

Sec. 7. Minnesota Statutes 1957, Sections 340.49 and 340.52, are hereby repealed.

Approved April 24, 1959.

CHAPTER 486—H. F. No. 1401

An act relating to the appropriation and use of surface and underground waters; amending Minnesota Statutes 1957, Section 105.41.

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

Section 1. Minnesota Statutes 1957, Section 105.41 is amended to read:

105.41 **Appropriation and use of waters.** It shall be unlawful for the state, any person, partnership, or association, private or public corporation, county, municipality, or other political subdivision of the state to appropriate or use any waters of the state, surface or underground, without the written permit of the commissioner, previously obtained upon written application therefor to the commissioner. The commissioner may give such permit subject to such conditions as he may find advisable or necessary in the public interest. Nothing in this section shall be construed to apply to the use of water for domestic purposes serving at any time less than 25 persons or to any beneficial uses and rights, *outside the geographical limits of any municipality*, in existence on July 1, 1937, or to any beneficial uses and rights, *within the geographical limits of any municipality, in existence on July 1, 1959.*

Approved April 24, 1959.

CHAPTER 487—S. F. No. 798

[Coded]

An act relating to the Whitewater Game Refuge; providing powers and duties of the Commissioner of Conservation of the State of Minnesota with reference thereto.

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

Section 1. [99.251] **Whitewater Game Refuge.** The Commissioner of Conservation of the State of Minnesota shall

keep and maintain in a proper and decent manner and keep free of weeds any cemetery in the Whitewater Game Refuge.

Approved April 24, 1959.

CHAPTER 488—S. F. No. 772

[Coded]

An act relating to the control of mosquitoes; authorizing a metropolitan mosquito control commission in the counties of Anoka, Dakota, Hennepin, Ramsey, Scott, and Washington, and counties contiguous thereto; providing for the levy and disbursement of taxes for the operation of the commission.

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

Section 1. [18.65] **Definitions.** Subdivision 1. As used in sections 2 to 12, the terms defined in this section shall have the meanings given them.

Subd. 2. "District" means a metropolitan mosquito control district created pursuant to sections 2 to 12. The area of the district is the area of the counties which elect to come within it as hereinafter provided.

Subd. 3. "Commission," unless otherwise specified, means a metropolitan mosquito control commission which is the governing body of the district, and is authorized to exercise the powers enumerated in sections 2 to 12.

Subd. 4. "Commissioner" means a member of the commission.

Subd. 5. "Eligible counties" means the counties which have now joined together in a joint agreement to control mosquitoes, and such counties are the counties of Anoka, Dakota, Hennepin, Ramsey, Scott, and Washington.

Subd. 6. "Contiguous county" is a county which is contiguous to any of the counties named in subdivision 5.

Sec. 2. [18.66] **Establishment of district.** Any two or more of the aforementioned eligible counties are hereby authorized to establish a metropolitan mosquito control district in order to continue to control mosquitoes in the district.

Sec. 3. [18.67] **Commission.** Subdivision 1. The district shall be operated by a commission which shall consist of two members from each county within the district. Com-