

MINNESOTA STATUTES 1975 SUPPLEMENT

EMINENT DOMAIN 117.232

assessment of need criteria for all other large energy facilities shall be promulgated no later than July 1, 1976.

Subd. 2. On and after the effective date of the assessment of need criteria adopted pursuant to subdivision 1, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the director pursuant to sections 116H.01 to 116H.15 and consistent with the criteria for assessment of need.

[1975 c 170 s 3,4]

[For text of subds 3 to 8, see M.S.1974]

CHAPTER 117. EMINENT DOMAIN

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117.042 Possession.

Whenever the petitioner shall require title and possession of all or part of the owner's property prior to the filing of an award by the court appointed commissioners, the petitioner shall, at least 90 days prior to the date on which possession is to be taken, notify the owner of the intent to possess by notice served by registered mail and before taking title and possession shall pay to the owner or deposit with the court an amount equal to petitioner's approved appraisal of value. If it is deemed necessary to deposit the above amount with the court the petitioner may apply to the court for an order transferring title and possession of the property or properties involved from the owner to the petitioner. In all other cases, petitioner has the right to the title and possession after the filing of the award by the court appointed commissioners as follows:

(a) if appeal is waived by the parties upon payment of the award;

(b) if appeal is not waived by the parties upon payment or deposit of three-fourths of the award.

Nothing in this section shall limit rights granted in section 117.155.

[1975 c 218 s 1]

117.205 Final certificate.

Upon completion of the proceedings the attorney for the petitioner shall make a certificate describing the land taken and the purpose or purposes for which taken, and reciting the fact of final payment of all awards or judgments in relation thereto, which certificate shall be filed with the clerk and a certified copy thereof filed for record with the register of deeds; which record shall be notice to all parties of the title of the petitioner to the lands therein described.

[1975 c 175 s 1]

117.232 Direct purchase.

Subdivision 1. When acquisition of private property is accomplished by the state department of highways by direct purchase the owner shall be entitled to reimbursement for appraisal fees, not to exceed a total of \$300. When acquisition of private property is accomplished by any other acquiring authority, the owner is entitled to reimbursement for appraisal fees, not to exceed \$300, if the owner is otherwise entitled to reimbursement under sections 117.50 to 117.56. The purchaser in all instances shall inform the owner of his right, if any, to reimbursement for appraisal fees reasonably incurred, in an amount not to exceed \$300, together with relocation costs, moving costs and any other related expenses to which an owner is entitled by sections 117.50 to 117.56. This subdivision does not apply to acquisition for utility purposes made by a public service corporation organized pursuant to section 300.03 or electric

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cooperative associations organized pursuant to section 308.05.

[1975 c 175 s 2]

[For text of subd 2, see M.S.1974]

CHAPTER 120. DEFINITIONS; GENERAL PROVISIONS

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120.01	Citation, education code.	120.12	Compulsory attendance; how enforced.
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120.03	Handicapped children, defined.	120.76	Post-secondary instructional programs.
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120.01 Citation, education code.

Chapters 120 to 129 may be cited as the education code.

[1975 c 162 s 1]

120.02 Definitions.

[For text of subds 1 to 6, see M.S.1974]

Subd. 7. [Repealed, 1975 c 162 s 42]

[For text of subds 8 and 9, see M.S.1974]

Subd. 10. [Repealed, 1975 c 162 s 42]

[For text of subds 11 to 15, see M.S.1974]

Subd. 17. [Repealed, 1975 c 162 s 42]

[For text of subd 18, see M.S.1974]

120.03 Handicapped children, defined.

[For text of subds 1 and 2, see M.S.1974]

Subd. 3. Every child who by reason of an emotional disturbance, or a learning disability, or a special behavior problem needs special instruction and services, but who is educable, as determined by the standards of the state board is a handicapped child.

[1975 c 432 s 7]

[For text of subd 4, see M.S.1974]

120.08 Attendance; high school in adjoining state.

Subdivision 1. Any person under 21 years of age residing in any district not maintaining a secondary school who has successfully completed the elementary school may, with the consent of the board of such district, attend any secondary school of a district in an adjoining state willing to admit him, which secondary school is nearer to his place of residence than any duly established secondary school in Minnesota, the distances being measured by the usual