

CHAPTER 58—H.F.No.273

[Coded]

An act relating to the registration of motor vehicles; deputy registrars; amending Minnesota Statutes 1969, Section 168.33, by adding a subdivision.

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

Section 1. Minnesota Statutes 1969, Section 168.33, is amended by adding a subdivision to read:

Subd. 2b. MOTOR VEHICLES; REGISTRAR; DEPUTIES; STATUS AS INDEPENDENT CONTRACTORS. Deputy registrars, and their employees, who retain the filing fee in lieu of a salary, shall, after July 1, 1971, be considered as independent contractors for pension purposes, and ineligible because of such service for coverage under the Minnesota state retirement system or membership in the public employees retirement association.

Those deputy registrars as defined in this subdivision who are covered by the Minnesota state retirement system on June 30, 1971, shall have the option of terminating said coverage on July 1, 1971, or of continuing said coverage until termination of state service. The form of the option and the time for filing shall be as prescribed by the board of directors of the system. Those choosing to continue said coverage, shall provide from the filing fees retained the employee and employer contributions as required by Minnesota Statutes, Chapter 352.

Approved March 18, 1971.

CHAPTER 59—S.F.No.343

An act relating to crimes and criminals; eligibility for parole; amending Minnesota Statutes 1969, Section 243.05.

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

Section 1. Minnesota Statutes 1969, Section 243.05, is amended to read:

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

243.05 CRIMES AND CRIMINALS; PAROLE; ELIGIBILITY; COMMISSION; POWERS, LIMITATIONS. The state adult corrections commission may parole any person sentenced to confinement in the state prison, the state reformatory, or the Minnesota correctional institution for women, provided that no convict serving a life sentence for murder other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled until he has served 20 years, less the diminution which he would have been allowed for good conduct had his sentence been for 20 years; and provided further that no convict serving a life sentence for murder who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled until he has served 25 years, less the diminution which would have been allowed for good conduct had his sentence been for 25 years; provided further that any convict sentenced prior to September 1, 1963 who would be eligible for parole had he been sentenced after September 1, 1963, shall be eligible for parole; provided further, in all cases where a convict is serving a life sentence for murder, unanimous consent of the adult corrections commission shall be required for parole of such convict. Upon being paroled and released, such convicts shall be and remain in the legal custody and under the control of the state adult corrections commission, subject at any time to be returned to the state prison, the state reformatory, or the Minnesota correctional institution for women and the parole rescinded by such commission, when the legal custody of such convict shall revert to the warden or superintendent of the institution. The written order of the adult corrections commission, certified by the chairman of the commission, shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on parole to the state adult corrections commission, but any state parole and probation agent may, without order of warrant, when it appears to him necessary in order to prevent escape or enforce discipline, take and detain a parolee to the state adult corrections commission for its action. The written order of the commissioner of corrections shall be sufficient to any peace officer or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135, but any state parole and probation agent may, without such order, when it appears to him necessary in order to prevent escape or enforce discipline, retake and detain such probationer and bring him before the court for further proceedings under section 609.14. Paroled persons, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or without the boundaries of the state at the discretion of the commission or of the commissioner of corrections, and the limits fixed for such persons may be enlarged or reduced according to their conduct.

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

In considering applications for parole or final release, the commission shall not be required to hear oral argument from any attorney or other person not connected with the prison or the reformatory in favor of or against the parole or release of any prisoners, but it may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of such prisoner, and to that end shall have authority to require the attendance of the warden of the state prison or the superintendent of the state reformatory or the Minnesota correctional institution for women and the production of the records of these institutions, and to compel the attendance of witnesses, and each member of the commission is hereby authorized to administer oaths to witnesses for every such purpose.

Approved March 18, 1971.

CHAPTER 60—S.F.No.398

An act relating to county jails; compensation for boarding and for other expenses for providing jail facilities for prisoners; amending Minnesota Statutes 1969, Sections 641.03, 641.11, and 641.13.

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

Section 1. Minnesota Statutes 1969, Section 641.03, is amended to read:

641.03 COUNTY JAILS; FEES AND COMPENSATION; FEDERAL PRISONERS. When any person is committed to any jail by any process issued under authority of the United States, the sheriff or jailer shall receive such person into custody, and safely keep him until discharged by due course of law, subject in all respects to the same liabilities and remedies as though committed under process issued under state authority. The United States shall pay to the county the minimum sum of ~~\$2.50~~ \$5.00 per day for each prisoner so kept and boarded. Provided, that in any county of this state ~~now or hereafter containing a city of the first class~~, the sheriff of such county shall at the request of the county board of commissioners ~~of any such county~~ determine the average daily per capita cost for the food, clothing, medical and incidental expense for the care and maintenance of persons committed to the county jail for the preceding year. The amount found to be the average daily per capita cost of such committed persons shall be paid to the county by the United States

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