
CHAPTER 405—S.F.No.3372

An act relating to public welfare; permitting county welfare boards to charge fees for day care services; amending Minnesota Statutes, 1973 Supplement, Section 393.12.

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

Section 1. Minnesota Statutes, 1973 Supplement, Section 393.12, is amended to read:

393.12 PUBLIC WELFARE; FEES FOR HOMEMAKER AND DAY CARE SERVICES. A county welfare board may charge fees for homemaker and day care services furnished to a family not on public assistance. The county welfare board shall establish fee schedules based on the recipient's ability to pay and for day care services on the recommendations of the appropriate advisory council. The schedules shall be subject to the approval of the commissioner of public welfare.

Sec. 2. EFFECTIVE DATE. This act is effective on the day following final enactment.

Approved April 5, 1974.

CHAPTER 406—S.F.No.3477

An act relating to Minnesota Statutes; providing for the correction of erroneous, ambiguous, omitted, unconstitutional and obsolete references and text; eliminating certain duplicitous and conflicting provisions superseded by or conflicting with other provisions of law; amending Minnesota Statutes 1971, Sections 3.85, Subdivision 9; 3.925; 6.18; 7.05; 15.38; 16.01; 17.10; 31.495, Subdivisions 4 and 5; 35.605, Subdivision 1; 43.24, Subdivision 2, as amended; 84.03; 85A.02, Subdivision 12; 86.11, Subdivision 5; 94.09, Subdivision 5; 115.42; 116.03, Subdivision 1; 122.02; 122.22, Subdivision 1; 122.23, Subdivision 1; 123.015; 124.76; 126.021; 136.601, Subdivisions 1 and 2; 136.62, Subdivision 4; 136.621, Subdivision 2; 136A.07; 144.71, Subdivision 3; 148.41; 148.75; 152.19, Subdivision 6; 154.16; 168.012, Subdivision 1, as amended; 168.013, Subdivisions 1g as amended, 2, 12 as amended, and 14; 168.014, as amended; 168.11, Subdivision 2; 169.123, Subdivisions 1, 2 as amended, 4, and 6; 169.305, Subdivision 1; 175.171; 176.131, Subdivision 1; 183.51, Subdivision 12; 215.22; 215.24; 252.24, Subdivision 1; 252.27, Subdivision 2; 260.251, Subdivision 3; 270.06; 326.241, Subdivision 3, as amended; 360.015, Subdivision 17; 362.15; 473A.12; 473B.04; 481.02, Subdivision 2; 482.09; 487.03, Subdivision 2, as amended; 517.03; 626A.17, Subdivision 3; Minnesota Statutes, 1973 Supplement, Sections 4.12, Subdivision 2; 80B.01, Subdivisions 8 and 9; 80B.02, Subdivision 1; 80B.03, Subdivision 5; 80B.06, Subdivision 5; 80B.07, Subdivision 1; 80B.13; 290.031, Subdivision 2; 290.0618; 298.22, Subdivision 2; 363.05, Subdivision 1; 412.018, Sub-

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division 1; Laws 1973, Chapters 561, Section 1, Subdivision 2; 628, Section 1, Subdivision 2; 638, Sections 62, 63, Subdivisions 1 and 3; 65, 67, and 68; 721, Section 3, Subdivision 7; and 744, Section 4, Subdivision 10; repealing Minnesota Statutes 1971, Section 471.47; Laws 1971, Chapters 680, Section 2; and 695, Section 6, Subdivision 3; Laws 1973, Chapters 35, Section 28; 54; 68, Sections 1 and 5; 83; 94, Section 4; 569, Section 5; 638, Sections 59 and 60; 676, Section 31; 725, Sections 3, 16, and 18; and 754, Section 7.

REVISOR'S BILL

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

Section 1. REVISOR'S BILL; ERRONEOUS, AMBIGUOUS; UNCONSTITUTIONAL AND OBSOLETE REFERENCES AND TEXT. Laws 1971, Chapter 680, Section 2, is repealed.

Sec. 2. Laws 1971, Chapter 695, Section 6, Subdivision 3, is repealed.

