

Sec. 36. **REPEAL.**

Minnesota Statutes 1982, sections 352.041, subdivision 6; 352.115, subdivisions 4 and 5; 352.118; 352.1191; 352.22, subdivision 4; 352.71; 352.93, subdivisions 5 and 6; 352B.01, subdivision 8; 352B.02, subdivision 2; 352B.06; 352B.13; 353B.261; and 353B.262, are repealed.

Sec. 37. **EFFECTIVE DATE.**

This act is effective the day following final enactment, except for sections 1, 2, and 34, which are effective July 1, 1983.

Approved May 10, 1983

CHAPTER 129 — H.F.No. 787

An act relating to metropolitan government; regulating the organization, duties, and powers of the metropolitan mosquito control district and commission; amending Minnesota Statutes 1982, sections 473.702; 473.703, subdivisions 1 and 9; 473.704, subdivision 13; 473.711, subdivision 2; proposing new law coded in Minnesota Statutes, chapter 473.

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

Section 1. Minnesota Statutes 1982, section 473.702, is amended to read:

473.702 ESTABLISHMENT OF DISTRICT; PURPOSE; AREA; GOVERNING BODY.

A metropolitan mosquito control district is created to control mosquitoes and black gnats (*Simuliidae*) in the metropolitan area defined in section 473.121. The area of the district is the metropolitan area excluding the part of Carver county west of the west line of township 116N, range 24W, township 115N, range 24W, and township 114N, range 24W. The metropolitan mosquito control commission is created as the governing body of the district, composed and exercising the powers as prescribed in sections 473.701 to 473.716.

Sec. 2. Minnesota Statutes 1982, section 473.703, subdivision 1, is amended to read:

Subdivision 1. The district shall be operated by a commission which shall consist of ~~two members from each county within the district, except that each county within the district which has a seven member county board as provided in section 375.01, shall have one additional member on the commission.~~ If a county is only partly included in the district it shall have only one member three members from Anoka county, one member from Carver county, three members from Dakota county, three members from Hennepin county, three

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members from Ramsey county, two members from Scott county, and two members from Washington county. Commissioners shall be members of the board of county commissioners of their respective counties, and shall be appointed by their respective boards of county commissioners.

Sec. 3. Minnesota Statutes 1982, section 473.703, subdivision 9, is amended to read:

Subd. 9. ~~Each county in the district shall have one vote. Each commissioner shall have one-half one vote, but if only one commissioner from a county is present, he shall have one full vote.~~ The majority of the voting power of the commission shall be a quorum although a smaller number may adjourn from time to time. Any motion other than adjournment shall be favored by a majority of the voting power of the commission in order to carry.

Sec. 4. Minnesota Statutes 1982, section 473.704, subdivision 13, is amended to read:

Subd. 13. It may enter into agreements with counties, cities or towns of the state of Minnesota outside of the district to conduct mosquito and black gnat (Simuliidae) control activities in these political subdivisions in order to effectuate mosquito and black gnat (Simuliidae) control in the district and subdivisions.

Sec. 5. Minnesota Statutes 1982, section 473.711, subdivision 2, is amended to read:

Subd. 2. The commission shall prepare an annual budget. The budget may provide for expenditures in an amount not exceeding six-tenths of one mill times the current assessed valuation of the district. The commission may levy a tax on all taxable property in the district as defined in section 473.702 to provide funds for the purposes of sections 473.701 to 473.716. The tax shall not exceed six-tenths of one mill. A participating county may agree to levy an additional tax to be used by the commission for the purposes of sections 473.701 to 473.716 but the sum of the county's and commission's taxes may not exceed six-tenths of one mill in any county. The auditor of each county in the district shall add the amount of the levy made by the district to other taxes of the county for collection by the county treasurer with other taxes. When collected, the county treasurer shall make settlement of the tax with the district in the same manner as other taxes are distributed to political subdivisions. No county shall levy any tax for mosquito and black gnat (Simuliidae) control except under sections 473.701 to 473.716. The levy shall be in addition to other taxes authorized by law and shall be disregarded in the calculation of limits on taxes imposed by chapter 275.

Sec. 6. [473.712] WITHDRAWAL; ASSETS.

A county may terminate its participation in the district only as provided by other law. If a county terminates its participation in the district, an appraisal of the property of the commission shall be made by a board of appraisers and the

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value determined as of the termination date. The board shall be three members, one appointed by the terminated county, one by the remaining counties within the district, and the third by the first two. If the first two appraisers cannot agree to the appointment of the third appraiser within 30 days, the commission shall appoint the third appraiser. An amount equal to the withdrawing county's share in the net assets of the commission proportionate to its financial contribution to the metropolitan mosquito control fund shall be paid to the treasurer of the terminated county. If a participating county furnishes specific funds and materials to be used in special projects, they shall be returned to it. If the district is dissolved, all property of the commission shall be sold and the proceeds remaining after the payment of the debts, obligations, and liabilities of the district, along with any balance in the fund, shall be paid to the counties which are members of the district in proportion to their financial contributions.

Sec. 7. APPLICATION.

This act applies in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

Sec. 8. EFFECTIVE DATE.

This act is effective the day following final enactment.

Approved May 10, 1983

CHAPTER 130 — H.F.No. 954

An act relating to the Minneapolis park and recreation board; providing for the appointment of various employees; amending Laws 1969, chapter 1024, sections 1 and 2.

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

Section 1. Laws 1969, chapter 1024, section 1, is amended to read:

Section 1. MINNEAPOLIS PARK AND RECREATION BOARD EMPLOYEES.

Notwithstanding any provisions of the Minneapolis City Charter, Veterans Preference Act, or Civil Service rule, law or regulation to the contrary, the superintendent of the board of park commissioners and recreation board of the City of Minneapolis may appoint any suitable person as

- (a) assistant superintendent for administration,
- (b) assistant superintendent for operations,
- (c) assistant superintendent for recreation, and

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