

or other impairment, are unable to readily understand or communicate the English language, persons handicapped in communication cannot be fully protected unless qualified interpreters are available to assist such persons them in legal proceedings. It is the intent of sections 611.30 to 611.34 to provide a procedure for the appointment of such interpreters to avoid injustice and to assist such persons handicapped in communication in their own defense.

Sec. 5. Minnesota Statutes 1980, Section 611.31, is amended to read:
611.31 HANDICAPPED PERSON.

For the purposes of sections 611.30 to 611.34, "handicapped person handicapped in communication" means a person who because ~~he is deaf, or because of a hearing or speaking impairment, cannot readily understand or communicate the English language,~~ or of a hearing, speech or other communication disorder, or because of the inability to speak or comprehend the English language, cannot understand the proceedings or any charges made against him, or is incapable of presenting or assisting in the presentation of his defense.

Sec. 6. Minnesota Statutes 1980, Section 611.33, is amended by adding a subdivision to read:

Subd. 4. Whenever a person serves as an interpreter pursuant to sections 611.30 to 611.34, he shall not, without the consent of the person handicapped in communication, be allowed to disclose any privileged communication made by the person or any privileged information gathered from the person which was communicated or gathered during the time when he was serving as an interpreter.

Approved May 8, 1981

CHAPTER 132 — H.F.No. 436

An act relating to financial institutions; setting application fees for industrial loan and thrifts; providing for publication of notices; establishing procedures for consideration of applications for consent to sell and issue certificates; increasing the minimum amounts for insurance of accounts; amending Minnesota Statutes 1980, Sections 53.03, Subdivision 1, and by adding subdivisions; and 53.10, Subdivision 1.

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

Section 1. Minnesota Statutes 1980, Section 53.03, Subdivision 1, is amended to read:

Subdivision 1. **APPLICATION, FEE, NOTICE.** Any corporation hereafter organized as an industrial loan and thrift company, shall, after

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compliance with the requirements set forth in sections 53.01 and 53.02, cause an application, in writing, to be made to the department of commerce for a certificate of authorization. The application, in triplicate, shall be in the form prescribed by the department of commerce and filed in its office. The application shall be made in the name of the corporation, executed and acknowledged by two of its officers designated by the board of directors of the corporation for that purpose, requesting a certificate authorizing the corporation to transact business as an industrial loan and thrift company, at the place and in the name stated in the application. At the time of filing the application the applicant shall pay a filing fee of \$500, to be paid into the state treasury and credited to the general fund and also shall pay to the commissioner of banks the sum of \$250 as a fee for investigating the application, which fee shall be turned over by ~~him~~ the commissioner to the state treasurer and credited to the general fund of the state, and submit a copy of the bylaws of the corporation, its articles of incorporation and all amendments thereto. If the application is contested, the applicant shall pay an additional fee equal to the actual costs incurred by the department of commerce in approving or disapproving the application, payable to the state treasurer and credited to the general fund of the state. A notice of the filing of the application shall be published ~~once~~ within 30 days of the receipt of the form prescribed by the department of commerce, at the expense of the applicant, in a newspaper published in the municipality in which the proposed industrial loan and thrift company is to be located, or, if there be ~~no such newspaper~~ none, in a newspaper published at the county seat of the county in which the company is proposed to be located. If the department of commerce receives a written objection to the application from any person within 20 days of the notice having been fully published a contested case hearing shall be conducted on the application. The department of commerce ~~commission~~ may without cause order a contested case hearing on the application. Notice of a hearing in connection with this section shall be published once in the form prescribed by ~~the~~ department of commerce, at the expense of the applicant, in the same manner as a notice of application.

Sec. 2. Minnesota Statutes 1980, Section 53.03, is amended by adding a subdivision to read:

Subd. 6. AMENDED CERTIFICATES, THRIFT CERTIFICATES FOR INVESTMENT, APPLICATION, FEE, NOTICE. Upon approval by the commissioner of banks of a commitment for insurance or guarantee of certificates to be held for investment as required in section 53.10, subdivision 3, an industrial loan and thrift company may apply to the department of commerce for an amended certificate of authorization and consent to sell and issue thrift certificates for investment.

