

CHAPTER 28—H.F.No. 266

An act relating to water; including ex officio agency members as voting members of the board of water and soil resources; amending Minnesota Statutes 1996, section 103B.101, subdivisions 1, 2, and 5; repealing Minnesota Statutes 1996, section 103B.101, subdivisions 3 and 8.

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

Section 1. Minnesota Statutes 1996, section 103B.101, subdivision 1, is amended to read:

Subdivision 1. **MEMBERSHIP.** The board of water and soil resources is composed of 12 ~~voting~~ members knowledgeable of water and soil problems and conditions within the state and ~~four~~ five ex officio nonvoting members.

Sec. 2. Minnesota Statutes 1996, section 103B.101, subdivision 2, is amended to read:

Subd. 2. **VOTING MEMBERS.** (a) The ~~voting~~ members are:

- (1) three county commissioners;
 - (2) three soil and water conservation district supervisors;
 - (3) three watershed district or watershed management organization representatives;
- and
- (4) three citizens who are not employed by, or the appointed or elected officials of, a governmental office, board, or agency;

(5) the commissioner of agriculture;

(6) the commissioner of health;

(7) the commissioner of natural resources;

(8) the commissioner of the pollution control agency; and

(9) the director of the University of Minnesota extension service.

(b) ~~Voting~~ Members in paragraph (a), clauses (1) to (4), must be distributed across the state with at least three members but not more than five members from the metropolitan area, as defined by section 473.121, subdivision 2; and one from each of the current soil and water conservation administrative regions.

(c) ~~Voting~~ Members in paragraph (a), clauses (1) to (4), are appointed by the governor. In making the appointments, the governor may consider persons recommended by the association of Minnesota counties, the Minnesota association of soil and water conservation districts, and the Minnesota association of watershed districts. The list submitted by an association must contain at least three nominees for each position to be filled.

(d) The membership terms, compensation, removal of members and filling of vacancies on the board for ~~voting~~ members in paragraph (a), clauses (1) to (4), are as provided in section 15.0575.

New language is indicated by underline, deletions by strikeout.

Sec. 3. Minnesota Statutes 1996, section 103B.101, subdivision 5, is amended to read:

Subd. 5. **OFFICERS.** The governor shall appoint a chair from among the voting members of the board in subdivision 2, paragraph (a), clauses (1) to (4), with the advice and consent of the senate. The board shall elect a vice-chair and any other officers that it considers necessary from its membership.

Sec. 4. **REPEALER.**

Minnesota Statutes 1996, section 103B.101, subdivisions 3 and 8, are repealed.

Presented to the governor April 10, 1997

Signed by the governor April 11, 1997, 9:55 a.m.

CHAPTER 29—S.F.No. 368

An act relating to civil actions; providing immunity from civil liability for persons who preside at alternative dispute resolution proceedings; proposing coding for new law in Minnesota Statutes, chapter 604A.

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

Section 1. **[604A.32] ALTERNATIVE DISPUTE RESOLUTION IMMUNITY.**

A person presiding at an alternative dispute resolution proceeding is not subject to civil liability for the person's conduct in presiding over the proceeding, except for injury caused by malice, bad faith, or reckless conduct. This section does not restrict or affect immunity from liability that may be available under other law.

Sec. 2. **APPLICATION.**

Section 1 applies to claims arising from incidents occurring on or after the effective date of this act.

Presented to the governor April 10, 1997

Signed by the governor April 11, 1997, 10:00 a.m.

CHAPTER 30—S.F.No. 1645

An act relating to public safety; appropriating money for costs relating to the 1837 treaty.

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

Section 1. **TREATY IMPLEMENTATION.**

New language is indicated by underline, deletions by ~~strikeout~~.