

**EXTRA SESSION**  
**CHAPTER 48—H.F.No.178**

[Coded in Part]

*An act relating to state and local government; the organization, operation, and financing thereof; appropriating and reappropriating funds and directing the use thereof; correcting various errors and omissions in Minnesota Statutes and other legislative acts; providing penalties; amending Minnesota Statutes 1969, Chapters 169, by adding a section; 176, by adding a section; 216, by adding a section; and 525, by adding a section; and Minnesota Statutes 1969, Sections 16.86, Subdivision 4; 84.82, Subdivisions 1, as amended, and 2; 152.01, Subdivision 16, as added; 169.80, Subdivision 1, as amended; 354.05, Subdivision 27, as added; 473D.05, Subdivision 5, as amended; and Laws 1971, Chapters 162, Section 33; 292, Section 1; 409, Section 2, Subdivision 1; 466, Section 1, Subdivision 2; 561, Section 4; 844, Section 1; 851, Section 1, Subdivision 2; 916, Section 22; and repealing Minnesota Statutes 1969, Sections 15.53, Subdivision 2; 43.221; 299E.01, Subdivision 4; 331.07, Subdivisions 1, 2, 3, and 4; and 331.08; and Laws 1971, Chapters 436 and 866; amending a law enacted by the 1971 Special Session and identified as Extra Session Senate File No. 1, Section 10, and repealing a law enacted by the 1971 Special Session and identified as Extra Session Senate File No. 1, Section 24.*

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

**Section 1. STATE AND LOCAL GOVERNMENT; ORGANIZATION, OPERATION AND FINANCING.** There is hereby reappropriated from any unexpended balance remaining in the appropriation made by Laws 1969, Chapter 1136, Section 2, Subdivision 1, the sum of \$35,000 for the cost of moving, telephone relocation, and remodeling. This reappropriation shall be available until June 30, 1972.

**Sec. 2. [648.39] Subd. 1a.** Notwithstanding the provisions of Extra Session Laws 1971, Chapter 3, Section 67, Subdivision 1, the departments of administration and public examiner may each receive not more than 20 copies of each edition of Minnesota Statutes and each edition of the session laws.

**Sec. 3. [3.30] Subd. 2a.** Notwithstanding the provisions of Minnesota Statutes, Section 3.30, Subdivision 2, the commissioner of administration is not required to publish a biennial report of the actions of the legislative advisory committee.

**Sec. 4. [43.128] Subd. 2.** The provisions of Extra Session Laws 1971, Chapter 3, Section 51, shall not apply to state

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employees listed in Minnesota Statutes, Section 43.09, Subdivision 2 (7) and Section 136A.03.

Sec. 5. Laws 1971, Chapter 851, Section 1, Subdivision 2, is amended to read:

Subd. 2. It is in the public interest to foster, expand, and stabilize the financial support of medical education, and particularly in the training of persons primarily interested in patient care. The health science activities at St. Paul-Ramsey hospital have been utilized by the regents of the university of Minnesota for these purposes and it is desirable that these activities be expanded and properly funded. To this end the appropriations set forth in subdivision 1 are made and the regents of the university of Minnesota are respectfully requested to expand health science education at St. Paul-Ramsey hospital.

Sec. 6. The amount appropriated in Extra Session Laws 1971, Chapter 3, Section 34, Subdivisions 1 and 2, includes sufficient moneys for each year of the biennium to maintain weed control on tax exempt and forfeited land at the level of the 1970-1971 biennium.

Sec. 7. Minnesota Statutes 1969, Section 354.05, Subdivision 27, as added by Laws 1971, Chapter 535, Section 1, is amended to read:

Subd. 27. The term "normal school operating funds" as used in this chapter shall be defined as and limited to the proceeds of property tax levies, state school maintenance cost aids distributed in accordance with statutes governing such funds, state aid to distressed school districts, proceeds from federal forest reserve lands, ~~Smith Hughes and George Barden program aids as amended~~, state transportation aids, and receipts from tuition paid by persons or other school districts and rental charges received. The term also includes moneys appropriated by the legislature for the operation of any state agency, department, state board, or institution.

