

Sec. 14. **DISCRIMINATION.** There shall be no discrimination in any employment or personnel policy of the county personnel department because of race, color, creed, or national origin. There shall be no discrimination on the basis of age, sex or physical disability, except where specific age, sex or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration.

Sec. 15. **RIGHT OF REPRESENTATION.** Any employee or group of employees covered under the provisions of this act shall be afforded the right of representation by a labor organization in any matters covered under this act.

Sec. 16. **APPROPRIATION BY COUNTY WELFARE BOARD.** The county welfare board is hereby authorized and it shall make the necessary appropriation to carry out the provisions of this act.

Sec. 17. **PROVISIONS SEVERABLE.** In the event that any section or portion of this act shall be held invalid, for any reason, such invalidity shall not be held to impair and invalidate the remainder of this act or any other part of it, it being the legislative intent that every section and part hereof shall stand and be in force and effect, notwithstanding the invalidity of any particular provision or provisions.

Sec. 18. **INCONSISTENT ACTS REPEALED.** All acts and parts of acts or any other provisions inconsistent with this act are hereby repealed to the extent necessary to give effect to the provisions of this act.

Sec. 19. **EFFECTIVE DATE.** Sections 1 through 18 are effective upon its approval by the Dakota county welfare board and upon compliance with Minnesota Statutes, Section 645.021.

Sec. 20. Dakota county shall be exempt from Minnesota Statutes, Section 387.41, as such section relates to political activity. This section is effective the day following its final enactment.

Approved April 10, 1974.

CHAPTER 417—S.F.No.3036
[Coded in Part]

An act relating to courts; providing for the active service of retired judges; amending Minnesota Statutes 1971, Sections 2.724, by adding a subdivision; 484.61; and 490.102, Subdivision 2.

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

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

Section 1. Minnesota Statutes 1971, Section 2.724, is amended by adding a subdivision to read:

Subd. 4. RETIRED JUDGES; ACTIVE SERVICE. The chief justice of the supreme court may assign a retired justice of the supreme court to act as a justice of the supreme court pursuant to subdivision 2 or as a judge of any other court. The chief justice may assign a retired judge of the district court to act as a judge of the district court in any judicial district or any other court except the supreme court. The chief justice may assign any other retired judge to act as a judge of any court whose jurisdiction is not greater than the jurisdiction of the court from which he retired. Unless otherwise provided by law, a judge acting pursuant to this subdivision shall receive pay and expenses in the amount and manner provided by law for actively serving retired district judges. A judge acting pursuant to this subdivision or any other law providing for the service of retired judges shall be paid only his expenses for service performed while still receiving the full pay of the office from which he retired.

Sec. 2. Minnesota Statutes 1971, Section 484.61, is amended to read:

484.61 RETIRED DISTRICT COURT JUDGES, ASSIGNMENTS. Upon the retirement of any judge of the district court under the provisions of sections 490.101 and 490.102 or Minnesota Statutes, 1973 Supplement, Sections 490.121 to 490.132, he may be appointed and assigned to hear any cause properly assignable to a judge of the district court and act thereon with full powers of such a judge ~~by the then senior or presiding judge of the district he has theretofore served in, for service in such district, or by the Chief Justice of the Supreme Court of the State of Minnesota for service in any other district,~~ pursuant to Minnesota Statutes, Section 2.724 with his consent.

Sec. 3. Minnesota Statutes 1971, Section 490.102, Subdivision 2, is amended to read:

Subd. 2. (a) If, at the time of retirement, he has attained the age of at least 70 years and he has served for 15 years as such judge, or as such judge and as judge of a court of record, he shall receive for the remainder of his life, one-half the compensation allotted to the office at the time of his retirement or on July 1, 1967, whichever is greater.

(b) If, at the time of retirement, he has attained the age of at least 65 years and he has served for 25 years as such judge, or as such judge and as a judge of a court of record, he shall receive for the remainder of his life, one-half of the compensation allotted for the office at the time of his retirement or on July 1, 1967, whichever is greater.

Except for per diem payments made pursuant to section 484.62, and retirement pay adjustments pursuant to section 490.025, subdivision 2, it is unlawful for any public officer to pay a retired judge an

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

amount greater than one half of the compensation allotted to the office of such retired judge at the time of his retirement or on July 1, 1967, whichever is greater, except when said retired judge shall have been appointed by the district court, or by the supreme court, to serve as a special master in litigation before the district court; in which case per diem payments may be made to said retired judge in amounts equal to per diem payments made pursuant to section 484.62. Where such payments are hereafter made in violation of this subdivision, it is the duty of the public officer making such payment to recover the amount so paid but without interest. Such recovery may be made by as many as 30 installment deductions from future retirement payments to a retired judge or by action in the district court. Unrecovered overpayments outstanding at the time of the death of a retired judge shall be a lien upon his estate, in favor of the state of Minnesota.

Sec. 4. This act is effective the day after its final enactment.

Approved April 10, 1974.

CHAPTER 418—S.F.No.3123
[Coded]

An act relating to commerce; regulating health clubs, social referral clubs and buying clubs; permitting members to cancel contracts under certain circumstances; limiting the term of membership; providing for bonding; and prescribing penalties.

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

Section 1. **[325.96] COMMERCE; HEALTH CLUBS, SOCIAL REFERRAL CLUBS AND BUYING CLUBS; DEFINITIONS.** Subdivision 1. As used in sections 1 to 6, the terms defined in this section have the meanings given them.

Subd. 2. "Club" means any health club, social referral club or buying club.

Subd. 3. "Contract" means any agreement by which one becomes a member of a club.

Subd. 4. "Health club" means any corporation, partnership, unincorporated association or other business enterprise organized for profit having the primary purpose of engaging in instruction, training, encouragement or assistance in physical fitness, body building, exercising, reducing, figure development or any other such activities, or furnishing the use of facilities for such activities.

Subd. 5. "Social referral club" means any corporation, partnership, unincorporated association or other business enterprise

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