

Section 1. Minnesota Statutes 1976, Section 144A.04, Subdivision 5, is amended to read:

Subd. 5. Except as otherwise provided by this subdivision, a nursing home must have a full time licensed nursing home administrator serving the facility. In any nursing home of less than 25 beds, the director of nursing services may also serve as the licensed nursing home administrator. Two nursing homes having a total of 100 beds or less and located within 50 miles of each other may share the services of a licensed administrator if the administrator divides his full time work week between the two facilities in proportion to the number of beds in each facility. Every nursing home shall have a person-in-charge on the premises at all times in the absence of the licensed administrator. The name of the person in charge must be posted in a conspicuous place in the facility. The board of health shall by rule promulgate minimum education and experience requirements for persons-in-charge, and may promulgate rules specifying the times of day during which a licensed administrator must be on the nursing home's premises. A nursing home may employ as its administrator the registered administrator of a hospital licensed pursuant to sections 144.50 to 144.56 if the individual is licensed as a nursing home administrator pursuant to section 144A.20 and the nursing home and hospital have a total of 150 beds or less, are under the same governing body and are located within one-half mile of each other. A nursing home which is located in a facility licensed as a hospital pursuant to sections 144.50 to 144.56, may employ as its administrator the registered administrator of the hospital if the individual meets minimum education and long term care experience criteria set by rule of the board of health.

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

Approved March 23, 1978.

CHAPTER 537-S.F.No.1830

An act relating to corporations; modifying certain filing fees for domestic corporations; providing a uniform fee for filing instruments with the secretary of state; amending Minnesota Statutes 1976, Sections 300.49, Subdivision 1; and 301.071, Subdivision 2.

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

Section 1. Minnesota Statutes 1976, Section 300.49, Subdivision 1, is amended to read:

300.49 FILING FEES. Subdivision 1. **PAID TO STATE TREASURER.** Domestic corporations shall pay to the state treasurer the following fees:

(1) For filing articles of incorporation ~~or instruments extending or renewing corporate existence~~, \$62.50 for the first \$25,000 or fraction thereof of the par value of its authorized shares, and \$1.25 for each additional \$1,000 or fraction thereof;

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(2) For filing an instrument extending or renewing corporate existence, \$10;

(3) For filing any amendment of articles of incorporation increasing the authorized number of shares, or the par value of shares previously authorized, or both, \$1.25 for each \$1,000 or fraction thereof of such increase.

Sec. 2. Minnesota Statutes 1976, Section 301.071, Subdivision 2, is amended to read:

Subd. 2. In addition to the fees prescribed in subdivision 1, fees a fee of \$10 shall be paid to the secretary of state according to the following schedule, for filing any instrument required to be filed under the provisions of chapter 301. The fee shall be paid at the time the service is performed:

(a) Filing articles of incorporation and issuing a certificate of incorporation; \$12.50;

(b) Filing articles of amendment superseding original articles of incorporation as provided in section 301.37, subdivision 2; \$12.50;

(c) Filing articles of amendment, including the reduction of stated capital pursuant to section 301.29, as provided in section 301.37, subdivision 4; \$6.50;

(d) Filing an agreement of consolidation, an agreement of merger, or a certificate of ownership, and issuing a certificate of incorporation or merger as provided in section 301.42 or 301.421; \$25;

(e) Filing a certificate of resolution instituting voluntary proceedings for dissolution and appointing a trustee as provided in section 301.47; \$4;

(f) Filing a certificate of trustee in voluntary proceedings for dissolution as provided in section 301.56; \$4;

(g) Filing an order of dissolution as provided in section 301.56; \$6.50;

(h) Filing a certificate of change of registered office as provided in section 301.33; \$6.50;

(i) Filing a certificate of resolution fixing equality of shares as provided in section 301.14; \$6.50;

(j) Filing a consent to use of name or a notice of intention to procure incorporation as provided in section 301.05; \$4;

(k) Filing a certificate of resolution electing to accept or reject the provisions of Laws 1933, Chapter 300 and laws amendatory thereto; \$12.50;

(l) Filing any other instrument pursuant to the provisions of this chapter; \$6.50.

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Sec. 3. Section 1 is effective the day following final enactment, and applies to documents filed with the secretary of state on or after that date. Section 2 is effective August 1, 1978, and applies to all documents filed with the secretary of state on or after that date.

Approved March 23, 1978.

CHAPTER 538-S.F.No.1985

[Coded in Part]

An act relating to retirement; transit operating division of the metropolitan transit commission; transfer of pension coverage; termination of the metropolitan transit commission—transit operating division employees retirement fund; amending Minnesota Statutes 1976, Sections 352.01, Subdivisions 2A and 11; 352.22, by adding a subdivision; 356.20, Subdivision 2; and Minnesota Statutes, 1977 Supplement, Sections 352.03, Subdivisions 1 and 2; and 473.415.

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

Section 1. Minnesota Statutes 1976, Section 352.01, Subdivision 2A, is amended to read:

Subd. 2A. **INCLUDED EMPLOYEES.** The following persons are included in the meaning of state employee:

- (1) Employees of the Minnesota Historical Society.
- (2) Employees of the State Horticultural Society.
- (3) Employees of the Disabled American Veterans, Department of Minnesota, Veterans of Foreign Wars, Department of Minnesota, if employed prior to July 1, 1963.
- (4) Employees of the Minnesota Crop Improvement Association.
- (5) Employees of the adjutant general who are paid from federal funds and who are not covered by any federal civilian employees retirement system.
- (6) Employees of the state universities employed under the university activities program.
- (7) Currently contributing employees covered by the system who are temporarily employed by the legislature during a legislative session or any currently contributing employee employed for any special service as defined in item (8) of subdivision 2B.
- (8) Employees of the armory building commission.

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