

Section 1. **Stuntz, town of; housing and redevelopment authority.** For the purposes of Minnesota Statutes, Sections 462.415 to 462.711 and Laws 1959, Chapter 545, and all acts amendatory thereto, the town of Stuntz in St. Louis County is a municipality.

Sec. 2. Section 1 is effective upon its approval by a majority of those present and voting on the question at the next annual town meeting of the town of Stuntz and upon compliance with Laws 1959, Chapter 368.

Approved April 20, 1961.

CHAPTER 637—H. F. No. 1279

An act relating to the authority for constructing telephone lines and exchanges including territorial authority therefor; amending Minnesota Statutes 1957, Section 237.16.

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

Section 1. Minnesota Statutes 1957, Section 237.16, is amended to read:

237.16 Authority for constructing telephone lines and exchanges. *Subdivision 1.* For the purpose of bringing about uniformity of practice, the commission shall have the exclusive right to grant authority to any telephone company to construct telephone lines or exchanges for furnishing local service to subscribers in any municipality of this state, and to prescribe the terms and conditions upon which construction may be carried on, and whenever the commission grants such authority, it shall be in the form of a permit of indeterminate duration—coupled with the right to the municipality to purchase the telephone plant within the city, as hereinafter provided. No lines or equipment shall be constructed or installed for the purpose of furnishing local rural or toll telephone service to the inhabitants or telephone users in any locality in this state, where there is then in operation in the locality or territory affected thereby another telephone company already furnishing such service, without first securing from the commission a declaration, after a public hearing, that public convenience requires such proposed telephone lines or equipment; but the governing body of any municipality shall have the same powers of regulation which it now possesses with reference to the location of poles and

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wires so as to prevent any interference with the safe and convenient use of streets and alleys by the public.

Subd. 2. All telephone companies operating exchanges in the state of Minnesota as of the effective date of this act shall be entitled to receive a certificate of territorial authority from the commission authorizing such company to continue to serve the areas presently included within the exchange boundaries as indicated by the exchange boundary maps now on record with the commission provided however that such exchange boundaries shall be subject to review by the commission upon the filing of a complaint by any interested party, the time for filing such complaints to be limited to 60 days after the passage of this act. If more than one company files maps indicating service in the same territory, the commission shall, after hearing, on reasonable notice to the interested parties, determine, from such evidence as it may reasonably require, which of such companies shall be entitled to a certificate of territorial authority. In making such determination, the commission shall consider the ability of such company to furnish thereafter reasonably adequate service in the territory in question. Any company operating a switchboard that does not presently have a map on record with the commission shall have three months from the effective date of this act to file such map showing the territory being served by such company.

Subd. 3. The style, size and kind of map, together with the information to be shown thereon, shall be as required by the rules and regulations prescribed by the commission. Such rules and regulations shall indicate the time and place for filing such maps and shall require that such maps be kept current.

Subd. 4. No company shall construct or operate any line, plant or system, or any extension thereof, or acquire ownership or control thereof, either directly or indirectly, without first obtaining from the commission a determination that the present or future public convenience and necessity require or will require such construction, operation, or acquisition, and a new certificate of territorial authority; provided that this act shall not be construed to require a telephone company operating an exchange in Minnesota to secure a certificate for an extension within any territory within which such company has heretofore filed maps or for substitute facilities within such territories, or for extensions into territories contiguous to that already occupied by such

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company and not receiving similar service from another company if no certificate of territorial authority has been issued to or applied for by any other company.

Subd. 5. Any certificate of territorial authority may, after notice of hearing and a hearing, be revoked by the commission, in whole or in part, for the failure of the holder thereof to furnish reasonably adequate telephone service within the area or areas determined and defined in such certificate of territorial authority.

Subd. 6. Nothing contained in this act shall be construed to require any telephone company operating exchanges in the state of Minnesota to render telephone service in any portion of any territorial area in which such telephone company does not render and does not propose to render telephone service.

Approved April 20, 1961.

CHAPTER 638—H. F. No. 1294

[Coded]

An act relating to public recreational use of privately owned lands or waters; limiting the effects of such use with respect to dedication and liability for injuries.

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

Section 1. [87.01] **Public recreational use of privately owned lands and waters; policy.** It is the policy of the state, in furtherance of the public health and welfare, to encourage and promote the use of privately owned lands and waters by the public for beneficial outdoor recreational purposes, and the provisions of sections 1 to 4 are enacted to that end.

Sec. 2. [87.02] **Definitions.** Subdivision 1. The definitions given in this section shall obtain for the purposes of sections 1 to 4, except as otherwise specified or indicated by the context.

Subd. 2. "Outdoor recreational use" includes, without limitation, hunting, fishing, boating, swimming, walking, climbing, skating, skiing on land or water, snowshoeing, riding, camping, picnicking, participating in outdoor sports or games, nature study, and other pursuits for the purpose of outdoor recreation.

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