

minutes 31 seconds on the east and west quarter line of said Section 4 a distance of 141.07 feet to the point of beginning; containing 36.23 acres, more or less.

Sec. 2. Upon receipt of such petition from the commissioner, the city of Breckenridge by duly adopted resolution of its governing body is authorized to annex the above described property.

Sec. 3. This act is effective upon its approval by the governing body of the city of Breckenridge and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved March 8, 1974.

#### CHAPTER 105—H.F.No.2889

[Not Coded]

*An act providing for certain positions to be in the unclassified service of the city of Minneapolis; amending Laws 1969, Chapter 937, Section 1, Subdivisions 1 as amended, 2, and 3, and by adding subdivisions.*

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

Section 1. Laws 1969, Chapter 937, Section 1, Subdivision 1, as amended by Laws 1973, Chapter 132, Section 1, is amended to read:

Section 1. **MINNEAPOLIS, CITY OF; PERSONNEL.** Subdivision 1. Notwithstanding any provisions of the Minneapolis city charter, veterans preference act, or civil service rule, law, or regulation to the contrary, the positions referred to in subdivisions 2 ; ~~3 and 4~~ to 6 of this section shall be in the unclassified service of the city of Minneapolis, and any person presently holding or who shall hereafter be appointed to any of such positions shall serve at the pleasure of the appointing authority indicated in the respective subdivision. Except as herein otherwise provided such persons shall be eligible for the same employee benefits as persons in the classified service.

Sec. 2. Laws 1969, Chapter 937, Section 1, Subdivision 2, is amended to read:

Subd. 2. The city council by a majority vote thereof may appoint not more than ~~three~~ five suitable persons as it may deem necessary to serve as administrative aides to the council and its presiding officer and may designate such positions by such titles as it shall determine.

Sec. 3. Laws 1969, Chapter 937, Section 1, Subdivision 3, is amended to read:

Subd. 3. The mayor of the city of Minneapolis may appoint a suitable person as his administrative deputy , and suitable persons not in excess of two as his administrative aides .

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

Sec. 4. Laws 1969, Chapter 937, Section 1, is amended by adding subdivisions to read:

Subd. 5. The city attorney may appoint two deputy city attorneys to perform such duties and services as he shall direct.

Subd. 6. The city engineer may appoint a deputy city engineer to perform such duties and services as he shall direct.

Sec. 5. This act shall become effective only after its approval by a majority of the governing body of the city of Minneapolis, and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved March 8, 1974.

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#### CHAPTER 106—H.F.No.601

*An act relating to negotiable instruments; acts regulating issuance of a worthless check; regulating the proof of intent; providing for penalties and prosecutions thereof; amending Minnesota Statutes 1971, Section 609.535, Subdivisions 2 and 3.*

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

Section 1. Minnesota Statutes 1971, Section 609.535, Subdivision 2, is amended to read:

Subd. 2. **CRIMES AND CRIMINALS; WORTHLESS CHECKS; ACTS CONSTITUTING.** Whoever issues any check or other order for the payment of money which, at the time of issuance, he intends shall not be paid, is guilty of a misdemeanor. In addition, restitution may be ordered by the court.

Sec. 2. Minnesota Statutes 1971, Section 609.535, Subdivision 3, is amended to read:

Subd. 3. **PROOF OF INTENT.** Any of the following is evidence sufficient to sustain a finding that the person at the time he issued the check or other order for the payment of money, intended it should not be paid:

(1) Proof that, at the time of issuance, he did not have an account with the drawee; or

(2) Proof that, at the time of issuance, he did not have sufficient funds or credit with the drawee and that he failed ~~within five days after receiving notice of nonpayment or dishonor to pay the check or other order to pay the check or other order within five business days after mailing of notice of nonpayment or dishonor as provided in this subdivision~~ ; or

(3) Proof that, when presentment was made within a reasonable

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