

Subd. 2. The Anoka county board of commissioners may, by resolution, designate an interim human services board, to serve for a period not to exceed two years. The interim human services board shall be composed of the members of the Anoka county board of commissioners and not more than two citizen members appointed by the county board. The interim human services board shall possess all the powers and duties assigned by law to human service boards designated pursuant to Minnesota Statutes, Chapter 402.

Subd. 3. The Anoka county board of commissioners may, by resolution and with written notice to each state agency that will be affected, dissolve the interim human services board and should the county board assume the powers and duties of a human services board pursuant to subdivision 1, it may vacate its action by resolution.

Sec. 2. **PUBLIC PARTICIPATION; ADVISORY BODIES.** Subdivision 1. The Anoka county board of commissioners or the designated interim human services board shall establish a process for involving representatives of those receiving services, private providers and members of the public in the formulation of the plan and evaluation for human services programs and services by the board.

Subd. 2. The Anoka county board of commissioners or the designated interim human services board is authorized to establish committees and task forces to assist it in its human services functions. The scope of authority, number and composition shall be determined by the interim human services board or the county board, notwithstanding any provisions in Minnesota Statutes, Chapter 402, to the contrary.

Subd. 3. The formal process identified in section 2, subdivisions 1 and 2 shall replace those advisory bodies required by state statute or rule to advise county welfare boards or other county and area boards, including developmental achievement boards, area mental health boards and committees, community health services boards and committees, and community correction boards and committees.

Sec. 3. **EMPLOYEES.** All persons employed by the interim human services board or the county board acting pursuant to its powers as a human services board shall be employees of the county of Anoka. The establishment of a human services board will not negate any collective bargaining unit agreements between the existing exclusive representative and the county of Anoka.

Sec. 4. **EFFECTIVE DATE.** This act takes effect upon its approval by the board of county commissioners of Anoka County, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 22, 1979.

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CHAPTER 156—H.F.No.594

*An act relating to human rights; requiring the commissioner of human rights to follow certain procedures in an investigation of allegations of unfair discriminatory practices;*

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

*amending Minnesota Statutes 1978, Section 363.06, Subdivision 4.*

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

Section 1. Minnesota Statutes 1978, Section 363.06, Subdivision 4, is amended to read:

Subd. 4. **INQUIRY INTO CHARGE.** When a charge has been filed, the commissioner shall promptly inquire into the truth of the allegations of the charge. The commissioner shall make an immediate inquiry when necessary to prevent a charging party from suffering irreparable loss in the absence of immediate action. On each charge the commissioner shall make a determination as to whether or not there is probable cause to credit the allegation of unfair discriminatory practices, and

(1) If the commissioner shall determine after investigation that no probable cause exists to credit the allegations of the unfair discriminatory practice, the commissioner shall, within ten days of ~~such~~ the determination, serve upon the charging party and respondent written notice of ~~such~~ the determination. Within ten days after receipt of ~~this~~ notice, the charging party may request in writing on forms prepared by the department that the commissioner reconsider his determination. The request shall contain a brief statement of the reasons for and ~~any~~ new evidence in support of the request for reconsideration. At the time of submission of the request to the commissioner, the charging party shall deliver or mail to the respondent a copy of the request for reconsideration. The commissioner shall either reaffirm or reverse his determination of no probable cause within 20 days after receipt of the request for reconsideration, and he shall within ten days ~~thereafter~~ notify in writing the charging party and respondent of his decision to reaffirm or reverse. A decision by the commissioner that no probable cause exists to credit the allegations of an unfair discriminatory practice shall not be appealed to district court pursuant to section 363.072 or section 15.0424.

(2) If the commissioner shall determine after investigation that probable cause exists to credit the allegations of unfair discriminatory practices, the commissioner ~~shall~~ serve on the respondent and his attorney if he is represented by counsel, by first class mail, a notice setting forth a short plain written statement of the alleged facts which support the finding of probable cause and an enumeration of the provisions of law allegedly violated. If the commissioner determines that attempts to eliminate the alleged unfair practices through conciliation pursuant to subdivision 5 have been or would be unsuccessful or unproductive, the commissioner shall issue a complaint and serve on the respondent, by registered or certified mail, a written notice of hearing together with a copy of the complaint, requiring the respondent to answer the allegations of the complaint at a hearing before a hearing examiner at a time and place specified in the notice, not less than ten days after service of said complaint. A copy of the notice shall be furnished to the charging party, the attorney general, and the chairman of the board.

(3) ~~At any time~~ After the commissioner has determined that there is probable cause to believe that a respondent has engaged in an unfair discriminatory practice the commissioner may file a petition in the district court in a county in which the subject of the complaint occurs, or in a county in which a respondent resides or transacts business,

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seeking appropriate temporary relief against the respondent, pending final determination of proceedings under this chapter, including an order or decree restraining him from doing or procuring ~~any an~~ act tending to render ineffectual ~~any an~~ order the commissioner may enter with respect to the complaint. The court shall have power to grant ~~such~~ temporary relief or a restraining order as it deems just and proper, but no ~~such~~ relief or order extending beyond ten days shall be granted except by consent of the respondent or after hearing upon notice to the respondent and a finding by the court that there is reasonable cause to believe that the respondent has engaged in a discriminatory practice. The Minnesota rules of civil procedure shall apply to ~~such an~~ application, and the district court shall have authority to grant or deny such relief sought on ~~such~~ conditions as it deems just and equitable. All hearings under this section shall be given precedence as nearly as practicable over all other pending civil actions.

(4) If ~~any a~~ lessor, after he has engaged in a discriminatory practice defined in section 363.03, subdivision 2, clause (1), (a), shall lease or rent ~~such a~~ dwelling unit to a person who has no knowledge of ~~such the~~ practice or of the existence of ~~any a~~ charge with respect ~~thereto to the practice~~, ~~such the~~ lessor shall be liable for actual damages sustained by ~~such a~~ person by reason of ~~any a~~ final order ~~hereunder as provided in this section~~ requiring ~~such the~~ person to be evicted from ~~such the~~ dwelling unit.

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

Approved May 22, 1979.

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CHAPTER 157—H.F.No.606

*An act relating to controlled substances; amending the definition of Cannabis; amending certain schedules; adding the precursors of phencyclidine; amending Minnesota Statutes 1978, Sections 152.01, Subdivision 9; and 152.02, Subdivisions 2, 3 and 4.*

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

Section 1. Minnesota Statutes 1978, Section 152.01, Subdivision 9, is amended to read:

Subd. 9. **MARIJUANA.** "Marijuana" means all parts of the plant of any species of the genus Cannabis sativa L., including all agronomical varieties, whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin, but shall not include the mature stalks of such plant, fiber from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks, except the resin extracted therefrom, fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination.

Sec. 2. Minnesota Statutes 1978, Section 152.02, Subdivision 2, is amended to read:

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