This section is in effect as of July 1, 1971.

Sec. 8. Subdivision 1. [299E.01] Subd. 4. For purposes of this section, the capitol complex of state owned buildings shall be as defined in section 15.50, and acts amendatory thereof and such other state owned or state leased buildings and property within the Twin Cities metropolitan area as the governor from time to time may designate.

Subd. 2. Subdivision 1 takes the place of Minnesota Statutes 1969, Section 299E.01, Subdivision 4.

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Subd. 3. Minnesota Statutes 1969, Section 299E.01, Subdivision 4, and Laws 1971, Chapter 436 are repealed.

Sec. 9. Laws 1971, Chapter 866, is repealed.

Sec. 10. **[193.1431] CONSTRUCTION AND EQUIPPING NEW ARMORIES, ADDITIONAL POWERS.** Notwithstanding the provisions of Minnesota Statutes, Section 193.143 (3) to the contrary the Minnesota state armory building commission is empowered: To construct and equip new armories as authorized by Minnesota Statutes, Chapter 193; to pay therefor out of funds obtained as hereinafter provided and to hold, manage, and dispose of such armory, equipment, and site as hereinafter provided. The total cost to the corporation of each armory constructed, as provided in section 193.141, including the site, building, and equipment, shall not exceed \$200,000 for a single unit armory and \$100,000 for each additional unit of the national guard or naval militia to be quartered therein, and the total amount of bonds issued on account of such armories shall not exceed the amount of the cost thereof; provided also, that the total bonded indebtedness of the commission shall not at any time exceed the aggregate sum of \$4,500,000.

Sec. 11. Subdivision 1. **[15.53] Subd. 2.** The period of individual assignment or detail under an interchange program shall not exceed 24 months, nor shall any person be assigned or detailed for more than 24 months during any 36 month period. Details relating to any matter covered in sections 15.51 to 15.57 may be the subject of an agreement between the sending and receiving agencies. Elected officials shall not be assigned from a sending agency nor detailed to a receiving agency.

Subd. 2. **[15.58] AGREEMENTS BETWEEN FEDERAL AND RECEIVING AGENCIES.** Notwithstanding the provisions of Minnesota Statutes, Section 15.51 to 15.57, a receiving agency in this state participating in an interchange of employees under the Intergovernmental Personnel Act of 1970 may enter into a written agreement with a federal agency. Such agreement may provide for the state agency to pay all or a portion of the salary and fringe benefits of the federal employee assigned. Such payments may be made directly to the employee or as reimbursement to the federal agency.

Subd. 3. Subdivision 1 takes the place of Minnesota Statutes 1969, Section 15.53, Subdivision 2.

Subd. 4. Minnesota Statutes 1969, Section 15.53, Subdivision 2, is repealed.

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**Sec. 12. [163.052] DISPOSITION OF PROCEEDS OF WHEELAGE TAX; COSTS OF COLLECTION.** Notwithstanding the provisions of any other law, the state registrar of motor vehicles shall deposit the proceeds of the wheelage tax imposed by Laws 1971, Chapter 830, Section 11, Subdivision 2, to the credit of the county wheelage tax fund of each metropolitan county. The amount necessary to pay the costs of collection of said tax is appropriated from the county wheelage tax fund of each metropolitan county to the state registrar of motor vehicles.

