

a chemical test of his blood, breath, or urine for the purpose of determining the alcoholic content of his blood. The test shall be administered at the direction of a peace officer. The test may be administered when—(1) the officer has reasonable and probable grounds to believe that a person was driving or operating a motor vehicle while said person was under the influence of an alcoholic beverage, and—(2) one of the following conditions exist: (1) the said person has been lawfully placed under arrest for alleged commission of the said described offense in violation of Minnesota Statutes, Section 169.121, or an ordinance in conformity therewith ; or, (2) the person has been involved in a motor vehicle collision resulting in property damage, personal injury, or death. The test may also be administered when the officer has reason to believe that a person was driving or operating a motor vehicle in violation of Minnesota Statutes, Section 169.121 or an ordinance in conformity therewith and the person has either refused to take the preliminary screening test provided for by Minnesota Statutes, Section 161.121, Subdivision 1, or such preliminary screening test was administered and recorded a blood alcohol level of .10 percent or more by weight of alcohol . No action shall be taken hereunder against the said person unless the first two enumerated conditions existed at the time the officer requested the chemical test specimen. Any person may decline to take a direct blood test and elect to take either a breath, or urine test, whichever is available, in lieu thereof, and either a breath or urine test shall be made available to the arrested person who makes such an election. No action shall be taken against the person for declining to take a direct blood test unless either a breath, or urine test was available. At the time the peace officer requests such chemical test specimen, he shall inform the arrested person that his right to drive may be revoked or denied if he refuses to permit the test and that he has the right to have additional tests made by a person of his own choosing.

Approved June 7, 1971.

CHAPTER 894—H.F.No.920

[Coded]

An act relating to cemeteries; permanent care and improvement funds; reports; penalties.

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

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

Section 1. [306.761] CEMETERIES; PERMANENT CARE AND IMPROVEMENT FUNDS; MINIMUM AMOUNTS; REPORTING; PENALTIES. Subdivision 1. Any cemetery association which operates a cemetery larger than ten acres shall establish a permanent care and improvement fund and all cemetery associations operating a cemetery larger than ten acres and having a permanent care and improvement fund shall file annually as part of the report required in subdivision 2 a notice with the consumer services section of the department of commerce. The notice shall include the names and addresses of each person or entity owning a 5 percent or greater interest in the cemetery, and the names and addresses of all officers if any change has taken place since the previous notice. The term "association" as used in this act shall include any person, firm, partnership, association or corporation.

Subd. 2. **REPORTING.** Any cemetery association which operates a cemetery larger than ten acres and having a permanent care and improvement fund shall make a full and complete written annual report to the consumer services section of the department of commerce on the condition and state of the fund, including all deposits and withdrawals of principal amounts and all receipts and disbursements. The report shall be filed on forms prescribed by the department by March 31 for any cemetery association operating a cemetery larger than ten acres and operating on a calendar year basis and by 90 days after the end of the fiscal year for any cemetery association operating a cemetery larger than ten acres and operating on a fiscal year basis. There shall be paid to the consumer services section of the department of commerce a filing fee of \$5 for each report.

Subd. 3. **PENALTIES.** Any person, firm, partnership, association, or corporation knowingly violating the provisions of this section shall be guilty of a misdemeanor and for a second offense shall be guilty of a gross misdemeanor.

Subd. 4. **APPLICATION.** This section shall not apply to cemeteries owned and operated by a municipality, church, religious corporation or religious association.

Approved June 7, 1971.

CHAPTER 895—H.F.No.925

An act relating to public health; technical and administrative supervision and financial aid to county public health nursing pro-

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