Sec. 3. Minnesota Statutes 1971, Section 15.38, is amended in line 10 by deleting “; except also that the”, and in lines 11 to 14, by deleting all of the language except the period.

Sec. 4. Minnesota Statutes 1971, Section 16.01, is amended in lines 9 and 10 by deleting “On January 4, 1971, the term of the incumbent commissioner shall expire”.

Sec. 5. Minnesota Statutes 1971, Section 31.495, Subdivision 4, is amended in line 9 by deleting “permit” and inserting in lieu thereof “license”.

Sec. 6. Minnesota Statutes 1971, Section 31.495, Subdivision 5, is amended in line 12 by deleting “permit” and inserting in lieu thereof “license”.

Sec. 7. Minnesota Statutes 1971, Section 35.605, Subdivision 1, is amended in line 1 by deleting “Any” and inserting in lieu thereof “No”.

Sec. 8. Minnesota Statutes 1971, Section 43.24, Subdivision 2, as amended by Laws 1973, Chapter 507, Section 29, is amended in line 60, as the same appears in Laws of Minnesota, 1973, Volume 1, by deleting “examiner’s” and inserting in lieu thereof “hearing officer’s”.

Sec. 9. Minnesota Statutes 1971, Section 116.03, Subdivision 1, is amended in line 10 by deleting “116.09” and inserting in lieu thereof “116.08”.

Sec. 10. Laws 1973, Chapter 35, Section 28, is repealed.

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Sec. 11. Minnesota Statutes 1971, Section 122.02, is amended in line 2 by deleting "special or associated" and inserting in lieu thereof "or special".

Sec. 12. Minnesota Statutes 1971, Section 122.22, Subdivision 1, is amended in lines 1 and 2 by deleting ", whether part of an associated district or not,"

Sec. 13. Minnesota Statutes 1971, Section 122.23, Subdivision 1, is amended in line 2 by deleting "associated district or"

Sec. 14. Minnesota Statutes 1971, Section 123.015, is amended in line 4 by deleting "an associated school district,"

Sec. 15. Minnesota Statutes 1971, Section 124.76, is amended in line 4 by deleting "of" and inserting in lieu thereof "or"

Sec. 16. Minnesota Statutes 1971, Section 126.021, is amended in line 6 by deleting "his" and inserting in lieu thereof "their"

Sec. 17. Minnesota Statutes 1971, Section 136.601, Subdivision 1, is amended in line 3 by inserting "and" after "136.62" and deleting in the same line "and 136.64,"

Sec. 18. Minnesota Statutes 1971, Section 136.601, Subdivision 2, is amended in line 2 by inserting "and" before "136.63" and deleting in the same line "and 136.64,"

Sec. 19. Minnesota Statutes 1971, Section 136.62, Subdivision 4, is amended in lines 2 and 17 by inserting "and" before "136.63" and deleting in the same lines "and 136.64,"

Sec. 20. Minnesota Statutes 1971, Section 136.621, Subdivision 2, is amended in line 2 by inserting "and" before "136.63" and by deleting in the same line "and 136.64,"

Sec. 21. Minnesota Statutes 1971, Section 144.71, Subdivision 3, is amended in line 5 by deleting "sections 257.13 to 257.15" and inserting in lieu thereof "Chapter 257"

Sec. 22. Minnesota Statutes 1971, Section 148.41, Clause 2, is amended in line 3 by deleting "618.01" and inserting in lieu thereof "152.01"

Sec. 23. Minnesota Statutes 1971, Section 148.75, Clause (a) is amended in line 3 by deleting "618.01" and inserting in lieu thereof "152.01"

Sec. 24. Minnesota Statutes 1971, Section 152.19, Subdivision 6, is amended in lines 1 and 4 by deleting "or VI"

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Sec. 25. Minnesota Statutes 1971, Section 154.16, Clause (4), is amended in line 3 by deleting "618.01" and inserting in lieu thereof "152.01"

Sec. 26. Minnesota Statutes 1971, Section 168.012, Subdivision 1, as amended by Laws 1973, Chapter 208, Section 1, is amended to read:

168.012 VEHICLES EXEMPT FROM LICENSE FEES. Subdivision 1. Vehicles owned and used solely in the transaction of official business by representatives of foreign powers, by the federal government, the state, or any political subdivision thereof, or vehicles owned and used exclusively by educational institutions and used solely in the transportation of pupils to and from such institutions, shall be exempt from the provision of this chapter requiring payment of tax or registration fees. Vehicles owned by the federal government, municipal fire apparatus, police patrols and ambulances, the general appearance of which is unmistakable, shall not be required to register or display number plates. Vehicles used in general police work and passenger vehicles, station wagons, and buses owned or operated by the department of corrections shall be registered and shall display passenger vehicle classification license number plates which shall be furnished by the registrar at cost. All other motor vehicles shall be registered and display tax exempt number plates which shall be furnished by the registrar at cost. All vehicles required to display tax exempt number plates shall have the name of the state department or public subdivision on the vehicle plainly printed on both sides thereof in letters not less than 2 1/2 inches high, one inch wide and of a 3/8 inch stroke; except that each state hospital and institution for the mentally ill and mentally retarded may have one vehicle without the required printing on the sides of the vehicle. Such printing shall be in a color giving a marked contrast with that of the part of the vehicle on which it is placed and shall be done with a good quality of paint that will endure throughout the term of the registration. The printing must be on a part of the vehicle itself and not on a removable plate or placard of any kind and shall be kept clean and visible at all times. The owner of any such vehicle desiring to come under the foregoing exemption provisions shall first notify the chief of the state trunk highway patrol who shall provide suitable seals and cause the same to be affixed to any such vehicle.

Sec. 27. Laws 1973, Chapter 83, is repealed.

Sec. 28. Minnesota Statutes 1971, Section 168.013, Subdivision 1g, as created by Laws 1973, Chapter 218, Section 3, is amended to read:

Subd. 1g. **RECREATIONAL VEHICLES.** Recreational vehicles shall be separately licensed and taxed annually on the basis of total gross weight at 100 percent of the Minnesota base rate prescribed in subdivision 1e of this section under Schedule I during each of the first six years of vehicle life, but in no event less than \$15, and during the seventh and succeeding years of vehicle life as taken from Schedule II,

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but in no event less than \$10.

The annual tax on a slip-in camper as defined in section 168.011, subdivision 25, shall be as provided for recreational vehicles unless such owner elects to register such slip-in camper as a truck. If the owner elects to register such slip-in camper as a truck, the annual tax shall be either the tax imposed for recreational vehicles or the tax imposed for trucks on the basis of gross weight in ~~clause (5) of this subdivision~~ le, whichever is higher. Notwithstanding any law to the contrary, all trailers and semitrailers taxed pursuant to this section shall be exempt from any wheelage tax now or hereafter imposed by any political subdivision or political subdivisions.

Sec. 29. Minnesota Statutes 1971, Section 168.013, Subdivision 12, as amended by Laws 1973, Chapter 218, Section 3, is amended to read:

Subd. 12. GROSS WEIGHT, ADDITIONAL TAX FOR EXCESSIVE. Whenever an owner has registered a vehicle and paid the tax as provided in section 168.013, ~~subdivision 1~~ subdivisions 1 to 1g, on the basis of a selected gross weight of the vehicle or the actual unloaded weight of the vehicle and thereafter such owner desires to operate such vehicle with a greater gross weight or a greater unloaded weight than that for which the tax has been paid, such owner shall be permitted to re-register such vehicle in the same class for which it was originally registered and pay the additional tax due thereon for the remainder of the calendar year for which such vehicle has been re-registered, the additional tax computed pro rata by the month, one-twelfth of the annual tax due for each month of the year remaining in the calendar year, beginning with the first day of the month in which such owner desires to operate the vehicle with the greater weight. In computing the additional tax as aforesaid, the owner shall be given credit for the unused portion of the tax previously paid computed pro rata by the month, one-twelfth of the annual tax paid for each month of the year remaining in the calendar year beginning with the first day of the month in which such owner desires to operate the vehicle with the greater weight. Provided, however, the owner of a vehicle may reregister the vehicle for a weight of more than 75,000 pounds for one or more 30 day periods. For each 30 day period, the additional tax shall be equal to one-twelfth of the difference between the annual tax which has been paid for the vehicle and the annual tax for the weight at which the vehicle is reregistered. When a vehicle is reregistered in accordance with this provision, a distinctive windshield sticker provided by the registrar shall be permanently displayed.