**Sec. 13. [331.085] TYPE; FEES FOR PUBLICATION.** Subdivision 1. **MEASUREMENT OF TYPE.** *The basis of measurement of type used in the publication of notices and forms required by law to be published in a newspaper in this state shall be as follows:*

(1) One inch in length shall contain 72 points of type measurement;

(2) Nonpareil or six-point type shall be 12 lines to the inch;

(3) Brevier or eight-point type shall be nine lines to the inch;

(4) Long primer or ten-point type shall be seven and two tenths lines to the inch;

(5) Agate type shall be 14 lines to the inch, and the length of the lower case alphabet from A to Z, both inclusive, set in compact form, shall be seven and one half ems pica, a total of 90 points;

(6) A standard line shall be 6-point Times Roman with a lower case alphabet of 90 points set on a 6-point slug without spacing between the lines, and 11 picas in length.

Subd. 2. **DIFFERENCE IN SIZE OF TYPE USED.** Non-standard type faces and line lengths shall be allowed with adjustments in fees according to variations in type set and line length. When a publisher does not have, or elects not to use a 6-point body type, a larger body type may be used, in which case adjustments shall be made in line rate, proportionately decreasing for wider alphabets and for sizes of type over 6-point to produce the same net average compensation for the matter published. Such adjustments shall be evaluated by the commissioner of administration who shall certify the same to any newspaper, public official or other interested party upon request, and such certification shall be presumptive evidence of the correct adjustments.

Subd. 3. **FEES FOR PUBLICATION OF LEGAL NOTICES.** The fee for publication of a legal notice in any legal newspaper in

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this state shall be 19.3 cents per standard line for the first insertion and 13 cents per standard line for each subsequent insertion of a notice. The fees for the publication of the delinquent tax list shall be the same as now provided by section 279.07; provided that in all cases where a notice for publication contains tabular matter in whole or in part, or what is termed "price and one half" or "double price" composition, an additional fee of 6.5 cents per standard line shall be paid for all such price and one half and double price composition matter for the first insertion of a notice; and in the publication of official ballots for elections in the counties and the state the same shall be measured as though the entire space occupied is that of solid brevier or eight-point type, and no additional fee shall be allowed on account of tabular matter.

Subd. 4. Subdivisions 1, 2, and 3 take the place of Minnesota Statutes 1969, Sections 331.07, Subdivisions 1, 2, 3, and 4, and 331.08.

Subd. 5. Minnesota Statutes 1969, Sections 331.07, Subdivisions 1, 2, 3, and 4, and 331.08, are repealed.

Sec. 14. Subdivision 1. Minnesota Statutes 1969, Section 16.851, as added to by Laws 1971, Chapter 561, Section 4, is amended to read:

**[16.851] STATE BUILDING CODE, APPLICATION.** Effective July 1, 1972, the state building code shall apply statewide and supersede and take the place of the building code of any municipality. Specifically, the code shall apply to any municipality which as of the effective date of this act has a building code and shall further apply to any municipality which chooses to adopt a building code thereafter. Said building code shall not apply to farm dwellings and buildings, except with respect to ~~electrical inspections~~ other state inspections required as of the effective date of this act.

Subd. 2. Minnesota Statutes 1969, Section 16.86, Subdivision 4, is amended to read:

Subd. 4. ~~The commissioner may hold joint hearings with any other state department or agency whenever the~~ notwithstanding any law to the contrary, shall hold all state hearings and make all determinations regarding any subject matter dealt with in the code including those in which another department or agency proposes to amend its rules and regulations which are incorporated by reference into the code or whenever the commissioner proposes to incorporate such regulations into the code.

Sec. 15. **[3.102]** Minnesota Extra Session Laws 1971, Chapter 3, Section 83, is amended to read as follows:

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Sec. 83. **INTERIM LIVING EXPENSES.** Each member of the legislature shall be reimbursed for his expenses when he is required to attend meetings of standing committees, commissions, or is engaged in other legislative activity when the legislature is not in session. The amount of such reimbursement is shall not exceed \$25 per day as a per diem expense allowance for all expenses incurred except travel. He shall also be reimbursed for his travel expenses in the same amount as state employees are reimbursed for such travel.

Reimbursements to members of the legislature for out-of-state meetings or other legislative activity shall be in the same amounts as state employees are reimbursed for such out-of-state expenses.

