

certified, but otherwise applies regardless of any contrary provision of a licensing statute or rules adopted pursuant to that statute, related to practicing and organizing in combination with other health services professionals.

Presented to the governor April 20, 2001

Signed by the governor April 24, 2001, 10:11 a.m.

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### CHAPTER 43—S.F.No. 1709

*An act relating to traffic regulations; exempting certain towed implements of husbandry from requirement to display tail lamps; making clarifying changes; amending Minnesota Statutes 2000, section 169.50, subdivision 1.*

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

Section 1. Minnesota Statutes 2000, section 169.50, subdivision 1, is amended to read:

Subdivision 1. **REQUIREMENTS; EXCEPTION.** (a) Every motor vehicle and every vehicle ~~which~~ that is being drawn at the end of a train of vehicles shall ~~must~~ be equipped with at least one tail lamp, exhibiting a red light plainly visible from a distance of 500 feet to the rear. ~~And further,~~

(b) ~~Every such above-mentioned motor vehicle, other than a truck-tractor, and every vehicle that is being drawn at the end of a train of vehicles, registered in this state and manufactured or assembled after January 1, 1960, shall~~ must be equipped with at least two tail lamps mounted on the rear, and on the same level and as widely spaced laterally as practicable, which, ~~When lighted as herein required, shall~~ the tail lamps must comply with the provisions of this section.

(c) An implement of husbandry being towed by a motor vehicle at a speed of not more than 30 miles per hour, displaying a slow-moving vehicle emblem, and complying with section 169.55, subdivision 2, clause (4), is not subject to the requirements of this section.

#### Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day after final enactment.

Presented to the governor April 23, 2001

Signed by the governor April 24, 2001, 10:04 a.m.

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### CHAPTER 44—H.F.No. 867

*An act relating to the suburban Hennepin regional park district; authorizing the district to set commissioners' compensation; clarifying the district's boundaries; clarifying that meetings*

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*shall be held in conformance with the open meeting law; permitting the district to accept donations without court approval; deleting obsolete reference to condemnation procedures; authorizing the district to enter into joint powers agreements by majority board action; amending Minnesota Statutes 2000, sections 383B.70; 383B.703; 398.06; and 398.09; repealing Minnesota Statutes 2000, sections 383B.73, subdivision 2; and 383B.74.*

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

Section 1. Minnesota Statutes 2000, section 383B.70, is amended to read:

**383B.70 REGIONAL PARK DISTRICT; ~~LIBRARY BOARD;~~ COMPENSATION OF COMMISSIONERS AND MEMBERS.**

Notwithstanding the provisions of section 398.05, ~~134.10,~~ or any other law, the compensation of commissioners of the Hennepin county park reserve district and the members of the Hennepin county library board shall not exceed \$35 per day. Each commissioner and board member may in addition be allowed actual and necessary expenses incurred in the performance of their duties. ~~However, the \$35 per day compensation for commissioners and board members shall not be paid for more than two days in each month~~ suburban Hennepin regional park district must be set by the board of park commissioners.

Sec. 2. Minnesota Statutes 2000, section 383B.703, is amended to read:

**383B.703 DISTRICT RENAMING.**

The Hennepin county park reserve district, a local government unit organized and existing under the provisions of sections 398.01 to 398.36, is renamed the suburban Hennepin regional park district. The district so named is the legal successor in all respects of the Hennepin county park reserve district as originally named and constituted. All bonds, resolutions, contracts, and liabilities of the Hennepin county park reserve district are the bonds, resolutions, contracts, and liabilities of the suburban Hennepin regional park district as so renamed and reconstituted. The boundaries of the suburban Hennepin regional park district shall include all of Hennepin county except the city of Minneapolis.

Sec. 3. Minnesota Statutes 2000, section 398.06, is amended to read:

**398.06 BOARD; OFFICERS, POWERS, MEETINGS.**

At the first meeting of the board and at the first meeting each calendar year, each board shall elect from its membership a chair and a vice-chair who shall serve in such capacity for the calendar year, and until their successors are elected and qualified. The chair shall preside at all meetings; in the absence of the chair, the vice-chair shall preside. All meetings shall be open to the public. Meetings of the board shall be held in accordance with chapter 13D. The boards shall preserve order at their meetings, compel the attendance of members and punish nonattendance. The boards shall have power to regulate their own procedure and shall adopt from time to time written rules of procedure.

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

At its first meeting the board shall adopt a temporary name for the park district and it shall at a meeting held within six months from its first meeting, adopt by a majority vote of all commissioners an official name for the park district.

Regular meetings of the park district boards shall be held at least monthly at such times and places as may be prescribed by their rules. Special meetings may be called by the chair, or by any two members of a board, by writing filed with the secretary, who shall then mail a notice to all board members of the time and place of such meeting at least two days before such meeting.

A majority of the commissioners shall constitute a quorum for the transaction of business, although a smaller number may adjourn from time to time.

Sec. 4. Minnesota Statutes 2000, section 398.09, is amended to read:

**398.09 SPECIFIC POWERS.**

Park district boards in addition to the foregoing general powers shall have these specific powers:

(a) The power to regulate by ordinance the use of the waters of any lake lying wholly within a park established under this chapter and the use of any lake shore which is within a park established under this chapter and the waterfront immediately abutting such lake shore for not to exceed 300 feet therefrom, by all persons, including persons boating, swimming, fishing, skating or otherwise, in, upon or about said lake, lake shore and abutting waterfront, subject to regulation by the state of Minnesota.

