

that foreign taxes deemed paid were first used by the taxpayer in its foreign tax credit. Minnesota gross income shall include the amount of foreign tax paid which had been allowed as a deduction in a previous year, provided such foreign tax is later allowed as a credit against federal income tax. ~~Income taxes permitted to be deducted hereunder shall, regardless of the methods of accounting employed, be deductible only in the taxable year in which paid.~~ Taxes imposed upon a shareholder's interest in a corporation which are paid by the corporation without reimbursement from the shareholder shall be deductible only by such corporation.

Sec. 14. EFFECTIVE DATE.

Section 1 is effective the day after final enactment. Sections 2, 11 and 12 are effective January 1, 1982, except for those provisions of section 11 that relate to payments in calendar year 1981, which are effective July 1, 1981. Sections 3 to 5 and 13 are effective for taxable years beginning after December 31, 1980. Sections 6 to 8 are effective for claims based on rent paid in 1982 and subsequent years. Sections 9 and 10 are effective for taxable years beginning after December 31, 1982.

Approved June 6, 1981

CHAPTER 4 — S.F.No. 1

An act relating to legislative enactments; correcting erroneous, ambiguous, omitted and obsolete references and text; eliminating redundant, conflicting and superseded provisions; reenacting certain laws; correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and errors of a noncontroversial nature in the 1981 Regular Session; extending the availability of a certain appropriation; authorizing changing of certain precinct boundaries; abolishing the office of court referee and court commissioner; providing for the continuance of certain referee and court commissioner positions; defining "city" for the purpose of participation in municipal power agencies; extending the powers of a city to make loans under a municipal housing program; extending the availability of a certain appropriation; amending Minnesota Statutes 1980, Sections 10.30; 12.03, Subdivision 9; 12.25, Subdivision 1; 15.0412, Subdivision 4d; 15.0413, Subdivision 3, as amended; 15.052, Subdivision 3, as amended; 15.1611, Subdivisions 1 and 2; 15.1621, Subdivision 2; 15.163, Subdivision 6; 15.166, Subdivisions 1, 2 and 4; 15.1671; 15.50, Subdivision 1; 15.61, Subdivision 2; 15A.081, Subdivision 1, as amended; 16.172; 16.822, Subdivisions 3 and 6; 17.72; 17B.23; 27.01, Subdivision 1; 31.58; 32A.04, Subdivision 1; 35.067; 40.05, Subdivision 4; 40.071; 43.12, Subdivision 19; 43.126, Subdivisions 1 and 2; 43.24, Subdivision 2; 43.323, Subdivision 3; 47.203; 48.68; 48.88, Subdivision 2; 50.14, Subdivision 5, as reenacted; 55.15; 56.19, Subdivision 1, as amended; 60A.11, Subdivision 7; 60A.23, Subdivision 8; 62A.152, Subdivision 2; 62D.22, Subdivision 6; 62D.28, Subdivisions 2 and 3; 65B.05; 65B.06, Subdivision 2; 65B.71, Subdivision 2; 69.031, Subdivision 5; 69.29; 72A.20,

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Subdivision 15; 72C.11; 79.34, Subdivision 1; 84.55; 84A.52; 84B.05; 90.195; 92.36; 93.45, Subdivision 2; 111.09, Subdivision 2; 111.11; 111.31; 111.36; 111.78; 112.43, Subdivision 2; 115.34, Subdivision 1; 116.02, Subdivision 3; 116.06, Subdivision 1; 116.10; 122.532, Subdivision 3; 124.11, Subdivisions 2a and 2b, as amended; 124.5624, Subdivision 3, as amended; 144.125; 144.653, Subdivision 4; 144.801, Subdivision 8; 144.92; 144A.01, Subdivision 2; 144A.10, Subdivision 3; 145.838, Subdivision 3; 148.88; 151.26, Subdivision 1; 161.38, Subdivision 6; 162.08, Subdivision 3; 162.09, Subdivision 1, as amended; 173.12; 173.13, Subdivision 2; 173.20; 173.21; 174.256, Subdivision 5; 177.25, Subdivision 1, as amended; 179.68, Subdivision 2; 179.69, Subdivision 3a; 179.691; 179.692; 182.661, Subdivision 1; 183.52; 183.56; 183.57, Subdivision 2; 183.59; 197.13; 197.48; 197.603, Subdivision 2; 204A.06, Subdivision 1; 216B.16, Subdivision 1b, as amended; 218.031, Subdivision 1; 218.041, Subdivisions 2, 7 and 8; 219.39; 219.40; 219.741; 237.075, Subdivision 1b, as amended; 237.30; 239.05, Subdivision 1; 239.09; 241.021, Subdivision 2; 241.045, Subdivision 6; 241.27, Subdivision 2; 241.62, Subdivision 5; 243.87; 245.05; 245.06; 245.07; 245.781; 245.782, Subdivisions 1, 11 and 12; 245.783, Subdivisions 1, 2 and 3; 245.791; 245.801, Subdivision 5; 245.802, Subdivision 2; 245.803, Subdivisions 1, 2 and 3; 245.812, Subdivisions 2, 5 and 6; 250.05, Subdivisions 2 and 4; 256.05, Subdivision 1, as amended; 256.25; 256.263, Subdivision 1; 256.483, Subdivision 1; 256.73, Subdivision 2, as amended; 256B.15; 256D.03, Subdivision 2, as amended; 256E.03, Subdivision 2; 256E.06, Subdivision 2; 257.64, Subdivision 1; 260.031, Subdivision 1, as amended; 260.241, Subdivision 4; 273.13, Subdivision 6; 275.50, Subdivisions 2 and 5; 282.281; 290.05, Subdivision 1; 290.14; 290.35; 290.53, Subdivision 4; 290.92, Subdivision 5; 290A.01; 290A.02; 290A.03, Subdivisions 1, 3, 8, 11 and 12; 290A.08; 290A.09; 290A.11, Subdivision 1; 290A.13; 290A.15; 290A.16; 290A.17; 290A.20; 290A.22; 294.25; 295.34, Subdivision 1; 297.03, Subdivision 3; 298.223; 298.244, Subdivision 2; 299F.19, Subdivision 6; 299H.22, Subdivision 2; 308.07, Subdivision 10; 325F.34; 326.02, Subdivisions 1, 2, 3, 4a and 5; 326.03, Subdivision 5; 326.08, Subdivision 1; 326.11, Subdivision 1; 326.12, Subdivision 3; 326.13; 340.54, Subdivisions 1 and 2; 349.11; 352.22, Subdivision 3; 352B.075, Subdivision 1; 353.661, Subdivision 2; 353.71, Subdivision 1; 354.44, Subdivision 1a; 354A.21; 360.037, Subdivision 2; 368.86; 412.251; 414.0325, Subdivisions 1 and 5; 418.20; 423.075, Subdivision 2; 427.09; 447.34, Subdivision 1; 447.35; 447.45, Subdivision 1; 453.52, Subdivision 3; 462C.05, Subdivision 1; 465.72; 471.371, Subdivision 3; 471.616, Subdivision 1; 471.617; 471.74, Subdivision 2; 473.438, Subdivision 3; 473F.02, Subdivision 17; 474.03; 480.059, Subdivision 7; 484.70, Subdivision 1, as amended, and by adding subdivisions; 485.14; 487.08, Subdivisions 2 and 3; 489.01; 508.37, by adding a subdivision; 518.155; 518.66; 595.02, as amended; 595.021; 595.022; 611.07, Subdivision 3; 611.12, Subdivision 7; 626.556, Subdivision 11; 626A.12, Subdivision 5; 628.56; 629.404, Subdivision 1; amending Laws enacted in the 1981 Regular Session styled as H.F. Nos. 182, Section 1, Subdivision 3, Section 2, and Section 11, Subdivision 2; 493, Section 7, Subdivisions 1 and 3; 553, Section 44, Subdivision 4, and Section 55, Subdivision 3; 900, Section 4; 1005, Section 21; 1125, Article II, Section 3, Subdivision 2a; 1421, Section 2, Subdivisions 1 and 6; 1434, Section 1, Section 2, Subdivision 4, Section 3, Section 4, Section 5, Subdivisions 1 and 4, and Section 6; 1443, Sections 1, 3, 6, 23, 28, 30, 32 and 377; 1446, Article I, Section 2, Subdivision 5, Section 7, Article II, Section 54; 1475, Section 4, Subdivision 4; S.F. Nos. 359, Section 144, Subdivisions 3 and 7; 1087, Section 42; Laws 1980, Chapter 614, Section 163; Laws 1981, Chapters 29, Article IV, Section 14, Subdivision 5; 59, Section 10, Subdivision 1, Section 11, Subdivision 4, and Section 15, Subdivision 1; 82, by adding

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a section; 183, Section 2; reenacting Minnesota Statutes 1980, Section 50.14, Subdivision 5; reenacting and validating Laws 1980, Chapter 528; repealing Minnesota Statutes 1980, Chapters 2A and 3B; Sections 115.15; 115.16; 218.041, Subdivision 3; 273.061, Subdivision 1; 282.11; 325F.33; 325F.49; 325F.50; 473F.08, Subdivision 1; 475.53, Subdivision 2; 484.67; 484.70, Subdivisions 2, 3, 4 and 5; 487.08, Subdivision 4; 487.09; 489.05; 508.37, Subdivision 1; 525.04; Laws 1978, Chapter 750, Section 6; Laws 1979, Chapters 40, Sections 6 and 9; 303, Article 2, Section 7, and Article 10, Section 7; and 334, Article 3, Section 15; Laws 1980, Chapters 437, Section 4; 460, Sections 5, 18, 19 and 27; 487, Section 14; 509, Section 127; 528, Section 4; 534, Sections 27, 31, 39, 47, 53 and 54; 579, Section 3; and 600, Section 8; laws enacted at the 1981 Regular Session styled as S.F. Nos. 359, Section 8; 876, Section 30, Subdivision 3; H.F. No. 1434, Sections 51 and 53; and H.F. No. 1443, Sections 181, 270, 271, and 358.

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

ARTICLE I

CROSS REFERENCE CORRECTIONS

Section 1. Minnesota Statutes 1980, Section 10.30 is amended in line 4 by deleting ", 176.601 and" and inserting "to".

Sec. 2. Minnesota Statutes 1980, Section 12.03, Subdivision 9, is amended in lines 2 and 3 by deleting "created and operating under Minnesota Statutes 1961, Sections 360.101 to 360.133" and inserting "organized and existing under sections 473.601 to 473.679".

Sec. 3. Minnesota Statutes 1980, Section 12.25, Subdivision 1, is amended in lines 7 and 8 by deleting "created and operating under Minnesota Statutes 1961, Sections 360.101 to 360.133" and inserting "organized and existing under sections 473.601 to 473.679".

Sec. 4. Minnesota Statutes 1980, Section 15.1611, Subdivision 1, is amended in line 2 by deleting "15.1698" and inserting "15.1699".

Sec. 5. Minnesota Statutes 1980, Section 15.1611, Subdivision 2, is amended in line 1 by deleting "15.1698" and inserting "15.1699".

Sec. 6. Minnesota Statutes 1980, Section 15.1621, Subdivision 2, is amended in line 3 by deleting "15.1698" and inserting "15.1699".

Sec. 7. Minnesota Statutes 1980, Section 15.163, Subdivision 6, is amended in lines 3 and 5 by deleting "15.1698" and inserting in both places "15.1699".

Sec. 8. Minnesota Statutes 1980, Section 15.166, Subdivision 1, is amended in lines 3 and 10 by deleting "15.1698" and inserting in both places "15.1699".

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Sec. 9. Minnesota Statutes 1980, Section 15.166, Subdivision 2, is amended in lines 2 and 5 by deleting "15.1698" and inserting in both places "15.1699".

Sec. 10. Minnesota Statutes 1980, Section 15.166, Subdivision 4, is amended in line 3 by deleting "15.1698" and inserting "15.1699".

Sec. 11. Minnesota Statutes 1980, Section 15.1671, is amended in line 6 by deleting "15.162 to 15.169" and inserting "15.1611 to 15.1699"; and in lines 7 and 8 by deleting "and section 15.169, relating to the powers and duties of the privacy study commission".

Sec. 12. Minnesota Statutes 1980, Section 144A.10, Subdivision 3, is amended in line 17 by deleting "15.1641" and inserting "15.163 or section 15.1691"; and in line 19 by deleting "15.1641 to 15.165" and inserting "15.1611 to 15.1699".

Sec. 13. Minnesota Statutes 1980, Section 197.603, Subdivision 2, is amended in line 1 by deleting "15.162 to 15.169" and inserting "15.1611 to 15.1699".

Sec. 14. Minnesota Statutes 1980, Section 241.62, Subdivision 5, is amended in line 5 by deleting "15.162 to 15.169" and inserting "15.1611 to 15.1699".

Sec. 15. Minnesota Statutes 1980, Section 626.556, Subdivision 11, is amended in line 10 by deleting "15.162 to 15.1671" and inserting "15.1611 to 15.1699";

Sec. 16. Minnesota Statutes 1980, Section 15.61, Subdivision 2, is amended in line 1 by deleting "197.45" and inserting "197.455".

Sec. 17. Minnesota Statutes 1980, Section 43.12, Subdivision 19, Clause (d), is amended in line 1 by deleting "197.45" and inserting "197.455".

Sec. 18. Minnesota Statutes 1980, Section 69.29, is amended in line 8 by deleting "197.45" and inserting "197.455".

Sec. 19. Minnesota Statutes 1980, Section 197.48, is amended in line 4 by deleting "197.45" and inserting "197.455".

Sec. 20. Minnesota Statutes 1980, Section 352B.075, Subdivision 1, is amended in line 5 by deleting "197.45" and inserting "197.455".

Sec. 21. Minnesota Statutes 1980, Section 354.44, Subdivision 1a, is amended in line 2 by deleting "197.45" and inserting "197.455".

Sec. 22. Minnesota Statutes 1980, Section 16.172, is amended in lines 5 and 6 by deleting "sections 16.09 and 16.10" and inserting "section 16.09".

Sec. 23. Minnesota Statutes 1980, Section 16.822, Subdivision 3, is amended in line 2 by deleting "326.16" and inserting "326.15".

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Sec. 24. Minnesota Statutes 1980, Section 16.822, Subdivision 6, is amended in line 2 by deleting "326.16" and inserting "326.15".

Sec. 25. Minnesota Statutes 1980, Section 326.02, Subdivision 1, is amended in lines 9 and 13 by deleting "326.16" and inserting in both places "326.15".

Sec. 26. Minnesota Statutes 1980, Section 326.02, Subdivision 2, is amended in line 2 by deleting "326.16" and inserting "326.15".

Sec. 27. Minnesota Statutes 1980, Section 326.02, Subdivision 3, is amended in line 3 by deleting "326.16" and inserting "326.15".

Sec. 28. Minnesota Statutes 1980, Section 326.02, Subdivision 4a, is amended in lines 3, 16 and 31 by deleting "326.16" and inserting in each place "326.15".

Sec. 29. Minnesota Statutes 1980, Section 326.02, Subdivision 5, is amended in line 1 by deleting "326.16" and inserting "326.15".

Sec. 30. Minnesota Statutes 1980, Section 326.03, Subdivision 5, is amended in line 1 by deleting "326.16" and inserting "326.15".

Sec. 31. Minnesota Statutes 1980, Section 326.08, Subdivision 1, is amended in line 1 by deleting "326.16" and inserting "326.15".

Sec. 32. Minnesota Statutes 1980, Section 326.11, Subdivision 1, is amended in line 9 by deleting "326.16" and inserting "326.15".

Sec. 33. Minnesota Statutes 1980, Section 326.12, Subdivision 3, is amended in lines 2 and 7 by deleting "326.16" and inserting in both places "326.15".

Sec. 34. Minnesota Statutes 1980, Section 326.13, is amended in line 20 by deleting "326.16" and inserting "326.15".

Sec. 35. Minnesota Statutes 1980, Section 471.371, Subdivision 3, is amended in line 4 by deleting "326.16" and inserting "326.15".

Sec. 36. Minnesota Statutes 1980, Section 17.72, is amended in lines 5 and 6 by deleting "24.069 to 24.077" and inserting in both instances "18A.21 to 18A.45".

Sec. 37. Minnesota Statutes 1980, Section 17B.23, is amended in line 6 by deleting "17B.08" and inserting "17B.10".

Sec. 38. Minnesota Statutes 1980, Section 27.01, Subdivision 1, is amended in line 2 by deleting "27.02" and inserting "27.03".

Sec. 39. Minnesota Statutes 1980, Section 31.58, is amended in line 2 by deleting "31.57" and inserting "31.56".

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Sec. 40. Minnesota Statutes 1980, Section 32A.04, Subdivision 1, Clause O, is amended in line 7 by deleting "32A.06."

Sec. 41. Minnesota Statutes 1980, Section 40.071, is amended in lines 3 and 4 by deleting "466.13, Subdivision 3" and inserting "466.06".

Sec. 42. Minnesota Statutes 1980, Section 43.126, Subdivision 1, is amended in lines 1 and 2 by deleting "and 43.121 to 43.123" and inserting "43.121 and 43.122".

Sec. 43. Minnesota Statutes 1980, Section 43.126, Subdivision 2, is amended in lines 5 and in lines 18 and 19 by deleting "and 43.121 to 43.123" and inserting in both places "43.121 and 43.122".

Sec. 44. Minnesota Statutes 1980, Section 43.24, Subdivision 2, is amended in lines 5 and 10 by deleting "179.77" and inserting in both places "179.76".

Sec. 45. Minnesota Statutes 1980, Section 43.323, Subdivision 3, is amended in line 4 by deleting "179.77" and inserting "179.76".

Sec. 46. Minnesota Statutes 1980, Section 122.532, Subdivision 3, is amended in line 7 by deleting "179.77" and inserting "179.76".

Sec. 47. Minnesota Statutes 1980, Section 47.203, is amended in line 2 by deleting "Pub. L. 96-211" and inserting "Pub. L. 96-221".

Sec. 48. Minnesota Statutes 1980, Section 55.15, is amended in line 8 by deleting "55.14" and inserting "55.13".

Sec. 49. Minnesota Statutes 1980, Section 62A.152, Subdivision 2, is amended in line 10 by deleting "148.99" and inserting "148.98".

Sec. 50. Minnesota Statutes 1980, Section 62D.22, Subdivision 6, is amended in line 2 by deleting "145.71 to 145.83" and inserting "145.832 to 145.845".

Sec. 51. Minnesota Statutes 1980, Section 250.05, Subdivision 4, is amended in line 13 by deleting "145.71 to 145.83" and inserting "145.832 to 145.845".

Sec. 52. Minnesota Statutes 1980, Section 447.45, Subdivision 1, is amended in line 12 by deleting "145.71 to 145.83" and inserting "145.832 to 145.845".

Sec. 53. Minnesota Statutes 1980, Section 474.03, Clause (3), is amended in line 18 by deleting "145.71 to 145.83" and inserting "145.832 to 145.845".

Sec. 54. Minnesota Statutes 1980, Section 62D.28, Subdivision 2, is amended to read:

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Subd. 2. The area for planning and the proposed service area of the health maintenance organization must have insufficient availability of primary health care resources or a substantial population of medically unserved or underserved individuals, as determined by the commissioner of health. ~~An areawide comprehensive health planning agency, as defined in section 145.72, A health systems agency, as defined in section 145.833,~~ shall provide technical assistance to the commissioner of health in identifying areas with demographic and geographic health needs.

Sec. 55. Minnesota Statutes 1980, Section 62D.28, Subdivision 3, is amended to read:

Subd. 3. The planning organization seeking financial assistance must be a Minnesota nonprofit corporation having a board of directors with a majority composed of health care consumers from the proposed service area, but with additional representation of existing health interests in the area including health providers.

The organization shall cooperate with any ~~area wide comprehensive health planning agency established pursuant to section 145.72, subdivision 5, health systems agency designated pursuant to section 145.833, subdivision 7,~~ and with other health care providers in the proposed area to be served by the organization in programs or studies for:

(a) Determining and assessing the ongoing health needs of the community, formulating a program to meet such needs, including, but not limited to, an identification of private and public funds which may be available for this purpose;

(b) Coordinating existing health activities where appropriate, and establishing better utilization of existing health facilities, programs, and services, with particular emphasis on health manpower training projects in the area including those for local community residents;

(c) Laying the foundation for a community health maintenance organization; and

(d) Promoting development and expansion of preventive and ambulatory, outpatient services with the objective of replacing crisis medicine with an integrated, comprehensive system of health care.

Sec. 56. Minnesota Statutes 1980, Section 65B.05, Clause 4, is amended in line 3 by deleting "65B.27" and inserting "65B.21".

Sec. 57. Minnesota Statutes 1980, Section 65B.06, Subdivision 2, is amended to read:

Subd. 2. With respect to private passenger, non-fleet automobiles, the facility shall provide for the issuance of policies of automobile insurance by participating members with coverage as follows:

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(1) Bodily injury liability and property damage liability coverage in the minimum amounts specified in section 65B.49, subdivision 3;

(2) Uninsured motorists coverage as required by section 65B.49, subdivision 4;

(3) A reasonable selection of additional limits of liability coverage up to fifty thousand dollars because of bodily injury to or death of one person in any one accident and, subject to such limit for one person, up to one hundred thousand dollars because of bodily injury to or death of two or more persons in any one accident, and up to ten thousand dollars because of injury to or destruction of property of others in any one accident, or higher limits of liability coverage as recommended by the governing committee and approved by the commissioner; ~~and corresponding higher limits of uninsured motorist coverage as required by section 65B.49, subdivision 6;~~

(4) ~~Additional medical expense benefits and other optional coverages, in accordance with section 65B.49, subdivision 6,~~ and other optional coverages as recommended by the governing committee and approved by the commissioner; and

(5) Automobile physical damage coverage, including coverage of loss by collision, subject to optional deductibles.

No coverage available under clause (5) shall be provided by a carrier that has been licensed to provide the coverage made available under clause (1) or (2), unless the qualified applicant has requested coverage pursuant to clause (1) or (2) as well as physical damage coverage. If a qualified applicant requests only physical damage coverage, the coverage shall be provided by an insurer not writing the coverage specified in clauses (1) and (2).

Sec. 58. Minnesota Statutes 1980, Section 65B.71, Subdivision 2, is amended in line 2 by deleting "Minnesota Statutes 1971, Section 360.106, Subdivision 6" and inserting "section 473.606, subdivision 6".

Sec. 59. Minnesota Statutes 1980, Section 69.031, Subdivision 5, is amended in line 9 by deleting "sections 424.30 and 424.31" and inserting "section 424A.08"; and in line 10 by deleting "those sections" and inserting "that section".

Sec. 60. Minnesota Statutes 1980, Section 412.251, Clause 11, is amended in lines 1 and 2 by deleting "section 424.30," and inserting "sections 69.772, subdivision 4, 69.773, subdivision 5,".

Sec. 61. Minnesota Statutes 1980, Section 72C.11, Clause (b), is amended in line 6 by deleting "62.02" and inserting "62C.02".

Sec. 62. Minnesota Statutes 1980, Section 79.34, Subdivision 1, is amended in lines 4 and 5, by deleting "79.42" in both places and inserting "79.40".

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Sec. 63. Minnesota Statutes 1980, Section 84.55, is amended in line 6 by deleting "84.56" and inserting "84.55".

Sec. 64. Minnesota Statutes 1980, Section 84A.52, is amended in lines 2 and 3 by deleting "Minnesota Statutes 1945, Section 215.11" and inserting "section 6.48"; and in line 10 by deleting "215.11" and inserting "6.48".

Sec. 65. Minnesota Statutes 1980, Section 92.36, is amended in line 3 by deleting "92.33" and inserting "92.34".

Sec. 66. Minnesota Statutes 1980, Section 111.09, Subdivision 2, is amended in line 6 by deleting "106.66" and inserting "106.431".

Sec. 67. Minnesota Statutes 1980, Section 111.11, is amended in line 48 by deleting "106.16 and 106.17" and inserting "106.141 and 106.151".

Sec. 68. Minnesota Statutes 1980, Section 111.31, is amended in line 8 by deleting "106.19" and inserting "106.381".

Sec. 69. Minnesota Statutes 1980, Section 111.78, is amended in the last line by deleting "106.88" and inserting "106.451".

Sec. 70. Minnesota Statutes 1980, Section 111.36, is amended to read:
111.36 NEGLECT OF AFFAIRS.

The provisions of section ~~106.92~~ 106.641 relating to the obstruction or injury of work or ~~neglect of duties by employees or officers~~ shall apply to any and all improvements made or authorized under the provisions of sections 111.02 to 111.42, and any other provision contained in the laws of this state relating to judicial or county ditches providing for punishment for damages committed to or interfering with such work shall apply to all improvements made under the provisions of sections 111.02 to 111.42.

Sec. 71. Minnesota Statutes 1980, Section 112.43, Subdivision 2, is amended in line 2 by deleting "112.80" and inserting "112.801".