Expenses for members of the legislature are payable in the manner and in the amount designated by the senate committee on rules and administration as to members of the senate and by the committee on rules and legislative administration as to members of the house of representatives.

The expense allowances provided for herein to the persons designated are in lieu of any other expenses authorized by law or resolution for the same purposes.

Sec. 16. [471.61] **Subd. 1a. DEPENDENTS.** Notwithstanding the provisions of Minnesota Statutes 1969, Section 471.61, as amended by Laws 1971, Chapter 451, Section 1, the word "dependents" as used therein shall mean spouse and minor unmarried children under the age of 19 years and dependent students under the age of 25 years actually dependent upon the employee.

Sec. 17. Subdivision 1. Minnesota Statutes 1969, Section 152.01, Subdivision 16, as added by Laws 1971, Chapter 937, Section 11, is amended to read:

Subd. 16. **SMALL AMOUNT.** "Small amount" as applied to marijuana means 1.5 ounces avoirdupois or less. This provision shall not apply to the resinous form of marijuana.

Sec. 18. [156A.09] **MEMBERS ON ADVISORY COUNCIL.** Notwithstanding the provisions of Extra Session Laws 1971, Chapter 29, Section 6, the advisory council established by chapter 29 shall be composed of eight voting members.

Sec. 19. [11.115] **REIMBURSEMENT FOR CERTAIN EXPENSES.** The state board of investment may reimburse a person, who is not a public official or employee and who advises the board, for his travel expenses in the performance of his duties. Such reimbursement is to be made from moneys appropriated to the board for supplies and expense.

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Sec. 20. Minnesota Statutes 1969, Section 43.221, is repealed.

Sec. 21. In lieu of the route added to the trunk highway system by Laws 1971, Chapter 635, the following route, described as follows, is added thereto:

**[161.115] TRUNK HIGHWAYS; ROUTE 329.** Beginning at a point on ~~Route No. 10~~ No. 144 in or near Morris; thence extending in an easterly direction into and through the grounds of the West Central School and Experiment Station of the University of Minnesota and terminating at the east boundary thereof.

Sec. 22. **[15A.20] Subd. 5.** For the purposes of implementing the provisions of Extra Session Laws 1971, Chapter 3, Section 76, Subdivision 4, the commissioner of administration may designate a single rate that shall be used as the rate of reimbursement for personal car mileage at the motor pool mileage rate and for determining if the use of a motor pool vehicle would have resulted in greater cost. The single rate may be other than actual motor pool mileage rates.

Sec. 23. Minnesota Statutes 1969, Chapter 216, is amended by adding a section to read:

**[216.161] CONTESTED CASES; NOTICE.** Notwithstanding the provisions of any other law the commission in any contested case shall give reasonable notice to representatives of associations or other interested groups or persons who have registered their names with the secretary of the commission for that purpose, to all parties and to cities, villages and municipalities which the commission deems to be interested in the proceeding.

“Contested case” means a proceeding before the commission in which the legal rights, duties or privileges of specific parties are required by law or constitutional right to be determined after a hearing.

Sec. 24. Notwithstanding the provisions of Laws 1971, Chapter 966, Section 20, Subdivision 4, the appropriation made therein may also be used to supplement the appropriation made in Chapter 966, Section 20, Subdivision 3, for the National Defense Student Loan Program.

Sec. 25. Notwithstanding the provisions of Minnesota Statutes, Section 85.011, or any other law to the contrary, the following described land may be used for a headquarters building and related facilities of the department of natural resources: Lot one (1), Section fifteen (15), Township one hundred forty-seven (147), Range thirty-three (33), Beltrami county.

