

approval by a majority of the city council of the city of Brainerd.

Approved April 24, 1959.

CHAPTER 438—S. F. No. 1551

[Coded in Part]

An act relating to the water resources board; providing for recommendations in water policy matters; amending Minnesota Statutes 1957, Sections 105.73, 105.74, 105.75, Subdivision 3.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1957, Section 105.73, is amended to read:

105.73 **Definitions.** Unless the context clearly indicates a different meaning is intended, the following terms for the purposes of this chapter shall be given the meanings ascribed to them in this section.

Board—Minnesota Water Resources Board.

Proceeding—Any procedure under any of the laws enumerated in section 105.74 however administrative discretion or duty thereunder may be invoked in any instance.

Agency—Any state officer, board, commission, bureau, division, or agency, other than a court, exercising duty or authority under any of the laws enumerated in section 105.74.

Court—*The court means the district court or a judge thereof before whom the proceedings are pending.*

Question of water policy—Where use, disposal, pollution, or conservation of water is a purpose, incident, or factor in a proceeding, the question or questions of state water law and policy involved, including either (a) determination of the governing policy of state law in the proceeding, resolving apparent inconsistencies between different statutes, (b) the proper application of that policy to facts in the proceeding when application is a matter of administrative discretion, or both (a) and (b).

Sec. 2. Minnesota Statutes 1957, Section 105.74, is amended to read:

105.74 **Additional duties of board.** In addition to

duties elsewhere prescribed, the board has the function defined in sections 105.72 to 105.79 when the decision of the agency in a proceeding involves a question of water policy in one or more of the areas of water conservation, water pollution, preservation and management of wildlife, drainage, soil conservation, public recreation, forest management, and municipal planning under any of the following: Minnesota Statutes, sections 84.57, 97.48 (subdivision 13), 105.41, 105.42, 105.43, 105.44, 105.64, 106.021, 106.671, 144.374, 144.375, 144.38, 144.39, and chapter 110.

Sec. 3. Minnesota Statutes 1957, section 105.75, subdivision 3, is amended to read:

Subd. 3. The intervention of the board can be invoked by this petition in any proceeding at any time after the proceeding is initialed and before the agency's order is made.

Sec. 4. [105.751] **Court referrals.** *The court may refer any procedure before it under any of the laws enumerated in Minnesota Statutes 1957, section 105.74, to the board. This referral may be used in both original and appellate matters; it may be invoked by a petition of the court directed to the board. Any party to the procedure may request the court to refer the matter to the board. Upon receipt of a petition for referral the board shall proceed under the provisions of Minnesota Statutes 1957, 105.72 to 105.79.*

Approved April 24, 1959.

CHAPTER 439—H. F. No. 259

[Coded]

An act relating to highway traffic regulations on controlled access highways and providing penalties for certain violations.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [169.305] **Controlled access regulations and penalties.** Subdivision 1:

(a) No person shall drive a vehicle onto or from any controlled access roadway except at such entrances and exits as are established by public authority.

(b) The commissioner of highways may by order, and any public authority may by ordinance, with respect to any