Sec. 72. Minnesota Statutes 1980, Section 115.34, Subdivision 1, is amended to read:

Subdivision 1. The board may authorize the borrowing of money for any district purpose and provide for the repayment thereof, subject to chapter 475. The taxes initially levied by any district in accordance with section 475.61 for the payment of its bonds, upon property within each municipality included in the district, shall be included in computing the limitations upon the levy of such municipality under ~~section 275.10~~ or section 275.11; ~~as the case may be~~. If the tax required by section 475.61 to be levied for any year of the term of a bond issue upon property within any municipality included in the district would, when added to the taxes levied by such municipality for all purposes in the year preceding such issue, exceed the limitations prescribed in ~~section~~

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~~275.10~~ or section 275.11, the bonds shall not be issued without the consent by resolution of the governing body of such municipality.

Sec. 73. Minnesota Statutes 1980, Section 116.02, Subdivision 3, is amended in line 3 by deleting "116.08" and inserting "116.075".

Sec. 74. Minnesota Statutes 1980, Section 116.06, Subdivision 1, is amended in line 2 by deleting "116.08" and inserting "116.075".

Sec. 75. Minnesota Statutes 1980, Section 144.125, is amended in line 5 by deleting "144.159" and inserting "144.215".

Sec. 76. Minnesota Statutes 1980, Section 144.653, Subdivision 1, is amended in lines 7 and 8 by deleting "245.78; 252.28; and 257.081 to 257.123" and inserting "245.781 to 245.812 and 252.28".

Sec. 77. Minnesota Statutes 1980, Section 144.801, Subdivision 8, is amended in line 2 by deleting "145.74" and inserting "145.845".

Sec. 78. Minnesota Statutes 1980, Section 144.92, is amended in line 6 by deleting "sections 144.91 to 144.93" and inserting "section 144.91".

Sec. 79. Minnesota Statutes 1980, Section 144A.01, Subdivision 2, is amended in line 2 by deleting "144.01" and inserting "144.011".

Sec. 80. Minnesota Statutes 1980, Section 145.838, Subdivision 3, is amended in line 5 by deleting "15.0414" and inserting "15.0424".

Sec. 81. Minnesota Statutes 1980, Section 148.88, is amended in line 2 by deleting "148.99" and inserting "148.98".

Sec. 82. Minnesota Statutes 1980, Section 151.26, Subdivision 1, is amended in line 12 by inserting before "section" "Minnesota Statutes 1974".

Sec. 83. Minnesota Statutes 1980, Section 161.38, Subdivision 6, is amended in line 5 by deleting "162.19" and inserting "162.181".

Sec. 84. Minnesota Statutes 1980, Section 162.08, Subdivision 3, is amended in line 4 by deleting "162.19" and inserting "162.181".

Sec. 85. Minnesota Statutes 1980, Section 173.12, is amended in line 2 by deleting "173.24" and inserting "173.231".

Sec. 86. Minnesota Statutes 1980, Section 173.13, Subdivision 2, is amended in line 5 by deleting "173.24" and inserting "173.231".

Sec. 87. Minnesota Statutes 1980, Section 173.20, is amended in line 2 by deleting "173.24" and inserting "173.231".

Sec. 88. Minnesota Statutes 1980, Section 173.21, is amended in line 2 by deleting "173.24" and inserting "173.231".

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Sec. 89. Minnesota Statutes 1980, Section 179.68, Subdivision 2, Clause (11), is amended in line 5 by deleting "16.14, 16.15 and 16.155" and inserting "16A.10 and 16A.11".

Sec. 90. Minnesota Statutes 1980, Section 179.69, Subdivision 3a, is amended in line 2 by deleting "179.73" and inserting "179.63".

Sec. 91. Minnesota Statutes 1980, Section 183.52, is amended in line 4 by deleting "183.58" and inserting "183.57".

Sec. 92. Minnesota Statutes 1980, Section 183.56, is amended in line 2 by deleting "183.58" and inserting "183.57".

Sec. 93. Minnesota Statutes 1980, Section 183.57, Subdivision 2, is amended in line 4 by deleting "183.58" and inserting "183.57".

Sec. 94. Minnesota Statutes 1980, Section 183.59, is amended in line 5 by deleting "183.58" and inserting "183.57".

Sec. 95. Minnesota Statutes 1980, Section 197.13, is amended in line 2 by deleting "created by section 197.14" and inserting "provided for in Minnesota Statutes 1974, Section 197.14".

Sec. 96. Minnesota Statutes 1980, Section 237.30, is amended in lines 6 and 7 by deleting "237.29" and inserting "237.295" in both instances.

Sec. 97. Minnesota Statutes 1980, Section 239.05, Subdivision 1, is amended in line 2 by deleting "239.11" and inserting "239.10".

Sec. 98. Minnesota Statutes 1980, Section 239.09, is amended in line 3 by deleting "239.11" and inserting "239.10".

Sec. 99. Minnesota Statutes 1980, Section 241.021, Subdivision 2, is amended in lines 2 and 3 by deleting "Minnesota Statutes 1967, Sections 256.01 (2) and 257.101" and inserting "sections 256.01, subdivision 2, clause (2), and 245.783 to 245.791".

Sec. 100. Minnesota Statutes 1980, Section 241.045, Subdivision 6, is amended to read:

Subd. 6. **QUORUM.** Except for the parole of persons serving life sentences under the provisions of section 609.185, persons serving extended terms of imprisonment as dangerous offenders under section 609.16, ~~a transfer of a person in the care and custody of the board under the provisions of section 242.27,~~ or the discharge of such persons pursuant to section 242.31, the board may sit in units of two or three as designated by the chairman under rules prescribed by the board, and such a unit shall constitute a quorum.

Sec. 101. Minnesota Statutes 1980, Section 241.27, Subdivision 2, is amended in line 4 by deleting "established by sections" and inserting "authorized in Minnesota Statutes 1978, Sections".

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Sec. 102. Minnesota Statutes 1980, Section 243.87, is amended in line 2 by deleting "sections 243.84 to 243.87" and inserting "section 241.27".

Sec. 103. Minnesota Statutes 1980, Section 245.05, is amended in line 5 by deleting "245.12" and inserting "245.07".

Sec. 104. Minnesota Statutes 1980, Section 245.06, is amended in line 5 by deleting "245.12" and inserting "245.07".

Sec. 105. Minnesota Statutes 1980, Section 245.07, is amended in line 4 by deleting "245.12" and inserting "245.07".

Sec. 106. Minnesota Statutes 1980, Section 245.781, is amended in line 1 by deleting "Laws 1976, Chapter 243, Sections 2 to 14" and inserting "Sections 245.781 to 245.812 and 252.28, Subdivision 2".

Sec. 107. Minnesota Statutes 1980, Section 245.782, Subdivision 1, is amended in lines 1 and 2 by deleting "Laws 1976, Chapter 243, Sections 2 to 14" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 108. Minnesota Statutes 1980, Section 245.782, Subdivision 11, is amended in line 3 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 109. Minnesota Statutes 1980, Section 245.782, Subdivision 12, is amended in line 4 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 110. Minnesota Statutes 1980, Section 245.783, Subdivision 1, is amended in line 9 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 111. Minnesota Statutes 1980, Section 245.783, Subdivision 2, is amended in line 2 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 112. Minnesota Statutes 1980, Section 245.783, Subdivision 3, is amended in lines 3 and 4 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 113. Minnesota Statutes 1980, Section 245.791, is amended in line 2 and in clause (6), line 4 by deleting "245.813" and inserting in both places "245.812".

Sec. 114. Minnesota Statutes 1980, Section 245.801, Subdivision 5, is amended in line 1 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 115. Minnesota Statutes 1980, Section 245.802, Subdivision 2, is amended in lines 2 and 3 by deleting "Laws 1976, Chapter 243, Sections 2 to 14" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

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Sec. 116. Minnesota Statutes 1980, Section 245.803, Subdivision 1, is amended in line 2 and in clause (1), lines 1 and 2 by deleting "Laws 1976, Chapter 243, Sections 2 to 14" and inserting in both places "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 117. Minnesota Statutes 1980, Section 245.803, Subdivision 2, is amended in line 2 by deleting "Laws 1976, Chapter 243, Sections 2 to 14" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 118. Minnesota Statutes 1980, Section 245.803, Subdivision 3, is amended in lines 1 and 2 by deleting "Laws 1976, Chapter 243, Sections 2 to 14" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 119. Minnesota Statutes 1980, Section 245.812, Subdivision 2, is amended in lines 6 and 7 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 120. Minnesota Statutes 1980, Section 245.812, Subdivision 5, is amended in line 2 by deleting "Laws 1976, Chapter 243" and inserting "section 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 121. Minnesota Statutes 1980, Section 245.812, Subdivision 6, is amended in line 2 by deleting "Laws 1976, Chapter 243" and inserting "sections 245.781 to 245.812 and 252.28, subdivision 2".

Sec. 122. Minnesota Statutes 1980, Section 250.05, Subdivision 2, is amended in line 11 by deleting "145.72" and inserting "145.833".

Sec. 123. Minnesota Statutes 1980, Section 256.25, is amended in line 23 by deleting "sections" and inserting "Minnesota Statutes 1971, Sections".

Sec. 124. Minnesota Statutes 1980, Section 256.263, Subdivision 1, is amended in line 2 by deleting "section" and inserting "Minnesota Statutes 1971, Section".

Sec. 125. Minnesota Statutes 1980, Section 256.483, Subdivision 1, is amended in line 4 by deleting "section" and in line 5 by deleting "section" and inserting "Minnesota Statutes 1971, Section" in both instances.

Sec. 126. Minnesota Statutes 1980, Section 256B.15, is amended to read:

256B.15 CLAIMS AGAINST ESTATES.

If a person receives any medical assistance hereunder, on his death, if he is single, or on the death of such person and his surviving spouse, if he is married, and only at a time when he has no surviving child who is under 21 or is blind or totally disabled, the total amount paid for medical assistance rendered for such person, after age 65, without interest, shall be filed as a claim against the estate of such person in the court having jurisdiction to probate the

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estate. Such claim shall be considered an expense of the last illness of the decedent for the purpose of Minnesota Statutes 1965, Section 525.44 section 524.3-805. Any statute of limitations that purports to limit any county agency or the state agency, or both, to recover for medical assistance granted hereunder shall not apply to any claim made hereunder for reimbursement for any medical assistance granted hereunder.

Sec. 127. Minnesota Statutes 1980, Section 256E.03, Subdivision 2, is amended in line 3 by deleting "245.691" and inserting "245.69".

Sec. 128. Minnesota Statutes 1980, Section 256E.06, Subdivision 2, is amended in line 7 by deleting "245.691" and inserting "245.69".

Sec. 129. Minnesota Statutes 1980, Section 260.241, Subdivision 4, is amended in lines 6 and 7 and in line 12 by deleting "144.151, subdivision 9" and inserting in both instances "144.212, subdivision 11".

Sec. 130. Minnesota Statutes 1980, Section 275.50, Subdivision 2, is amended in lines 2 and 3 by deleting "sections 368.01 or 368.61," and inserting "section 368.01".

Sec. 131. Minnesota Statutes 1980, Section 275.50, Subdivision 5, Clause (P), is amended in lines 3 and 4 by deleting "69.71 to 69.776 and 356.215" and inserting "69.77 to 69.776, 356.215 and 356.216".

Sec. 132. Minnesota Statutes 1980, Section 282.281, is amended to read:

282.281 REPURCHASE SUBJECT TO EXISTING LEASES.

Until repurchased all parcels of land subject to the provisions of ~~this act~~ sections 282.241 to 282.324 shall be subject to lease under the provisions of ~~Minnesota Statutes 1941~~, sections 282.01 to 282.27, as amended 282.271, and any repurchase of such land under ~~Laws 1945, Chapter 296~~ sections 282.241 to 282.324, shall be subject to the provisions of any such existing lease.

Sec. 133. Minnesota Statutes 1980, Section 290.05, Subdivision 1, Clause (b), is amended in line 3 by deleting "sections 298.01 and 298.011" and inserting "section 298.01".

Sec. 134. Minnesota Statutes 1980, Section 290.14, Clause (4), Paragraph (e), is amended in lines 16, 17 and 18 by deleting "Nor shall it apply to restricted stock options described in section 290.078 which the employer has not exercised at death".

Sec. 135. Minnesota Statutes 1980, Section 290.35, is amended in line 16 by deleting "69.57" and inserting "69.56".

Sec. 136. Minnesota Statutes 1980, Section 290.53, Subdivision 4, is amended to read:

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Subd. 4. FAILURE TO FILE, FILING FALSE OR FRAUDULENT RETURN; INTENT TO EVADE TAX; CRIMINAL PROVISIONS. In addition to the penalties hereinbefore prescribed, (a) Any person required by this act to make a return, who knowingly fails to make such a return at the time required by law, shall be guilty of a misdemeanor; (b) Any person who wilfully makes and subscribes any return, statement, or other document, which contains or is verified by a written declaration that it is made under the penalties of perjury, and which he knows to be false and untrue as to any material matter, shall be guilty of a felony. Notwithstanding the provisions of ~~sections~~ section 628.26 and 628.30, or any other provision of the criminal laws of this state, an indictment may be found and filed, ~~or an information filed,~~ upon any criminal offense specified in this subdivision, in the proper court within six years and six months after the commission of the offense. The term "person" as used in this subdivision includes any officer or employee of a corporation or a member or employee of a partnership who as such officer, member or employee is under a duty to perform the act in respect to which the violation occurs.

Sec. 137. Minnesota Statutes 1980, Section 290A.01, is amended in line 2 by deleting "290A.21" and inserting "290A.20".

Sec. 138. Minnesota Statutes 1980, Section 290A.02, is amended in line 2 by deleting "290A.21" and inserting "290A.20".

Sec. 139. Minnesota Statutes 1980, Section 290A.03, Subdivision 1, is amended in line 2 by deleting "290A.21" and inserting "290A.20".

Sec. 140. Minnesota Statutes 1980, Section 290A.03, Subdivision 3, Clause (e), is amended in line 1 by deleting "290A.21" and inserting "290A.20".

Sec. 141. Minnesota Statutes 1980, Section 290A.03, Subdivision 8, is amended in line 2 by deleting "290A.21" and inserting "290A.20".

Sec. 142. Minnesota Statutes 1980, Section 290A.03, Subdivision 11, is amended in line 6 by deleting "290A.21" and inserting "290A.20".

Sec. 143. Minnesota Statutes 1980, Section 290A.03, Subdivision 12, is amended in line 8 by deleting "290A.21" and inserting "290A.20".

Sec. 144. Minnesota Statutes 1980, Section 290A.08, is amended in line 3 by deleting "290A.21" and inserting "290A.20".

Sec. 145. Minnesota Statutes 1980, Section 290A.09, is amended in line 3 by deleting "290A.21" and inserting "290A.20".

Sec. 146. Minnesota Statutes 1980, Section 290A.11, Subdivision 1, is amended in line 2 by deleting "290A.21" and inserting "290A.20".

Sec. 147. Minnesota Statutes 1980, Section 290A.13, is amended in lines 2 and 5 by deleting "290A.21" and inserting in both places "290A.20".

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Sec. 148. Minnesota Statutes 1980, Section 290A.15, is amended in line 3 by deleting "290A.21" and inserting "290A.20".

Sec. 149. Minnesota Statutes 1980, Section 290A.16, is amended in line 5 by deleting "290A.21" and inserting "290A.20".

Sec. 150. Minnesota Statutes 1980, Section 290A.17, is amended in line 14 by deleting "290A.21" and inserting "290A.20".

Sec. 151. Minnesota Statutes 1980, Section 290A.20, is amended in lines 3 and 5 by deleting "290A.21" and inserting in both places "290A.20".

Sec. 152. Minnesota Statutes 1980, Section 290A.22, is amended in line 5 by deleting "290A.21" and inserting "290A.20".

Sec. 153. Minnesota Statutes 1980, Section 295.34, Subdivision 1, is amended on lines 9 and 10 by deleting "and by sections 285.01 and 285.02".

Sec. 154. Minnesota Statutes 1980, Section 297.03, Subdivision 3, is amended in line 2 by deleting "297.14" and inserting "297.13".

Sec. 155. Minnesota Statutes 1980, Section 298.244, Subdivision 2, is amended to read:

Subd. 2. (a) For the purposes of this subdivision, the following terms shall have the meanings given them.

(1) "Agency" means the state commissioner of health.

(2) "Municipality" means any city or any other governmental subdivision having the power or duty to provide drinking water and using Lake Superior as the source of the drinking water.

(3) "Eligible cost" includes all costs incurred by a municipality including acquisition of necessary real and personal property, engineering, system cleaning, construction, alteration, improvements, inspection, supervision of construction and all other costs related to the construction and establishment of a permanent water filtration or purification system. Such costs shall be eligible even if incurred prior to June 7, 1975.

(4) "Municipal water purification system" includes all properties, real or personal, determined by a municipality and the state to be necessary for the elimination of polluting or potentially injurious substances from water used for municipal water supply purposes.

(b) There is hereby appropriated from the general fund to the state commissioner of health the sum of \$2,500,000 and an additional amount of \$1,750,000 for a grant program for the construction of water filtration and purification systems for those communities using Lake Superior as a drinking water source. The commissioner of health shall establish a grant program to implement the provisions of this subdivision. This program shall include the

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disbursement of funds hereinafter described for the construction of the facilities, the creation of guidelines designed to assure that the funds will be disbursed in accord with the purposes of this subdivision, the continued surveillance of the effectiveness of constructed facilities in cooperation with other related state agencies, and other duties of administration necessary to accomplish the purpose of this subdivision. Grants shall be made in accordance with the guidelines created under authority of this subdivision and shall not exceed 33 percent of the eligible project cost.

(c) A Lake Superior water filtration and purification fund is created as a separate bookkeeping account in the general books of account of the state, to record receipts of the proceeds of moneys appropriated to the fund and disbursements of money appropriated from the fund to municipalities for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed for the construction of water filtration and purification systems, in accordance with the purpose of this subdivision. It is determined that state financial assistance for the construction of water filtration and purification facilities needed to fulfill the purposes of this subdivision is a public purpose and a proper function of state government.

(d) No recipient of financial assistance may receive more than 80 percent of the total amount of funds appropriated in this subdivision. Any recipient of financial assistance shall pursue its remedies under the permits granted to the discharges or subrogate to the state those remedies for purposes of obtaining reimbursement of the state funds expended for the purposes of this subdivision. The commissioner of health shall at the time of any disbursement of funds under this subdivision enter into necessary agreements for reimbursement. Any amounts recovered pursuant to this subdivision shall be credited to and disbursed as provided in section 298.28, subdivision 1, clause (4), part (a).

(e) ~~Prior to July 1, 1977, \$2,500,000 of the proceeds of the tax collected under section 298.243 shall be paid to the general fund of the state treasury from those funds distributed to the counties, except from the portion distributed to Itasca county, pursuant to subdivision 1, clause (1).~~

(f) This subdivision of Laws 1975, Chapter 437, Article XI, Section 2 is effective on June 7, 1975. The \$2,500,000 in funds appropriated pursuant to this subdivision are available as of July 1, 1975. The additional amount of \$1,750,000 appropriated pursuant to this subdivision shall be available July 1, 1977.

(g) (f) The additional \$1,750,000 appropriated by this subdivision shall be repaid to the general fund from proceeds of the tax imposed by section 298.24, subdivision 2.

Sec. 156. Minnesota Statutes 1980, Section 299F.19, Subdivision 6, is amended in line 2 by deleting "15.046 to 15.049" and inserting "15.048, 15.049, and 648.50".

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Sec. 157. Minnesota Statutes 1980, Section 299H.22, Subdivision 2, is amended in line 4 by deleting "299H.03" and inserting "299H.211".

Sec. 158. Minnesota Statutes 1980, Section 325F.33, is repealed.

Sec. 159. Minnesota Statutes 1980, Section 325F.34, is amended in line 4 by deleting "section 325F.33" and inserting "sections 325F.25 to 325F.32".

Sec. 160. Minnesota Statutes 1980, Section 340.54, Subdivision 1, is amended in line 18 by deleting "340.96" and inserting "340.961".

Sec. 161. Minnesota Statutes 1980, Section 340.54, Subdivision 2, is amended in line 4 by deleting "340.96" and inserting "340.961".

Sec. 162. Minnesota Statutes 1980, Section 349.11, is amended in line 2 by deleting "Laws 1976, Chapter 261" and inserting "sections 349.11 to 349.23".

Sec. 163. Minnesota Statutes 1980, Section 352.22, Subdivision 3, Clause (3) is amended in line 1 by inserting "Minnesota Statutes 1974," after the word "of".

Sec. 164. Minnesota Statutes 1980, Section 353.661, Subdivision 2, is amended in line 5 by deleting "356.64" and inserting "353.64".

Sec. 165. Minnesota Statutes 1980, Section 353.71, Subdivision 1, is amended in line 5 by deleting "69.71" and inserting "69.77, Subdivision 1a".

Sec. 166. Minnesota Statutes 1980, Section 360.037, Subdivision 2, is amended in line 7 by deleting "Minnesota Statutes 1941, Sections 275.10," and inserting "sections".

Sec. 167. Minnesota Statutes 1980, Section 368.86, is amended in line 4 by deleting ", or 275.10".

Sec. 168. Minnesota Statutes 1980, Section 447.34, Subdivision 1, is amended in line 22 by deleting "275.10 or" and in lines 23 and 24 by deleting "such applicable" and inserting "that".

Sec. 169. Minnesota Statutes 1980, Section 447.35, is amended in line 16 by deleting "275.10 or", and in line 22 by deleting "sections 275.10 or" and inserting "section".

Sec. 170. Minnesota Statutes 1980, Section 471.74, Subdivision 2, is amended in line 7 by deleting "275.10".

Sec. 171. Minnesota Statutes 1980, Section 414.0325, Subdivision 1, is amended in line 10 by deleting "115.47" and inserting "115.071".

Sec. 172. Minnesota Statutes 1980, Section 414.0325, Subdivision 5, Clause (a), is amended in line 4 by deleting "199F.011" and inserting "299F.011".

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Sec. 173. Minnesota Statutes 1980, Section 418.20, is amended in lines 5 and 6 by deleting “, Minnesota Statutes, Section 197.45, Subdivision 2.”.

Sec. 174. Minnesota Statutes 1980, Section 423.075, Subdivision 2, is amended in lines 1 and 2 by deleting “Minnesota Statutes 1961, Sections 197.45, 197.46, and 197.47” and inserting “Sections 197.455 and 197.46”.

Sec. 175. Minnesota Statutes 1980, Section 427.09, is amended in line 7 by deleting “Sections 118.10 and 118.17” and inserting “Chapter 118”.

Sec. 176. Minnesota Statutes 1980, Section 473.438, Subdivision 3, is amended in line 4 by deleting “except as provided in section 473.443”.

Sec. 177. Minnesota Statutes 1980, Section 473F.02, Subdivision 17, is amended in lines 2 and 3 by deleting “273.69, subdivision 8,” and in line 3 by deleting “297A.51 to 297A.60.”.

Sec. 178. Minnesota Statutes 1980, Section 480.059, Subdivision 7, Clause (a) is amended in line 2 by deleting “609.116.”.

Sec. 179. Minnesota Statutes 1980, Section 518.155, is amended in line 4 by deleting “518.16” and inserting “518.131”.

Sec. 180. Minnesota Statutes 1980, Section 518.66, is amended in line 2 by deleting “518.67” and inserting “518.66”.

Sec. 181. Minnesota Statutes 1980, Section 595.021, is amended in line 2 by deleting “595.024” and inserting “595.025”.

Sec. 182. Minnesota Statutes 1980, Section 595.022, is amended in line 7 by deleting “595.024” and inserting “595.025”.

Sec. 183. Minnesota Statutes 1980, Section 626A.12, Subdivision 5, is amended in lines 6 and 7 by deleting “the provisions of sections 632.11 to 632.13” and inserting “Rule 29.03 of the rules of criminal procedure”.

Sec. 184. Minnesota Statutes 1980, Section 628.56, is amended in line 8 by deleting “628.01 to 628.03, and 628.59 to 628.66,” and inserting “628.01, 628.02, 628.60 to 628.66, and Rules 18.06, Subdivisions 1 and 2, and 18.08 of the rules of criminal procedure”.

Sec. 185. Minnesota Statutes 1980, Section 629.404, Subdivision 1, is amended in lines 2 and 3 by deleting “section 628.05 or 629.41,” and inserting “section 629.41 and Rules 3.01 and 19.01 of the rules of criminal procedure”.

Sec. 186. Minnesota Statutes 1980, Sections 2A.01; 2A.02; 2A.03; 2A.04; 2A.05; 2A.06; 2A.07; 2A.08; 2A.09; 2A.10; 2A.11; and 2A.12 are repealed.

Sec. 187. Minnesota Statutes 1980, Sections 3B.01; 3B.02; 3B.03; 3B.04; 3B.05; 3B.06; 3B.07; 3B.08; 3B.09; 3B.10; 3B.11; 3B.12; 3B.13;

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3B.14; 3B.15; 3B.16; 3B.17; 3B.18; 3B.19; 3B.20; 3B.21; 3B.22; 3B.23; 3B.24; 3B.25; 3B.26; 3B.27; and 3B.28 are repealed.

Sec. 188. Minnesota Statutes 1980, Sections 115.15 and 115.16 are repealed.

Sec. 189. Minnesota Statutes 1980, Section 273.061, Subdivision 11, is repealed.

Sec. 190. Minnesota Statutes 1980, Section 282.11, is repealed.