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Sec. 26. **MINNESOTA VALLEY TRAIL; CONDEMNATION.** In addition to the lands authorized for acquisition in Laws 1971, Chapter 859, Section 8, the commissioner of administration, for the commissioner of natural resources, may acquire by gift, purchase, or eminent domain proceedings the following described lands for the Minnesota Valley Trail:

All Government Lots 5 and 6, the Southwest Quarter of the Southwest Quarter, the Northeast Quarter of the Southwest Quarter, and the Southeast Quarter of the Northwest Quarter of Section 10; all of the Northeast Quarter of the Northeast Quarter of Section 16; all of the West Half of the Northwest Quarter of Section 21; all in Township 115 North, Range 23 West.

Sec. 27. Laws 1971, Chapter 409, Section 2, Subdivision 1, is amended to read:

Sec. 2. [327.32] Subdivision 1. After July 1, 1972, no person shall:

(a) Sell, or offer for sale, in this state, any mobile home manufactured after ~~January~~ July 1, 1972;

(b) Manufacture any mobile home in this state; or

(c) Park any mobile home manufactured after ~~January~~ July 1, 1972, in any mobile home park in this state; unless the mobile home complies with the code and bears a seal issued by the commissioner, and is accompanied by a certificate by the manufacturer or dealer, both evidencing that it so complies with the code.

Sec. 28. [169.83] Subd. 1a. **SINGLE WHEEL DEFINED.** For the purposes of Minnesota Statutes, Section 169.83, Subdivision 1, Clause 1, two or more wheels less than 48 inches apart on an axle shall be deemed a single wheel; provided that two or more wheels less than 48 inches apart on an axle on vehicles in operation and registered in this state on the effective date of this act shall be counted as separate wheels.

Sec. 29. [169.83] Subd. 2a. **COMBINED VEHICLES, CONSECUTIVE AXLE WEIGHT.** For the purposes of the gross weight table in Minnesota Statutes, Section 169.83, Subdivision 2, the maximum gross weight in pounds on a group of four consecutive axles of any combination of vehicles having a total of four or more axles shall also apply to four consecutive axles of any vehicle, and no vehicle alone, nor any vehicle of a combination of vehicles, shall be equipped with more than four axles; provided that the limitation on the number of axles as herein provided shall not apply to any vehicle operated under permit pursuant to Minnesota Statutes, Section 169.86.

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Sec. 30. Minnesota Statutes 1969, Section 169.80, Subdivision 1, as amended by Extra Session Laws 1971, Chapter 27, Section 14, is amended to read:

**169.80 SIZE, WEIGHT, LOAD.** Subdivision 1. **LIMITATIONS.** ~~It is unlawful and punishable as hereinafter provided a misdemeanor~~ for any person to drive or move, or for the owner to cause or knowingly permit to be driven or moved, on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in sections 169.80 to 169.88, or otherwise in violation of sections 169.80 to 169.88, and the maximum size and weight of vehicles herein specified shall be lawful throughout this state, and local authorities shall have no power or authority to alter these limitations except as express authority may be granted in sections 169.80 to 169.88.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in said group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus, or to implements of husbandry temporarily moved upon a highway, or to loads of loose hay or corn stalks if transported by a horse-drawn vehicle or drawn by a farm tractor, or to a vehicle operated under the terms of a special permit issued as herein provided. For purposes of sections 169.80 to 169.88, a specialized vehicle resembling a low-slung two wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry.

Sec. 31. Laws 1971, Chapter 162, Section 33, is amended to read:

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Sec. 33. This act shall take effect ~~July 1, 1972~~ October 1, 1972 ; except that sections 24 and 32 shall take effect on the passage of this act.

Sec. 32. Laws 1971, Chapter 292, Section 1, is amended to read:

**Section 1. CONVEYANCE OF STATE LANDS; INDEPENDENT SCHOOL DISTRICT NO. 97, CARLTON COUNTY.** Notwithstanding any law to the contrary, the commissioner of administration shall convey by quitclaim deed in the name of and on behalf of the state of Minnesota to Independent School District No. 97, of Moose Lake, Minnesota, all or any part of the following described surplus lands in Carlton county, Minnesota, to wit:

All that part of the south one-half of the SW  $\frac{1}{4}$  of Section 28, and the NW  $\frac{1}{4}$  of Section 33 lying south of trunk highway ~~133~~ 73, and west of interstate highway 35, all in Township 46 N, Range ~~21~~ 19 W.

