

order authorize the use of a snowmobile or other type of all-terrain vehicle to transport or check beaver or otter traps, or to transport beaver or otter carcasses or pelts in Lake of the Woods County and Koochiching counties.

Approved April 3, 1980

CHAPTER 475—H.F.No. 1824

An act relating to driver's licenses; providing for the disposition of the county fee in Dakota County.

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

Section 1. If the clerk of the district court in Dakota County appoints an agent pursuant to Minnesota Statutes, Section 171.06, Subdivision 4, to assist in accepting applications for driver's licenses and instruction permits, the agent may retain the entire \$1 county fee to cover his expenses.

Approved April 3, 1980

CHAPTER 476—H.F.No. 1871

An act relating to boundary waters; changing the terms of office of the Minnesota-Wisconsin boundary area commission; providing that the terms of commissioners shall be staggered; creating the South Dakota-Minnesota boundary waters commission; changing the duties of the commissioner of natural resources; amending Minnesota Statutes 1978, Sections 1.33; 114.13, Subdivisions 1, 2, and 4, and by adding a subdivision; repealing Minnesota Statutes 1978, Section 114.13, Subdivision 3.

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

Section 1. Minnesota Statutes 1978, Section 1.33, is amended to read:

1.33 REPRESENTATIVES, SELECTION. In pursuance of section 1.31 creating the Minnesota-Wisconsin boundary area commission, the Minnesota representation thereon shall consist of five commissioners appointed by the governor, by and with the advice and consent of the senate, each for a four year term, but at the pleasure of the governor. The terms of the commissioners shall be staggered. Vacancies shall be filled by appointment by the governor with the advice and consent of the senate. ~~The term of the first members of the commission shall commence on July 1, 1965. Vacancies shall be filled by the governor for the unexpired term.~~

Sec. 2. [1.331] TERMS OF COMMISSIONERS. In 1981, when the current terms of the members of the Minnesota-Wisconsin boundary area commission

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

expire, two commissioners shall be appointed to four year terms and one commissioner each appointed to a one year term, a two year term, and a three year term. Thereafter all terms shall be for four years.

Sec. 3. Minnesota Statutes 1978, Section 114.13, Subdivision 1, is amended to read:

114.13. SOUTH DAKOTA-MINNESOTA BOUNDARY WATERS COMMISSION. Subdivision 1. There is created an interstate commission to be known as the South Dakota-Minnesota boundary waters commission. The members of the commission shall be the secretaries of the department of water and natural resources and the department of game, fish and parks of South Dakota and the commissioner of natural resources and the director of the pollution control agency of Minnesota. The fifth member shall be a qualified engineer appointed for a four year term by the mutual consent of the governors of Minnesota and South Dakota. The commissioner of natural resources shall cooperate with the director of the game and fish commission of South Dakota with regard to the South Dakota-Minnesota boundary waters. The commissioner commission shall have power and authority:

(1) To investigate and determine the most desirable and beneficial levels of boundary waters artificially controlled and to prescribe a plan for controlling and regulating water levels;

(2) To prescribe and promulgate rules for the conduct of investigations, surveys, and hearings;

(3) (2) To hold hearings and take evidence as may be presented, either after complaint or upon his its own initiative, as to the desirability of any water level and plan of regulation, and to issue orders concerning the same which in his its opinion are for the best interests of the public;

(3) To plan, propose, coordinate and hold hearings on lake, protection and rehabilitation projects for boundary waters; and

(4) To accept and distribute grants from any source for the purposes set forth in this section.

Sec. 4. Minnesota Statutes 1978, Section 114.13, Subdivision 2, is amended to read:

Subd. 2. **HEARINGS; PUBLICATIONS.** Hearings shall be held at such time and place as may be designated by the ~~commissioner~~ commission in any county affected by the subject matter. At least two weeks' published notice of the hearings shall be given by publication of the notice in a legal newspaper in each county bordering on the boundary waters which may be affected by the subject matter of the hearing. All final orders of the ~~commissioner~~ commission shall be published once each week for two consecutive weeks in a legal newspaper in each county bordering on the boundary waters which may be affected. The printer's affidavit of publication of all notices and orders shall be filed with the ~~commissioner~~ commission. Hearings held pursuant to this section shall not be subject to

the requirements of chapter 15. The commission shall seek the advice of local units of government and encourage them to voluntarily implement projects and to enter into agreements with one another for that purpose. The commission itself has no authority to implement lake protection or rehabilitation projects.

Sec. 5. Minnesota Statutes 1978, Section 114.13, is amended by adding a subdivision to read:

Subd. 2a. ADVISORY COMMITTEES. The commission shall establish one local advisory committee for all commission activities. A majority of the members of the committee shall be elected officials of local governmental units, including tribal governments, within the boundary waters watershed with an equal number of representatives from each state. The advisory committee shall be consulted prior to any activity conducted by the commission.

Sec. 6. Minnesota Statutes 1978, Section 114.13, Subdivision 4, is amended to read:

Subd. 4. APPEALS. Any party aggrieved by any order or any determination of the commissioner establishing or regulating water levels, as provided for in commission pursuant to this section may appeal to the district court or to the circuit court, as the case may be, of any county in either state in which the subject matter of the order or the determination is wholly or partially located, or to the district court of the county in either state where the capitol thereof is located. Notice of appeal must be served upon the commissioner commission within 30 days from the last date of publication of the order appealed from. Appeals may likewise be taken from the judgments of the district court to the supreme court of its respective states.

Sec. 7. Minnesota Statutes 1978, Section 114.13, Subdivision 3, is repealed.

Approved April 3, 1980

CHAPTER 477—H.F.No. 1949

An act relating to zoning; providing for notice of hearings; changing notice provisions for variance hearings; amending Minnesota Statutes 1978, Section 394.26, Subdivision 2.

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

Section 1. Minnesota Statutes 1978, Section 394.26, Subdivision 2, is amended to read:

Subd. 2. Notice of the time, place, and purpose of any public hearing shall be given by publication in a newspaper of general circulation in the town, municipality, or other area concerned, and in the official newspaper of the county, at least ten days before the hearing, except that notice of public hearings in connec-

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