Sec. 191. Minnesota Statutes 1980, Sections 325F.49 and 325F.50, are repealed:

Sec. 192. Minnesota Statutes 1980, Section 473F.08, Subdivision 11, is repealed.

Sec. 193. Minnesota Statutes 1980, Section 475.53, Subdivision 2, is repealed.

ARTICLE II OTHER CORRECTIONS

Section 1. Minnesota Statutes 1980, Section 15.0412, Subdivision 4d, is amended to read:

Subd. 4d. After allowing written material to be submitted and recorded in the hearing record for five working days after the public hearing ends, or for a longer period not to exceed 20 days if ordered by the hearing examiner, the hearing examiner assigned to the hearing shall proceed to write a report as provided for in section 15.052, subdivision 3. If the report contains a finding that the proposed rule is substantially different from that which was proposed at the public hearing, or that the agency has not met the requirements of subdivisions 4 to 4f, it shall be submitted to the chief hearing examiner for approval. If the chief hearing examiner approves the finding of the hearing examiner, he shall advise the agency of actions which will correct the defects, and the agency shall not adopt the rule until the chief hearing examiner determines that the defects have been corrected. If the chief hearing examiner determines that the need for and reasonableness of the rule has not been established pursuant to subdivision 4, ~~clause (e)~~ 4c, and if the agency does not elect to follow the suggested actions of the hearing examiner to correct that defect, then the agency shall submit the proposed rule to the legislative commission to review administrative rules for the commission's advice and comment. The agency shall not proceed to adopt the rule until it has received and considered the advice of the commission; provided, that the agency is not required to delay adoption longer than 30 days after the commission's receipt of the agency's submission. Advice of the commission shall not be binding on the agency. *The report shall be completed within 30 days after the close of the*

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hearing record unless the chief hearing examiner, upon written request of the agency or the hearing examiner, orders an extension. In no case shall an extension be granted if the chief hearing examiner determines that an extension would prohibit a rule from being adopted or becoming effective until after a date for adoption or effectiveness as required by statute. The report shall be available to all affected persons upon request for at least five working days before the agency takes any final action on the rule.

Sec. 2. Minnesota Statutes 1980, Section 15.50, Subdivision 1, is amended to read:

Subdivision 1. (a) The legislature finds that the purposes of the board are to (1) preserve and enhance the dignity, beauty and architectural integrity of the capitol, the buildings immediately adjacent to it, the capitol grounds, and the capitol area; (2) protect, enhance, and increase the open spaces within the capitol area when deemed necessary and desirable for the improvement of the public enjoyment thereof; (3) develop proper approaches to the capitol area for pedestrian movement, the highway system, and mass transit system so that the area achieves its maximum importance and accessibility; and (4) establish a flexible framework for growth of the capitol buildings which will be in keeping with the spirit of the original design.

(b) The capitol area architectural and planning board, herein referred to as the board, consists of ten members. The lieutenant governor shall be a member of the board. ~~Three~~ Four members shall be appointed by the governor by and with the advice and consent of the senate; three members, one of whom shall be a resident of the district planning council area containing the capitol area, shall be appointed by the mayor of the city of Saint Paul, with the advice and consent of the city council. The speaker of the house shall appoint a member of the house of representatives and the president of the senate shall appoint one senator to be members of the board. Each person appointed to the board shall qualify by taking the oath of office.

(c) The lieutenant governor is the chairman of the board. The attorney general is the legal advisor to the board. The board may elect a vice-chairman who may preside at meetings in the absence of the lieutenant governor and such other officers as it may deem necessary to carry out its duties.

(d) The board shall select an executive secretary to serve the board. It may employ such other officers and employees as it may deem necessary all of whom shall be in the classified service of the state civil service. The board may contract for professional and other similar service on such terms as it may deem desirable.

Sec. 3. Minnesota Statutes 1980, Section 35.067, is amended to read:
35.067 DEFINITION.

The word "person," as used in sections 35.063 and ~~35.065~~ to 35.069 means any person, firm, or corporation.

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Sec. 4. Minnesota Statutes 1980, Section 40.05, Subdivision 4, is amended to read:

Subd. 4. If a vacancy except by reason of expiration of term shall occur in the office of an elected supervisor, more than 60 days before the next succeeding general election, the governing body of the district shall fill the vacancy by appointment; and the supervisor appointed shall hold office until December 31 following the next succeeding general election. If the term does not then expire, his successor shall be elected at the next succeeding general election following the appointment and hold office for the remainder of the term. If a vacancy except by reason of expiration of term shall occur in such office less than 60 days before the next succeeding general election, the governing body of the district shall fill the vacancy by appointment; and the supervisor shall hold office until the expiration of the term or until December 31 following the second succeeding general election, whichever is the shortest term, when his ~~successors~~ successor shall be elected and hold office for the remainder of the term.

Sec. 5. Minnesota Statutes 1980, Section 48.88, Subdivision 2, is amended to read:

Subd. 2. Any person or officer of a state bank or trust company who knowingly or wilfully accepts deposits with an agreement or understanding, either directly or indirectly, on the part of the bank or trust company to pay a larger rate of interest than that provided in section 48.25 shall be guilty of a misdemeanor.

Sec. 6. Subdivision 1. Minnesota Statutes, Section 50.14, Subdivision 5, as it appears in Minnesota Statutes 1980, is reenacted.

Subd. 2. Minnesota Statutes 1980, Section 50.14, Subdivision 5, as reenacted by Subdivision 1, is amended to read:

Subd. 5. (1) Class four shall be:

(a) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate, whether in fee or in a leasehold of a duration not less than ten years beyond the maturity of the loan, in any state of the United States, worth at least twice the amount loaned thereon;

(b) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) where the notes or bonds do not exceed 80 percent of the appraised value of the security for the same, provided that the notes or bonds are payable in installments aggregating not less than five percent of the original principal a year in addition to the interest; or, are payable on a regular amortization basis in equal installments, including principal and interest, these installments to be payable monthly in ~~such~~ amounts that the debt will be fully paid in not to exceed 30 years if the security is non-agricultural real

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estate, and these installments to be payable annually or semi-annually in such amounts that the debt will be fully paid in not to exceed 25 years if the security is agricultural real estate. A construction loan is deemed amortized as required by this clause if the first installment thereon is payable not later than 18 months after the date of the first advance in the case of residential construction or not later than 36 months after the date of the first advance in the case of nonresidential construction; and

(c) Notes or bonds secured by mortgages or trust deeds on unencumbered real estate in clause (1) (a) which are in an original principal amount of \$100,000 or more and which do not exceed 95 percent of the appraised value of the security for the same which may be payable in the manner as the trustees of the bank prescribe, provided that construction loans made by a savings bank pursuant to this clause (1) (c) do not exceed in the aggregate five percent of the assets of the savings bank.

(2) Class four investments shall be made only on report of a committee directed to investigate the same and report its value, according to the judgment of its members, and its report shall be preserved among the bank's records.

(3) Notwithstanding anything to the contrary in clause (1) (b), a mutual savings bank organized under the laws of this state may invest in notes or bonds secured by mortgages or trust deed where the notes or bonds do not exceed 95 percent of the appraised value of the security for the same. Except as modified herein, the other provisions of clause (1) (b) apply.

(4) For purposes of this subdivision, real estate is deemed unencumbered if the only existing mortgage or lien against the real estate is a first mortgage lien in favor of the savings bank making a second mortgage loan or if the total unpaid aggregate of all outstanding liens against the same real estate does not exceed 80 percent of its appraised value.

(5) Renegotiable rate notes or bonds secured by mortgages or trust deeds where the notes or bonds do not exceed 95 percent of the appraised value of the security for the same.

For the purposes of this clause, a renegotiable rate mortgage loan is a loan issued for a term of three years to five years, secured by a mortgage maturing in not to exceed 30 years, and automatically renewable at equal intervals after the original loan term which may be up to six months shorter or longer than subsequent terms. The loan must be repayable in equal monthly installments of principal and interest during the loan term, in an amount at least sufficient to amortize a loan with the same principal and at the same interest rate over the remaining life of the mortgage.

In the mortgage documents, the savings bank must grant to the borrower an option to renew the loan for a new term, but not beyond the maturity date of the mortgage, at a new interest rate which shall be the savings bank's current

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market rate of interest on similar loans determined 60 days before the due date of the loan: provided, that the maximum interest rate increase shall be equal to one-half of one percent per year multiplied by the number of years in the loan term with a maximum net increase of five percent over the life of the mortgage. Interest rate increases are optional with the savings bank; net decreases from the previous loan term are mandatory.

The borrower may not be charged costs connected with the renewal of the loan.

Sixty days before the due date of the loan, the savings bank shall send a written notification to the borrower containing the following information: (i) *The date on which the entire balance of borrower's loan is due and payable;* (ii) a statement that the loan will be renewed automatically by the savings bank at the rate specified in the notice unless the borrower pays the loan by the due date; (iii) the amount of the monthly payment, calculated according to the new rate determined at the time of notice; (iv) a statement that the borrower may prepay the loan without penalty at any time after the original loan becomes due and payable; and (v) the name and phone number of a savings bank employee who will answer the borrowers' questions concerning the information in the notice.

An applicant for a renegotiable rate mortgage loan must be given, at the time an application is requested, written disclosure materials prepared in reasonably simple terms that contain at least the following information: (i) An explanation of how a renegotiable rate mortgage differs from a standard fixed rate mortgage; (ii) an example of a renegotiable rate mortgage indicating the maximum possible interest rate increase and monthly payment calculated on that rate at the time of the first renewal; and (iii) an explanation of how the savings bank determines what the rate will be at the end of each loan term.

Sec. 7. Minnesota Statutes 1980, Section 72A.20, Subdivision 15, is amended to read:

Subd. 15. **PRACTICES NOT HELD TO BE DISCRIMINATION OR REBATES.** Nothing in ~~subdivision 4, clauses (8) and (10)~~ subdivisions 8 and 10, or in section 72A.12, subdivisions 3 and 4, shall be construed as including within the definition of discrimination or rebates any of the following practices:

(1) In the case of any contract of life insurance or annuity, paying *bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance, provided that any such bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the company and its policyholders;*

(2) In the case of life insurance policies issued on the industrial debit plan, making allowance, to policyholders who have continuously for a specified period made premium payments directly to an office of the insurer, in an amount which fairly represents the saving in collection expense;

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(3) Readjustment of the rate of premium for a group insurance policy based on the loss or expense experienced thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year.

Sec. 8. Minnesota Statutes 1980, Section 84B.05, is amended to read:

84B.05 OWNERS OF CERTAIN IMPROVED PROPERTIES MAY FILE CLAIMS.

Any person leasing land of the state of Minnesota for cabin site purposes within the boundaries of Voyageurs National Park may file with the ~~legislative commission on claims, in the manner provided in sections 3.66 to 3.84~~ legislature, a claim for the fair market value of any recreational residential dwelling, the construction of which was commenced on or after January 1, 1969 and before January 1, 1970. ~~Jurisdiction to hear and determine these claims is hereby conferred upon the legislative commission on claims.~~

Sec. 9. Minnesota Statutes 1980, Section 93.45, Subdivision 2, is amended to read:

Subd. 2. The commissioner may acquire by gift or purchase necessary trail easements and related interest in and across lands not under his jurisdiction and control. The commissioner also may enter into contracts, leases, or other agreements with the operator or the owner of active or inactive mine areas and with the person having the right of possession thereof for the use and development of these areas for iron range trail purposes. The commissioner may develop, maintain, and operate such areas or may enter into contracts with third parties for the development, maintenance, or operation of the areas. If the commissioner enters into such a contract with a third party, the contract shall provide that the operator, owner and any person entitled to possession or control of the area shall be held harmless and indemnified by the third party from and against any and all claims for injuries or damage to person or property, from such use or development. Nothing in this section prohibits a person from asserting any claim for alleged damages ~~pursuant to sections 3.732 to 3.84~~ brought pursuant to sections 3.732 or 3.736.

Sec. 10. Minnesota Statutes 1980, Section 90.195, is amended to read:

90.195 SPECIAL USE PERMIT.

The commissioner may issue a permit to salvage or cut not to exceed ~~25~~ 12 cords of fuelwood per year for personal use from either or both of the following sources: (1) Dead, down, and diseased trees; (2) other trees that are of negative value under good forest management practices. The permits may be issued for a period not to exceed one year. The commissioner shall charge a fee, not less than \$5, in an amount up to the stumpage current market value of fuelwood of similar species, grade, and volume that is being sold in the area where the salvage or cutting is authorized under the permit.

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

Sec. 11. Laws 1980, Chapter 579, Section 3, is repealed.

Sec. 12. Minnesota Statutes 1980, Section 116.10, is amended to read:

116.10 POLICY; LONG-RANGE PLAN; PURPOSE.

Consistent with the policy announced herein and the purposes of Laws 1963, Chapter 874, the pollution control agency shall, before November 15 of each even numbered year, prepare a long-range plan and program for the effectuation of said policy, and shall make a report also of progress on abatement and control of air and land pollution during each biennium to the legislature with recommendations for action in furtherance of the air and land pollution and ~~solid~~ waste programs.

Sec. 13. Minnesota Statutes 1980, Section 174.256, Subdivision 5, is amended to read:

Subd. 5. **EVALUATION AND REPORTS.** The commissioner shall evaluate or contract for the evaluation of park and ride programs developed under the ~~preceding~~ this section and submit a report to the legislature by January 15, 1981, including the following information:

(a) The amounts of money spent or obligated for the park and ride program by the commissioner and the persons receiving those amounts;

(b) The number and type of public park and ride lots in use and a physical description of each;

(c) The types of lots in use, number of individuals served and areas covered;

(d) A comparison of the cost of providing different types of service;

(e) A review of the achievements or failures of the project, problems encountered in implementation and conclusions and recommendations concerning future action.

Sec. 14. Minnesota Statutes 1980, Section 179.691, is amended to read:

179.691 NEW EXCLUSIVE REPRESENTATIVE OF TEACHERS.

If a new or different exclusive representative of teachers employed by a local school district is certified by the director at any time other than the period between 120 days before the termination date of a contract and the termination date of the contract, or if on July 1 of any odd-numbered year a representation proceeding involving the employer and the employer's teachers is before the director, the provisions of ~~Laws 1980, Chapter 617, Section 22~~ section 179.64, subdivision 1a, clause (1) shall apply. In those cases, however, the employer and the exclusive representative of the teachers shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 60 days after a certification by the director of a new or different exclusive representative

or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative of the teachers fail to execute a contract by 60 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated in mediation sessions called pursuant to section 179.69 over a period of no less than 60 days.

Sec. 15. Minnesota Statutes 1980, Section 179.692, is amended to read:

179.692 NEW EXCLUSIVE REPRESENTATIVE; NON-TEACHERS.

If a new or different exclusive representative of employees other than teachers employed by a local school district is certified by the director, or if on the expiration date of an existing contract a representation proceeding is before the director, the provisions of Laws 1980, Chapter 617, Section 22 section 179.64, subdivision 1, clause (1) shall apply. In those cases, however, the employer and the exclusive representative of the employees shall execute a written contract or memorandum of contract as provided in section 179.70 no later than 45 days after a certification by the director of a new or different exclusive representative or the resolution by the director of a representation proceeding. Either party may petition the director of mediation services for assistance in reaching an agreement, as provided in section 179.69, subdivision 1. If the employer and the exclusive representative fail to execute a contract by 45 days after the certification of a new or different exclusive representative or the resolution by the director of a representation proceeding, they shall be conclusively presumed to be at an impasse after having participated for a period of no less than 45 days in mediation sessions called pursuant to section 179.69.

Sec. 16. Minnesota Statutes 1980, Section 182.661, Subdivision 1, is amended to read:

Subdivision 1. If, after an inspection or investigation, the commissioner issues a citation under section 182.66, he shall notify the employer by certified mail of the penalty, if any, proposed to be assessed under section 182.666 and that the employer has 15 working days within which to notify ~~in writing~~ the commissioner in writing that he wishes to contest the citation, proposed assessment of penalty, or the period of time fixed in the citation given for correction of violation. A copy of the citation and the proposed assessment of penalty shall also be issued by certified mail to the bargaining representative and, in the case of the death of an employee, to the next of kin if requested and designated representative of the employee if known to the department of labor and industry. If within 15 working days from the receipt of the notice issued by the commissioner the employer fails to notify the commissioner in writing that he intends to contest the citation or proposed assessment of penalty, and

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no notice contesting either the citation, the type of violation, proposed penalty, or the time fixed for abatement in the citation is filed by any employee or representative of employees under subdivision 3 within such time, the citation and assessment, as proposed, shall be deemed a final order of the board and not subject to review by any court or agency.

Sec. 17. Minnesota Statutes 1980, Section 218.031, Subdivision 1, is amended to read:

Subdivision 1. Except as otherwise directed or authorized, it shall be the duty of every common carrier:

(1) To prescribe in the first instance, and to publish upon not less than ten days' public notice in such manner as may be required by the commissioner and law, all schedules of fares, rates and charges and classifications thereof, together with the rules governing the same, and minimum weights for transportation of freight articles between points or stations in the state, and terminal and switching charges, provided there shall be but one classification applicable to any one commodity which shall be uniform on all railroads in this state and govern in all state commerce.

(2) To comply with every duly authorized rule, regulation or directive of the commissioner or board except as the same may be stayed, pending appeal therefrom.

(3) To put into effect and observe all schedules of rates, fares and charges and classifications and any amendments or changes therein duly ordered by the board, except as the same may be stayed, pending appeal.

(4) To maintain as may be directed by the commissioner for public inspection at stations and depots all schedules showing all classifications, rates, fares and charges for transportation of freight ~~and passengers~~ currently in force applying from such station. Such schedules shall state the places between which ~~persons~~ and property will be carried and show the classification of freight, the distance tariff, a table of distances between stations, any terminal charges and any rules or regulations in any way affecting the aggregate of such rates, fares and charges.

(5) Upon request of an owner or consignor of freight to the initial company, whenever the initial line does not reach the place of destination, or the distance from the place of origin to destination may be shortened, to transfer such freight to a connecting line without change in cars if in carload lots, except such change be free of charge to the shipper and receiver; and to transfer with or without change in cars of less than carload lots at a reasonable joint through rate agreed upon by the connecting carriers or prescribed by the board, not greater than the maximum rates allowed by law, provided any unloading and reloading which is necessary shall be at cost and the charge for such transfer included in the joint rate.

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(6) To provide the same switching, transfer and handling facilities for local as for interstate traffic.

(7) Upon written demand of the owner, to construct, maintain and operate side tracks and reasonable facilities connecting with any grain warehouse, dock, wharf, mill, coal yard, quarry, brick or lime kiln, sand or gravel pit, crushed rock or concrete plant or manufactory as may be required by the commission board, and on such terms as may be agreed upon, or, on failure of agreement, as may be prescribed by the board.

(8) To issue receipts or bills of lading covering all property received for transportation from any point in the state to any other point in the state, and to respond for any loss, damage or injury to such property caused by it or any carrier to whom such property may be delivered or over whose line it may pass, nor shall any contractual provision whatever exempt it from such liability.

(9) To refund all overcharges for freight, baggage or express, and pay for any loss, damage or injury to property while in its possession, within ninety (90) days after the filing of a claim for such over-charge, loss or damage.

~~(10) To redeem, upon presentation to any authorized ticket agent, any passenger ticket unused in whole or in part, which has not by its terms expired, and pay therefor a pro rata share of the price for which such ticket was sold or, if wholly unused, the entire purchase price.~~

~~(11) To furnish suitable care for the transportation of livestock and transport livestock of different kinds in the same car at the option of the shipper; to deliver all livestock arriving at any terminal, billed to any stockyard within twenty (20) miles thereof, to the chutes of such stockyard within five (5) hours after arrival at the terminal unless prevented by act of God; or to any chutes within ten (10) miles of the terminal within three (3) hours after arrival thereat unless prevented by act of God; to furnish transportation without charge, in connection with livestock shipments in earload lots, for one (1) person for the first car and an additional person for each additional four (4) earloads shipped at the same time, in a caboose or other suitable car while going, and by first class passage when returning.~~

~~(12)~~ (10) To keep its accounts so as to show, as far as practicable, the earnings derived from, and the expenses incurred in, handling intrastate business in such form as the commissioner shall prescribe, including the separation of accounts for each operating division, wholly or partly within the state. Such accounts shall show the total cost of operating through trains and the total cost of operating the local or distributing trains of each operating division, wholly or partly within the state, during the fiscal year to be fixed by the commissioner, the total number of tons of revenue and non-revenue freight, the number of tons of each carried one (1) mile on the through trains and on the local trains, respectively, the number of tons and ton miles of revenue and non-revenue

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freight carried on through or local trains which are exclusively intrastate, and the gross tons and ton miles made by through and local trains on each division. The accounts shall show the total revenue and non-revenue train and engine miles and the total revenue and non-revenue car miles (the non-revenue car miles to be shown loaded and empty separately) produced by such railroad in the state in each operating division, the number of each of the above train, engine and car mileage produced in handling the through trains and in handling the local trains, the total locomotive miles produced in switching on each division and such further information related to the income or cost of intrastate business as the commissioner may require. The commissioner may require such accounts to be kept with reference to the intrastate passenger business of each carrier and the train, car and engine mileage incurred in such business in this state as ~~it~~ he may deem necessary.

~~(13)~~ (11) During pendency of any litigation, when rates prescribed by the board have not been put into effect, to keep a correct account of every charge made by it for any services to which such rates apply in excess of the rates prescribed, showing in each case the difference between the amount actually charged and the amount allowed to be charged, the date of the transaction, the stations between which the business was carried and the names and addresses of the consignor and consignee, and to report such information in full to the board on its request.

Sec. 18. Minnesota Statutes 1980, Section 218.041, Subdivision 2, is amended to read:

Subd. 2. The board shall, upon petition after hearing:

(1) Review and ascertain the reasonableness and equalities of all schedules of rates, fares and charges or any part or classification thereof, including joint through rates, and, if found unreasonable or discriminatory, establish new schedules and prescribe the form and manner of filing, posting and publication thereof.

(2) Order the issuance of any franchises, permits or certificates of convenience and necessity.

(3) Prescribe schedules of reasonable maximum rates or charges for the transportation of freight and cars on each railroad, including the classification of such rates and rules governing the same, and revise the same from time to time.

(4) The ~~commission~~ board may unite two or more stations or commercial centers into a common rate point and may designate the classes of freight which shall take common rates, and fix the mileage that shall govern between the common rate point and any or all other points in the state. The distance so fixed shall not apply as a measure of the rate for the movement of the same class of freight for similar distances between other points.

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(5) Prescribe a schedule of joint through railway rates for freight over two or more connecting lines of railway and revise the same from time to time. In so doing, the board shall consider, among other things, rates established for shipments within this state for like distances over single lines, rates charged by the railway companies operating such connecting lines for joint interstate shipments, and the increased cost, if any, of a joint through shipment as compared with a shipment over a single line for like distances. In establishing rates for shipments in less than carload lots, in cases where connecting railways are not required to have common stations or stopping place for loading or unloading freight at connecting points, the board shall regulate the transportation of such freight from the usual unloading place of one railway to the usual loading place of the other. The share of any railway company of any joint through rates shall not be construed to fix the charge that it may make for a similar distance over any part of its line for any single rate shipment, or the share of any other joint rate. Where the line of a railway company connects the point of shipment with the point of destination but would require a longer haul than a joint haul for which a joint rate has been established, the ~~commission~~ board may authorize charging the joint rate for the single haul without affecting the charge upon any other part of its line except that the charge for a like kind of property must not be greater for a shorter than for a longer distance upon that railroad, all of the shorter hauls being included within the longer.

(6) Define switching and drayage service to apply to the movement of traffic within and between points and fix reasonable maximum rates for the same, which shall be independent of any rates that may be made for line haul transportation. There shall be but one terminal charge for switching or transferring any car within any one municipality and, if it is necessary that any car in such transfer pass over the tracks of more than one railroad within such limits, the company first so transferring such car shall receive the entire charge therefor and be liable to each company doing subsequent switching for its just share of such charge as may be agreed upon among the companies, or, in the event of disagreement, as prescribed by the board.

Sec. 19. Minnesota Statutes 1980, Section 218.041, Subdivision 7, is amended to read:

Subd. 7. The ~~public utilities commission~~ board may upon its discretion and without hearing:

(1) Upon application by a carrier stating that it desires to establish a rate for a temporary period for the protection of the interest of the carriers or its shippers, authorize and establish the temporary rate, and extend the rate as the *circumstances of the case may require, and permit the restoration of the rate existing at the time of the application without further proceedings.*

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(2) Approve the establishment, change, or alteration of any rate, charge or classification, minimum rate, or rule governing the same, to which a common carrier is a party, upon application of the common carrier in writing, when the application appears to be noncontroversial.

(3) Authorize, on less than ten days' public notice, schedules containing classifications, rates, fares and charges for the transportation of freight and passengers.

(4) Retain general rate-making authority in intrastate transportation of livestock.

Sec. 20. Minnesota Statutes 1980, Section 218.041, Subdivision 8, is amended to read:

Subd. 8. The ~~public utilities commission board~~, or the commissioner, as appropriate, may take action to promulgate rules in areas including, but not limited to the following: rates, routes, depots, schedules, quality of service, and safety requirements relating to intrastate rail passenger service.

