
CHAPTER 91—S.F.No.2355

An act relating to state employees; limiting severance allowances for certain employees; amending Minnesota Statutes, 1975 Supplement, Section 43.224.

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 43.224, is amended to read:

43.224 STATE EMPLOYEES; UNUSED ANNUAL LEAVE. No employees in the unclassified service shall be paid for unused portions of annual leave allowances provided for by section ~~361.12~~ **43.223**, for any greater period of time than is permitted employees in the classified service. No elected state employee, with the exception of elected employees of the legislature, shall be paid for unused annual leave allowances or a severance pay allowance based upon unused sick leave pursuant to section 43.12, subdivision 2, upon retirement or termination of service for any reason whatsoever.

Sec. 2. This act is effective the day after final enactment.

Approved March 25, 1976.

CHAPTER 92—H.F.No.527

[Coded]

An act relating to the purchase of surplus government property by public employees; providing a penalty; amending Minnesota Statutes 1974, Chapter 43, by adding a section; repealing Minnesota Statutes 1974, Section 15.055.

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

Section 1. Minnesota Statutes 1974, Chapter 43, is amended by adding a section to read:

[43.37] PUBLIC EMPLOYEES; PURCHASE OF SURPLUS PROPERTY; EXCEPTIONS; PENALTY. No officer or employee of the state or any of its political subdivisions shall sell or procure for sale or have in his possession or control for sale to any other officer or employee of the state or the subdivision, as appropriate, any property or materials owned by the state or subdivision except pursuant to conditions provided in this section. Property or materials owned by the state or a subdivision, except real property, and not needed for public purposes, may be sold to an employee of the state or the subdivision after rea-

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

sonable public notice at public auction or by sealed bid if the employee is the highest responsible bidder and if he is not directly involved in the auction or sealed bid process. Requirements for reasonable public notice may be prescribed by other law or ordinance so long as at least one week's published or posted notice is specified. A state employee may purchase no more than one motor vehicle from the state in any 12 month period. A person violating the provisions of this section is guilty of a misdemeanor. This section shall not apply to the sale of property or materials acquired or produced by the state or subdivision for sale to the general public in the ordinary course of business. Nothing in this section shall prohibit an employee of the state or a political subdivision from selling or having in his possession for sale public property if the sale or possession for sale is in the normal course of the employee's duties.

Approved March 30, 1976.

CHAPTER 93—S.F.No.733

[Coded]

An act relating to rates of interest; permitting lending institutions to charge interest rates on business and agricultural loans of up to five percent more than the federal discount rate at the time the loan was made.

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

Section 1. **[334.011] INTEREST; RATES FOR BUSINESS AND AGRICULTURAL LOANS.** Subdivision 1. Notwithstanding the provisions of section 334.01 or other law to the contrary, a lending institution which pursuant to U.S. Public Law 93-501 is authorized to charge an interest rate for certain loans in excess of the rate otherwise permitted by state law may in the case of loans for business or agricultural purposes, charge on any loan or discount made or upon any note, bill or other evidence of debt, interest at a rate of not more than five percent in excess of the discount rate on 90 day commercial paper in effect at the Federal Reserve bank in the Federal Reserve district encompassing Minnesota.

Subd. 2. If a greater rate of interest than that permitted by subdivision 1 is charged then the entire interest due on that note, bill or other evidence of debt is forfeited. If the greater rate of interest has been paid, the person who paid it may recover in a civil action an amount equal to twice the amount of interest paid.

Subd. 3. If the rate of interest charged is permitted by this section at the time the loan was made, that rate of interest does not later become usurious because of a fluctuation in the federal discount rate.

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