Sec. 30. Minnesota Statutes 1971, Section 168.013, Subdivision 2, is amended in lines 5 and 6 by deleting “, other than a trailer taxed as provided in subdivision 1 (2) of this section,”

Sec. 31. Minnesota Statutes 1971, Section 168.013, Subdivision 14, is amended in line 8, by deleting “subdivision 1” and inserting in lieu thereof “ subdivisions 1 to 1g ”

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Sec. 32. Minnesota Statutes 1971, Section 168.014, as amended by Laws 1973, Chapter 6, Section 1, is amended to read:

168.014 MOTOR VEHICLES; REGISTRATION; MONTHLY SERIES SYSTEM; OWNER'S RIGHT TO CERTIFICATE; EXPIRATION. The registered owner's right to the registration certificate provided for herein and the right to use the number plates issued therewith shall expire upon the termination of ownership of any person in the motor vehicle for which the same was issued, and in any event at midnight on December 31 of the year for which issued except as provided in ~~section 168.013, subdivision 1, paragraph 2 and~~ section 2.

Sec. 33. Minnesota Statutes 1971, Section 168.11, Subdivision 2, is amended in line 2 by deleting "subdivision 1,(5)" and inserting in lieu thereof "subdivision 1e."

Sec. 34. Sections 28 to 33 are effective November 15, 1975.

Sec. 35. Minnesota Statutes 1971, Section 169.123, Subdivision 1, is amended in line 2 by deleting "Laws 1961, Chapter 454" and inserting in lieu thereof "this section and section 169.121, subdivision 2"

Sec. 36. Minnesota Statutes 1971, Section 169.123, Subdivision 2, as amended by Laws 1973, Chapter 35, Section 36, is amended to read:

Subd. 2. IMPLIED CONSENT; CONDITIONS; ELECTION AS TO TYPE OF TEST. Any person who drives or operates a motor vehicle upon the public highways of this state shall be deemed to have given consent subject to the provisions of this section and section 169.121, subdivision 2, to 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 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 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 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 section 169.121 or an ordinance in conformity therewith and the person has either refused to take the preliminary screening test provided for by section ~~161.121~~ 169.121, subdivision 1, or such preliminary screening test was administered and recorded a blood alcohol level of .10 percent or more by weight of alcohol. 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

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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.

Sec. 37. Minnesota Statutes 1971, Section 169.123, Subdivision 4, is amended in line 1 by deleting "under arrest", and in line 4 by deleting "arrested"

Sec. 38. Minnesota Statutes 1971, Section 169.123, Subdivision 6, is amended in line 1 by inserting "or county" after "municipal" and before "judge" and deleting "or probate," in line 2 by deleting "judge if no municipal judge is available"; in line 3 by deleting "arrest" and inserting in lieu thereof "alleged offense"; and in line 8 by inserting ", if applicable" after word "arrest" and before ";

Sec. 39. Minnesota Statutes 1971, Section 169.305, Subdivision 1, Clause (d), is amended in line 3 by deleting "roadway" and inserting in lieu thereof "highway"

Sec. 40. Minnesota Statutes 1971, Section 176.131, Subdivision 1, is amended in line 8 by deleting "(a)"

Sec. 41. Minnesota Statutes 1971, Section 183.51, Subdivision 12, is amended in line 1 by deleting "19" and inserting in lieu thereof "18"

Sec. 42. Minnesota Statutes 1971, Section 215.22, is amended in line 2, by deleting "public examiner" and inserting in lieu thereof "state auditor"; also in line 2, by deleting "to the state auditor"; and in line 5, by deleting "Upon receipt of such list"

Sec. 43. Minnesota Statutes 1971, Section 215.24, is amended in lines 2 and 3 by deleting "upon the recommendation of the public examiner"; and in lines 4 and 5, by deleting "as shown by the list so filed by the public examiner,"

Sec. 44. Minnesota Statutes 1971, Section 252.24, Subdivision 1, is amended in line 4 by deleting "Minnesota Statutes 1965," and in line 5 by deleting "257.13,"