Sec. 21. Minnesota Statutes 1980, Section 219.39, is amended to read:

219.39 DANGEROUS CROSSINGS; COMPLAINTS; HEARINGS.

~~On his own motion or~~ Upon written complaint authorized by the governing body of any city or county, or by the board of supervisors of any town, or authorized officers of a subject railroad, alleging that any railroad crossing with any street, road or highway in the city, town or county is dangerous to life and property, and giving the reasons therefor, the commissioner shall investigate the matters contained in the complaint, and, where necessary, initiate a hearing before the board.

Sec. 22. Minnesota Statutes 1980, Section 219.40, is amended to read:

219.40 DETERMINATION; ORDER; FLAGMEN OR SAFETY DEVICE.

If a complaint is made under section 219.39, the board shall determine after investigation by the commissioner or after hearing whether the crossing is ~~dangerous~~ hazardous and may require the railroad company ~~complained of~~ to provide flagmen at ~~such~~ the crossing, or to adopt ~~such~~ safety devices as the board may deem necessary for the proper protection of the crossing, or may require the removal of any structure, embankment or other obstruction to the view, or may require the crossing ~~complained of~~ or other crossing in the vicinity thereof closed, or it may require the railroad company to construct an overhead or maintain an underground crossing and divide the cost thereof between the railroad company, the town, county, municipal corporation, or state transportation department interested, on ~~such~~ terms and conditions as may seem just and equitable. ~~Where the railroad has been constructed or the grade thereof~~

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lowered after the laying out of the highway and the railroad tracks are seven feet or more below the natural surface of the ground. The board may require the maintenance of an overhead bridge with suitable approaches and require the complaining city, town, or county to remove any embankment, structure or other obstruction to the view as may be reasonable and necessary to properly protect the crossing; ~~provided, that no highway shall be laid out over any railroad so as to cross at the same grade until such crossing has been approved by the board.~~ If the complainant road authority, or the railroad files exceptions to an order of the ~~commissioner~~ board made under this section without a hearing, the ~~commissioner~~ board shall convene a hearing on the original complaint. If the board or its designee after notice and hearing orders the installation of a safety device, or the construction, reconstruction, modernization or replacement of major parts, as defined by rule of the board, of said safety device, gates, or other type of special protection, or the removal of a structure, embankment or other obstruction to the view, or orders the construction, reconstruction or maintenance of an underground or overhead crossing on any public road, street, or highway, ~~he~~ it may in the same order direct that the costs thereof be divided between the railroad company and the public authority involved on ~~such~~ the basis as the parties may agree, or, if they fail to agree, then the costs thereof shall be as determined by the board on the basis of benefit to the users of each; or the board may defer determination of the division of costs to a subsequent order to be made on the basis of evidence previously taken. Where a state trunk highway is involved, the state's share of the costs shall be paid from any funds available to the department of transportation. In all other cases the public's share of the costs shall be paid from available funds or from the trunk highway fund, if ordered by the board or from any combination of the above or other available funds; provided that any highway, street or road fund shall only be expended for ~~such~~ the costs on a highway, street or road within the political subdivision charged with the maintenance and care thereof and only upon the highways, streets or roads for which the fund was allocated, or for which the fund was created. Any crossing safety devices or improvements installed or maintained under provisions of this chapter as approved by the board, whether by order or otherwise, shall be deemed adequate and appropriate protection for ~~such~~ the crossing.

Sec. 23. Minnesota Statutes 1980, Section 219.741, is amended to read:

219.741 APPLICATION FOR REMOVAL.

Any railroad company desiring to abandon, close for traffic, or remove any of its tracks described in section 219.681 shall first make application to the board in writing. Before passing upon ~~such~~ application the board shall ~~follow the procedure set out in section 218.041, subdivision 3~~ provide the opportunity for a hearing after public notice and, if it so determines, shall fix a time and

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place for hearing, and a notice of the hearing shall be served upon all interested persons so far as known to the board.

Sec. 24. **REPEALER.**

Minnesota Statutes 1980, Section 218.041, Subdivision 3; Laws 1980, Chapter 460, Sections 5, 18, 19 and 27; and Laws 1980, Chapter 534, Sections 27, 31, 39, 47, 53, and 54, are repealed.

Sec. 25. Sections 17 to 24 are effective on the effective date of Laws 1980, Chapter 534.

Sec. 26. Minnesota Statutes 1980, Section 257.64, Subdivision 1, is amended to read:

Subdivision 1. On the basis of the information produced at the pretrial hearing, the court may, and if requested by a party, shall evaluate the probability of determining the existence or nonexistence of the father and child relationship in a trial and whether a judicial declaration would be in the best interest of the child. On the basis of the evaluation, an appropriate recommendation for settlement shall be made to the parties, which may include any of the following:

(a) That the action be dismissed with or without prejudice;

(b) That the alleged father voluntarily acknowledge his paternity of the child;

(c) That the matter be compromised by an agreement among the alleged father, the mother, and the child, in which the father and child relationship is not determined but in which a defined economic obligation is undertaken by the alleged father in favor of the child and, if appropriate, in favor of the mother, subject to approval by the court. In reviewing the obligation undertaken by the alleged father in a compromise agreement, the court shall consider the best interest of the child, in the light of the applicable factors enumerated in section 518.17, subdivision 3, discounted by the improbability, as it appears to the court, of establishing the alleged father's paternity or nonpaternity of the child in a trial of the action. In the best interest of the child, the court may order that the alleged father's identity be kept confidential. In that case, the court may designate a person or agency to receive from the alleged father and disburse on behalf of the child all amounts paid by the alleged father in fulfillment of obligations imposed on him. When the child reaches 21 years of age or older he may petition the court to disclose the alleged father's identity. The court shall grant the petition if after considering the interests of all known persons involved, the court determines that disclosure of the information would be of greater benefit than nondisclosure.

Sec. 27. Minnesota Statutes 1980, Section 273.13, Subdivision 6, is amended to read:

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Subd. 6. **CLASS 3B.** Agricultural land, except as provided by class 1 hereof, and which is used for the purposes of a homestead shall constitute class 3b and shall be valued and assessed for taxes payable in 1981 and thereafter as follows: the first \$50,000 of market value shall be valued and assessed at 14 percent; the remaining market value shall be valued and assessed at 19 percent. The property tax to be paid on class 3b property as otherwise determined by law less any reduction received pursuant to ~~section~~ sections 273.132 and 273.135 shall be reduced by 58 percent of the tax for taxes payable in 1981 and thereafter; provided that the amount of said reduction shall not exceed \$650. Valuation subject to relief shall be limited to 240 acres of land, most contiguous surrounding, bordering, or closest to the house occupied by the owner as his dwelling place, and such other structures as may be included thereon utilized by the owner in an agricultural pursuit, provided that noncontiguous land shall constitute class 3b only if the homestead is classified as class 3b and the detached land is located in the same township or city or not farther than two townships or cities or combination thereof from the homestead. The first \$12,000 market value of each tract of real estate which is rural in character and devoted or adaptable to rural but not necessarily agricultural use, used for the purpose of a homestead shall be exempt from taxation for state purposes; except as specifically provided otherwise by law.

Agricultural land as used herein, and in section 273.132, shall mean contiguous acreage of ten acres or more, primarily used during the preceding year for agricultural purposes. Agricultural use may include pasture, timber, waste, unusable wild land and land included in federal farm programs.

Real estate of less than ten acres used principally for raising poultry, livestock, fruit, vegetables or other agricultural products, shall be considered as agricultural land, if it is not used primarily for residential purposes.

Effective for the 1981 assessment and in subsequent years, the assessor shall determine and list separately on his records the market value of the homestead dwelling and the one acre of land on which that dwelling is located. If any farm buildings or structures are located on this homesteaded acre of land, their market value shall not be included in this separate determination.

Sec. 28. Laws 1980, Chapter 437, Section 4, is repealed.

Sec. 29. Minnesota Statutes 1980, Section 290.92, Subdivision 5, is amended to read:

Subd. 5. **EXEMPTIONS.** (1) **ENTITLEMENT.** An employee receiving wages shall on any day be entitled to ~~the following~~ claim withholding exemptions:

(a) ~~One exemption for himself;~~

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

(b) One additional exemption for himself, if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to be allowable a credit for the taxable year under section 290.06, subdivision 3(4) (a) or (c) for having attained the age of 65 before the close of such year;

(c) One additional exemption for himself if, on the basis of facts existing at the beginning of such day, there may reasonably be expected to exist a credit for the taxable year under section 290.06, subdivision 3(4) (b) or (c) for being blind at the close of such year;

(d) If the individual is married, any exemption to which his spouse is entitled, or would be entitled, under subparagraph (a), (b) or (c), if such spouse were an employee receiving wages, but only if such spouse does not have in effect a withholding exemption certificate claiming such exemption;

(e) One dependent exemption for each dependent as that term is defined in section 290.06, subdivision 3(3) equal to the same number as the personal credits that he is entitled to claim under the provisions of section 290.06, subdivision 3f, not including those credits that the taxpayer's spouse may claim.

(2) **WITHHOLDING EXEMPTION CERTIFICATE.** Every employee shall before the date of commencement of employment furnish his employer with a signed withholding exemption certificate relating to the number of withholding exemptions which he claims, which shall in no event exceed the number to which he is entitled.

(3) **EFFECTIVE DATE OF EXEMPTION CERTIFICATE.** Withholding exemption certificates shall take effect as of the beginning of the first payroll period ending, or the first payment of wages made without regard to a payroll period, on or after the date on which such certificate is so furnished.

(4) **NEW EXEMPTION CERTIFICATE.** A withholding exemption certificate which takes effect under this subdivision shall continue in effect with respect to the employer until another such certificate takes effect under this subdivision. If a withholding exemption certificate is furnished to take the place of an existing certificate, the employer, at his option, may continue the old certificate in force with respect to all wages paid on or before the first status determination date, January 1 or July 1, which occurs at least 30 days after the date on which such new certificate is furnished.

(5) **CHANGE OF NUMBER TO REFLECT NEXT TAX YEAR.** If, on any day during the calendar year, the number of withholding exemptions to which the employee may reasonably be expected to be entitled at the beginning of his next taxable year is different from the number to which the employee is entitled on such day, the employee shall in such cases and at such times as the commissioner may prescribe, furnish the employer with a withholding exemption certificate relating to the number of exemptions which he claims with respect to such next taxable year, which shall in no event exceed the number to

which he may reasonably be expected to be so entitled. Exemption certificates issued pursuant to this paragraph shall not take effect with respect to any payment of wages made in the calendar year in which the certificate is furnished.

(6) **CHANGE OF NUMBER.** If, on any day during the calendar year, the number of withholding exemptions to which the employee is entitled is less than the number of withholding exemptions claimed by the employee on the withholding exemption certificate then in effect with respect to him, the employee shall, *within ten days thereafter, furnish the employer with a new withholding exemption certificate relating to the number of withholding exemptions which the employee then claims, which shall in no event exceed the number to which he is entitled on such day.* If, on any day during the calendar year, the number of withholding exemptions to which the employee is entitled is greater than the number of withholding exemptions claimed, the employee may furnish the employer with a new withholding exemption certificate relating to the number of withholding exemptions which the employee then claims, which shall in no event exceed the number to which he is entitled on such day.

(7) **FORM OF CERTIFICATE.** Withholding exemption certificates shall be in such form and contain such information as the commissioner may by regulation prescribe.

(8) **NUMBER MAY BE SAME AS THAT FOR FEDERAL PURPOSES.** Notwithstanding the provisions of this subdivision, an employee may elect to claim the same number of withholding exemptions that the employee claims for federal withholding purposes.

Sec. 30. Minnesota Statutes 1980, Section 294.25, is amended to read:
294.25 REPORTS, PAYMENT OF TAXES.

Taconite railroad companies shall file reports and make payment of such taxes at the same times and in the same manner as required of railroad companies under sections 294.01 to 294.12, and Minnesota Statutes 1978, Sections 295.02 to 295.05, all the provisions of which, except as otherwise herein specifically provided, shall be applicable to such companies, and such companies shall be subject to the penalties provided by such statutes for violation of any of the requirements thereof.

Sec. 31. Minnesota Statutes 1980, Section 298.223, is amended to read:
298.223 TACONITE AREA ENVIRONMENTAL PROTECTION FUND.

A fund called the taconite environmental protection fund is created for the purpose of reclaiming, restoring and enhancing those areas of northeast Minnesota located within a tax relief area defined in section 273.134 that are adversely affected by the environmentally damaging operations involved in

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mining taconite and iron ore and producing iron ore concentrate and for the purpose of promoting the economic development of northeast Minnesota. The taconite environmental protection fund shall be used for the following purposes:

(a) to initiate investigations into matters the Iron Range Resources and Rehabilitation Board determines are in need of study and which will determine the environmental problems requiring remedial action;

(b) reclamation, restoration or reforestation of minelands not otherwise provided for by state law;

(c) local economic development projects including construction of sewer and water systems, and other public works located within a tax relief area defined in section 273.134;

(d) monitoring of mineral industry related health problems among mining employees.

The taconite environmental protection fund shall be administered by the commissioner of the Iron Range Resources and Rehabilitation Board. The commissioner shall by September 1 of each year prepare a list of projects to be funded from the taconite environmental protection fund, with such supporting information including description of the projects, plans, and cost estimates as may be necessary. Upon recommendation of the Iron Range Resources and Rehabilitation Board, this list shall be submitted to the legislative advisory commission for its review. This list with the recommendation of the legislative advisory commission shall then be transmitted to the governor by November 1 of each year. By December 1 of each year, the governor shall approve or disapprove, or return for further consideration, each individual project. Funds for a project may be expended only upon approval of the project by the governor.

There is hereby annually appropriated to the commissioner of the Iron Range Resources and Rehabilitation Board such funds as are necessary to carry out the projects approved and such funds as are necessary for administration of this section. Annual administrative costs, not including detailed engineering expenses for the projects, shall not exceed five percent of the amount annually expended from the fund.

Funds for the purposes of this section are provided by section 298.28, subdivision 1, ~~clause (9)~~ clause (10), relating to the taconite environmental protection fund.

Sec. 32. Minnesota Statutes 1980, Section 308.07, Subdivision 10, is amended to read:

Subd. 10. Any stockholder who is absent from any meeting of the stockholders of any association organized under the provisions of those sections

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may, as herein provided but not otherwise, vote by mail on the ballot herein prescribed upon any motion, resolution, or amendment which the board of directors may in its discretion submit to the stockholders for vote by them. Such ballot may be in the form prescribed by the board of directors of such association and shall contain the exact text of the proposed motion, resolution, or amendment to be acted upon at such meeting and the date of the meeting; and shall also contain spaces opposite the text of such motion, resolution, or amendment in which such stockholder may indicate his affirmative or negative vote thereon. Such stockholder shall express his choice by marking an "X" in the appropriate space upon such ballot. Such ballot shall be signed by the stockholder, and when received by the association holding the meeting, shall be accepted and counted as the vote of such absent stockholder at such meeting.

Sec. 33. Minnesota Statutes 1980, Section 354.44, Subdivision 1a, is amended to read:

Subd. 1a. **MANDATORY RETIREMENT.** Notwithstanding the provisions of sections 43.30 or 197.45 to 197.48, a member shall terminate employment ~~on August 31, 1976,~~ or at the end of the academic year in which the member reaches the age of ~~65,~~ whichever is later 70. For purposes of this subdivision, an academic year shall be deemed to end August 31. A member who terminates employment at any time during the academic year at the end of which such person is age 65 or older shall, for the purpose of determining eligibility for a proportionate retirement annuity, be considered to have been required to terminate employment at age 65 or older pursuant to section 356.32. Nothing contained in this subdivision shall preclude an employer unit covered by this chapter from employing a retired teacher as a substitute or part time teacher; provided, no teacher required to terminate employment by this subdivision shall resume membership in the retirement association by virtue of employment as a substitute or part time teacher; provided further that upon having earned an amount equal to the annual maximum earnings allowable for that age for the continued receipt of full benefit amounts monthly under the federal old age, survivors and disability insurance program as set by the secretary of health, ~~education and welfare~~ and human services pursuant to the provisions of 42 U.S.C., Section 403, in any academic year from employment as a substitute or part time teacher, any person over the age of ~~65~~ 70 years shall terminate employment for the remainder of that academic year.

Sec. 34. Laws 1979, Chapter 40, Section 6, is repealed.

Sec. 35. Minnesota Statutes 1980, Section 354A.21, is amended to read:

354A.21 MANDATORY RETIREMENT; PROPORTIONATE ANNUITY.

Notwithstanding the provisions of sections 197.46 to 197.48 or 354A.05, a teacher subject to the provisions of this chapter shall terminate employment

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at the end of the academic year in which the teacher reaches the age of 65 70. A teacher who terminates employment at any time during the academic year at the end of which the teacher is required to terminate employment pursuant to this section shall be entitled upon application to a proportionate retirement annuity pursuant to section 356.32. ~~Nothing contained in this subdivision~~ section shall preclude a district from employing a retired teacher as a substitute teacher but upon having earned an amount equal to the annual maximum earnings allowable for that age for the continued receipt of full benefit amounts monthly under the federal old age, survivors and disability insurance program as set by the secretary of health, ~~education and welfare~~ and human services pursuant to the provisions of 42 U.S.C., Section 403, in any academic year from employment as a substitute teacher, any person over the age of 65 70 years shall terminate employment for the remainder of that academic year. No person employed as a substitute teacher after reaching the mandatory retirement age shall resume membership in the teachers retirement fund association by virtue of the employment as a substitute teacher.

Sec. 36. Laws 1979, Chapter 40, Section 9, is repealed.

Sec. 37. Minnesota Statutes 1980, Section 465.72, is amended to read:
465.72 SEVERANCE PAY.

Except as may otherwise be provided in Laws 1959, Chapter 690, as amended, any county, city, township ~~and~~, school district or other governmental subdivision may pay severance pay to its employees and promulgate rules for the payment of severance pay to an employee who leaves employment on or before or subsequent to the normal retirement date. Severance pay shall also include the payment of accumulated vacation leave, accumulated sick leave or a combination thereof. The severance pay shall be excluded from retirement deductions and from any calculations in retirement benefits. It shall be paid in a manner mutually agreeable to the employee and employer over a period not to exceed five years from retirement or termination of employment. If a retired or terminated employee dies before all or a portion of the severance pay has been disbursed, that balance due shall be paid to a named beneficiary or, lacking same, to the deceased's estate. In no event shall severance pay provided for an employee leaving employment exceed an amount equivalent to one year of pay.

Sec. 38. Laws 1980, Chapter 600, Section 8, is repealed.

Sec. 39. Minnesota Statutes 1980, Section 485.14, is amended to read:
**485.14 VITAL STATISTICS, RECORDS RECEIVED FOR PRESER-
VATION.**

The clerks of the district court may, at their option as county registrars of vital statistics, receive for preservation records or certificates of live birth,

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death or stillbirth from town clerks, statutory city clerks, city health officers of cities which ~~are not primary registration districts under section 144.154~~ do not maintain local registration of vital statistics under section 144.214, or other local officers, who may have lawful custody and possession thereof in their respective counties. The clerks of court taking possession of such records and certificates shall with regard to them be subject to all applicable provisions of sections ~~144.151 to 144.203~~ 144.211 to 144.227.

Sec. 40. Minnesota Statutes 1980, Section 508.37, is amended by adding a subdivision to read:

Subd. 1a. **BOOKS.** The registrar shall likewise keep tract indexes, in which he shall enter an accurate description of all registered land, together with the names of the respective owners thereof, and a reference to the volume and page of the register of titles in which the same is registered. The registrar shall keep two books, to be known as the grantors' and grantees' reception books respectively.

The grantors' reception book shall be a grantors' index of instruments filed with the registrar. Each page shall be divided into columns. The surname and given name of the grantor shall be entered under the first column and under the succeeding columns there shall be entered respectively the name of the grantee; the date of registration, specifying the month, day, year and hour and whether ante meridian or post meridian; the number of the instrument; the book and page of the register of titles where the land is registered; the type of instrument; and a description of the property by lot or section, block or township, range, addition and other pertinent information.

The grantees' reception book shall be a grantees' index of instruments filed with the registrar. Each page shall be divided into columns. The surname and given name of the grantee shall be entered under the first column and under the succeeding columns there shall be entered respectively the name of the grantor; the date of registration, specifying the month, day, year and hour and whether ante meridian or post meridian; the number of the instrument; the book and page of the register of titles where the land is registered; the type of instrument; and a description of the property by lot or section, block or township, range, addition and other pertinent information.

Sec. 41. Minnesota Statutes 1980, Section 508.37, Subdivision 1, is repealed.

Sec. 42. Minnesota Statutes 1980, Section 611.07, Subdivision 3, is amended to read:

Subd. 3. When a defendant convicted of a felony or a gross misdemeanor who has appealed to the supreme court or has procured a writ of error, or who has otherwise brought the validity of his conviction before the supreme court for review, applies to the district court and makes an adequate showing

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that because of his poverty he is unable to pay for a transcript which he reasonably needs in presenting the alleged errors raised for appellate review, the district court shall, ~~at the expense of the county in which the defendant was convicted, order a transcript, or a part or an abridgment of the transcript, or a bill of exceptions, as the case may be and as shall be necessary for a proper presentation of defendant's cause for appellate review, unless it shall appear that his cause upon review may properly be presented on the judgment roll referred to in section 632.04 or on any abridgment or report of testimony made available by law, or on any combination of such available reports or records in accordance with Rule 29.02, Subdivision 7, of the rules of criminal procedure.~~

Sec. 43. Minnesota Statutes 1980, Section 611.12, Subdivision 7, is amended to read:

Subd. 7. **APPEARANCE FOR CRIMINALS PLEADING GUILTY.** The public defender shall also appear for and on behalf of criminals who shall have pleaded guilty ~~on information as provided in section 628.32 to a criminal charge in accordance with the rules of criminal procedure.~~

Sec. 44. Laws 1980, Chapter 528, is reenacted. All acts authorized by and complying with Laws 1980, Chapter 528 are legal and valid.

Sec. 45. Minnesota Statutes 1980, Section 60A.23, Subdivision 8, is amended to read:

Subd. 8. **SELF INSURANCE PLAN ADMINISTRATORS; VENDORS OF RISK MANAGEMENT SERVICES.** (1) **SCOPE.** This subdivision ~~shall apply~~ applies to any vendor of risk management services and to any entity which administers, for compensation, a self insurance plan. This subdivision shall not apply (a) to an insurance company authorized to transact insurance in this state, as defined by section 60A.06, subdivision 1, clauses (4) and (5); (b) to a service plan corporation, as defined by section 62C.02, subdivision 6; (c) to a health maintenance organization, as defined by section 62D.02, subdivision 4; (d) to an employer directly operating a self insurance plan for its employees' benefits or (e) to a nonprofit insurance trust administered and operated for the benefit of employer participants and established prior to January 1, 1979.

(2) **DEFINITIONS.** For purposes of this subdivision the following terms have the meanings given them.

(a) "Administering a self insurance plan" means (i) processing, reviewing or paying claims, (ii) establishing or operating funds and accounts, or (iii) otherwise providing necessary administrative services in connection with the operation of a self insurance plan.

(b) "Employer" means an employer, as defined by section 62E.02, subdivision 2.

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(c) "Entity" means any association, corporation, partnership, sole proprietorship, trust, or other business entity engaged in or transacting business in this state.

(d) "Self insurance plan" means a plan providing life, medical or hospital care, accident, sickness or disability insurance, as an employee fringe benefit, which is not directly insured or provided by a licensed insurer, service plan corporation, or health maintenance organization.

(e) "Vendor of risk management services" means an entity providing for compensation actuarial, financial management, accounting, legal or other services for the purpose of designing and establishing a self insurance plan for an employer.

(3) **LICENSE.** No vendor of risk management services or entity administering a self insurance plan may transact such business in this state unless it is licensed to do so by the commissioner. An applicant for a license shall state in writing the type of activities it seeks authorization to engage in and the type of services it seeks authorization to provide. The license shall be granted only when the commissioner is satisfied that the entity possesses the necessary organization, background, expertise, and financial integrity to supply the services sought to be offered. The commissioner may issue a license subject to restrictions or limitations upon the authorization, including the type of services which may be supplied or the activities which may be engaged in. The license fee shall be \$100. All licenses ~~shall be~~ are for a period of two years.

(4) **REGULATORY RESTRICTIONS; POWERS OF THE COMMISSIONER.** To assure that self insurance plans are financially solvent, are administered in a fair and equitable fashion, and are processing claims and paying benefits in a prompt, fair, and honest manner, vendors of risk management services and entities administering self insurance plans are subject to the supervision and examination by the commissioner. Vendors of risk management services, entities administering self insurance plans, and self insurance plans established or operated by them ~~shall be~~ are subject to the trade practice requirements of sections 72A.19 to 72A.30.

(5) **RULE MAKING AUTHORITY.** To carry out the purposes of this subdivision, the commissioner may promulgate administrative rules, including emergency rules, pursuant to sections 15:0411 to 15.052. These rules may:

(a) Establish reporting requirements for administrators of self insurance plans;

(b) Establish standards and guidelines to assure the adequacy of financing, reinsuring, and administration of self insurance plans;

(c) Establish bonding requirements or other provisions assuring the financial integrity of entities administering self insurance plans; or

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(d) Establish other reasonable requirements to further the purposes of this subdivision.