Sec. 33. Minnesota Statutes 1969, Section 84.82, Subdivision 1, as amended by Laws 1971, Chapter 577, Section 2, is amended to read:

**84.82 SNOWMOBILE REGISTRATION.** Subdivision 1. **GENERAL REQUIREMENTS.** Except as hereinafter provided, no person shall after June 30, 1969, ~~own, operate,~~ or transport any snowmobile within the state unless such snowmobile has been registered in accordance with the provisions of sections 84.81 to 84.88, except snowmobiles in transit by a manufacturer, distributor or dealer. No person shall sell a snowmobile without furnishing the buyer a bill of sale on a form prescribed by the commissioner.

Sec. 34. Minnesota Statutes 1969, Section 84.82, Subdivision 2, is amended to read:

Subd. 2. **APPLICATION, ISSUANCE, REPORTS.** Application for registration shall be made to the commissioner or an authorized deputy registrar of motor vehicles in such form as the commissioner shall prescribe, and shall state the name and address of every owner of the snowmobile and be signed by at least one owner. Upon receipt of the application and the appropriate fee as hereinafter provided, such snowmobile shall be registered and a registration number assigned which shall be affixed to the snowmobile in such manner as the commissioner shall prescribe. Each deputy registrar of motor vehicles acting pursuant to Minnesota Statutes, Section 168.33, shall also be a deputy registrar of snowmobiles. The commissioner may prescribe the accounting and procedural requirements necessary to assure efficient handling of registrations and registration fees. Deputy registrars shall

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strictly comply with these accounting and procedural requirements. A fee of 50 cents in addition to that otherwise prescribed by law shall be charged for each snowmobile registered by a deputy registrar. The fee shall be disposed of in the manner provided in Minnesota Statutes, Section 168.33, Subdivision 2.

The provisions of this section are effective January 1, 1972.

Sec. 35. The appropriation made by Laws 1971, Chapter 961, Section 4, Subdivision 4, in the sum of \$365,000 is hereby reduced to \$265,000. Of such reduced appropriation, up to \$65,000 may be expended without the 90 percent federal match restriction in a joint project with county agencies or in other projects with the major purpose of developing an eligibility system and medical payment system.

Sec. 36. Laws 1971, Chapter 466, Section 1, Subdivision 2, is amended to read:

[471.465] Subd. 2. "Buildings and facilities" means any and all buildings and facilities and the grounds appurtenant thereto within a city, village, ~~and borough~~, township or other governmental subdivision of the state other than all farm dwellings and buildings and single and two family dwellings.

Sec. 37. Subdivision 1. The governor, upon the recommendation of the commissioners of corrections and administration, shall transfer and convey by quitclaim deed in such form as the attorney general may approve in the name of the state of Minnesota to the St. Mark's Cemetery Association, Inc., for use as a cemetery, the following described land lying and being in Scott county, to wit:

A cemetery plot containing four graves lying on a westerly border and contiguous to the St. Mark's cemetery and consisting of area of approximately 10 x 30 feet.

A more specific description of said land shall be included in the instrument of conveyance.

Subd. 2. Such conveyance shall be conditioned upon the continued use of said land for cemetery purposes.

Subd. 3. The consideration for said transfer shall be the perpetual care of the graves located on the subject land by the St. Mark's Cemetery Association, Inc.

Sec. 38. In addition to the purposes set forth in Laws 1971, Chapter 912, Section 1, the appropriation of \$500,000 as a contingent appropriation for the use and benefit of the game and fish fund may also be used directly for habitat development for

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fish and wildlife. The department shall make every effort to solicit and utilize volunteer assistance and services in carrying out this program.

