

Subd. 9. The board of teaching may adopt rules subject to the provisions of chapter 15 to implement sections 125.04 to 125.09 and 125.181 to 125.187 ~~after approval by the state board of education~~.

Sec. 15. Minnesota Statutes 1978, Section 179.63, Subdivision 13, is amended to read:

Subd. 13. "Teacher" means any person other than a superintendent or assistant superintendent, employed by a school district in a position for which the person must be ~~certificated~~ licensed by the board of teaching or the state board of education or in a position as a physical therapist or an occupational therapist; and such employment does not come within the exceptions stated in subdivision 7, or defined in subdivisions 8, 9, or 14.

Sec. 16. Minnesota Statutes 1978, Section 179.63, Subdivision 14, is amended to read:

Subd. 14. "Principal" and "assistant principal" means any person so ~~certificated~~ licensed by the state ~~department~~ board of education who devotes more than 50 percent of his time to administrative or supervisory duties.

Sec. 17. Nothing contained in sections 1 to 16 shall be construed as affecting the validity of a permanent license or certificate issued prior to August 1, 1979.

Sec. 18. Minnesota Statutes 1978, Section 125.182, Subdivision 4, is repealed.

Approved February 14, 1980

#### CHAPTER 346—S.F.No. 285

*An act relating to interest rates; increasing permissible finance charges for open end credit sales; providing for calculation of finance charges on open end credit sales; amending Minnesota Statutes 1978, Section 334.16, Subdivision 1.*

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

Section 1. Minnesota Statutes 1978, Section 334.16, Subdivision 1, is amended to read:

334.16 **FINANCE CHARGES FOR OPEN END CREDIT SALES.** Subdivision 1. **LIMITATION OF RATES.** The imposition, charge or collection of a finance charge upon an account balance by a seller of goods, services or both shall be lawful, provided that:

(a) The sale is a consumer credit sale pursuant to an open end credit plan, agreement or arrangement between the buyer and seller under which (1) the seller may permit the buyer to make purchases from time to time from the seller

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

or other sellers, (2) the buyer has the privilege of paying the balance in full or in installments, and (3) a finance charge may be computed by the seller from time to time on an outstanding unpaid balance; and

(b) The terms of the plan, agreement or arrangement provide for a periodic rate of finance charge which does not exceed one and one third percent per month computed on an amount no greater than the average daily balance of the account during each monthly billing cycle; provided a minimum finance charge not in excess of 50 cents per month may be imposed, charged or collected.

Sec. 2. [334.16] [Subd. 3.] COMPUTATION OF AVERAGE DAILY BALANCE. The calculation of the average daily balance for the purpose of the limitation on rates imposed by Minnesota Statutes, Section 334.16, Subdivision 1, Clause (b) shall be made by excluding from the daily balances the amount of each sale from the date of sale until the last day of the regular billing cycle during which the sale was made. The portion of any balance arising from the sale of goods which are returned shall be excluded from the unpaid balance as of the date the goods are returned.

Sec. 3. This act is effective the day following its final enactment but shall not apply to account balances outstanding on the effective date of this act, and the finance charge on outstanding balances shall not exceed the amounts permitted under laws existing immediately preceding the effective date of this act.

Approved February 21, 1980

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## CHAPTER 347—S.F.No. 1042

*An act relating to dogs; removing the urban location requirement in actions for damages against a dog owner; amending Minnesota Statutes 1978, Section 347.22.*

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

Section 1. Minnesota Statutes 1978, Section 347.22, is amended to read:

347.22 **DAMAGES, OWNER LIABLE.** If a dog, without provocation, attacks or injures any person who is peaceably conducting himself in any place where he may lawfully be in any urban area, the owner of the dog is liable in damages to the person so attacked or injured to the full amount of the injury sustained. The term "owner" includes any person harboring or keeping a dog but the owner shall be primarily liable. The term "dog" includes both male and female of the canine species.

Approved March 3, 1980

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