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**CHAPTER 281—H.F.No.2188**

[Coded in Part]

*An act relating to public safety; authorizing the commissioner of public safety to maintain certain aircraft; defining powers of the registrar of motor vehicles; providing for the appointment of private deputy registrars; providing for the appointment of a county license bureau director as deputy registrar; amending Minnesota Statutes 1974, Sections 168.33, Subdivision 7; and 373.35, Subdivision 1; and Minnesota Statutes, 1975 Supplement, Sections 16.753; and 168.33, Subdivision 2; repealing Minnesota Statutes 1974, Section 373.36.*

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 168.33, Subdivision 2, is amended to read:

Subd. 2. **MOTOR VEHICLES; DEPUTY REGISTRARS; BOND; POWERS.** The registrar shall have the power to appoint, hire and discharge and fix the compensation of the necessary employees, in the manner provided by law, as may be required to enable him to properly carry out the duties imposed upon him by the provisions of this chapter. Before entering upon the discharge of his duties, each deputy and each employee having the charge of handling any money or number of plates shall give bond to the state in the sum of at least \$2,000, or in such larger amount as the registrar may fix, conditioned upon the faithful discharge of his duties. Premiums on such bonds shall be paid by the state from money provided for the maintenance of the registrar's office. As of the effective date of this act, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau which issues motor vehicle licenses as provided in section 373.32.

Effective August 1, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau which issues motor vehicle license as provided in section 373.32. Any person appointed as a deputy registrar for any city shall be a resident of the county in which the city is situated.

The registrar may appoint, and ~~at his pleasure~~ for cause discon-

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tinue, the county auditor of each county as a deputy registrar. The auditor, with the approval of the director of motor vehicles, may appoint, and for cause discontinue, the clerk or equivalent officer of each city or any other person as a deputy registrar as public interest and convenience may require. Notwithstanding any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any city, may continue to serve as deputy registrar and may be discontinued for cause only by the registrar. The county auditor shall be responsible for the acts of deputy registrars appointed by him. Each such deputy, before entering upon the discharge of his duties, shall qualify with the requirements imposed for the qualifying of registrar, except that a bond shall not be required—take and subscribe an oath to faithfully discharge his duties and to uphold the laws of the state. If a deputy registrar appointed hereunder is not an officer or employee of a county or city, such deputy shall in addition give bond to the state in the sum of \$10,000, or such larger sum as may be required by the registrar, conditioned upon the faithful discharge of his duties as deputy registrar. Each deputy registrar appointed hereunder shall keep and maintain, in a convenient public place within the place for which he is appointed, a registration and motor vehicle tax collection bureau, to be approved by the registrar, for the registration of motor vehicles and the collection of motor vehicle taxes thereon. He shall keep such records and make such reports to the registrar as that officer, from time to time, may require. Such records shall be maintained at the facility of the deputy registrar. The records and facilities of the deputy registrar shall at all times be open to the inspection of the registrar or his agents. He shall charge and receive for each application presented a filing fee of \$1, and shall report daily to the registrar all registrations made and taxes and fees collected by him. The filing fee of \$1 shall be deposited in the treasury of the place for which he is appointed, or if such deputy is not a public official, he shall retain the filing fee, but the registration tax and any additional fees for delayed registration he has collected he shall deposit each day in an approved state depository to the credit of the state through the state treasurer. The place for which the deputy registrar is appointed through its governing body shall provide the deputy registrar with facilities and personnel to carry out the duties imposed by this subdivision if such deputy is a public official. In all other cases, the deputy shall maintain a suitable facility for serving the public.

Sec. 2. Minnesota Statutes 1974, Section 168.33, Subdivision 7, is amended to read:

Subd. 7. **FEES.** The registrar shall charge and receive for each application presented through the United States mail or a filing fee of 50 cents and for each application at ~~a~~ the state office a filing fee of ~~50 cents~~ \$1. Such fee shall be in addition to all other statutory fees and taxes.