Sec. 45. Minnesota Statutes 1971, Section 252.27, Subdivision 2, is amended in lines 3 and 4 by deleting "252.042 to 252.047 and"

Sec. 46. Minnesota Statutes 1971, Section 260.251, Subdivision 3, is amended in the last line by deleting "sections 261.08 and 261.09" and inserting in lieu thereof "section 261.08"

Sec. 47. Minnesota Statutes 1971, Section 326.241, Subdivision 3, as amended by Laws 1973, Chapter 638, Section 50, is amended in line

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16, as the same appears in Laws of Minnesota, 1973, Volume 2, by deleting "326.339" and inserting in lieu thereof "326.248"

Sec. 48. Minnesota Statutes 1971, Section 471.47, is repealed.

Sec. 49. Minnesota Statutes 1971, Section 481.02, Subdivision 2, is amended in line 2 by deleting "sections 319.26 to 319.41" and inserting in lieu thereof "chapter 319A"

Sec. 50. Minnesota Statutes 1971, Section 487.03, Subdivision 2, as amended by Laws 1973, Chapter 679, Section 2, is amended to read:

Subd. 2. ELECTION. (†) Each judge shall be elected at the general election for a term of six years, beginning on the first Monday of the January next following his election and until his successor qualifies. ~~Each judge holds a separate nonpartisan office. When one or more judges of the court are to be nominated or elected at a primary or general election, the notice of election shall state the name of the judge, if any, whose successor is to be elected or nominated.~~

(2) ~~Each person desiring to have his name placed upon the primary ballot as a candidate for judge, except as provided in (3) of this subdivision, shall state in his affidavit of candidacy the office of the particular judge for which he is a candidate. The filing of this affidavit, with the secretary of state where the county court district consists of more than one county, or with the county auditor in the case of a single county court district constitutes a person a candidate for that office. No person shall be a candidate for more than one county court judgeship at any election.~~

(3) ~~In any election following reduction of the number of county court judges pursuant to section 487.01, subdivision 7 the requirement contained in section 202.04, subdivision 3 that a candidate for office of judge state the office for which he is a candidate shall not apply. In such a situation all parties filing for office of judge shall run against each other for the remaining seats. However, each candidate who otherwise would have qualified to have the word "incumbent" printed after his name on the ballot pursuant to section 203.41, subdivision 3 shall retain this right.~~

Sec. 51. Laws 1973, Chapter 569, Section 5, is repealed.

Sec. 52. Minnesota Statutes 1971, Section 517.03, is amended in line 6 by deleting ";" and inserting in lieu thereof ", "

Sec. 53. Minnesota Statutes 1971, Section 3.85, Subdivision 9, is amended in lines 5 and 6 by deleting "at each regular session" and inserting in lieu thereof "by November 15 of each even numbered year"

Sec. 54. Minnesota Statutes, 1973 Supplement, Section 4.12, Subdivision 2, Clause 2, is amended in line 1 by deleting "January 15 of Changes or additions indicated by underline deletions by ~~strikeout~~

each odd numbered" and inserting in lieu thereof "November 15 of each even numbered"

Sec. 55. Minnesota Statutes 1971, Section 3.925, is amended in the third from the last line by deleting "to each session of" and inserting in lieu thereof "by November 15 of each even numbered year to"

Sec. 56. Minnesota Statutes 1971, Section 6.18, is amended in lines 1 and 2 by deleting "the third day of each regular session of the legislature the auditor shall report to each house thereof" and insert in lieu thereof "November 15 of each even numbered year the auditor shall report to the legislature"

Sec. 57. Minnesota Statutes 1971, Section 7.05, is amended in line 5 by deleting "the third day of each regular session" and insert in lieu thereof "November 15 of each even numbered year"

Sec. 58. Minnesota Statutes 1971, Section 17.10, is amended in line 2 by deleting "the second Tuesday in December," and inserting in lieu thereof "November 15"; and in lines 5 and 6 by deleting "the fifteenth day of each session of the legislature" and inserting in lieu thereof "November 15 of each even numbered year"