Sec. 46. Minnesota Statutes 1980, Section 471.616, Subdivision 1, is amended to read:

Subdivision 1. **BIDDING REQUIRED.** No governmental subdivision, political subdivision, or any other body corporate and politic authorized by law to purchase group insurance for its employees and providing or intending to provide ~~such~~ group insurance protections and benefits for 25 or more of its employees shall enter into a contract for or renew any ~~such~~ group insurance policy or contract without calling for bids and awarding the contract to the lowest responsible bidder by way of competitive bidding procedures similar to those for the provision of services and supplies under Minnesota Statutes 1971, Section 16.07, Subdivisions 1, 2, 4 and 5. Any A political subdivision may provide in the bid specifications that self insured health benefit plans will not be considered. Lowest responsible bidder means the insurer, service plan corporation, or self insurance plan, if allowed by the bid specifications which offers the lowest cost, is authorized to do business in this state, and is deemed by the governmental unit to be capable of satisfactorily performing the administration of the policy or contract in accordance with the bid specifications. "Cost" ~~shall mean~~ means in the case of an insurer, the premium rate; in the case of service plan corporation, the charge for expenses and risk taking; and in the case of self insurance plans, the sum of the cost of paid claims, including provision for estimated incurred but unpaid claims at the end of the term, administrative costs, and premium for excess coverage. The cost of changing plans may also be considered in determining the lowest cost. The aggregate value of benefits provided by a contract entered into after July 1, 1973 shall not be less than those provided by the preexisting contract (a) unless a majority of the employees covered under the group insurance plan and voting on the question agree to a reduction in the benefits, if the employees are not represented by an exclusive representative pursuant to section 179.67, or (b) unless the public employer and the exclusive representative of the employees of an appropriate bargaining unit, certified pursuant to section 179.67, agree to a reduction in the benefits. ~~(e)~~ The aggregate value of benefits of any former employee who has retired shall not, in any event, be reduced pursuant to clause (a) or (b), unless he has individually agreed to the reduction.

No ~~such~~ contract need be submitted to bid more frequently than once every 48 months, unless for any reason whatsoever, a 50 percent or greater change in the premium under the policy contract is provided, required or indicated.

When an insurer proposes an increase in rates, it shall accompany its proposal with an aggregate claims record for the appropriate period that explains the proposed increase. When a contract is resubmitted for bids the

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aggregate claims record shall accompany the specifications for the contract. Cost comparisons are not required between insured and self-insurance alternatives, but apply to comparisons between two or more insured proposals or comparisons between two or more self insurance proposals.

Sec. 47. Minnesota Statutes 1980, Section 471.617, is amended to read:

471.617 SELF INSURANCE OF EMPLOYEE HEALTH BENEFITS.

Subdivision 1. A statutory or home rule charter city or county or school district, or instrumentality thereof which has more than 100 employees, may by ordinance or resolution self insure for any employee health benefits except long term disability and life benefits. Any self insurance plan shall provide all benefits which are required by law to be provided by group health insurance policies. Self insurance plans shall be certified as provided by section 62E.05. Employee wage deductions for the purpose of funding a self insured health benefit plan shall be subject to the licensing provisions of section 60A.23, subdivision 7.

Subd. 2. Any two or more statutory or home rule charter cities or counties or school districts or instrumentalities thereof which together have more than 100 employees may jointly self insure for any employee health benefits except long term disability and life benefits, subject to the same requirements as an individual self insurer under subdivision 1. The commissioner of insurance is authorized to promulgate administrative rules, including emergency rules, pursuant to sections 15.0411 to 15.052, providing standards or guidelines for the operation and administration of self insurance pools.

Subd. 3. Any self insurance plan covering fewer than 1,000 employees shall include excess or stop-loss coverage, provided by a licensed insurance company or an insurance company approved pursuant to section 60A.20 or service plan corporation. This excess or stop-loss coverage shall cover all eligible claims incurred during the term of the policy or contract, ~~regardless of the time of payment of the claims, or.~~ In addition to excess or stop-loss coverage, the self insurance plan shall provide for reserving of an appropriate amount of funds to cover the estimated cost of claims incurred, but unpaid, during the term of the policy or contract which shall be added to the expected claim level. These funds shall be in addition to funds reserved to cover the claims paid during the term of the policy or contract. The excess or stop-loss coverage shall be provided at levels in excess of self insured retention which is appropriate, taking into account the number of covered persons in the group.

Subd. 4. No statutory or home rule charter city or county or school district or instrumentality thereof, shall adopt a self insured health benefit plan for any employees represented by an exclusive representative certified pursuant to section 179.67 without prior notification and consultation on ten days written notice to the exclusive representative and agreement by the exclusive represent-

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ative that represents the largest number of employees to be included in the plan.

Subd. 5. No political subdivision or its employee or agent shall disclose any information about individual claims or total claims of an individual without the consent of the individual, except that the information may be disclosed to officers, employees, or agents of the political subdivision to the extent necessary to enable them to perform their duties in administering the health benefit program. This provision shall not prevent the disclosure of aggregate claims for the group without identification of any individual.

A parent or legal guardian of a minor is authorized to act on behalf of the minor in the disclosure of a record.

Subd. 6. ~~Any~~ A statutory or home rule charter city or county or school district, or instrumentality thereof having a self insured health benefit plan on August 1, 1980 may continue to operate that plan notwithstanding that the plan does not meet the minimum employee group size requirement of subdivision 1.

Sec. 48. Laws 1980, Chapter 528, Section 4, is repealed.

Sec. 49. Upon the day following final enactment of this act, section 44 is effective retroactively to: (1) July 1, 1980 as it applies to Laws 1980, Chapter 528, Section 1; and (2) August 1, 1980 as it applies to the remaining sections of Laws 1980, Chapter 528. Sections 45 to 47 are effective the day following final enactment. Section 48 is effective retroactively to August 1, 1980.

Sec. 50. Laws 1979, Chapter 303, Article 2, Section 7, is repealed.

Sec. 51. Section 50 is effective for taxes levied in 1980 payable in 1981 and thereafter.

Sec. 52. Laws 1979, Chapter 303, Article 10, Section 7, is repealed.

Sec. 53. Section 52 is effective for gifts made after December 31, 1979.

Sec. 54. Laws 1979, Chapter 334, Article 3, Section 15, is repealed.

Sec. 55. Laws 1980, Chapter 487, Section 14, is repealed.

Sec. 56. Laws 1980, Chapter 509, Section 127, is repealed.

Sec. 57. Laws 1980, Chapter 614, Section 163, is amended to read:

Sec. 163. **LUCE LINE TRAIL; SALE OF EXCESS LAND.**

Land acquired by the commissioner of natural resources from the Chicago Northwestern Railroad for the Luce Line Trail from the south right of way line of the public road intersecting the trail, the intersection being in the northwest quarter of the northwest quarter of section 17 and the northeast quarter of the northeast quarter of section 18, township 448 117 north, range 37

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west, Chippewa County, Minnesota, to Gluek may be sold at public auction in the same manner as provided by law for trust fund lands or may be exchanged with adjacent landowners notwithstanding any contrary provisions of Minnesota Statutes, Section 94.342, Subdivision 3. The commissioner may subdivide the lands and interests in lands into smaller parcels for the purpose of the sale or exchange.

ARTICLE III MISCELLANEOUS PROVISIONS

Section 1. Minnesota Statutes 1980, Section 204A.06, Subdivision 1, is amended to read:

Subdivision 1. **BOUNDARIES.** Each town, each statutory city that is separated from the town for election purposes, and each city ward, shall constitute at least one election precinct. The council of each municipality shall prescribe the boundaries of the precincts and the number of voters therein, and may rearrange the precincts from time to time, except that no changes in precinct boundaries may be made during the period beginning January 1 in any year ending in seven and ending January 1 in any year ending in ~~two~~ one. If during the period beginning January 1 of a year ending in seven and ending January 1 of a year ending in ~~two~~ one a municipality annexes an unincorporated area located in the same county as the municipality and adjacent to the corporate boundary, the annexed area may be included in the precinct immediately adjacent to it. During the period beginning January 1 in a year ending in seven and ending January 1 in a year ending in ~~two~~ one, a municipality may establish new precincts lying entirely within any existing precinct for which the boundaries were established before that period; provided that: (a) the outer boundaries of the existing precinct are not altered and (b) the new precincts established within the existing precinct are assigned names that include the name of the existing precinct. During a year ending in one, the council of each home rule charter city which elects councilmen by wards and which has a city election in the year ending in one may change precinct boundaries for the purpose of reapportioning wards. As soon as possible after legislative apportionment, cities shall rearrange the precincts so that no precinct lies in more than one legislative district.

Sec. 2. **EFFECTIVE DATE.**

Section 1 is effective the day after final enactment.

Sec. 3. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 6. No referee may hear a contested trial, hearing, motion or petition if a party or attorney for a party objects in writing to the assignment of a referee to hear the matter. The court shall by rule, specify the time within which an objection must be filed.

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

Sec. 4. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 7. The duties and powers of referees shall be as follows:

(a) Hear and report all matters assigned by the chief judge.

(b) Recommend findings of fact, conclusions of law, temporary and interim orders, and final orders for judgment.

(c) All recommended orders and findings of a referee shall be subject to confirmation by a judge. Review of any recommended order or finding of a referee by a judge may be by notice served and filed within ten days of effective notice of the recommended order or finding. The notice of review shall specify the grounds for review and the specific provisions of the recommended findings or orders disputed, and the court, upon receipt of a notice of review, shall set a time and place for a review hearing.

(d) Upon the conclusion of the hearing in each case, the referee shall transmit to a judge the court file together with recommended findings and orders in writing. The recommended findings and orders of a referee become the findings and orders of the court when confirmed by a judge. The order of the court shall be proof of such confirmation, and also of the fact that the matter was duly referred to the referees.

Sec. 5. Minnesota Statutes 1980, Section 487.08, Subdivision 2, is amended to read:

Subd. 2. Persons holding the office of judicial officer full time or part time on January 1, ~~1978~~ 1981, in St. Louis county and full time on January 1, ~~1978~~, in Steele county and Carlton county may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. ~~One full time judicial officer may be appointed in Carlton county.~~

Sec. 6. Minnesota Statutes 1980, Section 487.08, Subdivision 3, is amended to read:

Subd. 3. The persons holding the office of judicial officer in Nobles and Rock, Brown, Nicollet, Morrison, Goodhue, and Wabasha, Scott, and Polk counties on January 1, 1978, may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointments.

Sec. 7. Minnesota Statutes 1980, Section 489.01, is amended to read:

489.01 ELECTION; TERM; OFFICE ABOLISHED.

Subdivision 1. OFFICE ABOLISHED. The office of court commissioner is abolished. No vacancy in the office of court commissioner shall be filled.

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Subd. 2. INCUMBENTS. Persons holding the office of court commissioner in all counties except Ramsey county may continue to serve until the incumbent's term of office expires. The person holding the office of court commissioner on January 1, 1981, in Ramsey county may continue to serve at the pleasure of the appointing authority under the terms and conditions of this appointment.

Subd. 3. COURT COMMISSIONER. In each county in the state there shall be elected at the general election in 1918 a court commissioner. The term of office of the court commissioner shall be four years ~~and until his successor is elected and qualified~~, and begin on the first Monday in January next succeeding his election. ~~This office shall be filled by election every four years thereafter.~~ One person may hold at the same time the offices of court commissioner and probate judge.

Sec. 8. REPEALER.

Minnesota Statutes 1980, Sections 487.08, Subdivision 4; 487.09; 489.05; and 525.04; and Laws 1978, Chapter 750, Section 6 are repealed.

Sec. 9. EFFECTIVE DATE.

Sections 3 to 8 are effective the day following final enactment.

Sec. 10. Minnesota Statutes 1980, Section 453.52, Subdivision 3, is amended to read:

Subd. 3. "City" means a city organized and existing under the laws of Minnesota or a city charter adopted pursuant thereto, and authorized by such laws or charter to engage in the local distribution and sale of electric energy; provided that any city so engaged on January 1, 1976, is authorized to continue such distribution and sale, and every city now or hereafter so authorized may exercise, either individually or as a member of a municipal power agency, all of the powers granted in sections 453.51 to 453.62. "City" also includes a city organized and existing under the laws of another state or a city charter adopted pursuant thereto which participates in a municipal power agency with Minnesota cities and pays a full pro rata share of the expenses of the agency.

Sec. 11. Minnesota Statutes 1980, Section 462C.05, Subdivision 1, is amended to read:

Subdivision 1. A city may also plan, administer, and make or purchase a loan or loans to finance one or more multifamily housing developments within its boundaries, of the kind described in subdivision 2, 3 or 4, and upon the conditions set forth in this section. A loan may be made or purchased for the acquisition and preparation of a site and the construction of a new development, or for the acquisition of an existing building and site and the rehabilitation thereof, or for the acquisition of an existing building and site for purposes of conversion to limited equity cooperative ownership by low or moderate income families, provided that:

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

(a) Except in the case of acquisition for purposes of conversion to limited equity cooperative ownership, the cost of rehabilitation of an existing building is estimated to equal at least \$5,000 per dwelling unit or 50 percent of the appraised value of the original building and site, whichever is less or if the rehabilitation is financed in part by proceeds from a program provided by the federal government pursuant to 24 C.F.R. Sections 882.401 to 882.519 or pursuant to section 312 of the Housing Act of 1964 (42 U.S.C. Section 1452b), the cost of rehabilitation of an existing building is estimated to equal at least \$2,000 per dwelling unit or 20 percent of the appraised value of the original building and site whichever is less;

(b) At least a substantial portion of such rehabilitation cost is estimated to be incurred for compliance with building codes or conservation of energy;

(c) Each development upon completion shall comply with all applicable code requirements;

(d) A loan or loans may be made or purchased for either the construction or the long term financing of a development, or both, including the financing of the acquisition of dwelling units and interests in common facilities provided therein, by persons to whom such units and facilities may be sold as contemplated in chapter 515 or any supplemental or amendatory law thereof; and

(e) Substantially all of the proceeds of each loan shall be used to pay the cost of a multifamily housing development, including property functionally related and subordinate to it; but nothing herein prevents the construction of the development over, under, or adjacent to, and in conjunction with facilities to be used for purposes other than housing.

Sec. 12. EFFECTIVE DATE.

Section 11 is effective the day following its final enactment.

Sec. 13. AVAILABILITY OF APPROPRIATION.

Laws 1981, Chapter 363, Section 55, Subdivision 1, is amended by striking the last sentence of the first paragraph of clause (i) and inserting: "All funds appropriated are available for expenditure on the effective date of the appropriation."

This section is effective the day following final enactment.

Sec. 14. Laws 1981, Chapter 356, Section 377, is amended to read:

Sec. 377. REPEALER.

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

Minnesota Statutes 1980, Sections 3.86; 7.07; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 168B.11; ~~363.073, Subdivisions 1 and 2~~; 481.15, Subdivision 3; 480.053; 483.01; 483.02; 648.45; and 648.46 are repealed. Minnesota Statutes 1980, Section 473.556, Subdivision 15 is repealed, effective July 1, 1982.

Sec. 15. Laws 1981, Chapter 355, Section 35, is amended to read:

Sec. 35. **EFFECTIVE DATE.**

Sections ~~1 to 21~~, 18, 20, 21, 23 to 27, and 29 to 34 are effective January 1, 1982. Section 19 is effective July 1, 1981. Section 22 is effective the day following final enactment. In 1981, the commissioner shall send notice of the availability of sliding fee program grants as soon as possible following the effective date. For counties applying for grants in 1981 under section 20 that have not received grants under Laws 1979, Chapter 307, the application deadline is June 8; the counties shall apply as soon as possible after the effective date of section 22 and the commissioner shall make grants in 1981 under section 22 no later than July 1. Section 28 is effective January 1, 1983.

ARTICLE IV

1981 SESSION CORRECTIONS

Section 1. Laws 1981, Chapter 59, Section 10, Subdivision 1, is amended to read:

[80E.09] Subdivision 1. REQUIREMENTS. Upon the termination or cancellation of any franchise, the new motor vehicle dealer shall, in the time prescribed, be allowed fair and reasonable compensation by the manufacturer for the following items:

(a) New motor vehicle inventory which was originally acquired from the manufacturer;

(b) Equipment and furnishings if the new motor vehicle dealer purchased them from the manufacturer;

(c) Special tools;

(d) Supplies, including parts, purchased from the manufacturer. Fair and reasonable compensation as applied to parts means that the manufacturer shall reimburse the dealer for 100 percent of the net cost of all current unused automobile and truck parts, including transportation charges, and 85 percent of the current net prices on repair parts, including superseded parts listed in current price lists or catalogs plus five percent of the current net price of all

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parts returned to compensate the dealer for the handling, packing, and loading of the parts;

(e) Except as provided in paragraph (f), dealership facilities if the facilities were required to be purchased or constructed as a precondition to obtaining the franchise or its renewal by the manufacturer. If the facilities described in this clause were leased and the lease was required by the manufacturer as a precondition to obtaining the franchise or to its renewal, then the manufacturer is liable for one year's payment of the rent or the remainder of the term of the lease, whichever is less. The manufacturer has no obligations under this clause if the termination or cancellation was for good cause based on the conviction or a plea of *nolo contendere* of the dealer or one of its principal owners for a crime which constitutes a felony as defined in Minnesota Statutes, Section 609.02, Subdivision 2, or where it has been demonstrated at the hearing that the new motor vehicle dealer has repeatedly exhibited a course of conduct constituting fraud with respect to the manufacturer or the general public;

(f) In the event the termination or cancellation is due to a failure of performance of the dealer in sales or service as described in section 7, subdivision 2, the manufacturer shall have no obligation to purchase facilities owned by the dealer but shall be required to pay the dealer a sum equivalent to the reasonable rental value of the facilities for one year. In all other respects the provisions of paragraph (e) shall apply.

Sec. 2. Laws 1981, Chapter 59, Section 11, Subdivision 4, is amended to read:

~~[80E.10]~~ Subd. 4. **PAYMENTS.** In the event of nonrenewal or failure to renew, the manufacturer or distributor shall be obligated to make the same payments to the dealer and in the same manner, subject to the same limitations and restrictions, as are set forth in section 9 10.

Sec. 3. Laws 1981, Chapter 59, Section 15, Subdivision 1, is amended to read:

~~[80E.14]~~ Subdivision 1. **NOTIFICATION; PROTEST; HEARING.** In the event that a manufacturer seeks to enter into a franchise establishing an additional new motor vehicle dealership or relocating an existing new motor vehicle dealership within or into a relevant market area where the line make is then represented, the manufacturer shall, in writing, first notify each new motor vehicle dealer in this line make in the relevant market area of the intention to establish an additional dealership or to relocate an existing dealership within or into that market area. The relevant market area is a radius of ten miles around an existing dealership. Within 15 days of receiving the notice or within 15 days

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after the end of any appeal procedure provided by the manufacturer, the new motor vehicle dealership may commence a civil action in a court of competent jurisdiction pursuant to section ~~47~~ 18 challenging the establishing or relocating of the new motor vehicle dealership. An action brought under this section shall be placed on the calendar ahead of other civil actions to be heard and determined as expeditiously as possible. Thereafter the manufacturer shall not establish or relocate the proposed new motor vehicle dealership unless the court has determined that there is good cause for permitting the establishment or relocation of the motor-vehicle dealership.

For the purposes of this section, the reopening in a relevant market area of a new motor vehicle dealership within two miles of a location at which a former dealership of the same line make had been in operation within the previous two years shall not be deemed the establishment of a new motor vehicle dealership.

The relocation of an existing dealer within its area of responsibility as defined in the franchise agreement shall not be subject to this section, if the proposed relocation site is not within five miles of an existing dealer of the same line make.

Sec. 4. A law enacted at the 1981 Regular Session styled as H.F. No. 493, Section 7, Subdivision 1, is amended to read:

[475.525] Subdivision 1. GENERAL OBLIGATION BONDS. A municipality may, by resolution, authorize, issue and sell general obligation bonds or obligations to finance any expenditure by the municipality for the acquisition, construction, expansion, modification or operation of a district heating system and for the purpose of loaning the proceeds of the bonds or obligations to any person, firm or public or private corporation to acquire, construct, expand or modify a district heating system. Except with regard to the net debt limit as provided in section ~~465.74~~ 6, subdivision 4, the general obligation bonds or obligations authorized by this subdivision shall be authorized, issued and sold in the same manner and subject only to the same conditions as those provided in chapter 475. When revenues from the operation of a district heating system are pledged to the repayment of the bonds or obligations, the estimated collections of said revenues so pledged may be deducted from the taxes otherwise required to be levied before the issuance of the bonds or obligations under section 475.61, subdivision 1, or the collections thereof may be certified annually to reduce or cancel the initial tax levies in accordance with section 475.61, subdivision 1 or 3.

Sec. 5. A law enacted at the 1981 Regular Session styled as H.F. No. 493, Section 7, Subdivision 3, is amended to read:

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

[475.525] Subd. 3. **REDEVELOPMENT AGENCY.** A municipality may itself, or by ordinance authorize any redevelopment agency as defined in section ~~474.03~~ 474.02, subdivision 3, acting for the municipality, to exercise any and all of the powers granted to the municipality under subdivision 2 and to the redevelopment agency under any other law for the purpose of financing all or any portion of the district heating system and any conversion facilities for modifying the user's heating or water system to use the heat energy converted from the steam or hot water furnished by the district heating system including, but without limitation, the payment of interest during construction and for a reasonable time thereafter and the establishment of reserves for bond payment and for working capital, in which event if the issuer is a redevelopment agency the sources of revenue that may be pledged to the payment of revenue bonds or obligations shall include any revenues of the redevelopment agency. The proceeds of bonds or obligations issued by the municipality or redevelopment agency may be used to make or purchase loans for facilities which the issuer estimates will require such financing, and, for the purpose of making or purchasing such loans the issuer shall have power to enter into loan agreements and other related agreements, both before and after the issuance of the obligations, with such persons, firms, public or private corporations, federal or state agencies, governmental units, and under such terms and conditions as the issuer shall deem appropriate; and any governmental unit in the state shall have the power to apply, contract for and receive the loans without limitation under any other provisions of chapter 475.

Sec. 6. A law enacted at the 1981 Regular Session styled as S.F. No. 1087, Section 42, is amended to read:

Sec. 42. **REPEALER.**

Minnesota Statutes 1980, Sections 60A.031, Subdivision 2; and 60A.11, Subdivisions 2, 3, 4, 5, 6, 7, and 8, are repealed.

Sec. 7. Minnesota Statutes 1980, Section 60A.11, Subdivision 7, is amended to read:

Subd. 7. **INVESTMENTS IN NAME OF COMPANY OR NOMINEE AND PROHIBITIONS.** All of the funds of an insurance company other than a life insurance company shall be held in its corporate name or its nominee name, except that investments may be held under the name of a nominee of a bank or trust company if the securities are kept under a custodial arrangement with such bank or trust company. Such custodial arrangements shall be evidenced by an agreement and shall meet the following requirements:

(1) The securities shall be held by a bank or trust company licensed by the United States or any state thereof; and

(2) the agreement shall provide that the securities so deposited shall at all times be kept separate and apart from other deposits with the depository; so

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that at all times they may be identified as belonging solely to the company making the deposit.

No officer, director, or member of, any committee passing on investments shall borrow any of such funds, or become, directly or indirectly, liable as a surety or endorser for or on account of loans thereof to others, or receive to his own use any fee, brokerage, commission, gift, or other consideration for, or on account of, any loan made by or on behalf of the company.

Sec. 8. Minnesota Statutes 1980, Section 595.02, as amended by Laws 1981, Chapter 131, Section 3, is amended to read:

595.02 COMPETENCY OF WITNESSES.

Every person of sufficient understanding, including a party, may testify in any action or proceeding, civil or criminal, in court or before any person who has authority to receive evidence, except as follows:

(1) A husband cannot be examined for or against his wife without her consent, nor a wife for or against her husband without his consent, nor can either, during the marriage or afterwards, without the consent of the other, be examined as to any communication made by one to the other during the marriage. This exception does not apply to a civil action or proceeding by one against the other, nor to a criminal action or proceeding for a crime committed by one against the other or against a child of either, nor to a criminal action or proceeding in which one is charged with homicide or an attempt to commit homicide and the date of the marriage of the defendant is subsequent to the date of the offense, nor to an action or proceeding for non-support, neglect, dependency, or termination of parental rights;

(2) An attorney cannot, without the consent of his client, be examined as to any communication made by the client to him or his advice given thereon in the course of professional duty; nor can any employee of such attorney be examined as to such communication or advice, without the client's consent;

(3) A clergyman or other minister of any religion shall not, without the consent of the party making the confession, be allowed to disclose a confession made to him in his professional character, in the course of discipline enjoined by the rules or practice of the religious body to which he belongs; nor shall a clergyman or other minister of any religion be examined as to any communication made to him by any person seeking religious or spiritual advice, aid, or comfort or his advice given thereon in the course of his professional character, without the consent of such person;

(4) A licensed physician or surgeon, dentist, or chiropractor shall not, without the consent of his patient, be allowed to disclose any information or any opinion based thereon which he acquired in attending the patient in a professional capacity, and which was necessary to enable him to act in that

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capacity; after the decease of such patient, in an action to recover insurance benefits, where the insurance has been in existence two years or more, the beneficiaries shall be deemed to be the personal representatives of such deceased person for the purpose of waiving the privilege hereinbefore created, and no oral or written waiver of the privilege hereinbefore created shall have any binding force or effect except that the same be made upon the trial or examination where the evidence is offered or received;

(5) A public officer shall not be allowed to disclose communications made to him in official confidence when the public interest would suffer by the disclosure;

(6) Persons of unsound mind; persons intoxicated at the time of their production for examination, and children under ten years of age, who appear incapable of receiving just impressions of the facts respecting which they are examined, or of relating them truly, are not competent witnesses;

(7) A registered nurse, psychologist or consulting psychologist shall not, without the consent of his client, be allowed to disclose any information or opinion based thereon which he acquired in attending the client in a professional capacity, and which was necessary to enable him to act in that capacity;

(8) An interpreter for a person handicapped in communication shall not, without the consent of the person, be allowed to disclose any communication of ~~the person~~ if the communication would, if the interpreter were not present, be privileged. For purposes of this section, a "person handicapped in communication" means a person who, because of a hearing, speech or other communication disorder, or because of the inability to speak or comprehend the English language, is unable to understand the proceedings in which he is required to participate. The presence of an interpreter as an aid to communication does not destroy an otherwise existing privilege.