(b) The power to acquire lands either within or without the park district for conversion into forest reserves and for the conservation of the natural resources of the state, including streams, lakes, submerged lands and swamplands, and to these ends may create parks, parkways, forest reservations and other reservations and afforest, develop, improve, protect and promote the use of the same in such manner as is conducive to the general welfare. These lands may be acquired by the board, on behalf of the district, by gift or devise, by purchase or by condemnation. In furtherance of the use and enjoyment of the lands controlled by it, the board may accept donations of money or other property, or may act as trustee of land, money or other property and use and administer the same as stipulated by the donor, or as provided in the trust agreement. The terms of each such donation or trust shall first be approved by the district court before acceptance by the board. If the park district includes all or part of more than one court district, approval shall be by the district court of the court district having the largest area within the park district. In case of condemnation the proceedings are to be instituted in the name of the district and conducted in the manner provided in chapter 430 117 and acts now in effect and hereafter adopted amendatory thereof and supplemental thereto. Either the fee or any lesser interest may be acquired as the board deems advisable. All awards not set aside as therein provided shall be a charge upon the district for which its credit shall be pledged. The duties specified to be performed in said sections by the city council, the city clerk and the city engineer, respectively, shall be performed by the commissioners, the secretary and the superintendent of the district. Appeals to the district court shall be taken to the district court

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of the county in which the land lies. The notices required to be published shall be published in every case in a newspaper of general circulation published in the county or counties wherein the land lies. All reports and papers required by said sections to be filed with the city clerk shall be filed with the secretary of the district. Unless a lesser estate be designated, an absolute estate in fee simple, unqualified in any way whatsoever, shall vest in the district in every case of taking by the exercise of the power of eminent domain, and such estate shall not be limited or qualified in any way by construction. Nothing herein contained shall authorize the board to:

1. Acquire real estate by purchase or condemnation which is located within the boundaries of an incorporated statutory city or city unless the governing body of such statutory city or city shall have consented thereto by resolution duly adopted, or

2. Acquire real estate by condemnation which is located outside the park district unless the board of county commissioners of the county in which such property is located has consented thereto by resolution duly adopted.

(c) The power, if the board finds that any lands which it has acquired are not necessary for the purposes for which acquired, to dispose of such lands upon such terms as are advisable, including the power to transfer such lands to other public corporations. Where lands which were acquired by condemnation less than 20 years before are to be sold to private parties, the former owners, or their heirs, successors or assigns, shall be notified in writing of the board's intent to dispose of the properties and shall be given 20 days to purchase the property taken from them at such price as the board shall deem fair compensation to the district for such property. The board may lease any of its lands or permit their use for purposes consistent with the purposes for which the lands were acquired upon such terms as are advisable. No such lands shall be sold without the approval of the district court of the county in which the lands are situated.

(d) The power to fix, alter, charge and collect fees, tolls and charges for the use of facilities of the park district, for services rendered by, or for any commodities furnished by, or for licenses issued by, the board pursuant to ordinances authorized hereunder. All fines collected for any violation of a board's ordinance shall be paid into the treasury of such park district board.

(e) The power to borrow, make and issue negotiable bonds, notes and other evidences of indebtedness, subject to the provisions of sections 398.16 and 398.17, and to pledge its full faith, credit and taxing power to the payment thereof, and/or to secure the payment of such obligations or any part thereof by mortgage, lien, pledge, deed of trust otherwise, on all or any of its property, contracts, franchises or revenues and to make such agreements with the purchasers or holders of such notes, bonds or other evidences of indebtedness or with others in connection with the same, whether issued or to be issued.

(f) The power to cooperate with or borrow from any governmental organization, state or federal, or from any agency of the state or federal government for any purpose within the scope of the authority of this corporation.

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(g) The power to cooperate with any public or municipal corporation, with the counties and with any private or public organization engaged in conservation, recreational activities, protection of the public health and safety, prevention of water pollution, sanitation, and/or mosquito abatement for any constructive purpose, and the power, upon request, to assume control of all or a portion of any existing parks or park lands owned by any county government or municipal corporation in the park district; such control shall be assumed only at the request of and by agreement with the public authority in control of such parks or park lands. Thereupon such parks or park lands may be developed, improved, protected and operated as a park as in case of lands otherwise acquired by the board. Such acquisition or assumption of control or operation of a municipal park system by a park district shall in no way impair the authority and power of such municipality to levy and collect taxes for park, playground and recreational purposes, all or part of such tax funds to be transferred to the park district for such uses as may be agreed upon between the district and the municipality.

(h) The power to designate employees as police officers within the parks under the jurisdiction and control of the board, and employees so designated may exercise all the powers of police officers within the park lands under the jurisdiction and control of the board. Before exercising these powers, each such employee shall take an oath and give a bond to the state in such sum as the board prescribes for the proper performance of the employee's duties in such respect. The board may contract with municipalities or with the county or counties for the policing of park properties.

(i) The power, ~~upon a four-fifths vote of the board,~~ to enter into an agreement under section 471.59 with any political subdivision, governmental unit, or agency, including an elected park and recreation board in a city of the first class, to expend public money, including bond proceeds, in its possession for any metropolitan regional park purposes, including transferring money in its possession as a grant to other political subdivisions, governmental units, or agencies, including an elected park and recreation board in a city of the first class.

**Sec. 5. REPEALER.**

Minnesota Statutes 2000, sections 383B.73, subdivision 2; and 383B.74, are repealed.

**Sec. 6. EFFECTIVE DATE.**

Sections 1 to 5 are effective the day after their final enactment.

Presented to the governor April 23, 2001

Signed by the governor April 24, 2001, 10:11 a.m.

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**CHAPTER 45—H.F.No. 2119**

*An act relating to charitable organizations; amending report filing requirements; amending Minnesota Statutes 2000, section 309.53, subdivisions 1, 2.*

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