

constituting separate taxing districts for the purpose of all municipal property taxes except those levied for the payment of bonds and judgments and interest thereon. In proceedings for annexation, incorporation, or consolidation being conducted pursuant to chapter 414, the Minnesota Municipal Commission may by order divide a municipality into an urban service district and a rural service district, such districts to be designated by the Commission in accordance with the criteria set out in subdivision 2 of this section. Thereafter, said urban service district and rural service district may be changed in the same manner that an ordinance or amendment is changed in accordance with this section.

Approved June 4, 1971.

CHAPTER 779—H.F.No.240

[Coded]

An act relating to crimes and criminals; providing for the setting aside of convictions in certain cases.

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

Section 1. **[609.166] CRIMES AND CRIMINALS; CONVICTIONS; FELONY AND GROSS MISDEMEANOR CONVICTIONS; SETTING ASIDE IN CERTAIN INSTANCES.** Any person who is convicted of or pleads guilty to a felony or gross misdemeanor may move the convicting court for the entry of an order setting aside the conviction where:

- (a) the offense was committed before he was 21 years of age;
- (b) the offense is the only felony or gross misdemeanor for which the person has been convicted;
- (c) five years have lapsed since the person has served the sentence imposed upon him or has been discharged from probation; and
- (d) the offense is not one for which a sentence of life imprisonment may be imposed.

Sec. 2. **[609.167] PROCEDURE IN ENTERING ORDER.** Subdivision 1. A copy of the motion and supporting affidavits shall be served upon the office of the prosecuting attorney who prosecuted the offense 30 days prior to hearing on the motion.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Subd. 2. At hearing on the motion the court may require the filing of such further affidavits and the taking of such evidence as it deems necessary and proper.

Subd. 3. Where the court determines that the circumstances and behavior of the person from the date of his conviction warrant setting aside the conviction, it may enter such an order.

Sec. 3. [609.168] **EFFECT OF ORDER.** Where an order is entered by the court setting aside the conviction the person shall be deemed not to have been previously convicted.

Approved June 4, 1971.

CHAPTER 780—H.F.No.333

An act relating to education; school aids, counties without personal property tax; repealing Minnesota Statutes 1969, Section 272.65.

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

Section 1. **EDUCATION; SCHOOL AIDS; COUNTIES WITHOUT PERSONAL PROPERTY TAX.** Minnesota Statutes 1969, Section 272.65, is repealed.

Approved June 4, 1971.

CHAPTER 781—H.F.No.491

[Coded in Part]

An act relating to private business, trade and correspondence schools; amending Minnesota Statutes 1969, Sections 141.25, Subdivisions 7 and 9; 141.26, by adding a subdivision; and 141.27, Subdivisions 1 and 3.

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

Changes or additions indicated by underline, deletions by ~~strikeout~~.