

Subd. 5. In order for a child to be detained at a state correctional institution for juveniles, the commissioner of corrections must first consent thereto, and the county must agree to pay the costs of the child's detention.

Where the commissioner directs that a child be detained in an approved juvenile facility with the approval of the administrative authority of the facility as provided in section 260.171, subdivision 2, or subdivision 4 of this section, the costs of such detention shall be a charge upon the county for which the child is being detained.

Approved March 28, 1978.

CHAPTER 638-H.F.No.1976

An act relating to highway traffic regulations; prohibiting possession of certain traffic signs; granting immunity from prosecution to persons who voluntarily notify police of their possession of such signs; amending Minnesota Statutes 1976, Section 169.08.

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

Section 1. Minnesota Statutes 1976, Section 169.08, is amended to read:

169.08 UNLAWFUL TO POSSESS, ALTER, DEFACE, OR REMOVE SIGNS. No person shall, without lawful authority, possess, or attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof. A person who voluntarily notifies a law enforcement agency that he is in possession of such an article, and who returns the article within ten days after gaining possession thereof, shall not be subject to prosecution for such possession.

Approved March 28, 1978.

CHAPTER 639-H.F.No.1977

[Coded]

An act relating to marijuana; retroactively reducing past convictions involving a small amount of marijuana to a petty misdemeanor; amending Minnesota Statutes 1976, Section 152.18, by adding a subdivision.

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

Section 1. Minnesota Statutes 1976, Section 152.18, is amended by adding a subdivision to read:

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Subd. 3. Any person who has been found guilty of a violation of section 152.09 with respect to a small amount of marijuana which violation occurred prior to April 11, 1976, and whose conviction would have been a petty misdemeanor under the provisions of section 152.15, subdivision 2, clause (5) in effect on the effective date of this act, but whose conviction was for an offense more serious than a petty misdemeanor under laws in effect prior to April 11, 1976, may petition the court in which he was convicted to expunge from all official records, other than the nonpublic record retained by the department of public safety pursuant to section 152.15, subdivision 2, clause (5), all recordation relating to his arrest, indictment or information, trial and conviction of an offense more serious than a petty misdemeanor. The court, upon being satisfied that a small amount was involved in the conviction, shall order all the recordation expunged. No person as to whom an order has been entered pursuant to this subdivision shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge conviction of an offense greater than a petty misdemeanor, unless possession of marijuana is material to a proceeding.

Sec. 2. This act is effective April 11, 1978.

Approved March 28, 1978.

CHAPTER 640-H.F.No.1981

An act relating to natural resources; authorizing the commissioner of natural resources to grant a second extension of time for removal of cut timber, equipment and buildings for hardship reasons; informal sales of state timber; removing the requirement of a certain affidavit; amending Minnesota Statutes 1976, Section 90.191, Subdivisions 1 and 2.

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

Section 1. Minnesota Statutes 1976, Section 90.191, Subdivision 1, is amended to read:

90.191 INFORMAL SALES OF STATE TIMBER. Subdivision 1. The commissioner may sell the timber on any tract of state land in lots not exceeding \$1,500 in appraised value, without formalities but for not less than the full appraised value thereof, to any individual. No sale shall be made under this section to any person holding two permits issued hereunder which are still in effect.

~~Before issuing a permit or contract under this section the purchaser shall file an affidavit with the commissioner stating under oath, that if the permit is issued the purchaser will not hold more than two permits which are in effect.~~

Sec. 2. Minnesota Statutes 1976, Section 90.191, Subdivision 2, is amended to read:

Subd. 2. Upon receipt of payment for the full appraised value, the commissioner

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