

Section 1. Minnesota Statutes 1976, Section 204A.54, Subdivision 1, is amended to read:

204A.54 ELECTIONS; LEGISLATURE; CERTIFICATES OF ELECTION; PREPARATION, DELIVERY. Subdivision 1. **PREPARATION, DELIVERY.** The auditor of each county, and the secretary of state where the candidates for office are voted for in more than one county, shall make for every person declared elected by the canvassing board of the county or the state canvassing board a certificate of his election and except as otherwise provided in this subdivision for election certificates of state legislators, shall deliver the certificate to the person entitled thereto upon demand, and without fee. In the case of election to the state house of representatives or senate, the original certificate of election shall be delivered by the auditor or secretary of state to the chief clerk of the house or the secretary of the senate, and shall be returned to the senator or representative upon taking the oath of office. Upon demand, the person elected shall be given a copy by the chief clerk of the house or the secretary of the senate without fee. No certificate of election shall be made or delivered while a recount is being done by a canvassing board because the difference between votes is 100 or less. The auditor of any county also shall make for any candidate or voter of his county, a certified copy of any statement of votes made by the county canvassing board upon payment or tender of one dollar therefor. In case of a contest, the court may invalidate and revoke the certificate, pursuant to chapter 209.

Approved April 21, 1977.

CHAPTER 33—H.F.No.283

An act relating to securities; disciplinary action against a licensee; clarifying the time for initiating a proceeding; amending Minnesota Statutes 1976, Sections 80A.07, Subdivision 2, and 80A.21, Subdivision 1.

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

Section 1. Minnesota Statutes 1976, Section 80A.07, Subdivision 2, is amended to read:

Subd. 2. **SECURITIES; DISCIPLINARY ACTION; LICENSEES.** The commissioner may not institute a suspension or revocation proceeding solely on the basis of a fact or transaction known to him when the initial license was issued unless the proceeding is instituted within the next 30 days after the issuance of the initial license.

Sec. 2. Minnesota Statutes 1976, Section 80A.21, Subdivision 1, is amended to read:

80A.21 CEASE AND DESIST ORDERS; INJUNCTIONS; RECEIVERS. Subdivision 1. Whenever it appears to the commissioner that any person has engaged or is about to engage in any act or practice constituting a violation of this chapter or any rule or order hereunder:

Changes or additions indicated by underline deletions by strikeout

(a) He shall have the power to issue and cause to be served upon such person an order requiring the person to cease and desist from violations of sections 80A.01 to 80A.31. The order shall be calculated to give reasonable notice of the ~~time and place for hearing thereon~~ rights of the person to request a hearing thereon and shall state the reasons for the entry of the order. A hearing shall be held not later than seven days after the ~~issuance of the order~~ request for such hearing is received by the commissioner after which and within 20 days of the date of the hearing the commissioner shall issue a further order vacating the cease and desist order or making it permanent as the facts require. All hearings shall be conducted in accordance with the provisions of chapter 15. If the person to whom a cease and desist order is issued fails to appear at the hearing after being duly notified, such person shall be deemed in default, and the proceeding may be determined against him upon consideration of the cease and desist order, the allegations of which may be deemed to be true. The commissioner may adopt rules of procedure concerning all proceedings conducted pursuant to this subdivision; and

(b) He may bring an action in the district court of the appropriate county to enjoin the acts or practices and to enforce compliance with sections 80A.01 to 80A.31 or any rule or order thereunder and he may refer the matter to the attorney general or the county attorney of the appropriate county. Upon a proper showing, a permanent or temporary injunction, restraining order or writ of mandamus shall be granted and a receiver may be appointed for the defendant or the defendant's assets. The court may not require the commissioner to post a bond.

Sec. 3. This act shall be effective the day following final enactment.

Approved April 21, 1977.

CHAPTER 34—H.F.No.661

[Not Coded]

An act relating to highway traffic regulations; exempting trucks engaged in hauling hay from certain weight restrictions during a specified period of time.

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

Section 1. **HIGHWAY TRAFFIC REGULATIONS; TRUCKS; OVERWEIGHT LOADS; HAY.** The provisions of Minnesota Statutes, Section 169.87, Subdivisions 1 and 2, relating to load restrictions on roads and highways, shall not apply to any five axle vehicle while engaged exclusively in hauling hay to be used by Minnesota livestock farmers during the period from March 20 to May 15 in 1977; provided that nothing in this act shall be construed to authorize gross weights in excess of the limitations imposed in Minnesota Statutes, Section 169.83.

Sec. 2. This act is effective the day following its final enactment.

Approved April 21, 1977.

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