Sec. 3. Minnesota Statutes 1974, Section 373.35, Subdivision 1, is **Changes or additions indicated by underline deletions by strikethrough**

amended to read:

**373.35 DIRECTOR OF BUREAU.** Subdivision 1. The county board auditor shall ~~appoint a~~ serve as the director of the county license bureau upon the terms and conditions it deems advisable and may appoint any county officer or employee as the director, or if he chooses not to serve as the director, he shall appoint any other county officer or employee, or any other person, to serve as the director upon the terms and conditions he deems advisable. The county board shall set the compensation of the director and may provide for the expenses of the office including the premium of any bond required to be furnished by the director. The director shall exercise all powers granted to and perform all duties imposed on the county officer who previously had the authority to issue or process the application for any license referred to in section 373.32. Notwithstanding the provisions of section 168.33, subdivision 2, the commissioner of public safety may appoint, and for cause discontinue, the director may be appointed as the deputy registrar of motor vehicles in the county and if appointed a deputy registrar he shall have the same authority as a county auditor to appoint one or more deputy registrars as provided in section 168.33, subdivision 2.

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 16.753, is amended to read:

**16.753 USE OF STATE-OWNED VEHICLES.** Subdivision 1. By October 1, 1975, the commissioner of administration shall develop, implement, and, as needed, amend rules, reimbursement rates and necessary operating policies regarding state-owned vehicles assigned to individual employees for extended use in the performance of their assigned duties. Reimbursement to the state by employees shall be made for the full cost to the state for travel by the employee to and from his place of residence. Such rules, rates and operating policies shall not be subject to the provisions of the administrative procedures act. All moneys received under this provision shall be deposited as nondedicated receipts to the credit of the fund from which the costs of operating the individual vehicles are paid.

Subd. 2. The provisions of subdivision 1 shall not apply to any member of the state highway patrol, nor to the commissioner and deputy commissioner of public safety.

Sec. 5. **[299D.07] HELICOPTERS AND FIXED WING AIRCRAFT.** The commissioner of public safety is hereby authorized to retain, acquire, maintain and operate helicopters and fixed wing aircraft for the purposes of highway patrol and to employ highway patrol officer pilots as required.

Sec. 6. The provisions of the fourth paragraph of Laws 1975, Chapter 204, Section 31, Subdivision 2, insofar as they refer to helicopters and fixed wing aircraft are superseded by this act.

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Sec. 7. Minnesota Statutes 1974, Section 373.36, is repealed.

Sec. 8. **EFFECTIVE DATE.** This act shall be effective the day following final enactment.

Approved April 13, 1976.

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**CHAPTER 282—H.F.No.2203**

**[Coded]**

*An act relating to medical assistance for the needy; establishing guidelines for allowed costs of services furnished by nursing homes; prescribing certain responsibilities for the commissioner of public welfare.*

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

**Section 1. [256B.41] PUBLIC WELFARE; MEDICAL ASSISTANCE FOR NEEDY; NURSING HOME RATES; POLICY; INTENT.** Subdivision 1. The state agency shall by rule establish a formula for establishing payment rates for nursing homes which qualify as vendors of medical assistance.

Subd. 2. It is the intent of the legislature to establish certain limitations on the state agency in setting standards for nursing home rate setting for the care of recipients of medical assistance pursuant to *Minnesota Statutes, Chapter 256B. It is not the intent of the legislature to repeal or change any existing or future rule promulgated by the state agency relating to the setting of rates for nursing homes unless the rule is clearly in conflict with sections 1 to 8 of this act. If any provision of sections 1 through 8 of this act is determined by the United States government to be in conflict with existing or future requirements of the United States government with respect to federal participation in medical assistance, the federal requirements shall prevail.*

**Sec. 2. [256B.42] DEFINITIONS.** Subdivision 1. For the purpose of this act the following terms and phrases shall have the meaning given to them.

Subd. 2. "Facility" means the building in which a nursing home is located and all permanent fixtures attached to it. "Facility" does not include the land or any supplies and equipment which are not fixtures.

Subd. 3. "Original value" means the value of the facility established pursuant to section 3, subdivisions 1 and 2.

Subd. 4. "Purchase" means the acquisition of a nursing home by a new owner or the construction of a new nursing home.

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