Sec. 59. Minnesota Statutes 1971, Section 84.03, is amended in line 1 of the fourth paragraph by deleting "biennially" and inserting in lieu thereof "on or before November 15 of each even numbered year"

Sec. 60. Minnesota Statutes 1971, Section 85A.02, Subdivision 12, is amended in line 5 by deleting "January 15 of each odd" and inserting in lieu thereof "November 15 of each even"

Sec. 61. Minnesota Statutes 1971, Section 86.11, Subdivision 5, is amended in lines 1 and 2 by deleting "on December 1" and inserting in lieu thereof "by November 15"

Sec. 62. Minnesota Statutes 1971, Section 94.09, Subdivision 5, is amended in line 1 by deleting "January 15 of each odd" and inserting in lieu thereof "November 15 of each even"

Sec. 63. Minnesota Statutes 1971, Section 115.42, is amended in lines 7 and 8 by deleting "during each biennium to the legislature at the beginning of each regular session" and inserting in lieu thereof "to the legislature by November 15 of each even numbered year"

Sec. 64. Minnesota Statutes 1971, Section 136A.07, is amended in line 8 by deleting "January 15 of each odd" and inserting in lieu thereof "November 15 of each even"

Sec. 65. Minnesota Statutes 1971, Section 175.171, Clause (3), is amended in line 5 by deleting "biennially" and inserting in lieu thereof "by November 15 of each even numbered year"

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Sec. 66. Minnesota Statutes 1971, Section 270.06, Clause 11, is amended in line 3 by deleting "January first of each odd-" and inserting in lieu thereof "November 15 of each even "

Sec. 67. Minnesota Statutes, 1973 Supplement, Section 298.22, Subdivision 2, is amended in lines 19 and 20 by deleting "prior to the convening of each regular session" and inserting in lieu thereof "on or before November 15 of each even numbered year "

Sec. 68. Minnesota Statutes 1971, Section 360.015, Subdivision 17, is amended in the last line by deleting "as soon as practicable" and inserting in lieu thereof "by November 15 of each even numbered year "

Sec. 69. Minnesota Statutes 1971, Section 362.15, is amended in line 3 by deleting "at each regular session" and inserting in lieu thereof "by November 15 of each even numbered year "

Sec. 70. Minnesota Statutes, 1973 Supplement, Section 363.05, Subdivision 1, Clause 15, is amended in line 2 by deleting "at each session" and inserting in lieu thereof "by November 15 of each even numbered year "

Sec. 71. Minnesota Statutes 1971, Section 473A.12, is amended in line 3 of the last paragraph by deleting "at the opening of each regular session after July 1, 1967" and inserting in lieu thereof "by November 15 of each even numbered year "

Sec. 72. Minnesota Statutes 1971, Section 473B.04, is amended in line 1 by deleting "January 15th, of each odd" and inserting in lieu thereof "November 15 of each even "

Sec. 73. Minnesota Statutes 1971, Section 482.09, Clause 9, is amended by deleting "to each regular biennial session of the legislature concerning" and insert in lieu thereof "to the legislature by November 15 of each even numbered year "

Sec. 74. Minnesota Statutes 1971, Section 626A.17, Subdivision 3, is amended in line 1 by deleting "In January of each odd" and inserting in lieu thereof "On or before November 15 of each even "

Sec. 75. Laws 1973, Chapter 54, is repealed effective November 15, 1975.

Sec. 76. Laws 1973, Chapter 68, Sections 1 and 5, are repealed.

Sec. 77. Laws 1973, Chapter 94, Section 4, is repealed.

Sec. 78. Laws 1973, Chapter 561, Section 1, Subdivision 2, is amended in line 3, as the same appears in Laws of Minnesota, 1973, Volume 1, by deleting "Minnesota Statutes, Section 87.17," and inserting in lieu thereof "Laws 1973, Chapter 410, Section 1,"

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Sec. 79. Laws 1973, Chapter 628, Section 1, Subdivision 2, is amended in lines 2 and 6, as the same appears in Laws of Minnesota 1973, Volume 2, by deleting "22" and inserting in lieu thereof "35"

Sec. 80. Laws 1973, Chapter 638, Sections 59 and 60, are repealed.

