

Sections 14 to 22, 24, 28, and 31 are effective July 1, 1984. Section 23 is effective for all transfers which occur on or after the effective date of this act. Sections 12 and 13 of this act are effective the day after final enactment and apply to all claims which have not yet been reduced to judgment. Section 25 is effective October 1, 1984.

Approved April 25, 1984

### CHAPTER 535 — H.F.No. 1975

*An act relating to transportation; allowing entire portions of former trunk highways to revert to counties under certain circumstances; allowing town road funds to be used for gravel maintenance; discontinuing a trunk highway route; amending Minnesota Statutes 1982, section 161.16, subdivision 4; and Minnesota Statutes 1983 Supplement, section 162.081, subdivision 4.*

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

Section 1. Minnesota Statutes 1982, section 161.16, subdivision 4, is amended to read:

Subd. 4. **REVERSION OR CONVEYANCE TO ANOTHER ROAD AUTHORITY.** (a) If the commissioner makes a change in the definite location of a trunk highway as provided in this section, the portion of the existing road that is no longer a part of the trunk highway by reason of the change and all right, title, and interest of the state in the trunk highway shall revert to the road authority originally charged with the care of that trunk highway unless the commissioner, the road authority originally charged with the care of the trunk highway and the road authority of the political subdivision in which the portion is located agree on another disposition, in which case the reversion is as provided in the agreement. When the reversion is to a county and a portion lies partly within a city of under 5,000 population the entire portion shall revert to the county if it meets the criteria for a county state-aid highway.

(b) If the portion had its origin as a trunk highway, it shall become a county highway unless it lies within the corporate limits of a city, in which case it shall become a street of the city. When the existing road that is no longer a part of the trunk highway by reason of the change lies within a city of less than 5,000 population, the portion shall revert to the county if the portion meets the criteria for a county state-aid highway. In municipalities of over 5,000 population that portion of the road may revert to the county if the appropriate authorities of the state, county and the various cities through which the route passes so agree. Should any city not agree that the portion of the roadway that passes through it shall revert to county jurisdiction, the portion shall not so revert, although the

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other portions of the roadway in which agreement has been reached shall revert to county jurisdiction. Notwithstanding the other provisions of this chapter or other applicable laws and regulations, the commissioner may convey and quitclaim to a county, city, or other political subdivision all or part of the right of way of the existing road that is no longer a part of the trunk highway by reason of the commissioner's order or orders. The conveyance shall be for highway purposes, and the future cost of maintenance, improvement, or reconstruction of the highway and the contribution of that highway to the public highway system is reasonable and proper consideration for the conveyance. Extra Session Laws 1967, Chapter 11 shall apply to all trunk highways reverted before the date of its enactment.

Sec. 2. Minnesota Statutes 1983 Supplement, section 162.081, subdivision 4, is amended to read:

Subd. 4. **PURPOSES.** Money apportioned to a county from the town road account must be distributed to the treasurer of each town within the county, according to a distribution formula adopted by the county board. The formula must take into account each town's levy for road and bridge purposes, its population and town road mileage, and other factors as the county board deems advisable in the interests of achieving equity among the towns. Distribution of town road funds to the treasurer of the towns must be made within 30 days of the receipt of the funds by the county treasurer. Distribution of funds to town treasurers in a county which has not adopted a distribution formula under this subdivision must be made according to a formula prescribed by the commissioner by rule. A formula adopted by a county board or by the commissioner must provide that a town, in order to be eligible for distribution of funds from the town road account in a calendar year, must have levied in the previous year for road and bridge purposes at least two mills on the dollar of the assessed value of the town.

Money distributed to a town under this subdivision may be expended by the town only for the construction ~~and~~, reconstruction, and gravel maintenance of town roads within the town.

Sec. 3. **TRUNK HIGHWAY SYSTEM; REMOVAL OF ROUTE NO. 236.**

Subdivision 1. ROUTE DISCONTINUED. Route No. 236 as contained and described in section 161.115 is discontinued and removed from the trunk highway system.

Subd. 2. REVISOR INSTRUCTION. In compiling the Minnesota Statutes, the revisor of statutes shall delete the route specified in subdivision 1.

Sec. 4. **EFFECTIVE DATE.**

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Sections 1 and 2 are effective the day following final enactment. Section 3 is effective upon certification by the commissioner of transportation to the Traverse County board that the regrading and surfacing of the roadway has been completed, at which time it shall become a part of the county road system of Traverse County.

Approved April 25, 1984

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### CHAPTER 536 — H.F.No. 1982

*An act relating to towns; authorizing contracts with nonprofit organizations; amending Minnesota Statutes 1982, section 365.10.*

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

Section 1. Minnesota Statutes 1982, section 365.10, is amended to read:

**365.10 TOWN MEETINGS, POWERS.**

The electors of each town have power, at their annual town meeting:

- (1) To determine the locations of pounds, and number of poundmasters, and to discontinue any such pounds;
- (2) To select such town officers as are to be chosen;
- (3) To make such lawful orders and bylaws as they deem proper for restraining horses, cattle, sheep, swine, and other domestic animals from going at large on the highways, and provide for impounding such animals so going at large;
- (4) To fix penalties for violations of any order or bylaw made by such town, except such as relate to the keeping and maintaining of fences;
- (5) To vote money for the repair and construction of roads and bridges, and determine the amount thereof to be assessed as labor tax, and to vote such sums as they deem expedient for other town expenses, including the construction and maintenance of docks and breakwaters;
- (6) When they deem it for the interest of the town to direct that a specified amount of the poll and road tax be expended, under the direction of their town board, on the roads of an adjoining town;
- (7) To authorize the town board to sell and convey or lease any real or personal property belonging to the town, not conveyed to and required to be held by the town for a special purpose;

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