

(b) The complainant is at least 13 but less than 16 years of age and the actor is more than 48 months older than the complainant or in a position of authority over the complainant and uses this authority to ~~coerce~~ cause the complainant to submit. In any such case, it shall be an affirmative defense which must be proved by a preponderance of the evidence that the actor believes the complainant to be 16 years of age or older; or

(c) The actor uses force or coercion to accomplish the sexual contact; or

(d) The actor knows or has reason to know that the complainant is mentally defective, mentally incapacitated, or physically helpless.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment and apply to crimes committed on or after that date.

Approved April 23, 1981

CHAPTER 52 — S.F.No. 692

An act relating to Ramsey County; stating positions in the unclassified county service; placing employees of the judicial district administrator's office in the unclassified service; amending Laws 1974, Chapter 435, Section 3.02, Subdivision 6, as amended.

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

Section 1. Laws 1974, Chapter 435, Section 3.02, Subdivision 6, as amended by Laws 1978, Chapter 745, Section 1, and Laws 1979, Chapter 313, Section 2, is amended to read:

Subd. 6. **CLASSIFICATION OF SERVICE.** (a) **DEFINITION OF COVERAGE.** The officers and employees of Ramsey County and of a county or joint county and city agency, board, commission or committee supported in whole or in part by taxation upon the taxable property of the county, or appointed by the judges of the district court or probate court for the county, or by a board or agency composed of representatives of the county and a city in the county and employees employed in hospitals, preventoria, county nursing homes, and the welfare department are divided into the unclassified and classified service.

(b) **UNCLASSIFIED SERVICE.** The unclassified service comprises:

(1) An officer elected by popular vote or a person appointed to fill a vacancy in such an office.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(2) The head or principal administrative officer of a separate department of county government or agency created by law, the director of the welfare department.

(3) A chief deputy or principal assistant for each elected public official and for the county engineer and veterans' service officer.

(4) Each doctor, intern, student nurse and intern dietician employed by the county or a county agency.

(5) Each member of the teaching staff, supervisor and principal in the employ of the county, actually engaged in teaching or the supervision of teaching.

(6) A member of a board or commission appointed by the county, or the county and the city, or acting in an advisory capacity.

(7) A weed inspector, election judge, election clerk or other employee employed by the county for a limited period of time.

(8) A special police officer or special deputy sheriff serving without pay.

(9) A judge, court administrator, court reporter, receiver, referee, examiner or assistant examiner of titles, public defender, arbiter, juror, clerk of probate court or a person appointed by the district or probate courts to make or conduct a special inquiry of a judicial and temporary character.

(10) The director of court services and three principal assistants or division supervisors.

(11) The employees of the municipal court of Ramsey County and the judicial district administrator's office.

(12) The principal administrative officer of the detention and corrections department, his first assistant, the superintendent of each departmental facility and his first assistant or chief deputy.

(13) The chief executive officer of St. Paul-Ramsey Hospital and seven principal assistants.

(14) The executive secretary or the principal administrative officer of the county and seven principal assistants, appointed and terminated by the executive secretary or the principal administrative officer, except that until January 1, 1980 such appointments and terms shall be submitted to the Ramsey County government study commission. Such consideration shall be advisory only.

(15) The Ramsey County sheriff, his chief deputy, two principal assistants and a personal secretary.

(16) The Ramsey County attorney, his first assistant, one principal assistant, and a personal secretary.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

(c) **CLASSIFIED SERVICE.** (1) The classified service includes all other offices or employments in the county and county agencies, and all officers and employees not expressly placed in the unclassified service.

(2) Each employee in the classified service is placed in a graded division except an employee whose position is in a certified bargaining unit as defined under the public employment labor relations act and an employee in an ungraded division established by the county board. The ungraded division, if one is established, includes each employee in a construction trade who is engaged in the work of repair, alteration or construction of buildings for which trade there is a generally established and recognized scale of wages inside the county.

(3) (A) The superintendent and assistant superintendent of the Ramsey County nursing home are in the classified service.

(B) The provisions of Minnesota Statutes, Section 393.07, Subdivision 5, are hereby superseded insofar as they may be inconsistent with this section.

Sec. 2. **EFFECTIVE DATE.**

This act is effective the day after the filing of a certificate of local approval by the governing body of Ramsey County pursuant to Minnesota Statutes, Section 645.021, Subdivision 3.

Approved April 23, 1981

CHAPTER 53 — S.F.No. 917

An act relating to the statutes; removing archaic language from certain laws related to animals; amending Minnesota Statutes 1980, Sections 346.20; 346.21; 346.215; 346.216; 346.22; 346.23; 346.24; 346.25; 346.26; 346.27; 346.28; 346.31; 346.32; 346.33; 346.34; and 347.23.

REVISOR'S BILL

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

Section 1. Minnesota Statutes 1980, Section 346.20, is amended to read:

346.20 DEFINITIONS.

Subdivision 1. APPLICATION. Except as otherwise indicated by the context, for purposes of sections 346.20 to 346.34, the terms defined in this section have the meanings given them.

Subd. 2. **ANIMAL.** ~~The word "Animal" includes~~ means every living creature except members of the human race.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.