The application, in triplicate, shall be in the form prescribed by the department of commerce and filed in its office. At the time of filing the

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application, the applicant shall pay a filing fee of \$500 and if an application is contested, an additional fee equal to the actual costs incurred by the department of commerce in approving or disapproving the application, payable to the state treasurer and credited by the treasurer to the general fund shall be paid by applicant. A notice of the filing of the application shall be published once within 30 days of the receipt of the form prescribed by the department of commerce, at the expense of the applicant, in a newspaper published in the municipality in which the place of business under the application is located, or if there is none, in a newspaper published at the county seat of the county in which the place of business is located. Not more than one place of business maintained under a certificate of authorization shall be the subject of an application.

Sec. 3. Minnesota Statutes 1980, Section 53.03, is amended by adding a subdivision to read:

Subd. 7. OBJECTION TO APPLICATION. Upon receiving written objection to the application from any person within 20 days of the notice having been fully published, the department of commerce shall order a contested case hearing to be conducted on the application. The department of commerce may without cause order a contested case hearing to be conducted on the application.

Sec. 4. Minnesota Statutes 1980, Section 53.03, is amended by adding a subdivision to read:

Subd. 8. INVESTIGATION. Upon receiving an application, the department of commerce shall make or cause to be made, an investigation of the application to determine that the corporation is in a solvent condition, meets current thrift industry standards of management quality and asset condition, is in compliance with the requirements of this chapter and that the approval of the application will not have an adverse effect upon the solvency of any existing industrial loan and thrift company selling and issuing certificates for investment or banks in the locality, or endanger the safety of any company or bank in the locality as a place for investing or depositing public and private money. If upon completion of its investigation and any hearing provided for in section 3, it appears to the department of commerce that the requirements for approval contained in this subdivision have been met, the application shall be approved. In all other cases, the application shall be denied. As a condition of approval, the capital funds of the applicant corporation shall not be less than the total amount which the department of commerce considers necessary having in mind the potential for the issuance of certificates for investment by the applicant. The procedure in subdivision 3a shall be followed in decisions, notice, and hearing of applications for consent to sell and issue thrift certificates for investment by issuance of an amended certificate of authorization.

Sec. 5. Minnesota Statutes 1980, Section 53.10, Subdivision 1, is amended to read:

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Subdivision 1. **REQUIREMENT.** Not later than July 1, 1983, every industrial loan and thrift company operating under this chapter with consent or holding a certificate of authorization, which includes the right to sell and issue for investment certificates of indebtedness, other than those to be pledged as security for a loan made contemporaneously therewith, shall obtain a commitment for insurance or guarantee of the certificates by or through an insurance company or guarantee fund acceptable to the commissioner of banks. The insurance or guarantee shall provide for the redemption of the investment of certificate holders in the event of liquidation, insolvency or bankruptcy of the industrial loan and thrift company. The amount of insurance or guarantee benefit to each certificate holder, as an individual or multi-party account, shall at all times be in full force and equal to the lesser of the industrial loan and thrift company's liability under a certificate or ~~\$40,000~~ \$100,000. For purposes of this section, an insurance company or guarantee fund includes an insurance company authorized to do business in this state, an insurance or guarantee fund organized under the laws of the United States, this state or any other state with the expressed purpose or authority to guarantee the accounts of industrial loan and thrift companies or any other person who contracts with industrial loan and thrift companies to guarantee accounts.

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective the day following final enactment.

Approved May 8, 1981

CHAPTER 133 — H.F.No. 449

An act relating to courts; providing that court reporter salaries shall be set by the district court administrator after consultation with the chief judge; amending Minnesota Statutes 1980, Sections 486.05, Subdivision 1; and 487.11, Subdivision 2.

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

Section 1. Minnesota Statutes 1980, Section 486.05, Subdivision 1, is amended to read:

Subdivision 1. The judge by an order filed with the county auditors on or before the second Monday in June shall annually fix and establish the salary of the court reporter at an amount not exceeding \$22,500 per year, and, in such order, each judge, except those judges in the second and fourth judicial districts, shall apportion the salaries of the reporters in their respective districts among the several counties, and In all judicial districts a salary range for court reporters shall be established annually by the judicial district administrator with

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