Sec. 9. Minnesota Statutes 1980, Section 15.0413, Subdivision 3, as amended by a law enacted at the 1981 Regular Session styled as S.F. No. 1043, Section 20, is amended to read:

Subd. 3. **EXEMPT AGENCIES AND RULES.** (a) Any rules adopted, amended, suspended, or repealed by any agency but excluded from the administrative procedure act by section 15.0411, subdivision 2, shall have the force and effect of law upon compliance with the procedures of paragraph (c) of this subdivision. However, this subdivision does not apply to:

(1) rules implementing emergency powers pursuant to sections 12.31 to 12.37;

(2) rules of agencies directly in the legislative or judicial branches; or

(3) rules of the regents of the University of Minnesota.

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(b) Rules adopted, amended, suspended, or repealed by any agency but excluded from the definition of "rule" in section 15.0411, subdivision 3, shall have the force and effect of law upon compliance with paragraph (c) of this subdivision.

However, this subdivision does not apply to:

(1) rules concerning only the internal management of the agency or other agencies, and which do not directly affect the rights of or procedure available to the public; or,

(2) opinions of the attorney general.

(c) The rules have the force and effect of law if:

(1) the revisor of statutes approves the form of the rules by certificate;

(2) two copies of the rules with the revisor's certificate are filed in the office of the secretary of state; and,

(3) a copy is published in the state register.

(d) The rules become effective five working days after publication in the state register. The secretary of state shall forward one copy of each rule to the revisor of statutes. Rules filed in accordance with this subdivision, as it is was in effect on the date the rules ~~are~~ were filed, shall be included in Minnesota Rules.

(e) Any law exempting an agency or rule from sections 15.0411 to 15.052 shall not be construed as preventing an agency from complying with this subdivision, unless the law specifically provides to the contrary.

Sec. 10. A law enacted at the 1981 Regular Session styled as S.F. No. 876, Section 30, Subdivision 3, is repealed.

Sec. 11. A law enacted at the 1981 Regular Session styled as H.F. No. 182, Section 2, is amended to read:

Sec. 2. **[56.002] APPLICATION.**

This chapter does not apply to a person doing business under and as permitted by any law of this state or of the United States relating to banks, building and loan associations, savings and loan associations, trust companies, licensed pawnbrokers, or credit unions. Notwithstanding the provisions of section 3, an industrial loan and thrift company under chapter 53 may contract for and receive the charges, including those in section ~~45~~ 14, authorized by this chapter without being licensed pursuant to this chapter, but shall comply with all other provisions of this chapter when contracting for or receiving charges on loans regulated by this chapter.

Sec. 12. A law enacted by the 1981 Regular Session styled as H.F. No. 182, Section 11, Subdivision 2, is amended to read:

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

[56.131] Subd. 2. **ADDITIONAL CHARGES.** In addition to the charges provided for by this section and section ~~45~~ 14, no further or other amount whatsoever, shall be directly or indirectly charged, contracted for, or received for the loan made, except actual out of pocket expenses of the licensee to realize on a security after default, and except for the following additional charges which may be included in the principal amount of the loan:

(a) Lawful fees and taxes paid to any public officer to record, file, or release security;

(b) With respect to a loan secured by an interest in real estate, the following closing costs, if they are bona fide, reasonable in amount, and not for the purpose of circumvention or evasion of this section; provided the costs do not exceed one percent of the principal amount or \$250, whichever is greater:

(1) Fees or premiums for title examination, abstract of title, title insurance, surveys, or similar purposes;

(2) An amount not to exceed \$150, if not paid to the licensee, an employee of the licensee, or a person related to the licensee, for fees for preparation of a mortgage, settlement statement, or other documents, fees for notarizing mortgages and other documents, and appraisal fees.

Sec. 13. Minnesota Statutes 1980, Section 56.19, Subdivision 1, as amended by a law enacted by the 1981 Regular Session styled as H.F. No. 182, Section 18, is amended to read:

Subdivision 1. **CRIMINAL PENALTY.** Any person and the several members, officers, directors, agents, and employees thereof, who shall violate or participate in the violation of any of the provisions of sections 56.01, 56.12, 56.14, 56.17, 56.18, and ~~sections 44 and 42~~ section 11 shall be guilty of a gross misdemeanor.

Sec. 14. A law enacted by the 1981 Regular Session styled as H.F. No. 1125, Article II, Section 3, Subdivision 2a, is amended to read:

[362.452] Subd. 2a. **LICENSE; EXCEPTIONS.** "Business license" or "license" does not include the following:

(1) Any occupational license issued by a licensing board listed in section 214.01 or any occupational registration issued by the commissioner of health pursuant to section 214.13;

(2) Any license issued by a county, home rule charter city, statutory city, township or other political subdivision;

(3) Any license required to practice the following occupation regulated by the following sections:

(a) Abstracters regulated pursuant to chapter 386;

- (b) Accountants regulated pursuant to chapter 326;
- (c) Adjusters regulated pursuant to chapter 72B;
- (d) Architects regulated pursuant to chapter 326;
- (e) Assessors regulated pursuant to chapter 270;
- (f) Attorneys regulated pursuant to chapter 481;
- (g) Auctioneers regulated pursuant to chapter 330;
- (h) Barbers regulated pursuant to chapter 154;
- (i) Beauticians regulated pursuant to chapter 155;
- (j) Boiler operators regulated pursuant to chapter 183;
- (k) Chiropractors regulated pursuant to chapter 148;
- (l) Collection agencies regulated pursuant to chapter 332;
- ~~(l)~~ (m) Cosmetologists regulated pursuant to chapter 155;
- ~~(m)~~ (n) Dentists and dental hygienists regulated pursuant to chapter 150A;
- ~~(n)~~ (o) Detectives regulated pursuant to chapter 326;
- ~~(o)~~ (p) Electricians regulated pursuant to chapter 326;
- ~~(p)~~ (q) Embalmers regulated pursuant to chapter 149;
- ~~(q)~~ (r) Engineers regulated pursuant to chapter 326;
- ~~(r)~~ (s) Insurance brokers and salespersons regulated pursuant to chapter 60A;
- ~~(s)~~ (t) Midwives regulated pursuant to chapter 148;
- ~~(t)~~ (u) Morticians regulated pursuant to chapter 149;
- ~~(u)~~ (v) Nursing home administrators regulated pursuant to chapter 144A;
- ~~(v)~~ (w) Optometrists regulated pursuant to chapter 148;
- ~~(w)~~ (x) Osteopathic physicians regulated pursuant to chapter 147;
- ~~(x)~~ (y) Pharmacists regulated pursuant to chapter 151;
- ~~(y)~~ (z) Physical therapists regulated pursuant to chapter 148;
- ~~(z)~~ (aa) Physicians and surgeons regulated pursuant to chapter 147;
- ~~(aa)~~ (bb) Plumbers regulated pursuant to chapter 326;
- ~~(bb)~~ (cc) Podiatrists regulated pursuant to chapter 153;

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- ~~(ee)~~ (dd) Practical nurses regulated pursuant to chapter 148;
- (ee) Professional fundraisers regulated pursuant to chapter 309;
- ~~(dd)~~ (ff) Psychologists regulated pursuant to chapter 148;
- ~~(ee)~~ (gg) Real estate brokers and, salespersons and others regulated pursuant to ~~chapter~~ chapters 82 and 83;
- (ff) (hh) Registered nurses regulated pursuant to chapter 148;
- ~~(gg)~~ (ii) Securities brokers, dealers and, agents and investment advisers regulated pursuant to chapter 80A;
- ~~(hh)~~ (jj) Steamfitters regulated pursuant to chapter 326;
- (ii) (kk) Teachers and supervisory and support personnel regulated pursuant to chapter 125;
- (jj) (ll) Veterinarians regulated pursuant to chapter 156;
- ~~(kk)~~ (mm) Watchmakers regulated pursuant to chapter 326;
- (ll) (nn) Water conditioning contractors and installers regulated pursuant to chapter 326;
- ~~(mm)~~ (oo) Water well contractors regulated pursuant to chapter 156A;
- ~~(nn)~~ (pp) Water and waste treatment operators regulated pursuant to chapter 115;
- (4) Any driver's license required pursuant to chapter 171;
- (5) Any aircraft license required pursuant to chapter 360;
- (6) Any watercraft license required pursuant to chapter 361;
- (7) Any license, permit, registration, certification, or other approval pertaining to a regulatory or management program related to the protection, conservation, or use of or interference with the resources of land, air or water, which is required to be obtained from a state agency or instrumentality; and
- (8) Any pollution control rule or standard established by the pollution control agency or any health rule or standard established by the commissioner of health.

Sec. 15. Minnesota Statutes 1980, Section 216B.16, Subdivision 1a, as added by a law enacted by the 1981 Regular Session styled as H.F. No. 1434, Section 70, is amended to read:

[216B.16] Subd. 1a. When a public utility proposes changes in general rates that would increase general rates paid by consumers more than \$500,000, the commission shall not approve the change until after requiring the office of

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administrative hearings to conduct a contested case hearing on, at a minimum, the appropriate rate base, expense and revenue levels for the test year, and the rate of return. If the formal parties to the contested case choose not to cross-examine the testimony presented, it shall be the duty of the commission and its staff to make inquiry of the witnesses presented to ensure that the testimony is well reasoned and constitutes substantial evidence. After a report of the examiner has been issued, the commission may proceed to take action on the proposed rates consistent with the provisions of this section. The commission shall not accept any stipulation that is not agreed to by all intervening parties.

Sec. 16. A law enacted by the 1981 Regular Session styled as H.F. No. 1434, Section 2, Subdivision 4, is amended to read:

Subd. 4. Public Transportation	2,474,400	1,487,800
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The amounts that may be expended from this appropriation for each activity are as follows:

(a) Transportation Rates and Regulation

\$ 539,000	\$ 546,100
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(b) Transit Administration

\$ 352,000	\$ 354,500
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The appropriation made by Laws 1979, Extra Session, Chapter 1, Section 4, for development of operating standards for vehicles providing special transportation service and of procedures for enforcing the standards shall be available until June 30, 1983.

(c) Railroad Administration

\$ 583,400	\$ 587,200
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(d) Rail Service Improvement Grants

\$ 1,000,000

This appropriation is from the general fund for transfer to the rail service improvement account.

This appropriation shall be used to maximize the use of federal money.

(e) AMTRAK operations for the Northstar line between Minneapolis-St. Paul and Duluth

\$ 75,000

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This appropriation is from the general fund and may be used to satisfy any deficit and may be expended only if funds from any municipality or other sources are so appropriated or otherwise received. This appropriation shall be used to match on a 50-50 basis the amount received from the other sources. These funds shall be available immediately.

Sec. 17. Minnesota Statutes 1980, Section 237.075, Subdivision 1a, as added by a law enacted at the 1981 Regular Session styled as H.F. No. 1434, Section 73, is amended to read:

[237.075] Subd. 1a. When a telephone company proposes changes in general rates that would increase general rates paid by consumers more than \$500,000, the commission shall not approve the change until after requiring the office of administrative hearings to conduct a contested case hearing on, at a minimum, the appropriate rate base, expense and revenue levels for the test year, and the rate of return. If the formal parties to the contested case choose not to cross-examine the testimony presented, it shall be the duty of the commission and its staff to make inquiry of the witnesses presented to ensure that the testimony is well reasoned and constitutes substantial evidence. After a report of the examiner has been issued, the commission may proceed to take action on the proposed rates consistent with the provisions of this section. The commission shall not accept any stipulation that is not agreed to by all intervening parties.

Sec. 18. A law enacted at the 1981 Regular Session styled as H.F. No. 1434, Section 1, is amended to read:

Section 1. TRANSPORTATION AND OTHER AGENCIES; APPROPRIATIONS.

The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1981", "1982", and "1983", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1981, June 30, 1982, or June 30, 1983, respectively.

SUMMARY BY FUND
(Net after transfers)

	1981	1982	1983	TOTAL
General	\$75,000	<u>\$37,793,800</u>	\$37,615,700	<u>\$75,484,500</u>
		37,838,800		75,529,500
Airports		<u>10,319,300</u>	9,956,300	<u>20,275,600</u>
M.S.A.S.		35,208,600	35,280,900	70,489,500
C.S.A.H.		107,291,200	107,524,900	214,816,100

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Tr. Hwy.		337,171,700	341,119,500	678,291,200
Hwy. User		6,077,500	<u>6,129,200</u>	<u>12,206,700</u>
			<u>6,146,600</u>	<u>12,224,100</u>
Special Revenue				
Fund		157,900	167,500	325,400
TOTAL	\$75,000	<u>\$534,020,000</u>	<u>\$537,794,000</u>	<u>\$1,071,889,000</u>
		<u>534,065,000</u>	<u>537,827,800</u>	<u>1,071,934,000</u>

Sec. 19. A law enacted at the 1981 Regular Session styled as H.F. No. 1446 is amended by inserting a heading above the first section 1 to read:

ARTICLE I

Sec. 20. A law enacted at the 1981 Regular Session styled as H.F. No. 1446, Article I, Section 2, Subdivision 5, the twelfth paragraph, is amended to read:

Notwithstanding the provisions of Minnesota Statutes 1980, Sections 246.50 to 246.53, the commissioner of public welfare shall determine what part of the cost of care for state hospital treatment a patient or his relatives are able to pay. In no case, shall a patient or his patient's relatives, unless they reside outside the state, be ordered to pay more than ten percent of the cost of care.

Sec. 21. Minnesota Statutes 1980, Section 256D.03, Subdivision 2, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 1446, Article II, Section 34, is amended to read:

Subd. 2. After December 31, 1980, state aid shall be paid to local agencies for 75 percent of all general assistance grants up to the standards of section 256D.01, subdivision 1, and according to procedures established by the commissioner. Any local agency may, from its own resources, make payments of general assistance: (a) at a standard higher than that established by the commissioner without reference to the standards of section 256D.01, subdivision 1; or, (b) to persons not meeting the eligibility standards set forth in section 256D.05, subdivision 2 1, but for whom the aid would further the purposes established in the general assistance program in accordance with rules promulgated by the commissioner pursuant to the administrative procedure act.

Sec. 22. A law enacted at the 1981 Regular Session styled as H.F. No. 1446, Article II, Section 54, is amended to read:

Sec. 54. SUNSET PROVISION.

Article II, Sections 26, 27, 31 and 36, and 40 are repealed effective June 30, 1983. Notwithstanding the provisions of Minnesota Statutes, Section 645.34, the repeal of Article II, Sections 26, 27, 31, and 36 shall revive the corresponding provision or section of the original law as it existed immediately prior to the amendments made by Article II, Sections 26, 27, 31, and 36; provided, however, that amendments made to the statutory sections amended by Article II, Sections 26, 27, 31, and 36 between the effective date of this

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section and June 30, 1983 shall remain effective after June 30, 1983 unless otherwise provided by law.

Sec. 23. Minnesota Statutes 1980, Section 256D.05, Subdivision 1, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 1446, Article II, Section 36, is amended to read:

Subdivision 1. **STANDARDS.** Each person or family whose income and resources are less than the standard of assistance established by the commissioner, and who is not eligible for the federally aided assistance programs of emergency assistance or aid to families with dependent children, or any successor to those programs, shall be eligible for and entitled to general assistance if the person or family is:

(a) A person suffering from an illness, injury, or incapacity which is both medically certified and prevents the individual from engaging in suitable employment, if a plan for rehabilitation approved by the local agency through its director or designated representative is being followed when the situation is certified as temporary;

(b) A person whose presence in the home on a substantially continuous basis is required because of the certified illness or incapacity of another member of the household;

(c) A person who has been placed in a licensed or certified facility for purposes of physical or mental health or rehabilitation, if the placement is based on illness or incapacity, and is pursuant to a plan developed or approved by the local agency through its director or designated representative;

(d) A person who resides in a shelter facility described in subdivision 3;

(e) A person who is or may be eligible for displaced homemaker services, programs, or assistance under section 4.40. In determining eligibility of the person for general assistance, income received as a stipend shall be disregarded as provided in section 4.40;

(f) A person who is unable to secure suitable employment due to inability to communicate in the English language, and who, if assigned to a language skills program by the local agency, is participating in that program;

(g) A person not described in clause (a) or (c) who is diagnosed by a licensed physician or licensed consulting psychologist as mentally ill; or

(h) A person who is unable to secure suitable employment due to a lack of marketable skills as determined by the local agency, and who, if assigned to a vocational counseling, vocational rehabilitation, or work training program by the local agency, is participating in that program. Eligibility for general assistance under clause (h) of this ~~paragraph~~ subdivision is limited to five weeks per calendar year.

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

Sec. 24. A law enacted at the 1981 Regular Session styled as S.F. No. 359, Section 144, Subdivision 7, is amended to read:

Subd. 7. The following sums are appropriated from the general fund in the fiscal years indicated for the purposes of implementing the computerization of the records and information system of the department of labor and industry. The appropriations in this section shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to section 3.30. The commissioner of insurance in consultation with the commissioners of labor and industry and of administration, shall propose a plan for implementation of this computerization no later than August 1, 1981. The commissioner of insurance shall consider use of the system evaluation and development methodology developed by the commissioner of administration pursuant to section 16.955, but this project is not subject to the requirements of that section. The installation and operation of computer equipment shall commence by October 1, 1981 and be completed by January 1, ~~1981~~ 1982.

Sec. 25. Minnesota Statutes 1980, Section 260.031, Subdivision 1, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 515, Section 1, is amended to read:

Subdivision 1. The office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created. Persons holding the office of referee on June 30, 1980, in the second and ~~June 30, 1977~~ August 15, 1980, in the fourth judicial district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to juvenile court. Referees shall be qualified for their duties by their previous training and experience and hold office at the pleasure of the judge. The compensation of a referee shall be fixed by the judge, approved by the county board and payable from the general revenue funds of the county not otherwise appropriated. Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.

Sec. 26. Minnesota Statutes 1980, Section 484.70, Subdivision 1, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 515, Section 3, is amended to read:

Subdivision 1. The office of referee is abolished. No vacancy in the office of referee, including family, juvenile, probate, and special term referees, shall be filled, nor new office created. Persons holding the office of referee on June 30, 1980, in the second and ~~June 30, 1978~~ August 15, 1980, in the fourth judicial district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge

of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to family, probate, juvenile or special term court. Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.

Sec. 27. *Minnesota Statutes 1980, Section 124.5624, Subdivision 3, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 70, Article V, Section 29, is amended to read:*

Subd. 3. "Post-secondary vocational equipment aid" means state funds, exclusive of post-secondary vocational instructional aid, supply aid, support services aid, debt service aid, and repair and betterment aid apportioned by the state board for vocational education to local school districts for the purpose of

(a) acquisition or purchase of equipment or machinery;

(b) betterment as defined in section 475.51 of equipment or machinery;
and

(c) paying leasing fees for computer systems hardware and related proprietary software, photocopy machines and telecommunications equipment, as necessary for the conduct of post-secondary vocational-technical training. Post-secondary vocational repair and betterment equipment aid shall be utilized solely for the purposes enumerated in this section.

Sec. 28. *Minnesota Statutes 1980, Section 124.11, Subdivision 2a, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 70, Article V, Section 11, is amended to read:*

Subd. 2a. (a) Through the 1981-1982 school year, ninety percent of the estimated post-secondary vocational instructional aid shall be paid to each district in 12 equal monthly payments on the 15th of each month. The estimated aid payments shall be paid on the basis of the department of education's estimates of the current year's average daily membership adjusted for the latest available information in November, February and May. ~~The ten percent~~ final payment, adjusted to reflect the actual average daily membership, shall be made ~~to each district~~ in September of the following fiscal year.

(b) Beginning in the 1982-1983 school year, eighty-five percent of the estimated post-secondary vocational instructional aid shall be paid to each district in 12 equal monthly payments on the 15th of each month. The estimated aid payments shall be paid on the basis of the department of education's estimates of the current year's average daily membership adjusted for the latest available information in November, February and May. ~~The 45 percent~~ final payment, adjusted to reflect the actual average daily membership, shall be made ~~to each district~~ in September of the following fiscal year.

Sec. 29. *Minnesota Statutes 1980, Section 124.11, Subdivision 2b, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 70, Article V, Section 12, is amended to read:*

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

Subd. 2b. (a) Through the 1981-1982 school year, post-secondary vocational supply aid and support services aid shall be paid to districts in equal installments on or before August 1, November 1, February 1, and May 1 of each year. Eighty percent of post-secondary vocational equipment aid and repair and betterment aid shall be paid to districts on or before August 1 of each year. The remaining 20 percent of post-secondary vocational equipment aid and repair and betterment aid shall be paid to districts ~~on or before~~ by May 1 of each year.

(b) Beginning in the 1982-1983 school year, the state shall pay to districts 25 percent of post-secondary vocational supply aid and support services aid by August 1, 20 percent by November 1, 20 percent by February 1, and 20 percent by May 1 of each school year. Eighty-five percent of post-secondary vocational equipment aid and repair and betterment aid shall be paid to districts by August 1 of each year. The ~~15 percent~~ final aid distribution shall be ~~paid to districts~~ made by October 31 of the following ~~school~~ fiscal year.

Sec. 30. Minnesota Statutes 1980, Section 177.25, Subdivision 1, as amended by a law enacted at the 1981 Regular Session styled as S.F. No. 338, Section 1, is amended to read:

Subdivision 1. No employer shall employ any of his employees for a workweek longer than 48 hours, unless such employee receives compensation for his employment in excess of 48 hours in a workweek at a rate of not less than one and one-half times the regular rate at which he is employed; (1) provided, however, that an employer if it is the State of Minnesota or a political subdivision may grant time off at the rate of one and one-half hours for each hour worked in excess of 48 hours in any week in lieu of monetary compensation; and, (2) provided, however, that no employer shall be deemed to have violated the overtime pay provisions of this section by employing any employees for a workweek in excess of that specified in this section without paying the compensation for overtime employment prescribed herein (a) if the employee is employed under an agreement meeting the requirement of section 7 (b) (2) of the Fair Labor Standards Act of 1938, as amended, or (b) if the employee is employed as a sugarbeet hand laborer on a piece rate basis, provided that the regular rate of pay received per hour of work pursuant to applicable rules exceeds the applicable wage provided in section ~~179.24~~ 177.24, subdivision 1, by at least 40 cents.

Sec. 31. A law enacted at the 1981 Regular Session styled as H.F. No. 900, Section 4, is amended to read:

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

Sec. 4. DEPARTMENT OF NATURAL RESOURCES; APPROPRIATION FOR ACQUISITION AND DEVELOPMENT.