Sec. 81. Laws 1973, Chapter 638, Section 62, is amended to read:

Sec. 62. **[214.03] STANDARDIZED TESTS.** All state examining and licensing boards, other than the state board of law examiners, the state board of professional responsibility or any other board established by the supreme court to regulate the practice of law and judicial functions, shall use national standardized tests for the objective, non-practical portion of any examination given to prospective licensees to the extent that such national standardized tests are appropriate, except when the subject matter of the examination relates to the application of Minnesota law to the profession or calling being licensed.

Sec. 82. Laws 1973, Chapter 638, Section 63, Subdivision 1, is amended to read:

Sec. 63. **[214.01] DEFINITIONS.** Subdivision 1. The words defined in this section for purposes of sections ~~59-63~~ through ~~62-67~~ have the meanings given them unless the context clearly requires otherwise.

Sec. 83. Laws 1973, Chapter 638, Section 63, Subdivision 3, is amended to read:

Subd. 3. "Non-health related licensing board" means the state board of examiners of psychologists established pursuant to section 148.79 or its successor board, the board of barber examiners established pursuant to section 154.22, the state board of cosmetology examiners established pursuant to section 155.04, the state board of architects, engineers and land surveyors established pursuant to section 326.04, the state board of accountancy established pursuant to section 326.17, the state board of electricity established pursuant to section 326.241, the Minnesota board of examiners in watchmaking established pursuant to section 326.541, the state boxing commission established pursuant to section 341.02, and the Minnesota abstracters' board of examiners established pursuant to section 386.63; ~~the state board of law examiners established pursuant to section 481.01, and the board of professional responsibility established by rule of the Minnesota supreme court.~~

Sec. 84. Laws 1973, Chapter 638, Section 65, is amended to read:

Sec. 65. **[214.05] EFFECT OF POWERS GRANTED IN ENABLING ACTS.** Nothing in sections ~~59-63~~ to ~~62-67~~ shall be construed to limit the powers granted to the health related boards or the non-health related boards in their enabling legislation.

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Sec. 85. Laws 1973, Chapter 638, Section 67, is amended to read:

Sec. 67. **[214.06] FEES.** Notwithstanding any law to the contrary, all health related licensing boards as defined in section ~~59-63~~ of this act and all non-health related licensing boards as defined in section ~~59-63~~ of this act, acting pursuant to the administrative procedures act, may, with the approval of the commissioner of administration, increase the fee for the renewal of a license or certificate a sufficient amount so that the total fees collected by each board will as closely as possible equal anticipated expenditures.

Sec. 86. Laws 1973, Chapter 638, Section 68, is amended to read:

Sec. 68. **EFFECTIVE DATE.** The provisions of this act ~~except section 60~~ shall be effective July 1, 1973. ~~Section 60 shall be effective January 1, 1974.~~ All provisions relative to depositing fees and other income in the general revenue fund shall be effective July 1, 1976.

Sec. 87. Laws 1973, Chapter 676, Section 31, is repealed.

Sec. 88. Laws 1973, Chapter 721, Section 3, Subdivision 7, is amended to read:

Subd. 7. "Employee" means any individual employed by an employer but shall not include

(1) any individual employed in agriculture on a farming unit or operation employing less than the equivalent of two full time workers and on any given day employing no more than four employees. For the purpose of this clause, equivalent of a full time worker means 40 weeks of employment in a calendar year;

(2) an individual who has not attained the age of 18 who is employed in agriculture on a farm;

(3) any individual employed as a counselor to work with programs and campers in an organized resident or day camp;

(4) any individual employed in a bona fide executive, administrative, or professional capacity, or a salesman who conducts no more than 20 percent of his sales on the premises of the employer, as such terms are defined and delimited by regulations of the department;

(5) any individual who renders service gratuitously for a nonprofit organization as such terms are defined by regulations of the department;

(6) any individual who serves as an elected official for a political subdivision or who serves on any governmental board, commission, committee or other similar body, or who renders service gratuitously for a political subdivision;

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(7) any individual employed by a political subdivision to provide police or fire protection services or who is employed by an entity whose principal purpose is to provide police or fire protection services to a political subdivision;

(8) any individual employed by a political subdivision who is ineligible for membership in the public employees retirement association by reason of the provisions of section 353.01, subdivision 2, ~~paragraph (2)-2b~~, clauses (a), (b), (d), and ~~(h)-(i)~~ ;

(9) any driver employed by an employer engaged in the business of operating taxicabs;

(10) any individual engaged in babysitting as a sole practitioner;

(11) any individual employed on a part-time basis in a carnival, circus or fair;

(12) any individual under the age of 18 employed part-time by a municipality as part of a recreational program.

