> <u>ELECTED</u>	<u>Column D</u> <u>AT LARGE</u> <u>OR WARD</u>
Mayor	Two	1996	At large
One councilmember	Two	1996	Ward 1
One councilmember	Four	1996	Ward 1
One councilmember	Two	1996	Ward 2
One councilmember	Four	1996	Ward 2
Mayor	Two	1998	At large
Two councilmembers	Four	1998 and thereafter	At large
Mayor	Two	2000 and thereafter	At large
Two councilmembers	Four	2000 and thereafter	At large

Subd. 3. **WARDS.** For purposes of the municipal elections in 1996 and 1998, the city of Norwood-Young America is divided into two wards. Ward 1 consists of the territory in the city of Norwood on December 31, 1996, and ward 2 consists of the territory in the city of Young America on December 31, 1996. The wards will terminate on December 31, 1999.

Subd. 4. **TERMS OF INCUMBENTS.** The terms of office of the elected officers of the cities of Norwood and Young America in office on December 31, 1996, terminate at 12:00 midnight at the end of that date.

Sec. 4. **ORDINANCES; LICENSES; LOANS.**

Subdivision 1. **ORDINANCES.** The ordinances of the cities of Norwood and Young America in effect on December 31, 1996, continue in effect within the boundaries of the former cities until repealed by the city council of Norwood-Young America, but those ordinances must be enforced in the name of Norwood-Young America.

Subd. 2. **LICENSES.** The combined number of license privileges existing pursuant to law in the cities of Norwood and Young America on December 31, 1996, is the same number that will exist in Norwood-Young America on the effective date.

Sec. 5. **PUBLIC FACILITIES AUTHORITY LOAN.**

The city of Norwood may apply for and continue to process an application for a loan from the public facilities authority for the expansion of the city of Norwood wastewater treatment facility. The public facilities authority is authorized and directed to evaluate and analyze the loan application as if it were being made by the city of Norwood-Young America after the effective date. Notwithstanding Minnesota Statutes, section 465.86, after the effective date the city of Norwood-Young America is required to make debt service payments and tax levies, if any, for the note or bond obligation, if any, representing the public facilities authority loan issued by the city of Norwood prior to the effective date.

Sec. 6. **REPEALER.**

New language is indicated by underline, deletions by ~~strikeout~~.

Extra Session Laws 1857, chapter 18, section 50; Special Laws 1874, chapter 78; Special Laws 1879, chapters 4 and 152; Special Laws 1881, chapters 31 and 101; Special Laws 1889, chapter 24; and Special Laws 1891, chapters 211 and 272, are repealed.

Sec. 7. LOCAL APPROVAL.

This act takes effect at 12:01 a.m. the day after the latter of the governing bodies of the cities of Norwood and Young America complies with Minnesota Statutes, section 645.021, subdivision 3.

Presented to the governor March 12, 1996

Signed by the governor March 13, 1996, 2:12 p.m.

CHAPTER 303—H.F.No. 2670

An act relating to the Minnesota municipal board; clarifying authority and procedures; amending Minnesota Statutes 1994, sections 414.01, subdivisions 1, 2, 6a, 7a, 8, 12, and 16; 414.02, subdivision 3; 414.031, subdivision 4; 414.0325, subdivisions 1, 1a, and 3; 414.033, subdivision 5, and by adding a subdivision; 414.041, subdivisions 3 and 5; and 414.061, subdivisions 4 and 5; repealing Minnesota Statutes 1994, sections 414.01, subdivisions 3, 3a, and 4; and 414.061, subdivision 4a.

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

Section 1. Minnesota Statutes 1994, section 414.01, subdivision 1, is amended to read:

Subdivision 1. ~~A board to be known as~~ The Minnesota municipal board is hereby created to conduct proceedings, make determinations and issue orders for the creation of a municipality, the combination of two or more governmental units, or the alteration of a municipal boundary.

The legislature finds that: (1) sound urban development and preservation of agricultural land and open spaces through land use planning is essential to the continued economic growth of this state; (2) municipal government most efficiently provides governmental services in areas intensively developed for residential, commercial, industrial, and governmental purposes; and township government most efficiently provides governmental services in areas used or developed for agricultural, open space, and rural residential purposes; (3) the public interest requires that municipalities be formed when there exists or will likely exist the necessary resources to provide for their economical and efficient operation; (4) annexation to existing municipalities of unincorporated areas unable to supply municipal services should be facilitated; and, (5) the consolidation of municipalities should be encouraged. ~~It is the purpose of this chapter to empower~~ The Minnesota municipal board is empowered to promote and regulate development of municipalities to provide for the extension of municipal government to areas which are developed or are in the process of being developed for intensive use for residential, commercial, industrial, institutional, and governmental purposes or are needed for such purposes; and to protect

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