The following sums are appropriated from the state building fund to the commissioner of natural resources to acquire and better public outdoor recreation lands and capital improvements:

- | | |
|--|-------------|
| (1) For acquisition of state parks and recreation areas, as listed and described in Minnesota Statutes, Sections 85.012 and 85.013 | \$2,000,000 |
| (2) For betterment of state parks and recreation areas, as listed and described in Minnesota Statutes, Sections 85.012 and 85.013 | 2,434,800 |
| (3) For acquisition of state trails listed and described in Minnesota Statutes, Section 85.015, and pursuant to Minnesota Statutes, Section 84.029, Subdivision 2 | 90,000 |
| (4) For betterment of state trails and trails within state parks, state forests and other units of the outdoor recreational system as defined in Minnesota Statutes, Section 86A.05 | 2,000,000 |
| (5) For acquisition of Minnesota Valley Trail described in Minnesota Statutes, Section 85.021 | 200,000 |
| (6) For acquisition of state forests listed and described in Minnesota Statutes, Section 89.021 | 200,000 |
| (7) For betterment of state forest roads and bridges | 1,500,000 |
| (8) For acquisition of fishing management lands including riparian rights and other interests therein needed for management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to Minnesota Statutes, Section 97.48, Subdivisions 8, 11 and 15 | 400,000 |
| (9) For acquisition of wildlife management areas pursuant to Minnesota Statutes, Sections 97.48, Subdivision 13, and 97.481, and wetlands under the water bank program pursuant to Minnesota | |

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

	<u>Statutes, Section 105.392</u> <u>or pursuant to Minnesota Statutes,</u> <u>Section 105.391, Subdivision 3</u>	4,500,000
(10)	For betterment of wildlife management areas, acquired pursuant to Minnesota Statutes, Sections 97.48, Subdivision 13, and 97.481	400,000
(11)	For acquisition of natural and scientific areas designated pursuant to Minnesota Statutes, Section 84.033	300,000
(12)	For acquisition of wild, scenic, and recreational rivers, designated pursuant to Sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in Minnesota Statutes, Section 85.32	400,000
(13)	For betterment of canoe and boating routes, portages, and camp sites as listed and described in Minnesota Statutes, Section 85.32	37,000
(14)	For acquisition of lands to provide public access to public waters pursuant to Minnesota Statutes, Section 97.48, Subdivision 15	650,000
(15)	For betterment of such public accesses to public waters pursuant to Minnesota Statutes, Section 97.48, Subdivision 15	1,089,000
(16)	For independent professional services necessary for the acquisition and betterment of the lands and improvements described above. From this appropriation the commissioner may employ not to exceed 26 persons in the unclassified civil service who are in addition to the complement otherwise authorized by law for the department provided that these positions shall be used exclusively to provide only the following acquisition and development services associated with the projects of this section: landowner contract, land appraisal, appraisal review pursuant to Minnesota Statutes,	

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

Section 84.0271, landowner negotiation, land surveys, legal assistance, financial transactions, project coordination, surveys required for design, soil borings, engineering plans and specifications, contract administration and construction supervision 1,594,400

Sec. 32. A law enacted at the 1981 Regular Session styled as S.F. No. 359, Section 144, Subdivision 3, is amended to read:

Subd. 3. There is appropriated from the general fund to the commissioner of labor and industry for the fiscal year indicated for the purpose of hiring six additional support personnel and ancillary expenses needed in conjunction with the departmental improvements provided in section 96; and for the purpose of hiring four additional rehabilitation personnel.

1982	1983
\$246,200	\$246,200

Additional approved complement - 6 10

Sec. 33. A law enacted at the 1981 Regular Session styled as H.F. No. 1443, Section 377, is amended to read:

Sec. 377. **REPEALER.**

Minnesota Statutes 1980, Sections 3.86; 7.07; 16A.75; 16A.751; 16A.752; 16A.753; 16A.754; 168B.11; ~~363.073, Subdivisions 1 and 2;~~ 481.15, Subdivision 3; 480.053; 483.01; 483.02; 648.45; and 648.46 are repealed. Minnesota Statutes 1980, Section 473.556, Subdivision 15 is repealed, effective July 1, 1982.

Sec. 34. A law enacted at the 1981 Regular Session styled as H.F. No. 1434, Section 6, is amended to read:

Sec. 6. PUBLIC UTILITIES COMMISSION	<u>1,064,500</u>	1,011,300
	<u>1,109,500</u>	

Approved Complement - 27

\$85,000 the first year is for transfer to the special account for administrative hearing costs.

Sec. 35. A law enacted at the 1981 Regular Session styled as H.F. No. 182, Section 1, Subdivision 3, is amended to read:

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

[56.001] Subd. 3. **APPLICABLE CHARGE.** "Applicable charge" means the amount of interest attributable to each monthly installment period of the loan contract. The applicable charge is computed as if each installment period were one month and any charge for extending the first installment period beyond one month is ignored. The applicable charge for any installment period is that which would have been made for the period had the loan been made on an interest-bearing basis at the single annual percentage rate permitted by section 11, subdivision 1, ~~paragraph (b)~~, based upon the assumption that all payments were made according to schedule. For convenience in computation, the licensee may round the single annual rate to the nearest one quarter of one percent.

Sec. 36. [484.701] SECOND JUDICIAL DISTRICT REFEREE POSITIONS.

Notwithstanding any provision in law enacted at the 1981 Regular Session styled as H.F. Nos. 515 and 1139 no new district court referee positions may be created but any vacancies in referee positions in the second judicial district which existed as of January 1, 1981 may be filled.

Sec. 37. A law enacted at the 1981 Regular Session styled as H.F. No. 1005, Section 21, is amended to read:

Sec. 21. APPROPRIATION.

The sum of \$21,587,300 is appropriated from the general fund to the housing development fund created in section 462A.20, for the purposes specified in this section and for the payment of related costs and expenses.

(a) For making rehabilitation loans to persons and families of low and moderate income, as provided in section 44 12..... \$3,500,000.

The authority granted to the agency by section 10 to transfer moneys among appropriated accounts shall not apply to the appropriation in this paragraph (a).

(b) For making low interest rate rehabilitation loans to persons and families of low and moderate income, as provided in section 462A.21, subdivisions 4b and 7 and for the home ownership assistance fund provided in section 462A.21, subdivision 8..... \$14,407,300.

(c) For making grants to sponsors or builders of multi-unit residential housing for occupancy by persons and families of low and moderate income, as provided in section 462A.21, subdivision 4e.....\$200,000.

(d) For the American Indians revolving fund created in section 462A.21, subdivision 4c.....\$3,480,000.

Sec. 38. A law enacted at the 1981 Regular Session styled as S.F. No. 359, Section 8, is repealed July 1, 1981.

Sec. 39. Laws enacted at the 1981 Regular Session styled as H.F. No. 1443, Sections 270 and 271 are repealed July 1, 1981.

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

Sec. 40. Minnesota Statutes 1980, Section 15.052, Subdivision 3, as amended by Laws 1981, Chapter 346, Section 4, is amended to read:

Subd. 3. All hearings of state agencies required to be conducted under this chapter shall be conducted by a hearing examiner assigned by the chief hearing examiner. All hearings required to be conducted under chapter 176 shall be conducted by a compensation judge assigned by the chief hearing examiner. In assigning hearing examiners or compensation judges to conduct such hearings, the chief hearing examiner shall attempt to utilize personnel having expertise in the subject to be dealt with in the hearing. Only hearing examiners learned in the law shall be assigned to contested case hearings. Only compensation judges shall be assigned to workers' compensation matters. It shall be the duty of the hearing examiner to: (1) advise an agency as to the location at which and time during which a hearing should be held so as to allow for participation by all affected interests; (2) conduct only hearings for which proper notice has been given; (3) see to it that all hearings are conducted in a fair and impartial manner. Except in the case of workers' compensation hearings involving claims for compensation it shall also be the duty of the chief hearing examiner to make a report on each proposed agency action in which the hearing examiner functioned in an official capacity, stating his findings of fact and his conclusions and recommendations, taking notice of the degree to which the agency has (i) documented its statutory authority to take the proposed action, (ii) fulfilled all relevant substantive and procedural requirements of law or rule, and (iii) in rulemaking proceedings, demonstrated the need for and reasonableness of its proposed action with an affirmative presentation of facts.

Sec. 41. A law enacted at the 1981 Regular Session styled as H.F. No. 1475, Section 4, Subdivision 4, is amended to read:

Subd. 4. The commissioner of transportation may expend any portion of the appropriation made by Laws 1978, Chapter 791, Section 8, Subdivision 4(b) for design, land acquisition, and construction of the Mendota Heights truck station serving the Dakota County area

Sec. 42. A law enacted at the 1981 Regular Session styled as H.F. No. 1443, Section 181, is repealed.

Sec. 43. Laws 1981, Chapter 29, Article IV, Section 14, Subdivision 5, is amended to read:

Subd. 5. **PRECINCT BOUNDARIES; DESCRIPTION; MAPS.** Each municipal clerk shall prepare and file with the county auditor of each county in which the municipality is located, with the secretary of state and with

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

the ~~state demographer~~ in the ~~state planning agency~~ commissioner of energy, planning and development maps showing the correct boundaries of each election precinct in the municipality. At least 30 days before any change in an election precinct or in a corporate boundary becomes effective, the municipal clerk shall prepare maps showing the new boundaries of the precincts and shall forward copies of these maps to the secretary of state, the appropriate county auditors and the ~~state demographer~~ commissioner of energy, planning and development. The clerk shall retain copies of the precinct maps for public inspection. The county auditor shall prepare and file precinct boundary maps for precincts in unorganized territories in the same manner as provided for precincts in municipalities. For every election held in the municipality the election judges shall be furnished precinct maps as provided in Article II, Section 8, Subdivision 6.

Sec. 44. Laws 1981, Chapter 82, is amended by adding a section to read:

Sec. 2. EFFECTIVE DATE.

Section 1 is effective June 6, 1981.

Sec. 45. Laws 1981, Chapter 183, Section 2, is amended to read:

Sec. 2. POWERS.

In addition to the powers provided in Minnesota Statutes, Chapter 116A, the county board of Otter Tail county, by its own resolution, may grant the following powers for any district created for Ottertail Lake, Blanche Lake, Walker Lake, Round Lake, Deer Lake and Long Lake pursuant to chapter 116A:

(1) If a district is established, an authorized representative of the county or district, upon presentation of credentials, may enter at reasonable times any premises on which a water pollution, waste, or contamination source, including, but not limited to, a septic tank, is located, to inspect, rehabilitate or maintain it; ~~authorizing the town of Oakport to exercise certain powers~~. The representative may secure samples of discharges from the source, or any records required to be made in connection with it by federal, state, or local law, order, regulation or rule.

(2) The county or district may modify any on site waste water disposal system in order to provide reasonable access to it for inspection and maintenance.

Sec. 46. A law enacted at the 1981 Regular Session styled as H.F. No. 553, Section 44, Subdivision 4, is amended to read:

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

[174.265] Subd. 4. ASSISTANCE FOR REPLACEMENT SERVICE.

An application for financial assistance for replacement services shall: describe the existing service provided to the applicant by the metropolitan transit commission, including the estimated number of passengers carried and the routes, schedules, and fares; describe the transit service proposed for funding under the demonstration program, including the anticipated number of passengers and the routes, schedules, and fares; and indicate the total amount of available local transit funds, the portion of the available local transit funds proposed to be used to subsidize replacement services, and the amount of state assistance requested for the replacement services. Financial assistance shall not be granted under this subdivision unless the commissioner determines that the service proposed for funding is intended and designed to replace and substitute for that provided by the metropolitan transit commission at the time of application and that the average subsidy per passenger for the replacement service will not exceed the average subsidy per passenger during the six months preceding the application on the commission's routes which serve the applicant communities. If the applicant communities are not served by the commission at the time of the application, the average subsidy per passenger for the replacement service shall not exceed the average subsidy per passenger during the six months preceding the application on all routes of the commission extending into zone four. After the first year of replacement service, the maximum subsidy shall be escalated at a rate equal to the rate of inflation in the revised consumer price index for all urban consumers in the Minneapolis-St. Paul metropolitan area. The amount of financial assistance provided for replacement service under this subdivision shall not exceed the sum of: (a) the portion of the available local transit funds which the applicant proposes to use to subsidize the service, and (b) an amount of state assistance bearing an identical proportional relationship to the amount under (a) as the total amount of state assistance available to the metropolitan transit commission under section 33 43 bears to the total amount of taxes collected by the commission under section 473.446, subdivision 1, clauses (a) to (c). The commissioner shall transfer the amounts provided to the recipient from the assistance available to the metropolitan transit commission pursuant to section 174.24, subdivision 3.

Sec. 47. A law enacted at the 1981 Regular Session styled as H.F. No. 553, Section 55, Subdivision 3, is amended to read:

Subd. 3. **BALANCES.** Any ~~encumbered~~ unencumbered balance remaining in the first year shall not cancel but be available for the second year of the biennium.

Sec. 48. Minnesota Statutes 1980, Section 15A.081, Subdivision 1, as amended by a law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 90, is amended to read:

Subdivision 1. The following salaries or salary ranges are provided for the below listed employees in the executive branch of government:

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

	Salary or Range		
	Effective July 1, 1979	Effective July 1, 1980	Effective July 1, 1981
Administration, department of commissioner	\$44,000	\$47,000	
Administrative hearings office			
chief hearing examiner	38,000	40,000	
Agriculture, department of commissioner	38,000	40,000	
Commerce, department of			
commissioner of banks	34,000	36,500	
commissioner of insurance	34,000	36,500	
commissioner of securities and real estate	34,000	36,500	
director of consumer services	28,000	30,000	
Community college system			
chancellor	44,000	46,000	
Corrections, department of			
commissioner	42,000	45,000	
ombudsman	33,000	35,000	
Economic security, department of commissioner	43,000	45,000	
Education, department of commissioner	43,000	45,000	
Energy, planning and development department of commissioner		46,000	<u>46,000</u>
Finance, department of commissioner	48,000	50,000	
Health, department of commissioner	47,000	49,000	
Higher education coordinating board executive director	40,000	42,000	

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

Housing finance agency executive director	39,000	41,000
Human rights, department of commissioner	31,000	33,000
Indian affairs board executive director	27,000	29,000
Iron range resources and rehabilitation board commissioner	30,000	31,000
Labor and industry, department of commissioner judge of the workers' compensation court of appeals	38,000	40,000
Mediation services, bureau of director	36,000	38,000
Natural resources, department of commissioner	44,000	47,000
Personnel, department of commissioner	44,000	47,000
Pollution control agency director	38,000	40,000
Public safety, department of commissioner	38,000	41,000
Public service, department of commissioner, public utilities commission director	34,000 34,000	36,000 36,000
Public welfare, department of commissioner	44,000	48,000
Revenue, department of commissioner	44,000	47,000
State university system chancellor	44,000	46,000

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

Transportation, department of commissioner	44,000	48,000
Transportation, regulation board, board member		32,000
Veterans affairs, department of commissioner	31,000	33,000

Sec. 49. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 1, is amended to read:

Section 1. **STATE DEPARTMENTS; APPROPRIATIONS.** The sums set forth in the columns designated "APPROPRIATIONS" are appropriated from the general fund, or any other fund designated, to the agencies and for the purposes specified in the following sections of this act, to be available for the fiscal years indicated for each purpose. The figures "1981", "1982", and "1983", wherever used in this act, mean that the appropriation or appropriations listed thereunder are available for the year ending June 30, 1981, June 30, 1982, or June 30, 1983, respectively.

SUMMARY BY FUND

	1981	1982	1983	TOTAL
General	\$	<u>\$602,749,000</u>	<u>\$686,299,600</u>	<u>\$1,289,048,600</u>
		<u>\$602,400,100</u>	<u>\$685,950,700</u>	<u>\$1,288,350,800</u>
Special	156	2,650,400	2,643,100	5,293,656
Game and Fish	32,271	22,336,200	22,968,900	45,337,371
Park Maintenance and Operation		2,400,500	2,400,500	4,801,000
Tr. Hwy.	548,627	2,010,000	2,010,000	4,568,627
Hwy. Ustr.	1,655	1,109,100	1,127,200	2,237,955
TOTAL	\$582,709	<u>\$633,255,200</u>	<u>\$717,449,300</u>	<u>\$1,351,287,209</u>
		<u>\$632,906,300</u>	<u>\$717,100,400</u>	<u>\$1,350,589,409</u>

APPROPRIATIONS Available for the Year Ending June 30

1982	1983
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Sec. 50. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 3, is amended to read:

Sec. 3. SUPREME COURT

General Operations and Management	4,509,700	4,821,400
	<u>4,309,700</u>	<u>4,621,400</u>

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

The amounts that may be expended from this appropriation for each program are as follows:

Supreme Court Operations

\$ 2,305,000 \$ 2,328,900

State Court Administrator

\$ 1,776,200 \$ 2,049,800
\$ 1,576,200 \$ 1,849,800

Of this amount, \$200,000 the second year is available for judicial district computer hardware costs. This appropriation shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to section 3.30.

This appropriation includes \$50,000 the first year and \$50,000 the second year to enable the judicial planning council (JPC) to study alternative dispute resolution programs and to award grants to local government agencies and nonprofit organizations based upon the JPC's determination that such grants will provide accessible, cost-effective resolution of disputes, utilizing neighborhood, local and community resources (including volunteers and available space in public facilities). The JPC will report to the legislature by October 1, 1983, the types of programs which provide convenient access to effective, inexpensive and expeditious alternative dispute resolution. The legislative auditor may conduct periodic post-award audits as may be requested by the JPC and approved by the legislative audit commission. *If the appropriation for either year is insufficient, the appropriation for the other year is available.*

To facilitate the review process established in Minnesota Statutes, Section 546.27, the director of the state justice information system shall notify the executive secretary of the state board on judicial standards whenever a matter exceeds 90 days without a disposition.

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

If the appropriation for the state court administrator for either year is insufficient, the appropriation for the other year is available for it.

State Law Library

\$ 428,500 \$ 442,700

Included in this appropriation is \$29,200 the first year and \$29,200 the second year for an additional librarian to act as a liaison with county law libraries. By June 30, 1982, at least one-half of the county law libraries receiving this service shall agree to provide funding equal to or exceeding the appropriation for the second year of this program or the appropriation for the second year shall cancel. This revenue shall be deposited into the general fund.

Sec. 51. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 6, is amended to read:

Sec. 6. **BOARD OF PUBLIC DEFENSE**

343,100 343,400

This appropriation includes \$340,000 the first year and \$340,000 the second year to assist in the provision of criminal and juvenile defense to indigent individuals, allocated as follows:

St. Paul-Neighborhood Justice Center, Inc.
For cases arising in Ramsey county.

\$ 95,000 \$ 95,000

Minneapolis-Legal Rights Center, Inc. For cases arising in Hennepin county.

\$ 55,000 \$ 55,000

Duluth-Duluth Indian Legal Assistance Program For cases arising in St. Louis and Mille Lacs counties.

\$ 85,000 \$ 85,000

Cass Lake-Leech Lake Reservation Criminal and Juvenile Defense Corp. For cases arising in Cass, Itasca, Hubbard, and Beltrami counties.

\$ 52,500 \$ 52,500

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

White Earth-White Earth Reservation
Criminal and Juvenile Defense Corp. For
cases arising in Mahnomon, Becker, and
Clearwater counties.

\$ 52,500 \$ 52,500

The legislative auditor may conduct periodic post-award audits of these grants as may be requested by the ~~judicial council~~ board of public defense and approved by the legislative audit commission.

Sec. 52. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 23, is amended to read:

Sec. 23. **AGRICULTURE**

General Operations and Management		14,881,900	11,460,900
	1982	1983	
Approved Complement -	514 615 496 597		
General -	233 239 245 221		
Special/Revolving	265 360 265 360		
Federal -	16 16		

The amounts that may be expended from this appropriation for each program are as follows:

Agricultural Protection Service

\$ 5,574,700 \$ 3,620,400

\$2,000,000 the first year shall be transferred to the grain inspection account as working capital, and shall be repaid from the grain inspection account when inspection fee receipts permit. At least \$1,000,000 shall be repaid by June 30, 1982, and the remainder by June 30, 1983.

The commissioners of agriculture and finance shall review the fees for all inspections, licenses and audits administered by the commissioner of agriculture. The commissioners shall make recommendations on the appropriate fee levels, the time interval upon which the fee levels should be reassessed, and the need for statutory changes to update fees on a timely basis. These recommendations shall be submitted to the committees on agriculture and appropria-

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

tions in the house of representatives and to the committees on agriculture and environment and finance in the senate by January 1, 1982.

Agricultural Promotion

\$ 2,786,000 \$ 3,506,200

\$111,700 the first year and \$115,800 the second year is from the commodities research and promotion account in the special revenue fund.

\$2,100,000 the first year and \$2,800,000 the second year is for family farm security interest payment adjustments. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Administration and Financial Aids Service

\$ 6,686,800 \$ 4,667,300

\$335,000 the first year and \$335,000 the second year is for aid to county and district agricultural societies.

Of this amount, \$4,500 the first year and \$4,500 the second year is for livestock premiums to county fair associations for carrying on boys' and girls' club work.

This amount shall be disbursed according to Minnesota Statutes, Section 38.02.

Out of this amount, \$1,000 the first year and \$1,000 the second year shall be available for agricultural aid to the Red Lake Band of Chippewa Indians, to be expended as may be directed by the Indian council for the purpose of encouraging activities and arts that will advance the economic and social interest of their people and particularly to promote a program of agricultural development that will utilize to the greatest possible extent the lands and forest owned by them. This appropriation may be used to help maintain an agricultural extension service, to promote 4-H club work, or for premiums for the competitive display of exhibits at any fair or exposition that may be arranged under the direction of the council.

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

\$10,000 the first year and \$10,000 the second year is for payment of claims relating to livestock damaged by endangered animal species.

\$4,536,300 the first year and \$2,463,700 the second year is for the shade tree disease control program. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

General Staff Reduction

(\$ 165,600) (\$ 333,000)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The commissioner of agriculture with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 53. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 28, is amended to read:

Sec. 28. POLLUTION CONTROL AGENCY

General Operations and Management	6,273,600	6,127,300
	1982	1983
Approved Complement -	381	374
General -	175.5	168.5
Federal -	205.5	205.5

The amounts that may be expended from this appropriation for each program are as follows:

Water Pollution Control

\$ 2,416,400 \$ 2,470,100

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

Air Pollution Control

\$ 699,800 \$ 706,800

\$25,000 the first year and \$25,000 the second year is for special studies. The agency shall negotiate with the federal government, or any agency, bureau, or department thereof, for the purpose of securing or obtaining any grants of assistance in the completion of these studies. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

\$56,600 the first year and \$58,700 the second year is for the acid rain study.

Solid Waste Pollution Control

\$ 729,800 \$ 1,014,200

~~\$300,000 the first year and \$300,000 the second year is for grants to counties for planning and demonstration grants.~~

~~\$375,000 the first year is for enforcement assistance grants to local governments.~~

The agency shall reinstate the packaging program.

Regional Support

\$ 514,700 \$ 525,300

General Support

\$ 1,977,300 \$ 1,540,400

\$450,000 the first year is for environmental impact statements on candidate hazardous waste disposal sites. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

General Staff Reduction

(\$ 64,400) (\$ 129,500)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

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

The health department shall continue to render staff services the agency requires from time to time through health's division of environmental health. The health department shall be reimbursed from the appropriation for general support for this cost.

The director of the pollution control agency with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above activities. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 54. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 30, is amended to read:

Sec. 30. ENERGY, DEVELOPMENT PLANNING AND PLANNING DEVELOPMENT

General Operations and Management	\$11,208,700	\$9,637,350
	<u>11,208,800</u>	<u>9,637,400</u>

Until the department of energy, planning and development begins operation, the appropriations in this section may be expended by the agencies currently having responsibility for the programs and activities for which these appropriations are made; thereafter, they may be expended by the commissioner of energy, planning and development. The commissioner of finance shall set the approved complement for the energy agency, the state planning agency, the crime control planning board, and the department of economic development until March 1, 1982; thereafter, the approved complement for the new department shall be as provided in this section.

Approved Complement - 249

General - 161

Federal - 86

Revolving - 2

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

Planning

\$3,882,750	\$3,882,750
<u>\$3,882,800</u>	<u>\$ 3,822,800</u>

The following functions are included in this program: planning for crime control, human resources, physical planning, developmental disabilities, program review, health and critical areas; land management information center; state demographer; EQB administration; power plant studies; and environmental impact statement preparation.

\$99,000 each year is for criminal justice planning and grants administration, including expenses for the crime control planning board.

\$75,000 each year is for criminal justice matching grants ~~and administration~~ and shall be expended with the approval of the governor after consultation with the legislative advisory commission pursuant to Minnesota Statutes, Section 3.30.

\$250,000 each year is for grants for youth intervention programs.

\$101,000 each year is for a grant to the environmental conservation library (ECOL).

\$261,000 each year is for the service bureau of the land management information center.

Community Development

\$ 2,923,550	\$ 1,665,000
<u>\$ 2,923,600</u>	

The following functions are included within this program: technical assistance, fiscal studies, planning assistance grants, small business assistance, business and community contact, international trade, grants and loans, and Indian business loans.

\$87,000 each year is for a grant to the Duluth Port Authority.

\$215,000 each year is for community development corporations.

\$959,000 the first year and \$479,500 the second year is for regional planning grants.

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

\$300,000 the first year and \$150,000 the second year is for land use planning grants to local governments.

The payment of \$300,000 to the Arrowhead regional development commission made in 1979 by action of the legislative advisory commission upon request of the state planning agency shall be repaid by the Arrowhead commission through the performance by the Arrowhead commission of community and economic development projects. Beginning in fiscal year 1982, \$75,000 of the appropriation authorized under Minnesota Statutes, Section 462.396 shall be committed for the purposes of this repayment and shall continue to be committed in succeeding fiscal years until the sum of the original payment is reached. Proposed community and economic development projects for which this funding will be utilized will be specified by the Arrowhead commission in a detailed work program contained within the annual work program required under section 462.396. This detailed work program shall be submitted to the legislative commission on Minnesota resources annually for approval prior to the expenditure of any monies provided in this section. The work program and any progress reports shall be in the form determined by the legislative commission on Minnesota resources.

\$42,500 each year is for a grant to the government training service.

Tourism

\$ 1,293,300 \$ 1,306,800

\$600,000 each year is for tourism advertising and promotion.