The natural resources department shall consult the legislative advisory committee concerning specific program proposals and requests for transfers of money. When so consulted the committee shall act as provided in Minnesota Statutes, Section 3.30. In the event moneys are transferred for development purposes rather than to maintain a balance in the game and fish fund, such moneys shall be repaid to the general fund from any balances available in the game and fish fund.

Sec. 39. Minnesota Statutes 1969, Chapter 169, is amended by adding a section to read:

[169.831] MUNICIPAL REFUSE COMPACTOR COLLECTION VEHICLES, WEIGHT LIMITS. The weight limitation of 18,000 pounds on a single axle, 32,000 pounds on a tandem axle, and 73,280 pounds on all axles, as provided in Minnesota Statutes, Section 169.83, Subdivisions 1 and 2, do not apply to a rear loading refuse compactor collection vehicle used solely for transporting solid waste on streets and highways designated for such transportation by the board of county commissioners of any county or the governing body of any city, village or borough in which the street or highway is located. The gross weight on a compactor collection vehicle transporting solid waste on such designated streets and highways shall not exceed 22,000 pounds on a single axle, 40,000 pounds on both axles, 32,000 pounds on a tandem axle, and 50,000 pounds on three axles. This provision shall not apply on interstate highways where prohibited by federal law.

This section shall expire on July 1, 1973.

Sec. 40. Minnesota Statutes 1969, Section 473D.05, Subdivision 5, as amended by Laws 1971, Chapter 496, Section 5, is amended to read:

Subd. 5. Each metropolitan county may also adopt ordinances governing the operation of solid waste haulers, disposal sites, or facilities in the county by any local government unit or person. The regulation shall not prevent the hauling of solid waste from one county to another. Such ordinances shall be consistent with applicable regulations adopted by the agency or the metropolitan council. The county may prescribe a penalty for the violation of any such ordinance not exceeding the maximum which may be specified for a misdemeanor. Any such ordinance enacted shall be published in accordance with the provisions of Minnesota Statutes, Section 375.51. A municipality within a metropolitan county may adopt either the county ordinance by reference or a more strict

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ordinance than the county's to regulate solid waste haulers making pickups within its boundaries. A hauler who qualified under the ordinance of the municipality where he is making pickups may transport solid waste on streets and highways in other municipalities within the county without conforming to their ordinances.

Sec. 41. Minnesota Statutes 1969, Chapter 176, is amended by adding a section to read:

**[176.133] ATTORNEYS FEES, SUPPLEMENTARY BENEFITS.** No attorneys fees shall be permitted or approved by the commission from the supplementary workmen's compensation benefits provided by Laws 1971, Chapter 383, or amendments thereto, unless the case solely involves the obtaining of supplementary workmen's compensation benefits.

Sec. 42. **[297A.252] PERSONAL PROPERTY USED IN PUBLICATIONS, EXEMPTION.** Notwithstanding the provisions of any other law enacted during the 1971 regular or extra session, "The gross receipts from the sale of and storage, use or other consumption in Minnesota of tangible personal property (except paper or ink products) which is used or consumed in producing any publication regularly issued at average intervals not exceeding three months, and any such publication." shall be subject to the sales and use tax exemption otherwise imposed by law by Minnesota Statutes 1969, Section 297A.25, Subdivision 1, as amended.

Sec. 43. The legislative members of a tax study commission or a liquor study commission established by Extra Session Laws 1971, shall be reimbursed for expenses as provided by Extra Session Laws 1971, Chapter 3, Section 83, and any amendment thereof.

The nonlegislative members of a tax study commission or a liquor study commission established by Extra Session Laws 1971, shall serve without compensation but shall be allowed and paid their actual traveling and other expenses necessarily incurred in the performance of their duties as provided for state employees.