Sec. 89. Laws 1973, Chapter 725, Section 3, is repealed.

Sec. 90. Laws 1973, Chapter 725, Section 16, is repealed.

Sec. 91. Laws 1973, Chapter 725, Section 18, is repealed.

Sec. 92. Laws 1973, Chapter 744, Section 4, Subdivision 10, is amended to read:

Subd. 10. **PRIOR SURVIVORS' BENEFITS; LIMITATION.** Benefits provided under Minnesota Statutes, Sections 490.102, Subdivision 6, and 490.12, Subdivision 7, for a surviving spouse of a retired judge, payable after the death of the judge, shall be limited to:

(a) Spouses of judges who have retired prior to January 1, 1974; and

(b) Spouses of judges in office on December 31, 1973 and thereafter who elect to continue contributions under said sections 490.102, subdivision 6 or 490.12, subdivision 7. Such contributions shall be in addition to contributions under section 3, and upon retirement such judge may not elect to receive any of the optional annuities under subdivision 11 ~~of this section~~ 5 unless such judge and his spouse shall waive any benefits under said sections 490.102, subdivision 6 or 490.12, subdivision 7.

No other judge in office on or after January 1, 1974, shall be required to contribute under said section 490.102, subdivision 6 or 490.12, subdivision 7.

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

Sec. 93. Laws 1973, Chapter 754, Section 7, is repealed.

Sec. 94. Minnesota Statutes, 1973 Supplement, Section 80B.01, Subdivision 8, Clause b, is amended in line 3 by deleting "80" and inserting in lieu thereof "80A"

Sec. 95. Minnesota Statutes, 1973 Supplement, Section 80B.01, Subdivision 9, is amended in line 5 by deleting "80" and inserting in lieu thereof "80A"

Sec. 96. Minnesota Statutes, 1973 Supplement, Section 80B.02, Subdivision 1, is amended in line 6 by deleting "80" and inserting in lieu thereof "80A"

Sec. 97. Minnesota Statutes, 1973 Supplement, Section 80B.03, Subdivision 5, is amended in line 10 by deleting "80" and inserting in lieu thereof "80A"

Sec. 98. Minnesota Statutes, 1973 Supplement, Section 80B.06, Subdivision 5, is amended in the last line by deleting "80" and inserting in lieu thereof "80A"

Sec. 99. Minnesota Statutes, 1973 Supplement, Section 80B.07, Subdivision 1, is amended in line 3 by deleting "80" and inserting in lieu thereof "80A"

Sec. 100. Minnesota Statutes, 1973 Supplement, Section 80B.13, is amended in line 1 by deleting "80" and inserting in lieu thereof "80A"

Sec. 101. Minnesota Statutes, 1973 Supplement, Section 290.031, Subdivision 2, is amended in lines 2 and 3 by deleting "Laws 1973, Chapter 650, Article 25, Sections 4 and 5" and inserting in lieu thereof "this section and sections 290.921 and 290.922"

Sec. 102. Minnesota Statutes, 1973 Supplement, Section 290.0618, is amended in line 8 by deleting "1,499 1,999 2,499 2,999 3,499" and inserting in lieu thereof respectively "1,500 2,000 2,500 3,000 3,500"; and in line 47 by deleting "3,999 4,499 4,999 5,499 5,999" and inserting in lieu thereof respectively "4,000 4,500 5,000 5,500 6,000"

Sec. 103. Minnesota Statutes, 1973 Supplement, Section 412.018, Subdivision 1, is amended in lines 6 and 7, by deleting "Le Sueur, Special Laws 1891, Chapter 45;"

Approved April 9, 1974.

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