~~\$350,000~~ \$305,000 each year is for tourism grants.

Energy

\$ 2,154,100 \$ 1,826,500

\$300,000 in the first year is for district heating preliminary planning grants to mu-

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

municipalities for planning related to the development of district heating systems. The municipality must demonstrate that a community heatload survey and map have been successfully completed, that potential district heating load is sufficiently large to justify further consideration, and that sufficient resources are available for the municipality to meet its financial requirements. Eligible planning grant costs include project definition, development of preliminary financing and distribution system plans, and obtaining community commitment for detailed planning or design and preparation of a final report. The amount of a grant shall be limited to 90 percent of eligible planning costs and shall not exceed \$20,000.

The director of the energy agency shall prepare and submit to the legislative advisory commission a list of district heating grant requests. The list shall contain the necessary supporting information. The recommendation of the legislative advisory commission shall be transmitted to the governor. The governor shall approve or disapprove, or return for further consideration, each project recommended for approval by the legislative advisory commission. The grants may be disbursed only upon approval by the governor.

\$130,000 the first year and \$70,000 the second year is for a superinsulated home demonstration project. Grants from this appropriation are available only when matched from private resources on a dollar for dollar basis.

General Support

\$ 955,000 \$ 956,300

In the first year the amount for each agency prior to the merger of the four agencies is as follows:

Crime Control Planning Board

\$ 100,000

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

State Planning Agency

\$ 325,000

Economic Development

\$ 330,000

Energy Agency

\$ 200,000

When the merger occurs, any unexpended balances from the above appropriation are available to the merged department for the purposes of general support.

The commissioner shall present a complete budget and staffing plan to the committees on finance in the senate and appropriations in the house by September 1, 1981.

Sec. 55. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 32, is amended to read:

Sec. 32. **LABOR AND INDUSTRY**

General Operations and Management		7,587,900	7,442,200
		<u>7,438,900</u>	<u>7,293,200</u>
	1982	1983	
Approved Complement -	<u>262</u>	262.5	
	263.7		
General -	<u>220.5</u>	219.8	
	222.2		
Federal -	<u>36.5</u>	37.7	
Special -	5.0	5.0	

The amounts that may be expended from this appropriation for each program are as follows:

Employment Standards

\$ 646,600 \$ 647,600

Workers' Compensation

\$ ~~4,673,000~~ \$ 4,563,300

\$ 4,524,000 \$ 4,414,300

Of this appropriation, \$113,700 the first year and \$102,300 the second year are from the special compensation fund.

\$800,000 the first year and \$800,000 the second year is for reimbursement of the special compensation fund pursuant to

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

Minnesota Statutes, Section 176.183, Sub-division 2.

The commissioner of labor and industry shall designate by July 1, 1981 a person with demonstrated proficiency in the field of workers' compensation laws, practices, and procedures as assistant commissioner to supervise the workers' compensation program.

One of the two additional paralegal positions authorized under the advocacy program shall be assigned to the Duluth office.

\$149,500 the first year and \$149,500 the second year is for payment of peace officer survivor benefits pursuant to section 352E.04. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Code Enforcement

\$ 605,500	\$ 609,800
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OSHA

\$ 871,800	\$ 851,200
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Included in this appropriation is \$61,000 the first year and \$28,000 the second year for an on-site consultation unit. The department of labor and industry is directed to seek federal match of 90 percent for the appropriation for the second year.

General Support

\$ 791,000	\$ 770,300
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Of this appropriation \$50,000 is for fiscal year 1982 legal costs, approved by the attorney general or his designee, related to recovery of claims against third parties.

The commissioner of labor and industry with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

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

Sec. 56. A law enacted at the 1981 Regular Session styled as H. F. No. 1443, Section 358, is repealed.

Sec. 57. A law enacted at the 1981 Regular Session styled as H.F. No. 1434, Section 3, is amended to read:

Sec. 3. PUBLIC SAFETY

General Operations and Management		\$55,949,800	\$56,943,800 <u>56,961,200</u>
	1982	1983	
Approved Complement -	1,677.3	1,649.3	
	<u>1,673.8</u>	<u>1,645.8</u>	
General -	<u>395.2</u>	<u>392.2</u>	
Trunk Highway -	1,023.3	1,026.3	
	<u>1,019.8</u>	<u>1,022.8</u>	
Highway User -	<u>182.6</u>	<u>174.6</u>	
Federal -	76.2	56.2	

The above approved complement includes 504 in fiscal year 1982 and 511 in fiscal year 1983 for state funded unclassified patrol officers and supervisors of the highway patrol.

Nothing in this provision is intended to limit the authority of the commissioner of public safety to transfer personnel, with the approval of the commissioner of finance, among the various units and divisions within this section provided that the above complement shall be reduced accordingly.

No new highway patrol supervisory positions shall be established, with the exception of special duty assigned ranks for the length of assignment only.

Of this appropriation, \$14,655,500 for the first year and \$15,281,400 for the second year are from the general fund; \$34,400 the first year and \$37,300 the second year are from the state airports fund for the civil air patrol; \$35,182,400 for the first year and \$35,495,900 for the second year are from the trunk highway fund for traffic safety programs. \$6,077,500 for the first year and ~~\$6,129,200~~ \$6,146,600 for the second year are from the highway user tax distribution fund for the administration of motor vehicle laws.

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

The amounts that may be expended from this appropriation for each program are as follows:

Administration and Related Services

\$ 1,868,100 \$ 1,902,200

This appropriation is from the trunk highway fund.

Emergency Services

\$ 610,600 \$ 615,800

The appropriation in Laws 1979, Chapter 333, Section 41, for air warning devices is available only to match local money on the basis of 50 percent state and 50 percent local.

The appropriation in Laws 1980, Chapter 611, Section 6, is available until June 30, 1983.

Criminal Apprehension

\$ 8,092,100 \$ 8,660,000

Of this appropriation, \$230,700 the first year and \$233,600 the second year is from the trunk highway fund for blood alcohol analysis.

\$49,500 the first year and \$51,200 the second year is for the bureau of criminal apprehension to continue to provide in-service training for peace officers on a regional basis.

\$38,000 the first year and \$38,000 the second year is for reimbursing political subdivisions for training peace officers and firefighters in the conduct of arson investigations.

\$171,000 each year is for grants to local officials for the cooperative investigation of cross jurisdictional criminal activity. \$193,800 the first year and \$206,500 the second year is for use by the bureau of criminal apprehension for the purpose of investigating cross jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel

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but is available for the second year of the biennium.

Fire Safety

\$ 1,045,200. \$ 1,064,000

\$27,300 the first year and \$29,600 the second year is for reimbursing political subdivisions who enter into agreements to perform uniform fire code inspections.

State Patrol

\$24,550,600 \$24,654,000

This appropriation is from the trunk highway fund.

The commissioner may assign up to 11 pilots to the air patrolling of highways.

This appropriation provides sufficient money to operate the mobile truck weighing program on a 12 month basis.

No more than five positions in the state patrol support activity shall be filled by state troopers.

Capitol Security

\$ 968,600 \$ 965,300

The commissioner shall submit to the legislature by January 1, 1982, a plan for coordinating capitol and mansion security activities.

Driver and Vehicle Licensing

\$17,578,800 ~~\$17,789,100~~
 \$17,806,500

Of this appropriation, \$8,420,400 the first year and \$8,590,800 the second year is from the trunk highway fund, and \$6,077,500 the first year and ~~\$6,129,200~~ \$6,146,600 the second year is from the highway user tax distribution fund.

During the biennium ending June 30, 1983, the commissioner of public safety shall continue to notify licensed drivers when their licenses need to be renewed.

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

Effective July 1, 1981, the fee for obtaining a copy of a traffic accident report is doubled.

License plates currently on hand in the department of public safety may be used for lifetime license plates.

Liquor Licensing

\$ 461,600 \$ 463,200

Ancillary Services

\$ 774,200 \$ 830,200

\$34,400 the first year and \$37,300 the second year is from the state airports fund for the civil air patrol.

\$112,600 the first year and \$115,300 the second year is from the trunk highway fund for traffic safety and research.

\$27,200 the first year and \$27,600 the second year is for the expenses of the Private Detective and Protective Agency Licensing Board.

The commissioner of public safety with the approval of the commissioner of finance may transfer unencumbered balances not specified for a particular purpose among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

\$600,000 the first year and \$650,000 the second year is for the crime victims reparations board. If any funds are generated by a penalty assessment and dedicated for use in paying crime victims, the unexpended funds in this activity intended for payments to crime victims shall cancel. Any unencumbered balance remaining the first year does not cancel but is available for the second year of the biennium.

The sums of \$303,200 for the first year and \$313,800 for the second year are appropriated from the general fund for transfer by the commissioner of finance to the trunk

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

highway fund on January 1, 1982 and January 1, 1983 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for general fund purposes in the administration and related services program.

The sums of \$383,800 for the first year and \$391,400 for the second year are appropriated from the highway user fund for transfer by the commissioner of finance to the trunk highway fund on January 1, 1982 and January 1, 1983 respectively, in order to reimburse the trunk highway fund for expenses not related to the fund. These represent amounts appropriated out of the trunk highway fund for highway user fund purposes in the administration and related services program.

Sec. 58. A law enacted at the 1981 Regular Session styled as H.F. No. 1434, Section 5, Subdivision 1, is amended to read:

Subdivision 1. Total for this section	1,467,300	<u>\$1,460,700</u>
		<u>1,477,100</u>

Sec. 59. A law enacted at the 1981 Regular Session styled as H. F. No. 1434, Section 5, Subdivision 4, is amended to read:

Subd. 4. Board of Architecture, Engineering and Land Surveying	244,700	<u>237,200</u>
		<u>253,600</u>

Approved Complement - 7

Sec. 60. Minnesota Statutes 1980, Section 162.09, Subdivision 4, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 1434, Section 52, is amended to read:

Subd. 4. **FEDERAL CENSUS TO BE CONCLUSIVE.** (a) In determining whether any city has a population of 5,000 or more, the last federal census shall be conclusive ~~provided that any~~.

(b) A city having that has previously been classified as having a population of 5,000 or more for the purposes of chapter 162 ~~shall not be reclassified unless the city's and whose~~ population decreases by less than 15 percent from the census figure which that last qualified the city for inclusion. ~~A city not reclassified under the provisions of this section~~ shall receive the following percentages of its 1981 apportionment for the years indicated: 1982,

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

66 percent and 1983, 33 percent. Thereafter the city shall not receive any apportionment from the municipal state-aid street fund unless its population is determined to be 5,000 or over by a federal census. The governing body of ~~any~~ the city not reclassified under the provisions of this section may contract with the United States bureau of the census to take one special census before January 1, 1986. A certified copy of the results of the census shall be filed with the appropriate state authorities by the city. The result of the census shall be the population of the city for the purposes of any law providing that population is a required qualification for distribution of highway aids under chapter 162. The special census shall remain in effect until the 1990 federal census is completed and filed. The expense of taking the special census shall be paid by the city. ~~Provided further, that~~

(c) If an entire area not heretofore incorporated as a city is incorporated as such during the interval between federal censuses, its population shall be determined by its incorporation census. The incorporation census shall be determinative of the population of the city only until the next federal census.

Sec. 61. A law enacted at the 1981 Regular Session, styled as H.F. No. 1434, Sections 51 and 53, is repealed.

Sec. 62. Minnesota Statutes 1980, Section 48.68, is amended to read:

48.68 DIRECTORS; QUALIFICATIONS; VACANCIES, HOW FILLED.

Each director of a trust company shall own at least \$1,000 par value of its capital stock or equivalent interest as prescribed in section 48.06, and a majority of them shall be residents of this state. Each shall take and subscribe an oath that he will diligently and honestly perform his official duties and will not knowingly violate, or permit to be violated, any provision of law relating to trust companies and that he is the owner in good faith of the stock above specified standing in his name ~~on the books of the corporation~~; the taking of this oath to be noted on the minutes of the records of the corporation and filed with the commissioner. Failure of any person selected as director to qualify shall create a vacancy in the board, and all vacancies in the board shall be filled by the qualified members; provided, that not more than one-third of the membership of the board may be so filled in any one year.

Sec. 63. Minnesota Statutes 1980, Section 256.73, Subdivision 2, as amended by a law enacted at the 1981 Regular Session styled as H.F. No. 1446, Article II, Section 19, is amended to read:

Subd. 2. **ALLOWANCE BARRED BY OWNERSHIP OF PROPERTY.** Except as provided in clause (3), the ownership by father, mother, child, children, or any combination thereof, of property as follows shall be a bar to any allowance under sections 256.72 to 256.87:

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

(1) Real property other than the homestead, except as described in clause (3). For the purposes of this section "homestead" means the house owned and occupied by the applicant as his dwelling place, together with the land upon which it is situated and an area no greater than two contiguous lots in a platted or laid out city or town or the smallest parcel allowed under applicable zoning regulations in unplatted land; or

(2) Personal property of a reasonable market value in excess of \$400 for a one child recipient or \$600 for more than one child recipient, exclusive of personal property used as the home, one automobile, insurance carried by a parent which does not exceed a cash surrender value of \$500, clothing and necessary household furniture and equipment, the earnings of a dependent child which are placed in a savings account to be used for a future purpose approved by the county agency in accordance with the rules of the commissioner of public welfare, and such property that produces a net income applicable to the family's needs.

(3) Real estate not used as a home which produces net income applicable to the family's needs, which the family is making a continuing effort to sell at a fair and reasonable price, or the sale of which would net an insignificant amount of income applicable to the ~~families~~ family's needs or would cause undue hardship, as determined by the commissioner, shall not be a bar to an allowance under sections 256.72 to 256.87. Net income shall be the residue after payment from gross income of taxes, insurance, maintenance, and interest on encumbrances, if any, on the property, provided that in computing net income the gross income shall not be charged with any expenses toward betterment of the property as improvements or by payment on the principal of a mortgage; provided, that the net income thus derived shall be applied on the family budget.

Sec. 64. A law enacted at the 1981 Regular Session styled as H.F. No. 1446, Article 1, Section 7, is amended to read:

Sec. 7. COMMISSIONER OF HEALTH

Total Department Appropriation	24,076,700	24,390,400
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The amounts that may be expended from this appropriation for each program are as follows:

The amounts shown in the program totals are reduced by \$256,900 the first year and \$270,200 the second year.

Positions and administrative money may be transferred within the department of health as deemed necessary by the commissioner, upon the advance approval of the commissioner of finance.

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

Preventive and Personal Health Services

\$ 8,240,300 \$ 8,465,700

Of the above appropriation, up to \$25,000 shall be used to eliminate the threat to public health from arsenic contamination in an underground disposal site that has resulted in an incident of human poisoning within the last ten years. Such appropriation does not constitute acceptance of any liability on the part of the state.

Any unexpended balance appropriated by Laws 1979, Chapter 336, Section 7 in the program of preventive and personal health services for the purpose of wells, soil and chemical analysis, does not cancel, but is available until June 30, 1982.

Notwithstanding any law to the contrary, the fee the commissioner of health charges for medical laboratory services may increase up to \$3.

Health Systems Quality Assurance

\$ 1,864,200 \$ 1,888,600

Of this appropriation \$308,100 for fiscal year 1982 and \$313,800 for fiscal year 1983 are appropriated from the trunk highway fund for emergency medical services activities.

Notwithstanding the provisions of Minnesota Statutes, Sections 144A.10 and 144.653, the commissioner of health shall conduct inspections and reinspections of health facilities with a frequency and in a manner calculated to produce the greatest benefit to residents within the limits of the resources available to the commissioner. In performing this function, the commissioner may devote proportionately more resources to the inspection of those facilities in which conditions present the most serious concerns with respect to resident health, treatment, comfort, safety and well-being.

These conditions include but are not limited to: change in ownership; frequent

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

change in administration in excess of normal turnover rates; complaints about care, safety, or rights; where previous inspections or reinspections have resulted in correction orders related to care, safety, or rights; and, where persons involved in ownership or administration of the facility have been indicted for alleged criminal activity. Any facility that has none of the above conditions or any other condition established by the commissioner that poses a risk to resident care, safety, or rights shall be inspected once every two years.

The commissioner of health shall require a fee of \$500 prior to undertaking a study of a human service occupation under the authority of Minnesota Statutes, Section 214.13. The fee shall be imposed on an applicant group at the time the application is filed with the commissioner. The fee shall be deposited to the general fund and if the application is accepted it is not refundable.

Health Support Services

\$14,229,100	\$14,306,300
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For the purposes of the community health services act, the commissioner of finance may authorize the transfer of money to the community health services activity from the other programs in this section.

The payments for the community health services act for each county, city, group of counties or group of cities shall be based upon the formula in effect in fiscal year 1981, using the most recent factors. ~~No county, city, group of cities or group of counties shall receive less than data, or the amount received in 1981; however, this appropriation shall be prorated if the amount is insufficient, whichever is greater.~~

If the appropriation is insufficient to fully fund each governmental unit, the insufficiency shall be prorated among the governmental units.

If the appropriation for community health services or services to children with handi-

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

caps is insufficient for either year, the appropriation for the other year shall be available by direction of the governor after consulting with the legislative advisory commission.

Sec. 65. A law enacted at the 1981 Regular Session styled as H.F. No. 1421, Section 2, Subdivision 1, is amended to read:

Sec. 2. DEPARTMENT OF EDUCATION

Subdivision 1. General Operations and Management			\$23,801,500	\$23,798,200
Approved Complement				
State -	536.6	535.6		
Federal -	<u>222.9</u>	<u>222.9</u>		
	223.9	223.9		
Special Revenue -	<u>11.5</u>	<u>11.5</u>		

The amounts that may be expended from this appropriation for each program and activity are more specifically described in the following subdivisions of this section.

Sec. 66. A law enacted at the 1981 Regular Session styled as H.F. No. 1421, Section 2, Subdivision 6, is amended to read:

Subd. 6. School Management Services

\$ 8,601,100 \$ 8,431,100

(a) \$800,000 in 1982 and \$850,000 in 1983 is for MECC management information services. Of this amount \$300,000 in 1982 and \$850,000 in 1983 shall be expended with the approval of the governor after consultation with the legislative advisory commission as provided by Minnesota Statutes, Section 3.30. No dollars shall be expended for new ESV-IS applications software development or major enhancements of present applications software until a systems architecture plan has been approved by the state board with the advice and assistance of the ESV computer council. The system architecture plan shall consider the formation of a central development group to be created to provide for the future development of applications software for ESV-IS. Particular emphasis shall be placed on the consolidation and

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coordination of software development efforts a MECC and the regional management information centers so as to reduce duplication of effort and cost.

(b) \$3,213,000 in 1982 and \$3,425,100 in 1983 is for regional support aids for regional management information centers.

(c) \$757,400 in 1982 and \$872,500 in 1983 is for regional telecommunication subsidies.

(d) ~~\$900,000~~ \$950,000 in 1982 and ~~\$450,000~~ \$400,000 in 1983 is for instructional timesharing telecommunications costs.

The appropriation for 1983 shall be expended with the approval of the governor after consultation with the legislative advisory commission as provided by Minnesota Statutes, Section 3.30. The Minnesota Education Computing Consortium shall charge fees to any district which uses the instructional timesharing system for a computer program which is available for use on a microcomputer. MECC shall prepare a report on the specific effects of the reduction of the instructional telecommunications subsidy for submission to the legislature on or before January 1, 1983.

(e) The department of education in consultation with MECC shall submit to the chairman of the house appropriations committee and the chairman of the senate finance committee by July 15 and December 31 of each year a progress report, proposed plans, and expenditures for educational computing.

(f) Any unexpended balance remaining in (a) through (e) in the first year does not cancel but is available for the second year of the biennium.

(g) \$40,000 is appropriated to a special contingent account for an evaluation of the development of the state department of education information system (SDE-IS). These funds shall be released to the office of the legislative auditor after submission of a plan to the chairmen of the house

appropriations committee and the senate finance committee. The evaluation shall consider:

(1) the extent to which the present system meets all reporting requirements of the department and the cost and effort required to automate those reporting requirements which are presently not computerized;

(2) the impact of legislative mandates and changing complex statutory requirements on the system;

(3) an estimate of the resources and schedule necessary to complete development of the system and to maintain it in the future; specific consideration shall be given to the present arrangement of data processing hardware used for the system and projected hardware requirements in the future;

(4) the role of consultants in the development of the system;

(5) the adequacy of the documentation of the system as development occurs.

(h) \$40,000 shall be used by the department to hire a consultant to assist the department in implementing the recommendations in the evaluation which was performed pursuant to Laws 1979, Chapter 334, Article VI, Section 33. The consultant shall evaluate the effectiveness of the regional reporting subsidy formula and make recommendations. The consultant shall further develop a systematic mechanism for the monitoring of the financial and performance elements of the operations of the ESV regional centers. The employment of a consulting firm shall not be subject to the contract approval procedures of the commissioner of administration.

Sec. 67. A law enacted at the 1981 Regular Session styled as H.F. No. 1434, Section 4, is amended to read:

Sec. 4. **COMMERCE**

General Operations and Management	6,736,000	6,792,300
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Changes or additions are indicated by underline, deletions by ~~strikeout~~.

	1982	1983
Approved Complement -	248 245	244 241
General -	<u>245</u>	<u>241</u>
Special -	3	3
Federal -	<u>1</u>	<u>1</u>

The amounts that may be expended from this appropriation for each program are as follows:

Supervision of State Chartered Financial Institutions

\$ 2,205,500 \$ 2,232,500

Included in this appropriation is \$130,000 each year for employee salary structure changes. The department of employee relations is directed to review the classification structure of financial institution examiners and if revisions are appropriate to work with the department of commerce in preparing revised classification specifications and standards. If no or lesser adjustments are made, the remaining amounts shall cancel back to the general fund.

The commissioner of banks shall cooperate with the state treasurer in the conduct of audits relating to unclaimed property.

Investment Protection

\$ 998,700 \$ 1,024,300

\$157,900 the first year and \$167,500 the second year is from the real estate education, research and recovery fund for the purpose of Minnesota Statutes, Section 82.34, Subdivision 6. If the appropriation for either year is insufficient, the appropriation for the other year is available for it.

Consumer Services

\$ 1,111,300 \$ 1,101,000

This appropriation includes funding for activities relating to cosmetology pursuant to sections 31 to 48 of this act.

The director of consumer services shall establish a statewide consumer outreach service to provide consumer services, education, and information throughout the state.

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The staff complement of the section of consumer services shall be increased by four to carry out the program of the state-wide consumer outreach service.

Regulation of Insurance Companies

\$ 1,700,300 \$ 1,721,600

The commissioner of insurance shall cooperate with the state treasurer to improve procedures for notifying beneficiaries of the death of life insurance policyholders.

General Support

\$ 872,200 \$ 892,700

General Staff Reduction

(\$ 27,600) (\$ 55,500)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general staff reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

General Reduction

(\$ 124,400) (\$ 124,300)

The amounts appropriated for the several programs and activities each year shall be reduced by the amount of the general reduction so that the total appropriated for all programs and activities does not exceed the amount appropriated for general operations and management for that year.

The commission with the approval of the commissioner of finance may transfer unencumbered balances among the above programs. Transfers shall be reported forthwith to the committee on finance of the senate and the committee on appropriations of the house of representatives.

Sec. 68. EFFECT OF AMENDMENTS ON REPEALS BY THIS ACT.

Regardless of the order of final enactment of sections 1 to 69 and the acts those sections amend or repeal, the amendments on repeals in sections 1 to

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67 shall be given effect. Notwithstanding Minnesota Statutes, Section 645.34, or other law, a repeal in sections 1 to 67 of an amendatory law revives the original law as it existed before or without the amendment. Notwithstanding Minnesota Statutes, Sections 645.26, Subdivision 3, 645.33, or other law, an amendment in sections 1 to 67 shall prevail over any other act amending the same provisions of law in an irreconcilable manner.

Sec. 69. EFFECTIVE DATE.

This article is effective the day following final enactment. Unless otherwise provided within a section, each section of this article is effective on the effective date of the section amended by that section.

Approved June 6, 1981

CHAPTER 5 -- S.F.No. 2

An act relating to the financing of state government; authorizing a deficit in the first year of a biennium; amending Minnesota Statutes 1980, Section 16A.15, Subdivision 1, as amended.

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

Section 1. Minnesota Statutes 1980, Section 16A.15, Subdivision 1, as amended by Laws 1981, Chapter 1, Section 2, is amended to read:

Subdivision 1. **REDUCTION.** In case the commissioner of finance shall discover at any time that the probable receipts from taxes or other sources for any appropriation, fund, or item will be less than was anticipated, and that consequently the amount available for the remainder of the ~~term of the appropriation or for any allotment period~~ biennium will be less than the amount estimated or allotted therefor, he shall, with the approval of the governor, and after notice to the agency concerned, reduce the amount allotted or to be allotted so as to prevent a deficit. Provided, however, no allotment pursuant to an appropriation for state aids, payments, reimbursements or fund transfers to or on behalf of school districts shall be reduced pursuant to this subdivision. In like manner he shall request reduction of the amount allotted or to be allotted to any agency by the amount of any saving which can be effected upon previous spending plans through a reduction in prices or other cause.

Sec. 2. EFFECTIVE DATE.

This act is effective July 1, 1981.

Approved June 6, 1981

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