Sec. 44. Persons liable for the three percent sales tax imposed upon sales at retail made through coin operated vending machines shall not be required to collect or pay during November, 1971 any amount greater than that which they were required to collect or pay for such sales during October, 1971.

Sec. 45. Laws 1971, Chapter 916, Section 22, is amended to read:

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Sec. 22. [116A.22] **SERVICES CHARGES; A SPECIAL ASSESSMENT AGAINST BENEFITED PROPERTY.** In addition to any other method authorized by law or charter, the board of any county may provide for the collection of ~~unpaid special service~~ charges for all or any part of the cost of or the operation of a water or sewer system, as a special assessment against the property benefited. The board may by ordinance adopt regulations consistent with this section to make this authority effective. Any special assessment levied under this section shall be payable ~~in a single~~ an installment or installments .

Sec. 46. There is hereby appropriated to the commissioner of administration the sum of \$120,000 or so much thereof as may be necessary for the biennium from the general fund in the state treasury for the purpose of renting office space for the department of labor and industry and paying moving and other related expenses.

Sec. 47. Notwithstanding the provision of any other law or charter, the governing body of any city, however organized, village, borough, county, town, school district, or other taxing unit entitled to payments under a law enacted at the 1971 Extra Session and identified as House File No. 262, Article 36, may authorize the sale of certificates of indebtedness in an amount not to exceed the total amount of the two equal installments payable to the taxing unit on or before January 15, 1972, and on or before March 15, 1972, pursuant to paragraph (4) of this subdivision. The certificates shall mature within six months and bear interest at a rate not to exceed the amount prescribed in Minnesota Statutes, Chapter 475. The certificates may be issued with or without advertising for bids on such terms and conditions as the governing body may determine. All certificates and interest thereon shall be payable from taxes levied within existing limitations or from other available revenue. The certificates shall not be included within the net debt of the taxing unit. For the purposes of this paragraph, the governing body of a town shall be the town board of supervisors.

Sec. 48. A law enacted at the 1971 Extra Session and identified as Extra Session Senate File No. 1, Section 10, is amended to read:

**[15A.071] CIVIL SERVICE BOARD TO REVIEW AND ESTABLISH TITLES.** The civil service board may review, establish or change titles for all positions in the unclassified service in the executive branch of state government except for those established by law or the constitution. Titles shall meaningfully describe the positions and be consistent throughout the state service.

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Sec. 49. A law enacted at the 1971 Extra Session and identified as Extra Session Senate File No. 1, Section 24, is repealed.

Sec. 50. Minnesota Statutes 1969, Chapter 525, is amended by adding a section to read:

**[525.493] BASIS FOR ATTORNEY'S FEES.** Notwithstanding any law to the contrary, an attorney performing services for the estate at the instance of the representative shall have compensation therefor out of the estate as the court shall deem just and reasonable. In any proceeding under this section, fair and reasonable attorney's fees shall be based upon time spent, the complexity of any problems involved, and the value of the estate shall not be the controlling factor.

Sec. 51. Laws 1971, Chapter 844, Section 1, is amended to read:

Section 1. **[447.45] HOSPITALS AND NURSING HOMES; FINANCING AND LEASING.** Any county, city, village, borough, or hospital district, except cities of the first class and counties in which are located any cities of the first class, is authorized, in addition to and not in substitution for any other power granted to it by law, to issue revenue bonds by resolution or resolutions of its governing body to finance the acquisition and betterment of hospital, nursing home and related medical facilities, or any of them, including but without limitation the payment of interest during construction and for a reasonable period thereafter and the establishment of reserves for bond payment and for working capital; ~~provided that a certificate of need for such facilities has been issued or approved by the state department of health~~ however, that the authority granted by this section shall not apply to any facility to which Laws 1971, Chapter 628 applies, unless a certificate of need has been issued.

Sec. 52. Except as otherwise provided in this act the provisions of this act are in effect upon final enactment.

Approved November 12, 1971.

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